

REVIEW OF THE LOCAL PLAN PRE-SUBMISSION (REGULATION 19) STATEMENT OF REPRESENTATION PROCEDURE AND STATEMENT ON AVAILABILITY OF PROPOSED SUBMISSION DOCUMENTS FOR INSPECTION

Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) - Regulations 7, 19, 20 and 35

Chelmsford City Council is inviting your comments on the following documents:

- Chelmsford Local Plan – Pre-Submission (Regulation 19) Document
- Review of the Adopted Chelmsford Local Plan: Pre-Submission Integrated Impact Assessment
- Co-Living Housing Planning Advice Note
- Consultation Draft Planning Obligations Supplementary Planning Document.

The City Council is publishing the Chelmsford Local Plan – Pre-Submission (Regulation 19) Document for consultation from 4 February to 18 March 2025. It is accompanied by the Review of the Adopted Chelmsford Local Plan: Pre-Submission Integrated Impact Assessment. This is in accordance with Regulations 19 and 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Local Plan shapes future growth and development across the whole of Chelmsford City Council's area. It sets out a positive vision, identifies where and how new development should take place in the future as well as areas for protection. It includes strategic policies, site allocation policies, development management policies and a Policies Map for determining all forms of planning applications. We adopted our current Local Plan in May 2020. We need to review the plan at least every five years to make sure it remains up to date and meets the changing needs for development growth to 2041.

The Review of the Adopted Chelmsford Local Plan: Pre-Submission Integrated Impact Assessment comprises a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA), Habitats Regulations Assessment (HRA), Health Impact Assessment (HIA) and Equality Impact Assessment (EqIA).

In addition, the Council is also consulting on a Co-Living Housing Planning Advice Note. The Planning Advice Note seeks to provide practical guidance to potential promoters or developers of co-living housing in Chelmsford, to ensure they meet the Council's expectation in this regard.

The Consultation Draft Planning Obligations Supplementary Planning Document (SPD) is also being consulted on. This sets out how the Council will seek planning obligations when considering planning applications. The adopted SPD was published in January 2021 and has been updated to reflect proposed changes in the Chelmsford Local Plan – Pre-Submission (Regulation 19) Document, as well as changes in national planning policy. It refers to the latest published Infrastructure Delivery Plan and integrates and updates some published Planning Advice Notes.

This note has nine parts:

- PART 1 – What is a Regulation 19 Consultation
- PART 2 – Legal Compliance and Duty to Co-operate
- PART 3 – Soundness
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- PART 9 – Other consultations

**The consultation period runs from 10am on 4 February 2025 until 4pm on 18 March 2025
Comments received before or after this time cannot be accepted.**

PART 1 – What is a Regulation 19 Consultation

As a Local Planning Authority, the Council must publish the version of the Local Plan that it intends to submit to the Planning Inspectorate for Independent Examination. This allows for representations to be made which can be considered at Independent Examination. This is known as the publication stage, in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended www.legislation.gov.uk/ukxi/2012/767/contents. For Chelmsford, this is the Chelmsford Local Plan – Pre-Submission (Regulation 19) Document (the ‘Plan’).

The Planning Inspector undertaking the Independent Examination will assess whether the Local Plan has been prepared in line with the relevant legal requirements (including the duty to co-operate) and whether it is ‘sound’.

PART 2 – Legal Compliance and Duty to Co-operate

You should consider the following before making a representation on legal compliance:

- The Plan should be included in the Council’s current Local Development Scheme (LDS) and the key stages set out in the LDS should have been followed. The LDS is effectively a programme of work prepared by the Council, setting out the plans it proposes to produce. It will set out the key stages in the production of any Plans which the LPA proposes to bring forward for Independent Examination. If the Plan is not in the current LDS it should not have been published for representations. The Council’s LDS is available to view on its website at: www.chelmsford.gov.uk/media/ew4mbrsr/chelmsford-local-development-scheme-2023-2028.pdf
- The process of community involvement for the Plan in question should be in general accordance with the Council’s Statement of Community Involvement (SCI). The SCI sets out the Council’s strategy for involving the community in the preparation and revision of plans and the consideration of planning applications. The Council’s SCI is available to view on its website at: www.chelmsford.gov.uk/sci
- The Council is required to provide a Sustainability Appraisal (SA) report when it publishes a Plan. This should identify the process by which the SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. The SA

is a tool for assessing the extent to which the Plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. The SA for this Plan is included within the published Review of the Adopted Chelmsford Local Plan: Pre-Submission Integrated Impact Assessment.

- The Plan should comply with all other relevant requirements of the Planning and Compulsory Purchase Act (PCPA) and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.

You should consider the following before making a representation on compliance with the duty to co-operate:

- Section 33A of the PCPA requires the Council to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the Plan. The Council's Duty to Co-operate Position Statement (December 2024) provides an update on the activities undertaken by Chelmsford City Council (CCC) in respect to the Duty to Co-operate on the Review of the adopted Chelmsford Local Plan, and is available to view on the Council's website at: <https://www.chelmsford.gov.uk/media/g2pn5tmg/dtc002-duty-to-cooperate-position-statement-december-2024.pdf>
- Non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore, the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of the Plan.

PART 3 – Soundness

A Local Planning Authority should submit a Plan for Independent Examination which it considers to be “sound”. The tests of soundness are set out in the National Planning Policy Framework (NPPF). Plans are sound if they are:

Positively prepared – providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development

Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence

Effective – deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the NPPF. Please note that in accordance with paragraph 234 of the 2024 NPPF, for the purpose of preparing local plans this Plan will be examined under the 2023 NPPF.

Representations made by you at this stage should focus on whether the plan meets the tests listed above. This is because these are the broad areas that the Inspector will focus on in examining the Local Plan.

If you think the content of the Local Plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy?
- Is the issue with which you are concerned already covered by another policy in the Local Plan?
- If the policy is not covered elsewhere, in what way is the Local Plan unsound without the policy?
- If the Local Plan is unsound without the policy, what should the policy say?

PART 4 - Where can I view the consultation documents?

You can read the consultation documents in the following ways:

- On the Council's Consultation Portal at www.chelmsford.gov.uk/planningpolicyconsult. This system also allows you to submit comments to the consultations
- On the Council's website alongside the Local Plan evidence base documents at www.chelmsford.gov.uk/lp-review
- At the Chelmsford City Council Customer Service Centre, Chelmsford City Council, Civic Centre, Duke Street, Chelmsford CM1 1JE (10am to 4pm Monday to Friday).

At the following drop-in public exhibitions. These will provide an opportunity to meet an officer face-to-face unless otherwise stated.

Location	Date	Time
Council Chamber, Civic Centre, Duke Street, Chelmsford, CM1 1JE	Thursday 27 February Friday 28 February Saturday 1 March	6pm - 8pm 2pm - 4pm 10am - 12noon
High Chelmer Shopping Centre, Exchange Way, Chelmsford, CM1 1XB	Monday 24 February to Sunday 2 March	Unstaffed exhibition panels displayed all-day during shopping centre opening hours
South Woodham Town Council, Champions Manor Hall, Hullbridge Road, South Woodham Ferrers, CM3 5LJ	Thursday 13 February to Tuesday 25 February	Unstaffed exhibition panels displayed 9am - 4pm (except weekends)

Please check our website www.chelmsford.gov.uk/lp-review for any updates before making your journey.

If you are unable to access the documents on a computer, you can request paper copies by emailing planning.policy@chelmsford.gov.uk, telephoning (01245) 606330 or by writing to Spatial Planning Services, Chelmsford City Council, Civic Centre, Duke Street, Chelmsford, CM1 1JE. A charge will be made to cover printing and postage costs.

PART 5 - How can I comment?

You can comment on the consultation documents in the following ways:

Online Consultation Portal:

Go to: www.chelmsford.gov.uk/planningpolicyconsult where you can:

- Read the consultation documents
- Make your comments via the specially designed representation form
- Sign up for alerts to feedback reports and future consultations

This is our preferred means of receiving comments as it ensures that your comments are recorded accurately and are processed quickly.

It also allows you to edit comments before submitting them, save a draft and return to your form later, and to upload any supporting material. Please **save** your comments as you complete the form using the 'Save as Draft' button at the bottom of the form as the system will timeout after 30 minutes.

You can view, download, and comment on all the consultations via the online Consultation Portal: www.chelmsford.gov.uk/planningpolicyconsult

If you have not already registered, registration is simple using the easy to follow steps in our User Guide: www.chelmsford.gov.uk/lp-portal-guide. These guidance notes include more information on the Consultation Portal, including what to do if you have forgotten your password, and how to make your comments. If you have followed the user guide and have any further questions or are having difficulties using the Consultation Portal please contact us at planning.policy@chelmsford.gov.uk or call 01245 606330 during normal office hours and one of the team can assist you.

Please note you will need to add your comments through the representation form for each paragraph, policy, map, table, figure or appendix etc. you wish to comment on. Full guidance on how to make your comments are included within our User Guide: www.chelmsford.gov.uk/lp-portal-guide

The events on the Consultation Portal are as follows:

- 1. Local Plan Regulation 19 Pre-Submission Consultation 2025** – Use this event if you want to make comments on multiple policies/paragraphs/maps etc of the Chelmsford Local Plan – Pre-Submission (Regulation 19) Document. You can read and make your comments on each part of the document as you go through it using the representation form.
- 2. Local Plan Regulation 19 Pre-Submission Consultation Questionnaire 2025** – Here you can read the Chelmsford Local Plan – Pre-Submission (Regulation 19) Document as a pdf and then make comments on individual policies/paragraphs/maps etc. You will need to complete this representation form multiple times if you wish to make comments on multiple parts of the document. Each time you complete it you must state which policy/paragraph/map etc of the document your comments relate to.
- 3. Local Plan Regulation 19 Pre-Submission Integrated Impact Assessment 2025** – Here you can read the Review of the Adopted Chelmsford Local Plan: Pre-Submission Integrated Impact Assessment (IIA) as a pdf and then make comments on individual paragraphs/figures/tables of the document. You will need to complete this representation form multiple times if you wish to make comments on multiple parts of the IIA. Each time you complete it you must state which paragraph/figure/tables etc of the IIA your comments relate to.
- 4. Co-Living Housing Planning Advice Note Consultation** – Here you can read the document as a pdf and then make comments on individual paragraphs/figures/tables of the Advice Note. You will need to complete this representation form multiple times if you wish to make comments on multiple parts of the Advice Note. Each time you complete it you must state which paragraph/figure/tables etc of the Advice Note your comments relate to.
- 5. Consultation Draft Planning Obligations Supplementary Planning Document** – Here you can read the document as a pdf and then make comments on individual paragraphs/figures/tables of the Planning Obligations Supplementary Planning Document (SPD). You will need to complete this representation form multiple times if you wish to make comments on multiple parts of the SPD. Each time you complete it you must state which paragraph/figure/tables etc of the SPD your comments relate to.

Representations are invited for a period of six weeks, up to 4pm on 18 March 2025. Comments received outside of this period will not be accepted. The Council is unable to make exceptions or allowances for postal delays or external problems with electronic communications. So please try to reply well ahead of the final deadline.

For all the above events please remember to save your comments as you go.

In writing:

If you prefer to send comments in writing, please fill in the relevant specially designed representation forms for each consultation event.

We will then record your comments on the Consultation Portal, to make sure they are dealt with alongside the online comments.

Local Plan representation forms cover the Chelmsford Local Plan – Pre-Submission (Regulation 19) Document and the Review of the Adopted Chelmsford Local Plan: Pre-Submission Integrated Impact Assessment consultations.

The Local Plan representation forms can be downloaded at www.chelmsford.gov.uk/lp-review. Paper copies of these representation forms are also available from Chelmsford City Council's Customer Service Centre, Civic Centre, Duke Street, Chelmsford, CM1 1JE (10am to 4pm Monday to Friday). Paper copies can also be made available on request by telephoning (01245) 606330 or emailing planning.policy@chelmsford.gov.uk

Forms can be returned:

- By e-mail to planning.policy@chelmsford.gov.uk
- By post to Planning Policy, Chelmsford City Council, Civic Centre, Duke Street, Chelmsford, CM1 1JE
- By hand to Chelmsford City Council Customer Service Centre (details above).

The use of the Local Plan representation forms is strongly recommended as this will ensure that comments are related to the matters relevant to the subsequent Independent Examination by a Planning Inspector.

If you wish to submit a representation on more than one issue in the Local Plan, please complete a Local Plan representation form continuation sheet as provided for each issue.

If you have difficulties making representations by e-mail or post due to a disability, please call 01245 606330. Documents can be made available in alternative format including large print, audio and other languages. Please call (01245) 606330, or email planning.policy@chelmsford.gov.uk

Please do not submit multiple copies of the same response (e.g. online and email, or online and hardcopy).

General advice on making representations on the Chelmsford Local Plan – Pre-Submission (Regulation 19) Document:

If you wish to make a representation seeking a modification to the Chelmsford Local Plan – Pre-Submission (Regulation 19) Document (the 'Plan') or part of the Plan you should set out clearly in what way you consider the Plan or part of the Plan is legally non-compliant or unsound, having regard to the soundness criteria set out above in Part 3. Your representation should be supported by evidence wherever possible. It will be helpful if you also say succinctly and precisely how you think the plan should be modified.

You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. If you are submitting a representation of significant length, please provide a summary of not more than 200 words. We will request a summary in appropriate circumstances if it is not originally provided. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the Plan has been submitted for Independent Examination may only be made if invited by the Inspector, based on the matters and issues they identify.

The Planning Inspectorate advise that where groups or individuals share a common view on the plan, it would be very helpful if they would make a single representation which represents that view, rather than a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

If you are organising a petition or intend to, or have signed one, it must be submitted by 4pm on 18 March 2025 and be accompanied by the name and contact details for the petition organiser. The Council will register the petition organiser on the Consultation Portal. Acknowledgement of the petition and any future Local Plan notifications will only be sent to the petition organiser. Petitions should include the names and addresses of all who support the petition. The number of signatories will be recorded and attributed to relevant representations, but names, addresses and signatures themselves will not be published.

Please consider carefully how you would like your representation to be dealt with in the Independent Examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Please remember only representors who are seeking a change to the Plan can be heard at the hearing session(s), and it is the Planning Inspector's decision on who will participate and be heard at the Independent Examination. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the Independent Examination process.

Representations about the Chelmsford Local Plan – Pre-Submission (Regulation 19) Document (the 'Plan') may be accompanied by a request to be notified at a specified address of any of the following:

- i. The submission of the Plan to the Secretary of State Secretary of State for Levelling Up, Housing and Communities for Independent Examination
- ii. Publication of the Planning Inspector's Report on the Plan
- iii. Adoption of the Local Plan 2022- 2041

These requests can be made by completing the relevant section of the Local Plan representation form.

General advice on making representations to all consultation events:

If you are uploading additional supporting documents, please ensure they contain no signatures, e-mail addresses or personal postal addresses.

Please note we are unable to accept anonymous representations. It is a requirement of the Local Plan process that comments can only be deemed legitimate ("duly made") if they are received in a written format with a name and address supplied. Comments made verbally, anonymously, or outside of the consultation period cannot be accepted.

Section 149 of the Equality Act 2010 requires that the Council should avoid any form of discrimination and foster good relations between different ethnic groups. Comments which are deemed to be discriminatory, racist, inflammatory or derogatory, or include information which

comprises personal or sensitive information e.g. health information, details about a criminal record, or religious beliefs, will not be accepted. We would ask that you avoid the use of such comments when making your representations.

PART 6 - Appearing at Independent Examination

The Local Plan representation form asks whether you consider it necessary to take part and speak at the Independent Examination hearing if your representation is seeking a modification to the Chelmsford Local Plan – Pre-Submission (Regulation 19) Document (the 'Plan'). Please remember it is the Planning Inspector's decision on who will participate and be heard at the Independent Examination. It is acceptable to submit just a written submission if you feel this adequately covers all your points as all the representations will be submitted to the Planning Inspector and considered as part of the Independent Examination.

There will be no examination of the Consultation Draft Planning Obligations Supplementary Planning Document, or the Co-Living Planning Advice Note.

PART 7 - What will happen with my representation?

For all consultation events the Council will acknowledge receipt of all duly received representations, although the Council will not enter into individual correspondence. All representations will be recorded and published on the Consultation Portal at www.chelmsford.gov.uk/planningpolicyconsult

Comments will be published with the respondent's name, organisation and agent (where applicable). No other personal details will be made public. Data will be held in accordance with the Data Protection Act 1998 and the General Data Protection Regulations. For more information please visit the Council's Privacy Policy web page: www.chelmsford.gov.uk/your-council/about-our-website/privacy-policy-and-notices/privacy-policy/

A copy of all duly made representation(s) to the Chelmsford Local Plan – Pre-Submission (Regulation 19) Document and Review of the Adopted Chelmsford Local Plan: Pre-Submission Integrated Impact Assessment will be made available to the Planning Inspectorate and to the person appointed by the Secretary of State to conduct the examination (i.e. the Inspector). These representations will be 'made available' in line with the Regulations (The Town and Country Planning (Local Planning) (England) Regulations 2012 – Regulations 20, 22 and 35). This includes publication on the Council's Consultation Portal.

Following the consultation, feedback reports will be produced setting out the main issues raised to the documents.

PART 8 – Statement on availability of proposed submission documents for inspection

The following documents are defined in Regulation 17 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) as the "proposed submission documents":

- i. Chelmsford Local Plan – Pre-Submission (Regulation 19) Document and its Policies Map
- ii. Review of the Adopted Chelmsford Local Plan: Pre-Submission Integrated Impact Assessment
- iii. Issues and Options You Said We Did Feedback Report
- iv. Preferred Options You Said We Did Feedback Report

These documents are available for inspection in line with Part 4.

In addition to these proposed submission documents, a number of supporting evidence based documents are published to view on our website at www.chelmsford.gov.uk/lp-review

PART 9 – Other consultations

We are also consulting on two additional planning consultations as outlined below:

Co-Living Housing Planning Advice Note Consultation

Co-living housing proposals have the potential to meet a specific demand and need for housing. However, by doing so the Council needs to ensure that this does not result in sub-standard accommodation creating unacceptable living conditions for future residents. The Planning Advice Note seeks to provide practical guidance to potential promoters or developers of co-living housing in Chelmsford, to ensure they meet the Council's expectation in this regard.

Consultation Draft Planning Obligations Supplementary Planning Document

The Consultation Draft Planning Obligations Supplementary Planning Document (SPD) sets out how the Council will seek planning obligations when considering planning applications. The adopted SPD was published in January 2021 and has been updated to reflect proposed changes in the Chelmsford Local Plan – Pre-Submission (Regulation 19) Document as well as changes in national planning policy. It refers to the latest published Infrastructure Delivery Plan and integrates and updates some published Planning Advice Notes.

How to make your comments

Both the draft Planning Advice Note and SPD will be subject to the same six-week public consultation period alongside the Chelmsford Local Plan – Pre-Submission (Regulation 19) Document and the Review of the Adopted Chelmsford Local Plan: Pre-Submission Integrated Impact Assessment consultations. See Part 5 above for full details about how to make your comments.

Next steps

Following the consideration of the consultation responses, the Co-Living Housing Planning Advice Note will be finalised for consideration by the Council's Cabinet in the Spring of 2025. If approved, it will then be used by the Council as a material consideration in the determination of planning applications.

Following the consultation on the Draft Planning Obligations Supplementary Planning Document, a summary of the consultation feedback and how the feedback will be addressed in the document will be reported to Chelmsford Policy Board before the document is submitted as an evidence base document supporting the Independent Examination of the Plan. The final version of the SPD is not expected to be published until the Local Plan is adopted. This will allow for any modifications made by the Inspector to be incorporated into the SPD.