**CHELMSFORD LOCAL PLAN EXAMINATION**

**MATTER 1**

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**HEARING STATEMENT**
*On behalf of*
**(1) LITTLE BADDOW PARISH COUNCIL**
**(2) BOREHAM PARISH COUNCIL**
**(3) DANBURY PARISH COUNCIL**
**(4) SANDON PARISH COUNCIL**

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**[Regulation 19 Reference: Person ID 1360095; Site 16A Comment IDs PSQ25-6174, PSQ25-6176 and PSQ25-6177]**

## A. INTRODUCTION

1. This Hearing Statement is submitted on behalf of Little Baddow, Boreham, Danbury and Sandon Parish Councils ("**Parish Councils**"). The Parish Councils objected at the Regulation 19 stage through a representation prepared by Walsingham Planning (March 2025) ("**the Reg.19 Response**"), accompanied by technical notes from Stomor. They objected to Strategic Policies S6 and S7 and Strategic Growth Site Policies 16a and 16b. The Parish Councils' case is that the allocation of Hammonds Farm (SGS16a) ("**the site**") makes the Plan unsound. Measured against §35 of the NPPF (2023), it is not positively prepared, not justified, not effective and not consistent with national policy. This statement concentrates on SGS16a. The adjoining employment allocation next to A12 Junction 18 (SGS16b) is addressed only where it adds to the impacts of SGS16a, chiefly on the A414 and Junction 18.

## B. ISSUE 1 – WHETHER THE PLAN HAS BEEN INFORMED BY A SUSTAINABILITY APPRAISAL

**Q1.2 Do the Sustainability Appraisals robustly test the Plan against reasonable alternatives for the allocated sites for housing, employment and retail and other types of development?**

**Q1.3 What alternative options were considered, which were discounted and were the reasons for this clear?**

2. The Parish Councils answer both questions together. The Pre-Submission Integrated Impact Assessment ("**IIA**") tested a narrow range of options. It assessed them unevenly.

Its reasons for rejecting the alternatives are not clear, or were not applied equally to Hammonds Farm. The Plan is therefore not justified [Reg.19, §§4.21–4.24, 4.50–4.51].

**What was tested?**

3. The IIA tested a lower growth option (Option 1), four transitional growth options (Options 2a–2d) and a higher growth option (Option 3). Options 2b to 2d each replaced Hammonds Farm with one other large site: Chatham Green, West and North West Chelmsford, or Howe Green and Rettendon Common [**SD008**, Table 6.3]. Each alternative was tied to 3,000 homes and 43,000 sqm of employment floorspace on a single site or group of sites. No option tested a spread of medium-sized sites or further growth in the urban area. That meant the IIA did not test whether the same development requirement could be met through a materially different spatial strategy, rather than by substituting one large strategic site for another.

4. The Council later did exactly that. After the A12 scheme was cancelled and three strategic sites stalled, the IIA Addendum chose to allocate a number of smaller sites. It rejected further large strategic sites [**SD009**, §§2.3.1, 2.3.13–2.3.14]. A distributed option was therefore a reasonable alternative throughout. That was never tested against Hammonds Farm. That matters because the reasonable alternatives exercise was required to test genuinely different ways of meeting the identified development need, rather than simply substituting one large strategic site for another. By failing to test a distributed option, the IIA did not establish whether the same requirement could have been met with materially fewer sustainability and infrastructure constraints.

5. All Green Belt and Green Wedge sites were ruled out in principle, without assessment [**SD008**, §6.4.30]. No Green Belt Review has been done [Reg.19, §§4.42–4.46]. SD003, the Regulation 22 Consultation Statement, replies that there is "*sufficient and suitable land*" outside the Green Belt, so a review is "*not required*" [**SD003**, pp.61–62]. That assumes the answer. Whether the land outside the Green Belt is suitable is the very question in dispute. Land between southern Chelmsford and the A12 is contained by the A12 and may perform poorly against Green Belt purposes [Reg.19, §4.41]. It has never been compared with Hammonds Farm. The consequence is that potentially more sustainable locations were removed from the comparison before their relative environmental, accessibility and infrastructure effects had been assessed against Hammonds Farm. The conclusion that

Hammonds Farm represented the preferable spatial choice was therefore reached without testing that category of alternative.

6. For employment, no alternatives were tested. The Council's own evidence shows that employment needs can be met by existing commitments and allocations [Reg.19, §§4.13–4.15]. The 86,000 sqm at SGS16a and SGS16b is a surplus. The IIA did not ask whether that surplus would be better placed in smaller sites in the urban area, where most of the demand is for offices [Reg.19, §4.17].

**The assessment was uneven**

7. The Council has previously discounted the site as unsuitable. Its Hearing Statement for the Examination of the Draft Local Plan (November 2018) explained that:

> *"This option would involve the creation of a new settlement that is detached from the existing urban area, accessibility to key services, facilities and employment opportunities would be reduced. It would also be a very car reliant scheme…The site is located within the Lower Chelmer Valley which has a landscape character that has a high sensitivity to change with significant portions of land within the floodplain. The site is severed by the A12, Maldon Road and the A414, all of which are close to capacity and experience congestion and delays to traffic. Development could lead to an increase in car/traffic movements to those facilities in the city centre. Development would not respect the existing pattern of existing settlements or locate development at well-connected locations"*

8. It was therefore discounted as a reasonable alternative. The fundamental physical constraints identified previously remain. Indeed, this is effectively acknowledged in the Council's own Sustainable Accessibility Mapping and Appraisal (July 2022), which ranked a new settlement at Hammonds Farm (Option E) as the least sustainable and least accessible of the five spatial approaches [**T003**, p.14]. Growth in urban areas (Option B) was the most sustainable.

9. Nevertheless, the Council has opted to proceed with the allocation of the site; indeed it now says that the site has a "*good level*" of sustainable accessibility [**T006-A**, pp.16-17]. However, this is expressly "*subject to the provision of local amenities and sustainable travel infrastructure by developers*". This is perverse: it could be said of almost any site, no matter how remote. If a site has to be made sustainable and accessible then it is, by definition, <u>not</u> sustainable and accessible. By treating the site in this way, the Council has failed to assess it on a level playing field with other sites. This inconsistency is readily apparent from the IIA Addendum, which rejected further sites because their transport and other infrastructure requirements were "*unproven*" and their deliverability could not be relied

upon. It also found that they performed poorly on transport because they were housing-led developments without established sustainable infrastructure connections, relying on the private car at least in the short and medium term [**SD009**]. Each of those criticisms applies with at least equal force to Hammonds Farm. It is a large, housing-led site with no existing sustainable infrastructure. Its strategic transport requirements are unproven now that the A12 scheme has been cancelled. The Council has not explained why the same reasoning does not apply to it. A selection process that applies different standards to comparable sites is not justified.

10. The Council's Reg.22 Consultation Statement says T003 measured existing accessibility consistently, and that it was "*reasonable to acknowledge the potential*" for improvement at Hammonds Farm [**SD003**, Appendix 2, pp.341–342]. That concedes the point. On a like-for-like basis, Hammonds Farm came last. Only Hammonds Farm was then credited with improvements not yet secured. The same credit was not given to Option 2c, which already adjoins the urban area.

11. Flood risk is treated in the same way. The IIA gives every spatial option a neutral flood-risk score. It does so because the sequential and exception tests, and later masterplanning, are expected to deal with the risk [**IIA007**, p.197]. The sequential test in turn says there are "*no reasonable alternatives*". For this it relies on the "*Consideration… of alternative sites as part of the Pre-Submission Integrated Impact Assessment*" [**CC021**, p.4]. It names and assesses no other site. The Parish Councils made the same objection to the earlier version of the test [Reg.19, §2.72]. SD003 says it is the Council's role, not the SFRA's, to consider alternatives, and that it has done so in CC021 [**SD003**, p.135]. But CC021 contains no comparison. The two exercises each rely on the other, and neither carries out the comparison.

**The reasons for discounting were not clear or consistent**

12. **West and North West Chelmsford (Option 2c).** The IIA rejected Option 2c for three reasons: poorer connectivity into the urban area and remoteness from the strategic road network, fewer opportunities for sustainable routes and Bus Based Rapid Transit, and multiple ownership [**SD008**, §6.4.51]. Those reasons do not stand up:

    a. The sites adjoin the urban area and SGS2. They have existing bus routes and direct walking and cycling links along Roxwell Road [Reg.19, §§4.26–4.29].

b. Multiple ownership is common on strategic sites [Reg.19, §4.27].

c. Every Option 2c parcel scores better in the SHELAA than Hammonds Farm [Reg.19, §4.33].

d. Hammonds Farm is next to the strategic road network, but that network is over capacity and the A12 scheme has been cancelled.

13. SD003 gives no site-specific reply to these points. It says only that alternatives were "*considered and rejected*", and refers to the Topic Paper and IIA [**SD003**, pp.61–62].

14. **The previous rejection of Hammonds Farm.** IIA §5.6.15 records that the site was "*previously discounted*" in favour of sites north and west of Chelmsford. Those sites performed better on landscape, historic environment, flood risk, traffic generation and local road congestion [Reg.19, §2.136]. In 2018 the Council found the site "*not a reasonable alternative*" [Spatial Strategy, November 2018, pp.14-15]. SD003 now says the site "*was considered as a 'reasonable alternative'*" and that there are "*no overring reasons*" not to allocate it [**SD003**, p.135]. The Council has not explained what changed. None of the constraints it identified have gone away. The 2018 concern about pressure on the A12 is stronger now that the improvements have been cancelled, the additional development at Maldon has exacerbated pressure on the A414, and the proposed new developments at Boreham, Hatfield, Bicknacre and East Hanningfield will add pressure on Junction 18 and 19 of the A12.

15. **Inconsistency with the IIA Addendum.** The Addendum rejected further strategic sites because their "*transport and other infrastructure requirements are unproven*". It also said their deliverability "*cannot be relied upon*" within five years, and that strategic sites often have longer lead-in times [**SD009**, §§2.3.9, 2.3.14]. It said such housing-led sites, lacking established sustainable connections, rely on the car "*at least in the short and medium term*" [**SD009**, §2.3.10]. Each reason applies at least as strongly to Hammonds Farm, the largest strategic site in the Plan. The Council has not explained why the reasoning that defeated the alternatives does not also apply to SGS16a.

16. **Other locations.** SD003 says further expansion of North East Chelmsford was discounted because of mineral extraction and remediation [**SD003**, p.8]. It also says further growth at West Chelmsford and Broomfield was rejected for local road capacity and "*relative*

*remoteness from the strategic road network*" [**SD003**, p.375]. Hammonds Farm was nevertheless preferred, although it contains minerals deposits and depends on junctions that the Council's own evidence shows to be over capacity [**SD003**, p.355].

**Conclusion**

17. The IIA did not test a distributed or Green Belt option. It credited Hammonds Farm alone with future accessibility and infrastructure. It scored flood risk neutrally while deferring the comparison to a sequential test that makes none. It rejected the alternatives for reasons that apply equally to Hammonds Farm, including reliance on transport infrastructure that the cancelled A12 scheme no longer secures. Those reasons are not clear, and the appraisal is not robust. The Plan is not justified under §35(b) of the NPPF (2023).

**BEN FULLBROOK**

**LANDMARK CHAMBERS**

**21 October 2026**

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