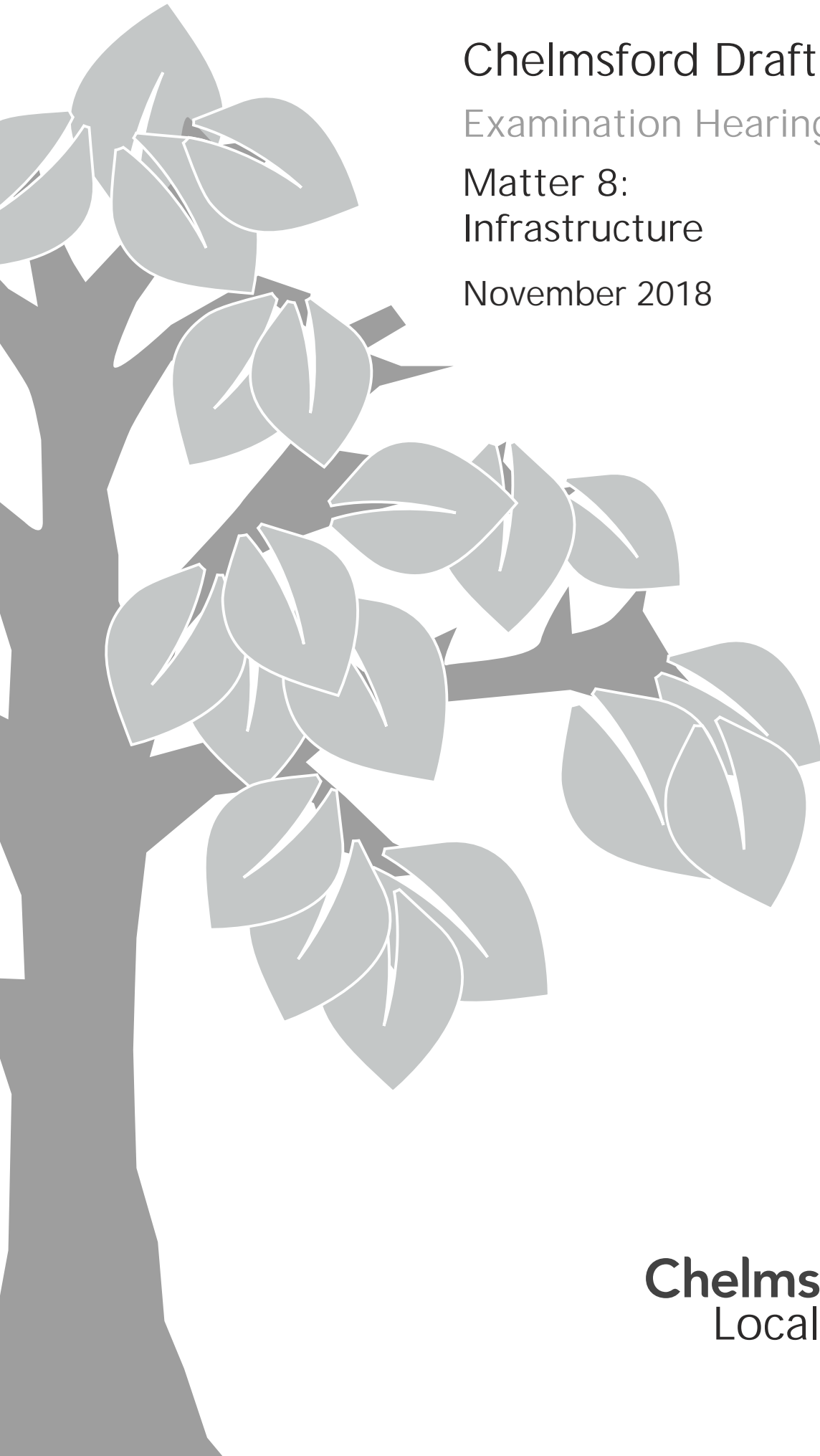


Chelmsford Draft Local Plan

Examination Hearing Statement

Matter 8: Infrastructure

November 2018



Introduction

1. This hearing statement sets out the Council's response in relation to the Inspector's Matters, Issues and Questions.
2. All the evidence base documents referred to in this statement are listed at **Appendix A**, with their evidence base or examination document reference numbers as applicable.

Matter 8 – Infrastructure

Question 75	The Plan sets out a range of infrastructure requirements which have been identified through the Council's <i>Infrastructure Delivery Plan Update</i>' (IDP) (EB018B). Is the approach set out in the IDP for identifying necessary infrastructure justified and consistent with national policy?
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Response to Q75

3. The range of infrastructure covered by the Council's Infrastructure Delivery Plan (IDP) (**EB018B**) for identifying the infrastructure necessary to support the Local Plan is justified and consistent with national policy. The IDP is not fixed in time and will evolve, so should be considered as a living document. It provides a number of functions:
 - To determine the continued justification for CIL
 - To identify the necessary infrastructure needed to help deliver the Spatial Strategy
 - Aid infrastructure providers to programme the necessary infrastructure to be available in a timely manner.
4. The NPPF (2012), paragraph 156 requires that:

"Local planning authorities should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver:

- *the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- *the provision of health, security, community and cultural infrastructure and other local facilities; and*
- *climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape."*

5. NPPF (2012), paragraph 162, goes on to state that:

"Local planning authorities should work with other authorities and providers to:

- *assess the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy (including heat), telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands”*
6. Strategic Policy S11 – Infrastructure Requirements, as set out in the Pre-Submission Local Plan and as amended by the Schedule of Additional Changes **(SD002)**, identifies the full list of infrastructure requirements along with key strategic pieces of infrastructure to support the Local Plan, including Chelmsford North East Bypass and Beaulieu railway station. The reasoned justification at paragraph 6.53 of the Pre-Submission Local Plan **(SD001)** makes specific reference to the Infrastructure Delivery Plan **(EB018B)** and its role. Accordingly, the Infrastructure Delivery Plan (IDP) has addressed a full range of infrastructure types for the strategic site allocations which accords with national guidance:

NPPF 2012 requirement in paragraphs 156 and 162	Addressed in IDP
Transport	Yes – Section 3
Water supply	Yes – Section 5
Wastewater	Yes – Section 5
Energy (including heat)	Yes – Section 5
Telecommunications	No. Addressed directly in Policy MP7.
Utilities	Yes – Section 5
Waste	Yes – Section 11
Health	Yes – Section 9
Social care	Yes – Section 9
Education	Yes – Section 8
Flood risk (and coastal change management)	Yes – Section 4
Provision of minerals and energy	Yes – Section 5
Cultural infrastructure - libraries	Yes – Section 10
Cultural infrastructure – community centres	Yes – Section 10
Cultural infrastructure – sports provision	Yes – Section 6
Cultural infrastructure – play and youth	Yes – Section 6
Cultural infrastructure – allotments	Yes – Section 6
Conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure	Yes – Section 7

7. In developing the evidence base for each infrastructure item, the authors of the IDP engaged with the relevant infrastructure providers to understand the needs for each development Location, and across the Local Plan area as a whole.

8. Where it was agreed with the infrastructure providers that information on needs and costing was most appropriately provided by the site promoters, further work was carried out by the potential site developers to ascertain these costs. These costs were then reviewed in conjunction with the infrastructure providers to ensure that they agreed with the assumptions used and the proposals put forward by the site developers. In all cases, the final text presented in the IDP was agreed with the infrastructure providers.
9. Additionally, **Appendix B** to this Hearing Statement includes an updated note from Anglian Water Services in respect of its intended investment at Great Leighs Water Recycling Centre (WRC). In summary, Anglian Water Services are proposing investment to this WRC to accommodate the growth to 2036 as set out in the Local Plan. Anglian Water's Recycling Long Term Plan suggests such improvements would be carried out in the period 2020 to 2025.
10. Where infrastructure is not provided by a statutory provider – for example, sports provision, play and youth facilities, allotments and community centres – the outputs and standards from relevant evidence base documents used to inform the Local Plan were used. These are summarised below:

Infrastructure item	Evidence base document
Cultural infrastructure - Community centres	Chelmsford Indoor/Built Sports Facility Needs Assessment 2017 (EB101G)
Cultural infrastructure – sports provision	Chelmsford Outdoor Sport Pitch and Facility Strategy and Action Plan 2018 (EB101K) Chelmsford Indoor/Built Sports Facility Needs Assessment 2017 (EB101G)
Cultural infrastructure - play and youth facilities	Chelmsford Open Space Study 2017 (EB101C and D)
Cultural infrastructure – allotments	Chelmsford Open Space Study 2017 (EB101C and D)
Green infrastructure	Chelmsford Open Space Study 2017 (EB101C and D)

11. The approach is therefore considered to be justified and consistent with national policy. Paragraph 173 of the NPPF (2012) states:

“Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as

requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.”

12. The IDP recognises this requirement and has undertaken further analysis than just infrastructure needs, costs and phasing. It has also considered how contributions from development will be used to address these infrastructure requirements on the strategic sites without undermining the viability of development. Sections 12 and 13 of the IDP address the way that each infrastructure item will be delivered and funded, either being a site-related item, through Section 106 contributions, or through the Community Infrastructure Levy (CIL). Tables 13.9 to 13.15 then present the cashflow requirements of infrastructure provision where the items are costs directly attributable to development. This demonstrates that the strategic sites are all, in high level terms, cashflow positive or that possible solutions to any small funding shortfalls are available.
13. The information presented in Sections 12 and 13 helps give clarity to developers as to the expectations of developer contributions and the appropriate method for developer contributions which will be utilised for each infrastructure project in line with paragraphs 173-177 of the NPPF (2012). All requirements set out within the evidence are necessary, directly related in scale and kind, and reasonable, in compliance with CIL regulation 122 (2010).
14. Recognising that the IDP is a ‘live’ document, these assessments of costs, funding, delivery and phasing will continue to be updated, in conjunction with further work being undertaken with the site promoters. In light of this, updates to Tables 12.1, 13.2 and 13.5 of the IDP (**EB018B**) are required. This reflects the approach to two pieces of infrastructure which was updated in the body of the text of the June 2018 IDP (**EB018B**). Therefore, there is no material change in the approach set out in the IDP, the amendment is simply to bring the tables in line with the text and approach set out in the IDP. These updates relate to the approach taken to education provision in Central and Urban Chelmsford, and the funding approach for Beaulieu railway station. The following proposed changes are recommended to be made to the IDP (**EB018B**) and any further subsequent updates when it is refreshed next:
 - i. Table 12.1, p107 - Beaulieu Railway Station should be ‘Yes’ for ‘Other developer contributions – CIL’.
 - ii. Table 13.5, p120 – ‘Beaulieu Park railway station’ - delete ‘Yes’ from ‘S106 contributions – specific item’.
15. Beaulieu railway station

16. Education

- iii. Table 12.1, p111 – ‘Early Years and Childcare – stand alone provision’ - move ‘2’ from ‘Site related 2’ to ‘Pooled S106 – specific items 2’.
- iv. Table 12.1, p111 – ‘Early Years and Childcare – stand alone provision’ - add ‘CW1c’ in ‘Pooled S106 – specific items 1’.
- v. Table 12.1, p111 – ‘Primary Education – incl. shared EY&C provision’ - add ‘2’ in ‘Site related – 2’.
- vi. Table 13.2, p117 - Move £1,180,000 for ‘Early Years and Childcare – stand alone provision’ from ‘Site related items’ to ‘S106 contributions – specific item’.

17. Additionally, in light of discussions during Matter 5 of the Examination Hearing Sessions, it should be noted that the purpose of Table 12.2 in the Infrastructure Delivery Plan (IDP) Update, June 2018, is to demonstrate that there is an infrastructure funding gap which needs to be filled by contributions from development. In demonstrating that there is a gap, the table confirms that it is appropriate to put a Community Infrastructure Levy (CIL) in place.

18. The intention of each of the columns in Table 12.2 is as follows:

- i. ‘Known infrastructure costs’ summarises the cost of infrastructure items identified in the IDP Update.
- ii. ‘Known funding’ states the amount of funding which had been secured as at June 2018. By ‘secured’ this means that there is a clear commitment to pay the identified costs by the relevant infrastructure provider. In this regard, the column could equally be entitled ‘Committed Funding’.
- iii. ‘Funding gap’ is the difference between the two previous columns (‘Known infrastructure costs’ minus ‘Known funding’).

19. The figures in the ‘Known funding’ column exclude any funding from Strategic Growth Sites in the Pre-Submission Local Plan. This is because none, as yet, have the benefit of a signed Section 106 agreement or are the subject of a CIL liability by virtue of having received planning permission. All the Strategic Growth Sites in the Plan have signed Statements of Common Ground that are part of the Examination Library. This demonstrates the commitment of the promoters and developers of these sites to provide the necessary contributions to ensure that the identified infrastructure is delivered.

20. It should also be noted that in terms of costs attributed to the new railway station the sustainable transport SoCG (**SOCC 11**) mentions £158m and the IDP £150m. However, £158m is the top of a range of figures, and more accurate estimates will not be known until the end of Grip Stage 3. At this stage it is expected that the estimate will be below

£150m, hence £150m is an appropriate figure used in the IDP. The station is considered to be deliverable, with HIF funding, whether it is £150m or £158m.

21. Accordingly, the approach taken in preparing the IDP **(EB018B)** is justified and consistent with national policy.

<p>Q76</p>	<p>The Plan sets out in Strategic Policy S11 the approach to be taken for the provision of necessary infrastructure and lists some specific infrastructure requirements in relation to transport and highways, flood risk management, community facilities, green and natural infrastructure and utilities.</p> <ul style="list-style-type: none"> a. Are these requirements based on robust evidence, are they all necessary to support development during the Plan period and are they viable and deliverable within the timescales of relevant site developments? b. The policy states that infrastructure is not limited to those listed. Does this mean that other infrastructure is necessary and has this been clearly identified and set out in other policies? c. The supporting text in paragraph 6.57 lists transport and highways infrastructure schemes that are <i>‘safeguarded from development or are allocated on the Policies Map’</i>. Are these allocations and safeguarded land clearly set out as such in specific policies?
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Response to Q76

a. Are these requirements based on robust evidence, are they all necessary to support development during the Plan period and are they viable and deliverable within the timescales of relevant site developments?

22. In accordance with paragraph 156 of the NPPF (2012), Local Plans should include Strategic Policies to deliver a number of infrastructure items.

23. The need for the specific infrastructure requirements in relation to transport and highways, flood risk management, community facilities, green and natural infrastructure and utilities listed in Strategic Policy S11 are set out in the Infrastructure Delivery Plan (IDP) **(EB018B)**. The following table summarises the chapters of the IDP **(EB018B)** which cover these topics:

Infrastructure Type in Strategic Policy S11	Covered within IDP (EB018B) Chapter
Transport and Highways	Chapter 3 – Highways, Access and Transport
Flood Risk Management	Chapter 4 – Flood Protection and Water Management
Community Facilities	Chapter 6 – Recreation and Leisure Chapter 8 – Early years, childcare and Education Chapter 9 – Health and Social Wellbeing Chapter 10 – Social and Community Facilities Chapter 11 – Other Community Infrastructure
Green and Natural Infrastructure	Chapter 6 – Recreation and Leisure Chapter 7 – Environmental Mitigation
Utilities	Chapter 5 - Utilities

24. The evidence to support these items is considered fully within the chapters of the IDP identified above and those evidence based documents of particular relevance are listed on page 6 of Topic Paper 2: Infrastructure Update (**TP002**). The evidence used to support these requirements is considered to be robust and compliant with the national guidance set out in response to Q75 above.

25. In addition to the information set out in the IDP (EB018B) the following more specific requirements are further explained below:

Transport and Highways

26. In relation to highways and transport, extensive strategic and local junction modelling has been undertaken as part of the transport evidence base. The Chelmsford VISUM strategic assignment model has been used to appraise the wider highway impact of the Local Plan. The model has been validated to WebTAG standards and is therefore considered a robust tool with which to identify the extent of infrastructure required to support Local Plan development. The model has also been approved by Highways England as an acceptable tool for use in evaluating a range of planning scenarios during preparation of the Plan.

27. Documentation on the Chelmsford VISUM model validation and forecasting is included as part of the published evidence base under reports **EB031-EB035**.

28. Recent published studies for the Chelmsford City Centre Growth Package suggest that there is around 4% reserve network capacity in Chelmsford city centre in the peak hours.

Forecast modelling has shown that peak hour background traffic flows will increase by an average of 4% in the city centre up to 2036, with a further increase of 2% resulting from Local Plan development and infrastructure.

29. Outputs from the modelling therefore provide a clear indication that, without intervention, the highway network across Chelmsford will operate over-capacity during peak hours by the end of the Local Plan period (2036). These findings are documented in the following evidence documents:
- **EB026** - Preferred Option Strategic and Local Junction Modelling - Ringway Jacobs and ECC, January 2018
 - **EB029** – Chelmsford Local Plan Pre-Submission Strategic and Local Junction Modelling – Ringway Jacobs and ECC, January 2018
30. The transport and highways infrastructure listed within Strategic Policy S11 is in line with the modelling output and required mitigation. Reference to the required mitigation is also made within each of the site specific policies as appropriate.

Flood Risk Management

31. The Strategic Flood Risk Assessment (SFRA) (**EB106A to I**) considers all sources of flooding, along with policy recommendations set out in the Local Plan. The L2 Summary Tables in the SFRA consider access and egress at sites, offer advice to developers and highlight any potential strategic flood risk solutions, as well as a generic assessment of SUDS.
32. At this stage, only site boundaries are known, so it is uncertain what precise flood risk management infrastructure requirements may be needed as part of master planning of new development sites.
33. The strategic flood defence measures on the Rivers Can and Wid, as set out in Strategic Policy S11, are part of an upstream flood risk mitigation strategy to protect buildings downstream in Chelmsford.
34. The Environment Agency (EA) has identified Chelmsford City Centre as in need for enhanced defences to safeguard against flood risk. Near miss events occurred in 2000 and 2001, when the existing flood defences came close to inundation. This resulted in a series of technical reports and studies to establish the best options available to safeguard the City. The conclusion being an on-line earth embankment defence and flood storage area on the River Wid Margaretting.

35. The chronology of studies and key events may be summarised as:

- 2006 EA / Black & Veatch – River Chelmer Flood Risk Study. This looked at understanding the flood risk problem within the River Chelmer catchment including the Rivers Wid and Can.
- 2008 EA / Halcrow – Chelmsford Flood Alleviation Scheme Viability Study. Building on the catchment analysis, this set out the available technical scenarios. It established the FAS at Margaretting as the most appropriate option.
- 2010 EA – Project Appraisal Report – The business case to deliver the FAS and was approved by DEFRA.
- 2013 EA – Planning permission – Approved by Chelmsford City Council. Work began but was subsequently halted following legal action by an affected landowner. This led to a series of court actions culminating in the Court of Appeal in 2017. The Environment Agency successfully defended these cases.
- 2018 EA Review of the Project Appraisal Report – Given legal action the business case is being refreshed, with completion programmed for January 2019.

36. Funding for such defences has been secured from a collection of sources. These include the EA Flood Defence Grant in Aid, Chelmsford City Growth Funding 2008 via central Government, South East Local Enterprise Partnership and s106 contributions. Should further funding be needed, the Community Infrastructure Levy is a potential source. However, the scheme remains to be fully funded as the business case for the scheme is under review by the EA. This may result in the need for additional funding, hence the inclusion of this requirement in Strategic Policy S11.

37. In terms of the local flood mitigation measures within or as part of development sites, the SFRA provides advice for developers on Flood Risk Assessments, the use and promotion of SUDS, and highlights opportunities for strategic flood risk solutions which can be considered as part of developments to provide wider benefits. On-site flood risk management is essential for each development site and developers should refer to SUDS guidance signposted in the SFRA. Each site's detailed FRA will outline the precise mitigation measures for a specific development.

Community Facilities

38. The list of community facilities set out in Strategic Policy S11 are more precisely covered on a site by site basis within the Site Allocation Policies within the Local Plan. These site policies set out how these requirements listed under Community Facilities in Policy S11 will be achieved on each site; e.g. whether the site requires a new school or not, and if so the size and land take necessary to provide the school.

Green and Natural infrastructure

39. The Council has prepared a Green Infrastructure Strategic Plan (GISP) (**EB021A**) which provides the framework for the conservation, enhancement and creation of the City's Green Infrastructure resource. The GISP is based on a comprehensive research and evidence, as set out in the Chelmsford Green Infrastructure Strategic Plan Research and Evidence Base Document (**EB021B**). The GISP establishes a focal point for a range of plans, policies and activities which will enhance quality of life across the City. The GISP sets out a clear agenda based around the protection and enhancement of natural resources and the City's townscape and landscape character as well as the enhancement of health and wellbeing. These themes are interrelated and, reflecting the multifunctional role of Green Infrastructure, in turn are the reference point for interventions centred on:

- Biodiversity protection and enhancement;
- Landscape management;
- Water management;
- Recreation and amenity provision;
- Air quality;
- Sustainable travel;
- Tourism and economic development;
- Cultural heritage; and
- Urban greening.

40. Preparation of the GISP has brought together numerous aspects of good plan-making, is clearly part of the foundation of the Local Plan (Strategic Priorities 7 and 8 of **SD001**) and fulfils the requirements and wider expectations of the NPPF (2012), notably that:

- the health and well-being of communities should be recognised through recreational provision (para. 73).
- appropriate weight should be given to the importance and contribution of protected wildlife sites and landscape areas (para. 113).
- Local Plans should plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure (para. 114).
- Local Plans should also include policies which plan for biodiversity at a landscape scale across local authority boundaries, and should identify and map components of local ecological networks (para. 117).
- Local Plans should contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas where they have been identified (para. 157).

41. The GISP is of fundamental importance to the sustainable growth of the City, providing the reference point for all development to make a positive contribution to the Green Infrastructure resource, through protection of the existing Green Infrastructure network

and, wherever possible, its enhancement. Local Plan policies relating to new developments (Policy S11 in particular) clearly set out the Council's expectations for the delivery of Green Infrastructure, which in turn is based on guidance in the GISP relating to design considerations for all forms of new development.

42. Additionally, Strategic Policy S11 requires appropriate contributions from developments to be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS) in compliance with the Habitat Regulations and Habitats Directive. This follows consultation with Natural England, resulting in an Essex-wide Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) being prepared to include all coastal European Sites. The strategy is well advanced and will identify where recreational disturbance is happening and the main recreational uses causing the disturbance. New residential development that is likely to affect the integrity of the European Sites will be required to contribute towards the implementation of the mitigation.

Utilities

43. In addition to the information set out in the IDP **(EB018B)** utility providers have raised no objections or issues to suggest the utility infrastructure necessary to support the identified development cannot be delivered within the Local Plan period.
44. In summary, all items listed within Strategic Policy S11 are necessary to support the growth set out in the Local Plan for the reasons set out in the evidence base documents. These are set out above and contained within the IDP **(EB018B)**.
45. In respect of the viability of delivering the necessary infrastructure, this is covered within the Council's response to Q78 below. In summary, Tables 13.9 to 13.15 of the IDP **(EB018B)** demonstrate that the sites are all, in high level terms, cashflow positive or that where small funding shortfalls are forecast, possible solutions are available. In addition, confidence on the viability and deliverability of the infrastructure is set out within a number of supporting Statements of Common Ground (SOCG) which include sustainable transport (walking, cycling and passenger transport) and highway capacity improvements required. Specific SOCG cover the following:

Beaulieu Railway Station

46. **SOCG 24** between Chelmsford City Council (CCC), Essex County Council (ECC), Network Rail, Greater Anglia and Countryside Zest sets out commitment to the delivery of the

station within the plan period and the funding which has already been secured; and **SOCG 17** between CCC, ECC and the site promoters of Strategic Growth Site 4 identifies further funding contributions towards the station.

47. ECC has also been shortlisted at Expression of Interest stage for the Government's Housing and Infrastructure Fund (HIF) for a joint Beaulieu Railway Station and Chelmsford North East Bypass bid for £250 million. The business case for this project is currently being prepared by ECC with support from CCC, with submission in March 2019.

Chelmsford North East Bypass

48. The Transport Modelling has identified that a single carriageway Chelmsford North East Bypass is required to mitigate development in north east Chelmsford within the Plan period.
49. The bypass will be delivered in a phased approach. The breakdown of specific sections of the bypass is clearly set out within Figure 3.1 of the Infrastructure Delivery Plan (**EB 018B**) and illustrates how this fits with the first Radial Distributor Road which is currently under construction as part of consented development.
50. **SOCG 17** between CCC, ECC and the site promoters of Strategic Growth Site 4 confirms direct delivery of the middle section of Phase 1 (single carriageway) of the bypass; and funding contributions to the northern section of Phase 1 (single carriageway), both within the Plan period. The appended plan within **SOCG 17** clearly illustrates which sections this refers to.
51. **SOCGs 16a, b and c** and **SOCG 19** with the site promoters of Strategic Growth Site 5 and 6 respectively, also confirm funding contributions to the northern sections of Phase 1 within the Plan period. Collectively, these SoCG's demonstrate the necessary funding for the single carriageway of the CNEB will be secured in full within the Local Plan period.
52. Financial contributions are also expected from development sites coming forward in the emerging Braintree District Local Plan (IDP, **EB 018B**, para 3.11, footnote 3).
53. **SOCG22** between CCC, ECC and Highways England sets out at Appendix A, and further replicated at **Appendix C** to this Hearing Statement, a summary of the stages of works for the Chelmsford North East Bypass.
54. As noted above, ECC has also been shortlisted at Expression of Interest stage for the Government's Housing and Infrastructure Fund (HIF) for a joint CNEB and Beaulieu Railway Station bid for £250 million. A successful bid would go towards delivery of the full

dualling of the bypass (Phase 2) between Boreham Interchange (A12) and Deres Bridge, Great Leighs (A131). Additional funding for the full dualled scheme may be required, such as Main Road Network funding or CIL. However, the Highways England Route Improvement Strategy (RIS1) scheme would deliver connections to the Chelmsford North East Bypass.

55. As the table in **SO CG 22** with Highways England summaries, if funding is not secured for the dual carriageway, then the dual element would be delivered outside of the Local Plan period.

56. In summary, in respect of the Chelmsford North East Bypass it is ECC's position, as Highway and Transportation Authority that:

- The Transport Modelling has identified that a single carriageway Chelmsford North East Bypass is required to mitigate development in north east Chelmsford within the Plan period
- The bypass will be delivered in a phased approach. The breakdown of specific sections of the bypass is clearly set out within Figure 3.1 of the Infrastructure Delivery Plan (**EB 018B**) and illustrates how this fits with the first Radial Distributor Road which is currently under construction as part of consented development.
- **SO CG 17** between CCC, ECC and the site promoters of Strategic Growth Site 4 confirms direct delivery of the middle section of Phase 1 (single carriageway) of the bypass; and funding contributions to the northern section of Phase 1 (single carriageway), both within the Plan period. The appended plan within **SO CG 17** clearly illustrates which sections this refers to.
- **SO CGs 16a, b and c** and **SO CG 19** with the site promoters of Strategic Growth Site 5 and 6 respectively, also confirm funding contributions to the northern sections of Phase 1 within the Plan period.
- Financial contributions are also expected from development sites coming forward in the emerging Braintree District Local Plan (IDP, **EB 018B**, para 3.11, footnote 3).
- The IDP is a living document and the above SO CGs have been finalised over the last couple of weeks and therefore supersede the information provided within the IDP in June.
- ECC has been shortlisted at Expression of Interest stage for the Government's Housing and Infrastructure Fund (HIF) for a joint CNEB and Beaulieu Railway Station bid for £250 million. A successful bid would go towards delivery of the full dualling of the bypass (Phase 2) between Boreham Interchange (A12) and Deres Bridge, Great Leighs (A131). Additional funding for the full dualled scheme may be required, such as Main Road Network funding or CIL.
- The Highways England Route Improvement Strategy (RIS1) scheme would deliver connections to the Chelmsford North East Bypass, so the overall estimate is likely to reduce, as a significant proportion of the £272 million is for works at Boreham Interchange.
- As the table in **SO CG 22** with Highways England summaries, if funding is not secured for the dual carriageway (phase 2), then the dual element would be delivered outside

of the Local Plan period. However, this would not jeopardise the delivery of sites within the Local Plan period.

Radial Distributor Road 2

57. **SOCG17** between CCC, ECC and the site promoters of Strategic Growth Site 4 sets out that the Radial Distributor Road 2 would be delivered directly by the promoters of Strategic Growth Site 4, within the Plan period.

New access road to Broomfield Hospital

58. The developers of Strategic Growth Site 6 are required to fund and deliver a new access road through SG6 with an access link into the Broomfield Hospital campus, and to pay a commuted sum for its maintenance. **SOCG19** between CCC, ECC and the site promoters of Strategic Growth Site 6 confirms the commitment to this funding and delivery within the Plan period.
59. A further SOCG (**SOCG23**) between CCC, ECC and Mid Essex Hospital Trust (MEHT) sets out that all parties will work in partnership with the developers of Strategic Growth Site 6 to facilitate the new access link into the Hospital.

Additional Park and Ride sites

60. **SOCG11** between CCC and ECC demonstrates ECC's commitment to progressing work to deliver additional Park and Ride sites. Further work is being progressed looking towards the development of a business case to secure a funding option for example via further SELEP Local Growth Fund rounds or utilising CIL funding.

South Woodham Ferrers

61. **SOCG20B** between CCC, ECC and site promoters of Strategic Growth Location 7 sets out commitment that the promoters of this site will deliver sustainable transport and highways capacity improvements within the vicinity of the site, links to key destinations and also along the A132.
62. It is therefore considered that the viability of delivering the infrastructure within the timescales of the relevant sites can be demonstrated. This has also been confirmed by the assessment in the Local Plan Viability Study Update (**EB082B**).

b. The policy states that infrastructure is not limited to those listed. Does this mean that other infrastructure is necessary and has this been clearly identified and set out in other policies?

63. The list of infrastructure requirements set out in Strategic Policy S11 are generic requirements. For example, education provision is covered as a whole. These infrastructure requirements are then more precisely covered on a site-by-site basis within the Site Allocation Policies within the Local Plan. These site policies set out how the requirements listed under Community Facilities in Policy S11 will be achieved on each site; e.g. whether the site requires a new school or not, and if so the size and land take necessary to provide the school.
64. In relation to highways and transport, the infrastructure requirement set out within Strategic Policy S11 and individual Site Allocation Policies has been determined through the highways modelling evidence base (**EB 023 - EB 027**). Reference to other transport and highways infrastructure that may be required to serve new development is to acknowledge that via the Transport Assessment of individual planning applications, further local infrastructure improvements may be identified.
65. The evidence base report **EB026** Preferred Option Strategic and Local Junction Modelling considers a number of small-scale mitigation measures at selected junctions impacted by Local Plan development. These include developer proposals identified from recent planning documentation, and outline proposals identified in response to the capacity appraisal of junctions undertaken as part of the Local Plan evidence base.
66. The proposed mitigation has been appraised through local junction modelling and has been shown to help alleviate capacity pressures at congested junctions near proposed developments. Further details can be found in the traffic modelling report (**EB026**).
67. The junction mitigation proposals presented in the modelling report are intended for consideration by developers to help mitigate the impact of their developments. It is however acknowledged that junction improvements will need to be considered alongside sustainable transport measures in order to mitigate the highway impact of Local Plan developments. Whilst proposals are presented as part of the evidence base, a full package of mitigation measures will be defined through the assessment of planning applications.
68. The evidence base report **EB027** Preferred Option Strategic & Local Junction Modelling Addendum – Summary of Infrastructure Studies, also highlights a number of transport studies recently commissioned by Essex County Council. These consider road infrastructure and sustainable measures that would indirectly accommodate Local Plan

development traffic, despite not being identified as mitigation measures in the Chelmsford Local Plan.

69. Schemes include an A131 Chelmsford to Braintree Route Based Strategy, a combined Route Based Strategy and Integrated Transport Package for the A132 at South Woodham Ferrers, the Chelmsford City Growth Package, the Chelmsford Cycling Action Plan and junction improvement proposals at the Army and Navy Roundabout in Chelmsford city centre and Junction 17 (Howe Green) of the A12 to the east of Chelmsford.
70. This policy would apply to all Site Allocation Policies but may also be applicable to any other form of windfall development which comes forward within the Local Plan period. For this reason, the wording *'These include, but are not limited to:'* is added to ensure any other necessary infrastructure requirements under these headings can be secured. For example, if a windfall site came forward which required specific transport and highway measures necessary to mitigate the developments impact on the transport network it could still be required, even though it is not listed within specific requirements of Strategic Policy S11.

c. The supporting text in paragraph 6.57 lists transport and highways infrastructure schemes that are 'safeguarded from development or are allocated on the Policies Map'. Are these allocations and safeguarded land clearly set out as such in specific policies?

71. The transport and highways infrastructure schemes that are set out in paragraph 6.57 are shown on the policies map. The requirement for capacity improvements to the A132 between the Rettendon Turnpike and South Woodham Ferrers is not a safeguarded parcel of land but simply a policy requirement for that site allocation. In light of this it is suggested that this requirement be deleted from the list in paragraph 6.57 as it is unnecessary repetition.
72. The other three requirements are items which require a level of protection or policy approach. The need to protect these safeguarded routes or notations on the policies map is not covered within a specific policy. As these items do not fall within one specific site allocation, it is recommended that an additional change, as set out below, be made to Strategic Policy S11 to include a further sub-category to cover these items more clearly and comprehensively. The following minor amendments are proposed to S11:

Proposed changes:

Delete bullet point 'Capacity improvements to the A132 between the Rettendon Turnpike and South Woodham Ferrers' in paragraph 6.57.

Insert additional paragraph at the end of the 'Transport and Highways' section of Strategic Policy S11:

The preferred route for the Chelmsford North East Bypass and the New Beaulieu Rail Station are allocated on the Policies Map and those areas should be safeguarded from development. Areas of search for an additional Park and Ride in West Chelmsford and North East Chelmsford are shown on the Policies Map as indicative broad locations for new Park and Ride facilities which support Essex County Council's strategy.

Question 77	Has the effect of proposed development on the strategic transport network been adequately assessed? Does the Plan provide sufficient measures to avoid any severe cumulative impacts, including through mitigation, and maximise opportunities for sustainable transport?
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Response to Q77

Has the effect of proposed development on the strategic transport network been adequately assessed?

73. Essex County Council (ECC), as Highways Authority, on behalf of CCC, has undertaken a considerable amount of traffic modelling to inform all stages of plan preparation. Both Councils have worked with Highways England (HE) through regular duty to co-operate meetings throughout its preparation to ensure that modelling is robust, accords with national published guidance, and is compatible with ECC/HE's wider remit of managing the local and strategic road network (**SD010**).

74. The highway impact of the Local Plan has been assessed using the Chelmsford VISUM strategic assignment model. The model is validated to WebTAG standards and has sufficient geographic coverage to assess the cumulative impact of development on the strategic road network across Chelmsford.

75. Documentation on the Chelmsford VISUM model validation and forecasting is included as part of the published evidence base (**EB031** and **EB032**). ECC/HE have approved the Chelmsford Traffic and Access Strategy Local Model Validation Report (**EB031**) and are satisfied that it is an appropriate tool for assessing the impact of development on the

highway network, and the transport modelling evidence base to be ‘sound’. ECC has further approved the technical modelling reports listed below, which have been produced using the Chelmsford Strategic Model (VISUM) to accompany each key stage of the Local Plan preparation.

- **EB 023** Transport Impact of Local Plan Spatial Options (March 2017)
- **EB 024** Transport Impact Sensitivity Testing and Sustainability Review (March 2017)
- **EB 025** Transport Impact of Local Plan Preferred Spatial Option (March 2017)
- **EB 026** Transport Impact of Local Plan Preferred Option Strategic and Local Junction Modelling (January 2017)
- **EB 027** Chelmsford Local Plan Preferred Option Strategic and Local Junction Modelling Addendum (Summary of Infrastructure Studies (January 2018)
- **EB 029** Chelmsford Local Plan Pre-Submission Strategic and Local Junction Modelling (January 2018)

76. In addition, the following reports contained within Topic Paper 3 – Transport (**TP003**) provide a technical response to public representations made regarding the transport modelling work:

- Response to Representations on Transportation Matters, Preferred Options (**Appendix 1 TP003**)
- Consultation and Technical Responses to Public Representations (January 2018) (**EB028**)
- Responses to Public Representations (June 2018) (**Appendix 2 TP003**)
- Responses to North and West Chelmsford Parishes Group (NWCPG) Report (June 2018) (**Appendix 3 TP003**)
- Responses to Hammonds Farm Report (June 2018) (**Appendix 4 TP003**)

77. ECC is satisfied that the modelling undertaken to inform the Local Plan indicates that the impacts of proposed growth on the Chelmsford transport network can be mitigated so as not to result in any severe cumulative impact on the network, NPPF (2012), para 32 (**TP003, para 4.8**).

78. The Pre-Submission Strategic and Local Junction Modelling Report (**EB029**) expands on the findings from the Preferred Option Strategic and Local Junction Modelling Report (**EB026**) in assessing the likely impacts of planned growth on the highway network in the Chelmsford area, and its cross boundary impact. This has included a high-level analysis of cross boundary traffic flows on key corridor routes including A130 to/from Basildon Borough and A414 East to/from Maldon District. Additional flows were considered along the A131N to Braintree; A414W to Epping, A1060/B1008 to Uttlesford, and the A12.

79. **EB029** (Section 5) also documents an assessment undertaken to evaluate the extent of available peak shoulder capacity at junctions as a means of accommodating excess peak hour demand. Whilst not viewed as a 'mitigation', peak spreading would nevertheless be expected to reduce the severity of development impact in the morning and evening peak hours. As such, consideration of this outcome is believed to enhance the robustness of the modelling.
80. More detailed analysis of traffic impacts and mitigation options testing will be undertaken through the preparation of Transport Assessments/Statements as part of future submitted planning applications.
81. A number of issues were raised by neighbouring authorities regarding traffic issues during the preparation of the Local Plan, and these have been addressed through the duty to co-operate process, modifications to the plan, and agreed amendments to emerging neighbouring plans. These are identified below regarding Basildon (and South Essex), Braintree, Maldon and Uttlesford:

Basildon

82. In responding to Strategic Policy S12, Basildon Borough Council (BBC) stated that development at South Woodham Ferrers should be supported by transport infrastructure improvements, especially at Rettendon Turnpike junction and should contribute to strategic network improvements, such as the A127 and A130. Any modelling should consider the impact of growth on roads through Wickford, and the impact of any subsequent mitigation. BBC requested the supporting text to Policy SGS7 be modified to include impacts of development on Basildon Borough.
83. In considering representations and through duty to co-operate meetings, modification AC102 in the Schedule of Additional Changes (**SD002**) to para 7.339 and modification AC50 of **SD002** at the end of Para 6.60 further cover this issue. These modifications were agreed by BBC through the Chelmsford City Local Plan Regulation 19 Consultation – Resolution of Basildon Council Objections (**PSD001**). In addition, both amendments to para 6.60 and 7.339 have been agreed by South Essex Districts in **SOCG 10**.

Braintree

84. The area to the north of Chelmsford contains key transport corridors providing access into the wider North Essex strategic road network including the A120 corridor. ECC has chosen a route for a new dual carriageway A120 between Braintree and Marks Tey. Significant new transport infrastructure is being planned for the A130/A131 corridor including the new Chelmsford North East Bypass (CNEB), new railway station and new Park and Ride. Development north of Chelmsford and in the submitted Braintree District Local Plan represents a major opportunity to help deliver strategic infrastructure in the area to

create new neighbourhoods and employment opportunities. The Council have agreed with BDC for the Braintree Local Plan to recognise the future role of the CNEB for cross boundary access. As a result, BDC has agreed to propose a modification to the Inspector of its Local Plan to include reference to the CNEB as recognition of its importance. The Plan was submitted in October 2017 and is currently under examination. These points are covered in **SOCG 03**.

Maldon

85. Maldon District Council (MDC) expressed concerns regarding the potential impact of development on the A414 and A132/B1012 corridors as these are the main routes out of and into Maldon District. The A414 is a particularly congested single carriageway which goes through the village of Danbury with a new AQMA having been declared in the centre of the village. The traffic flows on the A414 are gaining access onto the A12 at J18 and coming into the City Centre. The Pre-Submission Strategic and Local Junction Modelling Report (**EB029**) included a high-level analysis of cross boundary traffic flows on key corridor routes including A130 to/from Basildon Borough Council and A414 East to/from Maldon. Strategic Growth Site 7 requires that impacts from development on the local and strategic road network must be mitigated and impacts on adjoining areas are taken into consideration. MDC further sought the masterplanning of Strategic Growth Site 7 to provide good pedestrian access to South Woodham Ferrers train station to minimise the use of cars during the rush hour peak on the A132 and surrounding roads. The Council has proposed modification AC184 in **SD002**, which is supported by MDC (**SOCG 8**).

Uttlesford

86. In responding to Strategic Growth Site 5 - Moulsham Hall and North of Great Leighs, Uttlesford District Council (UDC) requested further exploration be undertaken regarding infrastructure mitigation for this development in conjunction with other proposals in the surrounding area. The Council has consulted on the IDP during the Pre-Submission Local Plan consultation. Service providers have worked alongside the Council to advise on the impact the Local Plan growth would have upon their services and facilities. As a result, the requirements for services, facilities and appropriate mitigation measures to support the Local Plan growth have been assessed and agreed with all partners. The Council has worked collaboratively with UDC to ensure that all cross-boundary strategic issues have been properly considered and where appropriate reflected in the Chelmsford Local Plan. UDC has confirmed there are no areas of uncommon ground or unresolved strategic matters (**SOCG07**).
87. The evidence base set out above has adequately assessed the effect of the proposed development on the strategic highway network and the proposed changes set out above satisfy the relevant Duty to co-operate bodies.

Does the Plan provide sufficient measures to avoid any severe cumulative impacts, including through mitigation, and maximise opportunities for sustainable transport?

88. ECC, as highway authority is satisfied that the range of mitigation measures proposed to accommodate the impacts of proposed Local Plan growth will not result in any severe cumulative impact in the network, NPPF, para 32 (**TP003**, para 4.8). This is predicated on the provision of the package of mitigation identified in the Local Plan as set out within Strategic Policy S11, including the Chelmsford North East Bypass, development link roads, and improved sustainable infrastructure including Park and Ride expansion, the provision of a rail station in North East Chelmsford, and improved bus, cycle and walking infrastructure. The specific site policies also clearly reference the appropriate transport mitigation required and these are set out in more detail in response to this question.
89. Topic Paper 3 (**TP 003**) also sets out and summarises how transport matters and transport impacts have been considered when preparing the Local Plan and how the Local Plan seeks to provide a development strategy compatible with sustainable movement objectives.
90. More detailed local junction mitigation options will be identified through the preparation of Transport Assessments/Statements as part of future planning applications when they are submitted. Developers will be required to complete a Transport Assessment (TA) to accompany planning applications for sites in excess of 50 dwellings or equivalent size for commercial development, or a Transport Assessment for smaller developments if required by the Highway Authority. As well as impact on the highway network, traffic generation, site access and mitigation, the TA should also include detailed analysis of sustainable transport options.
91. Sustainable transport measures play a crucial role in Local Plan mitigation and complements Essex County Council's strategy for Chelmsford's Future Transport Network. ECC and CCC acknowledge that there is neither the space, nor the funding, to deliver carriageway widening and major junction improvements across the whole city centre. There is however capacity on the public transport, cycling and walking network, and therefore use of these sustainable transport options need to be maximised and sustainable transport infrastructure improved. Reference to the ECC 'Chelmsford's Future Transport Network Strategy' is set out within paragraph 6.65 of the Local Plan with further information referenced within Topic Paper 3: Transport (**TP 003**) and **SOCG11**.
92. The strategy defines three zones of travel: Outer, Mid and Inner. Within these zones, the intention is to prioritise and promote travel via particular sustainable modes in order to reduce growing pressure on the road network. The Strategy also seeks to remove as much traffic from the outskirts of the city and beyond via sustainable modes.

- Outer Zone: Park and Ride, Rail, Bus and dynamic signage of general traffic to use appropriate strategic routes
- Mid Zone: Local Bus, Cycling
- Inner Zone: Walking and Cycling

93. Opportunities for sustainable transport are further enhanced by clustering development around existing and proposed services – enhancing viability by increasing and concentrating the volume of in-scope demand.

94. The requirement for sustainable transport improvements are referenced within Strategic Policy S11 and specific Strategic Growth Site, Growth Site and Existing Commitment policies and Policy GR1. Planned new development will provide physical local highway mitigation measures as well as opportunities for sustainable transport to enable the modal shift of trips away from car borne to sustainable travel modes. Commitment to the delivery of these improvements is also set out within the following signed allocation site Statements of Common Ground:

- SOCGS 11 regarding Sustainable Transport overall
- SOCG 13 regarding provision of bus services
- SOCG 14b for Strategic Growth Site 2 (West Chelmsford)
- SOCG 16a, b, and c for Strategic Growth Sites 5 (Great Leighs)
- SOCG 17 for Strategic Growth Site 4 (North East Chelmsford)
- SOCG 18a, b and c for Strategic Growth Sites 3 (East Chelmsford)
- SOCG19 and SOCG23 for Strategic Growth Site 6 (North of Broomfield)
- SOCG 20b for Strategic Growth Site 7 (South Woodham Ferrers)

95. All Strategic Growth Site and Existing Commitment policies in the Growth Areas 1 – 3 will be required to provide the following site infrastructure:

- Appropriate improvements to the local and strategic road network as required by the Local Highways Authority
- Appropriate measures to promote and enhance sustainable modes of transport
- New and enhanced cycle routes, footpaths, Public Rights of Way and, where appropriate, bridleways within and between the sites and the surrounding area to enable the development to integrate with existing development areas and to provide links into City Centre, the wider countryside beyond.

96. Housing and employment provision in Growth Area 1 will also be served by a range of transportation infrastructure including:

- Safeguard land for the future expansion of Sandon Park and Ride site (SGS3b)
- Safeguard land for Springfield Road junction improvement (CW1f)

- Financial contribution towards pedestrian and cycle improvements to Mallard Bridge (SGS1f)
- Financial contribution to facilitate, sustain and enhance car club facilities for scheme occupiers (eg SGS1g)
- Provide a new dedicated bus, cycle and pedestrian link into the existing Urban Area (SGS2)
- Provide pedestrian and cycle connections including consideration of access to the Sandon Park and Ride (SGS3c-d)

97. Housing and employment provision in Growth Area 2 will also be served by a range of transportation infrastructure including:

- Appropriate improvements to the local and strategic road network to include necessary works to Essex Regiment Way as required by the Local Highways Authority (SGS4)
- A single carriageway road (Phase 1) of the Chelmsford North East Bypass and a new Radial Distributor Road (RDR2) (SGS4)
- Appropriate measures to promote and enhance sustainable modes of transport including an extension of Chelmsford Area Bus Based Rapid Transit (ChART) infrastructure and a cycle/footpath bridge over Essex Regiment Way (SGS4)
- Safeguarded land for the future extension of Chelmer Valley Park and Ride site (SGS4)
- Provision of and financial contribution to facilitate and sustain and car club facilities for residents and businesses with the site and for use of the wider community (SGS4)
- Financial contributions to Beaulieu Station (SGS4)
- Financial contributions to the delivery of the Chelmsford North East Bypass (SGS4, SGS5a, SGS5b, SGS5c and SGS6)
- Provide a well-connected internal road layout which allows for bus priority measures (SGS2 and SGS6)
- Provide new vehicular access road to serve the development and provide access to Broomfield Hospital and Farleigh Hospice (SGS6)

98. Housing and employment provision in Growth Area 3 will also be served by a range of transportation infrastructure including:

- Provide additional and/or improved pedestrian and cycle connections to the Town Centre and railway station (SGS7)
- Provision of and financial contribution to facilitate and sustain and car club facilities for residents and businesses with the site and for use of the wider community (SGS7)
- Capacity improvements to the A132 between Rettendon Turnpike and South Woodham Ferrers, including necessary junction improvements (SGS7)
- Multi-user crossings of the B1012 in South Woodham Ferrers which may include a bridge or underpass (SGS7)
- Provide a well-connected internal road layout which allows good accessibility for bus services and bus priority measures (SGS7)

99. Collectively, these requirements provide sufficient measures to avoid severe cumulative impacts on the strategic transport network.

Question 78	Does Strategic Policy S12 clearly set out how infrastructure will be secured and mitigation provided during the Plan period and is this justified, effective and compliant with national policy? Has the viability of providing necessary infrastructure been adequately assessed?
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Response to Q78

100. Strategic Policy S12 sets out that planning permission will only be granted for development which is supported by the necessary infrastructure identified in the Local Plan. It is supported by the requirements of the IDP (**EB018B**) which covers in detail the necessary infrastructure requirements themselves. Policy S12 goes on to set out how the infrastructure required to support the Local Plan will be secured.

101. This follows the guidance in paragraph 204 of the NPPF (2012) which comes from Regulation 122 of the 2010 CIL Regulations, which states that planning obligations should only be sought where they meet all of the following tests:

- they are necessary to make a development acceptable in planning terms;
- they are directly related to a development;
- they are fairly and reasonably related in scale and kind to a development.

102. The approach set out within the policy is justified by the requirements of the IDP and will be effective in securing planning conditions and/or planning obligations and/or financial contributions through the range of measures set out i.e. financial contributions towards new or expanded facilities and their maintenance; on-site provision, off-site capacity improvement works; the provision of land.

103. The infrastructure needed to support the draft new Local Plan is set out in the Chelmsford IDP (**EB018B**). The IDP splits the infrastructure into four funding categories:

- site related infrastructure needed to mitigate and support new development secured through Section 106 planning obligations;
- specific infrastructure which addresses the needs arising on a small number of large sites and is most appropriately funded through pooled Section 106 contributions;
- infrastructure which addresses the needs arising from many sites and is most appropriately funded through CIL;
- secondary infrastructure which is paid for by the developer but considered as standard so factored into their secondary development allowances. Some of the items

identified as secondary infrastructure are secured through Section 106 planning obligations.

104. The policy allows for the above requirements of paragraph 204 the NPPF (2012) to be tested at the planning application stage in respect of the infrastructure set out in the IDP, which is compliant with national policy.
105. In addition to the policy and its reasoned justification, the Council have produced a draft Planning Obligations Supplementary Planning Document (SPD) which was consulted on July to September 2018. This will update and replace the Council's current Planning Obligations SPD and further sets out in greater detail the types and approach given to securing necessary infrastructure.
106. The funding categories and items of infrastructure required to support the Local Plan are set out in Appendix 2 of the draft Planning Obligations SPD and replicate those in Table 12.1 of the IDP.
107. National Planning Practice Guidance states that, "The evidence which accompanies an emerging Local Plan should show how the policies in the plan have been tested for their impact on the viability of development..." (Paragraph: 018 Reference ID: 12-018-20140306). It also says that, "Greater detail may be necessary...where the evidence suggests that viability might be an issue – for example in relation to policies for strategic sites which require high infrastructure investment" (005 Reference ID: 10-005-20140306).
108. In order to address the requirements of the national PPG, the Infrastructure Delivery Plan (**EB018B**) has considered whether the identified funding streams will specifically enable the delivery of the strategic sites. Specifically, it has assessed how contributions secured from the development of each strategic site will be used to address the infrastructure requirements created by both the site itself and the other strategic sites where there is a shared need for a particular infrastructure item, e.g. certain sections of the Chelmsford North East Bypass to serve the strategic sites in North Chelmsford.
109. In five-year periods, Tables 13.9 to 13.15 present (i) the costs of providing each infrastructure item and (ii) the cumulative levels of contribution that could be secured from development (informed by the Local Plan Viability Study (**EB082A and EB082B**)). The costs and cumulative contributions secured are then compared for each five-year period to show whether the provision of infrastructure is cashflow positive or negative at any stage.
110. Tables 13.9 to 13.15 of the IDP demonstrate that the strategic sites are all, in high level terms, cashflow positive or that where small funding shortfalls are forecast, possible

solutions are available. For example, the North East Chelmsford (SGS4) site could use Community Infrastructure Levy (CIL) contributions, explore new funding sources or bring forward further development at the site during the plan period to address the shortfall. Moreover, such shortfalls occur after the first 5 years when, as national Planning Practice Guidance says, “For the later stages of the plan period less detail may be provided as the position regarding the provision of infrastructure is likely to be less certain” (Paragraph: 018 Reference ID: 12-018-20140306).

111. It is therefore considered that the viability of delivering the infrastructure required to support the strategic sites has been adequately assessed. This has been confirmed by the assessment in the Local Plan Viability Study Update (**EB082B**).

Question 79	Is Strategic Policy S7 in seeking to protect and enhance community facilities justified and compliant with national policy? Is it clear how the policy will be used by a decision-maker when considering development proposals? Is it necessary when Policies CF1 and CF2 provide criteria for delivering and protecting community facilities? Are the policies consistent with each other?
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Response to Q79

112. It is the Council’s position that Policy S7 is justified and compliant with National Policy. It is also a necessary policy and consistent with Policies CF1 and CF2.
113. The NPPF (2012) at paragraphs 69 and 70 sets out how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Paragraph 70 states that planning policies should plan positively for the provision and use of shared space, community facilities and other local services and should guard against their unnecessary loss. Paragraphs 73 and 74 of the NPPF (2012) also set out the importance of retaining access to open space and ensuring that existing open space is not lost.
114. Strategic Policy S7 is consistent with paragraphs 69, 70, 73 and 74 (NPPF 2012) in that it seeks to ensure the provision, enhancement and protection of community assets. The policy also seeks to deliver Strategic Priority 8 -Creating Well Designed and Attractive Places and Promoting Health Communities of the Local Plan (**SD001**).
115. Strategic Policy S7 will be used by a decision maker when considering proposals for specific community facilities (either provision or loss) and also in the consideration of larger or strategic sites. The policy sets a wider aspiration to ensure that community

facilities are provided as part of strategic sites and major developments as it states that community facilities “are an integral part of any proposals for new residential and employment development”. This is reflective of paragraph 69 of the NPPF (2012) which seeks to “promote opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments”. Policy S7 establishes the principle that these types of development must be provided (as part of a wider scheme, for example) and how the funding for them will be secured, whereas Policies CF1 and CF2 set out how they will be delivered on an individual case by case basis.

116. It is therefore necessary to retain all three policies within the Draft Local Plan.

117. Policies S7, CF1 and CF2 are all consistent with each other in that they seek to recognise and provide community facilities (Policies S7 and CF1) and protect them from inappropriate changes of use or redevelopment (Policies S7 and CF2).

Question 80	Are the criteria set out in Policies CF1 and CF2 justified and consistent with national policy?
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Response to Q80

118. It is the Council’s position that the criteria set out in Policies CF1 and CF2 are justified and consistent with national policy.

Policy CF1 – Delivering Community Facilities

119. The NPPF (2012) at paragraphs 69 and 70 sets out how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Policy CF1 seeks to ensure the delivery of community facilities in a way that is sustainable and inclusive in line with paragraphs 69 and 70. The policy is positively worded by stating that planning permission will be granted for new or extensions to existing facilities that support the local community. The criteria are the means by which these services or facilities will be tested.

120. Criteria i) ii) and v) are seeking to deliver a “safe and accessible environment” in line with NPPF (2012) paragraph 69, second bullet point. Community facilities should be accessible to both car users and non-car users to ensure that they are available for all members of the local community. Criteria v) also seeks to ensure that facilities are accessible for people with disabilities. By ensuring that new or extended facilities are

accessible to all members of the community by public transport, cycling, walking or by car, the policy is ensuring that community facilities are positioned in the best and most accessible locations to facilitate interaction and inclusive communities.

121. Criteria iii) and iv) seek to ensure that the physical impact of the development would not result in harm to the character, appearance or living environment of the area. This delivers Strategic Priority 8 of the Local Plan (**SD001**), which seeks to create well designed and attractive places and promote healthy communities. The NPPF (2012) at paragraph 69 seeks to ensure that developments contain “high quality public space”. At paragraph 56 the NPPF (2012) also emphasises the need for good design, which is “a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.” Paragraph 58 of the NPPF (2012) goes on to state that planning policies should aim to ensure that developments “create attractive and comfortable places to live, work and visit” and “respond to local character and history and reflect the identity of local surroundings and materials”. Criteria iii) and iv) would ensure that proposals for new community facilities would be consistent with these elements of national policy.

Policy CF2 – Protecting Community Facilities

122. Policy CF2 delivers the objective of the NPPF (2012) at paragraph 70 “to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs”. Policy CF2 part A) sets out criteria to ensure that social, recreational and cultural facilities and services are protected in accordance with paragraph 70 of the NPPF (2012). The policy criteria allow flexibility for other community uses to ensure that any proposed changes of use of existing premises will only be permitted where the premises or site cannot be readily used for, or converted to, any other community facility. The reasoned justification advises that an analysis of the need for the community facility will be undertaken on a case-by-case basis, taking account of the type of asset and any existing provisions. This allows the opportunity for decision makers to assess whether or not the loss is necessary.
123. In accordance with national policy, Part A ii) allows for losses where compensation can be made by an existing or new facility. In decision making, this will require an analysis to be carried out on whether or not the loss of a community facility would reduce the community’s ability to meet its day to day needs
124. In the case of public houses, the reasoned justification provides a list of evidence that would need to be provided to demonstrate that a public house is no longer economically viable and is no longer required to meet the needs of the local community. The policy

needs a criterion to make this link and therefore a minor modification is proposed as follows:

Proposed changes:

Amend Policy CF2 A) by adding a new sentence under the criteria:

In relation to the loss of a locally valued community facility that is commercial in nature, such as public houses, private healthcare, evidence will need to be submitted to demonstrate that the use is not economically viable and that it is no longer required to meet the needs of the local community.

125. CF2 part B) relates to the protection of existing open space, sports and recreational buildings and land including playing fields. High quality open land in Chelmsford is scarce and therefore at a premium. The NPPF (2012) at paragraph 73 states that planning policies should be based on robust and up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The City Council has carried out an assessment of the need through the Chelmsford Open Space Study 2016 (**EB101A-K**).

126. The criteria of Policy CF2 part B) are therefore justified to protect existing open space, sports and recreation buildings and land including playing fields. The wording of criteria B) i) – iii) is consistent with paragraph 74 of the NPPF (2012).

127. The reasoned justification could be better ordered to relate to the order of the policy criteria. A minor modification is therefore proposed as follows:

Proposed changes:

Move existing paragraphs 8.133 and 8.134 above existing 8.131 and re-number accordingly.

Question 81	In relation to Policy CF1 iv this includes the term <i>‘there would be no unacceptable impact on.....amenities of the area’</i>? What does ‘amenities’ mean in this context and is it clear to a decision-maker?
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Response to Q81

128. The NPPF (2012) at paragraph 17 advises that one of the 12 planning principles is to “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”. The word “amenities” was also used in the adopted Local Development Framework.
129. The reasoned justification to Policy CF1 explains further what the amenities of the area means at paragraph 8.125 “New development should be physically compatible in form and appearance with its surroundings. It should not adversely impact its neighbours and should avoid adverse impacts on biodiversity and water quality.” For the avoidance of doubt “amenities of the area” could be altered to the “local environment”. In this context the reasoned justification could be expanded to explain more clearly what this means. Minor modifications are therefore proposed as follows:

Proposed changes:

Amend Policy CF1(iv) by deleting the words “amenities of the area” and replacing them with “local environment”

Amend reasoned justification paragraph 8.125 to:

“New development should be physically compatible in form and appearance with its surroundings. It should not adversely impact the local environment of the area by reason of impact on residential neighbours, noise, pollution, biodiversity, air or water quality.”

Question 82	Is Policy CF3 consistent with paragraph 72 of the Framework?
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Response to Q82

130. Paragraph 72 of the NPPF (2012) states that “the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities”. Policy CF3 seeks to ensure that a sufficient choice of school places is available through the first paragraph of the policy by protecting existing educational establishments. This is consistent with paragraph 72 of the NPPF (2012).

131. The second paragraph of Policy CF3 is not in conflict with the NPPF (2012) as it supports the expansion or extension to existing facilities. The policy is positively worded to ensure that sufficient weight is attached to the need for schools to expand and evolve.

Question 83	Are any changes to the infrastructure policies necessary for reasons of soundness?
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Response to Q83

132. The additional changes to the infrastructure policies, as set out in the Schedule of Additional Changes (**SD002**) do not go to the soundness of the Local Plan, instead they are intended to provide an up-to-date position, improve clarity and consistency, and support the Local Plan Examination process.

APPENDIX A

EVIDENCE BASE LIST FOR MATTER 8	
SD001	Pre-Submission Local Plan and Policies Map
SD002	Pre-Submission Local Plan Schedule of Additional Changes
SD010	Duty to Co-operate Compliance Statement
EB018B	Chelmsford Infrastructure Delivery Plan June 2018 Update
EB021A	Chelmsford Green Infrastructure Strategic Plan 2018-2036
EB021B	Chelmsford Green Infrastructure Strategic Plan Research and Evidence Base Document
EB023	Transport Impact of Local Plan Spatial Options
EB024	Transport Impact Sensitivity Testing & Sustainability Review
EB025	Transport Impact of Local Plan Preferred Spatial Option
EB026	Preferred Option Strategic & Local Junction Modelling
EB027	Preferred Option Strategic & Local Junction Modelling Addendum - Summary of Infrastructure Studies
EB029	Pre-Submission Strategic & Local Junction Modelling
EB031	Chelmsford Traffic and Access Strategy Local Model Validation Report
EB032	Chelmsford Traffic and Access Strategy Traffic Forecast Report
EB033	Chelmsford Traffic and Access Strategy Variable Demand Model – Technical Note
EB034	Chelmsford Traffic and Access Strategy Park and Ride and Station Parking Model – Technical Note
EB035	Chelmsford Traffic and Access Strategy Cycling Model – Technical Note
EB082A	Local Plan Viability Study Including CIL Viability Review January 2018
EB082B	Chelmsford City Council – Post IDP Viability Update June 2018
EB101A	Open Space, Sports and Recreational Facilities Study (2016-2036) Community and Stakeholder Consultation
EB101B	Open Space, Sports and Recreational Facilities Study (2016-2036) Executive Summary
EB101C	Chelmsford Open Space Study (Part 1 of 2)
EB101D	Chelmsford Open Space Study Green Space Area Profiles (Part 2 of 2)
EB101E	Chelmsford Playing Pitch and Outdoor Sports Needs Assessment (Part A, B and C)
EB101F	Chelmsford Playing Pitch and Outdoor Sports Strategy and Action Plan (Part D)
EB101G	Chelmsford Indoor/Built Sports Facility Needs Assessment 2017
EB101H	Chelmsford Indoor/Built Sports Facility Strategy and Action Plan
EB101I	Chelmsford Open Space Study 2016 – 2036 Addendum November 2017
EB101J	Chelmsford Open Space Study 2016 – 2036 Addendum May 2018
EB101K	Chelmsford Outdoor Sport Pitch and Facility Strategy and Action Plan 2018
EB106A	A Chelmsford City Council Level 1 and Level 2 Strategic Flood Risk Assessment (SFRA)
EB106B	B SFRA Mapping Index
EB106C	C SFRA Appendix A: Watercourses in the Chelmsford Catchment

EB106D	D SFRA Appendix B: Flood Zones
EB106E	E SFRA Appendix C: Climate Change Mapping
EB106F	F SFRA Appendix D: Updated Floor Map for Surface Water
EB106G	G SFRA Appendix E: Areas Susceptible to Groundwater Flooding
EB106H	H SFRA Appendix F: Flood Warning Coverage
EB106I	I SFRA Level 2 Detailed Site Summary Tables
SOCG03	Statement of Common Ground: HMA Authorities
SOCG07	Statement of Common Ground: West Essex Authorities
SOCG08	Statement of Common Ground: Maldon District Council
SOCG10	Statement of Common Ground: South Essex Authorities
SOCG11	Statement of Common Ground: ECC&CCC Sustainable Transport Measures and Other Matters
SOCG17	Statement of Common Ground: North East Chelmsford Highways and Transport
SOCG20B	Statement of Common Ground: SWF Site Promoters – Highways and Transportation

APPENDIX B

Chelmsford City Local Plan Examination:
Great Leighs sewerage catchment – briefing note (November 2018)
Anglian Water Services Ltd.



Water and sewerage companies including Anglian Water prepare business plans on a 5 year investment cycle. Customer charges will be set following submission from Anglian Water about what it will cost to deliver the business plan. Anglian Water's business plan for the next Asset Management Plan period (2020 to 2025) was submitted in August 2018 to our economic regulator and is expected to be approved in December 2019.

To assist Anglian Water in making future investment decisions we have prepared a long term strategy relating to the provision of water recycling infrastructure managed by Anglian Water known as the Water Recycling Long Term Plan (WRLTP). The WRLTP has been used to inform Anglian Water's Business Plan for the next Asset Management Plan period AMP7 (2020 to 2025).

The Council's Water Cycle Update (document EB107) concludes that currently there is insufficient headroom at Great Leighs WRC for the anticipated foul flows from the scale of development over the plan period within this catchment. Anglian Water is proposing further investment at Great Leighs Water Recycling Centre (WRC) in AMP 7 to accommodate further growth in this sewerage catchment as outlined in our WRLTP. This is based upon the anticipated scale of growth in the catchment to 2036.

Further details of the anticipated timing of Anglian Water's proposed investment are outlined in the WRLTP (page 71 of the plan) although this is subject to change. Anglian Water will review the expected timing of our future investment as part of our business planning process, including an annual review of the data within the WRLTP.

We are also proposing to invest in catchment flow monitors within a number of sewerage catchments including Great Leighs as part of AMP 7. This will assist Anglian Water to monitor growth coming forward within the Great Leighs catchment.

The WRLTP is available to view at the following address:

<https://www.anglianwater.co.uk/assets/media/water-recycling-long-term-plan.pdf>

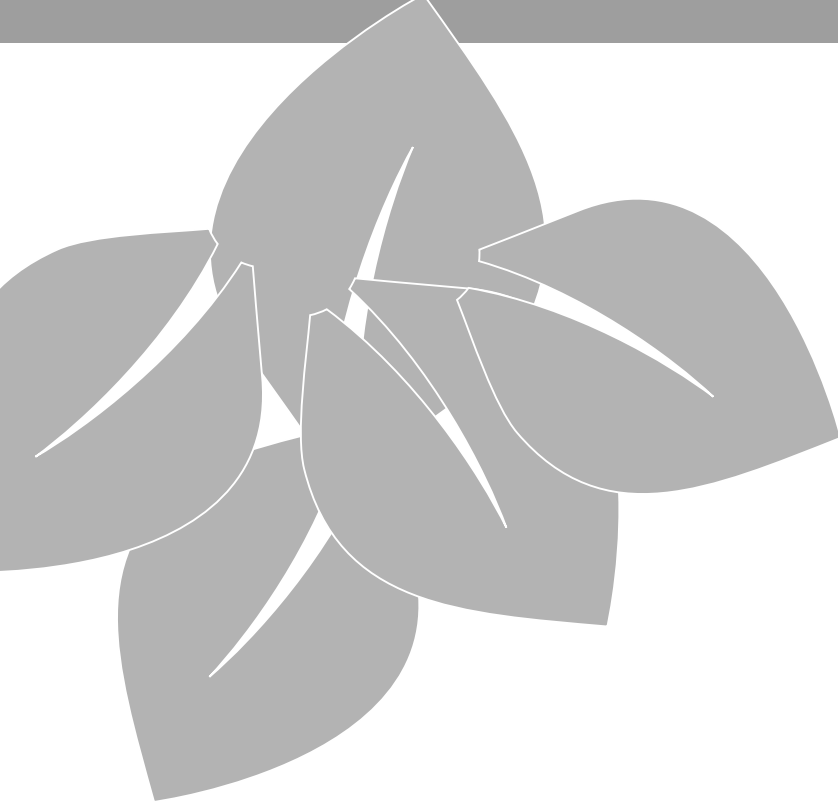
APPENDIX C

Summary of Highway Improvement works in the vicinity of A12 Junction 19, Boreham Interchange

<u>Improvement scheme</u>	<u>Promotor</u>	<u>Lead Authority</u>	<u>Delivery Timescale</u>	<u>Funding source</u>	<u>Comments</u>
Radial Distributor Road 1 Phases 2a and 2b (required prior to occupation of 1000 th dwelling)	Countryside Zest	Essex County Council (approval authority)	Commence 2019 Completion 2019	Countryside Zest (developer funded)	
Radial Distributor Road 1 Phase 3 (required prior to occupation of 1000 th dwelling)	Countryside Zest	Highways England (approval authority)	Commence 2020 Completion 2021	Countryside Zest (developer funded)	Includes new Generals Lane Bridge and link to Boreham Interchange
Radial Distributor Road 2	NE Chelmsford Garden Village Consortium	Essex County Council (approval authority)	Within Local Plan period in conjunction with SG4	NE Chelmsford Garden Village Consortium	
Boreham Interchange S106 mitigation scheme for Beaulieu development (09/01314/EIA) (required prior to occupation of 1000 th dwelling)	Countryside Zest	Essex County Council (approval authority)	Commence 2020 Completion 2021	Countryside Zest (developer funded)	CZ currently designing Boreham Interchange improvements and will implement s106 scheme if HE RIS1 scheme delayed, so as not to delay development beyond 1000 dwellings. Should HE scheme commence in 2020/2021 as planned CZ to deliver western section (Generals Lane roundabout improvements) which would be unaffected by HE scheme, and pay a contribution to HE towards RIS1 scheme which replaces the Generals Farm roundabout.
J19 improvements A12 Road Investment	Highways England	Highways England	Commence 2020/21	Highways England RIS1	As above. HE RIS 1 scheme to accommodate connections to Chelmsford North East Bypass.

Strategy (RIS1) scheme					
Chelmsford NE Bypass (CNEB) Phase 1 single carriageway	NE Chelmsford Garden Village Consortium. Northern section - Essex County Council	Essex County Council	Within Local Plan period in conjunction with Strategic growth sites	Part by SG site 4. Northern section by contributions from Growth Area 2 sites and others as identified in IDP.	CNEB Phase 1 to connect RDR1 to A131
Chelmsford NE Bypass Phase 2 dual carriageway	Essex County Council	Essex County Council	If HIF bid successful completion within Local Plan period, otherwise post 2036.	HIF bid or other funding sources.	CNEB Phase 2 to connect A131 to Boreham Interchange RIS1 scheme.





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