

Maldon Local Development Plan Examination
Chelmsford City Council Hearing Statement to Matter 1

Representation References:
0145-5273-S2-12, 0145-5274-S2, 0145-5276-I1-12 and 0145-5275-H6-14

Matter 1: Legal Compliance, including the Duty to Co-operate
Issue 2: Whether the Duty to Co-operate has been satisfied

Q8: Having regard to SD06, has the Duty to Co-operate been satisfied, particularly with regard to any strategic highway issues arising from the proposed housing allocations, before the submission of the Plan? Does DOC100 of August 2014 regarding Eves Corner at Danbury indicate that the Duty has been complied with in this respect? (NB: It is not legally possible to include work after the submission of the Plan as fulfilling the Duty).

Q10: Do representors consider that the Duty to Co-operate has been complied with on an ongoing basis, actively and constructively on strategic policies/matters so far as the preparation of this Plan is concerned? If not, why not, bearing in mind the Council's statements made on the Duty?

Response

This should be read in conjunction with Chelmsford City Council's Hearing Statements in respect of Matters 2, 3, 4 and 10.

1. Chelmsford City Council (CCC) submitted four separate representations to the Pre-Submission consultation LDP¹. None of the representations raised any concerns that the Duty to Co-operate had not been complied with. However, in view of Question 8, CCC considers it would be helpful to outline its position on this matter through this Hearing Statement.
2. Maldon District Council (MDC) has sought to actively co-operate and work in partnership with CCC on the production of its Local Development Plan (LDP). This has involved regular meetings with CCC (together with Essex Highways) on representations made to the emerging LDP and the publication of technical highways studies and post-submission modifications. This work has sought to understand and overcome the strategic highway concerns/objections raised by CCC regarding the impacts on the A414 through Danbury and in particular Eves Corner junction and Well Lane mini-roundabout. Evidence of this on-going co-operation is set out in documents SD06, DOC100 and its emerging update (January 2015).
3. A range of technical work has been undertaken by Essex Highways on behalf of MDC to inform the development of the LDP and specify interventions to mitigate transport impact within CCC's administrative area (Refs: EB004a, EB004b, EB004c and EB004d).
4. CCC does not have a specialist in-house transportation planner. In early 2014 an independent traffic consultancy was appointed to help the authority assess the findings of EB004b and later EB004d. Two reports have been prepared for CCC by Rowland

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Bilsland Traffic Planning Ltd. These are given and discussed in Appendices 2 and 3 in the City Council's Hearing Statement to Matters 2.

5. The latest LDF transport and access evidence base report (EB004d) was published after the submission of the LDP in April 2014. However CCC believes that this largely confirms information on impacts already documented in highways reports available prior to submission of the LDP. On this basis, CCC is satisfied that MDC has fully discharged its responsibilities under the Duty to Co-operate. CCC further considers that the Duty to Co-operate has been complied with on an ongoing basis, actively and constructively on strategic policies/matters so far as the preparation of the LDP is concerned.
6. CCC is also content that the LDP evidence base supporting Policies S2 and S4 in respect of transportation implications on Chelmsford is complete, and that potential impacts and mitigation measures have been robustly assessed. It is not of the view that any further evidence base work is required or that the additional work published after April 2014 changes the overall findings of evidence available at the time of submission.
7. Setting aside the above, CCC's Hearing Statements to Matters 2, 3 and 4 maintain its reservations about whether the LDP can adequately mitigate the highway impacts of the proposed developments on Eves Corner junction in Danbury. Hearing Statement 10 also proposes modifications to specific LDP policies to ensure that the proposed mitigation measure of pre-signals at Eves Corner would be delivered. Having reviewed EB004d, CCC is also seeking the inclusion of a priority lane mitigation measure at Well Lane mini-roundabout in the LDP.
8. For the avoidance of doubt, CCC wishes to stress that its highways concerns and suggested LDP modifications are technical and relate to the content of the LDP. They are not objections under the Duty to Co-operate which it believes MDC has fully discharged with CCC.

Chelmsford City Council 9.1.15