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Planning

Examination of the Chelmsford Local Plan Review 2022-2041

Hearing Statement

on behalf of the

Rosehart Properties Ltd and Bressole Ltd

Matter 3 – Strategic Priorities, Development Requirements and Spatial Principles

Response to Issues 1, 2, 3 and 4 and related Questions

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MATTER 3 – STRATEGIC PRIORITIES, DEVELOPMENT REQUIREMENTS AND SPATIAL PRINCIPLES

Issue 1 – Whether the Plan will be effective in addressing the Strategic Priorities for the climate, growth and place

Q 3.2 The Plan period is 2022 to 2041. What is the Council's anticipated date of adoption? Would the strategic policies of the Plan look ahead over a minimum of 15 years from adoption as required paragraph 22 of the NPPF? Is the approach justified, effective and consistent with national policy

1. In view of the fact that the Plan has been submitted under the transitional requirements of the NPPF 2024 and NPPF 2026, the Plan is being examined under the policies of the NPPF 2023. Consequently, the Plan only provides 84% of the April 2026 local housing need figure of 1,433 calculated using the latest Standard Method. Therefore, there is a shortfall in meeting the actual housing requirement. This will need to be rectified as soon as possible, in context of the relevant national decision-making policies in terms of addressing an evidenced unmet need (S(1)(j)).

2. Chelmsford City Council (CCC) state in paragraph 6.145 that *"it will review the Local Plan every five years. On the basis that it takes around three years to formally complete this process, a formal review, including a formal Regulation 18 consultation, will commence two years after adoption of the Local Plan. This is envisaged to be in 2027/28"*.

   Clearly this date of 2027/28 has already slipped considerably and with the examination now in place, there is a likely scenario that the plan could be adopted, with modifications, in the second half of 2027, which means that CCC would not start a review until 2029 at the earliest.

3. In the light of the fundamental changes in national planning policy and guidance, this cannot be justified. Even the process that led to this examination proves the point that an earlier review will be necessary. That is, following completion of the first Regulation 19 Consultation in February 2025, CCC found it necessary to carry out the further Focused Consultation Additional Sites (Regulation 19) in November 2025 in order to address the shortfall in future supply in the light of several significant events listed in paragraph 1.4 of the document. These alone, clearly demonstrate the dynamic and unpredictable nature of planning, the economy and the development process. Add to this, fundamental changes in national policy and it justifies an early review as soon as the Plan is adopted.

4. There must be some doubt, given the current economic climate and depressed housing market, that CCC will be able to demonstrate a deliverable 5-year housing land supply. The over-dependence on the Garden Communities and the experience of delayed delivery of such major

schemes elsewhere, and indeed in Chelmsford, demands that the Local Plan should be more responsive to unexpected delays in delivery and the need for a wide variety of sites throughout the district.

5. Therefore, for the above reasons, there needs to be some commitment in the adopted Plan to respond quickly to any identified shortfalls in delivery. This can be rectified by adding a new policy that in the event that an appropriate 5-year land supply cannot be demonstrated six months after the Plan adoption, a requirement for an early plan review would be triggered. There are precedents for this, as required by the Inspectors who examined the Uttlesford Local Plan 2021-2041, where there was some uncertainty over the likelihood of achieving the Council's trajectory and the 5-year requirement.

6. Therefore, as explained in the Representor's Hearing Statement for Matter 11, the Inspectors are asked to consider a modification requiring CCC to commence a review of the Plan in accordance with the following potential policy:

> **Strategic Policy S6a**
> **Local Plan Review**
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> In the event that Chelmsford is unable to demonstrate a five-year supply of housing in accordance with appropriate national policy a guidance six months from adoption of the Local Plan, a Local Plan Review would become necessary.
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> The five-year land supply position, to inform if a Local Plan Review is necessary, will be monitored against the housing requirement identified in **Strategic Policy S6** of 24,915 homes for April 2021 to March 2041.
>
> In such circumstances, the impact on decision making for Development Management purposes would be guided by appropriate national policy and guidance at the time.

Issue 2 – Spatial Principles
Strategic Policy S1

Q 3.3 Does the policy provide the right approach to the distribution of development?

Q 3.4 Does it provide a clear set of spatial principles that are in accordance with national policy including in relation to the Green Belt.

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7. These questions are considered to be inter-related and are dealt with together. The failure of CCC to carry out a full Green Belt review has clearly narrowed down the options for the selected Growth Areas in locations beyond the Green Belt. It has resulted in an over-reliance on the two Garden Communities, which will take a long time to be delivered because of the constraints of implementing the necessary infrastructure due to funding issues and scale, amongst other things. Clearly, a full Green Belt review, including identifying appropriate grey belt areas, will provide CCC with scope to identify a much wider canvas to identify potential sustainable locations for future growth. This is another solid reason for the Inspectors to consider a new Policy requiring a Local Plan Review to be undertaken in the event of shortfalls and delays in planned delivery.

8. A review policy will also address the points raised in Questions 3.5, 3.6, 3.8 and 3.9.

Issue 3 – Whether the Plan makes adequate provision for housing
Strategic Policy S6

Q 3.10 Is the housing requirement of 1,210 dpa justified, evidence based and consistent with national policy?
Q 3.11 Do the potential implications of using the higher Standard Method figure justify the lower figure in Policy S6?

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9. Issue 3 and these two questions have in effect been responded to above. In both cases, introduction of a new Local Plan Review policy would address the identified shortfalls in providing the higher Standard Method figure.

Q 3.13 Are there particular constraints to identifying additional sites within the Plan period in the event of housing and employment development not coming forward as envisaged?

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10. Clearly, from the response to Q3.4, the current Green Belt boundaries are a particular constraint to identifying additional sites to the south and west of the City. There are in particular sites immediately adjacent to the Defined Urban Areas of Chelmsford that are more sustainable in terms of their location, proximity to services and transport connections than many other sites proposed for

allocation, that are ruled out for consideration because of their Green Belt status, but otherwise not unduly constrained. The BAE Systems site at Great Baddow, which is largely previously developed land, is such an example. The site is clearly a potential candidate for both housing and employment as described in detail in the main submissions to the Regulation 19 consultation.

Issue 4 – The Spatial Strategy
Strategic Policy S7

Q 3.17 Is the (strategy) approach justified, soundly based and consistent with national policy?

11. It is considered that the general overall cascade approach to the Spatial Strategy is appropriate and consistent with national policy. However, a fundamental flaw in the Plan is the fact that there has been no comprehensive review of the long established Green Belt boundaries in order to identify other sustainable alternatives and provide a wider spread and variety of sites for growth.

Q 3.18 Given the Plan's reliance etc., is there sufficient flexibility and resilience built into the Plan to deliver the housing growth envisaged, in the event of any underperformance of these allocations?

12. For reasons previously stated, the lack of a full Green Belt review has clearly constrained the potential choice of potential alternative sustainable locations and areas for growth. In the event of any underperformance of selected allocations, then the suggested Strategic Policy S6a would be triggered to start a full review of the Plan and including a full Green Belt review.

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