

**Epping Forest Local Plan Submission Version  
Harlow Local Development Plan Pre-Submission Publication**

**Statement of Common Ground**

**East of Harlow (Site) Policy SP 5.3 and HS3**

**February 2019**

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**Between:**

- 1) Epping Forest District Council (EFDC)**
  - 2) Harlow District Council (HDC)**
  - 3) Miller Homes**
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**Summary**

Epping Forest District Council (EFDC) is the Local Planning Authority for the northern section of the East Harlow site ('the Site') as contained within the administrative boundary of Epping Forest District. This section relates to Policy SP 5.3 within the EFDC Local Plan (EFDC LP).

Harlow District Council (HDC) is the Local Planning Authority for the southern section of the Site as contained within the administrative boundary of Harlow District. This section relates to Policy HS3 within Harlow Local Development Plan Pre-Submission Publication (HLDP).

This statement of Common Ground has been prepared by the above parties to assist the EFDC LP and the HLDP at their respective Independent Examinations by setting out the areas of agreement in respect of the delivery of the East Harlow site ('the Site') which is identified for allocation as part of the EFDC LP and the HLDP (LPSVs).

**Background**

EFDC and HDC have each prepared a Local Plan which will cover the period 2011 to 2033.

The LPSV policies are supported by the emerging Harlow and Gilston Garden Town (HGGT) Infrastructure Delivery Plan (IDP), which once published, will provide details of the infrastructure requirements for the site.

The key policy requirements for the site are as follows:

### EFDC LP allocation site SP 5.3:

- At least 750 homes up to 2033;
- 0.5 hectares for up to 5 traveller pitches;
- Strategic 'green infrastructure' comprising natural/semi natural open space, walking and cycling routes, flood mitigation and wildlife space;
- No built development will be permitted on land within Flood Zone 2 and 3 as indicated on the Environment Agency maps;
- A local centre;
- The provision of appropriate community and health facilities including approximately 14 hectares of land for a health and well-being hospital campus;
- A new primary school;
- Approximately 10ha of land to accommodate a new secondary school in addition to any necessary contributions;
- Early Years Facilities;
- The provision of appropriate community and health facilities;
- Highway and transport improvements including linkages into off-road cycle and walking networks;
- The delivery of works to widen the B183 Gilden Way, a left turn slip road from M11 Junction 7a link road approach to the East Harlow northern access road ahead of development commencing;
- Satisfactory water supply and waste water network infrastructure for occupants;
- Bus services and direct pedestrian and cycle links between housing and the facilities that serve them;
- The proposed National Cycle Network route 1; and
- Measures to ensure the protection of the functional flood plain and restriction of surface water run-off from the site into Pincey Brook to no more than existing rates.

### HLDP allocation site HS3:

- At least 2,600 homes up to 2033;
- provide integrated, well-planned and sustainable development that reflects the overarching design principles of the Harlow and Gilston Garden Town Spatial Vision and Design Charter, including the provision of Green Wedges and Green Fingers (incorporating public open space) and opportunities to enhance the biodiversity of the area;
- provide local highway solutions to address the impact on the wider strategic road network (including necessary links to the new Junction 7a on the M11);
- provide necessary infrastructure, including, but not limited to, health centres and education facilities, as set out in the Infrastructure Delivery Plan (IDP);
- provide footpaths, cycleways and bridleways within the development and link them to the existing Harlow network;
- provide indoor and outdoor sports facilities, which may be shared-use, neighbourhood equipped areas for play and locally equipped areas for play;

- provide for appropriate local retail facilities, similar to Neighbourhood Centres (incorporating an element of employment use) and Hatches elsewhere in Harlow;
- provide for appropriate community facilities as set out in the IDP such as allotment provision, youth services and libraries;
- provide sustainable drainage solutions and flood mitigation measures for areas of the site which are identified in the Strategic Flood Risk Assessment; and
- provide and contribute to public art within the development.

## **Representations**

Miller Homes have made Regulation 20 representations to EFDC in response to the publication of the LPSV reference # 19LAD0139.

Miller Homes have also made Regulation 20 representations to HDC in response to the publication of the LPSV reference #5769.

## **Latest Position**

The Councils are working with Miller Homes towards entering into a Planning Performance Agreement (PPA). The PPA will promote efficient and effective joint working, front load the planning process and assist in focusing the issues that will need to be addressed as part of the Strategic Masterplanning process and prior to the submission of planning application(s).

Miller Homes have been engaged in ongoing dialogue and discussions with EFDC, HDC and Essex County Council (ECC), and other stakeholders, in relation to the future delivery of the site and have been part of the Developer Forum established by EFDC in 2016.

## **Areas of Common Ground**

### General:

The parties support the allocation and consider that both LPSVs are legally compliant.

The parties agree with the overall vision that the LPSVs sets out for Epping Forest District and Harlow District and the strategy to locate major development adjoining the Harlow urban area.

The parties agree that the East of Harlow site is deliverable and developable in accordance with paragraph 47 of the National Planning Policy Framework (2012).

### Housing:

The parties agree that the Site is capable of delivering the quantum of housing in accordance with Policies SP 2, SP 4 and SP 5 within the EFDC LP, Policies HGT1, HS1 and HS3 within the HLDP, and EFDC's updated Housing Implementation Strategy (HIS) (EB410A and EB410B).

The parties agree that the allocation shall deliver the infrastructure and affordable housing necessary to support a new Garden Town Community in this location.

Infrastructure/viability:

A draft Garden Town Infrastructure Delivery Plan (IDP) is being produced for the Harlow and Gilston Garden Town. The IDP is being produced by Arup, on behalf of the Garden Town authorities:

- Harlow District Council;
- Epping Forest District Council;
- East Herts District Council;
- Essex County Council; and
- Herts County Council.

The purpose of the IDP is to:

- identify the infrastructure required to support housing and employment growth across the Garden Town, when it needs to be delivered and how much it is expected to cost;
- identify which sites will be expected to deliver or contribute to infrastructure; and
- apportion estimated infrastructure costs to specific sites.

The work draws together previous studies undertaken by the Councils and other stakeholders. In particular, the work builds upon the three IDPs produced by East Herts District Council, Epping Forest District Council and Harlow District Council.

Separate work on strategic viability is also being produced on behalf of the Garden Town local authorities. The Harlow and Gilston Garden Town Viability Study (produced by HDH Planning and Development) will assess the viability of the strategic sites within the Garden Town, taking into account the infrastructure requirements to be established by the IDP.

Both the IDP and Strategic Viability Study are being informed by an ongoing process of engagement with stakeholders, including infrastructure providers and developers. This accords with national planning policy, guidance and best practice. The findings of the Studies will be reported to the Garden Town Developer Forum and endorsed by the Garden Town Board in Spring 2019.

The production of the Garden Town IDP and Viability Study recognises the need to coordinate the planning and delivery of complex strategic infrastructure over the entire plan period (and beyond) across the entirety of the Garden Town, covering three District Council areas and two County Council areas.

Once complete, the Studies will then be endorsed by the respective local planning authorities of the Garden Town as evidence base documents, which can comprise material planning considerations for decision-making purposes. The County Councils will also endorse the documents alongside existing strategies relating to the delivery of infrastructure.

All parties agree with and support the above approach and are working constructively with relevant Local Authorities in order to progress this work in a timely and robust manner.

Princess Alexandra Hospital:

The Councils and the Hospital's Trust have agreed to examine the feasibility of re-locating Princess Alexandra Hospital from its current location in Harlow to a 'Health and Well-Being Campus' at the East of Harlow site.

Miller Homes has agreed to reserve land for this purpose, in the event that the Hospital's Trust decide to relocate to the East of Harlow site.

Flood Risk:

The Environment Agency's Flood Map confirms that the majority of the site lies within Flood Zone 1 (land assessed as having a less than 1 in 1000 annual probability of river or sea flooding). However, an area along the Pincey Brook falls within Flood Zones 2 and 3. All parties agree that no built development, other than essential infrastructure (where necessary), will be proposed within Flood Zones 2 or 3.

Drainage:

All parties agree that the proposed development will make provision for foul water drainage via a mains sewer system and surface water drainage via sustainable drainage systems (SUDS). It is agreed that an objective of any SUDS scheme will be to ensure that surface water runoff does not exceed existing greenfield runoff rates, plus an additional allowance for future climate change – as reasonably practicable.

All parties agree to ongoing stewardship arrangements regarding SUDS.

Ecology:

Whilst the EFDC LPSV provides for the retention of the existing Biodiversity Action Plan (BAP) Priority Habitat, recent ecological assessment work has confirmed that there are no longer habitat types requiring conservation under the BAP designation. All parties therefore agree that there are no priority habitats at the site.

The intended public open space, green infrastructure and landscaping and retention of trees will all ensure the opportunities for biodiversity and movement of species are retained and enhanced.

Transport:

All parties are committed to facilitating the timely delivery of all necessary highway and transport infrastructure improvements, including bus services and direct pedestrian and cycle links between housing and the facilities that serve them as well as the delivery of necessary highway and transport improvement works.

The parties are also committed to the delivery of the relevant elements of the east/west Sustainable Transport Corridor as it applies to the East Harlow site and the establishment of an integrated, accessible and safe transport system which maximises the use of the sustainable transport modes of walking, cycling and the use of public and community transport, in order to achieve modal shift by changing travel behaviour.

#### Education:

It is agreed that the site should provide two new primary schools with early years and childcare provision and approximately 10ha of land to accommodate a new secondary school in addition to any necessary contributions.

The location, design parameters and delivery arrangements for new education provision will be set out within the Strategic Masterplan for the site, in accordance with the Garden Town Infrastructure Delivery Plan.

#### Affordable housing:

All parties agree that the site should provide a mix of different size dwellings and tenures including affordable housing in accordance with the needs identified by the latest evidence, including the Strategic Housing Market Assessment (EB405). The mix of the affordable housing will meet the identified need for affordable housing in the districts.

All parties agree that the site will provide opportunities for the provision of custom and self-build housing plots and will investigate further the potential for community-led housing schemes such as community land trusts, cohousing and cooperatives.

#### Landscape and Open Space:

All parties agree that the site requires provision of development within a landscape framework in order to mitigate its visual impact on the surrounding landscape including the provision of Green Wedges and Green Fingers. The details of this are to be agreed as part of the Strategic Masterplan process.

### **Inspectors Matters, Issues & Questions**

#### EFDC LP

MIQ Matter 8 Issue 4 question 9: It has been agreed that there will be a single joint Strategic Masterplan for East of Harlow and that two separate (but otherwise identical) planning applications will be submitted to each respective local authority. All parties agree to work collaboratively and constructively to ensure that a single comprehensive Strategic Masterplan is provided for the entire East of Harlow allocation site.

MIQ Matter 8 Issue 4 question 10: All parties agree that the requirements in EFDC LP Policy SP 5(H) apply to the EFDC LP allocation site SP 5.3 and the requirements in HLDP Policy HS3 apply to the HLDP allocation site HS3.

MIQ Matter 8 Issues 4 question 11: The parties agree that sufficient land will be safeguarded for the potential relocation of the Princess Alexandra Hospital and for the provision of a secondary school within the overall allocation site. It has also been agreed that a Strategic Masterplan option for a development that does not include the hospital relocation can be submitted and considered concurrently with an option including the land allocation for the new hospital campus.

MIQ Matter 8 Issues 4 question 12: The parties agree that the wording of policy SP 5 Part H(xvi) will be modified to include mitigation against increased volume of water discharging into Pincey Brook.

MIQ Matter 8 Issues 4 question 13: All parties agree that the wording of policy SP 5 Part H(xii) will be modified to reference 'suitable highway improvements to be agreed with the highway authority'.

## HLDP

### Matter 4: Strategic Housing Site East of Harlow

Q 4.1: All parties agree that exceptional circumstances exist to justify deletion of the Green Belt to the East of Harlow to facilitate this development.

Q 4.2: All parties agree that the allocation is appropriate and that any potential adverse impacts would be addressed by a range of mitigation measures, through the delivery of related infrastructure and in accordance with agreed design principles established at the master planning stage.

Q 4.3: The Councils have been co-operating effectively to plan and co-ordinate the delivery of the whole site and, as noted previously, it has been agreed that there will be a single joint Strategic Masterplan for East of Harlow and that two separate (but otherwise identical), planning applications, one for 750 dwellings in EFDC and one for 2,600 dwellings in HDC, will be submitted to each respective local authority.

Q 4.4: All parties agree that the infrastructure requirements in respect of the site within Harlow are set out in Policy HS3 of the HLDP.

Q 4.5: All parties agree that the access route identified in Policy SIR1 is likely to be necessary in order to provide the necessary highway capacity to accommodate the delivery of the housing and other related development within the Strategic Site East of Harlow.

Q 4.6: It is agreed by the parties that transport effects of the proposal have resulted in the identification of appropriate access points and new access route. These will be supplemented by the provision of a Sustainable Transport Corridor that will link the site to key destinations across Harlow and the other strategic sites characterised by an integrated network of bus, cycleways and footpaths, that will contribute towards facilitating modal shift.

Q 4.7: All parties consider that the surface water drainage and waste water implications of the development have been adequately assessed and that detail of

the mitigation measures will be considered in detail during the preparation of the Masterplans and, where necessary, through conditions attached to subsequent planning applications.

Q 4.9: The parties agree that the indicated site capacity is realistic and is deliverable.

Q 4.10: The parties agree that, in general, Policy HS3 provide clear guidance to bring forward the development of the site and is complementary to the equivalent policy in policy SP 5.3 of the EFDC LP.

### **Milestones**

Both parties envisage the following key milestones:

Q3 2020 - Submission of Strategic Masterplan to EFDC and HDC

Q4 2020 - Submission of planning applications

### **Phasing and Delivery**

The parties agree that the allocation shall be phased and delivered in line with the Council's Housing Trajectories as follows:

EFDC LP allocation site SP 5.3:

2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
50	50	50	50	50	100	100	100	100	100

HDC LP allocation site HS3:

2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
100	200	250	300	300	300	300	300	300	250

## **Conclusion**

The parties agree that development at the East of Harlow site would make a significant contribution to addressing the need for housing, including affordable housing in the Districts.

The parties are committed to continue to work together to secure the delivery of the site in accordance with the policies, requirements and principles set out in the EFDC and HDC Local Plans (Submitted Versions).

### **Signed**

#### **On behalf of Epping Forest District Council:**

Name: [REDACTED]

Date: 06/03/2019

#### **On behalf of Harlow District Council:**

Name: .....

Date: .....

#### **On behalf of Miller Homes:**

Name: .....

Date: .....

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## **Signed**

### **On behalf of Epping Forest District Council:**

Name: .....

Date: .....

### **On behalf of Harlow District Council:**

Name: ANDREW BRAMBLE

Date: 5th March 2019

### **On behalf of Miller Homes:**

Name: .....

Date: .....

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### **On behalf of Epping Forest District Council:**

Name: .....

Date: .....

### **On behalf of Harlow District Council:**

Name: .....

Date: .....

### **On behalf of Miller Homes:**

Name: ... [REDACTED]

Date: ... 22/2/19 .....