

**EPPING FOREST DISTRICT COUNCIL: Examination of the District Local Plan, 2011 – 2033.**

**Examination Hearing Statement**

**MATTER 8: Garden Town Communities**

<p><b>Issue 1</b></p>	<p><i><b>What is the “Garden Town” concept as applied to proposed allocations SP5.1, SP5.2 and SP5.3 and is this significant for plan-making purposes?</b></i></p>
<p><b>Question 1</b></p>	<p>Are the four Garden Town Communities (including Gilston in East Herts) intended to function together in some way, or are the allocations essentially separate entities? Does this matter?</p>
<p><b>Question 2</b></p>	<p>If the communities are intended to function together, is this possible in light of their physical separation? Will the requirement for separate Strategic Masterplans be effective in achieving coherent schemes?</p>

1. The EFDC hearing statement will respond to question 1 but ECC advises that from its own perspective the four stated Garden Town Communities are intended, and need, to function together. This point is important and does matter, for reasons the rest of this statement will help explain. The emerging HGGT Vision document helps make this clear, since there needs to be a collective vision for HGGT, with its various individual constituent parts, both old and new, unified and able to function together effectively. In relation to importance of HGGT, ECC would recommend that reference is also made to this entity in the 5<sup>th</sup> bullet in paragraph 1.44 i.e. “a recognised need for significant regeneration of Harlow, which will be supported by the development of the Harlow Enterprise Zone, together with significant growth in new homes **in the Harlow and Gilston Garden Town.**”
2. ECC has concerns that HGGT may not yet have sufficient completed, approved frameworks, policies (beyond those of the East Hertfordshire Local Plan), guidance, etc to steer component parts (e.g. the EFDC Garden Town Communities, as referred to in the LPSV). In this vein, it is suggested that a clear, unified policy framework is required to be strong enough to ensure a cohesive approach for all adjoining districts' sites, as well as within Harlow

district itself, in order to ensure delivery of the best possible outcomes for the HGGT. This is in order to ensure that delivery of strategic sites, within a number of land ownerships, by a range of different promoters/developers is steered successfully, each with due regard to the whole Garden Town.

3. There are substantial concerns that unless a single, cohesive Garden Town concept and approach is promoted and required in development planning and delivery, the strategic site allocations could be approached and treated as essentially separate entities (such as more conventional urban extensions) unless they achieve sustainable interconnectivity with each other and with the key attractors within Harlow itself, e.g. town centre, rail and bus stations, Pinnacles business district and Templefields employment and retail areas, etc. Without the interconnectivity it will be much harder to deliver an overall step-change in travel behaviour across the whole HGGT, including reducing the need to travel, reducing journey lengths, and making active/ sustainable travel the first choice. An example of the practical application of this is the potential need to ensure a collective, pooled approach towards funding and delivery of key infrastructure interventions, given the scale / cost, nature and purposes of major transport interventions (such as new river crossings linking parts of HGGT in Herts and Essex and sustainable transport corridors) There is also a need to ensure that new development and the new residents who will occupy it will be integrated as far as possible into the existing town and community of Harlow, in the interests of social inclusion and equalities (partly reflecting Harlow Council's corporate / community priorities), instead of these developments being brought forward as individual, much smaller and distinct new communities that do not connect with their wider environment.
4. ECC noted that between Draft Plan (Regulation 18) and the Pre-Submission (Regulation 19) Plan stages, a change was introduced that departed from the original approach that articulated a single new Garden Community (i.e. the Garden Town, Policies SP 3 and SP 4 and supporting text of the 2016 Local Plan). The LPSV introduced at Policy SP 5 Garden Town Communities, a new approach that described this concept instead as four new individual distinct Garden Communities. The concern that ECC has expressed through representations is that this loses the integrity and cohesion of the requisite single, Garden Town and single Garden Community approach.
5. In response, ECC recommended to EFDC reverting to the previous approach and wording to ensure that a cohesive approach to Garden Town growth is achieved. This requires rewording to Policies SP 4 and SP 5, so that all references are instead to a single Garden Community, i.e. Harlow and Gilston Garden Town, instead of four individual Garden Communities.

6. EFDC considers that the current description of Garden Communities does not hinder the deliverability of the strategy and is based on effective joint working on cross-boundary strategic priorities (in that there is consistency between EFDC and HDC's Local Plans). However, to provide further clarification EFDC proposed the following modification to the LPSV:

Paragraph 2.107

Harlow and Garden Town comprises the whole of Harlow together with four new Garden Communities:

- East of Harlow;
- Latton Priory;
- Water Lane Area; and
- Gilston

7. ECC welcomed EFDC's revision proposal in principle. However, it is considered that this still contains ambiguity and does not provide a sufficiently clear expression of the coherence of a single Garden Town community concept and approach. Accordingly, ECC proposes a suggested form of revised wording and this would also require commensurate changes in ensuing text to bring that in line with the single Garden Community concept. It is suggested that the wording of this description of the HGGT might take the form of the following:

Paragraph 2.107

**Harlow and Gilston Garden Town comprises the whole of Harlow, together with four new neighbourhoods, planned on Garden Community principles, as follows:**

- East of Harlow;**
- Latton Priory;**
- Water Lane Area; and**
- Gilston (includes seven villages)**

## MATTER 8: Garden Town Communities

<p><b>Issue 1</b></p>	<p><b><i>What is the “Garden Town” concept as applied to proposed allocations SP5.1, SP5.2 and SP5.3 and is this significant for plan-making purposes?</i></b></p>
<p><b>Question 3</b></p>	<p>Does the Garden Town approach have specific implications for how infrastructure needs are identified and provided? Have Harlow and Epping Forest Councils worked together constructively in making decisions about where to provide health and education infrastructure, for example?</p>

8. ECC contends that the single, cohesive Garden Town concept has important implications for how infrastructure needs are identified and delivered. This is illustrated by the emerging HGGT Infrastructure Delivery Plan. Supporting this, the emerging HGGT strategic infrastructure work will assess the collective total infrastructure cost, identify available funding and assess whether there is a gap between the two. As was anticipated, the indications have been that given the nature of major infrastructure interventions (as already agreed by the MOU on strategic transport and highways infrastructure) key measures such as the sustainable transport corridors and new river crossings, allied with all other requirements, would present an extremely large and challenging infrastructure cost burden. Each strategic development is likely to have its own opportunities and cost requirements (such as major strategic greenspace) and differing viability findings. This may require the use of new or innovative collective funding arrangements, ranging from more conventional infrastructure costs pooling / equalisation agreements to approaches such as a strategic infrastructure tariff (such as that used for Milton Keynes). Either way, the single Garden Town approach is clearly of fundamental importance.
9. In terms of provision of infrastructure, the needs of HGGT may differ over time from current EFDC LPSV / IDP proposals. However, LPSV paragraph 2.7 in support of the regeneration and growth for Harlow Town, states “*This requires a shared commitment with neighbouring authorities, infrastructure providers and National Government to provide a strategic approach.*” This is welcomed and reflects the joint work done to date by the West Essex East Herts working group, including considerable strategic transport modelling and highway impact evaluations. [Jacobs/WEEH TN1-7].

10. Jacobs/WEEH Technical Note 7 (WEEH Local Plans Sustainable Transport Modelling, February 2017) reports on exploration of the potential for and likely impact of achieving greater levels of travel by sustainable modes, and a greater level of commuting/work trips remaining in the HGGT area. As would be expected, increased uptake of sustainable travel modes and provision of improved sustainable travel infrastructure, would be likely to result in reduced congestion levels and improved journey times.
11. Garden Town principles for HGGT aspire to achieve 60%:40% sustainable:car mode share for all local trips made within the garden town from the new developments and 50%:50% across the town overall. It is acknowledged that this is a significant and ambitious shift from the current 25%:75% sustainable:car mode share for Harlow. Accordingly, an intermediate level has also been identified, and analysis undertaken to establish what benefits both these levels could achieve for the HGGT highway network. The intermediate level of sustainability assumes that not only would approximately 40% of trips generated by the new development be by active/sustainable modes but also that mode change would also result within some areas of the existing town, so would rise to approximately 35%, depending on their proximity to sustainable travel infrastructure (See Table 3.6 and 3.8, and Figure 3.1; Jacobs/WEEH TN7).

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<b>Issue 2</b>	<b><i>Are the Garden Town allocations deliverable in respect of their impact on transport infrastructure?</i></b>
<b>Question 1</b>	Are the requirements of Policy SP 5 in relation to transport sufficient to mitigate the effects of the proposed development in all three communities upon existing Junction 7 of the M11 and to ensure that adequate financial contributions are made towards the provision of Junction 7a? Is it the case that the provision of Junction 7a and associated infrastructure is a prerequisite of development on these sites and, if so, is this sufficiently clear in the Plan?

12. As stated for Matter 4, Issue 6, Transport Q1, it should be noted that, while funding and planning permission have been secured, delivery of M11 J7a is not yet assured, due to outstanding landowner objections to the CPO. Provided these issues are overcome successfully, it is anticipated that M11 J7a should be in place by 2022/23 irrespective of the need for a Public Inquiry.
13. ECC suggested that the wording of Policy SP5.3, and other policies relating to the strategic sites around Harlow, be amended to reflect the position that M11 J7a (and a major improvement at J7 by the end of the Plan period) is required in order to enable development as planned collectively within and around Harlow. ECC and EFDC are working towards an agreed text/overarching statement to ensure that high quality 'door-to-door' sustainable/active travel provision is available from the outset of major planned growth, with a requirement to deliver the Sustainable Travel Corridors in full by the end of the Plan period.
14. With regard to the highway impacts of the EFDC 'Garden Community' sites around Harlow, Jacobs/WEEH Technical Note 5 (Local Plans Modelling East Harlow Corridor VISSIM Study (Sept 2016)) investigated the likely impacts of the East Harlow strategic site on the Gilden Way corridor, based on 2016 planning assumptions (Jacobs/WEEH TN5). It found that there was potential for this development to impact negatively on the new J7a link road and on the M11 mainline traffic. It was considered that careful consideration and management of the site's access arrangements would be required and that a significant shift towards sustainable and active travel would be imperative to

ensure that the local and strategic highway network would not be compromised unacceptably. It is therefore a requirement that masterplanning of the site should follow a key objective to significantly increase the sustainability of the site / scheme (and of adjoining areas, e.g. through a programme of Transport 'Smarter Choices').

15. In response to concerns raised by Harlow DC a study was undertaken into potential access arrangements and likely highway impacts of the Latton Priory strategic site and those of the south-western sites ('Water Lane') and reported in Jacobs/WEEH Technical Note 6 (Local Plans Modelling South & West Harlow Study, Sept 2016).
16. The study found that the Latton Priory site development would have least impact on the local road network in southern Harlow with both eastern and western site accesses in place, joined by a link road through the site. It should be noted that this was modelled in such a way as to discourage use by non-site traffic, as there is no intention to provide a southern bypass of Harlow, which such a link could become without careful design. It was considered that only having a site access to the west, onto Rye Hill Road, would have the most detrimental impact on the local highway network, particularly on Southern Way and other south Harlow roads.
17. For the Water Lane sites the study found that there would be additional traffic routeing along Southern Way, although a greater increase would occur on Katherine's Way. Possible junction configuration changes and traffic management measures along Southern Way were evaluated and it was concluded that implementation of these would reduce the use of this link, and encourage use of Katherine's Way, and Second Avenue, and to a lesser extent of the B181 to the south of the site.
18. It should be noted that this study did not assess sustainable travel corridor alignments for either the Latton Priory or Water Lane sites.
19. ECC recommended to EFDC adding to Policy SP5.3, which covers East Harlow, that as part of the delivery of this site, and other sites around Harlow, the provision of M11 J7a and associated infrastructure (in particular the east-west sustainable transport corridor) should be prerequisites to all of these coming forward. This could possibly be dealt with through a single overarching statement.
20. ECC maintains that it will be necessary for key sustainable transport provision to be available when these strategic new developments are first occupied (to prevent establishment of unsustainable travel behaviour). ECC recognises this is unlikely to mean the entire East-West Sustainable Transport Corridor (STC) being in place, but alternatives to private car (such as adequate bus provision / walking & cycling provision will be necessary).

21. The original text of the ECC proposed modification was as follows:

key transport interventions (such as M11 J7a and provision of sustainable transport (providing viable alternatives to the private car) will be required as prerequisites of this development being occupied. Measures to ensure future upkeep/ maintenance of sustainable transport provision will be required.

22. ECC notes that EFDC considers that the Local Plan, in particular the policy framework set out in Policy SP 4, is sufficiently robust with respect to the need for, and provision of, transport infrastructure.

23. It has been agreed, through a Memorandum of Understanding (EB1202) that sites in and around Harlow should provide circa 16,100 new homes. The exact timing and phasing of developments and associated infrastructure provision should be a matter for respective masterplans and individual planning applications in order to maintain sufficient flexibility within the Planning Policy context as set out in Paragraph 11 of the revised National Planning Policy Framework i.e. that plans should positively seek opportunities to meet the development needs of their area and be sufficiently flexible to adapt to rapid change.

24. It should be noted that since the LPSV Regulation 19 consultation, the M11 J7a project has received planning permission and initial site enabling works are already underway. It is expected that the project will be completed by 2022/23, prior to the delivery of the strategic development allocations.

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<b>Issue 2</b>	<b><i>Are the Garden Town allocations deliverable in respect of their impact on transport infrastructure?</i></b>
<b>Question 3</b>	Essex County Council has indicated that the Latton Priory development could not deliver an essential north/south sustainable transport corridor. What difficulties does this present and can they be resolved?

25. ECC expressed concerns about the Latton Priory development through the Plan-making process (through ongoing Duty to co-operate working groups meetings). ECC pointed out transport network concerns (as a result of transport modelling work) relating to this development at Regulation 18 consultation stage. The ECC comments pointed to the need to ensure effective delivery of an overall, integrated package of transport / sustainable transport interventions (in line with the signed Highways and Transport MOU) to ensure mitigation of impacts and to provide a broader range of benefits for the town's future. In particular, this proposal was still considered to be of insufficient size to enable it to support delivery of the high quality STC (southern section) envisaged as part of the overall strategy for the Garden Town in terms of funding and / or sufficient passengers to support the service (through revenue). The combination of these was that it raised the issue of a need to review (the parameters and effectiveness of) this allocation in the way proposed due to impacts on Southern Way and associated routes (See Jacobs/WEEH TN6).
26. ECC recommended a review of wording of Policies SP 4 and SP 5, if necessary, in response, to ensure that this development was of sufficient scale to deliver the level of funding required to deliver the sustainable transport corridors. ECC recommended joint working with EFDC prior to Local Plan submission to identify, through appropriate evidence, the parameters required to meet financial viability tests. In response, EFDC has advised that it considers that the Local Plan, in particular the policy framework set out in Policy SP 4, is sufficiently robust with respect to the need for, and provision of, transport infrastructure.
27. It has been agreed, through a Memorandum of Understanding (EB1202) that sites in and around Harlow should provide circa 16,100 new homes. The exact timing and phasing of developments and associated infrastructure provision should be a matter for respective masterplans and individual

planning applications in order to maintain sufficient flexibility within the Planning Policy context as set out in Paragraph 11 of the revised National Planning Policy Framework i.e. that plans should positively seek opportunities to meet the development needs of their area and be sufficiently flexible to adapt to rapid change.

28. Although precise costs are not yet available, ECC raised viability concerns for delivery of key infrastructure, particularly the required link road to connect the Latton Priory strategic development with the transport network beyond Harlow, to the south-east and the southern section of the STC, as a result of likely costs of those interventions, plus other development related requirements and costs for this scheme. This concern remains. ECC does not consider it appropriate to recommend or prescribe the means by which this might be addressed but remains open minded as to the form or approach of potential solutions by which this might be assured.

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<b>Issue 4 - All Sites</b>	<b><i>Are the site allocations (SP5.1, SP5.2 &amp; SP5.3) in Policy SP5 sound and deliverable?</i></b>
<b>Question 2</b>	Will sufficient employment land be available in/near to the new Garden Town Communities to “enable residents to meet the majority of their day to day needs” within them and to “maximise the use of sustainable transport modes” as required by Policy SP4? Has consideration been given to providing more employment land (and less housing if necessary to achieve this) within the relevant allocations? (Reps Harlow and ECC).

29. See also Matter 3, Q3, Issue 3, and Matter 4, Issue 3 Q1. On this question the ECC concerns derived partly on the basis of the established (TCPA) Garden Communities approach of providing one job per new home (and household) ‘locally’. The ECC representations can be taken as read and relate to a potential mismatch between the 3,900 HGGT homes planned in the LPSV, without commensurate new employment provision planned locally in the LPSV.
30. In short, ECC still has concerns on this matter, recognising that EFDC is seeking planned provision to meet its full assessed jobs requirement across the district through the LPSV but the spatial distribution raises doubts. This is in respect of whether any spatial mismatch between the homes and jobs planned to be available and delivered for HGGT may impact on achieving the required 60%:40% sustainable modes travel pattern.
31. There is a clear evidence base gap that means that there is currently no definitive position on this matter, since under the existing WEEH FEMA evidence work (2017), each WEEH district’s future jobs growth requirements were identified individually and on a non-spatial basis, in relation to HGGT. ECC recognises and welcomes the fact that this work is soon to be commissioned. Recent discussions between EFDC and ECC have led to a collective view that in the absence of clear findings and recommendations for this work, at this point in time, there remains a question as to the spatial match between planned new homes and jobs for HGGT at present. The new NPPF requirements for Local Plans to be reviewed every five years, however, means that when that review requirement comes around for EFDC, this

evidence will be available. It will then be for EFDC and possibly other HGGT district councils, if necessary, to take the appropriate actions, if necessary through revised Local Plans and other associated means, based on the circumstances identified at that point in time.

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<b>Issue 4 - Site SP5.1 Latton Priory</b>	<b><i>Are the site allocations (SP5.1, SP5.2 &amp; SP5.3) in Policy SP5 sound and deliverable?</i></b>
<b>Question 6</b>	Does the Masterplan Area shown on Map 2.2. provide sufficient points of access to achieve a sustainable connection route to the B1393 Epping Road? (Reps ECC).

32. ECC refers to its representations and the current draft SoCG between EFDC and ECC on this matter. In summary:

1. The need for this access route has been agreed between ECC, EFDC and HC (plus other relevant parties)
2. This is shown indicatively on map 2.1, but not map 2.2
3. ECC recognises that illustrating this indicatively on map 2.2 (at larger scale and in higher detail) is not a straightforward matter. ECC acknowledges that masterplanning work (undertaken subsequently and in greater detail than the Local Plan can currently provide) will address this matter
4. ECC is also aware that the Inspector has raised a number of illustrative and map-based issues and defers to EFDC to identify an appropriate solution that covers this matter such that it is made clear and certain for the benefit of all Local Plan users

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<b>Issue 4 - Site SP5.3 East of Harlow</b>	<b><i>Are the site allocations (SP5.1, SP5.2 &amp; SP5.3) in Policy SP5 sound and deliverable?</i></b>
<b>Question 13</b>	Are the requirements of Part H(xii) concerning the highway works required too specific at this stage? Should this part be reworded to allow for detailed solutions to be determined at the planning application stage? (Reps ECC).

34. Please refer to ECC-EFDC SoCG on this as this matter has now been agreed and appropriate changes (deleting the detail of these measures) have been identified and agreed.