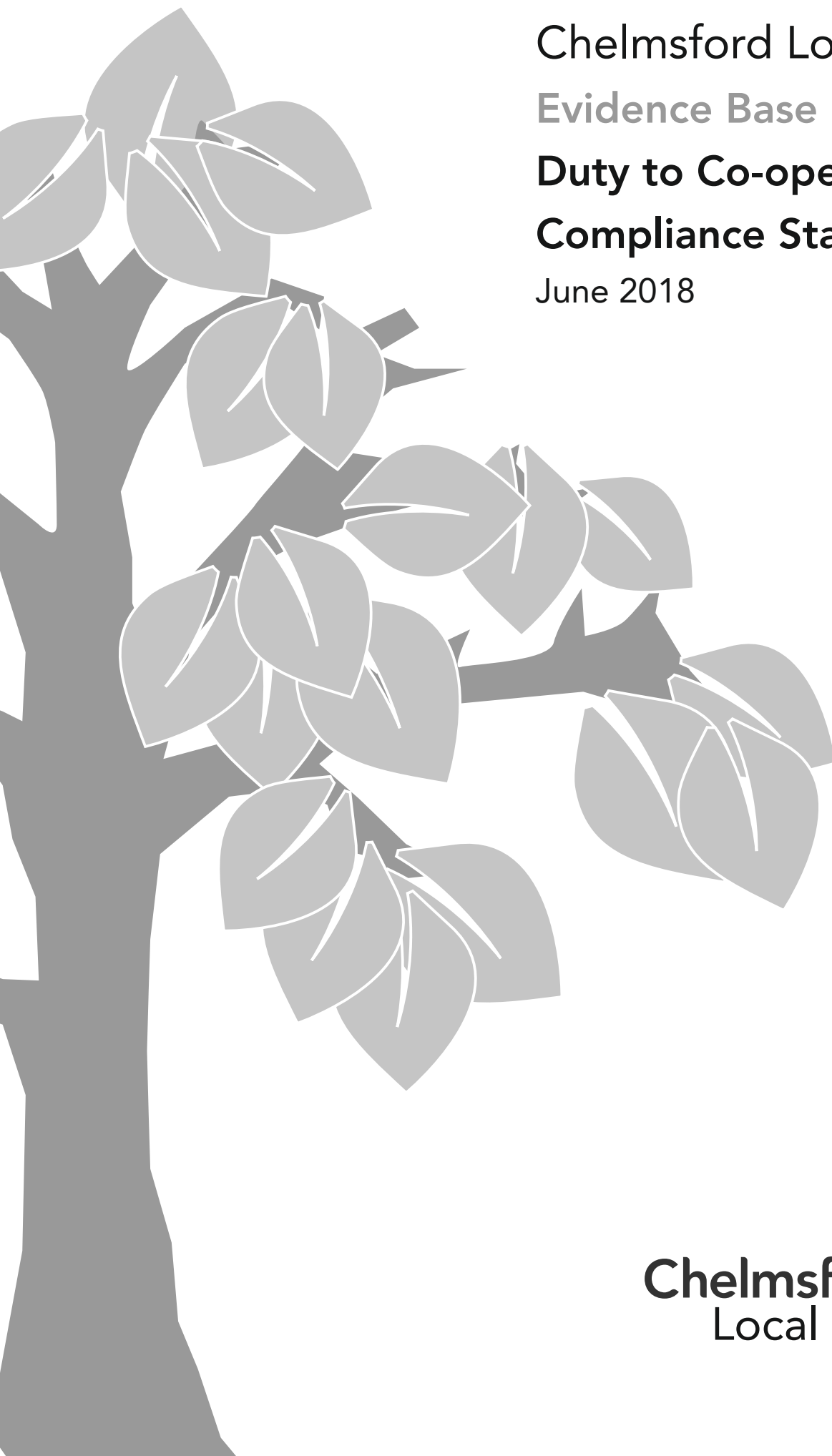


Chelmsford Local Plan  
Evidence Base Document  
**Duty to Co-operate**  
**Compliance Statement**  
June 2018



## **1. Introduction**

- 1.1 Local Planning Authorities (LPAs) are required under Section 110 of the Localism Act 2011 (which added section 33A of the Planning and Compulsory Purchase Act 2004) to engage with relevant local authorities and specified bodies on strategic matters through the preparation of development plan documents (DPDs) and other activities in connection with strategic matters which affect more than one area. The duty requires ongoing constructive and active engagement on the preparation of development plan documents and other activities relating to the sustainable development and use of land in connection with strategic infrastructure.
- 1.2 Paragraphs 178-181 and 156 of the National Planning Policy Framework (NPPF) outline the relevant planning policy issues to be considered under the duty to co-operate. It states that 'public bodies have a duty to co-operate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities'. It also states that 'Local planning authorities will be expected to demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination' (Paragraph 181).
- 1.3 This Duty to Co-operate Compliance Statement accompanies the Submission of the Chelmsford Local Plan demonstrating that the requirements of the Duty have been met. It follows the suggested format contained in the August 2015 Planning Advisory Service Duty to Co-operate Statement Template. It sets out the strategic context for Chelmsford, the bodies relating to strategic issues and how the strategic approaches and policies have resulted from effective co-operation and joint working. It also reports on how the duty will be taken forward to plan implementation and monitoring.

## **2. About Chelmsford**

- 2.1 Chelmsford is located in the East of England, 30 miles north-east of London. The City Council is within a two-tier area for local government, with Essex County Council (ECC) providing public services such as education, highways and social services. ECC are also the Minerals and Waste Planning Authority and Highways Authority for this area. The principal settlements of Chelmsford and South Woodham Ferrers are surrounded by villages set within countryside.
- 2.2 Chelmsford shares boundaries with seven Local Planning Authorities and covers around 34,000 hectares (figure 1). The Green Belt covers almost 34% of the land in the south and west of Chelmsford. A map of the strategic planning area and its settlements is included at Appendix A.



Figure 1: Map of Local Planning Authorities that surround Chelmsford

### 3. Chelmsford's New Local Plan

- 3.1 Chelmsford adopted Core Strategy and Development Control Policies DPD runs until 2021, so a new Local Plan is being prepared for the period until 2036. Adoption is anticipated in Early 2019. Further details of the preparation and consultation programme are set out in the Local Development Scheme:  
<https://www.chelmsford.gov.uk/planning-and-building-control/planning-policy-and-new-local-plan/new-local-plan/local-development-scheme/>  
The key decisions and processes are attached at Appendix B.
- 3.2 The Local Plan sets out the strategy for development in Chelmsford to 2036, and includes locations for new homes, employment, and infrastructure; and measures for protection of important landscapes and habitats. It covers the whole of Chelmsford City Council's (CCC) administrative area.
- 3.3 The Local Plan is supported by a range of up-to-date evidence studies relating to: Economy, Environment and Heritage, Monitoring and Equality, Population and Housing, Sustainability Appraisal and Habitats Regulations Assessment, Transport and Infrastructure, Development Standards together with documents focuses on Duty to Co-operate, Consultation and Feedback, Chelmsford City Council Strategies and other planning policies.  
The full evidence base can be viewed on the Council's website:  
<https://www.chelmsford.gov.uk/planning-and-building-control/planning-policy-and-new-local-plan/new-local-plan/evidence-base/>

- 3.4 The Chelmsford Local Plan Strategic Planning Priorities are:
- Ensuring sustainable patterns of development
  - Meeting the needs for new homes
  - Fostering growth and investment and providing new jobs
  - Protecting and enhancing retail, leisure and commercial development
  - Delivering new and improved strategic infrastructure
  - Delivering new and improved local infrastructure
  - Protecting and enhancing the natural and historic environment, the Green Belt and valued landscapes
  - Creating well designed and attractive places, and promoting healthy communities
  - Reinforcing Chelmsford's regional role as 'Capital of Essex'.
- 4. Key Relationships and Bodies - Strategic Co-operation in Chelmsford**
- 4.1 Chelmsford City Council has always understood the importance of co-operating with others on strategic planning matters. It has a history of working together with neighbouring authorities and stakeholders in a focused and positive way.
- 4.2 The Council prepared a Duty to Co-operate Strategy (March 2015) (attached at Appendix C), outlining its commitment to implement the duty, and to seek co-operation on cross boundary and strategic planning matters for its own Local Plan in a focused, positive and structured way. The Council also commits to working constructively with neighbouring planning authorities on their local plan preparation.
- 4.3 The Council has also reported progress in its Duty to Co-operate Position Statements, dated March 2017 and January 2018 (attached at Appendix D and E) which have been reported to Development Policy Committee as part of progressing each stage of Local Plan consultation.
- 4.4 The prescribed duty bodies are set out in Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Of the bodies listed, the following are considered relevant to Chelmsford City Council:
- The Environment Agency
  - Historic England
  - Natural England
  - Homes and Communities Agency (known as Homes England from January 2018)
  - Essex County Council (the Highway Authority)
  - The Marine Management Organisation
  - South East Local Enterprise Partnership (SELEP)
  - NHS Mid Essex Clinical Commissioning Group
  - Integrated Transport Authority
  - Mayor of London (Greater London Authority)
  - Civil Aviation Authority.
- 4.5 Chelmsford City Council has also co-operated with a number of other public bodies including the following:
- Neighbouring and nearby Local Planning Authorities
    - Essex County Council
    - Within the Housing Market Area (HMA) – Braintree District Council,



- Colchester Borough Council, Tendring District Council
- Other adjoining authorities – Maldon District Council, Rochford District Council, Basildon Borough Council, Brentwood Borough Council, Epping Forest District Council, Uttlesford District Council
- Non-adjoining authorities – Castle Point District Council, Southend-on-Sea Borough Council, Harlow District Council, East Herts District Council
- Essex Police
- Essex Fire and Rescue
- Network Rail
- Transport for London
- Office of Rail Regulation
- Sport England
- Essex Wildlife Trust in lieu of a Local Nature Partnership
- Relevant private sector bodies (including Writtle University College and Anglia Ruskin University)
- Relevant utility and infrastructure providers (including transport network, water, sewerage, energy and telecom).

### **Co-operation with the prescribed bodies**

4.6 The Council continues to work with partners such as the Highway Authority, Highways England, Natural England, the Environment Agency, and Mid Essex Clinical Commissioning Group, to bring forward the necessary infrastructure that is required in order to deliver the Local Plan's Spatial Strategy, as follows:

- The Environment Agency – have been involved with the preparation of the Water Cycle Study and Strategic Flood Risk Assessment evidence base work.
- Historic England – have been consulted during the Local Plan preparation, including advice on heritage policy formation and individual site allocations.
- Natural England – have been involved during the Local Plan preparation, and particularly with the Essex-Wide Recreational Avoidance and Mitigation Strategy (RAMS).
- Homes and Communities Agency (known as Homes England from January 2018) – have been involved in development proposals outside the Local Plan process.
- Essex County Council (as Highway Authority) – have been closely involved with the Local Plan development for traffic modelling; wider ECC involvement has included education, archaeology, waste and minerals advice.
- The Marine Management Organisation – the Local Plan will integrate with the South East (Inshore) Marine Plan, in respect of a stretch of the Crouch Estuary in the Plan area.
- South East Local Enterprise Partnership (SELEP) – have been involved with evidence base work to inform opportunities for economic growth and development.
- NHS Mid Essex Clinical Commissioning Group – have been kept informed of progress on the Local Plan; the Council has attended Mid-Essex Estates Forum meetings.
- National Health Service Commissioning Board – have been kept informed of progress on the Local Plan.
- Highways England – involved with Local Plan preparation and attended regular meetings, mainly in respect of impact on the A12.
- Mayor of London (Greater London Authority) – has been kept informed of progress on the Local Plan.
- Civil Aviation Authority – has been kept informed of progress on the Local Plan.

## **Co-operation with neighbouring authorities**

- 4.7 Existing joint working arrangements include the Essex Planning Officers Society (EPOA), the Co-operation for Sustainable Development Group, and the Officer Strategic Spatial Planning Liaison Group (associated with the London Plan), as well as close relationships with Essex County Council.
- 4.8 Chelmsford shares a Housing Market Area with Braintree, Colchester and Tendring Councils, providing an opportunity to respond to strategic growth by planning positively for the area as a whole. The area shares similar household characteristics, based on factors including travel-to-work and house moves across authority boundaries.
- 4.9 The authorities together with ECC are working together to promote sustainable growth with the necessary supporting infrastructure and to address the strategic priorities across the wider geographical area. A 'Memorandum of Co-operation: Collaboration on Strategic Priorities in North and Central Essex' (MOC), has been signed by North Essex Districts (Braintree, Colchester and Tendring), Essex County Council and Chelmsford City Council to explore the potential for new garden communities across the area and other strategic cross-boundary matters (Appendix F).
- 4.10 The Council has continued to engage with the other neighbouring authorities of Basildon, Brentwood, Castle Point, Epping, Maldon, Rochford and Uttlesford through specific initial duty to co-operate officer and Member meetings held prior to the first stage of the Local Plan in 2015, and then at every subsequent stage of the Local Plan 3 May 2017, 12 October 2017 and 12 March 2018 (Appendices G, H, and I).

## **5. Strategic Planning Priorities and Cross Boundary Matters**

- 5.1 A number of broad strategic matters with possible cross-boundary implications were examined in the early stages of the preparation of the Local Plan, through evidence gathering, consultation on the Council's Draft Duty to Co-operate Strategy and initial meetings from early 2015 with Duty to Co-operate bodies. Throughout the Local Plan preparation process, the list of strategic matters and co-operation activities has been kept under review.

### **Strategic Priorities**

- 5.2 As a result of the process outlined above, the Local Plan set outs the 9 Strategic Priorities which are linked to 15 Strategic Policies, as set out below:

#### **Strategic Priority 1 – Ensuring Sustainable Development**

*Strategic Policies S1 and S2*

#### **Strategic Priority 2 – Meeting the needs for new homes**

*Strategic Policies S8 and S9*

#### **Strategic Priority 3 – Fostering Growth and investment and providing new jobs**

*Strategic Policies S8, S9 and S10*

**Strategic Priority 4 – Protecting and enhancing retail, leisure and commercial development**

*Strategic Policies S8, S9 and S14*

**Strategic Priority 5 – Delivering New and Improved Strategic Infrastructure**

*Strategic Policies S7, S8, S9, S11 and S12*

**Strategic Priority 6 – Delivering New and Improved Local Infrastructure**

*Strategic Policies S7, S8, S9, S11 and S12*

**Strategic Priority 7 – Protecting and enhancing the Natural and Historic Environment, the Green Belt and valued landscapes**

*Strategic Policies S3, S5, S6 and S13*

**Strategic Priority 8 – Creating Well Designed and Attractive Place, and Promoting Health Communities**

*Strategic Policies S4, S7, S11 and S12*

**Strategic Priority 9 – Reinforcing Chelmsford’s regional role as ‘Capital of Essex’**

*Strategic Policies S9, S10 and S14*

- 5.3 Using the Strategic Priorities and the outcomes of the on-going Duty to Co-operate process the following Strategic Planning Issues have been identified:

- i) Meeting Housing Need
- ii) Providing New Jobs
- iii) Impact Mitigation and Infrastructure Provision
- iv) Retail Impact
- v) Conserving the Natural Environment
- vi) Delivering high quality sustainable new communities

- i) **Meeting Housing Need**

- 5.4 The requirement to identify and meet objectively assessed housing need for market and affordable housing is set out in the National Planning Policy Framework. This includes consideration of any unmet needs from neighbouring authorities or neighbouring housing market areas. In addition, the need for Travellers is also set out in national policy.

- 5.5 Demographic projections are the starting point for assessing how much housing will be required across an area. The Council has worked with adjoining and nearby local authorities within the Housing Market Area (HMA) (Braintree, Colchester and Tendring) to consider and agree on how the needs of the housing market area are met. There are several evidence base documents which have been undertaken in partnership to support the Local Plan, which include:

- Essex Planning Officers’ Association Greater Essex Demographic Forecasts 2013-2017 Phase 7 Main Report (2015) undertaken in partnership with all Essex District/Unitary Authorities and Essex County Council.
- Strategic Housing Market Assessment (SHMA) Update (2015) undertaken in partnership with HMA local authorities.
- Objectively Assessed Housing Need Study (OAHN) (2015 and 2016 Update) undertaken in partnership with HMA local authorities.
- Chelmsford Summary - Gypsy Traveller and Travelling Showpeople

Accommodation Assessment (GTAA) (2017) undertaken in partnership with Essex Local Authorities and Essex County Council.

- Gypsy, Traveller and Travelling Showpeople Accommodation Assessment Joint Methodology (2018) undertaken in partnership with Essex Local Authorities (with the exception of Basildon) and Essex County Council.
- Essex wide Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2018).

Links to the key documents are included at Appendix L.

- 5.6 From these studies, the Council has agreed the housing, Gypsy and Traveller need which has been taken forward to the Local Plan and can be accommodated in the area.
- 5.7 The Local Plan states that together with its HMA partners, the City Council is committed to plan positively for new homes and to significantly boost the supply of housing to meet the needs of the area. This includes the need to provide a workforce for forecast jobs. To meet the requirements of national policy to establish the number and type of new homes, the authorities commissioned Peter Brett Associates to produce an Objectively Assessed Housing Need Study building on earlier work to meet the requirements of the NPPF to prepare a Strategic Housing Market Assessment (SHMA). Detailed analysis in the report suggests that a Housing Market Area comprising Braintree, Colchester, Chelmsford and Tendring Council areas forms a sound basis for assessing housing need.
- 5.8 Based on 2014 national projections covering the period 2013 to 2037, the conclusion reached is that the objectively assessed need across the Housing Market Area is 2,999 new homes a year over the period 2013 – 2037. The total requirement for Chelmsford is 805 new homes per year. The GTAA has been prepared by the EPOA in partnership with Essex local authorities and Essex County Council. This identifies a need in Chelmsford for 9 pitches for Gypsy and Travellers and 24 plots for Travelling Showpeople that meet the national planning policy definition.
- 5.9 The requirements for all new housing in Chelmsford are outlined in Strategic Policy S8 – Housing and Employment Requirements.
- 5.10 In regard to unmet housing need, a Mechanism for the Consideration of Unmet Housing Need has been developed and agreed by the Essex Planning Officers' Association (EPOA) in September 2017 for application across the Essex authorities (Appendix J). This sets out the methodology by which each local planning authority, together with their HMA partners:
  - i) should agree their full objectively assessed housing number, and
  - ii) if there is likely to be an unmet housing need because of constraints applicable to the area of that authority, the process to follow to request an adjoining HMA to meet or contribute towards meeting the unmet need.
- 5.11 The need for a similar Essex-wide guidance note for unmet Gypsy and Traveller accommodation has also been identified by the EPOA. Although at early stages of preparation, officers from Chelmsford are members of small working group of Essex authorities that has been set up to progress this work which is at the early stages of preparation.

- 5.12 The Council will continue to work closely with neighbouring authorities and Essex County Council, to monitor requirements for all types of housing including affordable units and Gypsy and Traveller accommodation, through the Plan's Monitoring Framework and when the Plan is formally reviewed. Further strategic working will take place with the South Essex 2050 partnership of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea, Thurrock and Essex County councils, as they work on a joint vision for the South Essex growth corridor.
- 5.13 Monitoring for the delivery of housing will be undertaken by the Council through the annual Authority Monitoring Report and a Housing Implementation Strategy.

#### STRATEGIC PLANNING ISSUE i - MEETING HOUSING NEED

##### Key Strategic Partners

**Braintree District Council**  
**Colchester Borough Council**  
**Tendring District Council**  
**Essex County Council**

##### Other Strategic Partners

**Brentwood Borough Council**  
**Maldon District Council**  
**South Essex Local Authorities (Basildon Borough Council, Brentwood Borough Council, Castle Point Borough Council, Rochford District Council, Southend-on-Sea Borough Council and Thurrock Council)**  
**West Essex/East Herts Local Authorities (East Herts District Council, Epping District Council, Harlow Council and Uttlesford District Council)**

#### ACTIONS

##### **Action: Preparation of a 'Memorandum of Co-operation: Collaborative Working on Strategic Growth Priorities in North and Central Essex'.**

**Partners:** Braintree District Council, Chelmsford City Council, Colchester Borough Council, Tendring District Council, Essex County Council.

**Outcome:** Memorandum of Co-operation (MOC) was signed by the above authorities (Leaders or Planning Portfolio holder) and identified strategic issues the authorities needed to address collaboratively – this included providing for housing: *To meet the needs of a growing and ageing population; through ensuring the availability of developable land in appropriate locations and that the market delivers a suitable mix of housing types.* A housing evidence base has been prepared to support the Local Plans, on-going discussions have taken place with duty to co-operate consultees, and relevant policies included in the Local Plan to address strategic and local housing issues.

The MOC sets out an approach for collaborative plan formulation for the 'Part 1' strategic element of each local plan. Braintree, Colchester and Tendring Councils took the decision to prepare a joint Part 1 of their local plans. Due to a mismatch of Chelmsford's Local Plan timetable, a decision was taken to proceed with Chelmsford's Local Plan as one composite local plan which encompasses where appropriate strategic aspects of the North Essex Joint Part 1 Local Plan.

**Date:** MOC signed June 2016 (Appendix F).

**Action: Preparation of a joint evidence base on Objectively Assessed Need – Housing (OAN)**

**Partners:** Braintree District Council, Chelmsford City Council, Colchester Borough Council and Tendring District Council.

**Outcome:** Commissioning of consultants Peter Brett Associates to carry out Objectively Assessed Needs Study in accordance with national planning policy and guidance on preparing OAN assessments. Although Chelmsford is not preparing a joint plan with the MOC partners, all four Councils have been involved at each stage of the work on OAN with Chelmsford being the lead authority and point of contact for the commission. The OAN for the North Essex authorities is included in the Chelmsford Local Plan alongside the strategic objectives outlined in the MOC. All authorities have collectively agreed their respective OANs within the HMA and are preparing Local Plans to meet that need in full. OAN Study published as part of City Councils evidence base and available for other Strategic Partners comment through consultation on Local Plan.

**Date:** OAN Study published in July 2015 with a November 2016 Update.

**Action: Preparation of a joint evidence base on housing need in the form of a Strategic Housing Market Assessment (SHMA) to assess the scale and mix of housing and the range of tenures that the local population is likely to require over the plan period.**

**Partners:** Braintree District Council, Chelmsford City Council, Colchester Borough Council and Tendring District Council.

**Outcome:** Commissioning of consultants HDH Planning & Development to carry out a Strategic Housing Market Assessment report in accordance with national planning policy and guidance. The primary outcome of this work has been to assess the need for affordable housing using a common HMA methodology to enable the local authorities to decide whether any uplift to the OAHN is required.

**Date:** Strategic Housing Market Assessment (SHMA) published December 2015.

**Action: Preparation of a Local Plan Viability Study and CIL Viability Review to provide an evidence base on affordable housing targets**

**Partners:** Key and other Strategic Partners consulted through Local Plan preparation.

**Outcome:** Commissioning of consultants HDH Planning & Development to carry out a Local Plan Viability Study and CIL Viability Review. Use of HMA SHMA consultant and data from Troy Planning for the Infrastructure Delivery Plan.

**Date:** Publication of Local Plan Viability Study and CIL Viability Review in January 2018.

**Action: Preparation of a joint evidence base on Gypsy and Traveller and Travelling Showpeople accommodation requirements (GTAA)**

**Partners:** Essex local authorities.

**Outcome:** The Chelmsford GTAA is part of a wider study that covers the whole of Essex, together with Southend-on-Sea and Thurrock. Although Basildon were not part of this commission, they have been a partner in the process and have used the same consultant and methodology for their GTAA. A summary for Chelmsford was published in June 2017 to allow the Council to understand levels of need for plan period. A need for Essex-wide guidance for unmet Gypsy and Traveller accommodation has been



identified by the EPOA. Officers from Chelmsford are members of small working group with Basildon, Harlow, Colchester and Thurrock councils that has been set up to progress this work.

**Date:** Publication of Chelmsford GTAA Summary in June 2017 and Essex- Wide GTAA and Methodology in January 2018.  
Essex-wide guidance for unmet Gypsy and Traveller accommodation is at an early stage.

**Action: Preparation of strategic sections of the Local Plan to address the cross boundary strategic issues.**

**Partners:** Braintree District Council, Chelmsford City Council, Colchester Borough Council and Tendring District Council.

**Outcome:** The Strategic Priorities of the Chelmsford Local Plan have been informed by the Strategic Objectives set out in the MOC for North and Central Essex local authorities. These are set out in Section 2 of the Chelmsford Local Plan. Policy S8 of the Local Plan makes provision for the full objectively assessed need for new homes.

**Date:** The Preferred Options Local Plan document was prepared during 2016/17 and consulted upon in March 2017. Engagement took place, including meetings and working groups, with the HMA authorities and all other Essex Local Authorities throughout the preparation of the Local Plan in relation to the preparation of the housing and Traveller evidence base.

**Action: Preparation of Essex-Wide Mechanism on unmet Housing Needs**

**Partners:** Essex Planning Officers' Association (EPOA) comprising Essex Local Planning Authorities and Essex County Council.

**Outcome:** A Task and Finish group of officers from Essex Local Planning Authorities, including representations from each of the HMA areas was formed by EPOA to consider the process of considering unmet housing need within and outside Essex Housing Market Areas. A mechanism was subsequently produced and agreed by the EPOA.

**Date:** Task and Finish Group set up in June 2017 and the final mechanism for the consideration of unmet housing need was agreed by the EPOA in September 2017 (Appendix J).

**Outcomes from Strategic Working**

The key outcomes from strategic working are:

- A signed Memorandum of Co-operation with HMA Partners
- The completion of a range of housing evidence reports including a OAN Study and SHMA for the four HMA LPAs using a consistent and robust methodology;
- The completion of an Essex-Wide assessment of Traveller accommodation needs in partnership with Essex Local Authorities using a consistent and robust methodology
- Production and agreement of Essex-Wide Mechanism on Unmet Housing Need agreed including the identification of Housing Market Areas
- Joint evidence that the housing objectives contained in the Local Plan can be delivered.

Local Plan Policies:

- **Strategic Policy S8 - Housing and Employment Requirements** has been formulated to ensure that the full OAN of 805 new homes a year for Chelmsford is met which reflects the most up-to-date assessment for the HMA. In addition, for delivery flexibility and to help significantly boost housing supply, provision is made within the Local Plan for an addition



supply buffer of close to 20%. In response to representations from Basildon Council, the reasoned justification was changed between the Preferred Options and Pre-Submission versions of the Local Plan to include a reference that alongside its HMA partners, the Council will review housing numbers having regard to the housing needs of the wider area. This approach has been followed by the other HMA partner authorities in the Part 1 of their Local Plans. Policy S8 also allocates a site for 10 Gypsy and Traveller pitches and 24 Travelling Showpeople plots using the outputs Essex-Wide GTAA and the Local Plan.

- **Policy HO1 – Size and Type of Housing** sets out the mix of housing sizes needed to meet future housing needs and create mixed communities. This policy uses the Joint SHMA as the evidence base and reflects latest evidence from the Housing Market Area.
- **Policy HO2 – Affordable Housing and Rural Exception Sites** the Council, together with its HMA partners have jointly assessed the need for affordable housing through the joint SHMA as the evidence base and reflects the latest evidence from for the Housing Market Area.
- **Policy HO3 – Gypsy, Traveller and Travelling Showpeople Sites** sets out provision for the accommodation needs identified through the joint GTAA.

Unresolved issues

- There are no outstanding Duty to Co-operate Issues.

## ii) Providing New Jobs

- 5.14 National policy requires Local Plans to proactively drive and support sustainable economic development to deliver jobs. This includes identifying sites to meet identified needs. Levels of proposed new employment and new housing are intrinsically linked, to accommodate anticipated growth. In particular, the Employment Land Review and national demographic projections help to understand the employment land requirements and potential supply within Chelmsford.
- 5.15 The evidence base documents which have been produced to support the Local Plan include:
- Essex Planning Officers' Association Greater Essex Demographic Forecasts 2013-2017 Phase 7 Main Report (2015) undertaken in partnership with all Essex District/Unitary Authorities and Essex County Council
  - Objectively Assessed Housing Need Study (OAHN) (2015 and 2016 Update) undertaken in partnership with HMA local authorities.
  - Employment Land Review (2015)
  - Chelmsford City Centre Office Market Review (2015)
  - Chelmsford Retail Study Update (2015)
  - Delivering Economic Growth in Chelmsford to 2036
  - Chelmsford Economic Strategy (2017)
  - Rural Employment Areas Technical Note January (2018).
- 5.16 These studies have informed the job numbers and amount of land for employment use for the Local Plan. The Plan seeks to deliver 10,875 new jobs during the Plan period, based on a flexible rolling supply of 725 a year, which equates to 55,000sqm of new office floorspace and 13,400sqm of retail floorspace. Employment growth will be delivered as part of mixed use development on brownfield sites in Chelmsford City Centre, with strategic employment growth directed to site allocations at north east and east Chelmsford. Some jobs will be created due to expansion of current businesses.
- 5.17 The requirement for all new employment is outlined in Strategic Policy S8 – Housing and Employment Requirements; and the distribution in Strategic Policy S9 – The Spatial Strategy.

- 5.18 The Council has met its objectively assessed need for employment through its Plan policies, informed by working with the wider HMA. There have been no requests for Chelmsford City Council to meet the employment needs of any neighbouring authorities.
- 5.19 Delivery of employment will be through allocations in the Local Plan, and by its partners led by the Chelmsford Business Board, a representative group of Chelmsford business, support organisations, and the higher education sector. The Council will continue to work closely with neighbouring authorities and Essex County Council, to agree requirements for employment growth. Ongoing engagement will continue through the Essex Planning Officers Association (EPOA). Further strategic working will take place with the South Essex 2050 partnership of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea, Thurrock and Essex County councils, as they work on a joint vision for the South Essex growth corridor.
- 5.20 Monitoring for the delivery of employment will be undertaken by the Council through the annual Authority Monitoring Report.

STRATEGIC PLANNING ISSUE ii – PROVIDING NEW JOBS	
<p><b>Key Strategic Partners</b>  <b>Braintree District Council</b>  <b>Colchester Borough Council</b>  <b>Tendring District Council</b>  <b>Essex County Council</b></p> <p><b>Other Strategic Partners</b>  <b>South East Local Enterprise Partnership</b>  <b>Chelmsford Business Board</b></p>	
ACTIONS	
<b>Action:</b>	<b>Preparation of evidence - Employment Land Review (ELR)</b>
<b>Partners:</b>	All Essex Local Planning Authorities and ECC.
<b>Outcome:</b>	Essex County Council made comments mainly in relation to waste facilities which were noted, with resulting amendments made to the ELR to reflect updated NPPG for Waste. Responses were received from Basildon District Council and Castle Point Borough Council; both confirmed that having evaluated its strategic implications they sought no changes.
<b>Date:</b>	Consultation on Draft ELR October/November 2014.
<b>Action: Preparation of a joint evidence base on Objectively Assessed Need</b>	
<b>Partners:</b>	Braintree District Council, Colchester Borough Council and Tendring District Council (CCC's HMA partners).
<b>Outcome:</b>	Joint commissioning of consultants to carry out Objectively Assessed Needs Study in accordance with national planning policy and guidance on preparing OAN assessments. As part of the work to assess housing requirements, an analysis of economic forecasts was undertaken together with demographic projections to establish the inter-relationship between population growth, forecasts of new jobs and the number of new homes needed to accommodate these levels of growth.

**Date:** OAN Study published in July 2015 with a November 2016 Update.

### Outcomes from Strategic Working

The key outcomes from strategic working are:

- The completion of evidence base reports including an OAN study for the four HMA LPAs, and an Employment Land Review, using a consistent and robust methodology.

Local Plan policies:

- **Strategic Policy S8 – Housing and Employment Numbers** has been formulated to ensure that the full need for 725 jobs a year is met, reflecting the most up to date assessment for the HMA
- **Policy EM1 – Employment Areas and Rural Employment Areas** uses the OAN to reflect the most up to date assessment for the HMA.

Unresolved issues:

- There are no unresolved Duty to Co-operate issues.

### iii) Impact Mitigation and Infrastructure Provision

5.21 A key consideration for the Local Plan is the additional demand on existing infrastructure as a result of new development and how this can be accommodated and/or mitigated. Infrastructure covers transport, healthcare, education, energy, utilities, emergency services and waste management.

5.22 Initial duty to co-operate activities indicated that there may be cross boundary impacts related to education provision, primary healthcare provision (GP surgeries, dentists), protecting emergency access from Maldon District to Broomfield Hospital and providing new or improved transport infrastructure.

**The Infrastructure Delivery Plan (IDP)** (2018) is a key evidence base document and sets out details of the infrastructure identified by the Council and other service providers as being needed to support the delivery of new development across the City up to 2036.

Other evidence base studies to support the Local Plan include:

- Strategic and Local Junction Modelling (2018)
- Transport Impact of the Local Plan (2017)
- Local Plan Viability Study (2018).

5.23 From these studies, and ongoing engagement with Essex County Council, the Council has developed its requirements for infrastructure including transport and highways, flood risk management, community facilities, green and natural infrastructure, and utilities.

5.24 Strategic infrastructure requirements are outlined in Strategic Policy S11 – Infrastructure Requirements; Strategic Policy S12- Securing Infrastructure and Impact Mitigation addresses the mechanisms; and individual site policies list the site-specific details for infrastructure provision.

5.25 The Council will continue to work closely with its partners, particularly with Essex County Council to progress the Housing Infrastructure Fund bids, and with Braintree District Council on cross boundary matters of Chelmsford North East Bypass funding and proposals for provision of secondary education. Further strategic

working will take place with the South Essex 2050 partnership of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea, Thurrock and Essex County councils, who are working on a joint vision for the South Essex growth corridor.

STRATEGIC PLANNING ISSUE iii – IMPACT MITIGATION AND INFRASTRUCTURE PROVISION
<p><b>Key Strategic Partners</b>  <b>Essex County Council</b>  <b>Braintree District Council</b>  <b>Colchester Borough Council</b>  <b>Tendring District Council</b></p> <p><b>Other Strategic Partners</b>  <b>Highways Agency</b></p>
ACTIONS
<p><b>Action: Preparation of evidence – Strategic and Local Junction Modelling</b></p> <p><b>Partners:</b> Essex County Council, Highways Agency, Basildon District Council.</p> <p><b>Outcome:</b> Joint commissioning between CCC and ECC for Local Plan transport modelling to inform Local Plan development. To assess current and ‘do-nothing’ scenarios, and Local Plan proposals. Outcomes of modelling have influenced the overall spatial strategy, and ongoing engagement has resulted in site specific requirements and mitigation – such as walking/cycling routes and road crossings, access points, bus priority measures. Agreement to link Chelmsford transport modelling to work being undertaken for Basildon District Council, to assess cross-boundary travel matters; incorporated in Basildon District Council’s representation to CCC Pre-Submission consultation; CCC proposes to amend Local Plan (see Schedule of Minor Amendments) to ensure joint concerns about impact on A130/A132 are addressed.</p> <p><b>Date:</b> Reports published at Issues and Options, Preferred Options and Pre-Submission stages of Local Plan preparation (dated March 2017, January 2018).  Ongoing co-operation with regular meetings (at times, weekly) with ECC and Highways Agency to develop the Local Plan strategy.  Basildon – cross boundary impacts, DTC Meeting March 2018, Pre-Submission Consultation Response March 2018, CCC Schedule of Minor Changes May 2018.</p>
<p><b>Action: Preparation of Evidence – Infrastructure Delivery Plan (IDP)</b></p> <p><b>Partners:</b> Essex County Council, Colchester Borough Council, Braintree District Council, Tendring District Council, Environment Agency, Anglian Water Services, Essex and Suffolk Water, Cadent (formerly National Grid), UK Power Networks, Sport England, Mid Essex Hospital Services NHS Trust, Mid Essex Clinical Commissioning Group, East of England Ambulance Services, Essex Fire and Rescue Services, Essex Police.</p> <p><b>Outcomes:</b> Neighbouring authorities worked alongside the Council to produce a joint approach to infrastructure delivery, particularly through DtC meetings and consultation on the IDP.  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.</p>

**Date:** ECC – regular meetings from 2015 on education and highway matters as part of wider meetings, and as focused discussions.  
Neighbouring Authorities - joint meetings held Mid 2016 to January 2017 to prepare joint IDP.  
Other providers engaged via email and telephone in June 2017, November/December 2017 and March/April 2018.

#### **Action: Funding for infrastructure**

**Partners:** Essex County Council.

**Outcome:** CCC has worked closely with ECC to secure funding for major projects included within the Local Plan, from the Housing Infrastructure Fund (HIF).  
Strategic and Local Junction Modelling (above) identified a need for new road infrastructure to enable city centre brownfield development at Chelmer Waterside. £5.7 million has been secured (through the marginal viability element) which will provide a road bridge/link to provide new access from the south.

The new railway station at Beaulieu Park and Chelmsford North East Bypass form one of three bids being developed for HIF forward funding.

**Date:** Ongoing.

#### **Action: Plan preparation addressing cross boundary issues**

**Partners:** Braintree District Council, Essex County Council.

**Outcome:** a) A large site allocation in Braintree District is close to CCC's Strategic Growth Site 5a to 5c at Great Leighs. ECC advised on potential for joint secondary school provision, and in the early stages of growth, new pupils from Great Leighs can attend Great Notley High School in Braintree District.  
b) Growth in the Braintree District will impact on Chelmsford for employment, shopping, hospital attendance, etc. Agreement was reached for Braintree Local Plan to recognise the future role of the Chelmsford North East Bypass for cross boundary access. As a result, BDC amended its Local Plan to make reference to the strategic importance of the route, and to require financial contributions to the Bypass as part of wider financial contributions.

**Date:** a) Focused Meeting in March 2016, b) CCC response to Braintree Local Plan consultation in July 2017.

#### **Action: Preparation of evidence – Water issues**

**Partners:** Environment Agency, Anglian Water, Natural England, Essex and Suffolk Water.

**Outcomes:** a) Strategic Flood Risk Assessment prepared working closely with the Environment Agency, including: development of Sequential and Exception Tests for 42 potential development sites; Flood Risk Assessment Level 1 of 48 sites; and Level 2 to provide detailed data on flood risk for preferred sites.  
b) Chelmsford Water Cycle Study prepared with partners to determine appropriate locations of development with respect to water infrastructure and water environment. Mitigation included in Local Plan for upgrades/phasing of development at Great Leighs, otherwise no significant constraints identified for delivery of Local Plan development.

**Date:** a) December 2017/January 2018; b) January 2018.

**Action: Plan preparation – higher education**

**Partners:** Essex County Council, Anglia Ruskin University, Writtle University College, Chelmsford College.

**Outcomes:** Essex County Council has been closely involved in agreeing Local Plan requirements for education – for early years and childcare, primary and secondary provision. Regular meetings and ongoing dialogue, against the background of ECC's evidence document Commissioning School Places in Essex. Other education providers including Chelmsford College, Writtle University College and Anglian Ruskin University to share growth plans, and ensure sufficient future provision is made for education requirements.

**Date:** ECC – regular meetings on education matters as part of wider meetings, and as focused discussions.  
Joint HE meetings June 2015, December 2016; Focused discussion – ARU, June 2016.

**Outcomes from Strategic Working**

The key outcomes from strategic working are:

- Traffic modelling has informed the Council's strategy for directing growth to the most sustainable locations where the impact on the local and strategic network can be minimised. It has also led to the emphasis on provision of sustainable transport infrastructure, non-car modes of travel, and sustainable access of future development.
- Consideration of cross boundary traffic impacts included in Local Plan.
- The IDP sets out the cost of infrastructure and how it will be delivered, giving clarity to developers on what development is required to deliver.
- Clear funding routes are set out for key strategic infrastructure projects.
- Agreement on cross-boundary education and transport issues with Braintree District Council.
- Robust evidence base developed with partners for water issues.

Local Plan Policies:

- **Strategic Policy S11 – Infrastructure Requirements** includes requirements for contributions towards recreation disturbance avoidance and mitigation measures
- **Strategic Policy S12 – Securing Infrastructure** and Impact Mitigation covers the requirements to demonstrate how infrastructure can be secured, including through Section 106 agreements and Community Infrastructure Levy.

Unresolved issues:

- There are no unresolved Duty to Co-operate issues.

**iv) Retail**

- 5.26 The Local Plan seeks to reinforce Chelmsford's role as 'Capital of Essex'. The City Centre has recently seen significant expansion through the development of Bond Street (including John Lewis), allocated in the 2008 Local Development Framework and Chelmsford Town Centre Area Action Plan. Chelmsford was granted City Status in 2012, and the City Centre is ranked within the top 100 in the country.
- 5.27 Retail matters for the Local Plan are underpinned by the **Chelmsford Retail Capacity Study 2015**. This sets out how jobs in retail are focused in Chelmsford City Centre, South Woodham Ferrers Town Centre, and Principal Neighbourhood Centres. It also reviews the performance of the retail centres, leading to an assessment of predicted need from future growth and capacity to accommodate it.



- 5.28 As a result, the Local Plan includes proposals for 11,500sqm of convenience floorspace in Chelmsford and 1,900sqm in South Woodham Ferrers, set out in Strategic Policy S8 – Housing and Employment Requirements. Due to the recent City Centre expansion, no further comparison goods floorspace has been identified.

STRATEGIC PLANNING ISSUE iv – RETAIL
<p><b>Key Strategic Partners</b> <b>Maldon District Council</b></p> <p><b>Other Strategic Partners</b> <b>South Woodham Ferrers Town Council</b></p>
<p><b>Action: Plan preparation addressing cross boundary issues</b></p> <p><b>Partners:</b> Maldon District Council, South Woodham Ferrers Town Council.</p> <p><b>Outcome:</b> Maldon DC and South Woodham Ferrers TC both expressed concern, via the Preferred Options consultation. CCC addressed concerns about the impact of 1,900sqm allocation for convenience retail in South Woodham Ferrers by confirming that this would not be in addition to a recent supermarket planning consent. CCC also clarified this in the Pre-Submission document.</p> <p><b>Date:</b> Focused meeting – Maldon District Council July 2017.</p>
<p><b>Outcomes from Strategic Working</b></p> <p>The outcomes from strategic working are:</p> <ul style="list-style-type: none"> <li>• Agreement on cross-boundary retail matters addressed in Pre-Submission document.</li> </ul> <p>Local Plan Policies:</p> <ul style="list-style-type: none"> <li>• <b>Strategic Policy S8 – Housing and Employment Requirements</b> includes provision of retail floorspace, based on the Chelmsford Retail Capacity Study 2015, and clarifies that if planning permission for a supermarket at South Woodham Ferrers is implemented that the allocated 1,900sqm of additional retail floorspace will not need to be allocated</li> <li>• <b>Strategic Policy S9 – The Spatial Strategy</b> sets out the locations for retail growth identified in S8</li> <li>• <b>Policy EM2 – Primary and Secondary Frontages in Chelmsford City Centre and South Woodham Ferrers, Neighbourhood Centres and Upper Floors</b> seeks to control change of use applications to prevent the erosion of retail use, which is important for community needs and local economic vitality.</li> </ul> <p>Outstanding issues:</p> <ul style="list-style-type: none"> <li>• There are no outstanding Duty to Co-operate issues.</li> </ul>

## v) Conserving the Natural Environment

- 5.29 There are a number of Local Plans in preparation in Essex set to deliver up to 180,000 new homes over the coming 15-20 years. These new homes have the potential to bring new visitors to the sensitive coastal area, resulting in impacts on protected sites both individually and in combination through recreational disturbance.



- 5.30 In the absence of a joint approach to this issue, individual authorities would need to provide measures to mitigate any recreational impacts identified. In reality authorities would find this difficult to undertake as individual authorities, or smaller groups of authorities. As a result, a joint Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) is being prepared.
- 5.31 To reflect the differing Local Plan adoption dates of the Essex authorities, Natural England advised that a Supplementary Planning Document should be the mechanism to secure developer contributions towards the mitigation measures identified as necessary by the Strategy. This commitment is outlined in a Memorandum of Understanding, signed by all participants (January 2017) (Appendix K).
- 5.32 The RAMS project, being led by Essex County Council, assesses the mitigation measures required for European Designated Sites impacted upon by development from across Essex. Once completed, it is expected to be adopted as SPD by each of the participating authorities, and will set out where new development is required to contribute towards implementation of the Strategy.
- 5.33 The RAMS has therefore informed the Council's policy approach to mitigation with the Spatial Principles of the Plan seeking to protect and enhance the character of valued landscapes, heritage and biodiversity. Strategic Policy S6 – Conserving and enhancing the natural environment gives a commitment to securing management, mitigation and compensation measures, and Policy S11 – Infrastructure Requirements specifies the need to contribute towards the RAMS.
- 5.34 The policy requirements of the allocation sites 3a, 3c, 3d at East Chelmsford, 7 South Woodham Ferrers, 8 Bicknacre, and 9 Danbury specifically identify the need for appropriate contributions to be secured towards mitigation measures identified in the RAMS.
- 5.35 Once the SPD is adopted and Plans across Essex are implemented, joint work with all partners will continue to enable appropriate monitoring of the Strategy.

STRATEGIC PLANNING ISSUE v – CONSERVING THE NATURAL ENVIRONMENT	
<b>Key Strategic Partners</b> Natural England Essex County Council 11 Essex Local Planning Authorities	
<b>Other Strategic Partners</b>	
<b>Partners:</b> Natural England, Essex County Council, Basildon, Braintree, Brentwood, Castle Point, Colchester, Maldon, Rochford, Southend-on-Sea, Tendring and Thurrock Councils.	
<b>Outcomes:</b> Essex local authorities are working alongside Essex County Council and Natural England to produce a joint approach to recreational disturbance avoidance and mitigation across Essex. A partnership of the 11 Essex authorities has been formalised, with a memorandum of understanding signed in January 2018 (Appendix K).	
<b>Date:</b> Monthly steering group meetings are on-going at Officer level with proposals for Officer/Member steering group meetings for the future. Finalise and sign off the RAMS in November 2018. SPD consultation late 2018 with adoption by each participating authority by Easter 2019.	

Outcomes from Strategic Working
<p>The outcomes from strategic working are:</p> <ul style="list-style-type: none"> <li>• Agreement to produce a joint strategy to recreational disturbance avoidance and mitigation across Essex.</li> </ul> <p>Local Plan Policies:</p> <ul style="list-style-type: none"> <li>• <b>Strategic Policy S6 – Conserving and Enhancing the Natural Environment</b> sets the requirement for management, mitigation and compensation measures for impacts on the natural environment</li> <li>• <b>Strategic Policy S11 – Infrastructure Requirements</b> includes requirements for contributions towards recreation disturbance avoidance and mitigation measures</li> <li>• <b>Policy NE1 – Ecology and Biodiversity</b> includes European Designated Sites</li> <li>• In addition, this is included as a requirement in <b>Strategic Site Policies 3a, 3c, 3d, 7, 8, 9.</b></li> </ul> <p>Outstanding issues:</p> <ul style="list-style-type: none"> <li>• There are no outstanding Duty to Co-operate issues.</li> </ul>

#### vi) Delivering High Quality Sustainable New Communities

- 5.36 The Local Plan is based around a commitment to secure sustainable development, reflecting the presumption in favour of sustainable development outlined in the National Planning Policy Framework.
- 5.37 Each stage of the Local Plan development has been subject to ongoing Sustainability Appraisal and Habitats Regulations Assessment. These tested the emerging Plan against high level objectives, options for housing and employment targets, and the Vision and Spatial Principles. The outcomes have influenced the choice of location and quantum of development.
- 5.38 Evidence base documents produced through the sustainability screening process include:
- Sustainability Scoping Report (2015)
  - Issues and Options Sustainability Appraisal (2015)
  - Preferred Options Sustainability Appraisal (2017)
  - Pre-Submission Sustainability Appraisal (2018)
  - Chelmsford Local Plan Habitats Regulations Assessment Initial Scoping (2015)
  - Preferred Options Habitats Regulations Assessment (2017)
  - Pre-Submission Habitats Regulations Assessment (2018).
- 5.38 This is captured in Strategic Policy S2 – Securing Sustainable Development which sets out how the Council will work proactively to ensure all new development improves the economic, social and environmental conditions in the Council's area.
- 5.39 Under this umbrella policy, the Local Plan addresses Garden City principles, high quality design, and masterplanning as mechanisms for delivering the Vision and Spatial Principles throughout the Plan period.

## STRATEGIC PLANNING ISSUE vi – DELIVERING HIGH QUALITY SUSTAINABLE NEW COMMUNITIES

**Key Strategic Partners**  
Essex County Council  
Braintree District Council  
Colchester Borough Council  
Tendring District Council

**Other Strategic Partners**

### Action: Plan preparation – Garden City Principles

**Partners:** North Essex Garden Communities Working Groups and Board, including Braintree District Council, Colchester Borough Council, Tendring District Council.

**Outcome:** CCC envisages Strategic Growth Site 4 – North East Chelmsford being brought forward as a high-quality Garden Community, developed along the Town and Country Planning Association Garden City Principles (comprehensively planned, enhance the natural environment and provide high quality homes). CCC is closely following the progress of the North Essex Garden Communities (Braintree, Colchester and Tendring Councils), who are also the other authorities in the HMA. CCC will ensure it takes opportunities to remain updated on the process including masterplanning, to follow as an example and help it successfully deliver this site. CCC will also remain committed to the 'Memorandum of Co-operation: Collaboration on Strategic Priorities in North and Central Essex' (MOU), signed by North Essex Districts (Braintree, Colchester and Tendring), Essex County Council and Chelmsford City Council.

**Date:** Ongoing throughout Plan period.

### Action: Plan preparation – Design issues

**Partners:** Essex County Council

**Outcome:** The Essex Design Guide has been updated and relaunched by the Essex Planning Officers Association and Essex County Council. All local authorities in Essex including Chelmsford City Council have been involved in its inception. A steering group was set up as well as theme specific and technical working groups to agree the content of the new Essex Design Guide, and development will continue on a rolling basis.

**Date:** Launched as an online resource, February 2018.

### Action: Plan preparation – Masterplans

**Partners:** Environment Agency, Historic England, Natural England, adjoining local planning authorities

**Outcome:** The Strategic Growth Sites will be expected to meet high standards of built and urban design, which will be informed by masterplans. CCC will work with site promoters and key partner stakeholders to develop masterplans, which site promoters will consult on, prior to reaching planning application stage. This approach has been supported by other Essex local planning authorities.

**Date:** Summer 2018 for masterplanning work on key sites, followed by other site as the Plan progresses.

### Outcomes from Strategic Working

Outcomes from strategic working are:

- Chelmsford will learn from the North Essex Garden Communities work
- Design policies are based on collaborative Essex-wide design guidance
- Masterplans will involve key partners and stakeholders to bring sites forward.

Local Plan Policies:

- **Strategic Policy S9 – The Spatial Strategy** includes the Garden City allocation, which will also help to deliver strategic infrastructure including the Chelmsford North East Bypass
- **Strategic Growth Site 4 – North East Chelmsford** sets out the requirements for this site including the Garden City aspiration
- **Policy MP1 – High Quality Design** sets the overall principles for ensuring good design in new development
- **Policy MP2 – Design and Place Shaping Principles in Major Developments** includes urban design principles and includes the requirement for masterplans in major development
- **Policy MP3 – Sustainable Buildings; Policy MP4 – Design Specification for Dwellings and Housing in Multiple Occupation; MP5 – Parking Standards; MP6 – Tall Buildings** contain further detail on specific design and place making matters to ensure high standards of design.

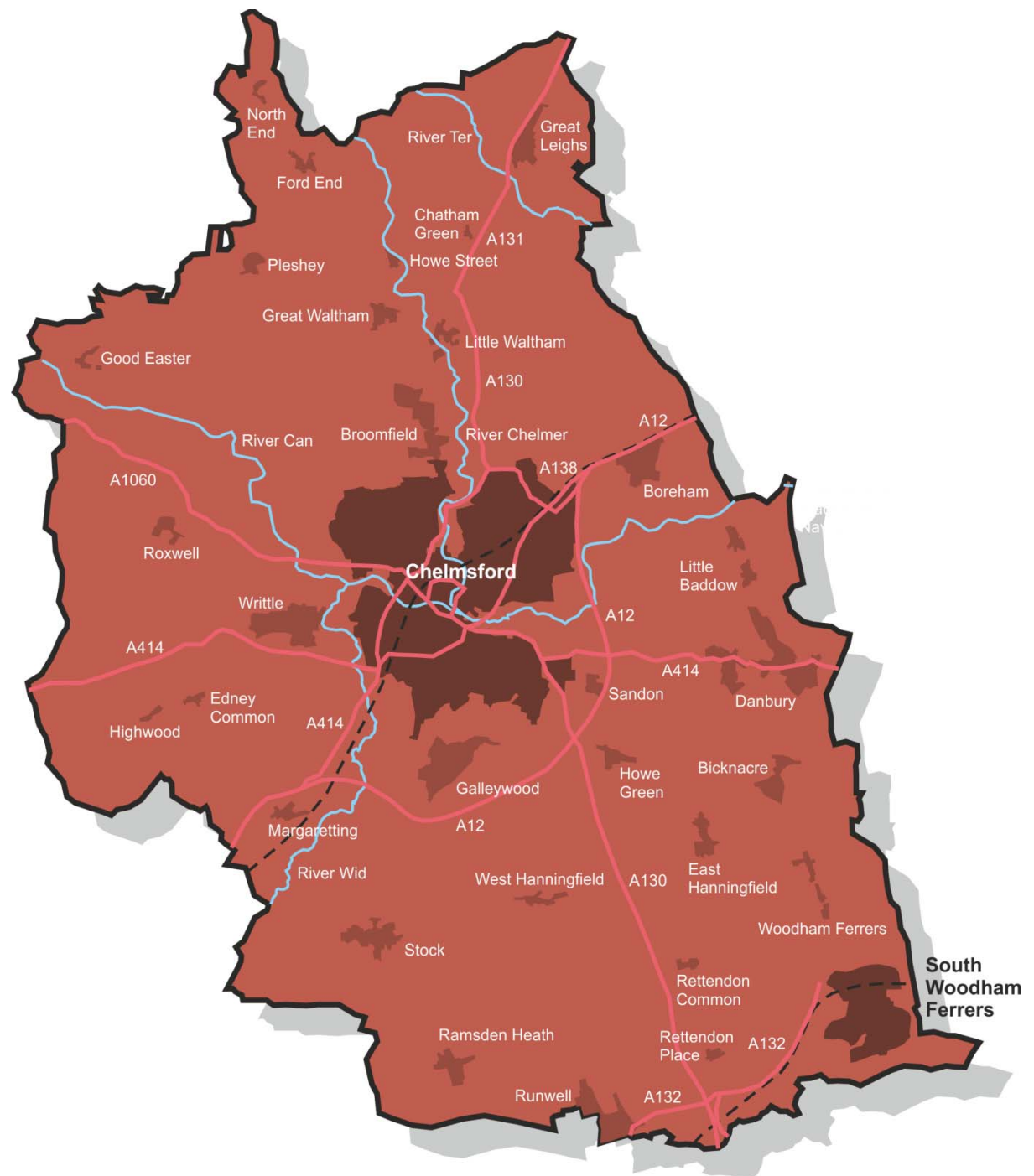
Outstanding issues:

- There are no outstanding Duty to Co-operate Issues.

## APPENDICES

<b>Appendix A</b>	Map of strategic planning area and its settlements
<b>Appendix B</b>	Key decisions and processes
<b>Appendix C</b>	Duty to Co-operate Strategy (March 2015)
<b>Appendix D</b>	Duty to Co-operate Position Statement (March 2017)
<b>Appendix E</b>	Duty to Co-operate Position Statement (January 2018)
<b>Appendix F</b>	A Memorandum of Co-operation: Collaborative Working on Strategic Growth Priorities in North and Central Essex
<b>Appendix G</b>	Duty to Co-operate Meeting Note (May 2017)
<b>Appendix H</b>	Duty to Co-operate Meeting Note (October 2017)
<b>Appendix I</b>	Duty to Co-operate Meeting Note (March 2018)
<b>Appendix J</b>	Mechanism for the Consideration of Unmet Housing Need, EPOA (September 2017)
<b>Appendix K</b>	The Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy – Memorandum of Understanding (January 2017)
<b>Appendix L</b>	Key documents

## Appendix A: Map of strategic planning area and its settlements



## Appendix B: Key decisions and processes

Chelmsford Development Policy Committee (DPC) oversees the Local Plan progress, assesses evidence base materials and reviews comments made to other authorities' Local Plans.

The Development Policy Committee homepage can be found at the following link:  
<https://www.chelmsford.gov.uk/your-council/committees-and-meetings/committees-and-panels/?entryid1080=26450>

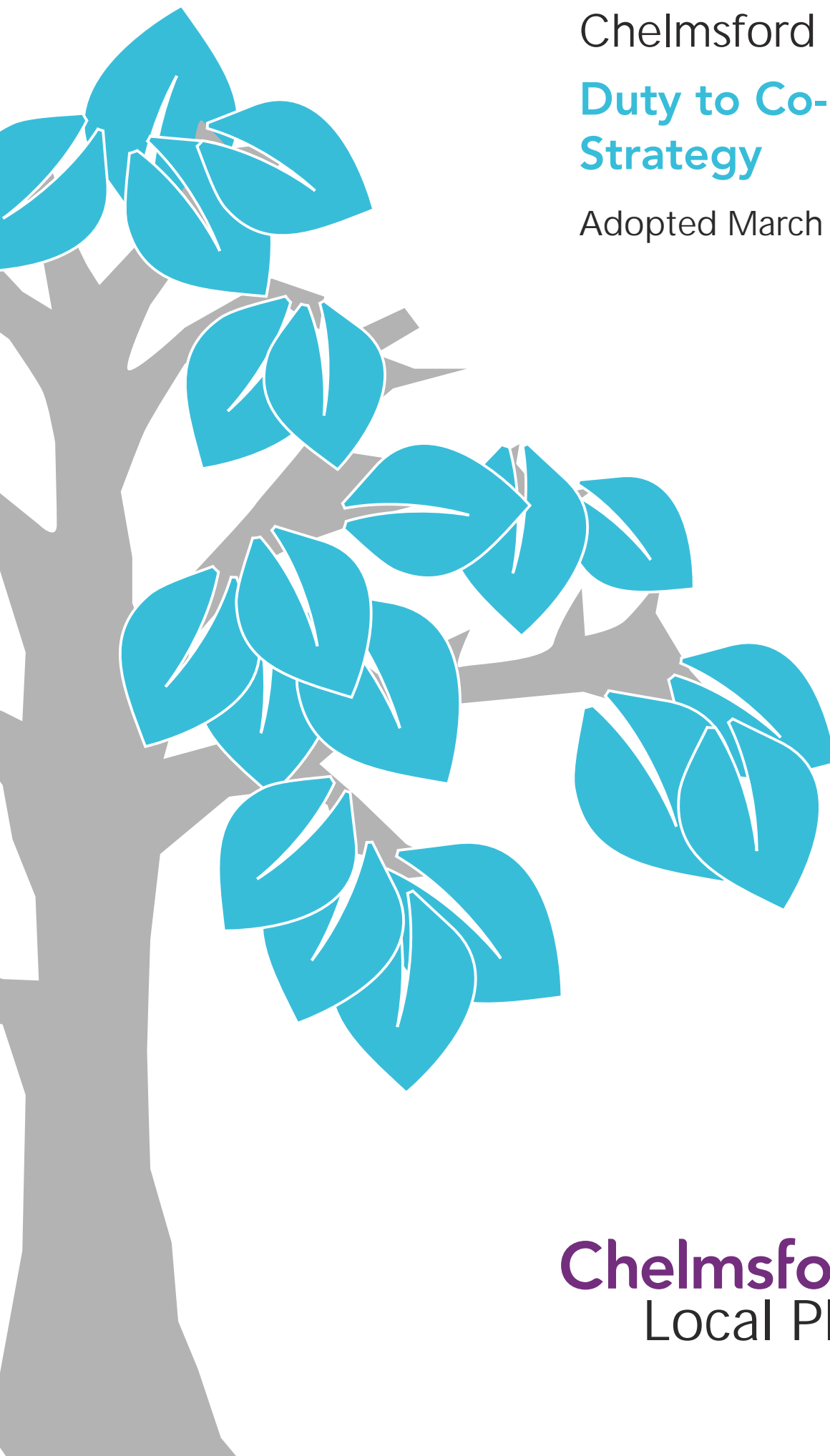
Local Plan Process – Key Decision Process	
<b>Issues and Options Local Plan</b>	<p>The committee held on 5<sup>th</sup> November 2015 considered the Issues and Options Local Plan document to publish for consultation.</p> <p>The Consultation was held between November 2015 and January 2016.</p> <p>On 3<sup>rd</sup> March 2016 the Committee considered the Issues and Options Initial Consultation Feedback Report.</p> <p>The final Issues and Options Consultation Feedback Report was considered by the Committee on 9<sup>th</sup> June 2016. A summary of the main issues raised by DtC bodies is included within the Section B of the Feedback Report June 2016.</p>
<b>Preferred Options Local Plan</b>	<p>On 14<sup>th</sup> July 2016 the Committee considered a request to process with a new spatial option for the preparation of the Chelmsford Local Plan Preferred Options Document.</p> <p>On the 9th March 2017 the Regulation 18 Local Plan Preferred Options was considered for publishing for consultation.</p> <p>The Consultation was held from March 2017 to May 2017.</p> <p>13th July 2017 Committee considered the Preferred Options Consultation Initial Consultation Feedback Report.</p>
<b>Pre-Submission Local Plan</b>	<p>The Committee on 18th January 2018 considered the final Preferred Options Consultation Document Feedback Report together with the Regulation 19 Pre-Submission Local Plan for publishing for consultation.</p> <p>The Consultation was held from January 2018 – February 2018.</p>



# Chelmsford Local Plan

## Duty to Co-operate Strategy

Adopted March 2015





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## Part I Introduction

### Introduction

**1.1** Chelmsford City Council (CCC) has always understood the importance of co-operating with others on strategic planning matters. It has a history of working together with neighbouring authorities and stakeholders on plan making and this continues today. This background of collaboration should provide a strong basis for CCC to develop effective joint working arrangements required to satisfy the legal duty test on its Local Plan.

**1.2** This Strategy outlines CCC's commitment to implementing the Duty to Co-operate on its Local Plan. It explains in broad terms who we will seek to co-operate with, when we will co-operate and what co-operation mechanisms we will put in place. It does not identify the strategic cross boundary issues that may need to be addressed as this work will follow later (and is described in Part 7).

**1.3** Although the Duty to Co-operate is not a duty to agree, the Council will make every effort to seek co-operation on cross-boundary and strategic planning matters in a focused, positive and structured way. At the same time, CCC will continue to work constructively with nearby planning authorities on their local plan preparation.

**1.4** The Draft Duty to Co-operate Strategy was subject to consultation in November 2014 - January 2015. Those public bodies that are subject to the legal duty, and therefore directly affected by the Strategy, were invited to comment.

## Part 2 What is the Duty to Co-operate Strategy?

### What is the Duty to Co-operate Strategy?

**2.1** This Strategy outlines how CCC will co-operate and engage on strategic matters when preparing its new Local Plan (Chelmsford City Plan). Strategic matters are larger than local issues that cannot be dealt with by one local planning authority alone. For example, the provision of new housing, jobs, retail, infrastructure, flooding and flood risk. The Government's Duty to Co-operate is considered to be the mechanism by which strategic issues are planned for at local level in the absence of Regional Spatial Strategies.

**2.2** The Strategy describes to nearby planning authorities (see map in Appendix 2) and prescribed bodies what co-operation and engagement arrangements they can expect from this Council on strategic planning matters identified.

**2.3** The Strategy aims to:

- Ensure proactive, on-going, focused and constructive co-operation on cross-boundary planning matters
- Achieve legally compliant and 'sound' Local Development Documents, and
- Facilitate effective strategic planning in the region.

**2.4** CCC is determined to ensure that Duty to Co-operate activities positively influence the evolution of its Local Plan and shape the proposals as they emerge. Whilst there is no duty to agree, it will make every effort to secure the necessary co-operation on strategic cross-boundary matters before submitting the Local Plan for Examination.

Strategic matters are defined in the Localism Act 2011 as: (a) Sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and (b) Sustainable development or use of land in a two-tier area if the development or use - (i) is a county matter, or (ii) has or would have a significant impact on a county matter.

Please note that the Local Plan will guide growth and development in Chelmsford City Council's administrative area for the period up to 2036. It will provide the Council's vision, objectives and Spatial Strategy. It will also contain Strategic Development Policies, Development Management Policies, Site Specific land use allocations and a Local Plan Policies Map. Once adopted, the Local Plan will replace the existing Local Development Framework (LDF).

Please note that this Strategy is concerned with the implementation of the Duty to Co-operate on the emerging Chelmsford City Local Plan. It is a policy document that sits alongside the Council's Statement of Community Involvement (SCI).

## Part 3 Why do we need it?

### Why do we need it?

**3.1** The Localism Act creates a duty on all local authorities and prescribed bodies (defined in Regulations and guidance) to co-operate with each other to address strategic matters relevant to their areas. Specific guidance on how authorities are expected to address strategic planning matters and apply the Duty to Co-operate is given in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). This guidance has been used to produce this Strategy.

**3.2** The timetable for preparing the Chelmsford Local Plan is set out within the Council's approved Local Development Scheme (LDS) and summarised in Table 1.

**Table 1 - Timetable for Preparing the Chelmsford City Local Plan**

Stage	Timescale (all dates are provisional)
Duty to Co-operate Scoping Report -Consultation with relevant Planning Authorities and bodies	Summer 2015
Local Plan Evidence gathering and public participation – Scoping Consultation (Regulation 18)	Autumn/Winter 2015
Local Plan Preferred Options Consultation (Regulation 19)	Autumn 2016
Draft Local Plan Submission Document Consultation (Regulation 19)	Spring 2017
Submission of Local Plan to the Secretary of State (Regulation 22)	October 2017
Independent Examination	January 2018
Adoption	May 2018

**3.3** Some early discussions have taken place between CCC and neighbouring planning authorities regarding its future Local Plan. These are informal because at this point in time no decisions have been made about the quantum and distribution of Chelmsford's future growth. This will be informed by the emerging Local Plan evidence base including an objectively assessed housing needs study to be commissioned shortly. However, discussions with our neighbouring councils are useful now as there is potential for a number of cross- boundary issues such as the provision of major new transport



infrastructure, distribution of jobs and housing and, climate change mitigation and adaptation. A strategy is needed to progress effective co-operation on strategic matters throughout preparation of the Local Plan and beyond into its delivery and review.



## Part 4 Who is the Strategy for?

### Who is the Strategy for?

**4.1** The Strategy is aimed at neighbouring and nearby local planning authorities, Essex County Council and a range of other prescribed bodies as defined in legislation and guidance. These are listed in Appendix I and these bodies are required to co-operate with CCC on strategic cross-boundary planning matters of common concern.

**4.2** The Strategy is also aimed at other relevant bodies that the Council might need to co-operate with when preparing the Local Plan. These include the Local Enterprise Partnership, Local Nature Partnerships and private sector utility and infrastructure providers (see Appendix I). These other bodies may have a key role in supporting the Council in its Local Plan preparation and developing the evidence base.

Please note that this Strategy sets out how CCC will co-operate on strategic cross-boundary planning matters with other Councils and bodies specifically defined in legislation or national guidance. It is not aimed at other Local Plan consultees such as local residents, community groups, Parish and Town Councils, landowners and developers as these are not specifically listed as Duty to Co-operate public bodies. However, the Council will seek to involve, engage and consult these people and organisations on its Development Plans and when considering Planning Applications. More details are set out in its adopted Statement of Community Involvement (SCI).



## Part 5 Our approach to Duty to Co-operate

### Our approach to Duty to Co-operate

**5.1** This Council and many others have a history of working together and with other bodies to address strategic planning matters of common concern. This historical background of co-operation will provide a strong foundation on which to implement the Duty to Co-operate.

**5.2** Co-operation on preparing a Local Plan is a two way process between different authorities or bodies. There may be a situation where an offer to co-operate by CCC is declined, or agreement on a shared policy outcome cannot be achieved. Although the Duty to Co-operate is not a duty to agree, CCC will make every effort to ensure that cross-boundary strategic planning matters are properly addressed at the formative stages of the Local Plan process, and that any major disagreements are resolved before submission for Examination.

**5.3** CCC will seek to ensure co-operation and engagement is undertaken appropriately for the Local Plan i.e. that it is proactive, continuous, rigorous and constructive. The Council will also ensure that arrangements for co-operation are fit for purpose and reasonable. In some instances it may be acceptable to continue to discuss strategic matters through existing joint working arrangements. These include the Essex Planning Officers Society (EPOA), the Co-operation for Sustainable Development Group, the Chelmsford Tomorrow Local Delivery Mechanism and the Officer Strategic Spatial Planning Liaison Group (associated with the London Plan). However, it is accepted that other mechanisms will need to be established and new authorities and bodies may well need to be proactively engaged depending on the strategic matters identified.

## Part 6 Options for Co-operation

### Options for Co-operation

**6.1** In meeting the requirements of the Duty to Co-operate, Government Guidance recommends that local planning authorities ‘scope’ the Local Plan strategic matters at the beginning of the preparation process. This should take into account the functional geography of the strategic matters and identify the local authorities and prescribed bodies that need to be co-operated with. Guidance also advises that consideration is given to preparing joint-evidence base documents and Local Development Documents.

**6.2** As recommended by Government, CCC will prepare a ‘Scoping Report’ to identify authorities and bodies that CCC will need to co-operate with in seeking to address each strategic matter, and the proposed methods and timescales for doing this. The Scoping Report will ensure that any cross-boundary issues are addressed at the earliest possible stage. This should maximise effective working on the preparation of the Local Plan in relation to strategic matters and reduce the risk of challenge at Examination.

**6.3** Comments will be invited on a Draft Scoping Report to ensure CCC is taking the correct approach to meeting its Duty to Co-operate. It will also provide an opportunity for stakeholders to highlight any strategic matters CCC may have missed and to identify any potential for joint or aligned Development Plans and policies. The Scoping Report is expected to be published for consultation in Summer 2015 (see Table 1).

**6.4** Once finalised, the Scoping Report will form the framework for an agreed approach and commitment from CCC in how it will discharge its Local Plan Duty to Co-operate. It will also be used to inform the first public consultation on the Local Plan due to be carried out in Autumn 2015 (see Table 1).

**6.5** Throughout the Local Plan preparation process, the list of strategic matters and opportunities for joint working will be kept under review and influence the engagement and co-operation activities promoted. CCC will develop new and/or build on existing established joint working mechanisms, as appropriate. Co-operation arrangements the Council propose to employ and/or consider include:

- Joint Officer and Member meetings, committees and working groups
- Commissioning of joint evidence base studies and reports
- Joint or aligned plans across Council areas
- Memorandums of Understanding as a framework for co-operation
- Getting key decisions in writing from other authorities/bodies
- Confirming understanding/intentions in writing
- Joint statements of policy/action
- Joint statements of co-operation/ Statements of Common Ground

**6.6** These arrangements will be undertaken in addition to statutory Local Plan and planning application consultations, and general correspondence issued by the Council.



**6.7** CCC will regularly record and report on co-operation and engagement activities, what decisions have been reached and why and what the outcomes are for Local Plan policy and Strategy. For example, updates to the Council's Development Policy Committee and in its Authority Monitoring Report (AMR).



## **Part 7 Demonstrating we have met the Duty to Co-operate**

### **Demonstrating we have met the Duty to Co-operate**

**7.1** The 'Duty to Co-operate' is a legal requirement under the Localism Act 2011 of the Local Plan preparation process and is the first thing that the Planning Inspectorate will assess before considering whether the Plan is sound. To do this, the Planning Inspectorate will require comprehensive and robust evidence to demonstrate that the duty has been met for the Chelmsford City Local Plan at Examination (expected to be in early 2018 – see Table 1).

**7.2** This evidence will be set out in a Duty to Co-operate Statement of Compliance submitted alongside the Local Plan. This will highlight how preferred strategic approaches and policies have resulted from effective co-operation and joint working. This will also report on how the duty will be taken forward through to plan implementation and monitoring.

## Part 8 Appendix I Relevant "Duty to Co-operate" bodies

### Appendix I - Relevant "Duty to Co-operate" bodies

The following 'Duty to Co-operate' bodies are relevant to the preparation and implementation of the Chelmsford City Local Plan:

- Essex County Council
- Neighbouring and nearby local planning authorities including Braintree, Basildon, Uttlesford, Castle Point, Colchester, Rochford, Harlow, Southend-on-Sea, Tendring, Thurrock, Brentwood, Epping Forest, Maldon and London Boroughs adjoining Essex
- Environment Agency
- Natural England
- Clinical Commissioning Group
- National Health Service Commissioning Board
- Essex Police
- Essex Fire and Rescue
- Historic Buildings and Monuments Commission for England (English Heritage)
- Integrated Transport Authority
- Highway Authority
- Marine Management Organisation
- Network Rail
- Mayor of London (Greater London Authority)
- Transport for London
- Highways Agency
- Civil Aviation Authority
- Homes and Communities Agency
- Office of Rail Regulation
- Sport England
- South East Local Enterprise Partnership
- Local Nature Partnership (led by Essex Wildlife Trust)
- Relevant private sector bodies (including Writtle College and Anglia Ruskin University)
- Relevant utility and infrastructure providers (Transport network providers and operators, water supply and sewerage providers, energy providers, telecom providers).

These organisations are registered on the Council's Development Plan Consultation Database.

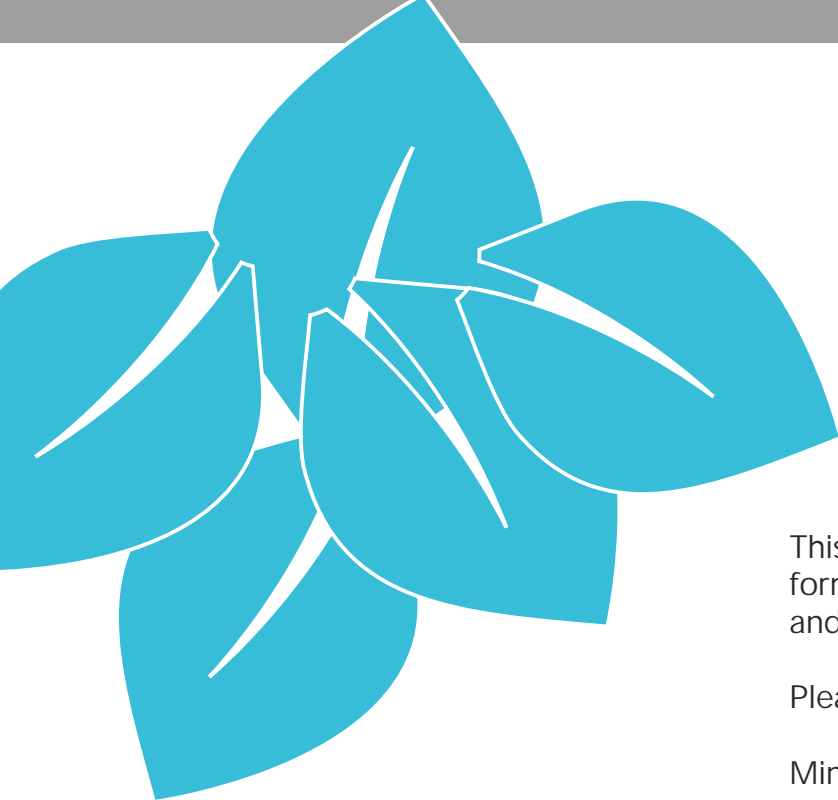
## Part 9 Appendix 2 Map of Planning Authorities that adjoin or are near to Chelmsford City Council's Administrative Area

### Appendix 2 – Map of Planning Authorities that adjoin or are near to Chelmsford City Council's Administrative Area

Chelmsford City Council is adjoined by seven local planning authorities. Essex County Council is the local Highway Authority and Education Authority. It is also responsible for the Minerals and Waste Local Plans with Southend-on-Sea Unitary Authority.

Clear evidence of effective co-operation between these authorities will be particularly important in terms of addressing strategic matters associated with CCC's Local Plan.





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# Duty to Co-operate Position Statement March 2017



## 1. Purpose of the Position Statement

This position statement provides an update on the activities undertaken by Chelmsford City Council (CCC) in respect to the Duty to Co-operate on the new Chelmsford Local Plan. The update focuses on activities since the publication of the Issues and Options Local Plan in November 2015. It also discussed future activities which will be further informed by formal consultation on the Preferred Options Local Plan starting on 30 March 2017.

## 2. Introduction

The Duty to Co-operate requires Local Planning Authorities (LPAs) to co-operate on strategic planning issues that cross administrative boundaries, such as, providing land for new homes, jobs and infrastructure. These are larger than local issues that cannot be dealt with by one LPA alone. The Duty to Co-operate is the process by which strategic issues are planned for at local level in the absence of Regional Spatial Strategies.

LPAs must produce evidence at a future Local Plan Examination to satisfy the Inspector that their Development Plan has met the legal test with regard to the Duty to Co-operate. It is expected that the co-operation sought has been a continuous process of engagement from initial thinking on a plan through to its preparation and implementation. The end result should be a plan that provides land and infrastructure to support future levels of sustainable growth and development. It is also expected that the co-operation sought has been constructive, pro-active and that the outcomes of collaborative working are embedded in the plan.

Although the Duty to Co-operate is not a duty to agree, the City Council will make every effort to seek co-operation on cross-boundary and strategic planning matters in a focused, positive and structured way. At the same time, the City Council will continue to work constructively with nearby planning authorities on their local plan preparation.

## 3. What has happened so far?

### Pre-Consultation

The City Council has undertaken a variety of Duty to Co-operate activities to inform the new Local Plan prior to any formal consultation. This includes the preparation of joint evidence base studies with other Essex authorities, consultation on and adoption of a Duty to Co-operate Strategy in 2015, consultation on a Duty to Cooperate Scoping Statement in 2015 and, meetings with duty to cooperate bodies

including adjoining LPAs. These activities have helped CCC to identify potential strategic matters and opportunities to consider/ address them during the evolution of the Local Plan.

Duty to Co-operate activities undertaken to inform the first formal stage in the preparation of the Chelmsford Local Plan – the Issues and Options Local Plan, including the outcomes of the Duty to Cooperate Scoping Consultation were reported to Development Policy Committee on 5 November 2015.

As part of the early preparation of the new Local Plan, the Scoping Consultation sought views on whether there is an appetite to prepare any joint or aligned plans across wider Council areas. Although no request was received during the consultation, consideration has been given to preparing a shared strategic plan with Braintree, Colchester and Tendring Councils. These neighbouring authorities share a common Housing Market Area (HMA) with Chelmsford. These LPAs are preparing a shared strategic plan which will form a joint Part 1 of their relevant Local Plans for the period until 2033. Due to a mismatch in timetables Chelmsford is not covered by this shared strategic plan. However, all authorities are collaborating on strategic cross-boundary issues and the alignment of strategic investment priorities in support of sustainable growth. Therefore, wherever appropriate, aspects of the Part 1 shared strategic plan have been included within objectives, policies and allocations of Chelmsford's Preferred Options Local Plan have been included within objectives, policies and allocations of Chelmsford's Local Plan.

### Issues and Options

The Local Plan Issues and Options consultation ran from November 2015 to January 2016. The consultation document set out the key issues for the future growth and development of Chelmsford, with potential Spatial Options for addressing projected growth up to 2036.

Comments were received from 45 Duty to Co-operate bodies and specific consultees including neighbouring LPAs, Essex County Council (ECC), Highways England, Historic England, Environment Agency, Mid Essex Clinical Commissioning Group and Sport England.

A summary of the main issues raised in the representations are contained within the Local Plan Issues & Options Feedback Report published in 2016. All the responses have been carefully considered and used to progress the second formal stage in the preparation of the Chelmsford Local Plan – the Preferred Options Local Plan. This has led to some changes to the initial proposals including reduced numbers of homes on some sites and more infrastructure like schools. A summary of the key comments received and how we have taken them into consideration is set out within the 'You Said, We Did' feedback report published in March 2017.

## Preferred Options

A considerable amount of work has also been undertaken to respond to the Duty to Co-operate since consultation on the Issues and Options Local Plan. This has been used to inform the Preferred Options Local Plan. Key areas of work are discussed below:

### **Duty to Co-operate Meetings and Discussions**

Regular meetings/discussions continue to be held with Essex County Council, other local authorities in Essex, key utility service providers such as Anglian Water and Essex & Suffolk Water, the principal health and education providers in Chelmsford and with other key partners such as Highways England. These meetings/discussions have been valuable in enabling issues affecting the future growth of Chelmsford to be identified at an early stage, and for officers to continue partnership working with those bodies to take forward the preparation of the Local Plan.

The Council also discusses strategic matters and Local Plan preparation at ongoing established strategic partnerships including the Essex Planning Officers Society (EPOA), the Co-operation for Sustainable Development Officer Group and the Officer Strategic Spatial Planning Liaison Group (associated with the London Plan).

### **Confirming understanding/intentions in writing**

Letters have been sent to the Castle Point, Basildon, Epping Forest and Thurrock Councils in response to their comments to the Issues and Options Local Plan Consultation Document. The nature of these comments and the actions undertaken to address concerns raised is discussed below:

- Castle Point Borough Council – In a response, Castle Point have asked Chelmsford City Council to consider meeting some of its housing need. The City Council has subsequently advised Castle Point through responses to its Local Plan consultation and subsequently in writing that they are firmly of the view that Castle Point need to firstly fully assess whether they can meet their own housing needs in full through a comprehensive Green Belt Review. Only if such a review shows that the full housing needs cannot be met within the Borough should it look elsewhere for assistance in accommodating any unmet housing need. This process should first be undertaken within the South Essex HMA and the outcomes made available. Chelmsford City Council will continue to monitor this situation.
- Basildon Council – In a response, Basildon raised concern that Chelmsford's Issues and Options Local Plan did not acknowledge un-met need from neighbouring authorities, and asked Chelmsford to help make provision for Basildon's un-met need of 136 pitches. Chelmsford City Council has subsequently advised Basildon Council in writing that whilst it recognises the amendments to paragraph 12 of the Planning Policy for Travellers Sites (PTSS) applies to Basildon, the national Planning Policy for Travellers Sites (PPTS) does not state that any such need should be met by a neighbouring authority through

the Duty to Co-operate. Therefore, if Basildon does not have to meet this need, it follows that it does not have to be met elsewhere.

- Epping Forest District Council - In a response, Epping Forest stated that Traveller Accommodation Needs should be a cross-boundary issue. Chelmsford City Council has subsequently advised Epping Forest District Council in writing that in light of the findings of the merging Essex-wide GTAA it will continue to seek to meet its own Gypsy and Traveller Accommodation needs. As part of the process of preparing the Essex-wide GTAA it is Chelmsford City Council's current understanding that Epping Forest Council are also seeking to meet their Gypsy and Traveller needs in full within their own area.
- Thurrock Council - In a response, Thurrock Council raised concern that the Issues and Options Local Plan did not acknowledge potential unmet Traveller accommodation from neighbouring authorities and that Thurrock wished to engage with Essex authorities to ensure appropriate future provision was made for Travelling Showpeople. Chelmsford City Council has subsequently written to Thurrock Council advising that the emerging GTAA shows that Chelmsford has the second highest numbers of Travelling Showpeople in Essex, and through its new Local Plan Chelmsford City Council will continue to seek to meet its identified needs for Travellers in full. Chelmsford City Council are not aware of any specific response from Thurrock Council on this matter.

The Council will closely monitor the situation and review any further comments received to the Preferred Options Local Plan consultation to inform the Pre-Submission Local Plan.

### **Commissioning of joint evidence base studies and reports**

A range of Local Plan evidence base reports have been jointly commissioned between Chelmsford Council and neighbouring LPAs to inform plan making. Recently commissioned studies include:

- Updated Objectively Assessed Housing Need (OAHN) Study - An updated OAHN study was jointly commissioned with Colchester, Braintree and Tendring Councils. This was prepared for the Councils by consultants Peter Brett Associates (PBA) and published in November 2016.
- Chelmsford Gypsy and Traveller Accommodation Assessment 2017 - The Council alongside the other Essex local Authorities undertook a Gypsy and Traveller Accommodation Assessment in 2016. Separate assessments have been produced for each authority using a standard methodology and approach. Basildon Council has commissioned their own assessment using the same consultants and methodology.
- Infrastructure Delivery Plan (IDP) - The Council alongside Colchester, Braintree and Tendring Councils have jointly commissioned consultants to prepare IDPs.

Separate IDPs will be produced for each authority using a standard methodology and approach.

### **Memorandums of Understanding**

The northern and central part of Essex, called the 'Heart and Haven', comprises the local authorities of Chelmsford, Colchester, Braintree and Tendring. This part of Essex is forecast to experience significant new growth and change over the coming decades. These authorities and their partners in north and central Essex wish to respond to the opportunity of future growth by planning positively for the area as a whole. Working together to address some of the key strategic issues in this part of Essex will achieve the best outcomes for current and future communities. In particular, it will help to deliver sustainable development that respects local environments and provides new jobs and the necessary new or upgraded infrastructure to support this growth.

The authorities together with ECC are working together to promote sustainable growth with the necessary supporting infrastructure and to address the strategic priorities across the wider geographical area. A 'Memorandum of Co-operation: Collaboration on Strategic Priorities in North and Central Essex' (MOU), has been signed by North Essex Districts (Braintree, Colchester and Tendring), Essex County Council and Chelmsford City Council to explore the potential for new garden communities across the area and other strategic cross-boundary matters.

## **4. What will happen next?**

The Preferred Options Local Plan consultation will run from 30 March until 11 May 2017. The City Council will convene Duty to Co-operate Officer and Member meetings for adjoining LPAs during the formal consultation period to discuss any outstanding strategic matters that may affect the preparation of Chelmsford's Local Plan and, opportunities for further joint work. A workshop on the Preferred Options Sustainability Appraisal and Habitats Regulations Assessment for the statutory environmental bodies (English Heritage, Natural England and the Environment Agency) will also be organised. The Council will also respond to any requests for additional meetings or formal discussions with duty to cooperate bodies that may be made.

Following the consultation, the City Council will publish and analyse the comments and use them alongside other comments, national policy and the Local Plan evidence base to inform the final draft Local Plan – the Pre-Submission Local Plan. Other duty to cooperate meeting/discussions may be organised on request, if any strategic concerns or opportunities are identified or to support the preparation of the Pre-Submission Local Plan.

The Council will also continue with the preparation of joint evidence base studies and seek opportunities for other joint evidence bases where appropriate. Furthermore a Statement of Common Ground will be explored with Braintree District Council in respect to proposed development growth in around Great Notley

and Great Leighs. This will be informed by the Preferred Options Local Plan consultation.

Document published by Planning and Housing Policy - March 2017  
Chelmsford City Council

# Duty to Co-operate Position Statement

## January 2018



### 1. Purpose of the Position Statement

This position statement provides an update on the activities undertaken by Chelmsford City Council (CCC) in respect to the Duty to Co-operate on the new Chelmsford Local Plan. The update focuses on activities since the publication of the Local Plan – Preferred Options in March 2017.

### 2. Introduction

The Duty to Co-operate requires Local Planning Authorities (LPAs) to co-operate on strategic planning issues that cross administrative boundaries, such as, providing land for new homes, jobs and infrastructure. These are larger than local issues that may affect more than one LPA. The Duty to Co-operate is the process by which strategic issues are planned for at local level in the absence of Regional Spatial Strategies.

LPAs must produce evidence at the Local Plan Examination to satisfy the Planning Inspector that their Local Plan has met the legal test with regard to the Duty to Co-operate. It is expected that the co-operation sought has been a continuous process of engagement from initial thinking on a plan through to its preparation and implementation. The end result should be a plan that provides land and infrastructure to support future levels of sustainable growth and development. It is also expected that the co-operation sought has been constructive, pro-active and that the outcomes of collaborative working are embedded in the plan.

Although the Duty to Co-operate is not a duty to agree, the City Council will make every effort to seek co-operation on cross-boundary and strategic planning matters in a focused, positive and structured way. At the same time, the City Council will continue to work constructively with nearby planning authorities on their local plan preparation.

### 3. What has happened so far?

The City Council has undertaken a variety of Duty to Co-operate activities to inform the new Local Plan prior to each stage of formal consultation.

#### Duty to Cooperate Strategy

The Council adopted the Duty to Co-operate Strategy in 2015 following consultation on a Duty to Cooperate Scoping Statement and, meetings with duty to cooperate bodies including adjoining LPAs.



## Issues and Options Consultation

The Local Plan Issues and Options consultation ran from November 2015 to January 2016. The consultation document set out the key issues for the future growth and development of Chelmsford, with potential Spatial Options for addressing projected growth up to 2036.

Comments were received from Duty to Co-operate bodies and specific consultees. A summary of the main issues raised in the representations are contained within the Local Plan Issues & Options Feedback Report published in 2016.

## Preferred Options Consultation

The Local Plan – Preferred Options consultation ran from March 2017 to May 2017.

Again, comments were received from Duty to Co-operate bodies. Responses led to some changes to the Local Plan being made including reduced numbers of homes on some sites, new urban sites and policy re-wording.

A summary of the key comments received and how we have taken them into consideration is set out within the 'You Said, We Did' feedback report published in January 2018.

A Member and Officer Duty to Co-operate Meeting was held in May 2017 providing a presentation of the Preferred Options document to Local Planning Authorities followed by a general discussion on strategic and cross-boundary matters such as housing need, traveller accommodation, strategic highways and transportation, education and healthcare.

## Preparation for Pre-Submission

Work focusing around the Duty to Co-operate has continued since the consultation on the Preferred Options Local Plan. This has been used to inform the Pre-Submission Local Plan. Key areas of work are discussed below:

### **Duty to Co-operate Meetings and Discussions**

Regular meetings/discussions continue to be held with Essex County Council, other local authorities in Essex, key utility service providers such as Anglian Water and Essex & Suffolk Water, the principal health and education providers in Chelmsford and with other key partners such as Highways England. These meetings/discussions have been valuable in enabling issues affecting the future growth of Chelmsford to be identified at an early stage, and for officers to continue partnership working with those bodies to take forward the preparation of the Local Plan.

An additional Member and Officer Duty to Co-operate Meeting was held in October 2017, discussions at this meeting included Department for Communities and Local Government (DCLG) consultation: Planning for the Right Homes in the

Right Places, Local Plan evidence base update, progress on the development of an Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS), and the process for considering unmet housing/Gypsy and Traveller needs as a countywide protocol.

The Council also discusses strategic matters and Local Plan preparation at ongoing established strategic partnerships including the Essex Planning Officers' Association (EPOA), the Co-operation for Sustainable Development Officer Group and the Officer Strategic Spatial Planning Liaison Group (associated with the London Plan).

### **Consideration of Local Plan Representations**

The Council has continued to work with authorities and has carefully reviewed comments received to the Preferred Options Local Plan consultation to inform the Pre-Submission Local Plan.

All comments received from local authorities and the actions taken to address comments have been summarised in the Preferred Options 'You Said We Did' Feedback Report. A summary of the nature of these comments and the actions undertaken to address concerns raised is discussed below:

- Basildon Borough Council – raises concern with their unmet housing and Gypsy and Traveller need. Suggested that further work should be undertaken to include those outside Housing Market Area (HMA) areas for example travel to work areas. Welcomes further engagement particularly on cumulative highways impacts, strategic transport, Gypsy and Traveller provision. Continued Duty to Co-operate correspondence has taken place, in addition to the development of the unmet needs protocol.
- Braintree District Council – positive and wide-ranging Duty to Co-operate discussions have taken place. Braintree have particular interest in; the growth at Great Leighs, the need to co-ordinate with regards to secondary education in North Chelmsford, Chelmsford NE Bypass and railway station. Further ongoing dialogue will continue.
- Brentwood Borough Council – welcomes the opportunity to continue with Duty to Co-operate discussions and no issues raised.
- Castle Point Borough Council – also raises concern with their unmet housing need, setting out a request for Chelmsford to meet their unmet housing need. Welcome support for highways improvements on A130 and welcomes the recognition of the A130 landscape corridor and role it plays. Continued Duty to Co-operate correspondence has taken place, with letters being received from Castle Point. Chelmsford has responded with the request to follow the unmet needs protocol in the first instance.
- Colchester Borough Council – recognition of the shared evidence base and continued joint working for the delivery of infrastructure including A12 improvements and mainline railway capacity. Welcomes the insertion of elements of the joint strategic plan within objectives, policies and allocations.

- Epping Forest District Council – supportive of the plan and welcomes the opportunity to continue with Duty to Co-operate discussions and no issues raised.
- Harlow Council – no issues raised.
- Maldon District Council – concern of impact of Chelmsford proposals on the residents of Maldon in regard to infrastructure and highways impact on A132/A414. In addition, concern of retail impact in Maldon from proposed development at South Woodham Ferrers. Continued discussions are needed between all cross-boundary bodies.
- Rochford District Council – concern no green belt assessment has been undertaken and therefore sustainable opportunities could be missed. Also raises concern for unmet Gypsy and Traveller and Travelling Showpeople accommodation needs with South Essex HMA to approach Chelmsford to help address the issue. Concern about the potential impact on highways, especially A132, from development in Maldon and Chelmsford areas. Also recommended to include specific references to houseboats and 'liveaboards' to manage impact on natural environment. South Essex HMA and Mid Essex HMA authorities should continue to work closely together.
- Tendring District Council - welcomes the timescale, inclusion of elements of North Essex Authorities' joint strategic and no issues raised.
- Thurrock Council - concern that the Plan does not address potential unmet housing need, particularly from South Essex and Thurrock which should be addressed under Duty to Co-operate and wishes to continue to engage on Gypsy and Travellers/Travelling Showpeople needs, including unmet need across boundaries.
- Uttlesford District Council – raised concerns for the highway impact to A120 and rural road network. Wishes to continue with Duty to Co-operate discussions to explore in more detail the infrastructure mitigation measures.
- Essex County Council – supportive of the plan for growth and wishes to be involved in masterplanning process and continued Duty to Co-operate discussions.

#### Other Duty to Co-operate Bodies

- Environment Agency – generally supportive of the plan and provided some suggested policy amendments, welcomes the involvement in reviewing the Strategic Flood Risk Assessment and suggests the Proposal Map should show the Flood Zones. Further advice/resources provided to help provide clarity on what is meant by 'safe'.
- Historic England - welcome the inclusion of both a strategic policy for the historic environment as well as detailed policies and site specific policies. Further opportunity should be sought to address the historic environment in every aspect of the Plan and to make the strategy more spatially specific and unique to Chelmsford. Use the term historic environment rather than heritage assets throughout the Plan. Comments provided for suggested policy amendments.
- Natural England (NE) – general comments were made to the plan and NE provided some suggested policy amendments. NE advised that the Green

Infrastructure Strategy is completed and provision for green infrastructure is included within the Local Plan. Also advised that a strategic solution to identify measures to mitigate recreational pressures is undertaken.

- NHS England (Midlands and East) and Mid-Essex Clinical Commissioning Group (CCG) – need to ensure there is capacity to accommodate significant growth. Local Plan should take account of the five year forward view and the emerging CCG Sustainability Transformation Plan. Existing health infrastructure will require further investment. Local Plan should be supportive of the need for improvement, reconfiguration, extension or relocation of existing medical facilities. Increase in the provision of assisted living and care homes, although a necessary feature of care provision and to be welcomed, can pose significant impacts on local primary care provision.
- Transport for London - would welcome the opportunity to comment on the Infrastructure Delivery Plan (IDP). Road improvements in IDP need to consider impact on wider road network, with concern for any effect on London's eastern corridor, i.e. A12, A13, A406.
- Highways England – the principles and approach is welcomed and generally supportive of the new Local Plan. Would welcome the opportunity to comment on the IDP.
- Marine Management Organisation (MMO) - would like to see additional references to the MMO, the Marine Policy Statement, and the emerging South East Marine Plan included within the Local Plan.

### **Unmet Housing Needs Protocol**

A protocol has been developed and agreed by the Essex Planning Officers' Association (EPOA) in September 2017 establishing a mechanism for the consideration of unmet housing need across the Essex authorities. This protocol sets out the methodology by which each local planning authority, in partnership with their HMAs, should agree their full objectively assessed housing number and if there is an unmet housing need the process to follow to request an adjoining HMA take the unmet need.

### **Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS)**

Following agreement by the Essex Planning Officers' Association, an Essex wide Recreational disturbance Avoidance and Mitigation Strategy (RAMS) and Supplementary Planning Document are being prepared by Essex County Council in collaboration with other relevant Local Planning Authorities and Natural England. The RAMS will include mitigation measures to help protect the integrity of European Protected Sites along the Essex coast and development proposals will be required to account for this. A Memorandum of Understanding is due to be in place soon which all the relevant authorities will sign up to.

## **Commissioning of joint evidence base studies and reports**

A range of Local Plan evidence base reports have been jointly commissioned between Chelmsford City Council and neighbouring LPAs throughout each plan making stage. Commissioned studies include:

- Objectively Assessed Housing Need (OAHN) Study - an updated OAHN study was jointly commissioned with Colchester, Braintree and Tendring Councils. This was prepared for the Councils by consultants Peter Brett Associates (PBA) and published in November 2016.
- Strategic Housing Market Assessment (SHMA) – following on from the OAHN Study, the SHMA was undertaken with Braintree, Colchester and Tendring and published in December 2015. The report focuses on the level of affordable housing need and the size/tenure of all dwellings required as identified in the OAHN Study.
- Chelmsford Gypsy and Traveller Accommodation Assessment 2017 - The Council alongside the other Essex local Authorities undertook a Gypsy and Traveller Accommodation Assessment in 2016. This comprises separate needs assessment documents for each authority, an Essex wide methodology document, and an Essex wide summary report incorporating the findings of the individual authority reports. Further work has commenced to consider how any transit needs could be met across Essex.
- Emerging RAMS Strategy – a number visitor surveys will be undertaken to inform the evidence base to the emerging RAMS Strategy. These, together with a number of workshops, will be undertaken on a joint basis with Natural England and relevant Local Planning Authorities involved in the RAMS project.

## **Local Plan Traffic Modelling**

The Pre-Submission Local Plan Traffic Modelling (January 2018), provides a comparison of cross boundary traffic flows from the Chelmsford Pre-Submission Local Plan assessment and in Local Plan assessments undertaken by neighbouring authorities. The Council's traffic modelling consultants have sourced information from neighbouring authorities on their traffic data to inform the comparison. Overall, the results show that traffic flows from development sites assessed into neighbouring Districts/Boroughs is expected to be small.

## **Statement of Common Ground and Memorandums of Understanding**

On 7 February 2017, the Department for Communities and Local Government (DCLG) published for consultation a new Housing White Paper. This seeks to put measures in place to ensure the timely delivery of the right type of homes in the right places, including consultation proposals for a nationally consistent method for

determining objectively assessed housing need and the need for Statement of Common Grounds to aid joint working early in the plan making process.

The Council are mind full of these proposals and where appropriate, will actively seek to develop Statement of Common Grounds or Memorandum of Understanding with local authorities ahead of submission of the Local Plan. These would take into account representations made to the Pre-Submission Local Plan to address as many concerns raised before Examination.

Chelmsford already has a well-established working relationship with the local authorities of northern and central part of Essex (Colchester, Braintree and Tendring) and has been working together to address some of the key strategic issues in this part of Essex. Particular focus has been on delivering sustainable developments that respects local environments and provides new jobs and the necessary new or upgraded infrastructure to support this growth.

Chelmsford is also part of a 'Memorandum of Co-operation: Collaboration on Strategic Priorities in North and Central Essex' (MOU), signed by North Essex Councils (Braintree, Colchester and Tendring), Essex County Council and Chelmsford City Council to explore the potential for new garden communities across the area and other strategic cross-boundary matters.

#### **4. What will happen next?**

The Pre-Submission Local Plan consultation will run from 31 January 2018 to 14 March 2018. The City Council will convene a Duty to Co-operate Officer and Member meetings for adjoining LPAs during the formal consultation period to discuss any outstanding strategic matters that may affect the preparation of Chelmsford's Local Plan and, opportunities for further joint work.

The Council will also respond to any requests for additional meetings or formal discussions with duty to cooperate bodies that may be made.

Following the consultation, the City Council will submit all comments alongside the Local Plan and evidence base to the Planning Inspector holding the Examination.

In addition, the Council will submit a Duty to Co-operate Compliance statement which will set out the Duty to Co-operate work undertaken during plan preparation, who the Council have engaged with, any strategic joint working arrangements and partnerships, any key issues raised and how these have been overcome.

## **A Memorandum of Co-operation: Collaborative Working on Strategic Growth Priorities in North and Central Essex**

### **Introduction**

Essex is a large county made up of some 12 city and district authorities together with the county council and two unitary authorities. Despite its size the authorities have a strong track record of working collaboratively on growth issues through regional and structure plans; and, more recently, as part of the South East Local Enterprise Partnership.

In Essex as elsewhere, economic and demographic growth pressures cut across administrative boundaries, reflecting functional and spatial geographies. Settlement patterns, migration flows, commuting and strategic infrastructure needs all have significant influences within and between local authority areas.

The Localism Act 2011 places a Duty to Co-operate on local planning authorities and county councils<sup>1</sup>, requiring them to engage constructively, actively and on an on-going basis in the preparation of plans where this involves strategic matters. The National Planning Policy Framework encourages authorities to prepare joint, non-statutory documents, particularly where this provides evidence of having effectively cooperated to plan for issues with cross-boundary impacts<sup>2</sup>.

This Memorandum of Co-operation (MOC) seeks to meet this purpose and to go further in setting out a range of common challenges and opportunities across the area and how these will be addressed.

### **Parties to the Memorandum**

This Memorandum is agreed by the following Local Authorities:

- Braintree District Council
- Chelmsford City Council
- Colchester Borough Council
- Essex County Council
- Tendring District Council

This group of neighbouring authorities historically have made a significant contribution to Essex's growth. They have agreed to come together because of their shared desire to continue to promote sustainable growth; and the particular need to articulate the strategic priorities within the wider area and how these will be addressed. Central to this is the

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<sup>1</sup> Localism Act 2011, section 110.

<sup>2</sup> National Planning Policy Framework, paragraph 181.



effective delivery of planned strategic growth, particularly housing and employment development, with the necessary supporting infrastructure. The authorities will continue to engage with the South East Local Enterprise Partnership in developing their growth priorities.

## **Objectives**

Against this background, the main aims of this MOC are to:

- provide a high level statement of intent under the Duty to Co-operate to collaborate on strategic issues;
- to identify the key strategic issues that will have a bearing across the wider geographic area;
- to articulate the process for and outcomes from this collaboration, principally through the statutory planning process; and
- to ensure appropriate integration and alignment of strategic investment priorities in support of sustainable growth, and to use this to make the case collectively for the necessary funding.

## **Strategic Issues**

Future population growth will be driven largely by net migration rather than natural change. This will require an appropriate response from the local authorities to ensure that sufficient houses, employment premises and supporting social and other infrastructure are provided. The ageing profile of residents also requires a proactive response to provide the right type of housing and supporting facilities.

Past under-investment in transport infrastructure and increased demand for road and rail use has placed significant strain on the network. Future planned growth provides the opportunity to address these infrastructure needs as well as to ensure that sustainable travel modes are promoted, although there will be significant challenges in funding what is required.

Against this background, the key strategic issues the authorities need to address collaboratively are:

- **Transport Infrastructure and Connectivity** – Focused on addressing capacity constraints on the A12, A120, A130 and A414; together with upgrades to the Great Eastern Main Line rail line and services; and provision of upgraded broadband infrastructure and services.
- **Providing Sufficient New Homes** - To meet the needs of a growing and ageing population; through ensuring the availability of developable land in appropriate locations and that the market delivers a suitable mix of housing types.

- **Providing for Employment** - To strengthen and diversify local economies to provide more jobs; and to achieve a better balance between the location of jobs and housing, which will reduce the need to travel and promote sustainable growth.
- **Addressing Education and Healthcare Needs** - A range of good quality educational opportunities will need to be addressed as part of a sustainable growth strategy, including practical vocational training and apprenticeships linked to local job opportunities. The authorities will need to work with the NHS and local health partnerships to ensure adequate provision of healthcare facilities to support new and growing communities.
- **Ensuring High Quality Outcomes** – Strategic collaboration provides the opportunity for greater ambition in planning and delivering high quality sustainable new communities; particularly, for example, through new garden communities. More generally, new development must be functional and viable, but also reflect high standards of urban and architectural design. Major new developments will be planned carefully with the use of masterplans and design codes where appropriate.

### **Collaborative approach and outcomes**

With the removal of the statutory requirement to produce a strategic plan, Local Plans are the main vehicle for delivering an area's growth requirements and how these will be accommodated. However, as these are necessarily limited in their geographic scope, individual local authorities cannot fully reflect strategic influences and issues within them.

The authorities' agreed response to this is to produce a common strategic section for the current reviews of each of their Local Plans. This 'Part 1' of their Plans will provide the evidence to support their strategic approach to the key issues outlined above, and a spatial strategy and policies responding to these issues in a proactive manner. The separate 'Part 2' for each plan will then address local issues and policies within each authorities' area.

### **Governance**

The work required to deliver the necessary outcomes from this strategic collaboration will be overseen by a Joint Member Group with representation from each of the participating authorities. This will be supported by an Officer Group which will report to the Joint Member Group. Terms of Reference for these Groups will be developed and agreed. Other sub-regional groupings and partners will be engaged as necessary as work progresses.

### **Timing**

This Memorandum has immediate effect and will remain in place until adoption of the last of the authorities' local plans, unless this version is reviewed and replaced before this.



## Duty to Co-operate Meeting

### Chelmsford City Council: Draft Local Plan – Preferred Options

Wednesday 3 May 2017 at 10.00am, Marconi Room, Chelmsford City Council Civic Centre

### AGENDA

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#### 1) Welcome and introductions

Please see Appendix 1 for an attendance list.

Each Council outlined the current progress with their respective Local Plans, as follows:

Tendring	A two part plan for North Essex and Tendring, with reports going to Council in June and July and submission anticipated in October.
Colchester and Braintree	Following the same format and timetable as Tendring, apart from committee/Council dates.
ECC	The Waste Local Plan is with the Independent Inspector; a decision is expected in June. The Minerals Local Plan is adopted.
Rochford	The Issues and Options consultation will start in June. The SLAA is nearing completion, for publication in June.
Castle Point	The draft Plan was withdrawn at the end of March, and further consideration is planned for early in the next municipal year. CP is beginning work with other South Essex authorities on a joint strategic framework. Members have close involvement and a draft will be ready by the end of the year. Currently it's not envisaged that this will be a statutory document.
Maldon	Consultation on post examination modifications has recently taken place. Adoption of the Plan may be affected by the election timetable.
Basildon	The Local Plan is being finalised for publication in July. Basildon are also working with other South Essex authorities on a joint strategic framework.
Brentwood	A focused change consultation will take place starting in June, mainly on housing and employment allocations evidence.
Chelmsford	Consultation on the Preferred Options closes on 11 May, with the Pre-Submission version scheduled for consultation in the autumn.

## **2) Purpose of the meeting**

CCC outlined the purpose, by providing information on CCCs Preferred Options, discussion on cross boundary matters, building on ongoing co-operation, and next steps.

## **3) Presentation on draft Local Plan – Preferred Options**

CCC outlined progress and current consultation. Please see Appendix 2 for a copy of the presentation.

### **Technical questions from the presentation:**

Castle Point: Will CCC be conducting a Green Belt review?

CCC: About a third of CCC's area in Green Belt. There are options outside the Green Belt at Chelmsford and South Woodham Ferrers. The SLAA shows a capacity for around 49,000 homes outside the Green Belt.

CCC: Are other authorities adding an additional supply buffer to their OAN?

Tendring & Colchester: Confirmed that they were.

ECC: How will the Local Plan interface with Neighbourhood Plans?

CCC: Sites of over 100 units are strategic and allocated by CCC in conjunction with NP groups, who may add specific site policies. Danbury will allocate their own sites, they may select a few smaller sites to dissipate traffic impacts. No other NP areas are doing this. An allocation might not be pursued if an appeal for a similar number of units was allowed before the Plan is adopted.

## **4) Open discussion on strategic and cross-boundary matters**

### **General:**

Colchester: Is there any planning significance that being a city provides?

CCC: The City status is a ceremonial role. Chelmsford is seen as a key focus in Essex.

### **Housing need (process and evidence for requests to meet unmet needs):**

Castle Point: CP is seeking CCC's potential assistance in meeting unmet housing need. Larger sites with capacity are in the Green Belt, there is little other opportunity. CP has only 0.4 years' supply and cannot meet the need on non-protected sites within its boundaries. Would like to explore if CCC's allocations could meet some South Essex needs including CP.

CCC: Would seek evidence to quantify the unmet need and where, in the context of the HMA.

CP: The OAN is 300, CP can meet 100 on brownfield sites/PDL. CP also has infrastructure limitations due to main road routes and environmental constraints.

CCC: The starting point is that CCC cannot meet others' unmet needs. The starting point is other South Essex authorities.

Basildon: A mechanism is needed for meeting unmet need. CCC's Plan needs to recognise that requests may be made but there is no mechanism for this process. Reasons need to be given to why unmet need cannot be met and how it is being considered by CCC. The South Essex strategic plan is still being scoped, so no timetable is yet fixed.

CCC: Discussions are key, but requests can only be assessed if they are evidenced. Allocating sites within South Essex may help bring forward funding to alleviate infrastructure issues. People are already coming into Chelmsford from other LA areas, e.g. St Luke's, Runwell, where people are moving in from Wickford. Members agreed that a process is needed now to overcome potential barriers in the future.

#### **ACTIONS:**

Castle Point: Include a reference or update on a timetable for the South Essex strategic plan in its representation to CCC's Preferred Options.

ECC: Pursue the issue through the EPOA to set out and standardise a process for a meaningful way forward to provide a mechanism to address unmet need evidence.

#### **Size and type of homes:**

Tendring: Care homes and bungalows are both part of the strategy.

Colchester/Basildon: Have drafted policies for Part M building regulations.

Inspector has stated these should be in a design code, rather than in policy.

Maldon: Inspector advised on removing references to Part M in policy.

#### **ACTION:**

Colchester/Basildon: Circulate draft policy for Part M Building regulations.

#### **Traveller accommodation:**

CCC: The latest GTAA shows that 10% of travellers are nomadic, the remainder are non-nomadic. CCC is meeting its need with a 10 pitch site, plus plots for travelling showpeople. Non-nomadic travellers are covered by other housing policies. Travelling showpeople sites are permanent sites, often managed by an RSL. Site are outside the Green Belt.

Maldon: G&T issues have been addressed through the latest Local Plan work, with a criteria-based policy like one in Derby; the Inspector appeared to be satisfied.

Basildon: Will have a GTAA available soon, and are currently awaiting final numbers. This went to Cabinet in September, with a commitment to update after the GTAA update. In Basildon non-nomadic travellers can be sited within the Green Belt, potentially in old plotlands areas. Landowners at Dale Farm are working with a developer proposing housing development, but no information is available from the developer on alternative provision.

**ACTION:**

Basildon/CCC: Arrange to discuss the developer approach, as CCC has also had a similar approach from a developer.

**Strategic highways/transport:**

*A12/A120:*

CCC: In relation to the A12, Highways England are proposing improvements from their current funding envelope. CCC is seeking junction improvements as well as widening.

ECC: Howe Green is not part of the current scope, though they continue to lobby.

CCC: Chelmsford North East Bypass projected cost is currently £350m including Boreham Interchange improvements. Development in Chelmsford cannot fund this, so a phased approach will be used to deliver the road, partly through developer funding. It will initially be built as a single carriageway. It's seen as important for Braintree as well. Good management of parking at the new Beaulieu Park station will be necessary.

Braintree: Some joint working would be useful on the Great Leighs corridor, and discussion on funding for the northern part of the bypass. Concern that Beaulieu Park station could be a threat to Hatfield Peverel station.

ECC: Other links are pupils going to Braintree schools and how the bypass links with the new A120 alignment. Announcement of the preferred option has been delayed from July for two months. There is currently no evidence on the impact of Crossrail on strategic transport locally.

*A132 and A414:*

Maldon: Wish to continue discussions with ECC on scoping and assessing improvements, with a view to directing funding.

ECC: Will investigate issues that have been raised in response to CCC Local Plan consultations when the traffic modelling is complete. Sustainable transport measures are being promoted.

Castle Point: Also support the proposed A130/A127 Fairglen improvements, but query the funding source.

**ACTION:**

Maldon/ ECC: Set up a separate discussion on A132 and A414.

*SWF Railway station:*

Maldon: Queries what improvements development at SWF would bring to the railway.

CCC: 1000 homes would not bring major improvements, and will consider options including a high frequency bus to Wickford Station.

Basildon: There are also concerns about parking at Wickford railway station and the impact of SWF development.

**ACTION:**

CCC/Basildon: Discuss parking at Wickford station, outside of the meeting

### **Secondary education:**

CCC: William de Ferrers School has capacity to accommodate expansion at SWF. The allocation at Great Leighs is not large enough for a secondary school, so will be looking for contributions. Notley High School is the nearest, but will be in demand to meet Braintree's growth.

Maldon: Need to ensure that development at district borders take account of each other, in dialogue with ECC, to ensure S106 contributions continue to be available across borders.

ECC: There is potential for Notley to expand to accommodate growth in Great Leighs, the scope for this is being examined.

### **Primary/acute healthcare:**

Braintree: Only small contributions are sought, but the money is needed now; there appear to be no plans. Healthcare is one of the big issues with the public. Can a joint approach be made to the CCG?

ECC: Has good contacts with the NHS estate, this would be a better conversation than the CCG.

Colchester: Healthcare needs are difficult to evidence. The activity and meetings with CCG do not produce much in the way of outputs.

Maldon: At Barnet they have used a 'one public estate' approach to join all health catchment areas, as a way to get action.

Basildon: Hospital transformation plans are unclear. Basildon is sharing a Chief Executive between 3 NHS trusts, and the ambulance service will be transporting between 3 hospitals. The impact of this on the roads has not been anticipated; more co-ordination is needed.

### **A130 landscape corridor:**

Castle Point: There is support in principle for plans for landscape improvements, based on the mix of functions such as PDL, grassland, development threat. A DTC meeting is planned for 10 May (Chelmsford, Rochford, Maldon, Castle Point, ECC).

Basildon: There are other designations such as flood plain, SPA, conservation, etc. Areas may accommodate some growth, but should also provide a buffer/separation of settlements.

### **ACTION:**

A130 landscape corridor meeting already arranged for 10/05/17.

### **Green wedge/corridor/infrastructure:**

Maldon: There may be an impact from Chelmsford's plan on the Crouch Valley Ridge, will make representations to Preferred Options consultation.



## **General:**

ECC: Important things are funding, delivery, how to make things work. Large sites can attract a larger percentage of investment through S106. And, it is the ECC position that larger sites need to be CIL zero rated as this then allows for a much more significant S106 funding contribution than CIL. Planned development can secure more infrastructure funding, priorities are key – not having a plan in place is generally much more costly to the public purse.

## **ACTION:**

CCC: Attach the presentation to the notes of the meeting.

## **5) Next steps**

CCC: Will consider neighbouring councils' representations; continue with engagement and collaboration; where appropriate consider the use of MoUs and Statements of Common Ground; and also continue to engage with neighbouring councils' Local Plans.

## **SUMMARY OF ACTIONS:**

### **Housing need (process and evidence for requests to meet unmet needs):**

- Castle Point: Include a reference or update on a timetable for the South Essex strategic plan in its representation to CCC's Preferred Options.
- ECC: Pursue the issue with EPOA to set out and standardise a process for a meaningful way forward on unmet need evidence.

### **Size and type of homes:**

- Colchester/Basildon: Circulate draft policy for Part M Building regulations.

### **Traveller accommodation:**

- Basildon/CCC: Arrange to discuss the developer approach, as CCC has also had a similar approach from a developer.

### **Strategic highways/transport:**

- Maldon/ ECC: Set up a separate discussion on A132 and A414.
- CCC/Basildon: Discuss parking at Wickford station, outside of the meeting

### **A130 landscape corridor:**

- A130 landscape corridor meeting already arranged for 10/05/17.

## **General:**

- CCC: Attach the presentation to the notes of the meeting.

## **Duty to Co-operate Meeting - Wednesday 3 May 2017**

### **Chelmsford City Council: Draft Local Plan – Preferred Options**

#### **Appendix 1 - ATTENDANCE**

<b>AUTHORITY</b>	<b>NAME</b>
Rochford District Council	Xavier Preston, Planning Officer
Basildon Borough Council	Cllr Dr Richard Moore, Cabinet Member for Planning
Basildon Borough Council	Matt Winslow, Service Manager – Strategic Planning, Housing and Regeneration Strategy
Braintree District Council	Cllr Lynette Bowers-Flint, Cabinet Member
Braintree District Council	Alan Massow, Senior Policy Planner
Brentwood Borough Council	Camilla James, Senior Policy Planner
Castle Point Borough Council	Cllr Norman Smith, Cabinet Member for Regeneration and Business Liaison
Castle Point Borough Council	Steve Rogers, Local Plan and Regeneration Adviser
Chelmsford City Council	Councillor Roy Whitehead, Leader of the Council
Chelmsford City Council	Councillor Neil Gulliver, Cabinet Member for Planning and Economic Development
Chelmsford City Council	David Green, Director of Sustainable Communities
Chelmsford City Council	Jeremy Potter, Planning and Housing Policy Manager
Chelmsford City Council	Claire Stuckey, Principal Planning Officer (Policy)
Chelmsford City Council	Jenny Robinson, Senior Planning Officer (Policy)
Colchester Borough Council	Laura Chase, Planning Policy Manager
Essex County Council	Kevin Fraser, Principal Planner
Essex County Council	Graham Thomas, Head of Commissioning: Strategic Planning, Housing Growth & Development
Maldon District Council	Councillor Penny Channer, Chair Planning and Licensing Committee
Maldon District Council	Ian Butt, Interim Strategic Planning Policy Manager
Tendring District Council	Simon Meecham, Planning and Regulation

#### ***Apologies***

<i>London Borough of Waltham Forest</i>	<i>Charlotte Morphet, Local Plans Officer</i>
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## *Duty to Cooperate Event*

**3 May 2017**

*Jeremy Potter - Planning and Strategic Housing Policy Manager*

*Claire Stuckey – Principal Planning Officer*

*Jenny Robinson – Senior Planning Officer*

# Contents of Presentation

- Purpose of the Event
- The Chelmsford Context
- The Chelmsford Local Plan
- Preferred Options Consultation
- Neighbourhood Plans
- Discussion

# Purpose of the Event

# Purpose

- Introduce the Preferred Options Local Plan and discuss any issues you may have
- Discuss potential cross-boundary matters and projects, shared solutions and further opportunities for cooperation
- Build on cooperation that has already taken place during the plan-making process
- Identify next steps needed

# Key Strategic Cross-Boundary Issues Raised through Process

1. Housing Need
2. Traveller Accommodation Needs
3. Strategic Highways/Transport
4. Strategic Community Infrastructure
5. Strategic Landscape Corridors

# The Chelmsford Context



# The Chelmsford Context

- Bordered by seven LPAs



# The Chelmsford Context

- 170,000+ people
- 83,000 jobs
- Two Urban Areas
- Numerous villages
- Good connectivity



# The Chelmsford Context

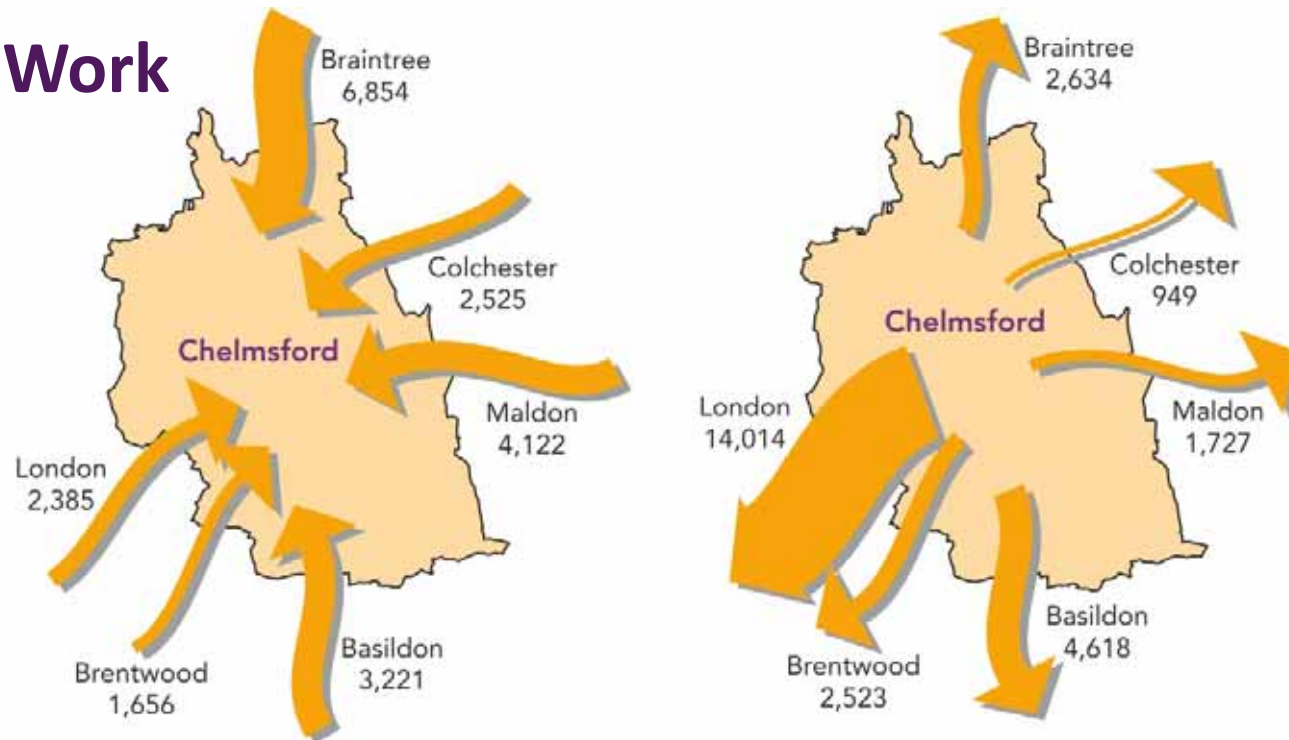
- One third Green Belt



# The Chelmsford Context

Important inter-relationships with neighbouring areas include housing market, employment, shopping and infrastructure

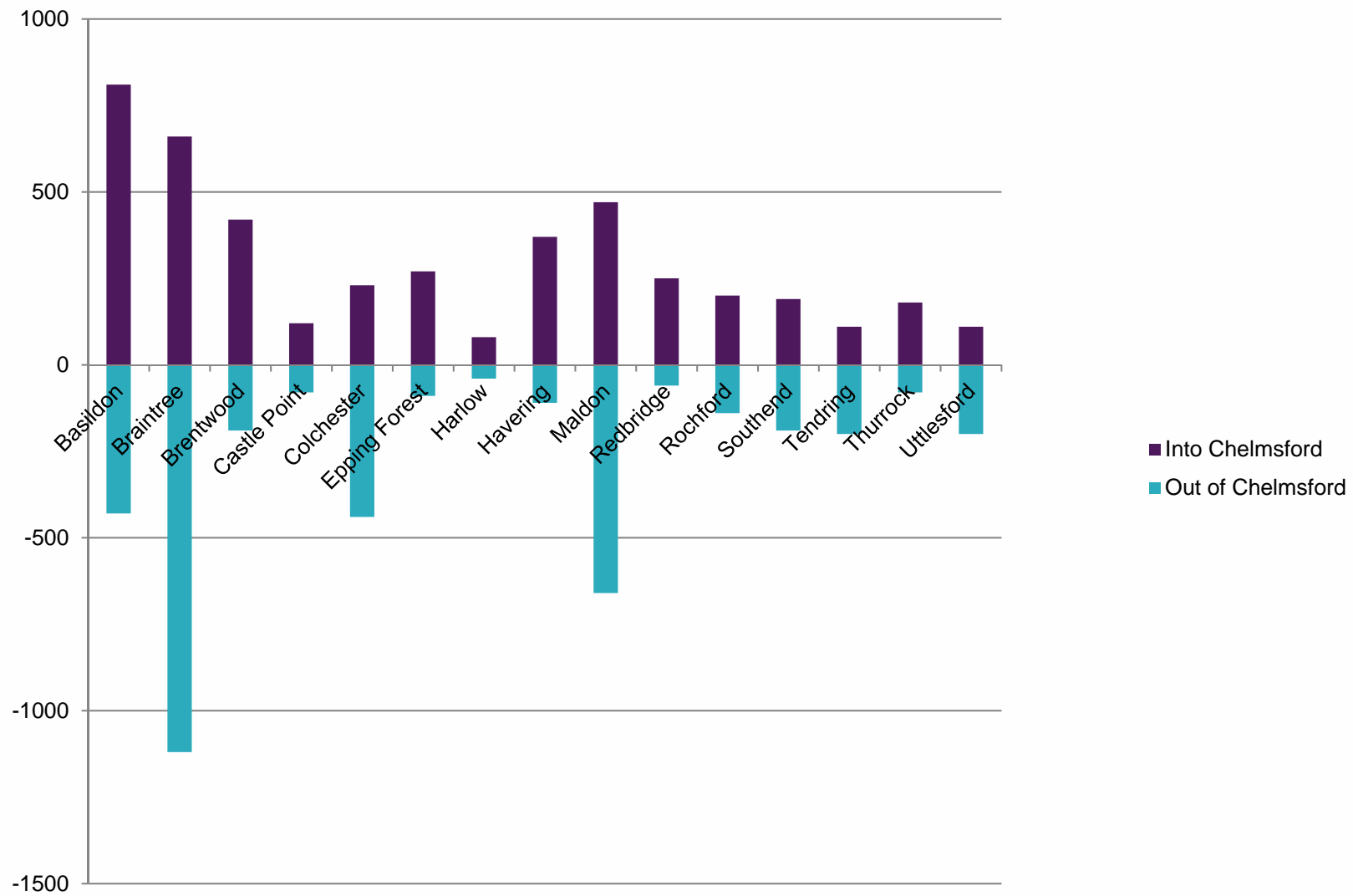
## Travel to Work Flows



Source: ONS (2011)

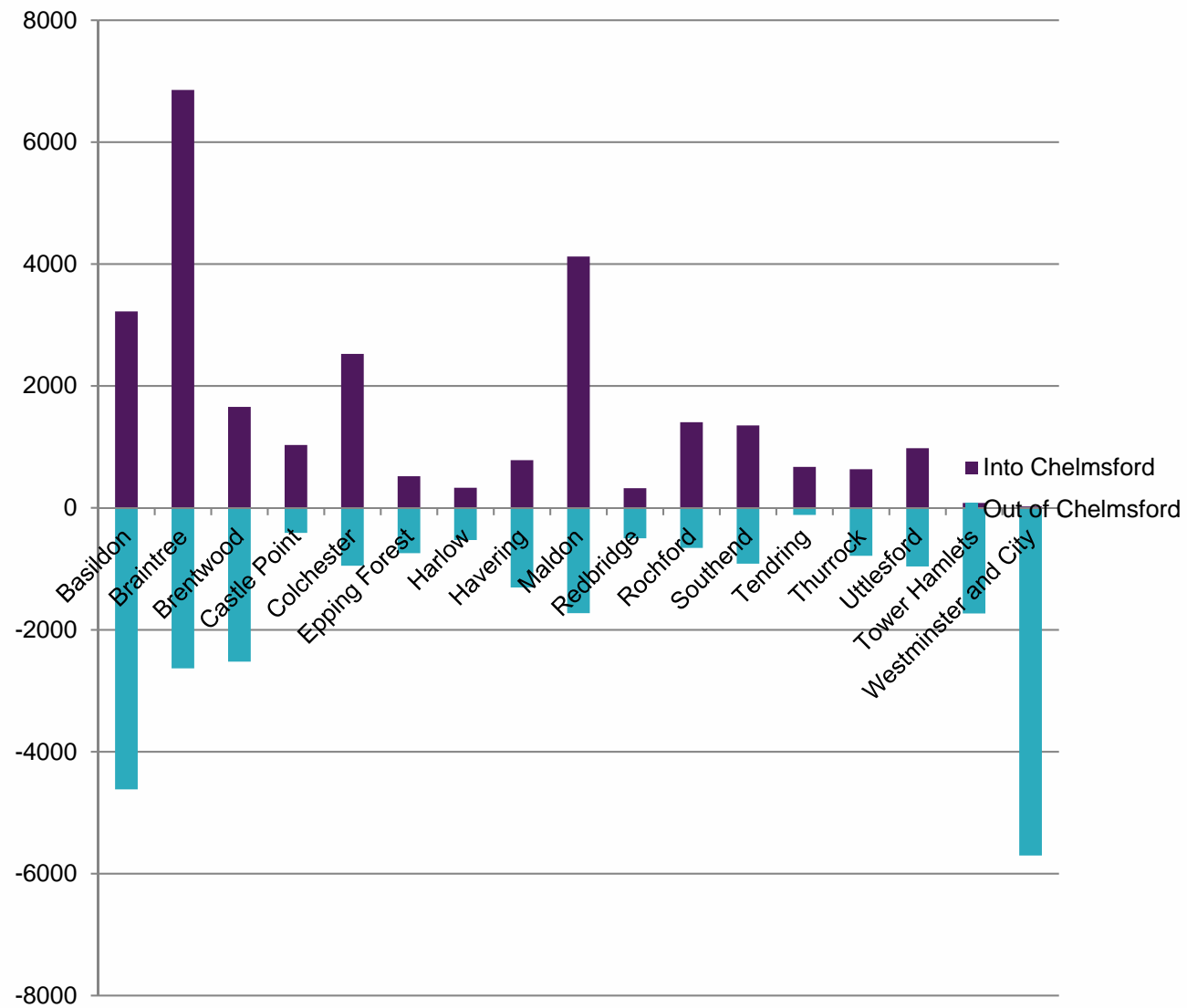
# Cross-boundary Migration – Year ending June 2015

LPA	Into Chelmsford	Out of Chelmsford	Net flow
Basildon	810	430	380
Braintree	660	1120	460
Brentwood	420	190	240
Castle Point	120	80	40
Colchester	230	440	-210
Epping Forest	270	90	180
Harlow	80	40	40
Havering	370	110	260
Maldon	470	660	-190
Redbridge	250	60	190
Rochford	200	140	60
Southend	190	190	0
Tendring	110	200	-90
Thurrock	180	80	100
Uttlesford	110	200	-90



# Cross-boundary Commuting – 2011 Census

	Into Chelmsford	Out of Chelmsford	Net Flows
Basildon	3221	4618	-1,397
Braintree	6854	2634	4,220
Brentwood	1656	2523	-867
Castle Point	1030	411	619
Colchester	2525	949	1,576
Epping Forest	519	743	-224
Harlow	329	528	-199
Havering	783	1307	-524
Maldon	4122	1727	2,396
Redbridge	322	500	-178
Rochford	1404	658	746
Southend	1351	917	434
Tendring	672	116	556
Thurrock	633	787	154
Uttlesford	979	962	17
Tower Hamlets	79	1733	-1,654
Westminster and City	23	5702	-5,679





# North and Mid Essex HMA

- Housing Market Area shared with Braintree, Colchester and Tendring Councils
- Others preparing a common Strategic Plan (Part 1)
- Memorandum of Co-operation: Collaboration on Strategic Priorities signed by all authorities and ECC

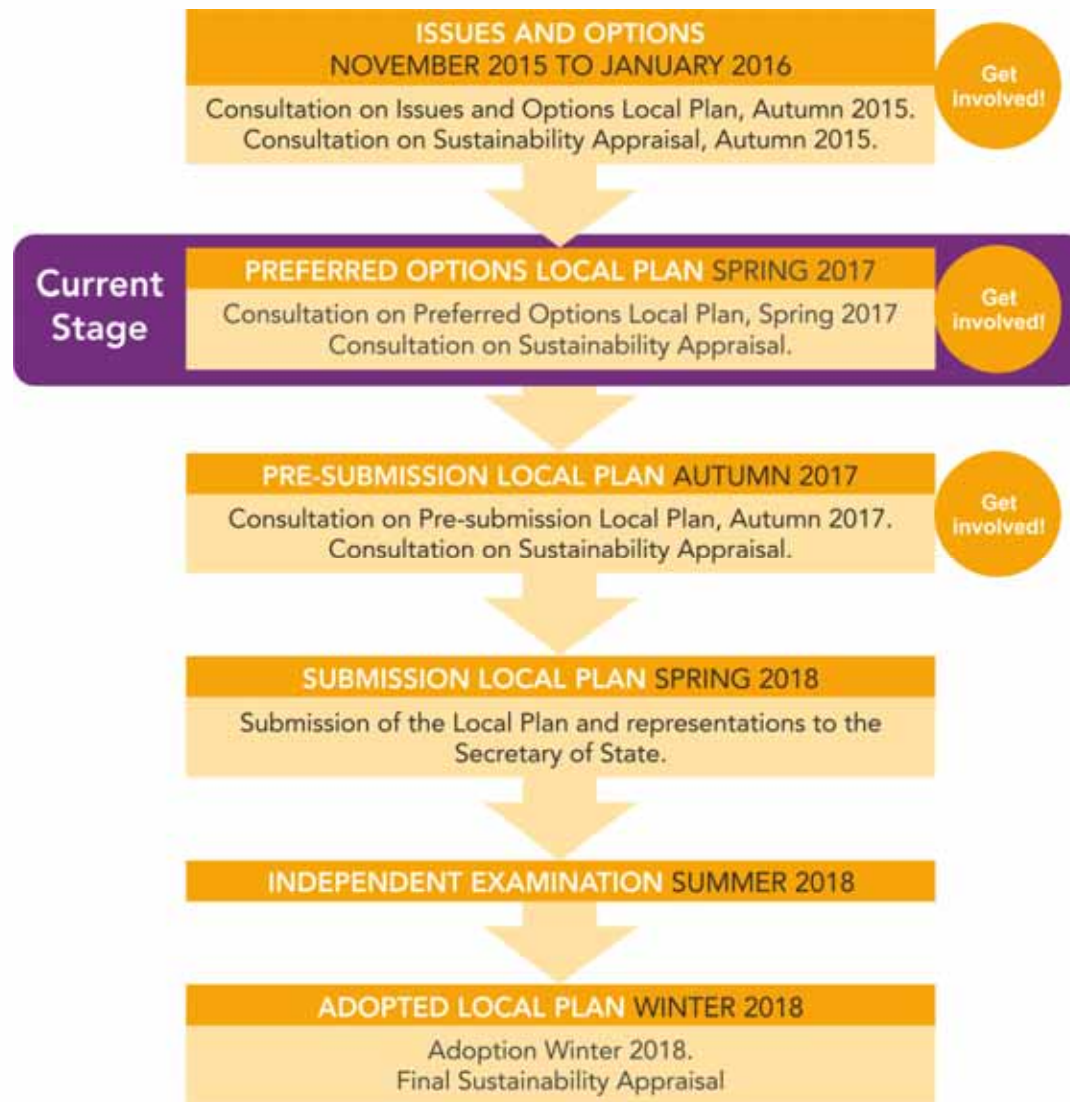
<i><b>Authority</b></i>	<i><b>Homes per-year</b></i>	<i><b>Total Homes</b></i>	<i><b>New Jobs per- year</b></i>	<i><b>Total Jobs</b></i>
<i>Braintree</i>	716	16,468	490	11,270
<b><i>Chelmsford</i></b>	<b>805</b>	<b>18,515</b>	<b>725</b>	<b>16,675</b>
<i>Colchester</i>	920	21,160	928	21,344
<i>Tendring</i>	550	12,650	490	11,270
<b><i>TOTAL</i></b>	<b>2,991</b>	<b>68,793</b>	<b>2,633</b>	<b>60,559</b>

# The Chelmsford Local Plan

# Why is a new Plan needed?

- Existing Local Development Framework expires in 2021
- Establish a new Vision for the City of Chelmsford
- Continue a planned approach for increased growth
- Maintain rolling 5-year supply of housing sites
- Government pressure for development growth, speed, localism, certainty, safeguarding communities
- Align infrastructure and growth
- Maximise public and private sector investment

# What Stage have we got to?



# How have got to this stage?

- Initial 'Issues and Options' consultation took place 2015/16
- Approval to develop a hybrid Spatial Option in July 2016
- Preferred Options informed by previous consultation, evidence base, Duty to Co-operate activities and engagement with key stakeholders

# Issues and Options LPA Comments

- 11 LPAs + ECC and GLA
- General support for meeting full OAN + 20% uplift
- Requests for further clarification, detail and evidence base
- Potential cross-boundary issues suggested - unmet housing and travellers accommodation, secondary education, flood risk, retail and traffic
- Actions to address the issues raised are summarised in the DtC Position Statement March 2017

# The Evidence Base

- Current evidence base:
  - Homes (SLAA, OAHN, GTAA, UCS)
  - Employment (ELR, Employment Land Needs)
  - Highways (Traffic modelling)
  - Environment (Landscape, Archaeology + Heritage Assessments, Water Cycle Study, SFRA Level 1, Green Wedge Review)
  - Sustainability Appraisal and HRA
- Additional evidence base: Viability, IDP, GI Strategy, Junction Modelling, Chelmsford NE Bypass Study, SFRA Level 2

# Preferred Options Document



# Vision for Chelmsford 2036

- Embracing our role of England's newest City and Capital of Essex
- Attracting inward investment for a wide range of businesses
- Maximising development within compact and vibrant City Centre
- Creating new sustainable neighbourhoods
- Optimise opportunities for new infrastructure

# Future Home and Job Numbers to 2036



10,875 new homes across 40 sites  
Based on 805 dpa (OAHN) + 20%



725 new jobs per year  
55,000 sqm business floorspace



198,000 population by 2036

# Housing Numbers

Source	Net New Homes
Completions 2013-2016	2,088
Outstanding Commitments with Planning Permission	8,356
Existing Commitments without Planning Permission (re-allocation of existing LDF sites)	843
New Local Plan Allocations including windfalls	10,875
<b>TOTAL</b>	<b>22,162</b>

# Spatial Principles

- Maximise the use of brownfield land for development
- Continue the renewal of Chelmsford City Centre and Urban Area
- Locate development at well-connected sustainable locations
- Utilise garden community principles for strategic development allocations
- Protect the Green Belt
- Protect the character of valued landscapes, heritage and biodiversity
- Respect the pattern and hierarchy of settlements
- Ensure development is deliverable
- Ensure development is served by necessary infrastructure
- Use development to secure new infrastructure
- Plan for the longer-term

# Spatial Strategy – Settlement Hierarchy

1. City or Town	Chelmsford, South Woodham Ferrers	
2. Key Service Settlements	Outside Green Belt	Within Green Belt
	Bicknacre, Boreham, Broomfield, Danbury, Great Leighs	Galleywood, Runwell, Stock, Writtle
3. Service Settlements	Ford End, Great Waltham, Little Waltham, East Hanningfield, Rettendon Place and Woodham Ferrers	Highwood, Margaretting, Ramsden Heath/Downham, Roxwell and West Hanningfield
4. Small Settlements	Chatham Green, Good Easter, Howe Green, Howe Street, Little Baddow, Rettendon Common and Sandon	Edney Common, St Luke's Park (Runwell Hospital)

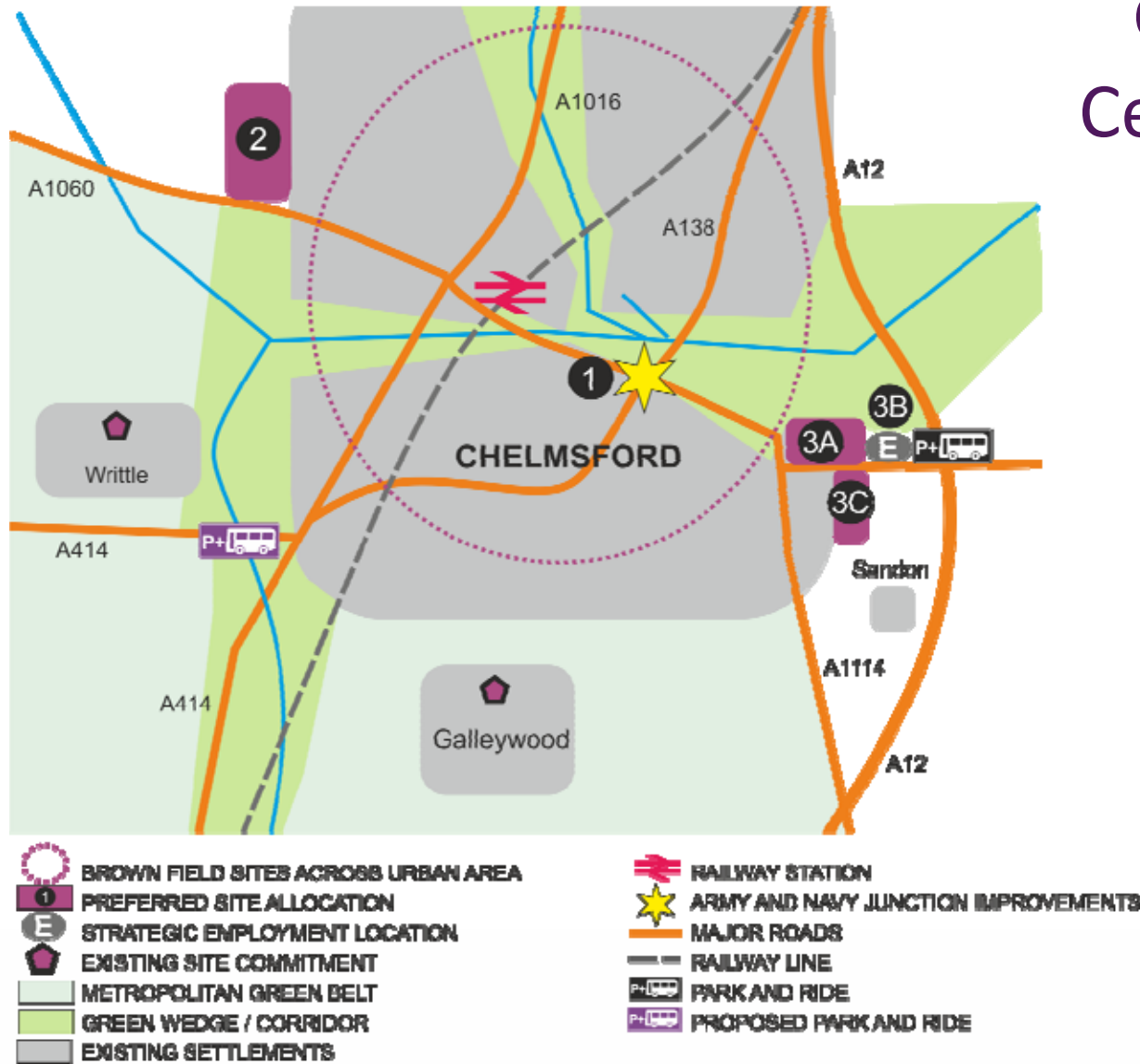
# Spatial Strategy Key Diagram



# The Growth Areas

# Growth Area 1

## Central and Urban Chelmsford

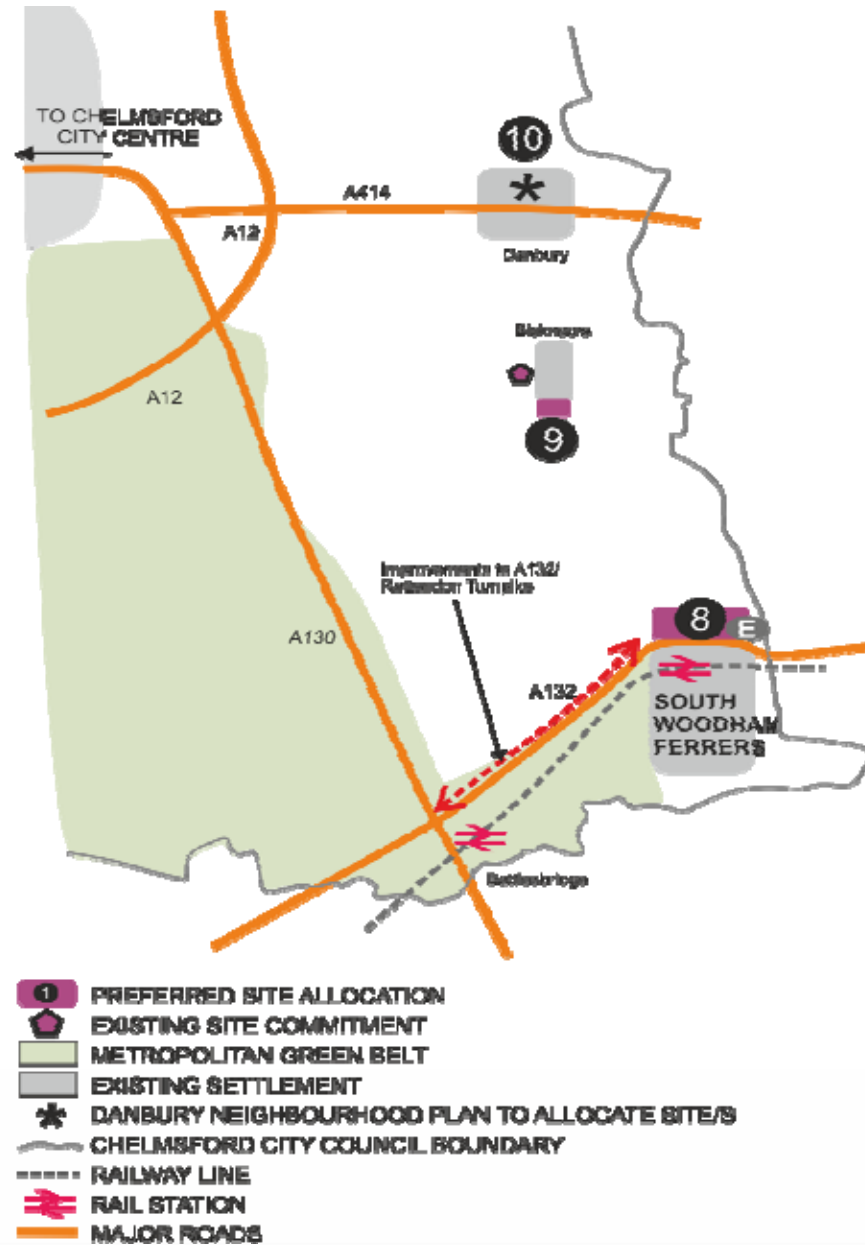




# North Chelmsford



# Growth Area 3 South and East Chelmsford

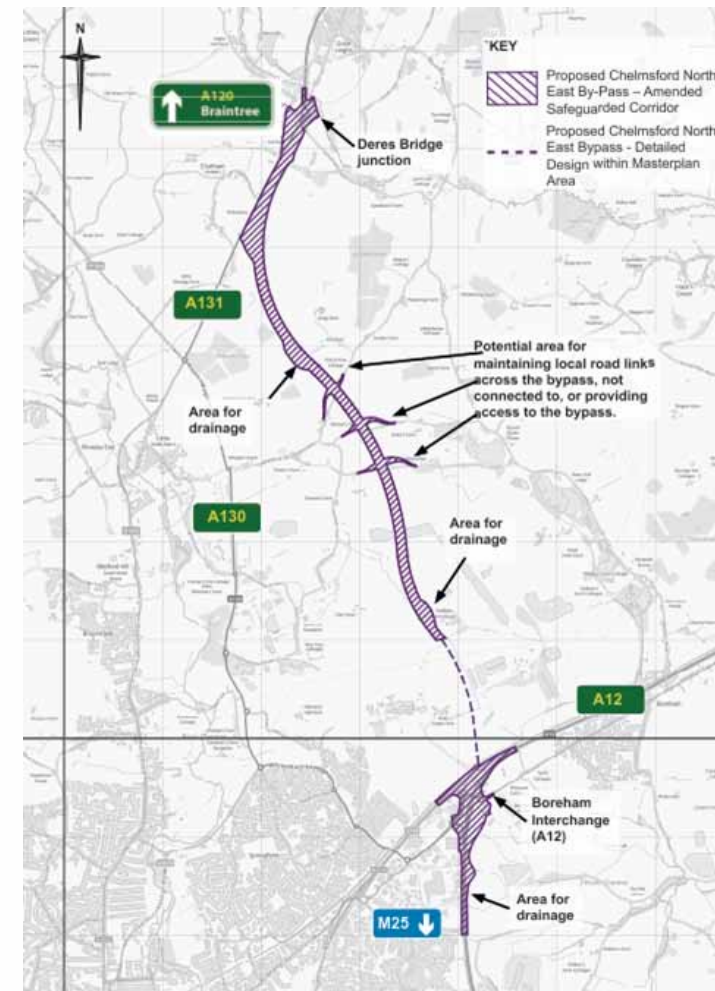


# Improved Infrastructure

## Transport

### Strategic and Local Road Network Improvements

- Chelmsford North East Bypass
- Radial Distributor Road 2 in NE Chelmsford
- Secondary Broomfield Hospital access
- Capacity improvements to the A132



# Improved Infrastructure

**Public Transport** - Beaulieu Railway Station, cycling and walking infrastructure, new and expanded Park and Rides



# Improved Infrastructure

**Education** – early years, 11 schools, tertiary and support for Universities

**Community** - Neighbourhood Centres with new primary healthcare, retail and community facilities, sport and leisure facilities

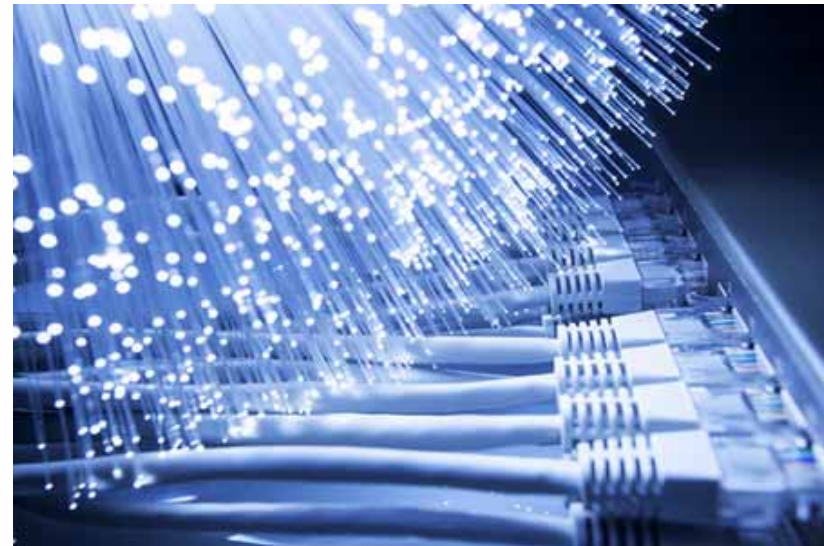




# Improved Infrastructure

**Environment** – Green Infrastructure, Open Space, Wildlife Sites, 2 new Country Parks

**Utilities** – electricity and gas distribution, water supply, waste water treatment, flood risk reduction + broadband.



# Policies and Proposals Map

- 15 Strategic Policies
- 40 Site Allocation Policies
- 6 Special Policy Areas
- 31 general criteria-based Policies

Proposals Maps – spatial representation of policies and proposals on OS base

# Preferred Options Consultation



# Preferred Options Consultation

- Six weeks from 30 March to 11 May 2017
- Accords with requirements
- Comments used to help shape, refine and improve the Plan
- Encourage comments via the consultation portal [www.chelmsford.gov.uk/planningpolicyconsult](http://www.chelmsford.gov.uk/planningpolicyconsult)

# Timetable



Key Stage	Timeframe
Issues and Options Consultation	Completed early 2016
Preferred Options Consultation	March 2017
Pre-Submission (Final Draft) Consultation	September 2017
Submission of Local Plan for Examination	March 2018
Independent Examination	June 2018
Adoption	November 2018

# Neighbourhood Planning

# 6 Active Groups

Writtle

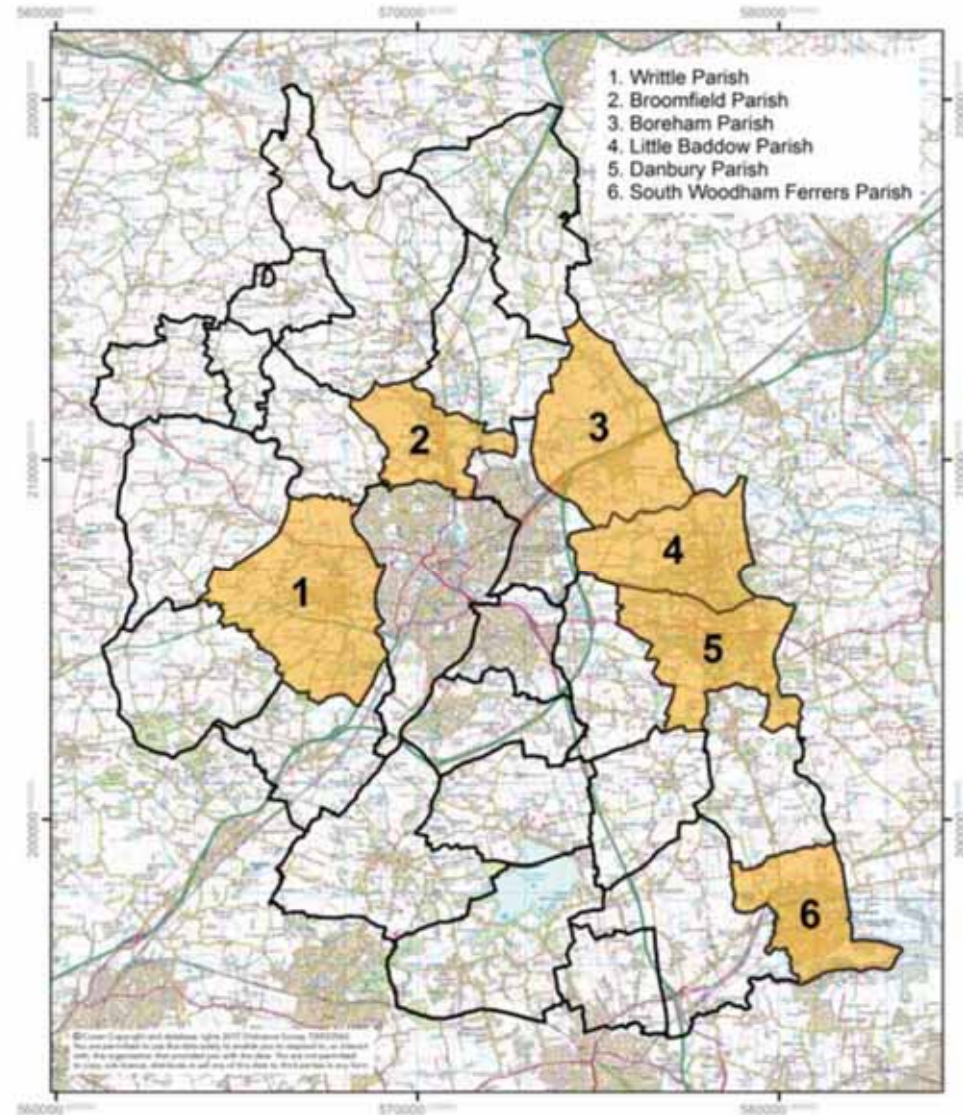
Broomfield

Boreham

Lt Baddow

Danbury

SWF



# Questions



# Discussion

# Key Strategic Cross-Boundary Issues Raised through Process

1. Housing Need
2. Traveller Accommodation Needs
3. Strategic Highways/Transport
4. Strategic Community Infrastructure
5. Strategic Landscape Corridors

# Housing Need

- OAHN formulated across North and Mid Essex HMA
- All North and Mid Essex HMA LPAs meeting their own need within respective Local Plans
- OAHN uplifted for increased job forecasts
- 20% supply buffer to ensure delivery of OAHN
- Process/evidence for consideration of unmet housing need from outside HMA
- Type and size of new housing.



# Traveller Accommodation

- Latest GTAA shows need for 9 nomadic Gypsy and Traveller pitches – Allocating Site for 10 pitches
- Latest GTAA shows need for 24 Travelling Showpeople plots
- Need for non-nomadic Travellers covered by Policy HO1 – General Housing Policy

# Strategic Highways/Transport

- A12 Improvements
- A130/A131 Chelmsford NE Bypass
- A120 Braintree – A12
- Fairglen Interchange – A130/A127
- Lower Thames Crossing
- New Beaulieu Rail Station
- Crossrail

# Strategic Community Infrastructure/Landscape Corridor

- Secondary Education – SWF, Great Leighs
- Primary Healthcare (GPs and Clinics)
- Acute Healthcare (Broomfield Hospital)
- A130 Landscape Corridor
- River Valley Green Wedges/Corridors

# Next Steps

- Consider your representations
- Continuous engagement and collaboration
- Where appropriate use MOUs or Statement of Common Ground
- Continued engagement with your Local Plans



## **Duty to Co-operate Meeting**

**Chelmsford City Council: Draft Local Plan – Preferred Options**

**Thursday 12 October 2017 at 2.00pm, Marconi Room, Chelmsford City Council Civic Centre**

### **AGENDA**

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#### **1) Welcome and introductions**

Please see Appendix 1 for an attendance list.

#### **2) Review of actions of last meeting**

##### **Housing need (process and evidence for requests to meet unmet needs):**

- Castle Point: Include a reference or update on a timetable for the South Essex strategic plan in its representation to CCC's Preferred Options.
- ECC: Pursue the issue with EPOA to set out and standardise a process for a meaningful way forward on unmet need evidence.

Standardised process has been produced and agreed at EPOA – agenda item 7 below.

##### **Size and type of homes:**

- Colchester/Basildon: Circulated draft policy for Part M Building regulations.

##### **Traveller accommodation:**

- Basildon/CCC: Arrange to discuss the developer approach, as CCC has also had a similar approach from a developer.

G&T – same position as for unmet need.

Basildon – to undertake similar guidance note exercise but with different methodology.

##### **Strategic highways/transport:**

- Maldon/ ECC: ECC has commissioned Route Based Strategies for A132 and A414 corridors, and will involve relevant districts moving forward. ECC is also undertaking modelling along the A132, as part of the CCC Local Plan, and outputs are expected by end of November. MDC requested an update of progress on the B1019 RBS is provided by ECC. CCC/Basildon: Discussion regarding parking at Wickford station took place outside of the meeting.

### **A130 landscape corridor:**

- A130 landscape corridor meeting was arranged for 10/05/17. Growth corridor work has not progressed yet, ECC/Ringway have been busy with Local Plan modelling.

### **General:**

- Presentation of 3 May 2017 was attached to the notes of the meeting.

### **3) Chelmsford Local Plan timetable and progress**

Preferred Options Consultation ran March – May 2017. This plan was based on three key growth areas.

CCC have adopted a new LDS in September 2017 which is available online. The key dates are:

Development Policy Committee	30 November 2017
Regulation 19 Consultation	January – February 2018
Submission	Summer 2018
Examination Hearing Sessions	September – October 2018
Adoption	Winter 2018

Rochford – questioned the level of rail improvements at SWF.

CCC – new trains to increase capacity but no change to line or development of rail loop. New bus link to improve connectivity and station improvements.

CCC/Basildon – Development east of Basildon – infrastructure should be linked up.

Maldon – MDC should be included in rail discussions due to the impact of the branchline.

ECC - Rail capacity for Essex is an important issue for all authorities.

Castle Point – local productivity is important and therefore should be reflected in jobs in the Local Plan to promote local employment.

### **4) DCLG Consultation: Planning for the Right Homes in the Right Places**

CCC – the new methodology results in 980 homes per year. Brentwood anticipate numbers would rise about 25%; Colchester and Tendring would also have anticipated rises but they have submitted their plans for examination.

### **5) Evidence Base Update:**

CCC are working on updated evidence base work for:

- SFRA Level 2
- Highways Modelling
- Infrastructure Delivery Plan (IDP)
- Green Infrastructure (GI)
- Air Quality
- SA/HRA

Maldon - undertaking Part 2 of the GI Strategy. Would be keen to discuss with CCC.

**6) Development of Essex Recreational Avoidance and Mitigation Strategy (RAMS)**

Natural England are keen for a strategic response to address cumulative impact. ECC/Places Services to lead through EPOA.

Braintree – Issue for Neighbourhood Plans too. Plans in the district have undertaken initial screening.

Natural England are due to attend EPOA meeting in December.

**7) Process for considering unmet housing/Gypsy and Traveller/house boat need requests, including EPOA Guidance Note (Attached)**

**Housing Needs**

Castle Point – has an unmet need which it is trying to accommodate, however issues with infrastructure due to location do cause a problem. ECC noted that other districts are progressing their Local Plans in the context of their own/strategic infrastructure constraints (e.g. Braintree, Colchester, Tendring and Chelmsford). It was agreed that ECC and authorities work together to bid for future funding, and lobby government where necessary.

CCC – questioned whether this was being addressed within the HMA i.e. applying the process and distributing across the area.

Rochford – outlined that they are early in the process but are looking at the process in the EPOA guidance note and welcome a consistent approach.

Basildon – protocol welcomed but LPs are working to different timings.

Colchester – the note has been added to their DTC Statement. Plan was submitted on 9 October. Examination anticipated mid-January.

Basildon – revisiting Green Belt and infrastructure constraints

CCC – agreed consistent approach is needed and needs to be agreed within in HMA, the process of each LP cannot be held up by timings of other authorities' LPs. The situation can be revisited when CCC does its first LP review.

ECC – developing a 2050 Vision with South Essex Authorities, including strategic planning element across the HMA. Agree that infrastructure issues are a county-wide issue.

CCC – expectation that consultation responses from DTC partners to the next stage of the Chelmsford Local Plan to be written in the context of the EPOA Guidance Note going forward.

**G&T Needs**

ECC – A similar EPOA note could be developed for unmet G&T needs, it will be discussed at the next EPOA meeting (December)

**ACTION – EPOA Guidance Note to be published on the EPOA website hosted by Uttlesford District Council**

[www.uttlesford.gov.uk/EssexPlanningOfficersAssociation](http://www.uttlesford.gov.uk/EssexPlanningOfficersAssociation)

**ACTION – Discussion on note for unmet G&T needs at the next EPOA meeting.**

**8) Outstanding Duty matters from Preferred Options consultation**

Rochford – Houseboats. CCC has sent all the necessary information. No further action at this time.

**9) Any other business**

Transport Modelling for SWF should link with the Basildon transport modelling work. **ACTION: CCC and BDC to ask consultants to link their transport modelling work.**

Uttlesford – interested in the junction modelling, particularly for Great Leighs/north of Chelmsford area.

**ACTION: CCC to share modelling information as soon as possible.**

Statement of Common Ground:

CCC - likely to be area based with the HMAs.

Colchester – when required on cross-boundary issues, some existing MOUs will be a good basis for these.



## **Duty to Co-operate Meeting – Thursday 12 October 2017**

### **Chelmsford City Council: Draft Local Plan – Preferred Options**

#### **Appendix 1 - ATTENDANCE**

<b>AUTHORITY</b>	<b>NAME</b>
Rochford District Council	Natalie Hayward, Planning Policy and Economic Development Team leader
Rochford District Council	Cllr Ward, Portfolio Holder, Planning Policy and Economic Development
Basildon Borough Council	Cllr Linda Allport-Hodge, Chairman, Infrastructure, Growth and Development Committee
Basildon Borough Council	Carl Glossop, Principal Planning Officer
Braintree District Council	Cllr Lynette Bowers-Flint, Cabinet Member
Braintree District Council	Alan Massow, Senior Policy Planner
Brentwood Borough Council	Jill Warren, Senior Policy Planner
Castle Point Borough Council	Cllr Norman Smith, Cabinet Member for Regeneration and Business Liaison
Castle Point Borough Council	Steve Rogers, Local Plan and Regeneration Adviser
Chelmsford City Council	Councillor Roy Whitehead, Leader of the Council
Chelmsford City Council	David Green, Director of Sustainable Communities
Chelmsford City Council	Jeremy Potter, Planning and Housing Policy Manager
Chelmsford City Council	Jenny Robinson, Senior Planning Officer (Policy)
Chelmsford City Council	Gemma Nicholson, Planning Officer (Policy)
Colchester Borough Council	Laura Chase, Planning Policy Manager
Colchester Borough Council	Cllr Paul Smith, Leader of the Council
Essex County Council	Kevin Fraser, Principal Planner
Essex County Council	Graham Thomas, Head of Planning
Essex County Council	Councillor Ricki Gadsby, Deputy Cabinet Member for Housing, Property and Planning
Maldon District Council	Councillor Penny Channer, Chair Planning and Licensing Committee
Maldon District Council	Ian Butt, Planning Policy Manager
Uttlesford District Council	Sarah Nicholas, Senior Planning Officer

#### ***Apologies***

Uttlesford District Council	Cllr Susan Barker
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# Chelmsford Local Plan

The logo consists of five stylized leaves arranged in a circular pattern around a central white star-like shape. The leaves are colored: light blue (top), green (top-right), orange (bottom-right), purple (bottom-left), and dark blue (top-left).

*Duty to Co-operate Workshop*

**12 October 2017**

# Agenda

- 1) Welcome and introductions**
  - 2) Review of actions of last meeting**
  - 3) Chelmsford Local Plan timetable and progress**
  - 4) DCLG Consultation: Planning for the Right Homes in the Right Places**
  - 5) Evidence base update:**
    - Level 2 Strategic Flood Risk Assessment**
    - Highways Modelling**
    - Infrastructure Delivery Plan**
    - Green Infrastructure Strategy**
    - Air Quality Impact Assessment**
    - SA/SEA**
  - 6) Development of Essex Recreational Avoidance and Mitigation Strategy (RAMS)**
  - 7) Process for considering unmet housing/Gypsy and Traveller/house boat need requests, including EPOA Guidance Note**
  - 8) Outstanding Duty matters from Preferred Options consultation**
  - 9) Any other business**
-

# Actions from last meeting

**Housing need (process and evidence for requests to meet unmet needs):**

- Castle Point: Include a reference or update on a timetable for the South Essex strategic plan in its representation to CCC's Preferred Options.
- ECC: Pursue the issue with EPOA to set out and standardise a process for a meaningful way forward on unmet need evidence.

**Size and type of homes:**

- Colchester/Basildon: Circulate draft policy for Part M Building regulations.

**Traveller accommodation:**

- Basildon/CCC: Arrange to discuss the developer approach, as CCC has also had a similar approach from a developer.

**Strategic highways/transport:**

- Maldon/ ECC: Set up a separate discussion on A132 and A414.
- CCC/Basildon: Discuss parking at Wickford station, outside of the meeting

**A130 landscape corridor:**

- A130 landscape corridor meeting already arranged for 10/05/17.

**General:**

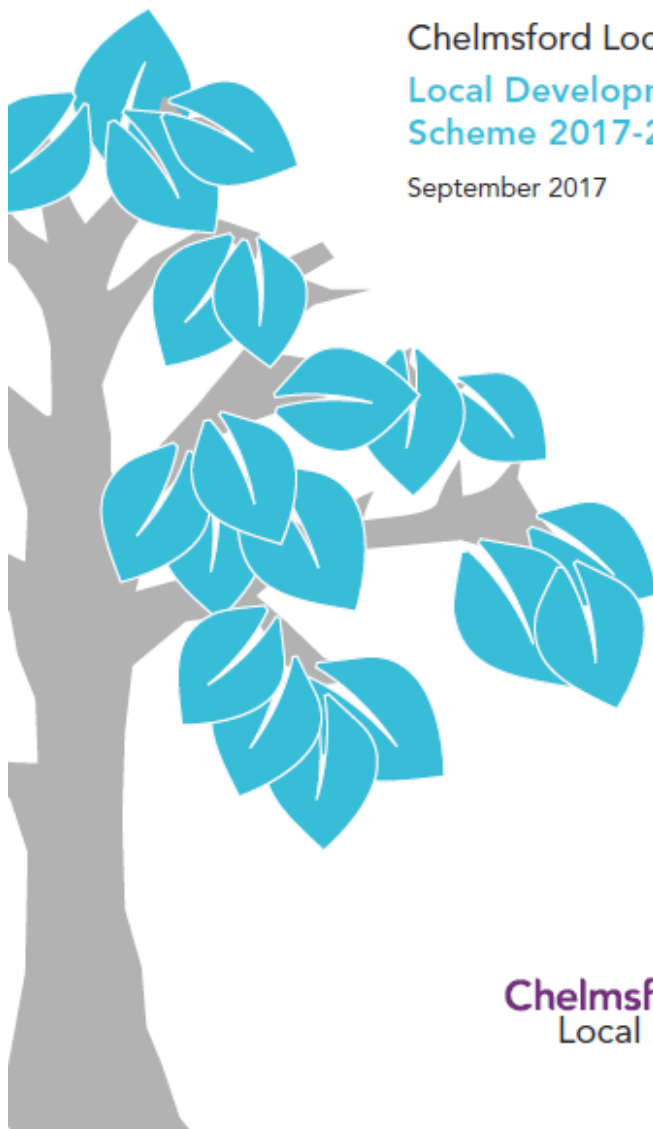
- CCC: Attach the presentation to the notes of the meeting.

# Timetable and progress

# Key Diagram







Chelmsford Local Plan  
Local Development  
Scheme 2017-2020

September 2017



Preparation of Pre-Submission Local Plan	July - Nov 2017
Consideration of Pre-Submission Local Plan by DPC	November 2017
Public and Stakeholder Consultation (Regulation 19)	Jan - Feb 2018
Processing and Analysis of Representations	March - May 2018
Consultation Feedback to Development Policy Committee	May 2018
Consideration of any Minor Modifications (if required)	May - June 2018
Consideration of Submission Document by DPC and Full Council	June 2018
Submission for Independent Examination (Regulation 22)	June 2018
Preparation of evidence for Independent Examination	June - Sept 2018
Independent Examination Hearing Sessions	Sept - Oct 2018
Consideration by Full Council	November 2018
Adoption	December 2018
Commencement of Formal Review	January 2022

# Right homes in the right places Consultation

# Consultation on Standard Housing Need Methodology

- Demographic base period 2016-2026
- Uses Affordability Ratio for uplifts
- Caps number at 40% above demographic starting point or Plan target whatever is higher
- Implementation date either 31 March 2018 or when revised NPPF published
- New methodology show **980 homes per year** for Chelmsford

# Evidence Base

- **Level 2 Strategic Flood Risk Assessment (SFRA)**

Level 2 SFRA to provide a more detailed assessment of flood risk in areas which have been identified for potential development, using information from the Level 1 SFRA published in March 2017.

- **Highways Modelling**

Highways and junction modelling to assess the proposals and identify measures to mitigate transport impacts. Outputs will inform the selection of final site allocations, transport policies and highway mitigation improvements.

- **Infrastructure Delivery Plan (IDP)**

To identify existing infrastructure capacity and what infrastructure is required to provide for the future Local Plan growth.

- **Green Infrastructure Strategy (GI Strategy)**

To identify where there is the potential to make better use of GI resources (e.g. green spaces, parks, trees, waterways) through restoration, enhancement or creation; and guide opportunities over the next Plan period and beyond.

- **Air Quality Impact Assessment**

To identify the baseline air quality profile for the Council's area and model a number of scenarios to validate proposed Local Plan development sites on the grounds of air quality.

- **Pre-Submission Sustainability Appraisal/Strategic Environmental Assessment and Habitats Regulations Assessment (SA/SEA/HRA)**

Continuing work on likely significant environmental, social and economic effects of the Pre-Submission Local Plan and potential impacts on European protected sites.

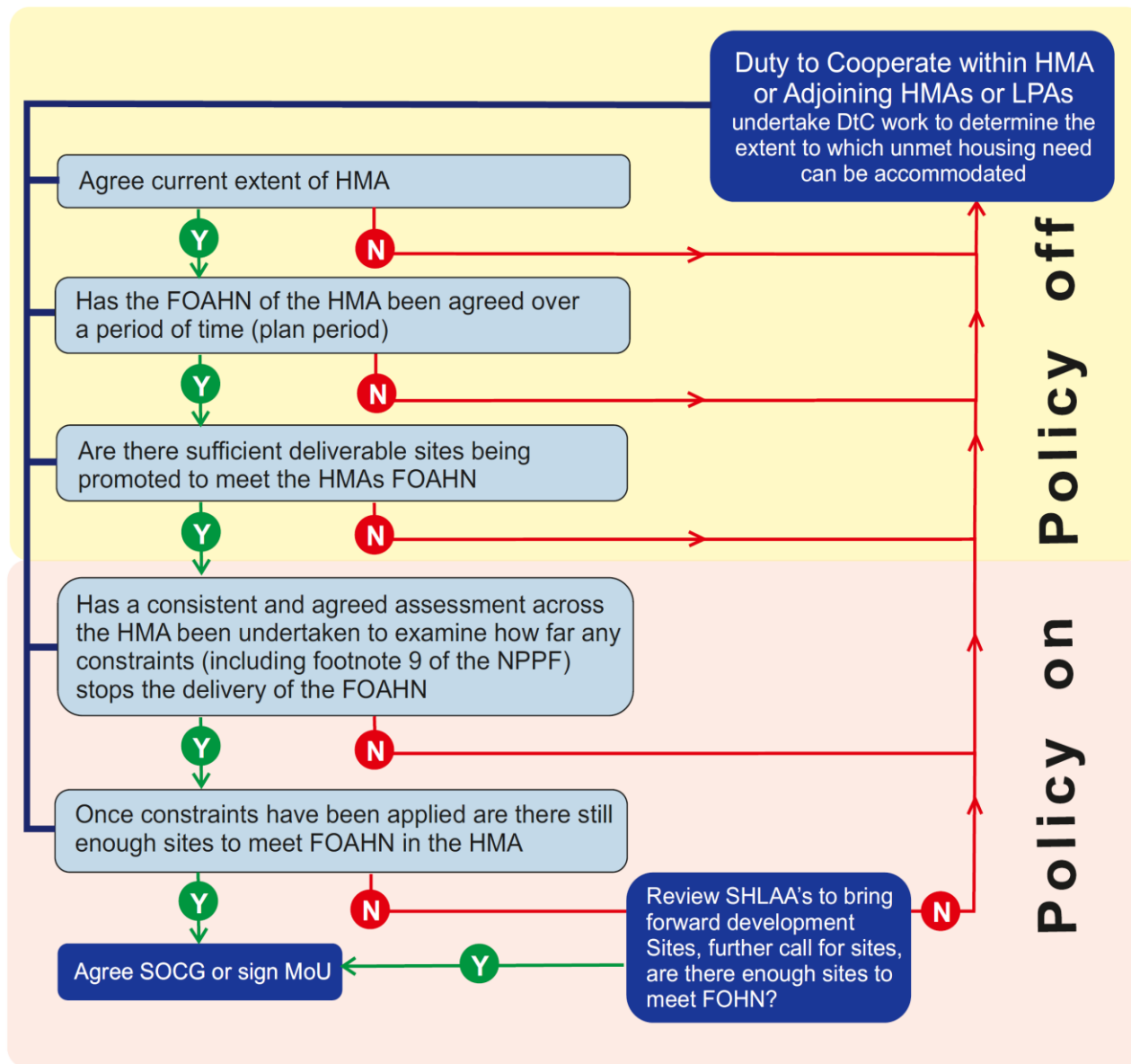
# RAMS



# Recreation Avoidance and Mitigation Strategy (RAMS)

- Natural England require a strategic response to the cumulative impact on coastal protected sites
- Strategic approach required across Essex
- This issue needs to be recognised in Local Plans
- ECC Place Services drafting a Service Level Agreement for consideration at EPOA meeting in November

# EPOA Guidance on Unmet Housing Need



# Outstanding Duty matters

- Gypsy and Traveller needs
- House boat needs

# Any Other Business?



## Duty to Co-operate Meeting

### Chelmsford City Council: Pre-Submission Local Plan

**Monday 12 March 2018 at 10.00am, Marconi Room, Chelmsford City Council Civic Centre**

### AGENDA

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#### 1) Welcome and introductions

Please see Appendix 1 for an attendance list.

#### 2) Review of actions of last meeting

##### **EPOA Guidance Note:**

EPOA Guidance Note to be published on the EPOA website hosted by Uttlesford District Council. The guidance note has been published on the website: [www.uttlesford.gov.uk/EssexPlanningOfficersAssociation](http://www.uttlesford.gov.uk/EssexPlanningOfficersAssociation)

##### **Unmet G&T Needs:**

Discussion on a note for unmet G&T needs took place at the next available EPOA. No solution has been agreed as yet but work is ongoing.

##### **Transport Modelling to be linked with Basildon transport modelling work:**

Same consultants used and expect that results have feed into the different modelling reports.

##### **General:**

- Presentation of 12 October 2017 was attached to the notes of the meeting.

#### 3) Chelmsford Local Plan timetable and progress

Pre-Submission (Regulation 19) consultation is running until 14 March 2018.

CCC have taken a revised LDS to Development Policy Committee on 8 March 2018 to be referred to Cabinet meeting on 17 April. This included an update to the timetable for the review of the CIL Charging Schedule and also the timetable for the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) SPD.

The key dates for the Local Plan are:

Regulation 19 Consultation	31 January – 14 March 2018
Development Policy Committee	7 June 2018
Submission	June 2018

Examination Hearing Sessions	October – November 2018
Adoption	Late 2018/Early 2019

The Presentation outlined key changes to the Pre-Submission Local Plan following the consultation on the Preferred Options Local Plan. Key changes include:

- refinement/expansion and updated policies
- stronger role for neighbourhood planning and masterplanning
- recognition of emerging national standardised housing need methodology
- a new monitoring and review policy (Strategic Policy S15)
- changes to site allocations (removal of some city centre sites, revised site boundaries and notation)

### Questions/Discussion

Rochford – questioned the level of possible expansion at SWF train station with the potential for using old dual tracking. CCC should consider pursuing this.

CCC – there are no changes to line or development of rail loop proposed. The land space from an old line is still there but there are no tracks in place. New trains will be increasing capacity, together with a potential new bus link to improve connectivity and station improvements.

Maldon – Policies map is not that clear for the developable area of site allocation at SWF. Also consider making the proposed footbridge a central focal point of the development as a ‘gateway’ into the Crouch valley. Potential for the footbridge over the Burnham Road to be an innovative/landmark design.

Concern raised for the impact of healthcare facilities, not just across SWF or Chelmsford area but across all of Essex, capacity of the hospitals is an issue and queried the engagement with the hospitals.

CCC – recognised that engagement with the NHS across all authority areas has been difficult due to the shorter term strategic thinking, but agreed this is something to continue working on.

**ACTION: CCC to continue to meet with the Hospitals, share any feedback and representations received to other local authorities. Need for more joint working in the future with all Broomfield, Basildon and Southend and Mid-Essex CCG.**

### **4) Other Local Authority Updates - Roundtable**

**Rochford** – Issues and Options Consultation has finished. No housing numbers were included in this consultation.

A few online issues were encountered coinciding with an ICT change over.

Is not able to state whether can meet own needs at this stage until evidence base work is completed.



Rochford is part of the steering group for South Essex 2050 partnership and has received a bid for strategic planning. Continuing to work at the South Essex Level whilst preparing Local Plan.

**Basildon** – Committee are considering final Local Plan and CIL consultation on 13 March. This meeting is to consolidate all decisions made on the plan in previous committees. Full Council is to be held on 22 March for approval for Regulation 19 consultation and CIL update.

The Local Plan proposes using 4% of Green Belt for strategic sites. BDC are expecting high volume of representations with particular opposition to G&T site and the impact of future needs assessment.

The launch of the consultation will be delayed until late May/June due to local elections. Following Planning Inspectorate Advisory Visit are expecting a long examination process due to matters/issues therefore submission expected late summer/autumn plus a year for adoption.

Also involved in South Essex 2050 Partnership.

**Essex County Council** – Waste Local Plan has been approved and adopted. Essex Design Guide has been launched.

**Colchester** - Examination on Section 1 Local Plan held in January. An extra hearing session will be held in May. Individual Local Plans (Section 2) expected examination in October with separate Inspectors.

**Braintree** – same as Colchester regarding Local Plan. Updating retail evidence base.

**Maldon** – Adopted Local Plan in place and are continuing to implement. Continue to respond to others Local Plan consultations.

MDC have updated the LDS and are preparing SPDs on affordable housing to be consulted on soon once the changes to the NPPF have been understood.

MDC have held members seminars on RAMS and Green Infrastructure.

Consultants will be used to review CIL.

Formal review of the Local Plan (5 years) will commence in 2021. An interim review on retail policy will commence two years after the opening of the new retail area.

**Epping** – Regulation 19 consultation finished with just over 1,000 representations. Submission of the Local Plan on Monday 19<sup>th</sup> March. EFDC have brought forward the submission of the Local Plan due to emerging changes for standardised housing need. A legal challenge has been made related to the timeline change which is being dealt with.

Continuing to work with Harlow on the masterplanning process.

CIL is on hold until the release of the new regulations.

Natural England have supported a RAMS for Epping Forest related to traffic and air quality impacts, EFDC will be implementing a blanket charge to monitor air quality.

## 5) **Development of Essex Recreational Avoidance and Mitigation Strategy (RAMS)**

ECC/Places Services to lead through EPOA.  
The timetable for the RAMS SPD has been clarified for completion April 2019.  
This will be produced as one SPD for all authorities.  
CCC has added this to the LDS.

**6) Any outstanding strategic cross-boundary matters**

Maldon will be sending out the latest contact information for all Parish Clerks.

**ACTION: All to send link to information on parish clerks. Potential for this to be collated on EPOA website. Jeremy Potter to investigate with Graham Thomas Chair of EPOA.**

**ACTION: CCC to send Rochford a PDF copy of Local Plan newsletter.**

**Basildon** – Traffic modelling issues still outstanding but have rewording representation to reflect recent discussions.

**7) Chelmsford Local Plan Examination – Memorandum of Understanding and Statement of Common Ground**

Statements of Common Ground are likely to cover issues raised in representations and developed with individual areas as the issues may be different.

Future joint working will be covered by MoUs.

**8) Any other business**

Nothing raised.

## **Duty to Co-operate Meeting – Monday 12 March 2018**

### **Chelmsford City Council: Pre-Submission Local Plan**

#### **Appendix 1 - ATTENDANCE**

<b>AUTHORITY</b>	<b>NAME</b>
Braintree District Council	Alan Massow, Senior Policy Planner
Basildon Borough Council	Cllr Linda Allport-Hodge, Chairman, Infrastructure, Growth and Development Committee
Basildon Borough Council	Carl Glossop, Principal Planning Officer
Chelmsford City Council	Councillor Roy Whitehead, Leader of the Council
Chelmsford City Council	David Green, Director of Sustainable Communities
Chelmsford City Council	Jeremy Potter, Planning and Housing Policy Manager
Chelmsford City Council	Jenny Robinson, Senior Planning Officer (Policy)
Chelmsford City Council	Gemma Nicholson, Planning Officer (Policy)
Colchester Borough Council	Laura Chase, Planning Policy Manager
Epping Forest District Council	Tai Tsui, Planning Policy Projects Officer
Essex County Council	Kevin Fraser, Principal Planner
Maldon District Council	Councillor Penny Channer, Chair Planning and Licensing Committee
Maldon District Council	Ian Butt, Planning Policy Manager
Rochford District Council	Matthew Thomas, Assistant Director for Planning and Regeneration
Rochford District Council	Cllr Ward, Portfolio Holder, Planning Policy and Economic Development

#### ***Apologies***

Braintree District Council	Cllr Lynette Bowers-Flint, Cabinet Member
Brentwood Borough Council	Jill Warren, Senior Policy Planner
Castle Point Borough Council	Steve Rogers, Local Plan and Regeneration Adviser
Colchester Borough Council	Cllr Tim Young
Essex County Council	Cllr Gadsby, Deputy Cabinet Member for Housing, Property and Planning
Essex County Council	Graham Thomas, Head of Planning
Uttlesford District Council	Sarah Nicholas, Senior Planning Officer



# *Duty to Co-operate Meeting*

Monday 12 February 2018

Jeremy Potter – Planning and Strategic Housing Policy Manger

Jenny Robinson – Senior Planning Officer

# Contents of Presentation

- How we have got to this stage and timetable
- Pre-Submission Local Plan – Changes from Preferred Options and Consultation process
- Local Plan Submission and Examination
- CIL Review Update
- Neighbourhood Plan Update

# How we have got to this Stage and timetable



# Timetable

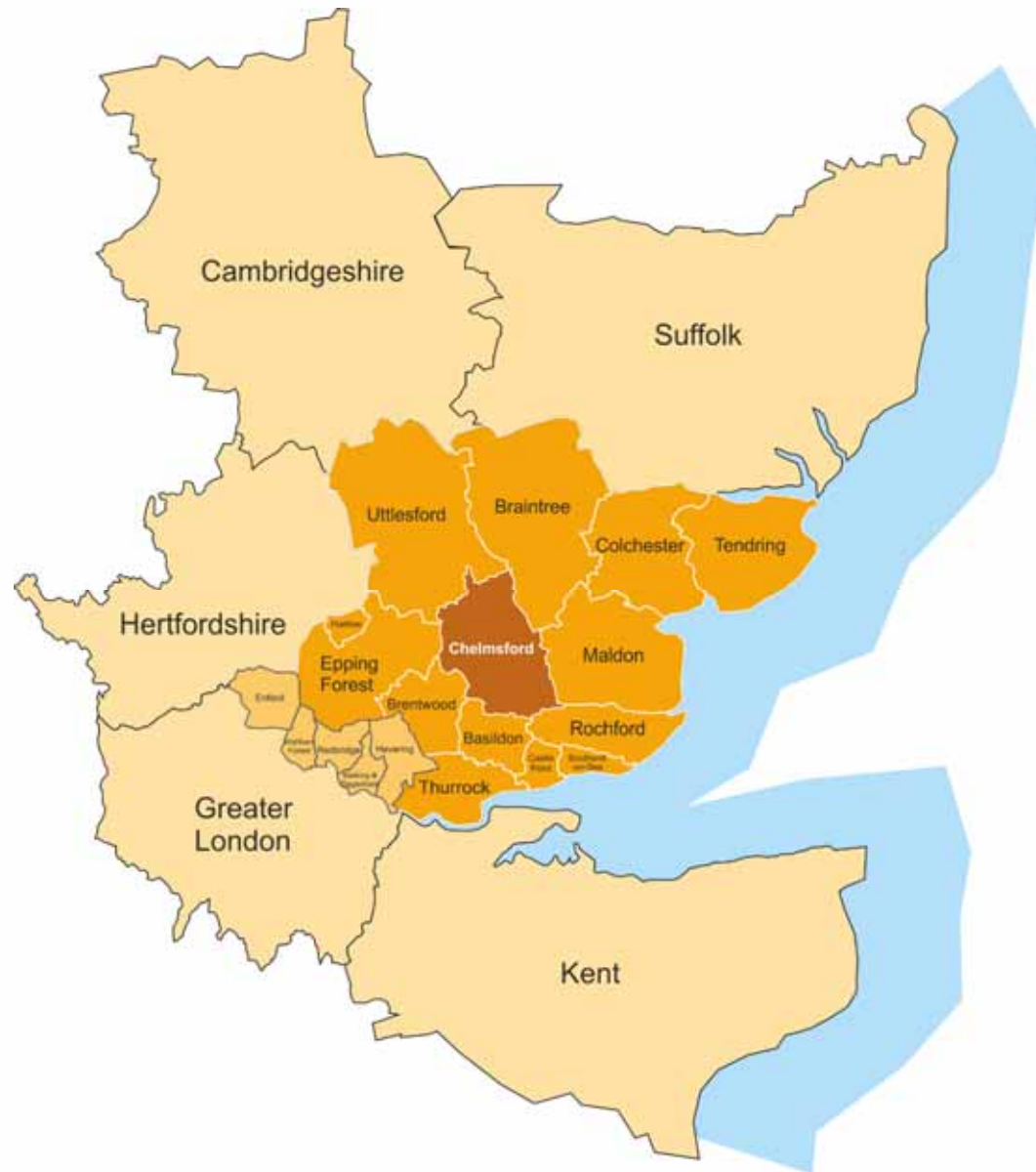


Key Stage	Timeframe
Issues and Options Consultation	Completed early 2016
Preferred Options Consultation	Completed Spring 2017
Pre-Submission (Final Draft) Consultation	31 January-14 March 2018
Submission of Local Plan for Examination	June 2018
Examination Hearing Sessions	October/November 2018
Adoption	Late 2018/early 2019



# Pre-Submission Local Plan Context

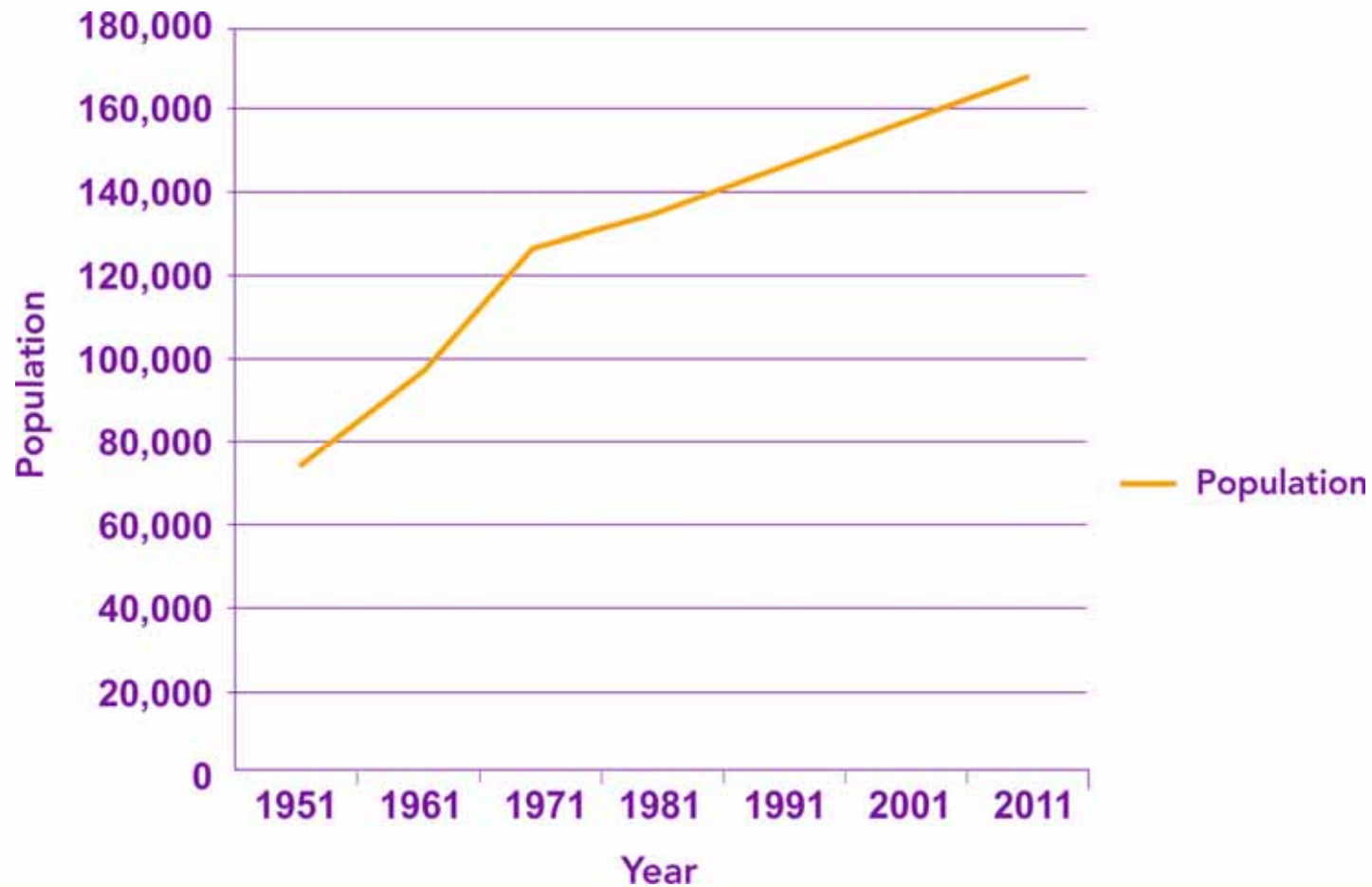
# Chelmsford in Context



# Metropolitan Green Belt



# Chelmsford Population



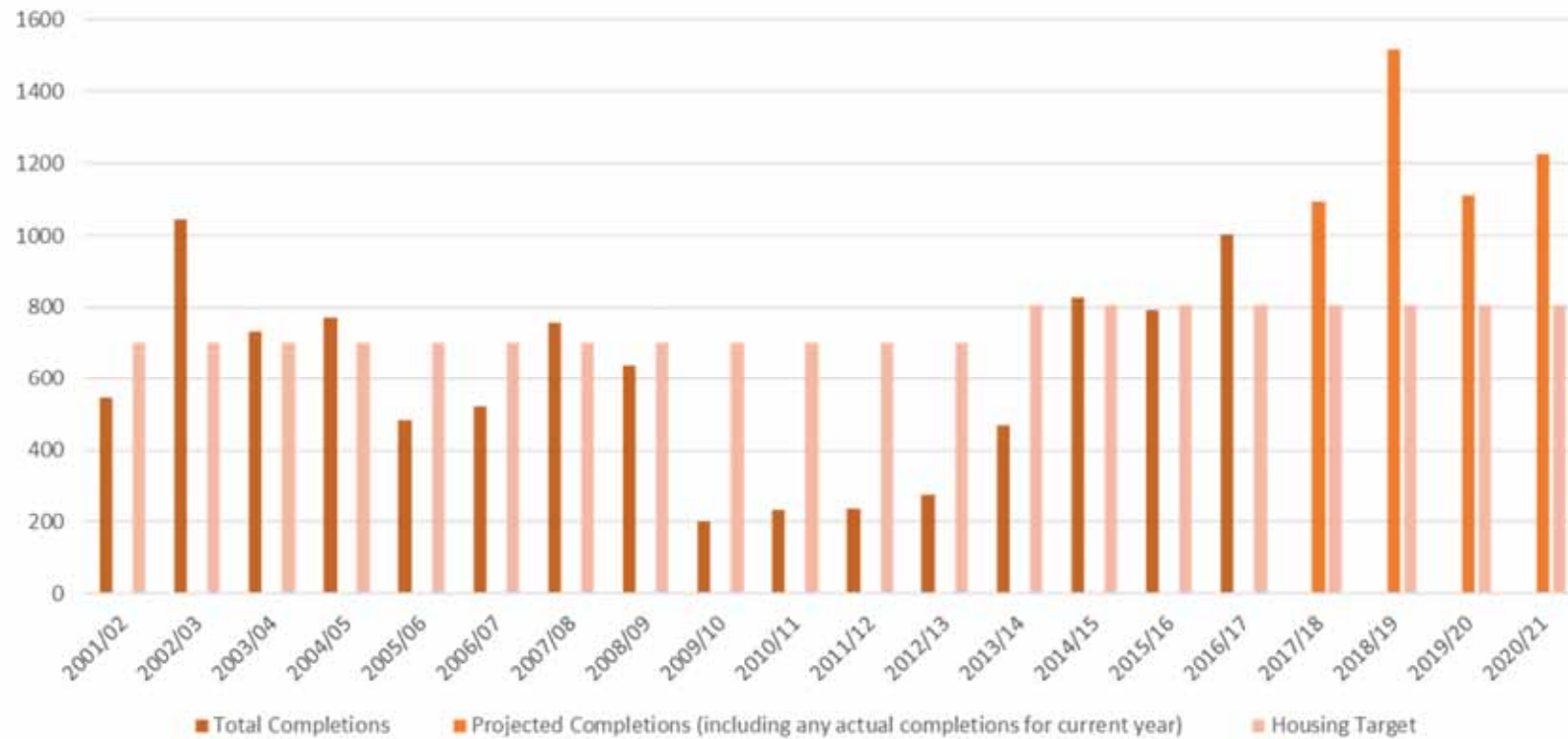
# Current Housing Supply

- Average of 750+ homes built per year 2013-2017
- 6,116 homes in deliverable housing supply
- 6.13 years of housing supply

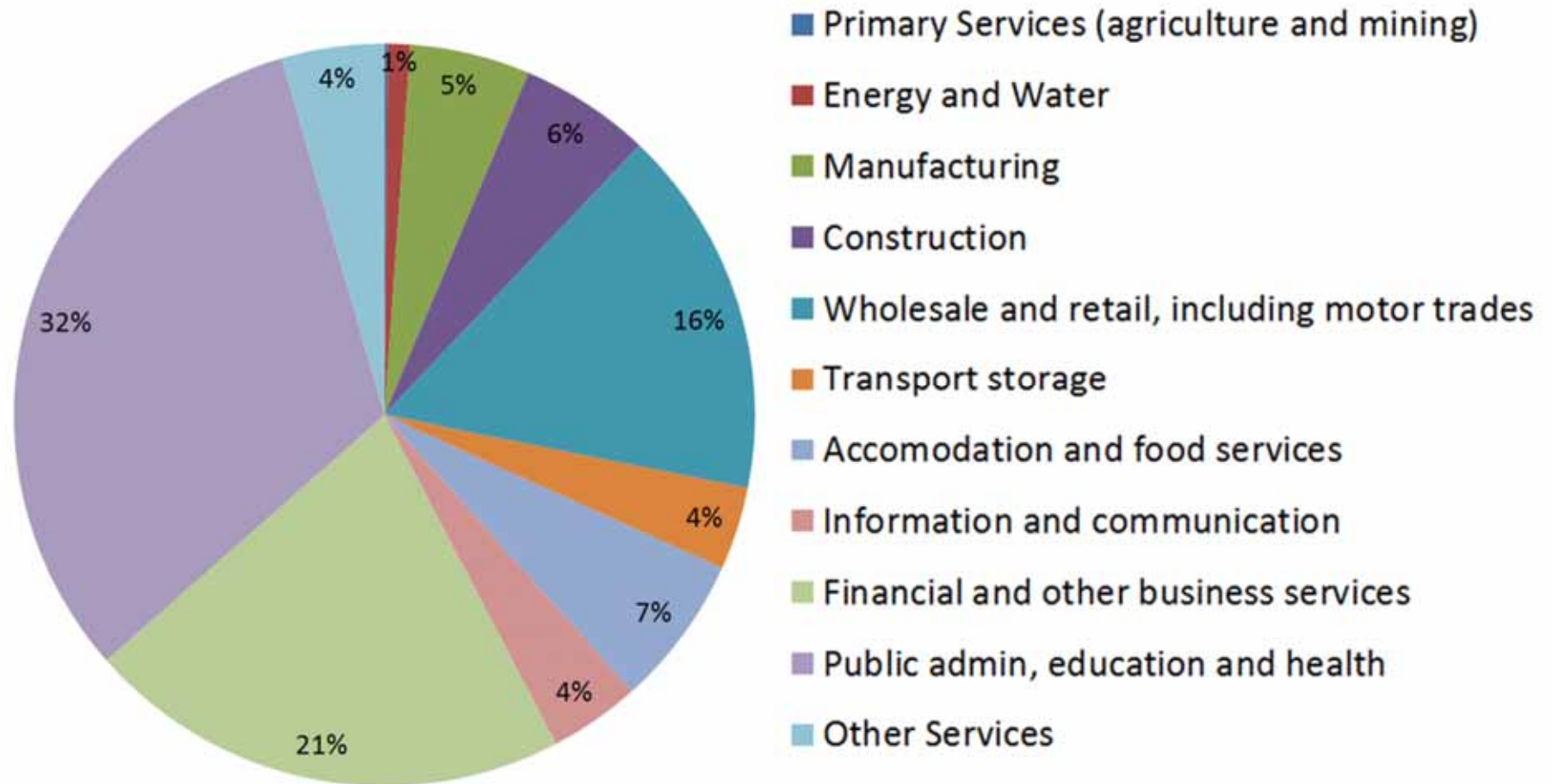
## Housing Delivery

2013/14	2014/15	2015/16	2016/17
470	826	792	1,002

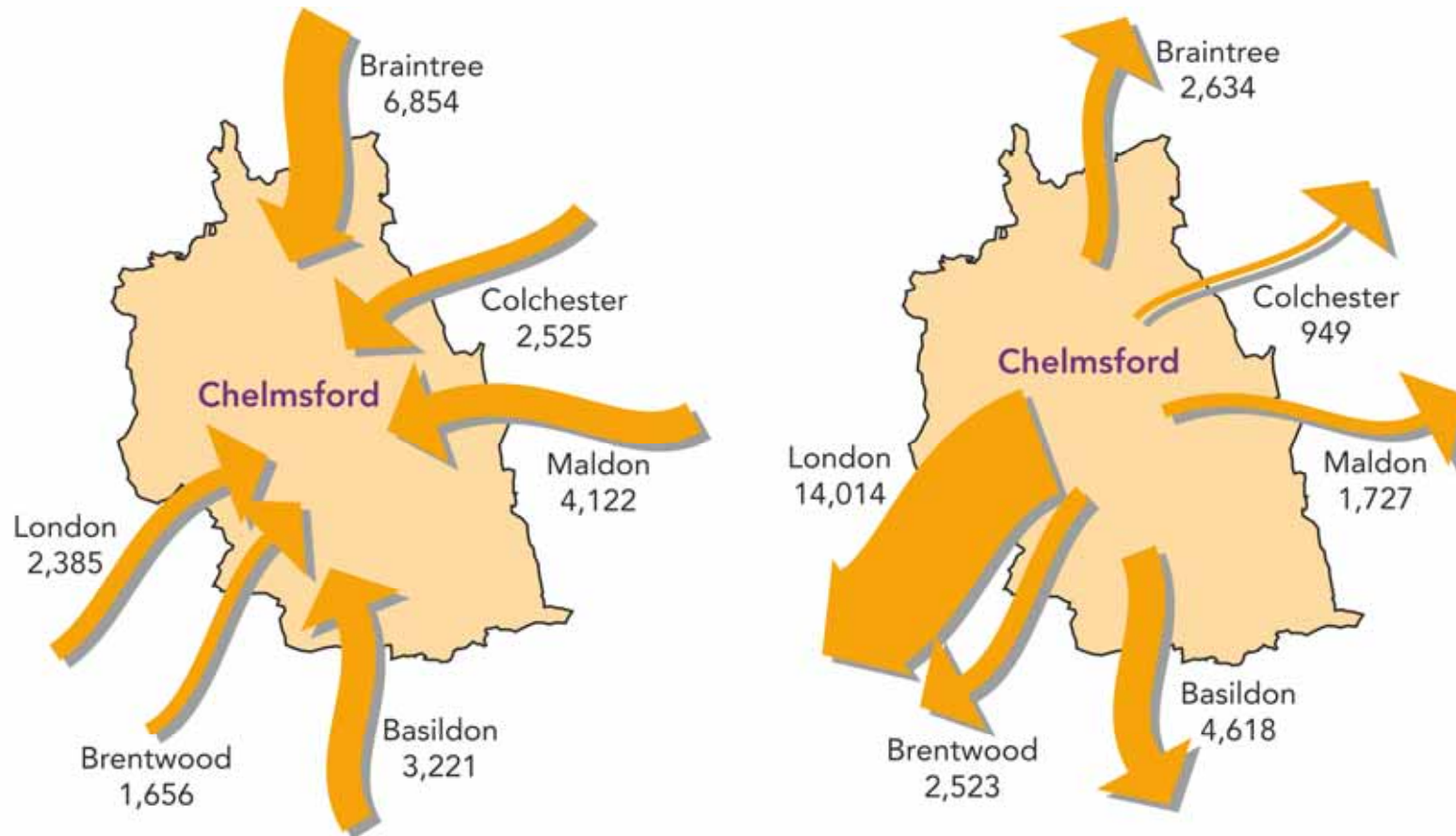
# Housing Projections



# Chelmsford's Economy: Sectors



# Travel to work



Source: ONS (2011)



# How much new development



Need:	805 homes a year
Supply:	950 homes a year



Need:	725 jobs a year
Supply:	792 jobs a year

# Pre-Submission Local Plan Key Changes

# Key Changes

## Strategy, Policies and Proposals

- Broad Spatial Strategy – Protection of Green Belt, Green Wedges and Corridors and Settlement Hierarchy unchanged
- Refined/expanded/updated policies e.g. Spatial Principles and Site allocations
- Stronger role for Neighbourhood Planning and masterplanning
- Recognition of emerging national standard housing need methodology
- New Monitoring and Review policy (Strategic Policy S15) – Review to commence in 2022

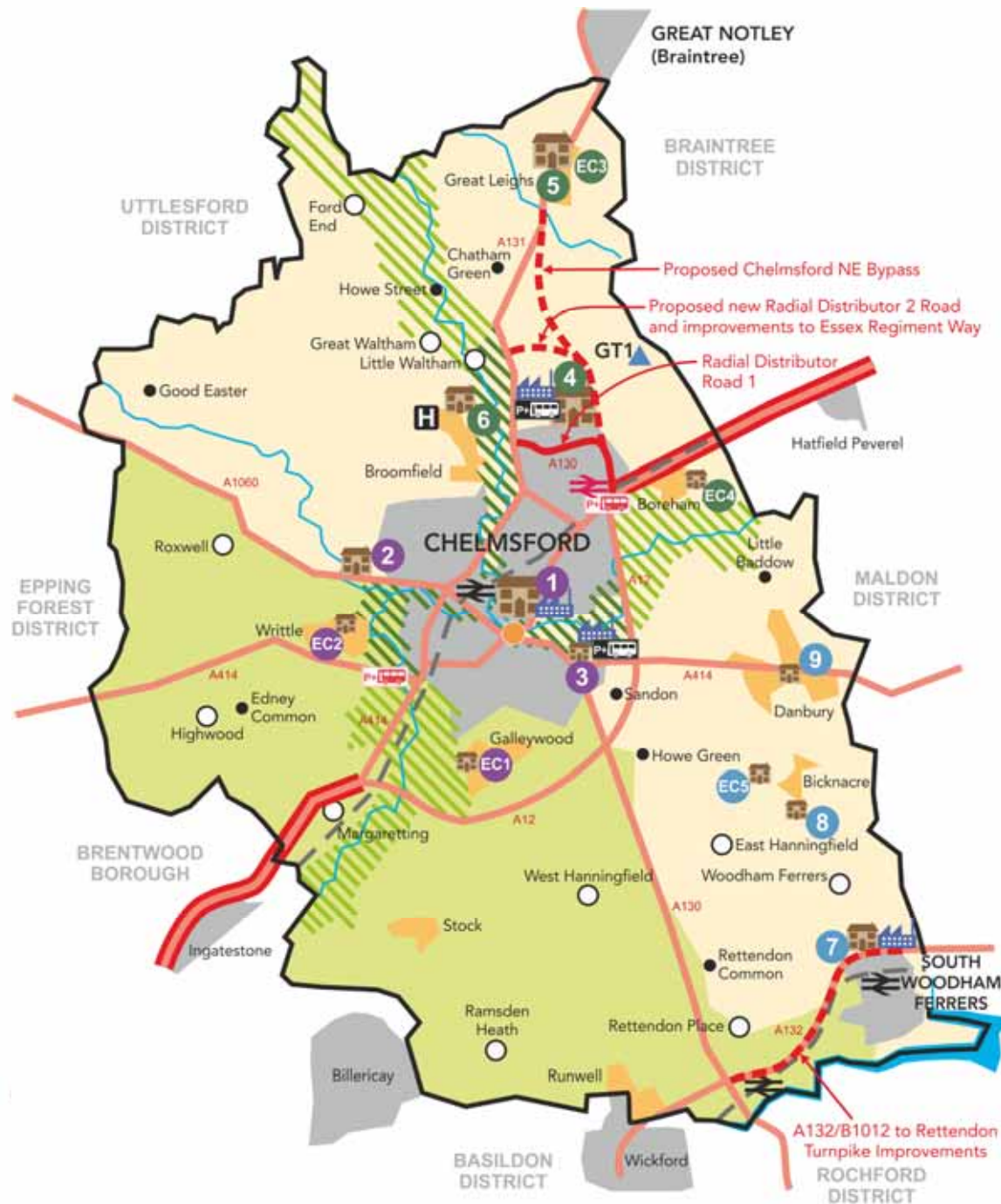
# Key Changes

## Proposed Site Allocations

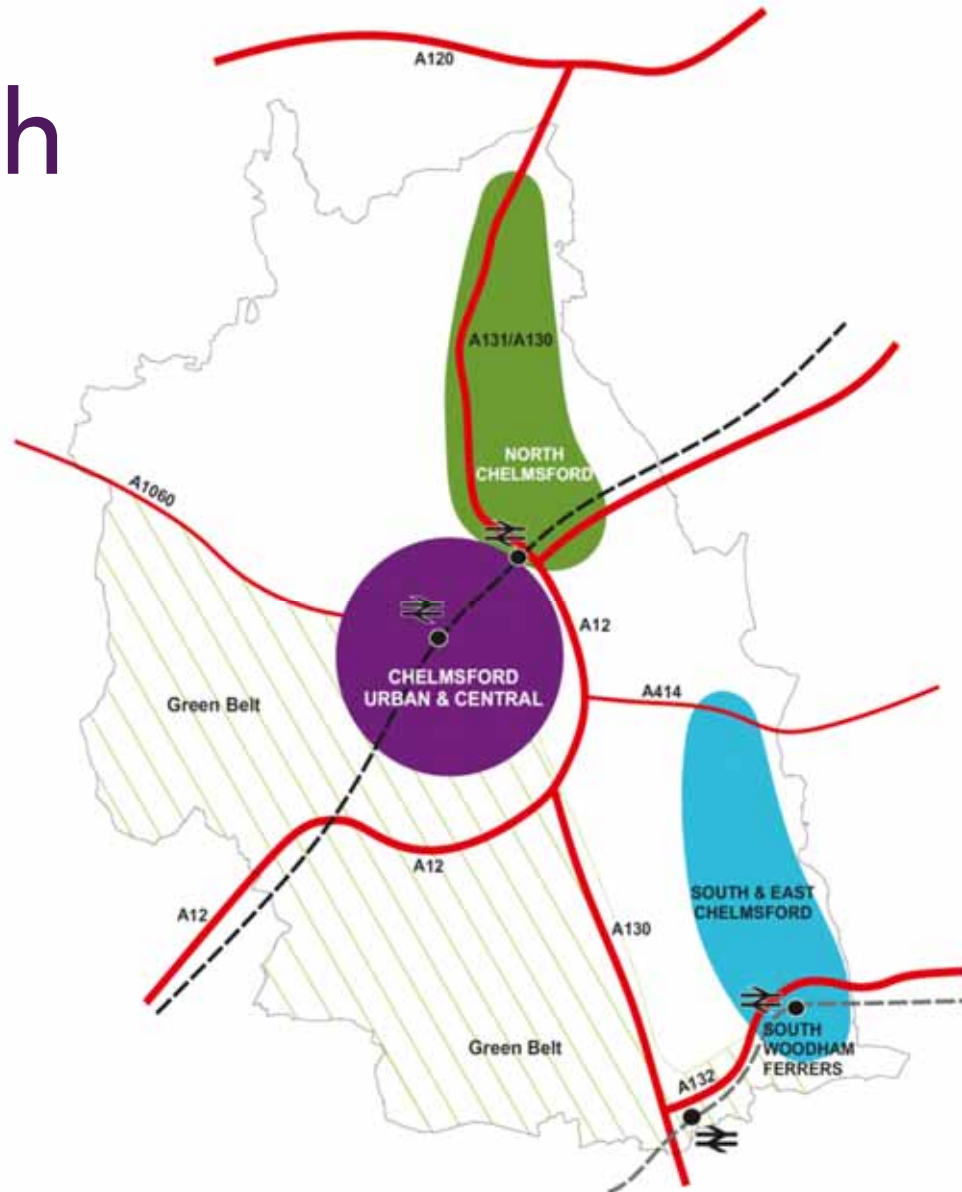
- Location of Strategic Sites unchanged from Preferred Options
- Removal of some City Centre sites due to delivery issues, but replaced with new sites – Urban capacity broadly the same
- Removal of existing Broomfield Place Site Allocation and reduction to 450 homes at Site Location 6 – North of Broomfield
- Revised site boundaries and notations at Site Location 2 - West Chelmsford, Site Locations 3 East Chelmsford, Site Locations 5 Great Leighs and Site Locations 6 North of South Woodham Ferrers

# Pre-Submission Local Plan Spatial Strategy

# The Spatial Strategy



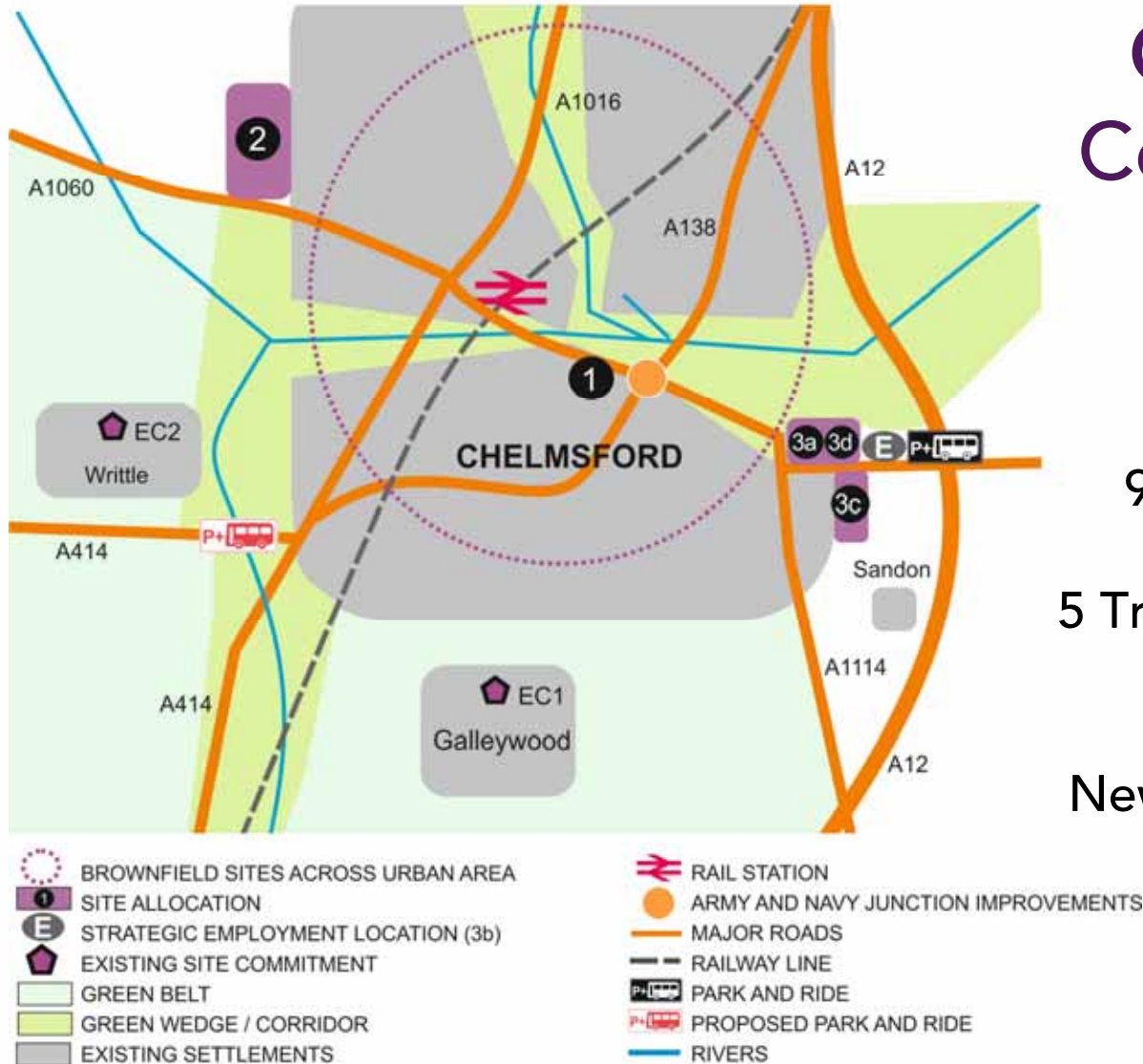
# The Growth Areas





# Growth Area 1 Central and Urban Chelmsford

3,400 new homes  
9,000sqm office/business  
11,500sqm food retail  
5 Travelling Showpersons plots  
4 Schools  
Country Park  
New access into Sandford Mill

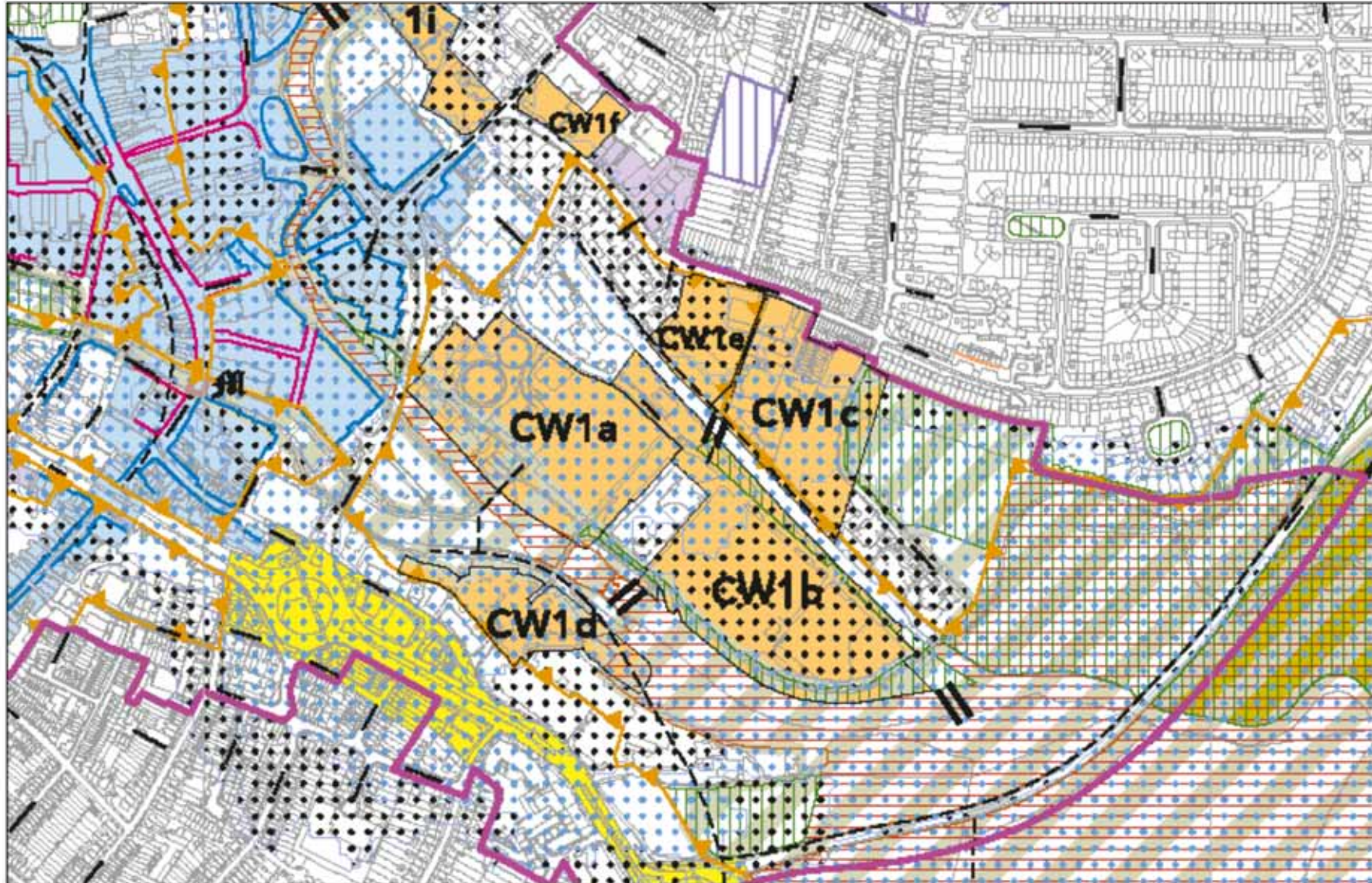




# Chelmer Waterside

CHELMSFORD DRAFT LOCAL PLAN PRE-SUBMISSION

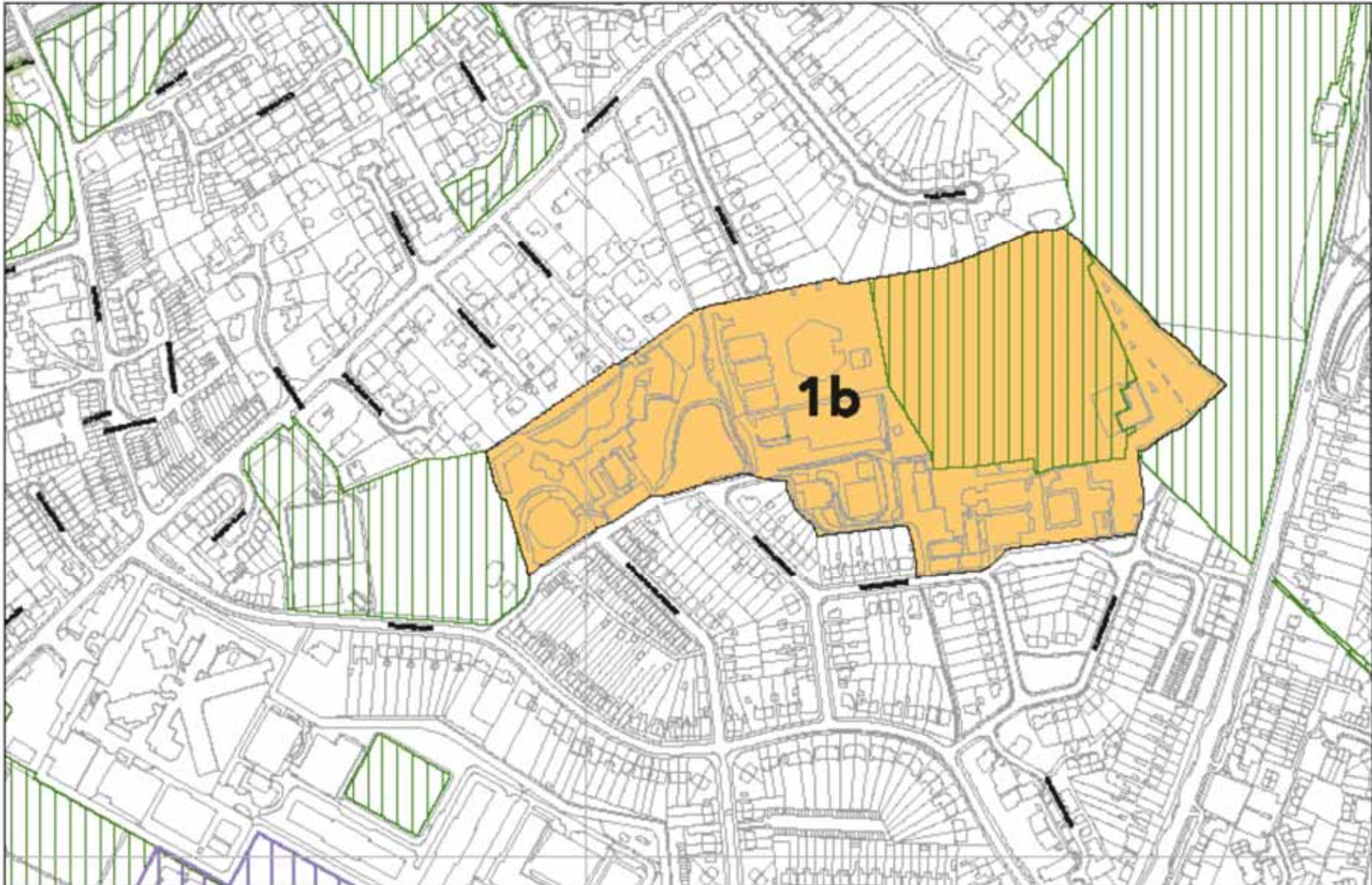
**SITES IN CHELMER WATERSIDE EXTRACT FROM CHELMERSFORD CITY CENTRE (2) INSET**





# Essex Police HQ

CHELMSFORD DRAFT LOCAL PLAN PRE-SUBMISSION  
**SITE 1b** EXTRACT FROM CHELMSFORD CITY CENTRE (2) INSET

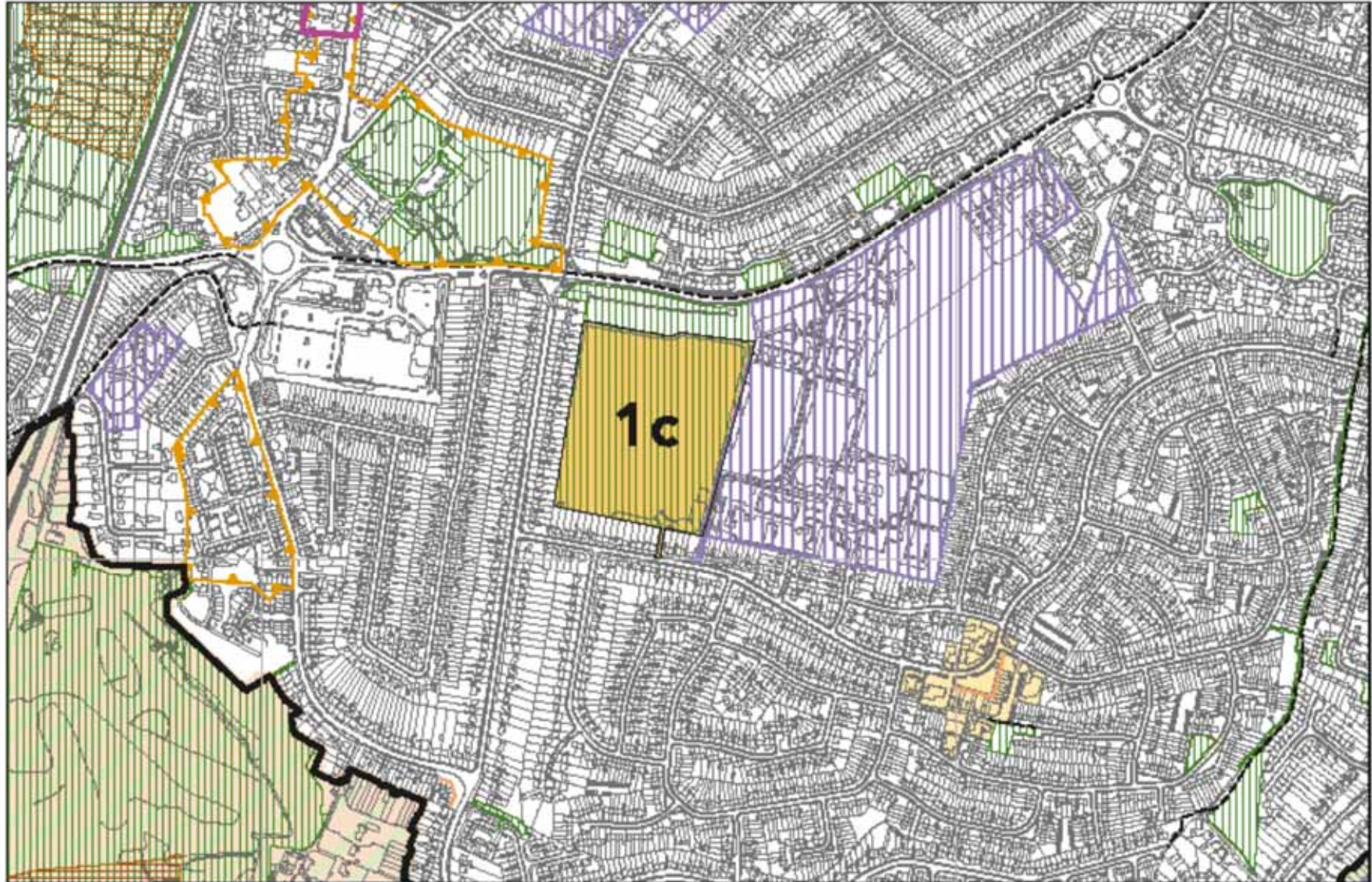




# North of Gloucester Avenue

CHELMSFORD DRAFT LOCAL PLAN PRE-SUBMISSION

**SITE 1c** EXTRACT FROM CHELMSFORD URBAN AREA (1) INSET

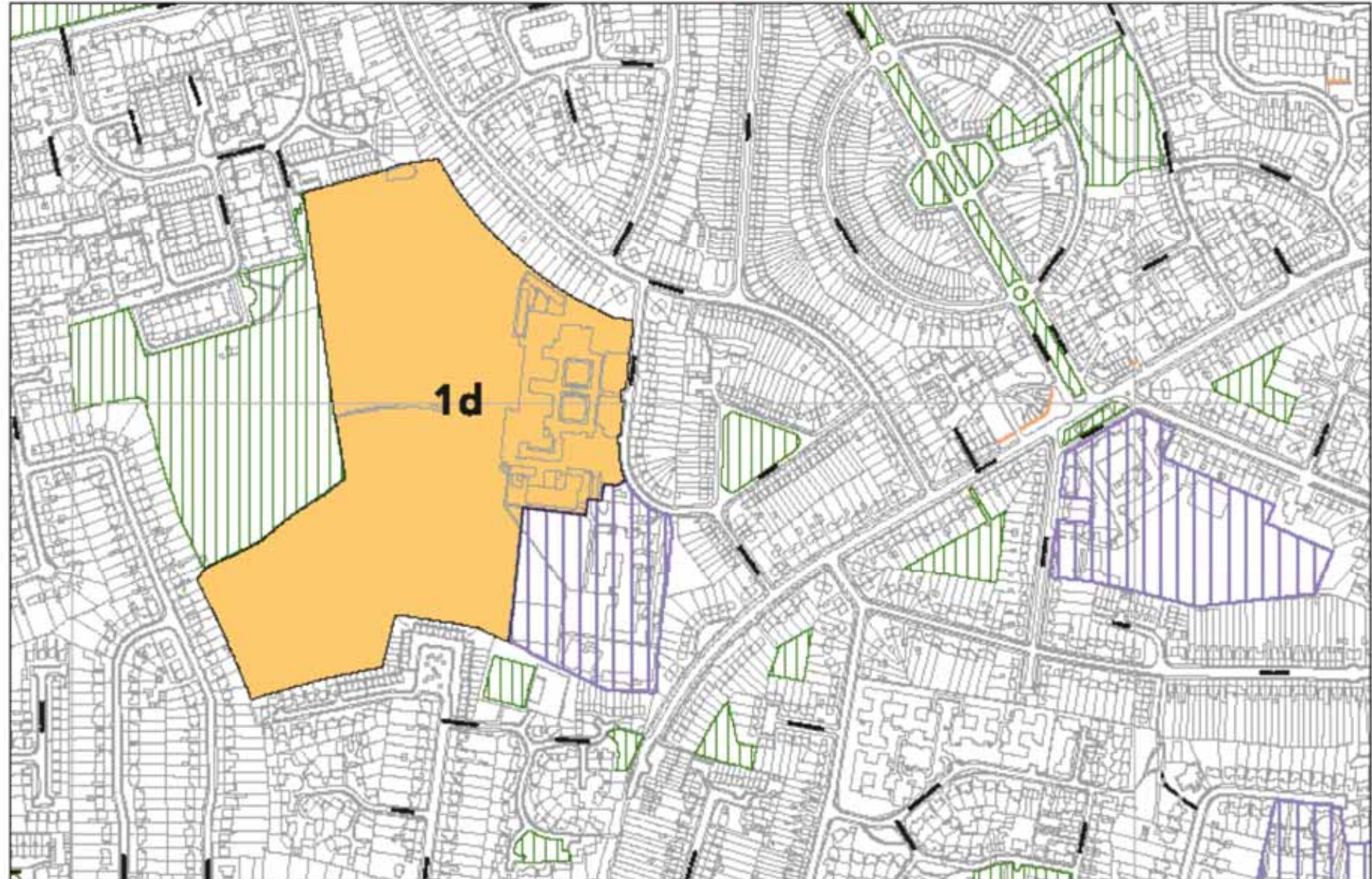




# St Peter's College

CHELMSFORD DRAFT LOCAL PLAN PRE-SUBMISSION

**SITE 1d EXTRACT FROM CHELMSFORD CITY CENTRE (2) INSET**

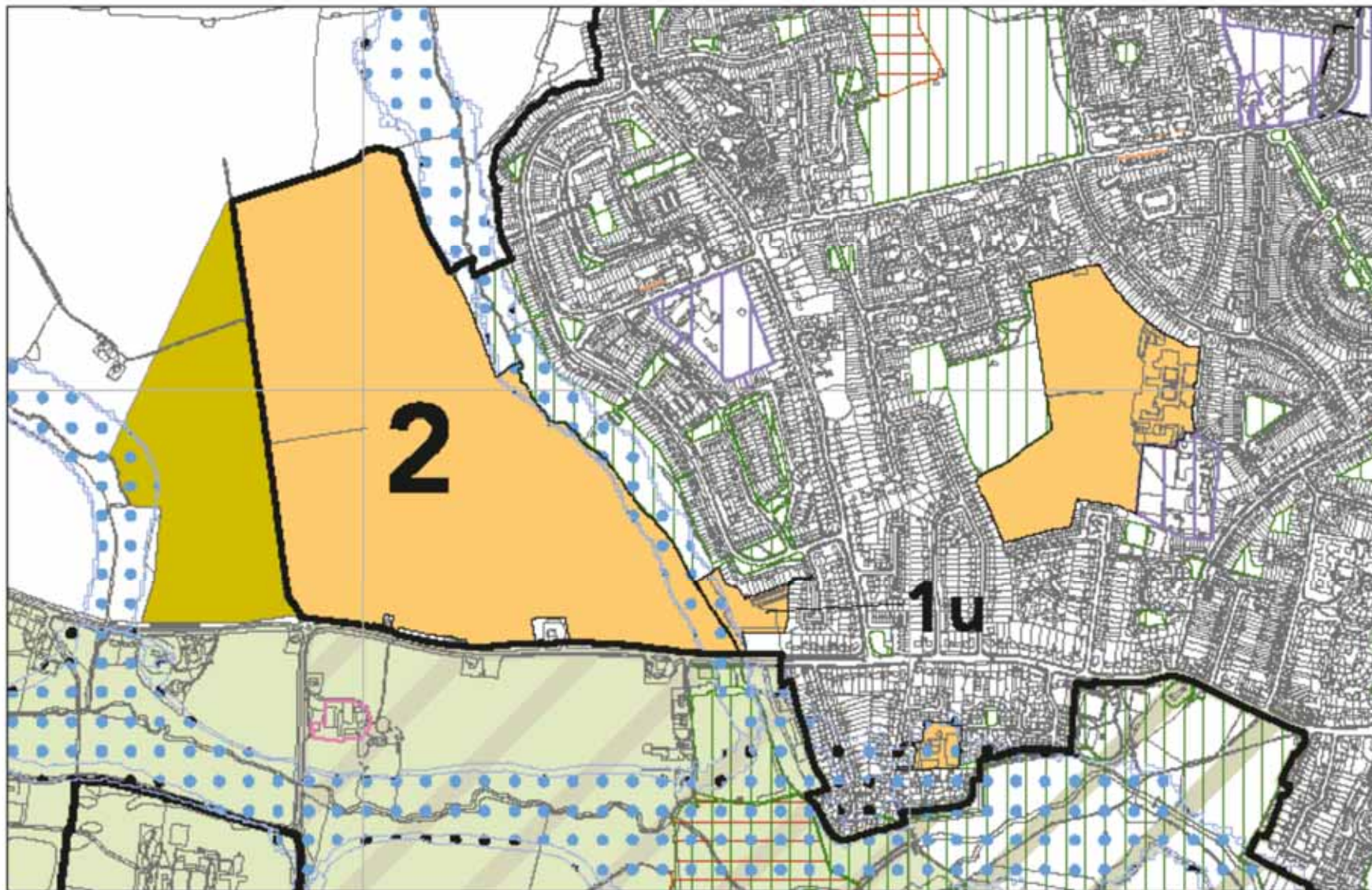




## 2. West Chelmsford

CHELMSFORD DRAFT LOCAL PLAN PRE-SUBMISSION

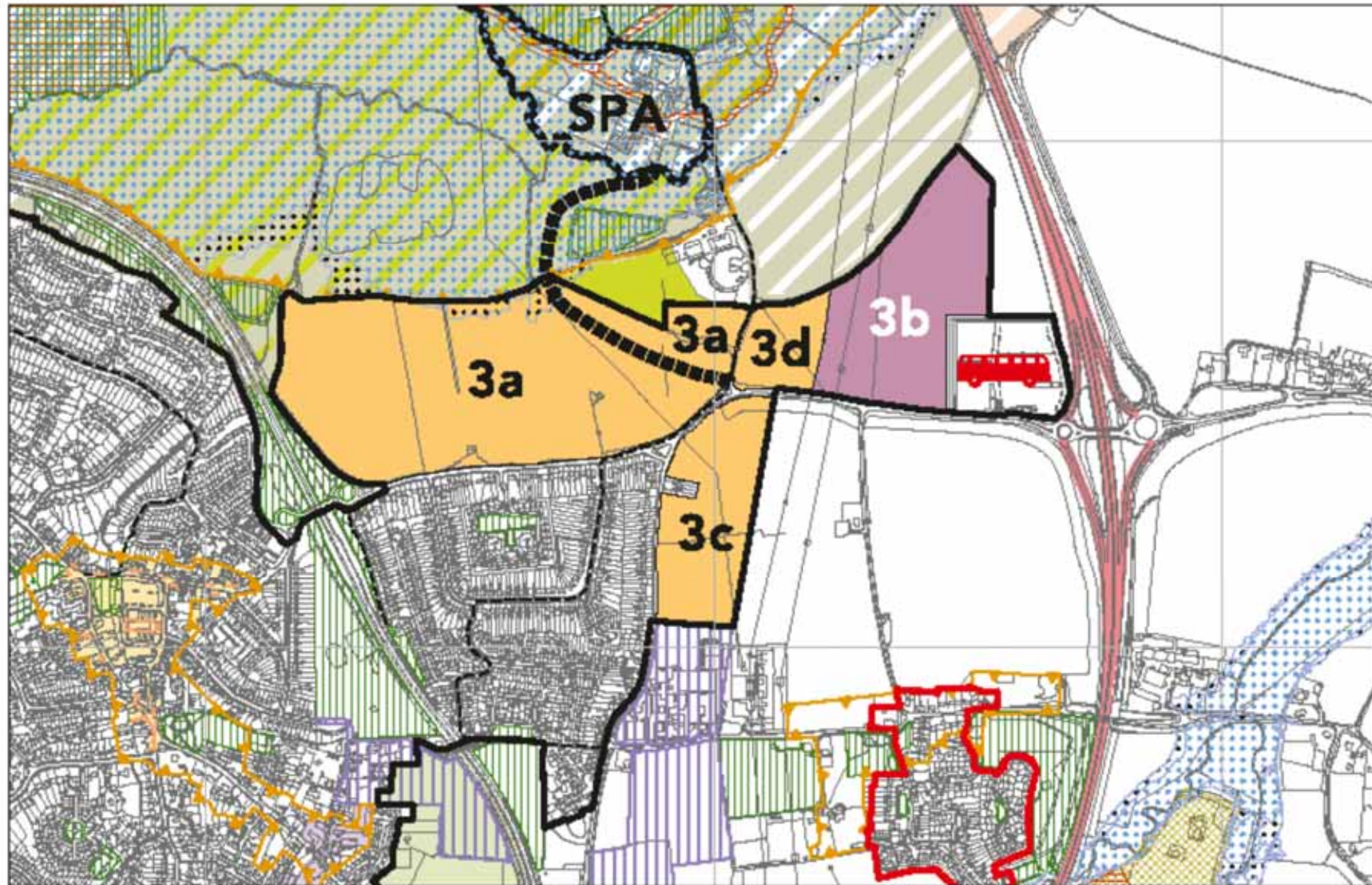
**SITE 2 AND 1u EXTRACT FROM CHELMSFORD URBAN AREA (1) INSET**





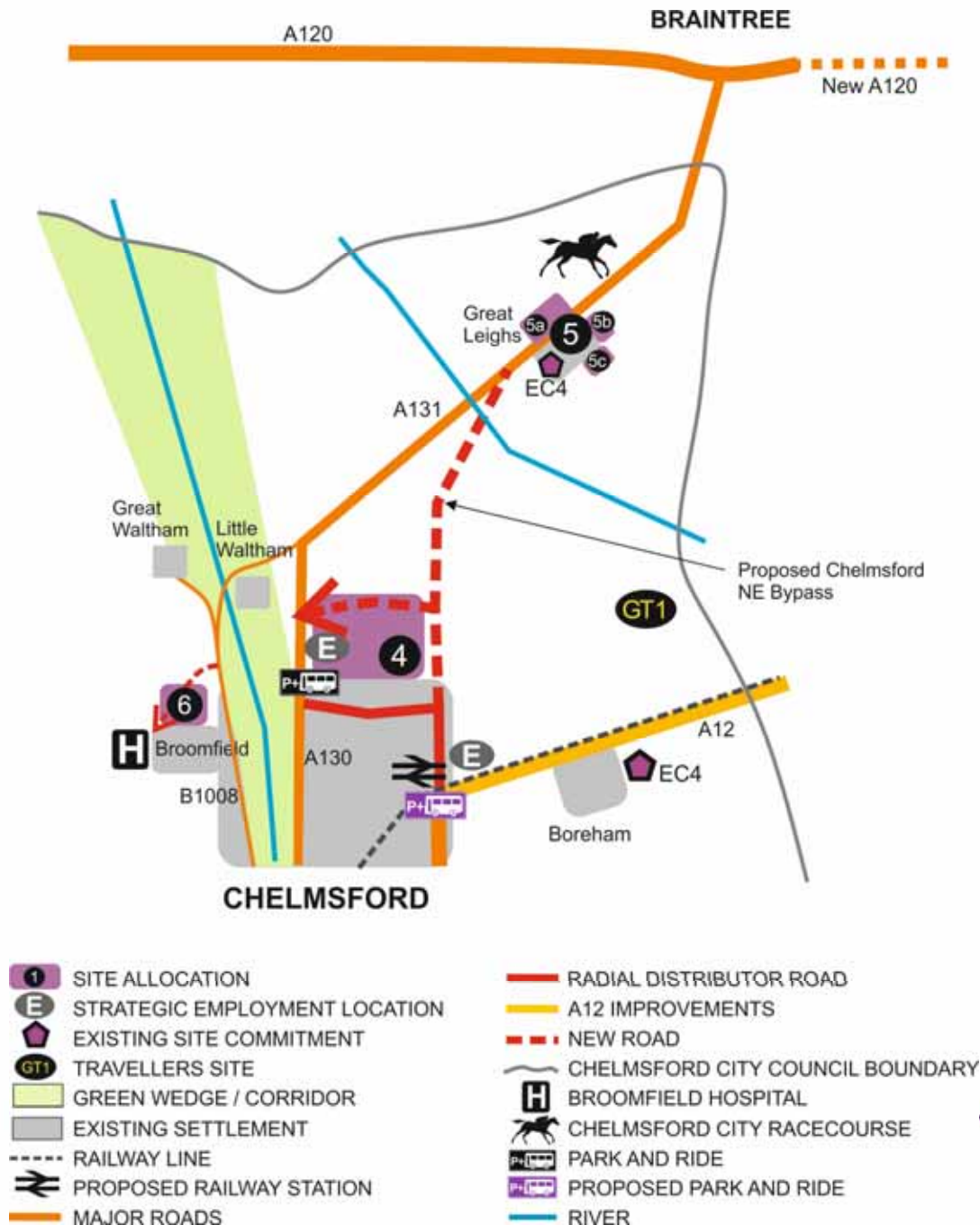
# 3a-d. East Chelmsford

CHELMSFORD DRAFT LOCAL PLAN PRE-SUBMISSION  
**SITE 3 EXTRACT FROM CHELMSFORD URBAN AREA (1) INSET**



# Growth Area 2 North Chelmsford

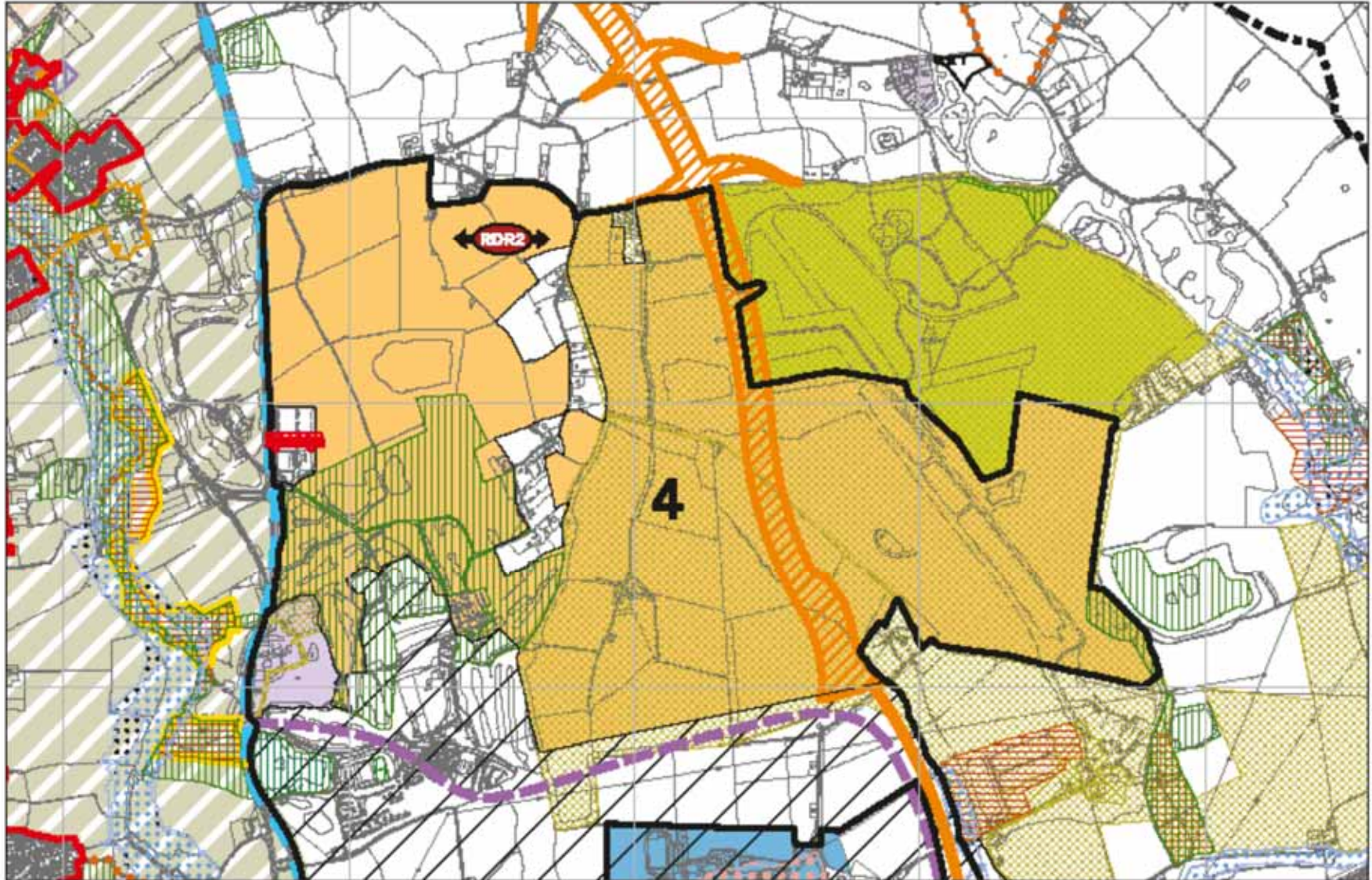
4,500 new homes  
45,000sqm new  
office/business  
14 Travelling Showpeople  
plots  
4 Schools  
Country Park  
CNEB, RDR2, new access  
into Hospital  
Beaulieu Station, ChART  
Neighbourhood Centres





# 4. North East Chelmsford

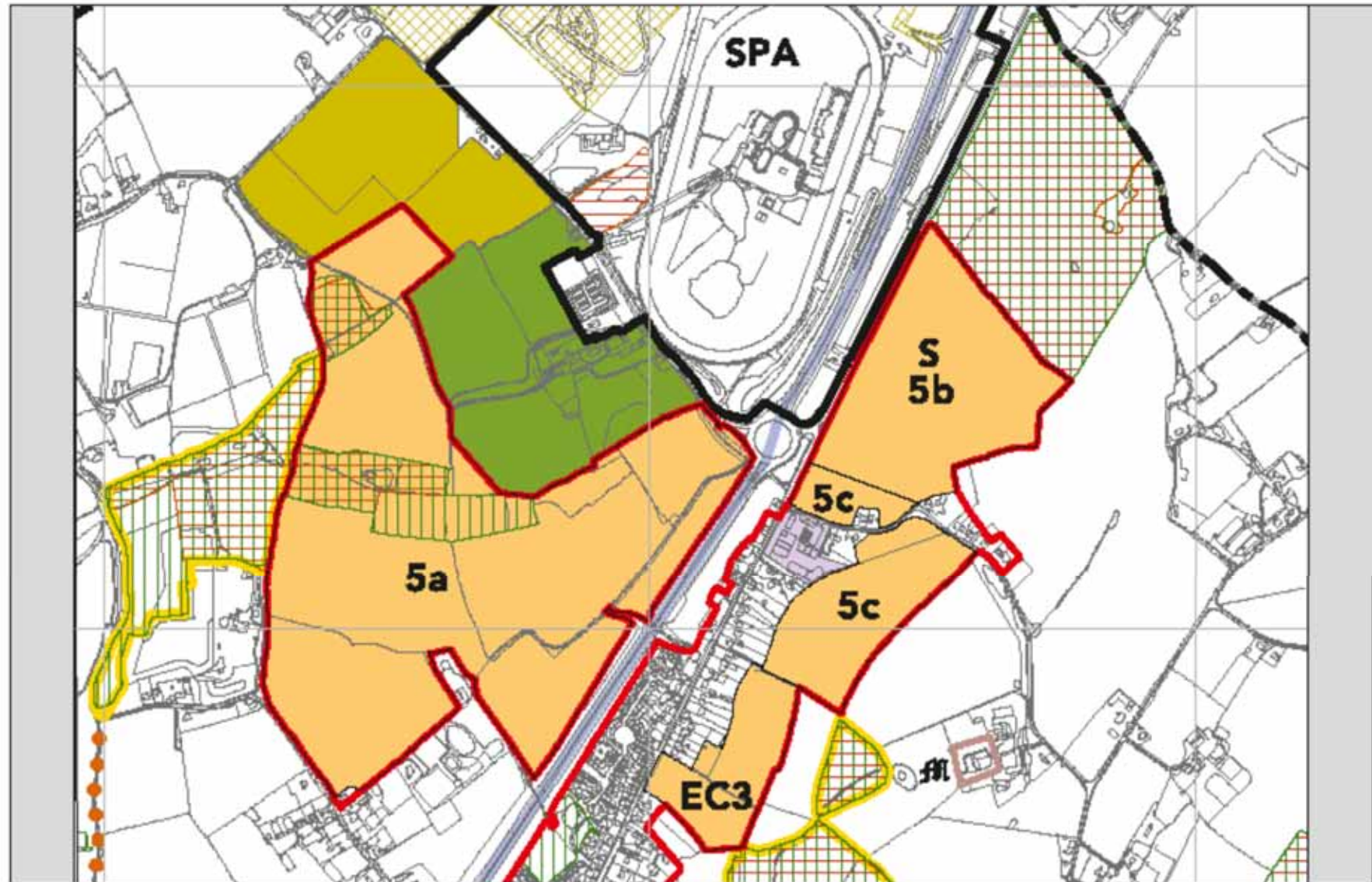
CHELMSFORD DRAFT LOCAL PLAN PRE-SUBMISSION  
SITE 4 EXTRACT FROM CHELMSFORD URBAN AREA (1) INSET





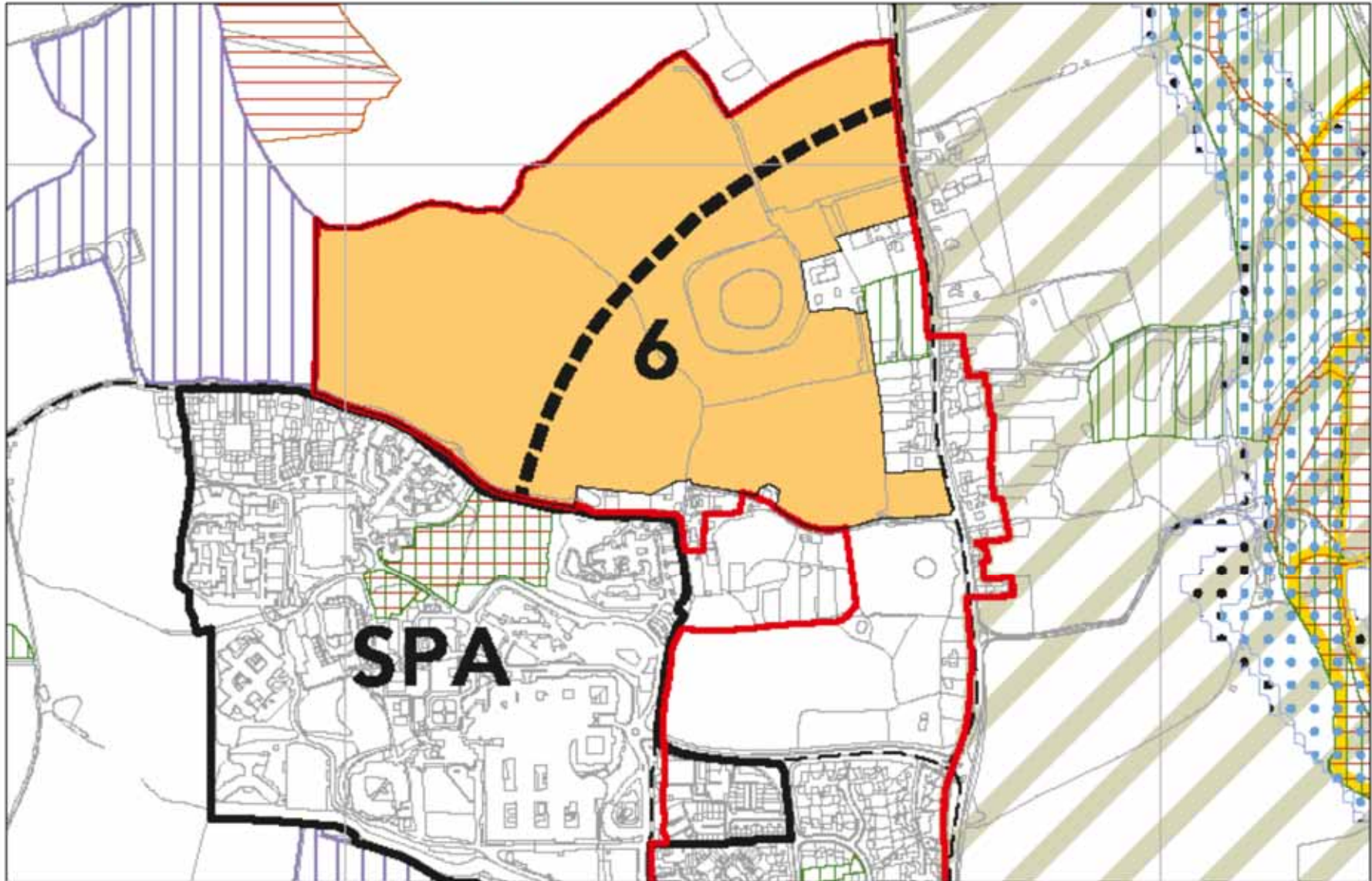
# 5a-c. Great Leighs

CHELMSFORD DRAFT LOCAL PLAN PRE-SUBMISSION  
**SITE 5 AND EC3 EXTRACT FROM GREAT LEIGHS (16) INSET**



# 6. North of Broomfield

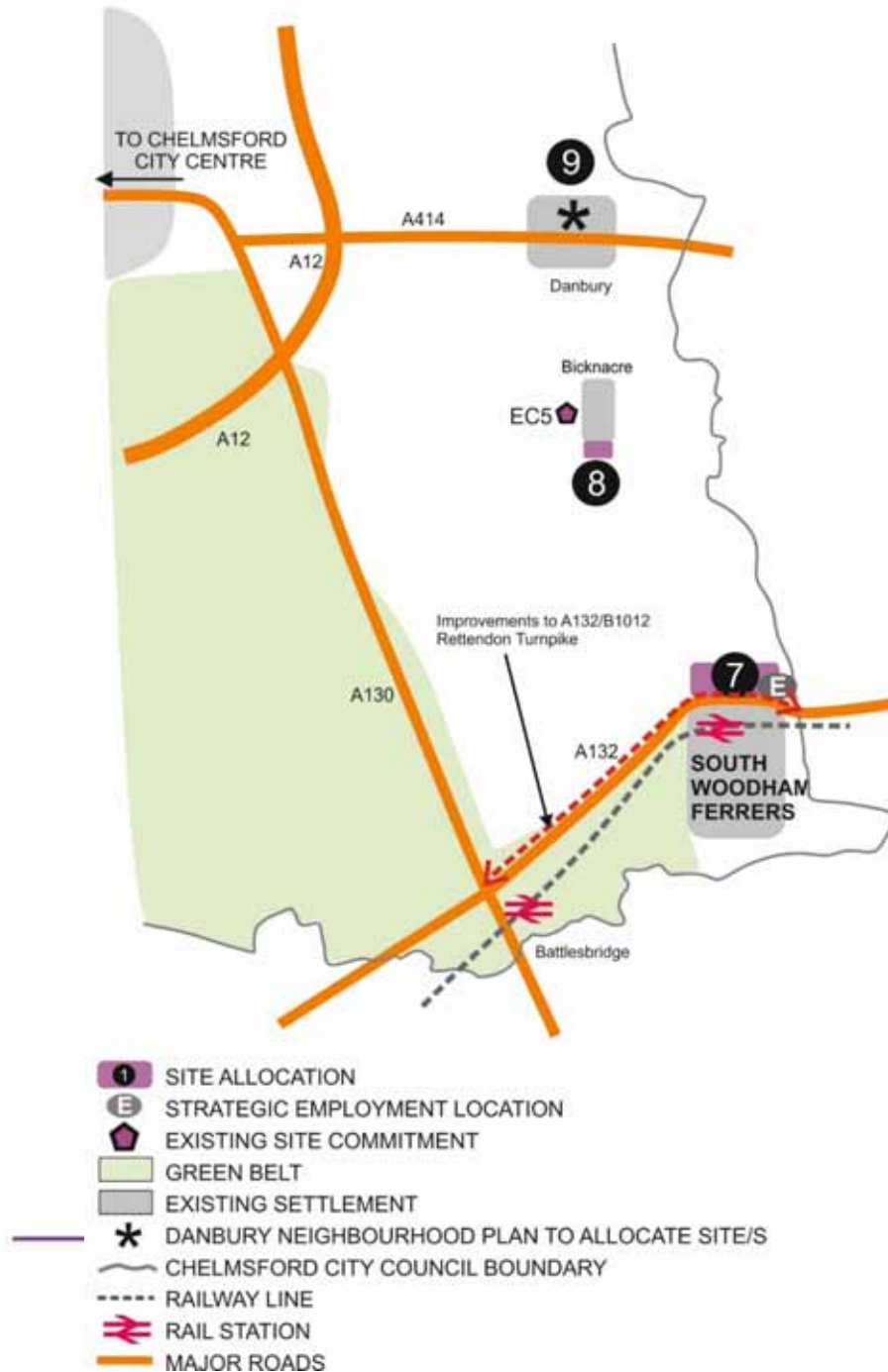
CHELMSFORD DRAFT LOCAL PLAN PRE-SUBMISSION  
**SITE 6 EXTRACT FROM BROOMFIELD (8) INSET**





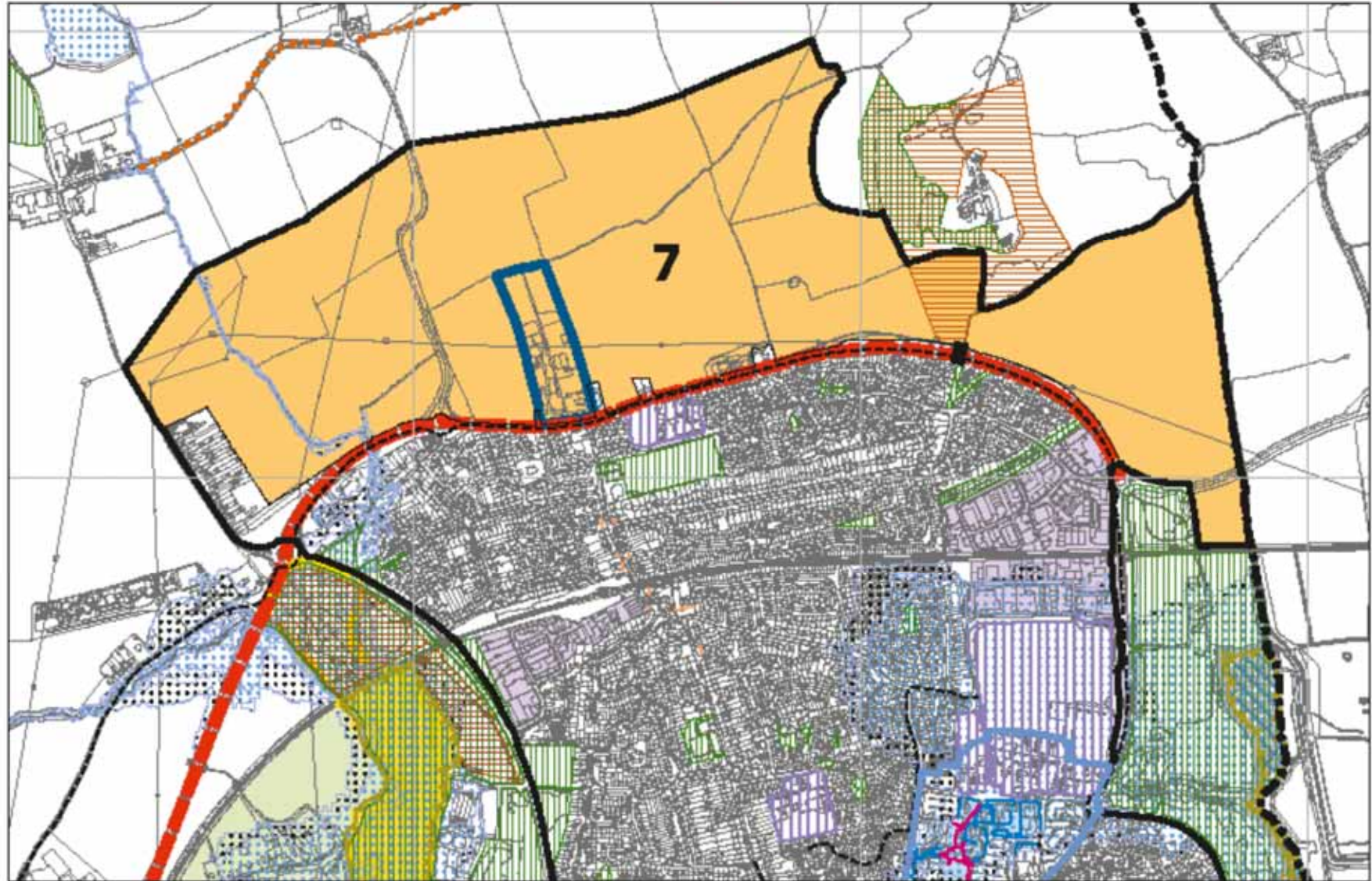
# Growth Area 3 South and East Chelmsford

1,100 new homes  
1,000sqm flexible business space  
1,900 sqm food retail  
5 Travelling Showpeople plots  
Reserve site for new school  
Improvements to  
A132/Rettendon Turnpike



# 7. North of SWF

CHELMSFORD DRAFT LOCAL PLAN PRE-SUBMISSION  
**SITE 7 EXTRACT FROM SOUTH WOODHAM FERRERS (3) INSET**



# Improved Infrastructure - Transport





# Improved Infrastructure - Public Transport



# Improved Infrastructure – Education, Community, Environment, Utility



# Evidence Base

- 100+ reports to inform and support the Local Plan
- Cover a wide variety of plan-making topics
  - Housing, Employment and Infrastructure Needs
  - Highways, Water Cycle and Flood Risk Modelling
  - Plan Viability
  - Landscape Capacity and Heritage
  - Sustainability Appraisal and Habitats Assessment
  - Consultation Feedback and Duty to Cooperate



# Consultation

# What, when and how

- Pre-Submission Local Plan and its supporting Sustainability and Habitats Regulations Assessments
- Wide-ranging consultation from **31 January to 14 March 2018**
- Consultation focuses on soundness and/or compliance with legal requirements
- Encourage comments to be submitted via dedicated portal - [www.chelmsford.gov.uk/planningpolicyconsult](http://www.chelmsford.gov.uk/planningpolicyconsult)
- All representations sent to Inspector alongside a main issues report and any minor modifications sought

# Soundness

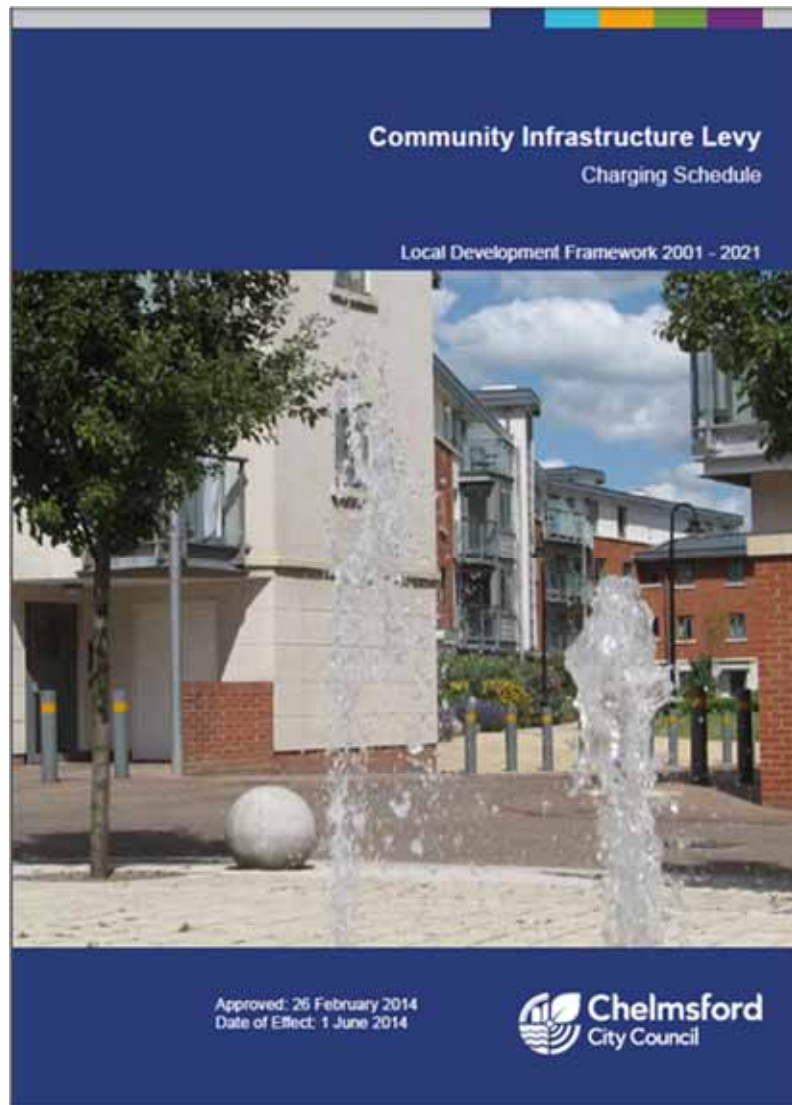
Need to produce a 'sound' Local Plan

- **Positively prepared** – based on a strategy which seeks to meet objectively assessed development and infrastructure requirements
- **Justified** – the most appropriate strategy, when considered against the reasonable alternatives
- **Effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **Consistent with national policy** – will enable the delivery of sustainable development in accordance with policies in the NPPF

# Examination Hearing Sessions

- Inspector will publish his/her matters and issues following a desk-top examination of the plan
- Hearings will enable the Inspector to clarify remaining issues fundamental to the soundness and/or legal compliance
- Inspector will lead the hearing session discussions with the Council and invited participants
- Written representations carry as much weight as oral evidence
- Inspector will set out his/her conclusions in a Report

# CIL Review Update



# CIL Review

- Current Charging Schedule approved 2014
- Awaiting Government Consultation on future of CIL
- Charging Schedule Review to commence in 2020

# Neighbourhood Plan Update



# Plans in progress

There are seven Neighbourhood Plans in progress:

- Boreham
- Broomfield
- Danbury
- Little Baddow
- Sandon
- South Woodham Ferrers
- Writtle

... and others have expressed an interest

# Questions/Discussion





## **Guidance Note**

### **Mechanism for the Consideration of Unmet Housing Need**

This Guidance Note was approved by the Essex Planning Officers' Association at its meeting on 7 September 2017.

# Essex Planning Officers' Association (EPOA)

## Mechanism for the Consideration of Unmet Housing Need – September 2017

### 1 Introduction

- 1.1 At a Duty to Co-operate meeting for Chelmsford's Local Plan in May 2017, it was identified by participants that there was a need for a high-level process or mechanism to be agreed to guide how potential unmet housing needs are considered by all Essex authorities. Other requests by individual local authorities to potentially accommodate their 'unmet' housing need have been made in responding to recent Local Plan consultations. It was considered important to address this matter, as the lack of such a mechanism was identified as key issue by the Inspector at the Castle Point Local Plan Examination.
- 1.2 The EPOA Policy Forum discussed the matter at its meeting on 6 June and a Task Finish Group with membership from each of the Essex HMAs was established.



**Housing Market Areas in Essex**

- |   |              |
|---|--------------|
| 1. West Essex - Epping Forest, Harlow and Uttlesford (+East Hertfordshire)      | 4. Maldon    |
| 2. South Essex - Basildon, Castle Point, Rochford, Southend-on-Sea and Thurrock | 5. Brentwood |
| 3. North and Central Essex - Braintree, Chelmsford, Colchester and Tendring     |              |

### 2 Policy Context

- 2.1 **Housing Need** - Paragraphs 47 and 159 of the NPPF states the full, objectively assessed needs for market and affordable housing are assessed for the housing market area (FOAHN). Jointly prepared Strategic Housing Market Assessments (SHMAs) identify the 'policy off' demographic derived need, making further adjustments for employment projections, affordability, the needs of specific groups in the community and wider market signals.

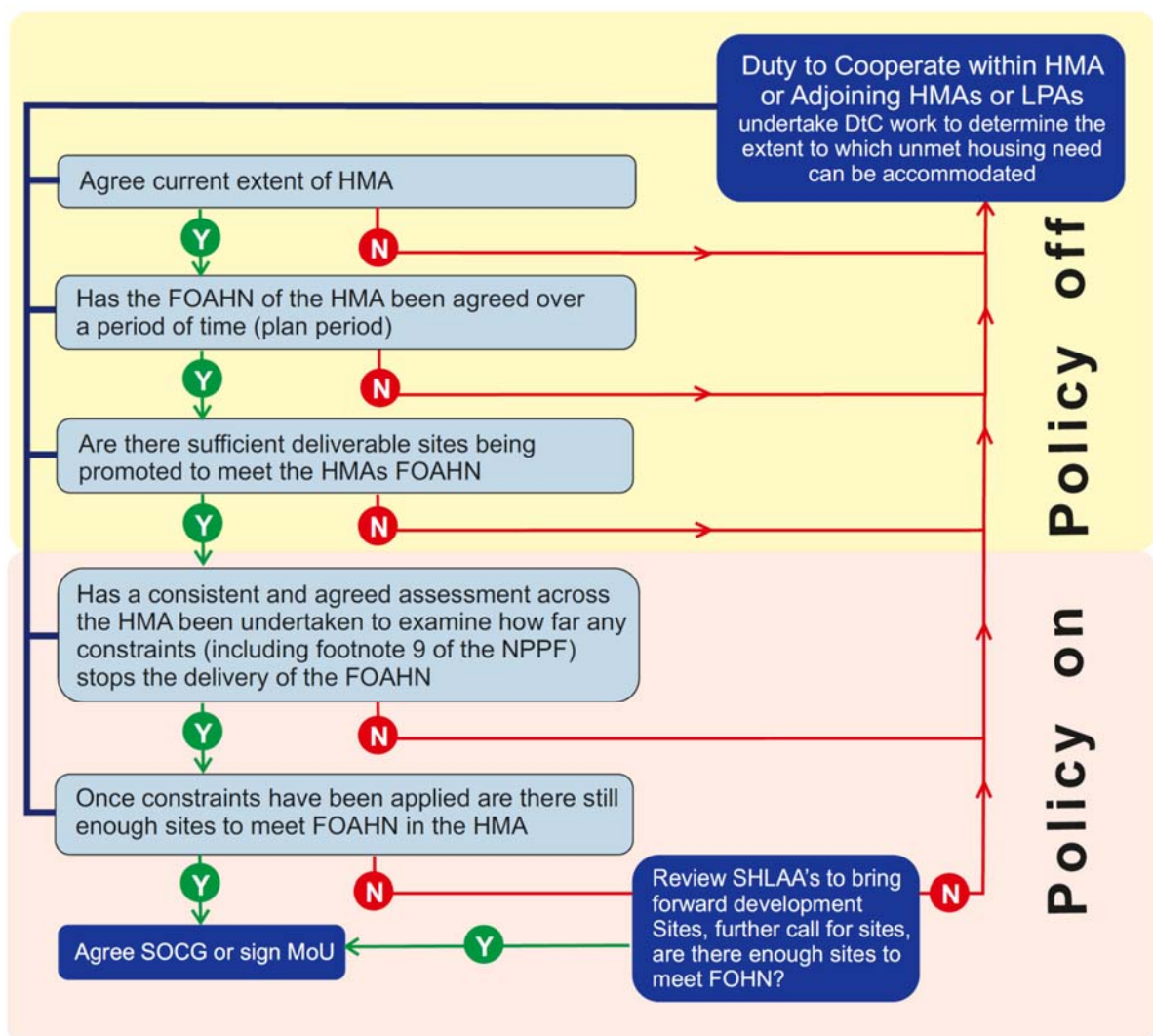
2.2 **Housing Supply** – Paragraph 159 of the NPPF identified the need to prepare a Strategic Housing Land Availability Assessment which identifies the potential supply of housing sites.

### 3 Process

3.1 To have a clear understanding of the housing needs in their HMA, local planning authorities, in partnership with neighbouring authorities and HMAs, should:

- 1) Agree their full objectively assessed housing number
- 2) Irrespective of policy constraints, assess whether there are sufficient available and achievable housing sites to deliver the identified housing need
- 3) Agree a consistent approach and methodology for assessing policy constraints across the HMA
- 4) If there is an unmet housing requirement – reassess SHLAA, potentially re-distribute within HMA and then consider request to adjoining HMA.

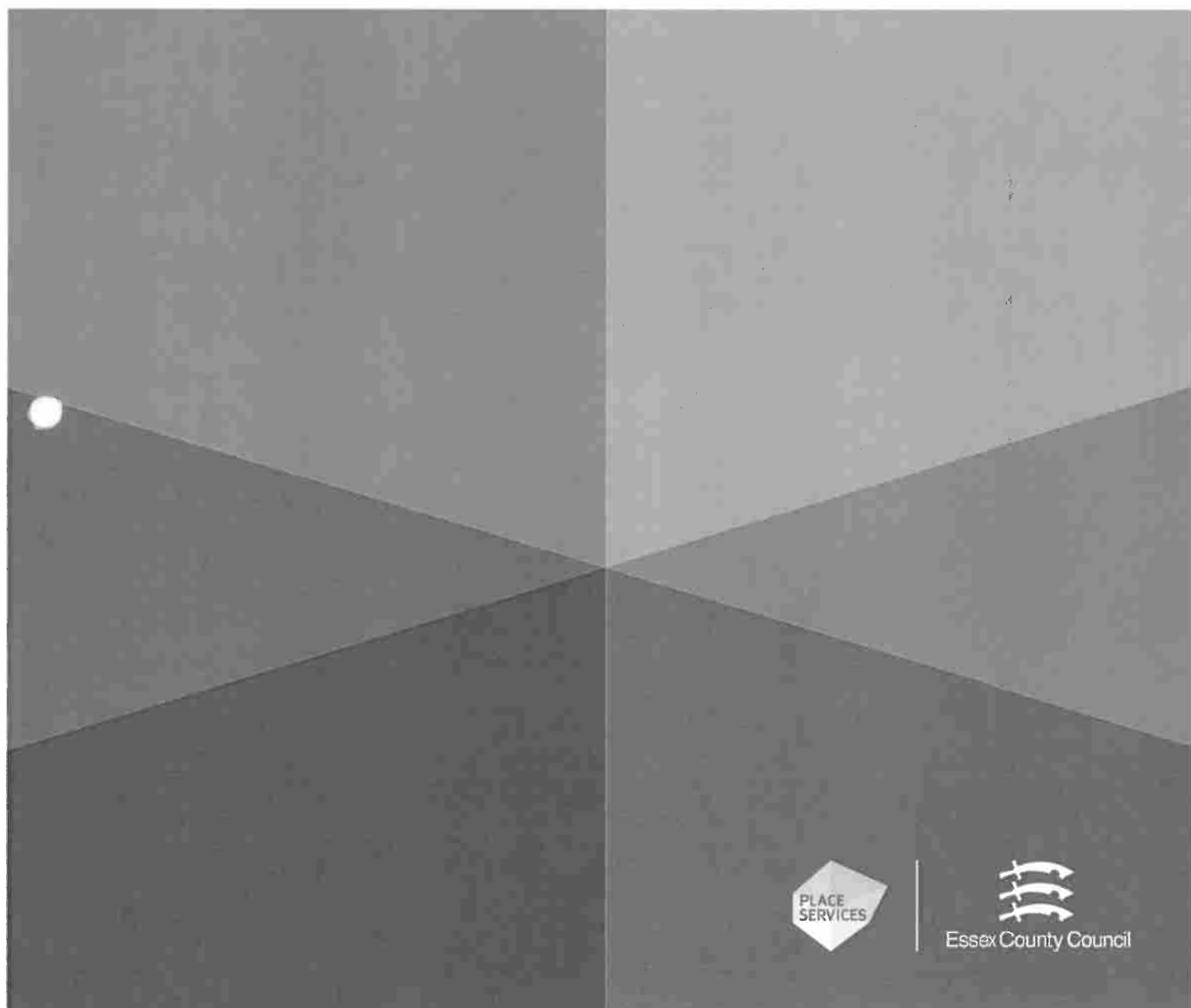
3.2 Consideration will be given to the use of third parties such as the Planning Advisory Service (PAS) or Planning Officers Society (POS) in the case of disputes over this process.





# The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy

**Memorandum of Understanding – January 2017**



## 1. Introduction

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The Habitats Regulations Assessments, produced under the Habitats Directive (92/43/EEC), of the Local Plans of Basildon Borough Council, Braintree District Council, Brentwood Borough Council, Castle Point Borough Council, Chelmsford City Council, Colchester Borough Council, Rochford District Council, Southend-on-Sea Borough Council, Tendring District Council and Thurrock Council, set out mitigation measures to address potential effects of recreational disturbance on coastal European sites. Maldon District Council's adopted Local Plan was also supported by a HRA but this did not indicate the need for such mitigation. Advice to the Council from Natural England subsequent to the adoption of the Plan confirmed the need to address potential effects from new development.

The 11 Councils will produce a shared mitigation strategy to identify the measures that are needed and how they will be funded and delivered.

## 2. Partners to the Agreement

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The partners to this agreement are:

- Basildon Borough Council, Basildon Centre, St Martin's Square, SS14 1DL
- Braintree District Council, Causeway House, Bocking End, CM7 9HB
- Brentwood Borough Council, Town Hall, Ingrave Road, CM15 8AY
- Castle Point Borough Council, Kiln Rd, Thundersley, Benfleet, SS7 1TF
- Chelmsford City Council, Civic Centre, Duke St, CM1 1JE
- Colchester Borough Council, Rowan House, 33 Sheepen Road, CO3 3WG
- Maldon District Council, Council Offices, Princes Road, Maldon, CM9 5DL
- Rochford District Council, Council Offices, South Street, SS4 1BW
- Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, SS2 6ER
- Tendring District Council, Town Hall, Station Road, CO15 1SE
- Thurrock Council, Civic Offices, New Road, Grays, RM17 6SL

Collectively called **'the Partners'**.

## 3. Definitions

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- 1) **"The Project"** means the production of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) and shall consist of 5 phases as follows:
  - Phase 1 - Production of project plan to outline the desired outcomes of the Recreational disturbance Avoidance and Mitigation Strategy.





- Phase 2 - Production of an Evidence Base Report, using existing survey information provided by the Partners. Identify any required future surveys.
  - Phase 3 - Undertake required surveys to inform the Recreational disturbance Avoidance and Mitigation Strategy.
  - Phase 4 - Produce Recreational disturbance Avoidance and Mitigation Strategy using collected survey information.
  - Phase 5 – Produce a single joint Supplementary Planning Document setting out the level of contributions, undertaking SCI compliant consultation and adoption by each authority.
- 2) **“Project Representative”** means an individual appointed by each of the Partners for the purposes of the project.
  - 3) **“The Project Plan”** means the project plan approved by all of the Partners.
  - 4) **“Project Coordinator”** means Place Services-Essex County Council
  - 5) Words in the singular include the plural and vice versa and words denoting any gender include any other gender.
  - 6) A reference to any Act of Parliament or to any order, regulation or statutory instrument shall include any amendment or re-enactment of the same.
  - 7) The headings and sub-headings in this agreement are for ease of reference only and shall not affect its construction.

## 4. Nature of the Agreement

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- 2.1. This agreement sets out the understanding between the Partners relating to the Project. This agreement:
  - 2.1.1. Relates only to the arrangements between the Partners
  - 2.1.2. Does not relate to any other agreement or understanding between the Partners
  - 2.1.3. May be extended with agreement of all of the Partners to include other local authorities or organisations who wish to join the Project

## 5. Governance Arrangements

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- 5.1. Participation in the project is a matter for each Partner, and each partner is responsible for seeking necessary approvals for participation and securing financial contributions. Securing key project decisions including approval of the final RAMS report and support for consultation and adoption of the SPD are also the responsibility of individual Partners, as per their own schemes of delegation and governance arrangements.



- 5.2. Place Services will provide support for individual governance arrangements by providing template reports for update by individual partners. Place Services will seek to meet reporting deadlines and update the project plan to reflect such matters during the course of the project.
- 5.3. The Essex Planning Officers Association is the Essex-wide sponsor for the project, championing the delivery of the RAMS report as evidence to support sustainable local development and inform strategic planning decisions in Essex. No direct input into the Project is anticipated from EPOA, but individual Partners are encouraged to report updates to their EPOA representative as necessary. Place Services undertake to report progress to EPOA as necessary, or at the request of the EPOA Chair.
- 5.4. Involvement of Elected Members is encouraged via individual partners local plan reporting committees or member briefing forums, as a mechanism to ensure formal approvals later in the timetable can be achieved in a timely manner. This is the responsibility of individual partners.
- 5.5. Natural England has consented to support the project, providing guidance and technical advice throughout the process, attending the steering group meetings and workshop sessions. Although not included as a Partner, their input will be recognised through the RAMS, and SPD where their formal advice will build upon their interim advice to the Authorities (December 2017) and best practice.

## 6. General Responsibilities

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- 6.1. Each of the Partners will co-operate with one another in a spirit that is honest and open.
- 6.2. Each of the Partners shall be separately liable for its own acts and omissions.
- 6.3. Each of the Partners shall act within its powers and constitution and shall solely be liable for any break of this requirement.
- 6.4. The Partners commit themselves to use reasonable endeavours to foster the success of the Project.
- 6.5. The Partners may, subject to the agreement of all Partners, jointly agree to amend the timescales set out in the Project Plan.
- 6.6. If any costs are incurred or arise as a result of initial assessment of data or other unforeseen event during the project, a revised SLA will be drafted to include a financial commitment agreement.
- 6.7. The Partners agree that Steering Group meetings should take place on a monthly basis, although attendance is not mandatory and Partners will elect a chair at the first meeting to lead discussions at subsequent meetings, or for a set period as agreed.
- 6.8. The Partners agree that Place Services-Essex County Council be appointed to deliver all five phases of the project and report against the of the Project Plan produced under Phase 1



- 6.9. The Partners shall be jointly responsible for agreeing how Phase 3, the survey work, will be undertaken and for the carrying out of Phase 3. The costs associated with Phase 3 shall be divided based on agreement between the Partners, and will reflect the existing data available and work already carried out by partners.
- 6.10. The Partners will be individually responsible for ensuring that Phase 4 is supported in accordance with the Project Plan and that Phase 5 is adopted by their Authority.
- 6.11. The Partners shall each be responsible for their own operational costs.

## 7. Steering Group: Terms of Reference

- 7.1. A steering group has been established to guide the project and provide a forum for reporting progress on the project and to encourage discussion and input from each of the partners.
- 7.2. The steering group is open to all partners, and the group will be administered by Place Services-Essex County Council as the Project Coordinator. Place Services will:
- Circulate agenda and papers for steering group at least 1 week in advance of meeting dates
  - Maintain an accurate record of actions from meetings, and circulate these to all Partners as soon as possible after meetings
  - Identify monthly meeting dates and book meeting venues
- 7.3. Communications will be via electronic means, with documents available to all partners. Attendance at meetings of the group is optional. Each partner has confirmed a Project Representative for the steering group and in some cases substitutes too. Heads of Service will be used as substitutes if necessary.
- 7.4. Monthly steering group meetings have been agreed, dates and venues are as follows:

Date	Time	Location
25 January 2018	10-12	Chelmsford City Council Offices – Crompton Room
28 February 2018	10-12	Chelmsford City Council Offices – Crompton Room
26 March 2018	10-12	Chelmsford City Council Offices – Crompton Room
23 April 2018	2-4	Chelmsford City Council Offices – Crompton Room
23 May 2018	10-12	Chelmsford City Council Offices – Crompton Room
20 June 2018	10-12	Chelmsford City Council Offices – Coval Lane training room
9 July 2018	10-12	Chelmsford City Council Offices – Coval Lane training room
7 September 2018	10-12	Chelmsford City Council Offices – Crompton Room

- 7.5. Steering Group representatives are responsible for consulting, reporting and seeking approvals via their senior leaders/managers and elected members as necessary- as set out in Section 9 'Communication and Coordination'.



## 8. Provision of Information

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- 8.1. Each of the Partners will maintain proper records relating to their responsibilities and obligations under this agreement and for the Project generally.
- 8.2. Each of the Partners will provide information necessary, and as requested by other Partners save that each of the Partners recognises their duties and obligations under the Freedom of Information Act 2000, Environmental Information Regulations 2004, the Data Protection Act 1998 and any other relevant legislation.

## 9. Communication and Co-ordination

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- 9.1. Each of the Partners will designate an officer as its Project Representative who shall:
  - Be the formal point of contact between the Partners;
  - Be required and authorised to consult, report and seek approvals within their authority on all matters associated with the Project;
  - Shall have the authority to represent its Partner in all matters in relation to the Project and will attend the Steering Group meeting;
  - Provide prompt responses to all communications received from the other Project Representatives and the Project Coordinator;
  - Notify the Partners immediately of any event that could lead to a temporary or final discontinuation of participation in the Project
- 9.2. The Partners may change they respective designated Project Representative. Any such change shall be communicated to all other Partners in writing in advance of the change taking effect, and in the case of a permanent change no less than ten (10) working days.

## 10. Financial Arrangements

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- 10.1. The Project shall be delivered by Place Services-Essex County Council for and on behalf of the Partners.
- 10.2. The cost to each authority is set out within individual Service Level Agreements for each Partner, which sets out total costs, exclusions and agreed billing schedules. The cost of the overall project is fixed and each partner will pay the same. Only survey work is excluded from this fixed fee and must be subject to agreement in advance by all affected partners.
- 10.3. None of the Partners may incur, commit or authorise any financial expenditure on behalf of the Project.



## 11. Intellectual Property Considerations

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- 11.1. All intellectual property in existence prior to the date hereof and owned by any of the Partners shall remain the property of that Partner and shall not be used other for the purposes of the Project without the express permission of the owning Partner.
- 11.2. All intellectual property obtained as part of the Project shall be owned by all of the Partners, provided this is not restricted by any licensing restrictions.

## 12. Confidentiality

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- 12.1. Subject to clause 8.2 and the provisions of the Freedom of Information Act 2000, Environmental Information Regulations 2004, the Data Protection Act 1998 and any other relevant legislation the Partners shall not disclose or use any confidential information acquired as a result of this agreement other than to satisfy the requirements of its internal or external auditors or any other legislative requirements.
- 12.2. The Partners may, so far as it is lawfully able to do so, use such confidential information to the extent that it may be incorporated into any reports prepared as part of the Project or has come into the public domain otherwise than by breach of this agreement.

## 13. Period of Validity of the Memorandum of Understanding

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- 13.1. This period of validity is until completion of all 5 phases of the Project.
- 13.2. The collaboration may be extended or renewed mutual agreement.

## 14. Termination of Disputes

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- 14.1. Should any dispute arise relating to this agreement the respective Project Representatives will attempt to seek resolution acceptable to their authorities and shall seek to resolve tensions and conflict directly and collaboratively. Should the partners fail to achieve resolution the issue will be referred to EPOA for independent mediation, which will be final and binding upon the Partners.
- 14.2. Should any Partner wish to leave the Project they agree, subject to clause 7 above, to make any information obtained as part of the Project and necessary to the completion of the Project available to the remaining Partners.

## 15. Discretion

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- 15.1. Nothing contained or implied in this agreement shall prejudice or affect the rights, discretions, functions, powers, duties and obligations of the Partners under all statutes, by-laws, statutory instruments, orders and regulations in the exercise of their functions as local authorities.



## Place Services

Essex County Council

County Hall, Chelmsford, Essex CM1 1QH

T: +44 (0)333 013 6840

E: [enquiries@placeservices.co.uk](mailto:enquiries@placeservices.co.uk)

[www.placeservices.co.uk](http://www.placeservices.co.uk)

January 2017



Essex County Council

## Appendix L: Key Documents

Evidence Base Related to DTC	
Key Documents	Link and Evidence Base Submission Reference
<b>DtC Strategy</b> Consultation on Draft November 2014-January 2015 Publication of Feedback Report and Adoption March 2015	Adopted March 2015: <a href="https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/46384.pdf">https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/46384.pdf</a>
<b>DtC Scoping Report</b> Consultation July 2015 – August 2015  Approval of DTC Scoping Consultation Statement by DPC 5.11.15	<a href="https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/46383.pdf">https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/46383.pdf</a>  <a href="https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/67337.pdf">https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/67337.pdf</a>
<b>DTC Position Statement March 2017</b>	<a href="https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/72918.pdf">https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/72918.pdf</a>
<b>DTC Position Statement January 2018</b>	<a href="https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/1150483.pdf">https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/1150483.pdf</a>
<b>DTC meetings and presentations from 3 May 2017</b>	See Appendix G
<b>DTC meetings and presentations from 12 October 2017</b>	See Appendix H
<b>DTC meetings and presentations from 12 March 2018.</b>	See Appendix I



Evidence Base Related to Joint Evidence Base Studies and Reports	
Key Documents	Link and Evidence Base Submission Reference
Essex Planning Officers' Association Greater Essex Demographic Forecasts 2013-2017 Phase 7 Main Report (May 2015) undertaken in partnership with all Essex District/Unitary Authorities and Essex County Council.	<a href="http://www.chelmsford.gov.uk/resources/assets/attachment/full/0/46433.pdf">www.chelmsford.gov.uk/ resources/assets/attachment/full/0/46433.pdf</a>
Objectively Assessed Housing Need (OAHN) Study was prepared for the Councils by consultants Peter Brett Associates (PBA) and published in November 2016.	<a href="https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/46444.pdf">https://www.chelmsford.gov.uk/ resources/assets/attachment/full/0/46444.pdf</a>
Strategic Housing Market Assessment (SHMA) – following on from the OAHN Study, the SHMA was undertaken with Braintree, Colchester and Tendring and published in December 2015. The report focuses on the level of affordable housing need and the size/tenure of all dwellings required as identified in the OAHN Study.	<a href="https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/46450.pdf">https://www.chelmsford.gov.uk/ resources/assets/attachment/full/0/46450.pdf</a>
Chelmsford Gypsy and Traveller Accommodation Assessment 2017 – The Council alongside the other Essex local Authorities undertook a Gypsy and Traveller Accommodation Assessment in 2016. This comprises separate needs assessment documents for each authority, an Essex wide methodology document, and an Essex wide summary report incorporating the findings of the individual authority reports. Further work has commenced to consider how any transit needs could be met across Essex.	<p>Accommodation Assessment Summary 2016-2033  <a href="https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/1176712.pdf">https://www.chelmsford.gov.uk/ resources/assets/attachment/full/0/1176712.pdf</a></p> <p>Accommodation Assessment – June 2017  <a href="https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/1133728.pdf">https://www.chelmsford.gov.uk/ resources/assets/attachment/full/0/1133728.pdf</a></p> <p>Methodology – January 2018  <a href="https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/1176713.pdf">https://www.chelmsford.gov.uk/ resources/assets/attachment/full/0/1176713.pdf</a></p>
Emerging RAMS Strategy – a number visitor surveys will be undertaken to inform the evidence base to the emerging RAMS Strategy. These, together with a number of workshops, will be undertaken on a joint basis with Natural England and relevant Local Planning Authorities involved in the RAMS project.	

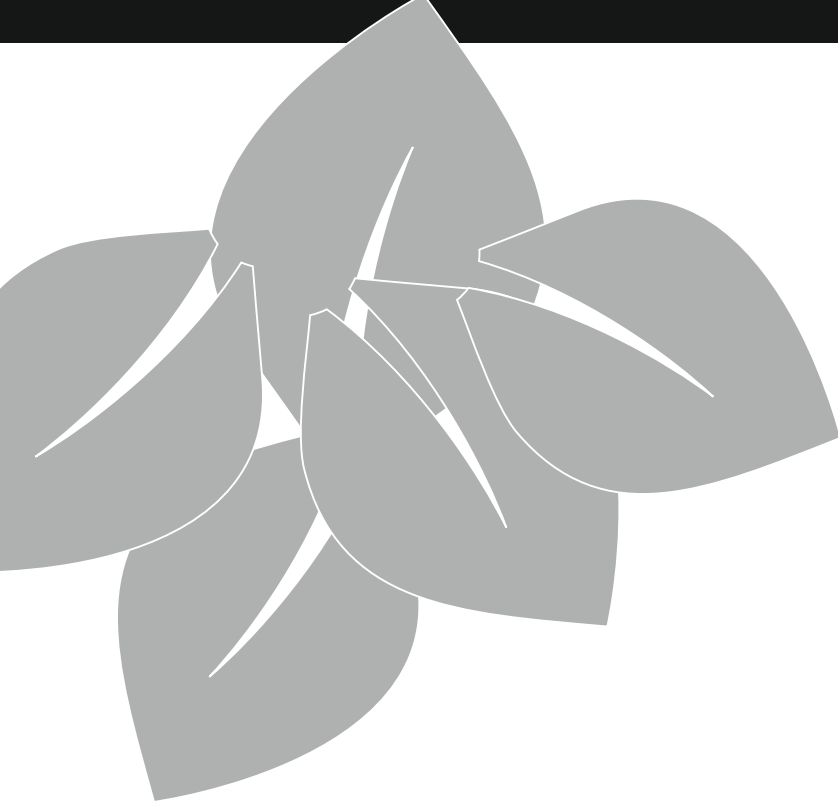
Local Plan Traffic Modelling – The Pre-Submission Local Plan Traffic Modelling (January 2018), provides a comparison of cross boundary traffic flows from the Chelmsford Pre-Submission Local Plan assessment and in Local Plan assessments undertaken by neighbouring authorities. The Council's traffic modelling consultants have sourced information from neighbouring authorities on their traffic data to inform the comparison.

Strategic and Local Modelling Pre-Submission – January 2018

<https://www.chelmsford.gov.uk/resources/assets/attachment/full/0/1124115.pdf>

Other Evidence Base Studies and Reports	
Key Documents	Link and Evidence Base Submission Reference
Housing Capacity in Chelmsford Urban Area (February 2017)	<a href="http://www.chelmsford.gov.uk/resources/assets/attachment/full/0/46436.pdf">www.chelmsford.gov.uk/ resources/assets/attachment/full/0/46436.pdf</a>
Local Plan Viability Study and CIL Viability Review (January 2018)	<a href="http://www.chelmsford.gov.uk/resources/assets/attachment/full/0/1121291.pdf">www.chelmsford.gov.uk/ resources/assets/attachment/full/0/1121291.pdf</a>
SLAA Viability Study (2015)	<a href="http://www.chelmsford.gov.uk/resources/assets/attachment/full/0/313000.pdf">www.chelmsford.gov.uk/ resources/assets/attachment/full/0/313000.pdf</a>
Employment Land Review January 2015	<a href="http://www.chelmsford.gov.uk/resources/assets/attachment/full/0/63705.pdf">www.chelmsford.gov.uk/ resources/assets/attachment/full/0/63705.pdf</a>
Chelmsford City Centre Office Market Review 2015	<a href="http://www.chelmsford.gov.uk/resources/assets/attachment/full/0/46388.pdf">www.chelmsford.gov.uk/ resources/assets/attachment/full/0/46388.pdf</a>
Chelmsford Retail Capacity Study Update 2015	<a href="http://www.chelmsford.gov.uk/resources/assets/attachment/full/0/46389.pdf">www.chelmsford.gov.uk/ resources/assets/attachment/full/0/46389.pdf</a>
Delivering Economic Growth in Chelmsford to 2036	<a href="http://www.chelmsford.gov.uk/resources/assets/attachment/full/0/1140751.pdf">www.chelmsford.gov.uk/ resources/assets/attachment/full/0/1140751.pdf</a>
Chelmsford Economic Strategy 2017	<a href="http://www.chelmsford.gov.uk/resources/assets/attachment/full/0/70908.pdf">www.chelmsford.gov.uk/ resources/assets/attachment/full/0/70908.pdf</a>
Rural Employment Areas Technical Note January 2018	<a href="http://www.chelmsford.gov.uk/resources/assets/attachment/full/0/1124123.pdf">www.chelmsford.gov.uk/ resources/assets/attachment/full/0/1124123.pdf</a>
Sustainability Scoping Report (2015)	<a href="http://www.chelmsford.gov.uk/resources/assets/attachment/full/0/46471.pdf">www.chelmsford.gov.uk/ resources/assets/attachment/full/0/46471.pdf</a>

Issues and Options Sustainability Appraisal (2015)	<a href="http://www.chelmsford.gov.uk/_resources/assets/attachment/full/0/46470.pdf">www.chelmsford.gov.uk/_resources/assets/attachment/full/0/46470.pdf</a>
Preferred Options Sustainability Appraisal (2017)	<a href="http://www.chelmsford.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=72917">www.chelmsford.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=72917</a>
Pre-Submission Sustainability Appraisal and HRA (2018)	<a href="http://www.chelmsford.gov.uk/_resources/assets/attachment/full/0/1143549.pdf">www.chelmsford.gov.uk/_resources/assets/attachment/full/0/1143549.pdf</a>
Chelmsford Local Plan Habitats Regulations Assessment Initial Scoping (2015)	<a href="http://www.chelmsford.gov.uk/_resources/assets/attachment/full/0/67016.pdf">www.chelmsford.gov.uk/_resources/assets/attachment/full/0/67016.pdf</a>
Preferred Options Habitats Regulations Assessment (2017)	<a href="http://www.chelmsford.gov.uk/_resources/assets/attachment/full/0/72944.pdf">www.chelmsford.gov.uk/_resources/assets/attachment/full/0/72944.pdf</a>
Essex Design Guide	<a href="https://www.essexdesignguide.co.uk/">https://www.essexdesignguide.co.uk/</a>



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