



SOCG018

Chelmsford Local Plan
Statement of Common Ground with
The Environment Agency
March 2026

Statement of Common Ground Chelmsford City Council and The Environment Agency

1. Introduction

Chelmsford City Council (CCC) is reviewing the Chelmsford Local Plan adopted in 2020. This has reached submission stage (Regulation 22) following consultations on the:

- Pre-Submission (Regulation 19) Local Plan (Pre-Submission Plan for short) in Spring 2025 and
- Focused Consultation (Regulation 19) Additional Sites Document (Additional Sites Document for short) in late 2025-early 2026.

This Statement of Common Ground (SOCG) has been prepared to assist the examination of the Local Plan which comprises the Pre-Submission Plan combined with the site allocations and consequential changes in the Additional Sites Document.

It establishes areas of agreement between the Environment Agency (EA) and CCC in relation to the EA's representations on the Pre-Submission Plan and the Additional Sites Document. **There are no areas of uncommon ground.**

This SOCG also sets out agreed proposed modifications to the Pre-Submission Plan and the Additional Sites Document following email exchanges between CCC and the EAs after the close of the consultations.

For the avoidance of doubt none of the proposed modifications are considered necessary to address soundness issues and instead provide factual updates, clarifications and helpful detail to the Local Plan.

The consultation responses alongside collected evidence and national planning policy and guidance have been used to develop the Local Plan.

A map of CCC's administrative area in context with its neighbouring districts and county councils is attached at Appendix A.

CCC has fully engaged with the EA on the development of the Council's review of the adopted Local Plan from the outset. In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, the EA has been formally consulted at each Regulation 18 and 19 stages of consultation together with their accompanying Integrated Impact Assessment (IIA).

2. Areas of Common Ground

Proposed new text is shown in underline. Proposed deleted text is shown as ~~strikethrough~~.

Consultation Document	Rep Number	Local Plan Reference	Summary of representation	Agreed resolution and any proposed modifications
Pre-Submission Plan	PSQ25-6263	Strategic Priority 4	Welcome the updates relating to waste management guidance.	Noted. No modification required to the Plan.
Pre-Submission Plan	PSQ25-6264	Policy S1	Support the promotion of previously developed land.	Noted. No modification required to the Plan.
Pre-Submission Plan	PSQ25-6265	Policy S2	Support additions to supporting text to include the recommended guidance documents relating to SuDS.	Noted. No modification required to the Plan.
Pre-Submission Plan	PSQ25-6266-6269	Policies S4 S9, S10 and DM30	Support policy wording on water quality and satisfied that wastewater treatment capacity and local water environment will be protected.	Noted. No modification required to the Plan.
Pre-Submission Plan	PSQ25-6268	Policies S9 and S10	Support policies but include a specific reference to the Chelmsford Flood Resilience Partnership Project (CFRPP) as the Strategic Flood Risk Assessment (SFRA) makes clear that financial contributions will be expected for this scheme from relevant strategic sites.	Policy S9 refers to the CFRPP in the supporting text. It is not considered necessary to refer to in Policy S10 as well. This policy is concerned with how payments will be made. No modification required to the Plan.
Pre-Submission Plan	PSQ25-6270	Policy S14	Welcome a reference to improving public angling opportunities where developments are adjacent to rivers or lakes.	Reference to promoting/ supporting angling is considered too detailed for a Strategic Policy. No modification required to the Plan.

Consultation Document	Rep Number	Local Plan Reference	Summary of representation	Agreed resolution and any proposed modifications
Pre-Submission Plan	PSQ25-6272	DM18	The SuDS guidance in Policy S2 may be best placed under DM18 for improved visibility.	Agreed. Add reference to SuDS guidance at the end of para. 8.167: <u>Developments should accord with the Environment Agency's Approach to Groundwater Protection; The CIRIA C753 SUDS Manual; and Sustainable Drainage Systems: Non-Statutory Technical Standards and have regard to the ECC Sustainable Drainage Systems Guide for Essex.</u>
Pre-Submission Plan	PSQ25-6273	DM19	The Environment Agency regulates ground source heating and cooling systems. The system may require an abstraction licence and an environmental permit, or exemptions may apply. Add a reference to policy or supporting text to our 'Closed loop ground source heating and cooling systems' and 'Open loop heat pump systems' guidance on gov.uk.	Agreed. Add the following text on closed loop systems to the end of para. 8.173: <u>The Environment Agency's 'Closed loop ground source heating and cooling systems: when you need a permit' and 'Open loop heat pump systems: apply to install one' may also be useful sources of information.</u>
Pre-Submission Plan	PSQ25-6275	DM24	It is important to ensure that there is sufficient distinction on sites between spaces intended for public recreation and those prioritised for wildlife conservation. Additional text suggested for a requirement for native species for all planting and habitat restoration	Measures to promote biodiversity in new developments are covered by Policy DM16. Para 8.143 makes specific reference to native species.

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				No modification required to the Plan.
Pre-Submission Plan	PSQ25-6276	DM25	As Chelmsford resides wholly in an area of serious water stress the requirement for all new dwellings to achieve a water efficiency standard of 90 litres/person/day or greater is welcome. It is essential that this requirement remains evidence based.	Noted. The stricter water efficiency requirement in the plan is supported by the plan evidence base notably the Detailed Water Cycle Study (EB CC003). 90 litres/person/day has also been viability tested. No modification required to the Plan.
Pre-Submission Plan	PSQ25-6269	DM30	Appreciate reference to the relevant Land Contamination Remediation Methods guidance in para 9.97 but move to para 9.95 or a separate paragraph as the process is relevant to any sites managing the risks from land contamination, which may include non-hazardous pollutants and not only those where hazardous substances are present	Agreed. Delete reference to the relevant Land Contamination Remediation Methods from para. 9.97 and add as a new para. at the end of the reasoned justification to make it clear that the guidance applies to all developments: <u>Developments should accord with latest technical guidance, or as updated and amended, including 'The Land Contamination Technical Guidance' and the Environment Agency's 'Land Contamination Risk Management' (LCRM) guidance.</u>
Pre-Submission Plan	PSQ25-6277, PSQ25-6279	Growth Site Policies 1a and 1f	Land remediation to address any outstanding contamination should be a requirement rather than an expectation.	Noted. The Plan should be read as a whole. Policy DM30 sets out the Council's requirements before permission can be granted for

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				development on, or near to contaminated land. No modification required to the Plan.
Pre-Submission Plan	PSQ25-6277, PSQ25-6283, PSQ25-6284, PSQ25-6286, PSQ25-6287, PSQ25-6288, PSQ25-6288	Strategic Growth Site Policies 1a para 7.27, 1d para 7.61; 1w para 7.40; 1y para 7.92, 1cc para 7.104; 16a para 7.378 and Growth Site Policies 1g, 1v and 1z para 7.114	The list of infrastructure needs should include specific reference to financial contributions for flood risk management infrastructure to reiterate the requirement for financial contributions towards CFRPP as set out in the Council's Level 2 SFRA.	Flood risk is widely covered within strategic and relevant site allocation policies, with specific requirements also specified in the Infrastructure Delivery Plan. See also response to 16b below. No modification required to the Plan.
Pre-Submission Plan	PSQ25-6290	Strategic Growth Site Policy 16b	The policy cites "Flood risk assessment" as an infrastructure requirement, but it is worth noting that it is not infrastructure but is a mandatory supporting evidence base to a planning application, so the wording of the policy needs to be corrected and perhaps replaced with "Flood Risk Management infrastructure"	Agreed. Amend last bullet point under Site infrastructure requirements to: <ul style="list-style-type: none"> • <u>Appropriate Flood Risk management infrastructure Assessment</u>
Pre-Submission Plan	PSQ25-6290	Strategic Growth Site Policy 16b	The list of infrastructure needs should include specific reference to financial contributions for flood risk management infrastructure to reiterate the requirement for financial	There is no need to make specific reference to the need for flood risk management infrastructure to include contributions to the

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			contributions towards CFRPP as set out in the Council's Level 2 SFRA.	CFRPP as this is covered in Policy S9 – Infrastructure requirements. The Plan should be read as a whole and this would be unnecessary duplication as the site policy directly refers to Policy S9 and S10. No modification required to the Plan.
Pre-Submission Plan (Water Cycle Study 2024)	PSQ25-6291	Introduction, para. 1.31 and Strategic Priority 8, para. 3.41	The Local plan has been positively prepared with regards to water resources, as it has undertaken all reasonable steps to ensure water resources issues have been identified, including the provision of a Water Cycle Study However, the Water Cycle Study (WCS) has reflected on the revised draft WRMP24 Water Resource Management Plan 2024) for Essex Suffolk Water which is now out-of-date as the company published its WRMP24 in October 2024. Whilst the WCS is still a suitable evidence base supporting this Local Plan, the EA would encourage the LPA to ensure it remains an up to date document by ensuring it is regularly updated throughout the plan's life cycle.	Noted. An Addendum to the Water Cycle Study was produced to support the Additional Sites Document (CC017). This document states: 'The Detailed WCS used the Essex & Suffolk Water revised draft Water Resources Management Plan 2024 (WRMP24). Whilst the final WRMP24 was published in October 2024, it used the same underlying data tables for development/ supply and demand as the revised draft. Hence, Table 4-1 taken from the 2024 Detailed WCS is still correct.' No modification required to the Plan.

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<p>Additional Sites Document</p> <p>(Water Cycle Study Addendum)</p>	AS-733	Introduction Para. 1.53	<p>EA questions the methodology used for calculating capacity and future flow estimations as it is not appropriate for a strategic planning assessment to be using a Q90 baseline and not a Q80 baseline. Dry Weather Flow (DWF) is defined as Q80 in the permit. However, this does not change the overall conclusions presented within the WCS and the EA agrees that South Woodham Ferrers is correctly identified as having capacity limitations.</p>	<p>Noted. As part of the detailed WCS (EB CC003), Anglian Water Services (AWS) advised that the Q90 DWF values should be used, alongside the Q80 DWF values. EA's comments about the use of Q80 are acknowledged, but it is accepted that the WCS addendum produced was to provide a realistic overview of the situation within the Chelmsford City Council administrative area in the short to medium term in terms of waste water treatment capacity to manage an immediate shortfall in housing (five-year land supply). The focus was on several smaller sites as opposed to a more strategic overview in the detailed WCS (EC CC003). This is unlikely to significantly change the current outcome of the WSC addendum since Q90 DWF in 2024 is still likely to be relatively high, reflecting the unusually wet conditions. It is noted that the Scoping WCS February 2024 and the Stage 2 Detailed WCS February 2024 (EB CC002 and EB CC003 both</p>

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				used Q80 as a baseline for DWF). The Council will review the WCS in the future aiming to always use the most appropriate assessment methodology. No modification required to the Plan.
Additional Sites Document	AS-724, AS-725, AS-726, AS-727, AS-728, AS-645	Strategic Growth Site Policies 17c, 17d and 20 and Growth Site Policies 17e, 21a and 21b	<p>Water Quality The WCS Addendum has correctly identified DWF capacity limitations at the South Woodham Ferrers Waste Water Treatment Works (WWTW) with the works currently operating in exceedance of its environmental permit for discharge volume. Great Leighs WWTW is also identified as having limited headroom capacity but is currently operating within DWF permit limits. The EA is satisfied that Chelmsford WWTW currently has available capacity.</p> <p>All allocated sites within East Hanningfield, Rettendon Place and Woodham Ferrers fall within the South Woodham Ferrers WWTW connection area. Anglian Water has identified a growth scheme in Asset Management Plan 8 (AMP8) for upgrading the works including a planned increase in DWF. This work has yet to commence and a final decision is with the Competition Markets Authority for a review.</p>	<p>It is recommended that the timing of occupancy is discussed between AWS and the relevant developers at Pre-Planning Enquiry (PPE) stage to ensure no schemes are occupied prior to completion of enhancement works. CCC proposes that details of the discussion, including agreement about the phasing of occupancy, should be submitted as part of planning applications.</p> <p>In addition, the Local Plan should be read as a whole and other policies will ensure this issue can be adequately addressed. For example, the importance of having adequate infrastructure in place to support a development is supported by Policy S4 and S10. Policy S4 requires developers to demonstrate that sufficient waste</p>

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			<p>There are concerns related to Copper at the WWTW which AWS are working with us to understand further. Significant growth connecting to the catchment from existing committed growth, in addition to further allocated sites may present challenges within the short to medium term if these allocations are to be needed to meet 5 Year Housing Land Supply. It may be necessary to consider phasing requirements for new growth connecting to the South Woodham Ferrers WWTW.</p>	<p>water treatment capacity is available ahead of occupation to ensure no deterioration in the quality of receiving waters. Policy S10 also states that permission will only be granted if it can be demonstrated that there is sufficient appropriate infrastructure capacity to support the development or that such capacity can be delivered by the proposal. No modification required to the Plan.</p>
Additional Sites Document	AS-733 AS-730, AS-729	Strategic Growth Site 7b and Growth Site 14b and	<p>Support the inclusion of site specific policy wording to detail "Demonstrate that there is sufficient capacity for waste water treatment and disposal to serve the site, including any associated sewer connections and any required mitigation within the sewerage network. This wording is helpful as it compartmentalises 'capacity' considerations.</p>	<p>Noted. No modification required to the Plan.</p>

Integrated Impact Assessment (IIA)

IIA Document	Rep Number	IIA Reference	Summary of representation	Agreed resolution and any proposed modifications
Pre-Submission Integrated Impact Assessment	PSIIA-51	Section 3.8 & 3.8.9	We are generally satisfied with the Integrated Impact Assessment section 3.8, Water. We are pleased to see there was a 2024 update to the Chelmsford WCS. Section 3.8.9 covers the serving Water Recycling Centre (WRC) and their current capacity. We are pleased to see identification of required upgrades and revised quality permit conditions, and phasing where necessary.	Noted. No modification required to the IIA.

No representations were received to the Integrated Impact Assessment Focused Additional Sites Document Addendum.

3. Governance and on-going cooperation

CCC will continue to work collaboratively with the EA to address strategic matters that, in addition to those above, arise through the examination process. This will occur on an ongoing basis through emails and/or meetings and the SOCG will be kept up to date accordingly.

It is agreed that CCC is working collaboratively with the EA to ensure that cross-boundary strategic issues are properly considered and where appropriate reflected in the review of the Local Plan and effective and on-going joint working has and will continue to be undertaken.

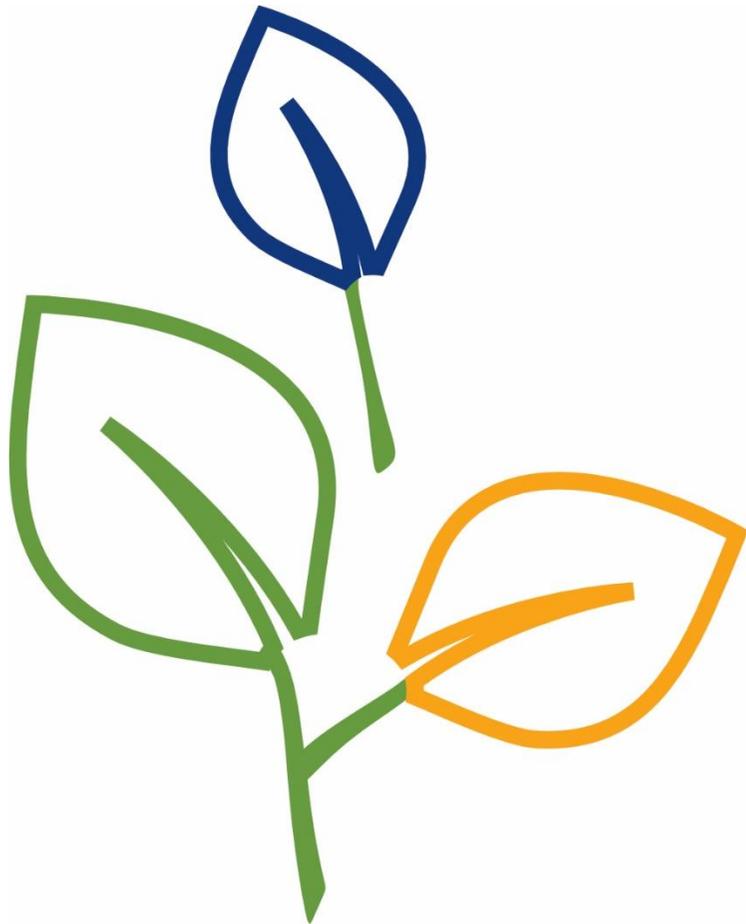
4. Signatories

Chelmsford City Council Jeremy Potter Spatial Planning Services Manager Signature: <i>Jeremy Potter</i> Date: 12.03.26	The Environment Agency Jo Firth Sustainable Places Team Leader Signature: <i>Jo Firth</i> Date: 18.03.26
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Appendix A – Map of Chelmsford City Council’s administrative area in context with its neighbouring districts and county councils.

Chelmsford City Council is adjoined by seven local planning authorities. Essex County Council is the local Highways and Transportation Authority and Education Authority. It is also responsible for the Minerals and Waste Local Plans with Southend-on-Sea Unitary Authority.





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