# Legal Compliance

* The Consultation Portal is fundamentally unsound, creating significant barriers to public participation and undermining the legitimacy of the consultation process. It forces users into endless loops, often redirecting them back to the starting point without saving progress or confirming submissions. Instructions are vague, lacking clear guidance on how to structure objections or reference relevant policies, making it inaccessible for the average resident. There is no clear confirmation as you proceed that objections have been successfully submitted, and many users receive no email receipt or tracking number, raising concerns about whether their responses are being properly logged. Reports of submitted objections disappearing further reduce confidence in the integrity of the process. The system is outdated, slow, and not mobile-friendly, making participation difficult for those without a desktop or laptop computer. Alternative submission options, such as email or paper form, are available, however the paper form is difficult to complete and unclear. Submitting via email is difficult in other ways disadvantaging those who struggle with complex forms. The unclear guidance, repetitive loops, and lack of transparency could suggest a system designed for procedural compliance rather than meaningful engagement, violating principles of fair public consultation. A legally compliant process should be clear, accessible, and transparent, but the design and execution of this portal make it difficult for residents to voice concerns, potentially rendering the consultation legally unsound. By submitting via email the user risks having their objections ignored.",
* The Local Plan is legally unsound and does not comply with the Town and Country Planning (Local Planning) (England) Regulations 2012, rendering it potentially unlawful and open to legal challenge. Specifically, durimg Regulation 18 which required local planning authorities to notify and invite representations from residents and stakeholders during plan preparation. Chelmsford City Council's consultation process was inadequate, lacking sufficient engagement and failing to provide accessible information to all. This deficiency undermines the plan's legal foundation and contravenes the principles of inclusive public participation.",
* The Plan fundamentally fails to meet the statutory requirements of the Local Devlopment Scheme (LDS), raising serious questions about its validity and enforceability. Regulation 19 mandates that local planning authorities prepare plans in accordance with their LDS and ensure compliance with their Statement of Community Involvement (SCI). Chelmsford City Council has not fulfilled these requirements, as evidenced by the lack of communication with Maldon Town Council and Natural England who were informed about 16a and 16b of the Preffered options Local Plan Regulation 18 by Little Baddow Parish Council. Who else was unaware from the following list published by CCC in their SCI? Specific consultation bodies: In accordance with government regulations the following specific consultation bodies must be consulted where the Council considers that they may have an interest in the subject of the planning document: i.e: - The Environment Agency,- Historic England,- Marine Management Organisation,- Natural England,- Network Rail,- Highways England. A relevant authority any part of whose area is in or adjoins the local planning authority’s area: - Adjoining local planning authorities – Braintree District Council, Maldon District Council, Rochford District Council, Basildon Council, Brentwood Borough Council, Epping Forest District Council and Uttlesford District Council,- Essex County Council,- Parish and Town Councils within and adjoining Chelmsford City Council’s area, - Essex Police, Fire and Crime Commissioner,- Relevant utility and infrastructure providers (including transport network, water, sewerage, energy [electricity and gas] and telecom),- Anglian Water,- Essex and Suffolk Water,- NHS Mid Essex Clinical Commissioning Group,- Homes England. Given two of the above bodies were completely overlooked with no communication whatsoever then CCC should disclose any other failures to communicate and the Pre-Submission Local Plan should be refused allowing CCC to review their process and start the process again under the new NPPF to include proper communications with stakeholders.",
* "Chelmsford City Council has failed in its legal duty to conduct a genuine, inclusive, and transparent public consultation process. The consultation was inadequate, misleading, and proved inaccessible to many residents who are not regular computer users, violating key principles of democratic planning. This failure contravenes the requirements set forth in the Planning and Compulsory Purchase Act 2004, which emphasizes the importance of community involvement in the planning process. There should be no excuse for the current consultation portal usability. It is extremely difficult to navigate or indeed work out how to object even for IT professionals let alone the residents of the neighbouring parishes affected by both 16a and 16b.",
* "The proposed Local Plan is riddled with inconsistencies when compared to national planning policies, including the National Planning Policy Framework (NPPF), leaving it open to legal scrutiny and potential judicial review. For instance, the NPPF emphasizes sustainable development and effective use of land; however, the Local Plan proposes developments that may lead to environmental degradation and unsustainable land use. These inconsistencies undermine the plan's credibility.
* You have not long ago approved Neighbourhood Plans for Sandon and Little Baddow which, once they are “made”, are supposed to carry equal weight with any other part of the Local Plan. How can this proposal be in any way considered as consistent with either of these Neighbourhood Plans."

# Duty to Co-operate

* Chelmsford City Council has failed its legal Duty to Co-operate by neglecting to properly engage with neighbouring authorities on critical cross-border planning issues, making the plan legally unsound. The Localism Act 2011 imposes a duty on local planning authorities to collaborate with adjacent councils on strategic matters, which has not been adequately demonstrated. Specifically Maldon Town Council and Natural England were completely unaware of 16a and 16b.
* "There is no credible or substantial evidence that key cross-boundary strategic matters—including housing allocation, infrastructure impact, and environmental considerations—have been effectively addressed, breaching legal obligations under the Localism Act 2011. Without clear agreements and cooperative strategies, the plan lacks the necessary foundation for approval. Specifically Maldon Town Council and Natural England were completely unaware of 16a and 16b.",
* "The Plan does not show a legally compliant approach to cooperative planning. The absence of clear agreements or coordinated strategies with nearby councils suggests a failure to uphold the principles of sustainable and balanced regional development, as mandated by the Planning and Compulsory Purchase Act 2004. This failure weakens the integrity of the Local Plan. Specifically Maldon Town Council and Natural England were completely unaware of 16a and 16b.",
* Consultation and engagement with relevant stakeholders, including neighbouring councils and strategic planning bodies, has been grossly inadequate. The Council’s failure to foster meaningful collaboration undermines the legitimacy of the entire Local Plan process and contravenes the Duty to Co-operate as outlined in the Localism Act 2011. Specifically Maldon Town Council and Natural England were completely unaware of 16a and 16b.",
* I can see no evidence of a Minerals Assessment. Part of the proposal is for the “Pigeon” site at 16b, which is known to have previously be either part of or adjacent to an area formerly where sand and gravel were quarried. You have previously argued that minerals extraction is a reason to avoid further development to the North of Chelmsford. With circumstantial evidence that Hammonds and 16b will similarly have minerals, then that argument against North Chelmsford is void. And anyway, the amendments to your Approved Local Plan are onle to enable the period of the Plan to be extended from 2036 to 2041, so in case of need, minerals extraction North of Chelmsford – which does not have the same infrastructure, impact on countryside, heritage damage issues as Hammonds – could be undertaken first, with development to follow."

# Soundness of the plan

## HIGHWAYS

* The assumed 60% Modal Shift is unrealistic given the location of the site east of the A12, with no assurance of ongoing effective public transport facilities. The Local Plan relies on a highly optimistic assumption that 60% of all journeys will be made via walking, cycling, or public transport. Given the rural nature of the location, its distance from key employment areas, and the lack of guaranteed, long-term investment in public transport, this assumption is both unrealistic and unsustainable.",
* The Local Plan's assumption of a 60% modal shift and reduced car parking provisions for a 3,000-house development is concerning, as similar strategies have led to significant issues elsewhere. For instance, in the UK, the 'Space to Park' report highlights that inadequate residential parking can result in parking overspill into neighboring areas, increased illegal or unsafe parking blocking pavements and emergency access routes, and knock-on effects for existing communities. https://www.building.co.uk/buildings/parking-problems-on-housing-developments/5066454.article? Additionally, a review of sixteen developments with low minimum parking requirements in Sweden, Austria, Germany, Switzerland, and the UK found that insufficient parking provision often leads to parking congestion and related problems. https://www.mdpi.com/2071-1050/12/5/1744? These examples underscore the potential pitfalls of underestimating parking needs in new developments, leading to unintended consequences for both residents and neighboring communities.",
* Building 3,000 houses with a 60% Modal Shift assumption and reducing allocated space for car ownership will lead to parking congestion. The Local Plan assumes a reduced provision for car parking in an effort to discourage car ownership. However, in similar developments where this approach has been tried, it has led to severe parking overspill into neighbouring areas, increased illegal or unsafe parking blocking pavements and emergency access routes, and knock-on effects for existing communities.",
* "No effective published modelling of the combined impact of additional vehicles from commercial sites, new housing, and existing development has been carried out. Traffic impact assessments have been conducted in isolation for different aspects of the development, rather than as a holistic study of the combined effect of all new housing, commercial sites, and background growth from existing development.",
* "Congestion on the A414 will worsen due to increased vehicles, lack of proper road expansion, and the addition of a new junction near the A12. The A414 is already over capacity, with frequent delays during peak hours. Adding thousands of new homes and commercial traffic without significant upgrades will increase commuter travel times, cause severe congestion at key pinch points, and lead to greater rat-running through rural villages of which no mitigation has been put forward in the Local Plan as there is not a lot that can be done to these lanes and narrow roads",
* "The Plan worsens congestion on the A12 and A414 without any meaningful mitigation measures. There is no clear strategy for how the increased burden on the A12 and A414 will be mitigated. The planned ‘improvements’ lack sufficient funding, design detail, or binding commitments from key infrastructure stakeholders.",
* Your Report accepts that there will need to be improvements to J18 and J19 to accommodate the traffic implications of Hammonds including 16a and 16b, coming on top of known growth that will occur elsewhere in the same period but there is nothing to show how such mitigation can be achieved if at all! As things stand, even the outline planning application for 16b only admits that there will be tailbacks creating congestion at J18, and this is without any consideration of the additional load from Hammonds, or Manor Farm, or Maldon. Likewise mitigation at J19 is unclear, and additional traffic can also be expected along Main Road Boreham to this junction arising from housing development at Heybridge (and smaller developments in other village locations). Currently traffic backs up to the Lion Inn at peak times. There is no indication of where the funding for such mitigation will come from – certainly National Highways will not have funding given the recent budget cuts they have recently sustained which resulted in cancellation of other plans for enhancement of the A12."

## IMPACT ON LANDSCAPE

* "The proposed development threatens to irreversibly devastate a pristine rural landscape, rich in high-quality agricultural land and teeming with biodiversity. Productive farmland—essential for national food security—would be permanently lost, flying in the face of government commitments to sustainable land use and self-sufficiency. Worse still, the way biodiversity gain is being calculated is nothing short of a manipulation of the system. Instead of genuinely enhancing biodiversity, developers are exploiting loopholes. For instance, if a site currently has ten mature trees of two species and all are felled, replacing them with just four trees of different species is somehow classified as a 100% biodiversity gain. This flawed metric allows developers to justify destruction under the guise of environmental improvement. Simply planting a few new flower species that weren’t previously present is treated as a net gain, regardless of the ecological havoc caused.This cynical approach completely undermines the true spirit of biodiversity protection and must not be allowed to continue unchecked. ",
* In 2015, the proposal to develop Hammonds Farm was dismissed primarily because the A12 was considered the natural eastern boundary for Chelmsford's urban expansion. This boundary was recognized to prevent urban sprawl into rural and protected areas, thereby preserving the city's rural character and high-quality agricultural land. The rejection was based on concerns that developing beyond the A12 would set a dangerous precedent for unrestricted urbanization into these sensitive zones. However, recent developments indicate a shift in planning perspectives. Hammonds Farm is now being considered as a preferred site for a new residential community of up to 5,000 homes and associated community infrastructure. This change raises critical questions: What has altered in planning policies or urban development strategies to justify this reversal? Why is Hammonds Farm now deemed suitable for large-scale development, despite previous concerns about urban sprawl and the loss of valuable farmland? It is essential to scrutinize the factors driving this shift to ensure that the principles of sustainable development and environmental stewardship are upheld.",
* Developing in this location will negatively impact local protected sites such as Blakes Wood (National Trust) and Waterhall Meadows. These sites provide vital habitats for diverse flora and fauna, including rare species. Increased pollution, light intrusion, and foot traffic will degrade these sensitive environments.",
* The Plan claims a 20% net biodiversity gain, yet provides no credible explanation of how this will be achieved—especially in an area already rich in biodiversity. This raises serious concerns about the integrity of the commitment. How can a site with existing high ecological value see a genuine net gain when vast areas of farmland, mature trees, and established habitats are destroyed? Worse still, we have already seen how biodiversity metrics are being manipulated to justify environmental harm. Developers exploit a flawed system where biodiversity is measured not in terms of actual ecological benefit, but in abstract percentage gains. For example, clear-cutting ten mature trees and replacing them with four different species is somehow classified as a 100% biodiversity gain—despite the net loss of habitat and ecosystem function. Simply planting a handful of wildflowers that weren’t present before is treated as a net improvement, even when critical wildlife corridors and nesting sites are obliterated. This vague, unsubstantiated 20% claim follows the same pattern of greenwashing—using misleading calculations to disguise destruction as progress. Without a clear, transparent, and verifiable strategy, this biodiversity promise is meaningless and serves only to rubber-stamp irreversible environmental damage. If biodiversity is truly a priority, then prove it—where is the detailed plan showing how real, measurable gains will be achieved in an already ecologically sensitive area?
* The Plan involves extensive construction on high-quality agricultural land, whereas North Chelmsford offers a more suitable alternative. Alternative sites, such as north of Chelmsford, have better transport links, lower environmental impact, and fewer risks to biodiversity.
  + - How does this proposal fit in with the Policies contained within the Plan itself like DM8 which is about new structures in the Rural Area? That requires that the proposal would not harm the intrinsic character, appearance and beauty of the area. This is acknowledged widely to be a beautiful deeply rural area, with wide open fields (of good quality agricultural land) surrounded by waterways, a Conservation Valley, ancient woodlands and practically no buildings - onto which it proposes to put 3000+ houses and industrial buildings of considerable height for example on 16a and 16b, the latter of which has been revealed by a planning application to expect buildings 18m high. This HAS to be in conflict with DM8.
    - Given that the Agricultural Land Classification Report submitted with the Outline Planning Application for development of 16b shows that land as being 3a grade, there is every reason to believe that the whole of the Hammonds site is likewise. You have not undertaken a similar report for the whole site, yet this issue is surely of sufficient importance to justify such an assessment BEFORE you make a specific recommendation and not when it is too late. My understanding, incidentally, is that evidence will shortly emerge confirming this speculation about the land quality of Hammonds.
    - I have been told that at the time of the Adopted Plan you stated that you regarded the A12 as the eastern boundary of the Chelmsford Built Up Area and would not want to extend beyond that. What has changed in such a short time? I think the Plan is unsound because you have not looked properly at the other options. At the time of the 5 options consultation when you thought you had to handle some 8000 houses you added 3000 to North Chelmsford (Beaulieu and beyond) to every one of the 5 options, but then when you realised you were ahead of target, you dropped that idea and went for your Option 5 for Hammonds.",
    - Hammonds is good quality arable land in one of the most beautiful parts of Essex near Chelmsford. It has ancient woodlands, nearby SSSIs, and the Chelmer and Blackwater. It has very extensive animal and plant wildlife. I gather your Plan talks about biodiversity net gains “unless site conditions dictate otherwise” which of course they will, as how can adding 3000 houses and all of the people living in them not put unsustainable pressure on such a deeply rural area?",
    - "If I drive through North Chelmsford I see an already urbanised area, with little in terms of landscape and wildlife of any interest. Meanwhile in Little Baddow and Danbury we have a mix of rural good quality farmland and woodlands that are properly managed by The National Trust and Essex Wildlife Trust for the preservation of attractive, undeveloped, rural countryside that is enjoyed by pedestrians, cyclists and horseriders extensively. Your Plan will destroy the attractiveness and put unsustainable pressure on the important bits for a wildlife perspective. It is unsound because you have not properly justified why you are not pursuing North Chelmsford further. "

## IMPACT ON HERITAGE

* "This area contains evidence of Roman occupation, including an important gold torc found in recent years. Archaeological investigations have revealed significant Roman and Iron Age activity, including burial sites and artefacts.",
* Aerial photography has revealed historical structures that may require preservation. Recent surveys indicate the presence of subsurface remains of historical buildings and earthworks. Development without detailed archaeological assessments risks permanent destruction of unrecorded heritage sites
* You have not secured a full, in depth field Archaeology Report of the site, yet even the desk based Archaeology Report for the 16b section identifies “enhanced potential for prehistoric activity”. The site has a known history of Roman importance. There are also many examples of more recent heritage assets. I note that this means your Plan is in contravention of paragraph 207 of the National Planning and Policy Framework which addresses this aspect and which, in current circumstances, clearly requires a full field evaluation. Furthermore, in your Local Plan Policy DM15 you state that planning permission will only be granted for development affecting archaeological site providing the sites and their settings are protected, enhanced and preserved. You have no field report and have provided no evidence of how such mitigation can be achieved."

## FLOOD RISK

* The development site abuts the Chelmer and Blackwater valley, which is subject to severe flooding during heavy rainfall. Flood risk mapping shows that parts of the proposed site regularly flood, particularly after heavy rain events. Without substantial flood defences, development will exacerbate runoff into vulnerable areas downstream.",
* Climate change is increasing the severity of flood events, yet the Plan does not account for this risk. Existing flood models used in the Plan fail to factor in increased climate-driven rainfall and surface water risks. New housing in a flood-prone area increases risks to property, infrastructure, and emergency response capabilities.",
* Building on Hammonds Farm will alter water runoff patterns, increasing the risk of flooding in surrounding areas. Paving over permeable land will increase surface water runoff, overwhelming local drainage systems. The risk of downstream flooding in Boreham, Hatfield Peverel, and Maldon will rise significantly as a result of this development."