

EB 017

Local Development Scheme

Third Review

Local Development Framework 2001 - 2021



Contents

	Page
Section 1	Introduction
	➤ Purpose of the Local Development Scheme
	➤ What the Council has already achieved
Section 2	Context
	➤ The Planning System
	➤ Focused Review – Core Strategy and Development Control Policies
Section 3	The Statutory Development Plan
	➤ Essex County Council
	➤ Chelmsford City Local Plan
	➤ Chelmsford City Plan
	➤ Neighbourhood Plans
Section 4	Other Planning Documents
	➤ Supplementary Planning Documents
	➤ Community Infrastructure Levy
	➤ Statement of Community Involvement
	➤ Authority Monitoring Report
	➤ Evidence Base
	➤ Sustainability Appraisal/ Strategic Environmental Assessment
Section 5	Risks and Contingencies
Section 6	Monitoring and Review
Section 7	Project Management and Resources
Appendix 1	Documents Proposed for Preparation
Appendix 2	Timetable of Document Preparation – Key Milestones

Section I - Introduction

Purpose of the Local Development Scheme

- I.1 Under the Planning and Compulsory Purchase Act 2004, Chelmsford City Council must produce a Local Development Scheme (LDS). The Local Development Scheme (LDS) is a public statement of the City Council's development plan programme and will be reviewed regularly, to take account of the results of the Authority Monitoring Report and to ensure a forward looking programme for the preparation of statutory and non-statutory development plan documents, and for monitoring and review. It represents a programme management tool for setting and managing the plan-making process.
- I.2 The first LDS was adopted in 2006 and has since been subject to two previous reviews. This LDS forms the Third Review and reflects the change in the Council's policy direction from a Local Development Framework to a Local Plan; takes account of changing legislation and sets out a timetable for producing this. The Third Review covers the period of 1st April 2011 – 31st March 2016.
- I.3 The Local Development Scheme is not required to be subject to Independent Examination or published to the public for consultation. Furthermore, following recent changes to the planning system (see below) the City Council is not required to formally submit the document to the Secretary of State. However, the City Council must make the Local Development Scheme freely available to the public from its offices and on the Council's website – www.chelmsford.gov.uk/planning

What the Council has already achieved

- I.4 Since the publication of the first LDS, the Council has made good progress in the preparation of its development plan and following the adoption of the Site Allocations DPD, has a complete suite of adopted Development Plan Documents covering the period up to 2021. Below is a list of the City Council's adopted documents.
- Core Strategy and Development Control Policies DPD – Adopted February 2008
 - Chelmsford Town Centre Area Action Plan – Adopted August 2008
 - A Plan for South Woodham Ferrers SPD – Adopted June 2008
 - Affordable Housing SPD – Adopted June 2008
 - Making Places SPD (Urban Site Guidance) – Adopted June 2008
 - Sustainable Development SPD (Sustainable Design and Construction) - Adopted June 2008
 - Planning Contributions – Adopted April 2009
 - Public Realm Strategy – Adopted January 2011
 - North Chelmsford Area Action Plan – Adopted July 2011
 - Site Allocations Document – Adopted February 2012

Section 2 – Context

The Planning System

- 2.1 Under the Planning and Compulsory Purchase Act 2004 the Government introduced the system of Local Development Frameworks (LDFs) which is a portfolio of documents comprising of Development Plan Documents (DPD), Supplementary Planning Documents (SPD) and the Statement of Community Involvement (SCI). The City Council now has a complete suite of Development Plan Documents covering the whole of the City Council's area for the period up to 2021.
- 2.2 The introduction of the Localism Act 2011 and the National Planning Policy Framework has signalled changes to the planning system and the way in which plans are prepared. Some of the changes include:
- the revocation of Regional Spatial Strategies
 - the replacement of previous Planning Policy Guidance (PPG) and Planning Policy Statements (PPS) with the National Planning Policy Framework (NPPF)
 - the introduction of neighbourhood planning
 - a duty to co-operate with neighbouring authorities
 - the production of new style Local Plans.
- 2.3 A Local Plan is broadly synonymous with the Local Development Framework and is a portfolio of Local Development Documents (LDDs) which contain plans and policies set out in Development Plan Documents (DPDs), Neighbourhood Plans and Supplementary Planning Documents (SPDs). All of the City Council's LDDs must have regard to national policies, the Chelmsford Community Plan and the Statement of Community Involvement (SCI).

Focused Review – Core Strategy and Development Control Policies

- 2.4 In light of the above changes to the planning system, in particular the publication of the National Planning Policy Framework, the City Council has undertaken a Focused Review of its Core Strategy and Development Control Policies. The purpose of the Focused Review is to ensure that the City Council's existing development plan remains consistent with Government advice. The review enables the City Council to make planning decisions consistent with current and up-to-date national policy prior to the City Council preparing its Local Plan as outlined in the following sections. The City Council has identified a selected number policies for amendment. Further details can be found at Appendix I and on the Council's website at <http://www.chelmsford.gov.uk/csdpc>

Section 3 – The Statutory Development Plan

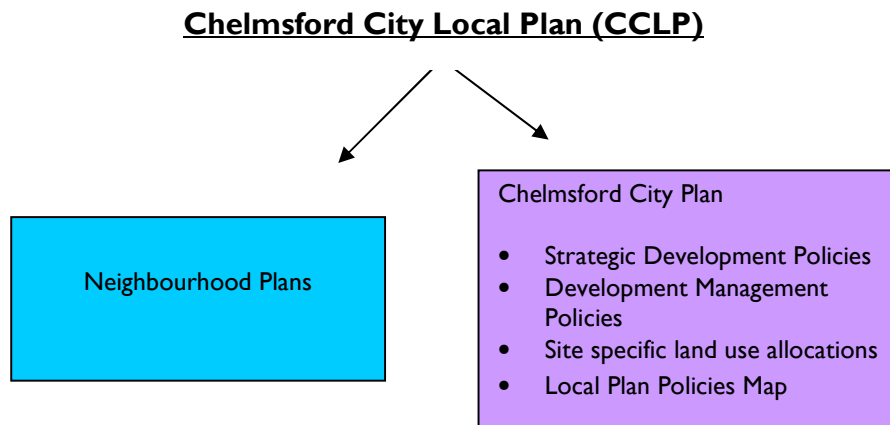
- 3.1 The Third Review of the LDS sets out the programme of work for the preparation of the Chelmsford City Local Plan. The Chelmsford City Local Plan (CCLP) will provide the planning framework for the future growth and development of the City Council's area for the period up to 2031 and will set out how the needs of businesses and people will be met and how sustainable development will be achieved. Further detail on the programme of work for the period 1st April 2011 – 31st March 2016 is given at Appendix 1.

Essex County Council – Minerals and Waste Development Framework

- 3.2 Essex County Council (ECC) is the Minerals and Waste Planning Authority for the whole of Essex (excluding the unitary authorities of Southend and Thurrock for minerals and Thurrock for waste). They are the authority responsible for determining planning applications for mineral extraction and associated development (such as quarries, mineral wharves, railheads and sand and gravel processing plants) and waste proposals (including landfill sites, waste transfer/recycling sites and scrap yards).
- 3.3 ECC is also required to produce a Minerals Local Plan and Waste Local Plan which together form part of the Minerals and Waste Development Framework. ECC is currently in the stages of producing new Minerals and Waste Local Plans (two separate documents) and when adopted, they will also form part of Chelmsford City's statutory development plan. When preparing the Chelmsford City Local Plan regard will need to be given to the strategies and policies contained within the Minerals and Waste Local Plans.

Chelmsford City Local Plan

3.4 The Chelmsford City Local Plan will comprise the following:



3.5 Related documents that will supplement the CCLP are :

- Local Development Scheme (LDS)
- Community Infrastructure Levy Charging Schedule (CIL)
- Statement of Community Involvement (SCI)
- Authority Monitoring Report (AMR)

Chelmsford City Plan

3.6 Paragraph 47 of the NPPF states that “to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in housing market area...”

3.7 Currently, the City Council’s Spatial Strategy identifies an annual completion target of 700 homes based upon the Draft East of England Plan published in December 2004. The Council’s Core Strategy and the East of England Plan were prepared in parallel. At the time the Council Submitted its Core Strategy for Examination in November 2006, the Draft East of England Plan contained a housing target of 14,000 new homes (700 per annum). The Secretary of State made proposed changes to the East of England Plan which increased the housing target to 16,000 new homes (800 per annum). The 16,000 housing target was subsequently adopted within the final East of England Plan following its Examination in Public.

- 3.8 As the Council was unable to modify its Core Strategy once Submitted to reflect this change in the regional housing target, the Core Strategy proceeded to Examination with a target for a minimum of 14,000 new homes (700 per annum). The Inspector agreed that this was the right approach and accepted that in any event the Council's housing trajectory indicated that 16,000 new homes were being planned for. However, the Inspector did recommend an early review to ensure that the final adopted regional housing target was incorporated into the Core Strategy. An early review, however, is no longer necessary following the formal revocation of the East of England on 3rd 2012. Therefore, in light of this, the Council's annual housing target remains at 700 homes.
- 3.9 In preparing Chelmsford City's Local Plan, the Council will undertake a full assessment of the need for market and affordable housing within the City Council's area in accordance with paragraph 47 of the NPPF to determine whether the current annual housing target is appropriate or whether it needs to be increased, subject to issues of deliverability.

Neighbourhood Plans

- 3.10 Neighbourhood Plans are a new type of planning document introduced by the Government through the Localism Act 2011. Their purpose is to give communities the power to develop a plan that allows them to deliver sustainable development they want and need in their neighbourhood.
- 3.11 Neighbourhood Plans must be in general conformity with the strategic policies in the Local Plan for the area. The plan will be subject to Independent Examination and a referendum. Currently, there are no proposals by communities within the City Council's area to prepare a neighbourhood plan.

Section Four - Other Planning Documents

Supplementary Planning Documents (SPDs)

- 4.1 The City Council currently has ten adopted SPDs, including six Village Design Statements. Following the publication of Local Planning Regulations 2012 and the NPPF, local authorities are advised to use SPDs as a vehicle to aid in the successful delivery of development or infrastructure – they should not be used to add unnecessarily to the financial burdens of development. Furthermore, there is no requirement for SPDs to be listed in a local authority's Local Development Scheme, so they can be brought forward as circumstances change. Other than the Supplementary Planning Documents outlined in Appendix I (two in total), the Council is not anticipating that any further SPDs will be prepared at this time.

Community Infrastructure Levy (CIL)

- 4.2 The Community Infrastructure Levy (CIL) is a statutory charge on new development and its purpose is to help fund infrastructure needed to support new development across an area. It is a broad based strategic approach to providing infrastructure for an area and will predominantly (although not completely) replace the existing Section 106 process. CIL takes the form of a charge per unit of floorspace and includes dwellings, buildings and extensions over 100sq m in gross internal floorspace.
- 4.3 A CIL Charging Schedule is the document which sets out the charges to be levied and is subject to Independent Examination. The timetable for the preparation of the City Council's CIL Charging Schedule is set out at Appendix I.

Statement of Community Involvement (SCI)

- 4.4 The Statement of Community Involvement (SCI) details how it will make the planning process as accessible as possible to all elements of the local community. It sets out the activity the City Council will undertake to reach all stakeholders, including hard to reach groups. Also, it will need to identify how responses are incorporated in the Local Plan process and taken account of when determining major planning applications.
- 4.5 The SCI also sets out the levels of consultation that developers will be encouraged to undertake, before submitting an application, particularly those involving major or controversial proposals.
- 4.6 The City Council adopted its Statement of Community Involvement (SCI) in February 2006 following an Independent Examination in November / December 2005. A first review of the SCI subsequently adopted in May 2010. Following changes to the planning system, a further review of the SCI was undertaken in 2012 and the SCI Second Review was recently adopted in January 2013.

Authority Monitoring Report (AMR)

- 4.7 Following changes brought in by the Local Planning Regulations 2012, the Authority Monitoring Report (AMR) replaces the Annual Monitoring Report. Local authorities are no longer required to send an Annual Monitoring Report to the Secretary of State and instead monitoring should be a continuous process. Local authorities should publish monitoring information on their website as soon as practical.
- 4.8 The Council is preparing an Authority Monitoring Report for the period 2011/2012 and will publish this information on its website shortly.

Evidence Base

- 4.9 The Chelmsford City Local Plan will be informed by a range of information including background studies, research, surveys and feedback documents. Many of the studies that will form the evidence base will be undertaken by the Council and consultants on behalf of the Council. Others are likely to be undertaken in partnership with other Local Authorities and Essex County Council to take into account any issues and opportunities affecting neighbouring areas and the wider region. The City Council is committed to working collaboratively with other local authorities and stakeholders on matters of cross boundary and sub-regional significance.
- 4.10 In anticipation of a full review of the City Council's development plan, the Council is currently in the process of commissioning/undertaking a number of evidence base studies. These include:
- Open Space Assessment – to be prepared during 2013
 - Chelmsford Retail Study – to be prepared during 2013
 - Employment Land Review – to be prepared during 2013
 - Strategic Housing Land Availability Assessment – to be published 2013
 - Strategic Housing Market Assessment - in partnership with Maldon, Brentwood, Braintree and Colchester Councils (Heart of Essex sub-region) – to be prepared during 2013/14.
 - Parking Standards Review – in partnership with adjoining Essex Authorities and the Essex Highways Authority – January 2013 – June 2014
 - Essex Planning Officers Association Gypsy and Traveller Accommodation Assessment – to be prepared during 2013.
 - Essex Planning Officers Association Greater Essex Demographic Forecasts - Four Phase Study – October 2011 – January 2013 (review as appropriate)
 - Green Belt Review – to be prepared during 2014/2015
 - Settlement Boundaries Review – to be prepared during 2014/2015
 - Strategic Economic Growth Plan – to be prepared during 2014/2015
 - Objectively Assessed Housing Need Study – to be prepared during 2014/2015
 - Chelmsford Infrastructure Delivery Plan – to be prepared during 2014/2015
- 4.11 This list is not exhaustive and further work is required to inform the Chelmsford City Local Plan. However, the City Council is beginning work on the above in recognition that

either the existing study is now outdated or changes to the planning system have triggered the need for an early review e.g. The Duty to Co-operate.

Sustainability Appraisal/Strategic Environmental Assessment

- 4.12 All policies and proposals contained within the Local Plan will be subject to a Sustainability Appraisal and also a Strategic Environment Assessment where appropriate. This involves scoping reports and assessments through the preparation of the Local Plan to ensure an iterative approach.

Section 5 - Risks and Contingencies

5.1 The timetable for the preparation of the Chelmsford City Local Plan is likely to be challenging, but the City Council is committed to achieving the targets set out in this LDS. To this end, it has assessed the main potential risks in meeting those targets and has identified the contingency measures that may become necessary.

5.2 The identified risks and contingency measures are as follows:

Risks	Contingency
Significant changes to the planning system - publication of new Government legislation/guidance	Continue to keep fully abreast with any changes/publications of Government legislation. Assess as soon as practicable any revisions that may be necessary to the Local Plan
Handling higher than expected numbers of representations	Engage additional staff resources during and after consultation periods with the use of external specialists if necessary
Loss of key staff within Planning Policy and Design Teams	Recruiting temporary contract staff, if necessary, to cover any shortfalls in staffing levels.
Neighbourhood Plans – staff are required to provide advice and support to neighbouring groups	Early engagement with Parish Councils/communities groups to anticipate workload. Recruit temporary contract staff, if necessary, to divert some of the workload.

5.3 The City Council will monitor all potential risks to the Local Plan process, and, as far as it is able, will take the necessary actions to adhere to the timetable set out in this LDS.

Section 6 – Monitoring and Review

- 6.1 The Council is required to monitor how effective its policies and proposals are in meeting the vision of the Local Development Framework and the forthcoming Local Plan. The Council will undertake monitoring on a regular basis and the appropriate mechanism to achieve this is through the City Council's Authority Monitoring Report (AMR): The AMR will:
- track how the Council is performing against the timescales set out in the LDS, and measure the progress being made in respect of the documents being prepared;
 - review the effectiveness of the adopted planning policies;
 - monitor the extent to which policies and targets in the LDDs are being achieved against key Government and local indicators;
 - provide an up-to-date list of documents, in preparation and adopted, and indicate the timetable for future reviews of those documents.
- 6.2 It is anticipated that all monitoring information and progress reports will be published on the City Council's website as soon as practical. Any delays or revisions to the City Council's programme of work will be highlighted in annual Authority Monitoring Report and any future reviews of the LDS.

Section 7 - Project Management and Resources

- 7.1 The Local Plan will be prepared using staff within the Planning Policy Team and Design Team of the City Council's Directorate for Sustainable Communities. It is expected that contributions will also be made from members of other departments within the Council as required
- 7.2 The Local Plan will be prepared on a project basis with a team of officers led by the Planning Policy Manager. Consultation arrangements, as defined in the adopted Statement of Community Involvement, will be co-ordinated by a Senior Planning Officer in the Planning Policy/Design Teams, using other resources of the Council as appropriate.
- 7.3 The City Council's budget adequately covers the costs of current work on the Local Plan and the Council expects to meet projected costs for future years from its Revenue Budget. The Council will meet the costs of the Independent Examination process in collaboration with the Planning Inspectorate to ensure that such costs are met at the appropriate times.

Appendix I – Documents Proposed for Preparation

Focused Review – Core Strategy and Development Control Policies	
Subject and Scope	This document will act as an addendum to the Core Strategy and Development Control Policies Development Plan Document. The document will contain those policies that have been amended in light of the advice contained within the National Planning Policy Framework.
Status	Addendum to the Core Strategy and Development Control Policies Development Plan Document.
Chain of Conformity	National Planning Policy Framework
Geographic Coverage	City-wide
Production/Management Team	Led by Planning Policy Team, CCC
Anticipated Resources	<ul style="list-style-type: none"> • Planning Policy Officers • Other Council Officers • Member Working Group • Local Bodies Workshop - Engaging in the Duty to Co-operate with neighbouring local authorities and other local bodies • External consultants • Web-base communication, email and letter correspondence, newspaper advertisements, pamphlets/mail outs.
Timetable	
Evidence gathering and public participation – Scoping Consultation (Regulation 18)	July 2012 – August 2012
Consideration of representations and prepare Draft Submission Document	August 2012 – October 2012
Approval of Draft Submission Document by the Council's Development Policy Committee	November 2012
Draft Submission Document Consultation (Regulation 19)	November 2012 – January 2013
Consideration of representations and amendments to document (if required)	February 2013 – March 2013
Approval of Submission Document by the Council's Development Policy Committee	March 2013

Submission of Focused Review Document to Secretary of State (Regulation 22)	April 2013
Independent Examination	June 2013
Receive and publish Inspector's report.	August 2013
Adoption	September 2013
Post Production	
Monitoring and Review Mechanism	Authority Monitoring Report

Chelmsford City Plan	
Subject and Scope	This document sets out the City Council's vision, objectives and Spatial Strategy for the period up to 2031. This document will contain Strategic Development Policies, Development Management Policies, Site specific land use allocations and a Local Plan Policies Map.
Status	Development Plan Document
Chain of Conformity	<ul style="list-style-type: none"> • National Planning Policy Framework • Essex Minerals and Waste Development Framework • The Community Plan
Geographic Coverage	City-wide
Production/Management Team	Led by Planning Policy Team, CCC
Anticipated Resources	<ul style="list-style-type: none"> • Planning Policy Officers • Other Council Officers • Member Working Group • Local Bodies Working Group - Engaging in the Duty to Co-operate with neighbouring local authorities and other local bodies. • External consultants • Web-base communication, email and letter correspondence, newspaper advertisements, pamphlets/mail outs.
Timetable	
Evidence gathering and public participation – Scoping Consultation (Regulation 18)	September 2015 – December 2015
Consideration of representations	January – March 2016
Preparation of Preferred Options Document	March – May 2016
Approval of Preferred Options Document by the Council's Development Policy Committee	July 2016

Preferred Options Consultation (Regulation 19)	September – November 2016
Consideration of representations and preparation of Draft Submission Document	November 2016 – February 2017
Approval of Draft Submission Document by the Council's Development Policy Committee	March 2017
Draft Submission Document Consultation (Regulation 19)	March – May 2017
Consideration of representations and amendments to document (if required)	May – July 2017
Approval of Submission Document by the Council's Development Policy Committee	September 2017
Submission of Local Plan to the Secretary of State (Regulation 22)	October 2017
Independent Examination	January 2018
Receive and publish Inspector's report	April 2018
Adoption	May 2018
Post Production	
Monitoring and Review Mechanism	Authority Monitoring Report

Community Infrastructure Levy	
Subject and Scope	This document will set out the charges to be levied on new development in Chelmsford.
Status	Charging Schedule
Chain of Conformity	CIL Statutory Guidance
Geographic Coverage	City-wide
Production/Management Team	Led by Planning Policy Team, CCC
Anticipated Resources	<ul style="list-style-type: none"> • Planning Policy Officers • Other Council Officers • Member Working Group • Local Bodies Working Group – Engaging in the Duty to Co-operate with neighbouring local authorities and other local bodies. • External consultants • Web-base communication, email and letter correspondence, newspaper advertisements, pamphlets/mail outs.
Timetable	
Evidence gathering, finalisation of Infrastructure Delivery Plan, viability testing, stakeholder engagement.	October 2011 – February 2012
Approval of Preliminary Draft Charging Schedule by the Council's Development Policy Committee	March 2012
Preliminary Draft Charging Schedule Consultation (Regulation 15)	March 2012 – April 2012
Consideration of representations	May 2012 – July 2012
Further viability testing, engagement with stakeholders	August 2012 – November 2012
Preparation of Draft Charging Schedule	December 2012 – February 2013
Approval of Draft Charging Schedule by the Council's Development Policy Committee	March 2013
Draft Charging Schedule Consultation (Regulation 16)	March 2013 – May 2013
Assessment of representations and amendments to Charging Schedule (if required)	May 2013 – June 2013

Approval for submission of Charging Schedule by the Council's Development Policy Committee	June 2013
Submit for Examination (Regulation 19)	June 2013
Examination	September 2013
Publication of Examiner's recommendations	November 2013
Modify and Adopt Charging Schedule	December 2013
Post Production	
Monitoring and Review Mechanism	Authority Monitoring Report

Section 106 Planning Obligations SPD	
Subject and Scope	The document that sets out the charges not covered by CIL for site-specific infrastructure and mitigation measures for new development.
Status	Supplementary Planning Document
Chain of Conformity	The Town and Country Planning Act 1990 Chelmsford Local Development Framework
Geographic Coverage	City-wide
Production/Management Team	Led by Planning Policy Team, CCC
Anticipated Resources	<ul style="list-style-type: none"> • Planning Policy Officers • Other Council Officers • Stakeholder engagement • Public participation • Web-base communication, email and letter correspondence, newspaper advertisements, pamphlets/mail outs.
Timetable	
Prepare draft document	April – June 2013
Draft Planning Obligations SPD Consultation (Regulations 12)	June – July 2013
Consideration of representations and preparation of final document	August 2013
Approval of final document by the Council's Development Policy Committee	September 2013
Adoption	September 2013
Post Production	
Monitoring and Review Mechanism	Authority Monitoring Report and review in line with any 'parent' policy review.

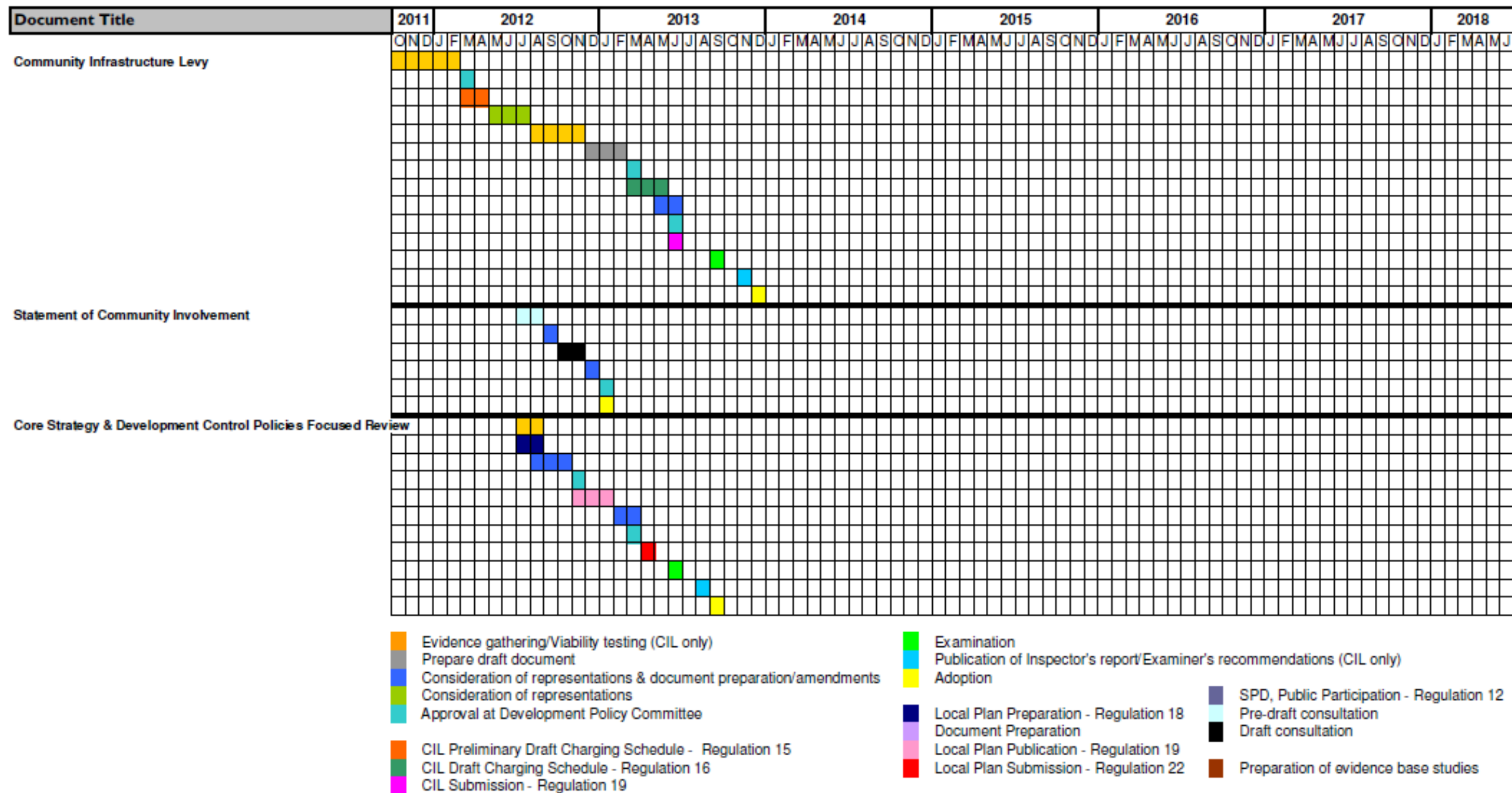
Statement of Community Involvement (SCI) – 2nd Review	
Subject and Scope	The document that sets out the standards and approach to involving stakeholders and the community in the production of the Local Plan.
Status	Development Plan Document
Chain of Conformity	Required under the Planning and Compulsory Act 2004 (as amended)
Geographic Coverage	City-wide
Production/Management Team	Led by Planning Policy Team, CCC
Anticipated Resources	<ul style="list-style-type: none"> • Planning Policy Officers • Other Council Officers • Stakeholder engagement • Public participation • Web-base communication, email and letter correspondence, newspaper advertisements, pamphlets/mail outs.
Timetable	
Pre-draft consultation	July 2012 – August 2012
Consideration of representations and preparation of revised document	September 2012
Draft SCI consultation	October 2012 – November 2012
Consideration of representations and preparation of final document	December 2012
Approval of final document by the Council's Development Policy Committee	January 2013
Adoption	January 2013
Post Production	
Monitoring and Review Mechanism	Authority Monitoring Report

Sustainable Design and Construction SPD – ‘Building for Tomorrow’	
Subject and Scope	This document will provide guidance on sustainability issues in new development. The document will contain information on setting objectives, meeting standards, self-assessment, preparing statements and on what is needed to satisfy the Council’s requirements in design and planning.
Status	Supplementary Planning Document
Chain of Conformity	Chelmsford Local Development Framework
Geographic Coverage	City-wide
Production/Management Team	Led by Planning Policy Team, CCC
Anticipated Resources	<ul style="list-style-type: none"> • Planning Policy Officers • Other Council Officers • Stakeholder engagement • Public participation • Web-base communication, email and letter correspondence, newspaper advertisements, pamphlets/mail outs.
Timetable	
Prepare draft document	August 2012 – March 2013
Draft Sustainable Design and Construction SPD Consultation (Regulation 12)	March 2013 – May 2013
Consideration of representations and preparation of final document	May 2013
Approval of final document by the Council’s Development Policy Committee	June 2013
Adoption	June 2013
Post Production	
Monitoring and Review Mechanism	Authority Monitoring Report and review in line with any ‘parent’ policy review.

Appendix 2 Timetable of Document Preparation – Key Milestones



Chelmsford City Council Local Plan Preparation Timescale



22

23

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Planning Policy,
Directorate for Sustainable Communities,
Chelmsford City Council,
Civic Centre,
Duke Street,
Chelmsford,
Essex,
CM1 1JE

Telephone 01245 606330
Fax 01245 606642
planning.policy@chelmsford.gov.uk
www.chelmsford.gov.uk

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