HS057

HEARING STATEMENT

CERES PROPERTY

Chelmsford Local Plan

Matter 6: Site Selection

On behalf of

Mr A.G. Speakman and Mr P.W.H Speakman
(ID: 1329445)

October 2026

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1. INTRODUCTION

1.1 This Hearing Statement has been prepared on behalf of Mr A.G. Speakman and Mr P.W.H Speakman ('the landowners) in response to Matter 6 (Site Selection) of the Matters, Issues and Questions published in respect of the examination of the Chelmsford City Local Plan ('the Draft Local Plan' or 'DLP').

1.2 This Hearing Statement includes responses to question 6.1 under site assessment and selection.

1.3 The landowners are promoting the residential development of Land at Anchor Field, Danbury ('the Site') through the plan-making process.

1.4 The Site comprises the land reference 21SHELAA82 in the Council's Strategic Housing and Economic Land Availability Assessment (SHELAA) (2026).

1.5 The Site is not proposed to be allocate din the DLP.

1.6 Representations were made on the Regulation 19 Publication Draft Local Plan and Focused Consultation Additional Sites Addendum (2025) and in respect of the site, through which changes to the plan were sought to remedy identified defects of soundness.

1.7 Our position is that the DLP is capable of being made sound, but that modifications are required to ensure this is the case.

1.8 Under the 2026 National Planning Policy Framework (NPPF) transitional arrangements, it is recognised that the DLP will be examined in relation to the national policies contained within the December 2024 NPPF. Consequently, unless expressly stated otherwise, references to the NPPF in this Hearing Statement refer to the December 2024 NPPF.

2. SITE ASSESSMENT AND SELECTION

Question 6.1 What was the Council's approach to site assessment and selection? What was the process and what factors were taken into account? What evidence is the Council relying on?

2.1 Sites submitted through the Council's Call for Sites are assessed through the Strategic Housing and Employment Land Availability Assessment (SHELAA). The Council describes the SHELAA as part of the Local Plan evidence base, intended to inform decisions about where future development should be allocated. The Council's methodology is clear that the SHELAA does not itself determine whether land should be allocated; rather, it provides a high-level assessment of promoted sites and their likely suitability, availability, achievability and developability, which is then considered alongside other evidence in making allocation decisions.

2.2 The methodology follows five stages: review of the SHELAA criteria; Call for Sites; pre-assessment checks; site assessment; and refinement. At Stage 4, sites are assessed against suitability, availability and achievability criteria before receiving a RAG rating based upon their score and compliance with national and local policy. The assessment draws upon GIS mapping, promoter submissions, highways information, heritage and environmental datasets, agricultural land classification, flood risk information and the SHELAA Viability Study, amongst other evidence.

2.3 It follows that the robustness of the SHELAA assessment is important. Although it is not itself an allocation exercise, the Council expressly states that its purpose is to help officers and Members make informed decisions on where to allocate future development and to identify areas of likely deliverable land against housing and employment requirements. An erroneous classification therefore has the potential to affect how a reasonable development alternative is subsequently considered through the plan-making process.

2.4 The distinction between RAG ratings is particularly important. Table 1 of the SHELAA Methodology describes Red sites as facing significant constraints or adverse impacts that cannot be mitigated; Amber sites as facing moderate constraints requiring mitigation; Yellow sites as facing minor constraints requiring mitigation and being "developable"; and Green sites as facing minimal constraints and being "deliverable".

2.5 We have concerns over the distinction between Amber and Yellow. Both categories expressly contemplate constraints which are capable of mitigation. However, neither the Methodology nor the Criteria Note provides a clear qualitative definition of what distinguishes a "moderate" constraint

from a "minor" constraint, or the extent of mitigation which separates the two categories. This distinction is important because Yellow is expressly identified as developable whereas no equivalent conclusion is stated for Amber.

2.6 The Criteria Note introduces a quantitative scoring mechanism which should provide greater certainty. Paragraph 4.23 states that the maximum residential Suitability score is 100 and that, unless a capped constraint determines otherwise, a score of 80% or above is Green, 40–79% is Yellow and below 40% is Amber. Paragraph 4.24 allows consideration of exceptional suitability factors not otherwise identified, but states that such exceptions will always be fully explained in the relevant site output report.

2.7 There is, however, an apparent disconnect between the quantitative scoring and the eventual RAG classification in some assessments. This is demonstrated by sites receiving relatively high total scores while nevertheless being assessed as Amber. The Council's published site performance summaries, for example, include an Amber residential site with a total score of 120, notwithstanding Green ratings for availability and achievability.

2.8 This issue arises directly in relation to Land at Anchor Field (21SHELAA82). The Site has received a total score of 102 and is assessed Green for both availability and achievability, but Amber overall as a consequence of its Amber suitability assessment. The Council's published assessment comments on suitability record that the Site is adjacent to the Defined Settlement Boundary, is within range of bus stops, has informal access from Maldon Road, is adjacent to a Grade II listed building and includes trees protected by a TPO principally straddling its eastern boundary. These are site characteristics, but the assessment does not explain which matter, individually or cumulatively, is considered to constitute a moderate constraint, why any necessary mitigation could not satisfactorily address it, or why the Site consequently warrants an Amber rather than Yellow assessment. The Site's availability and achievability have nevertheless been assessed Green.

2.9 That distinction requires a clearer evidential and reasoned basis. The Criteria Note itself recognises, for example, that adjacency to a designated heritage asset attracts an intermediate score rather than automatically preventing development, and contains similar graduated assessments for other constraints. It also expressly contemplates mitigation when dealing with neighbouring constraints. The presence of a planning consideration or constraint is therefore not synonymous with a conclusion that a site is unsuitable or undevelopable.

2.10 Furthermore, the extent to which matters such as heritage and protected trees constrain development will inevitably be influenced by the scale, siting and layout of development. Where the Council considers that the quantum originally promoted prevents adequate mitigation, an appropriate response would be to consider whether a reduced capacity or adjusted developable

area could overcome that concern, rather than simply allowing the Site to fall outside the category expressly described by the methodology as developable. The methodology itself already makes provision for hazardous portions of sites to be discounted before the remaining land is assessed.

2.11 We therefore consider that the broad structure of the SHELAA methodology provides an appropriate starting point for site assessment, but its application requires greater transparency where professional judgement alters, caps or otherwise determines the RAG outcome. This is particularly important at the Amber/Yellow boundary because that judgement can materially influence whether a site progresses as a reasonable development opportunity. Where a score would ordinarily indicate one classification, but the eventual assessment adopts another, the reasons should be explicit and capable of scrutiny.

2.12 In the case of Anchor Field, the identified considerations do not, in our view, demonstrate that residential development is unsuitable in principle. Our previous representations explain that heritage effects and protected trees are capable of being addressed through sensitive siting, layout, landscaping and design. The Site is available and achievable, adjoins the Key Service Settlement of Danbury and is accessible to bus services. The Site should therefore be reconsidered as a potentially developable option, subject to identification of appropriate mitigation and, if necessary, adjustment to its development capacity. The Regulation 19 representations similarly identified these constraints as capable of being addressed through sensitive design and mitigation.

2.13 This is particularly relevant if, as set out in our Matter 3 Hearing Statement and Regulation 19 representations, additional housing sites are required to improve the resilience of the Plan's housing supply. In those circumstances, sites presently categorised Amber should not automatically be disregarded where the identified constraints are capable of mitigation. Anchor Field should be revisited on that basis and considered as part of a wider portfolio of sustainable and deliverable housing opportunities.

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