HS072

HEARING STATEMENT

Chelmsford Local Plan

Matter 6 – Site Selection

On behalf of
LJV Maldon Limited
1380145

October 2026

TABLE OF CONTENTS

1. INTRODUCTION 1
2. ISSUE 1 – SITE ALLOCATIONS 2
3. SITE SPECIFIC QUESTIONS 6
4. REMEDY 13

1. INTRODUCTION

1.1 This Hearing Statement is submitted on behalf of LJV Maldon Limited, a joint venture between J Group and Landvest (ID 1380145), in respect of the Examination of the Chelmsford Local Plan and, specifically, Strategic Growth Site 9a – Waltham Road Employment Area, Boreham ("SGS9a").

1.2 This Hearing Statement responds to the relevant Matters, Issues and Questions identified by the Inspectors insofar as they relate to SGS9a. This includes the following in relation to Matter 6:

- Issue 1 – Site allocations
- Location 9 – Boreham
    - Strategic Growth Site Policy 9a - Waltham Road Employment Area

1.3 This Hearing Statement should be read alongside LJV Maldon Limited's (J Group and Landvest) Regulation 19 and Focused Consultation representations (which included Initial Scheme Plan and Lichfields Economic Needs Briefing Note) and the Statement of Common Ground agreed with Chelmsford City Council.

1.4 LJV Maldon Limited is actively promoting SGS9a, an extension to the established Waltham Road Employment Area, for around 14,000 sqm (net) of E(g)(iii), B2 and B8 employment floorspace. The Statement of Common Ground (SOCG020) confirms that the Site is suitable, viable and deliverable and that there are no overriding constraints to development.

1.5 LJV Maldon Limited strongly supports the principle of the allocation at SGS9a as a logical and deliverable expansion of the established Waltham Road Employment Area. However, LJV Maldon Limited maintains its objections to the prescriptive access requirements and site-specific minerals requirements. The policy should allow access arrangements to be determined through the Planning Brief and/or planning application, while the minerals requirements are unnecessary given the existing Essex Minerals Local Plan provisions and the Site's characteristics. As drafted, these requirements are not justified or effective and may unnecessarily constrain delivery.

1.6 As the Plan is being examined under transitional arrangements, references to the NPPF are to the 2023 NPPF, unless otherwise stated.

2. ISSUE 1 – SITE ALLOCATIONS

Matter 6: Site Selection

Question 6.2 Is the approach of requiring masterplans/planning briefs an effective mechanism to secure sustainable development across the plan area?

2.1 LJV Maldon Limited supports the use of proportionate masterplans and planning briefs as a mechanism for coordinating development and securing high-quality and sustainable outcomes.

2.2 The use of a Planning Brief is particularly appropriate for SGS9a because it provides the opportunity to coordinate detailed matters such as access, layout, landscaping, pedestrian and cycle connections and the relationship between new development and existing uses. The Regulation 19 representations demonstrate that these matters are capable of being appropriately addressed through detailed design, including pedestrian and cycle connections through the employment area and towards Footpath 17 Boreham, landscape enhancements and measures to protect the amenity of nearby residential properties. It is important that the planning brief and masterplan is prepared with input from the applicant and Council as well as other stakeholders, and accordingly our client has been commencing a PPA (planning performance agreement) and pre-app process with Chelmsford City Council.

2.3 For the masterplan/planning brief approach to be effective, it is important that individual allocation policies do not predetermine detailed matters where there is no demonstrated need to do so. This is particularly relevant to the access arrangements for SGS9a. The current requirement for vehicular access to be taken from the existing employment area access from Waltham Road is considered unnecessarily prescriptive. The Focused Regulation 19 representations demonstrate that access should be informed by detailed highways, design and amenity considerations, with its location determined through the Planning Brief and/or planning application.

2.4 Accordingly, the requirement for masterplans and planning briefs is supported as an effective mechanism for securing sustainable development, provided that sufficient flexibility is retained to allow detailed and site-specific solutions to evolve through that process. In the case of SGS9a, further stages of work such as the Planning Brief, pre-app / PPA or application stage should therefore be the appropriate mechanism through which the optimum access arrangement is established, informed by the necessary technical evidence, rather than the Local Plan prescribing a single access solution in advance.

Question 6.3 - What is the current planning status of the site (eg masterplans, permissions, completions)? Have there been any changes since the Plan was submitted for examination and if so, are any modifications needed?

2.5 LJV Maldon Limited is actively promoting the Site and intends to progress a planning application at the earliest opportunity, working with the Council through the pre-application / PPA and application process. Technical work has been undertaken to demonstrate the Site's deliverability, including consideration of transport, access, amenity and commercial demand. A pre-app process has commenced under reference 26/08415/PE.

2.6 The Site is also capable of being brought forward quickly, reflecting the active promotion of the Site and the technical work already undertaken to support its delivery. It is anticipated that development could be delivered in the early 2030's, enabling the Site to make an early contribution towards meeting identified employment needs over the Plan period.

Question 6.5 - For the sites which include non-residential uses, what is the basis for the scale and type/mix of employment and other uses proposed? Is it justified?

2.7 The scale and mix of employment uses proposed in relation to SGS9a are justified and supported.

2.8 The proposed allocation of around 14,000 sqm (net) of Use Class E(g)(iii), B2 and B8 floorspace, together with appropriate ancillary employment-generating uses, reflects both the identified need for additional employment floorspace and the characteristics of the established Waltham Road Employment Area.

2.9 The scale of development has evolved through the Local Plan process. The Regulation 19 Plan originally proposed around 3,500 sqm of B2 and B8 floorspace. Representations submitted on behalf of LJV Maldon Limited demonstrated that this substantially underestimated the capacity of the location and sought an expanded allocation. The representations identified the opportunity for an employment area of approximately 4 hectares, capable of accommodating approximately 14,000 sqm based upon the assumptions used within those representations. This capacity has been based both on the site work carried out by our client and architects/masterplanners, as well as reflecting a standard plot ratio of approximately 0.4.

2.10 The increased provision from site SGS9a is also supported by the evidence of employment need. The Lichfields evidence submitted with the Regulation 19 representations identified an undersupply of industrial and distribution floorspace of approximately 12,400 sqm to 37,960 sqm, notwithstanding the wider overall supply of employment floorspace. It also identified particularly

strong market demand, with industrial vacancy at 5.2% in Q4 2024 and less than one year's available supply when measured against recent take-up rates.

2.11 The mix of E(g)(iii), B2 and B8 uses is similarly justified. The inclusion of E(g)(iii) provides greater flexibility to accommodate light industrial activities alongside general industrial and storage/distribution uses. The representations specifically identified E(g)(iii) as appropriate given such light industrial uses are appropriate in proximity to residential properties, may therefore be appropriate in areas to the north of the site as part of the mix of uses in this location.

2.12 This increased scale and broader mix was subsequently incorporated into the Focused Consultation proposals. The Council's justification recognises that additional employment floorspace is required to support the increased housing requirement and that expansion of the established employment area would provide rural inward investment opportunities.

Question 6.6 - Are the development requirements clear, and are any further safeguards or mitigation measures necessary to achieve an acceptable form of development?

2.13 The development requirements for SGS9a are generally clear and provide an appropriate framework to secure an acceptable form of development. The requirements relating to employment uses, landscape and biodiversity enhancements, residential amenity, pedestrian and cycle connectivity, design and infrastructure are broadly supported, and no additional safeguards are considered necessary.

2.14 The principal concern relates to the requirement for vehicular access to be taken through the existing employment area. This is unnecessarily prescriptive and should be amended to allow the appropriate access arrangement, including potential direct access from Waltham Road, to be determined through the Planning Brief and/or planning application process on the basis of detailed technical evidence. This flexibility is necessary to ensure the policy is effective and does not unnecessarily constrain delivery.

2.15 The first bullet point should instead read *"Vehicular access to the site to be determined by the planning brief and/or planning application process, informed by technical evidence*". Alternatively the bullet point could be deleted entirely.

Question 6.8 - Are any modifications to the site policy needed for soundness?

2.16 A limited modification is considered necessary to SGS9a for soundness. The principle of SGS9a, its expanded boundary, the provision of around 14,000 sqm of E(g)(iii), B2 and B8 floorspace, and the majority of the site-specific requirements are supported and agreed with the Council.

2.17 The modification sought relates to vehicular access. The requirement for access to be taken through the existing employment area is considered unnecessarily prescriptive. The policy should instead allow the appropriate access arrangement, including the potential for direct access from Waltham Road, to be determined through the Planning Brief and/or planning application process, informed by detailed technical evidence. This amendment would provide the flexibility necessary to ensure the policy is justified and effective and does not unnecessarily constrain delivery.

2.18 The requirement for a Mineral Infrastructure Impact Assessment is not considered necessary as an additional site-specific safeguard. The Site already falls within a Mineral Consultation Area and Policy S8 of the Essex Minerals Local Plan requires consultation with the Mineral Planning Authority. The e SGS9a requirement therefore duplicates existing Development Plan controls. The scale and location of the Site, including proximity to existing residential and employment uses, also raise questions as to the realistic potential for mineral extraction.

3. SITE SPECIFIC QUESTIONS

Growth Area 2 – North Chelmsford
Location 9 – Boreham
Strategic Growth Site Policy 9a - Waltham Road Employment Area

Question r - What is the likely impact of the proposed allocation on the following factors:

- The strategic and local highway network including public transport and active travel
- Agricultural land quality, landscape character and heritage assets
- Biodiversity
- Flood risk
- Air quality, noise and light pollution
- Utilities

3.1 Overall, the evidence demonstrates that SGS9a can be developed without unacceptable impacts, subject to identified mitigation and detailed measures secured at planning application stage. While local concerns are recognised, they do not represent an overriding constraint to allocation. The allocation is also supported by the Council's own technical evidence.

Strategic and local highway network, public transport and active travel

3.2 This Hearing Statement is supported by a Transport Response by Lime Transport. This concludes that there is no overriding transport constraint to the delivery of SGS9a for around 14,000 sqm of employment floorspace. The assessment identifies congestion at certain locations and times, but notes that much of the morning employee traffic would travel against the predominant commuter flows. Essex Highways considers the trip rates robust and the proposed distribution reasonable.

3.3 The Note also demonstrates that a new access directly from Waltham Road is achievable, subject to detailed design and assessment, and recommends retaining flexibility over the final access arrangement. Sustainable transport measures would include improved pedestrian connections to Main Road and existing bus stops, crossing improvements, secure cycle parking, staff facilities and a Workplace Travel Plan.

Agricultural land, landscape character and heritage

3.4 We note some concerns have been raised regarding the loss of agricultural land and the effect of industrial buildings upon the rural landscape. These impacts can be appropriately mitigated through design and landscaping. Policy requirements include retention of trees, new landscaping

along the northern and western boundaries, and controls to avoid large-scale buildings close to the northern boundary.

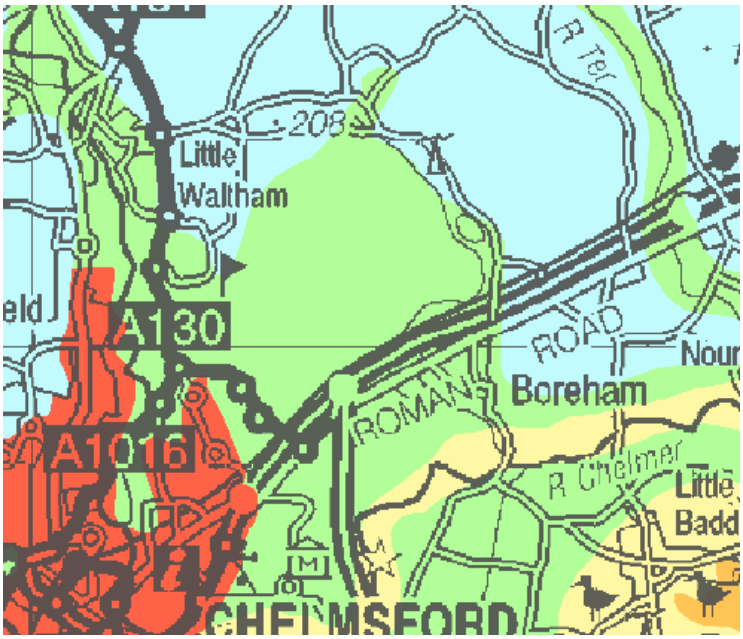
3.5 Historic England made no specific comments on SGS9a in response to the Focused Regulation 19 consultation, indicating no specific heritage objection was raised by the statutory heritage consultee. The site is not located in proximity to statutory heritage assets as demonstrated by the extract from Historic England mapping below showing locations of listed buildings.

3.6 As identified in the policy Chantry Farm to the north east of the site is identified by Chelmsford City Council's 'Register of Buildings of Local Value' (July 2026) as having architectural and historic interest as a non designated heritage asset. Chantry Farm is located separate to the site across Waltham Road and the adjoining field. The policy wording provides for a need to consider the need to preserve and where appropriate enhance the setting . This will of course need to be considered in respect of national planning policy on heritage and non designated heritage assets in particular.



3.7 The development of SGS9a will result in the loss of potential agricultural land; however, this does not represent an overriding constraint to the allocation. The land has not recently been actively

farmed in any event having been used as paddock land. This is a consequence of the site ownership and the farm holding, which is divorced from wider land and too small to operate in a commercially successful agricultural context. Regional ALC mapping shows land to the west of Waltham Road, is generally grade 3 'good to moderate' agricultural quality as indicated in green below, however this can be confirmed at application stage as required. Impact on agricultural land will of course need to be considered against the wider benefits of the proposal in particular the significant economic benefits and support for employment.



3.8 The Site forms a logical extension to the established Waltham Road Employment Area and provides an opportunity to make efficient use of land adjoining an existing employment location. This should be balanced against the identified need for additional industrial and distribution floorspace. The Site is suitable and deliverable and provides an opportunity to meet this need in the short term. Accordingly, the loss of agricultural land does not outweigh the strategic and economic justification for the allocation.

3.9 With regards to landscape matters, the allocation of the site can be progressed with appropriate strategic landscaping as part of the site development brief, pre-app and planning application stages. In this respect it is relevant that as part of the Boreham Neighbourhood Plan the potential value of longer distances views near and across the site were discussed. Such views were originally included in the submission Neighbourhood Plan (Reg 16) at figure 5.6, however the Neighbourhood Plan examiner found at paragraph 4.12-4.14 of the examiners report that:

4.12 As to the views to be protected, these are shown on Figure 5.6. I am aware that the intention to protect the distant views in that part of the Plan area north of the A12 has been the subject of objections. Irrespective of any representations, Plan 5.6 places the related viewpoint on the eastern side of Waltham Road, south of Chantry Lane. I saw that there is a rough hedge along the western side of Waltham Road and there are no distant views from the identified viewpoint.

4.13 Even at points along this part of Waltham Road where there are gaps in the hedge, I did not form the impression that the views should be protected. The land in the foreground and middle ground is flat and uninteresting, comprising what I would describe as rough grazing land (although not presently grazed). It is backed by a substantial area of vegetation beyond which, on the horizon, is a run of high-voltage electricity lines and pylons.

4.14 The views that I have described should be omitted from the provisions of the policy. In addition, the second part of the policy should be re-written all as set out in proposed modification **PM2**.

3.10 The Boreham Neighbourhood Plan as made accordingly does not identify the site as having particular landscape value and the allocation is appropriate and sound in that context.

Biodiversity

3.11 The policy contains requirements for the retention and enhancement of natural landscaping, trees and hedgerows. Essex County Council expressly considers these provisions sound and supports the masterplanning approach, while identifying opportunities for buffering and naturalistic green infrastructure towards the wooded habitat and river valley to the west. Accordingly, biodiversity considerations do not represent an overriding constraint and can be addressed through detailed design and mitigation. The Site can be brought forward with measures to provide for a minimum 10% BNG in line with statutory requirements.

Flood Risk

3.12 The Council confirms that the allocation has been assessed through its Strategic Flood Risk Assessment and supporting evidence, and has not identified flood risk as an overriding constraint. Anglian Water considers SGS9a sound and supports its provisions for suitable flood risk management, SuDS and multifunctional green infrastructure. Areas of flood risk are contained beyond the western boundary of the site, and EA flood mapping shows a low chance of surface water flooding which can be considered through detailed design and SUDS measures.

Air quality, noise and light pollution

3.13 Residents have raised concerns regarding existing noise and lighting and the potential for these effects to increase. These issues are recognised, but are matters capable of mitigation and detailed

control. Any future development will be expected to protect neighbouring residential amenity, including through noise attenuation and boundary screening, while matters such as building size, height, scale and operating hours can be considered at planning application stage and controlled through appropriate planning conditions where necessary. Furthermore, the allocation is an extension of an established employment area, rather than a freestanding employment development in an entirely new location.

3.14 The policy criteria within SGS9a provide for consideration of landscaping, lighting and noise attenuation. The layout of uses within the site will of course also have regard to amenity considerations. The site would not impact on an Air Quality Management Area (AQMA) and any proposals would be considered against Policy DM30 in any event.

Utilities

3.15 Representations raise concerns regarding the availability of utilities and sewerage. However, Anglian Water confirms that sufficient capacity exists at Chelmsford WRC to accommodate the Local Plan growth, while advising early engagement to establish a sustainable connection into the wastewater network.

3.16 A Stage 1 Utility Assessment has been undertaken by Energ-Eyes which demonstrates that utility infrastructure is available in the vicinity of the Site to support its development for commercial uses. In particular, UK Power Networks has confirmed the availability of a 995 kVA electricity connection at 11 kV from the existing network along Waltham Road. Existing water and telecommunications infrastructure is also located within the immediate vicinity, with potential connection strategies identified. The assessment confirms that there are no identified utility infrastructure constraints at this stage that would prevent the Site from being brought forward for employment development.

Question s - What mitigation measures would be needed to ensure a sustainable form of development, and are they clearly set out in the policy?

3.17 The mitigation requirements for SGS9a are clearly identified within the policy (or elsewhere in the Local Plan and national policy) and are sufficient to provide a framework for sustainable development. They include landscape buffers and tree/hedgerow retention, biodiversity enhancements, protection of neighbouring residential amenity, flood risk management and SuDS, safe pedestrian and cycle connections, and appropriate infrastructure provision. Matters such as building scale, operating hours, noise attenuation and boundary screening can be appropriately addressed through detailed design and, where necessary, planning conditions.

3.18 Statutory consultees provide further support for this approach. Essex County Council considers the landscape and natural environment requirements for SGS9a sound and effective, while Anglian Water supports the flood risk, SuDS and green infrastructure provisions and confirms sufficient capacity at Chelmsford WRC.

Question t - Is the proposed scale of development justified, having regard to any constraints and the provision of necessary infrastructure?

3.19 The proposed provision of around 14,000 sqm of E(g)(iii), B2 and B8 employment floorspace is justified having regard to the Site's constraints, infrastructure requirements and identified employment needs. The allocation represents a logical expansion of the established Waltham Road Employment Area. The Regulation 19 evidence identifies an industrial/distribution undersupply of 12,400 to 37,960 sqm and identifies less than one year's available industrial supply when assessed against recent take-up. It concludes that the Site is particularly suitable for providing industrial floorspace in the short to medium term, ensuring flexible in the supply and in line with the tests of soundness.

3.20 While representations raise concerns regarding highways, landscape, residential amenity, biodiversity and utilities, these do not amount to overriding constraints. These matters can be appropriately addressed through landscaping, design, amenity mitigation and detailed assessment at planning application stage.

3.21 In infrastructure terms, the Transport Note concludes that no overriding transport constraint has been identified and sets out measures for pedestrian connectivity, sustainable travel and detailed highway assessment. Anglian Water also considers SGS9a sound and confirms capacity at Chelmsford WRC, subject to establishing a sustainable network connection.

3.22 Accordingly, the proposed scale of development is justified and capable of being accommodated with appropriate infrastructure and mitigation, and no reduction in the proposed 14,000 sqm allocation is considered necessary.

Question u - Are changes to policy wording required to ensure that development does not impact defence operations or assets?

3.23 Yes, a minor modification is appropriate. The Defence Infrastructure Organisation confirms that SGS9a falls within the East 2 WAM Network statutory safeguarding zone and recommends that the policy require development to avoid impacts on the operation or capability of defence assets.

3.24 The Council has accepted this point and confirmed that a minor modification will be made to the policy to ensure that development does not affect the operation or capability of nearby defence assets, as follows:

Add additional bullet point under Design and Layout:

- *Ensure there is no impact on the operational or capability of safeguarded defence assets*

3.25 LJV Maldon Limited has no objection to this amendment. It represents an appropriate safeguarding measure and does not affect the principle, scale or deliverability of the allocation.

4. REMEDY

4.1 The allocation is strongly supported. In respect of the soundness issues highlighted in this Hearing Statement we consider these are capable of being addressed.

4.2 Suggested modifications include:

- Access: Remove the requirement for vehicular access to be taken exclusively through the existing employment area and allow the final access arrangement, including the potential for direct access from Waltham Road, to be determined through the Planning Brief/planning application process.
- Minerals: Delete or amend the requirement for a Mineral Infrastructure Impact Assessment, as this duplicates the existing requirements of Policy S8 of the Essex Minerals Local Plan whilst it is questioned whether minerals use would be viable given the scale and location of the Site.
- Defence safeguarding: Include the Council's proposed minor modification requiring development to be designed so that it does not adversely affect the operation or capability of nearby defence assets.