CHELMSFORD LOCAL PLAN REVIEW 2022-2041 EXAMINATION

HEARING STATEMENT - Matter 1
Legal and Procedural Requirements

Representor	Mr Rian Wispy
Representor number	1372718
Original Regulation 19 responses	PSQ25-3958 and PSQ25-88 (Site 16A); PSQ25-3960 and PSQ25-89 (Site 16B)
Matter	Matter 1 - Legal and Procedural Requirements
Participation	Written representations only - not attending the hearing sessions

1. Scope and relationship to original representations

This statement supplements, and should be read together with, my duly made Regulation 19 representations concerning Sites 16A and 16B. Those representations raised environmental impacts, biodiversity and ecological considerations, infrastructure, development impacts and the adequacy and effectiveness of safeguards within the Local Plan. This statement does not withdraw or replace those representations and is confined to the Inspectors' questions that engage those existing concerns.

MIQs 1.1-1.3 - Sustainability Appraisal, alternatives and mitigation

The Integrated Impact Assessment and Sustainability Appraisal process should demonstrate transparently how environmental and development impacts of the strategic allocations were assessed, what reasonable alternatives were considered, why alternatives were discounted and how mitigation influenced the Plan. This is relevant to my original concern that safeguards should shape strategic decisions rather than be deferred until after allocation.

For Sites 16A and 16B, the assessment should be capable of demonstrating that the chosen strategy remains justified when environmental, ecological, infrastructure and cumulative development effects are considered together.

MIQs 1.4-1.8 - HRA, designated sites, Natural England and project-level mitigation

My concern is not merely whether an HRA exists, but whether its conclusions are translated into clear and effective safeguards. Relevant ecological constraints and potential effects should be identified early enough to influence whether and how development proceeds.

Project-level mitigation should not be used to postpone resolution of a strategic constraint that is material to whether an allocation is capable of acceptable development. Necessary mitigation should be identified and secured before development capable of causing material or irreversible harm proceeds.

Modifications / outcome sought

- Require the Plan and site policies to show how strategic environmental assessment and HRA conclusions translate into enforceable site-level requirements.
- Clarify that project-level mitigation cannot substitute for resolving material strategic constraints at plan-making stage.

- Require necessary avoidance and mitigation to be secured before the affected phase proceeds.

Conclusion

The purpose of these changes is to ensure that the Plan is effective in practice: environmental and development impacts must be assessed at the appropriate stage, necessary safeguards and mitigation must be secured, and development must remain aligned with infrastructure and environmental capacity actually available.