HS029

Matter 3 Hearing Statement

On behalf of Greystoke CB (Representor ID 1329393)

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1. Introduction

1.1 Pegasus Group are instructed on behalf of Greystoke CB to address questions raised by the examining Inspectors under Matter 3 of the examination of the Chelmsford Local Plan Review (LPR).

1.2 All references to the NPPF and PPG are to those of December 2023 unless otherwise stated, given that the examining Inspectors have identified in paragraph 2 of the Examination Guidance Note (IN02) that this is the context in which the emerging LPR will be examined, notwithstanding the previous representations of Pegasus Group.

2. Strategic Priorities, Development Requirements and Spatial Principles

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

Q3.2 – 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 National Planning Policy Framework (the Framework)? Is the approach justified, effective and consistent with national policy?

2.1 The Local Development Plan (SD018) suggests that the LPR will be adopted in Q4 of 2026 or Q1 of 2027. This is considered to be unrealistic even if the LPR is found to be sound subject to main modifications in the absence of additional evidence.

2.2 Indeed, the hearing sessions are scheduled to run until the start of December 2026. Following these, the Inspectors will need to consider the representations before recommending main modifications, and the LPA will need to arrange for a consultation on these modifications, which will need to run for at least 6 weeks. Therefore, even with the best will the LPR will not be adopted until at least Q2 of 2027.

2.3 However, as set out throughout the accompanying representations, there are significant gaps within the evidence base which will need to be addressed prior to the Inspectors writing their Final Report. As such, the LPA would not be expected to be adopted (if it is able to) until much later in 2027.

2.4 Regardless of this, the LPR does not provide for a minimum 15-year plan period from the point of adoption contrary to the requirements of paragraph 22 of the NPPF. Even if it was unrealistically assumed that the LPR will be adopted today, it would need to cover the period to October 2041 as a minimum. However, the LPR covers the monitoring years in the period 2022-41 which end on the 31st March 2041.

Modifications required

2.5 The plan period of the LPR will need to be extended until at least 31st March 2042 if it is adopted prior to 31st March 2027, or 31st March 2043 if the LPR is adopted later in 2027. This will require that the housing and employment land requirements are increased to cover a longer period.

Issue 4 – The Spatial Strategy

Q3.20 – Does the Plan provide sufficient flexibility to respond to changes to future logistics and economic growth?

2.6 As addressed comprehensively in the representations to the Focussed Changes consultation:

i. The LPR does not even consider the critical need for logistics contrary to the requirements of the PPG (2a-031).

ii. Table 2.10 of the Employment Land Review Focussed Update (ECON003) identify a need for 280,758sqm of employment floorspace, but the LPR sets a requirement for only 173,146sqm and the updated Employment Supply Figures (ECON006) now identify a potential supply of 192,851sqm. As such, the LPR does not provide sufficient employment land to support economic growth even without any regard being paid to the additional need for land for logistics.

2.7 This is not just a quantitative failing; the LPA also fails to recognise and respond to the specific locational requirements of logistics. It is no answer to allow for logistics to be provided on the proposed employment allocations as firstly these sites are not suitable for logistics, and secondly even if logistics are delivered on these sites this will mean that there is an even greater shortfall in the level of non-logistics employment land.

2.8 As a consequence, the LPR does not comply with paragraphs:

i. 8a of the NPPF as it does not help build a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places to support growth.

ii. 85 of the NPPF as it does not help create the conditions in which businesses can invest, expand and adapt, nor allow the area to build on its strengths, counter any weaknesses and address the challenges of the future.

iii. 86 of the NPPF as it does not proactively encourage sustainable economic growth, nor set criteria or identify sites for meet needs, nor is it flexible enough to accommodate needs (including any need for logistics) which are not even taken into account in the LPR.

iv. 87 of the NPPF as it does not recognise the specific location requirements of the logistics sector.

v. 35a of the NPPF as it does not seek to meet the objectively assessed need for employment land or meet any of the acknowledged need for logistics.

vi. 35c of the NPPF as it is not based on effective joint working and has not even considered let alone dealt with the need for logistics.

vii. 35d of the NPPF as it does not enable the delivery of sustainable development.

Modifications required

2.9 The LPR does not accord with the NPPF as it omits any consideration of the need for logistics which the PPG identifies as being of critical importance.

2.10 The fundamental failing can only be remedied by either:

i. Assessing the need for logistics as required by the NPPF and then collaborating with relevant bodies to ensure that this is met and allocating sites to do so as required by the NPPF.

ii. Introducing a criteria-based policy which supports the development of logistics sites in suitable locations, akin to Policy S5(1)(j)(ii) of the 2026 NPPF.

iii. Introducing text to confirm that the need for logistics and the response to this is beyond the scope of the LPR, such that proposals for logistics will be determined in accordance with national policy rather than by reference to the LPR.

2.11 Without such a modification, the LPR is unsound.

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Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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