



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
COUNCIL
3 NOVEMBER 2022**

**CHELMSFORD CITY COUNCIL LOCAL PLAN REVIEW – ISSUES AND OPTIONS
CONSULTATION RESPONSE**

- 1.1 The purpose of this report is to seek ratification of the response submitted to Chelmsford City Council concerning their Local Plan Review – Issues and Options Consultation.

1. RECOMMENDATION

That the holding response submitted to Chelmsford City Council's Local Plan Review Issues and Options Consultation Document as set out in **APPENDIX 1** be approved as the formal Maldon District Council response.

2. CONTEXT

- 2.1 On 11 August 2022, Chelmsford City Council invited Maldon District Council, as a statutory consultee to comment on its Local Plan Review Issues and Options Consultation Document.
- 2.2 The consultation ran for ten weeks, extended from the original eight weeks following the death of Her Majesty Queen Elizabeth II, closing at 4pm on 20 October 2022.
- 2.3 Officers, the Leader of the Council and Chairman of the Strategy and Resources Committee were invited to a Duty to Cooperate meeting with other local planning authorities on 23 September 2022; where the key principles of Chelmsford's Local Plan review were explained by the City Council.
- 2.4 Officers reviewed the Local Plan Review Issues and Options Document to consider the strategic and cross-boundary issues and options most prevalent to Maldon District Council and formulated a recommended response to seven of sixty-six questions asked by the City Council.

3. CHELMSFORD CITY COUNCIL LOCAL PLAN REVIEW

- 3.1 Chelmsford City Council are reviewing their Local Plan 2013-2036, which was adopted in May 2020. As part of the Local Plan Review, they have consulted on their Issues and Options document, which sets out how to meet the development needs of the city's administrative area within the new plan period, which will extend to 2041. The main five areas consulted on were:
- the updated draft strategic priorities;
 - a new draft vision;

- the approach to calculating future development requirements including homes and jobs;
- spatial strategy approaches for accommodating additional future growth to 2041; and
- the approach to reviewing their planning policies.

3.2 The updated plan period will run from 2022 until 2041, adding an additional five years to the adopted plan period which is currently 2013 until 2036. Using the National Planning Policy Framework's (NPPF) standard methodology, Chelmsford City Council have calculated that an additional 1,000 homes are required per annum over the plan period, totalling 19,000 homes. A 20% housing supply buffer of 3,800 homes has been added onto this, totalling 22,800 homes. The existing supply has been calculated at 14,834 homes, which includes total completions to date, site allocations, permissions and a windfall allowance. There is therefore a shortfall, between the housing requirement and the existing supply, of 7,966 homes over the plan period to 2041.

3.3 In order to meet this requirement, Chelmsford City Council have had to consider whether the current Spatial Strategy remains the most appropriate. The current strategy consists of a) focussing growth in the most sustainable areas, b) making use of previously developed land in the Chelmsford Urban Area, c) sustainable extensions around Chelmsford and South Woodham Ferrers, and d) development in and around key service settlements outside the Green Belt, in accordance with their settlement hierarchy. After considering alternative options, they have developed five Spatial Approaches for how additional growth could be distributed, although it acknowledges that the final approach is likely to be a combination of two or more approaches.

3.4 A summary of the five Spatial Approaches is outlined below:

- **Approach A – Growing the existing strategy**
This continues the approach already being used in the adopted local plan, with new allocations on previously developed land and at larger villages and expanding allocated sites.
- **Approach B – Concentrate growth in urban areas**
This continues the approach used in the adopted local plan, but maximises development in only the city centre, urban area and expanding allocated sites.
- **Approach C – Exploring a wider strategy**
This continues the approach used in the adopted local plan, with new allocations on previously developed land and at larger villages and expanding allocated sites. It also proposes some development at smaller villages.
- **Approach D – Exploring growth along transport corridors**
This continues the approach used in the adopted local plan, with new allocations on previously developed land and expanding allocated sites, including maximising growth at Chelmsford Garden Community in North East Chelmsford. In addition, it proposes growth along the main transport corridors; the A130 and the A131.
- **Approach E – Exploring a new settlement**
This continues the approach used in the adopted local plan, with new allocations on previously developed land and expanding the Chelmsford

Garden Community. However, it also proposes a new large settlement/garden community, east of the A12.

- 3.5 Officers have reviewed the whole Issues and Options consultation document and narrowed down the response to Chelmsford City Council to seven questions most relevant to strategic and cross-boundary matters of interest to the District under the Duty to Cooperate. The following questions were recommended to be answered.
- (Q3) Do you agree with the proposed updates to the strategic priorities? If not, please give the reasons for your answer. Please refer to the strategic priority number in table 4.
 - (Q4) Are there any strategic priorities you think should be added? Where possible, please support your answer with reference to any evidence.
 - (Q30) Should we be considering any alternative options for a housing supply buffer?
 - (Q57) Do you agree with the proposed updates to the spatial principles? If not, please explain why. Please refer to the spatial principle number in table 7.
 - (Q58) Are there any spatial principles you think should be added? Where possible, please support your answer with reference to any evidence.
 - (Q60) Do you support the approach to be taken to review the spatial strategy? If not, please explain why.
 - (Q62) How do you feel about the types of locations for potential housing development growth? Have we missed anything?
- 3.6 Officers drafted recommended responses to these questions, which focussed primarily on emphasising the Duty to Co-operate and the importance of considering strategic issues in neighbouring authorities to ensure there is awareness of matters such as education, road capacity, opportunities and growth in neighbouring areas. The responses generally agreed with the updates to the strategic priorities, the inclusion of a housing supply buffer, the spatial principles and the approach taken to review the spatial strategy. The recommended response did not consider there to be sufficient information at this time to strongly support or oppose any particular Spatial Approach, however suggested that Chelmsford City Council have regard to the relevant existing and new evidence base and work with Maldon District Council throughout the review process to ensure opportunities are capitalised on and impacts are adequately mitigated where they cannot be avoided; which is particularly important given the existing spatial strategy has permitted the expansion of South Woodham Ferrers, one of the key connections into the south of the District.

4. MEMBER ENGAGEMENT

- 4.1 On 17 October 2022, the Leader of the Council, Deputy Leader of the Council, Chairman of the Strategy and Resources Committee and Ward Members for Purleigh, Wickham Bishops and Woodham Mortimer (as the wards which border Chelmsford City Council's area) were invited to a meeting to discuss officer's recommended response and consider whether any other local issues should be added to the response.
- 4.2 Whilst all questions and responses were discussed fully, no alterations were suggested to the drafted responses for questions 3, 4, 30, 57 or 60.

- 4.3 In regard to Question 58, which referred to the 'Spatial Principles', Members queried the wording of the updated principles particularly in relation to previously developed land and considered the updated wording to be weaker. It was discussed that, whilst the NPPF encourages the use of previously developed land where suitable, such areas may not be located in areas that are always appropriate for development i.e., they could be in unsustainable locations. It was also noted that some previously developed land can often have high biodiversity value once nature takes over.
- 4.4 With regard to Question 62, about the Spatial Approaches, Members first noticed that the Issues and Options document was not consistent in its approach to presenting and referencing the existing number of new homes at each allocated site. The document noted there are already 3,000 new homes allocated at the North East Chelmsford Garden Community, however, did not note the number of houses allocated, in the adopted Local Plan, at the allocated sites in South Woodham Ferrers or West Chelmsford and East Chelmsford by comparison; this was considered to be misleading.
- 4.5 Concerns were also raised over the level of additional development that could be possible through the reviewed Local Plan in South Woodham Ferrers, Woodham Ferrers, Bicknacre and in and around Danbury and the impact this would likely have on the capacity of the road network and traffic flows; all of which are also routes into and from the Maldon District. Approaches A, C and E were noted specifically to be of a concern in this regard due to the level of housing proposed near the Maldon District border.
- 4.6 The responses for both Questions 58 and 62 were subsequently amended to reflect the Member discussions.
- 4.7 The final responses can be viewed in APPENDIX 1.

5. MALDON DISTRICT COUNCIL'S HOLDING RESPONSE

- 5.1 On 20 October 2022, a holding response, approved in accordance with the Council's Constitution (Part 3: 10) by the Director of Service Delivery and the Chairman of the Strategy and Resources Committee consisting **APPENDIX 1** was submitted to Chelmsford City Council by the deadline. Chelmsford City Council have given Maldon District Council special dispensation to ratify this response at the 3 November 2022 Council meeting.

6. OPTIONS

- 6.1 **Option 1:** To approve Maldon District Council's response to Chelmsford City Council's Local Plan Review Issues and Options consultation as set out in **APPENDIX 1**.
- 6.2 **Option 2:** Amend the Maldon District Council response to Chelmsford City Council's Local Plan Review Issues and Options consultation as set out in **APPENDIX 1** and give justification as to how the response should be changed.

7. CONCLUSION

- 7.1 The Chelmsford City Council Local Plan Review Issues and Options consultation is the first step in the review of the City Council's Local Plan. Maldon District Council is

a statutory consultee as per the Town and Country Planning (Local Development) (England) Regulations 2012 (as amended) as well as a local planning authority that must exercise the Duty to Cooperate; as per Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended). The Issues and Options consultation material issued by the City Council has been reviewed and considered against the strategic and cross-boundary areas of interest most applicable to Maldon District which generated a recommended officer response. Following Member engagement, amendments were made and a holding response was submitted to Chelmsford City Council by the 20 October 2022 deadline. This report recommends this holding response now be formally ratified as set out in **APPENDIX 1**.

8. IMPACT ON STRATEGIC THEMES

- 8.1 The Place Prosperity and Community Strategies supports outcomes of the Corporate Plan including 'promoting civic pride and maintain the district's environmental quality', 'working with partners to maintain and improve the district's resilience to the effects of climate change', 'deliver sustainable growth and new infrastructure through development', 'enabling future economic / inward investment and new jobs', 'enhancing and promoting the district's visitor economy', 'working with our communities and partners to improve physical health and wellbeing of our residents', working with our communities and partners to improve the mental health and wellbeing of our residents' and 'working with our communities, schools and partners to improve our children and young people's health and wellbeing, giving them the best start in life'.
- 8.2 The holding response to Chelmsford City Council's Local Plan Issues and Options consultations as set out in **APPENDIX 1** ensures the neighbouring local planning authority considers the strategic and cross-boundary matters which most concern Maldon District Council.

9. IMPLICATIONS

- (i) **Impact on Customers** – MEDIUM - The Chelmsford City Council Local Plan Review will deliver an up-to-date planning policy framework for the Chelmsford City Council area up to 2041; extending the City's Development Plan by five years. By responding to the consultation, Maldon District Council will ensure that it is compliant with legislation and policy and able to attempt to influence changes that could take place in the neighbouring Chelmsford City Council area which could otherwise be detrimental to Maldon District Council's customers.
- (ii) **Impact on Equalities** – LOW - The Chelmsford City Council Local Plan Review, as a suite of planning policies, is subject to the Public Sector Equality Duty. It will be subject to an Equalities Impact Assessment, which the Council will be able to use to refine its policies to ensure that it is equal and fair to all.
- (iii) **Impact on Risk** – MEDIUM – The Chelmsford City Council Local Plan Review is a statutory review of a neighbouring Local Planning Authority's Development Plan's Strategic Policies. These have to be reviewed every five years. If Maldon District Council failed to respond into the consultation the key risks that could increase are:

- Lack of legal compliance with the legislative framework and national policy, which could undermine the Council's own LDP Review through failure of the Duty to Cooperate; and
 - The ability to influence proactively strategic and cross-boundary matters which may otherwise impact on how the Maldon District grows or is protected, or how infrastructure is planned and provided for.
- (iv) **Impact on Resources (financial)** – LOW – The Chelmsford City Council Local Plan Review is fully funded by Chelmsford City Council. The only impact on financial resources for Maldon District Council of this report's decision is the staff time costs associated with preparing and submitting the response on behalf of the Council.
- (v) **Impact on Resources (human)** – LOW – The Chelmsford City Council Local Plan Review is fully funded by Chelmsford City Council. The only impact on financial resources for Maldon District Council of this report's decision is the staff time costs associated with preparing and submitting the response on behalf of the Council.
- (vi) **Impact on the Environment** – MEDIUM – The Chelmsford City Council Local Plan Review will encapsulate environmental matters which do not respect administrative boundaries, including river catchments, landscapes and land-use. Failure to respond appropriately to the Issues and Options Report could undermine how effective strategic and cross-boundary matters are planned, impacting negatively on the Maldon District environment.
- (vii) **Impact on Strengthening Communities** – LOW – The Chelmsford City Council Local Plan Review is likely to generate interest across a number of communities, fuelling an interest to get to know more about the area's governance arrangements and power of community voices through public engagement, although these may be more pronounced in the Chelmsford City area.

Background Papers:

Chelmsford Local Plan – Issues and Options Consultation Document: [Review of Adopted Local Plan - Issues and Options Consultation 2022 \(chelmsford.gov.uk\)](https://www.chelmsford.gov.uk/consultation/2022/04/2022-04-20-Review-of-Adopted-Local-Plan-Issues-and-Options-Consultation-2022)

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