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Harlow Local Plan  
Examination in Public

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Hearing Statement

on behalf of

Miller Homes

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Matter 4 – Strategic Housing Site  
East of Harlow

March 2019

AM-P Ref: 13001



## INTRODUCTION

1. This Hearing Statement has been prepared by Andrew Martin – Planning (AM-P) on behalf of Miller Homes.
2. Miller Homes controls 249.7 hectares (ha) of land, bounded by Gilden Way / Sheering Road, the M11, Church Langley and New Hall Farm, to the east of Harlow. Of this 128.7 ha of land falls within Harlow District to the south of Moor Hall Road and the remaining 121 ha within Epping Forest District to the north of Moor Hall Road. This land is shown on the Site Location Plan at Appendix A. Essex County Council's preferred alignment for the new M11 Junction 7a and link road to Gilden Way is also shown on the same plan.
3. The southern part of the site is allocated in Policy HS3 of the Harlow Local Plan Pre-Submission Document (HSD1) for approximately 2,600 homes and other associated uses. The northern part of the site is allocated in Policy SP5 of the Epping Forest Local Plan Submission Version for approximately 750 homes, other associated uses and the potential relocation of the Princess Alexandra Hospital (PAH).
4. This Hearing Statement supplements our client's formal representations from July 2018 and considers the Inspector's Questions for Matter 4 of the Harlow Local Plan Examination.

## MATTER 4 – STRATEGIC HOUSING SITE – EAST OF HARLOW

***Question 4.1 – Are there exceptional circumstances to justify deletion of the Green Belt to the East of Harlow to facilitate this development? Should part of this be designated as a Green Wedge, or should this remain as Green Belt? Are alternative sites available for development not in the Green Belt?***

5. Paragraph 83 of the National Planning Policy Framework (NPPF) (2012) states that Green Belt boundaries should only be altered in “exceptional circumstances” through the preparation or review of the local plan – i.e. it is the local authority's prerogative, via the local plan process, to consider whether there are exceptional circumstances to warrant an adjustment to the boundary of the Green Belt.
6. The Statement of Common Ground between Miller Homes, Harlow District Council (HDC) and Epping Forest District Council (EFDC) confirms that all parties agree that exceptional circumstances exist to justify deletion of the Green Belt to the East of Harlow to facilitate this development.
7. The exceptional circumstances include the pressing need for new homes in Harlow District and importance of delivering sustainable patterns of development. Given how tightly Harlow's administrative boundaries are drawn around the Town and how vital a role the existing Green Wedges play in providing green space for Harlow's residents, the release of Green Belt land to the East of Harlow is deemed to be the only realistic option to facilitate strategic-scale growth within the District. Miller Homes is not aware of any alternative sites being available for development within Harlow District that could individually or cumulatively accommodate the 2,600 dwellings allocated at East of Harlow.
8. Designating part of the site as Green Wedge, rather than Green Belt, can be justified on the basis that the Town benefits from an extensive network of existing Green Wedges and there is merit in extending



these into the East of Harlow site to ensure appropriate green links between new Garden Town Community and the existing Town. A Green Wedge designation should also allow for a wider range of permitted uses and public activity than commonly would be found in the Green Belt – for example Harlow’s existing Green Wedges accommodate a number of social clubs, sports clubs, schools (including their extensive playing fields), allotments and public open spaces.

***Question 4.2 – Is the allocation appropriate in the light of site constraints, landscape and visual impacts and infrastructure requirements? Would there be any adverse consequences? If so, how could these be mitigated?***

9. It is important to note that East of Harlow has been assessed previously as a potential broad location for growth by the Expert Panel appointed to examine the East of England Plan in 2005/06. That Panel had a remit to consider the wider Harlow growth area and concluded in paragraph 5.83 of their Panel Report (2006) that the east side of Harlow was “... *generally accepted to be the least constrained direction for growth...*”. This conclusion has been supported by page 60 of the more recent Harlow Strategic Site Assessment (2016) (HEBH16), which found that East of Harlow “... *due to its comparative lack of environmental and statutory designation constraints stands out as a sustainable location for growth, based upon the site assessment and feedback from statutory consultees*”.
10. Ultimately the site constraints, landscape and visual impacts and infrastructure requirements will be considered and addressed in more detail through a comprehensive site-wide Strategic Masterplan Document, to be prepared collaboratively by Miller Homes, HDC and EFDC. The tripartite Statement of Common Ground confirms that any potential adverse impacts will be addressed through a range of mitigation measures and through the delivery of related infrastructure, in accordance with agreed design principles established as part of that Strategic Masterplan.
11. In the interim Miller Homes has prepared an Indicative Master Plan (please see Appendix B) to identify how the quantum and mix of development allocated in both the Harlow and the Epping Forest local plans could be accommodated at East of Harlow. This is based on initial work carried out by RPS in the latter part of 2018, including a series of site-specific baseline reports and preliminary advice in respect of access, air quality, archaeology, contamination, ecology, heritage, landscape and noise.
12. The Indicative Master Plan layout demonstrates that both HDC’s and EFDC’s allocations at East of Harlow are deliverable, including approximately 2,600 new homes in Harlow District and 750 new homes in Epping Forest District – at densities consistent with those recommended on page 44 of the Harlow & Gilston Garden Town Design Guide (HEBGT3). The Indicative Master Plan layout also includes sufficient land for the potential relocation of the Princess Alexandra Hospital (PAH), two primary schools (one in each district), a secondary school, two local centres (one in each district), attenuation basins, strategic landscaping and public open space / amenity space.
13. For the avoidance of doubt, the Indicative Master Plan is a proving layout that presents one option to accommodate growth at East of Harlow. It does not circumvent the more detailed Strategic Masterplan process which will follow in due course and does not prejudice future decisions regarding the location of new development on-site.

***Question 4.3 – Is the allocation effectively part of a single proposal with the allocation for 750 dwellings in Epping Forest District? Have the Councils been co-operating effectively to plan and***



***co-ordinate the delivery of the whole site? Are the main elements of the development clear, including the elements required in Harlow as opposed to Epping Forest? Is a single masterplan required for the whole site?***

14. The site allocation in Policy HS3 of the Harlow Local Plan (for approximately 2,600 homes to the south of Moor Hall Road) is effectively a single comprehensive proposal with the adjacent site allocation in Policy SP5 of the Epping Forest Local Plan (for 750 homes to the north of Moor Hall Road).
15. The tripartite Statement of Common Ground confirms that the Councils have been co-operating effectively to plan and co-ordinate the delivery of the whole East of Harlow site. Miller Homes is supportive of the preparation a single joint Strategic Masterplan Document and the subsequent preparation and submission of two separate (but otherwise identical) planning applications – i.e. one to each local authority.
16. The main elements of the development required in Harlow are clear and have been set out in Policy HS3.

***Question 4.4 – What health, education, local retail, open space and community facilities would be provided as part of the development? How would these be delivered?***

17. Policy HS3 in the Harlow Local Plan sets out HDC's requirements for new non-residential uses and facilities on the southern part of the site and Policy SP5 in the Epping Forest Local Plan sets out EFDC's requirements on the northern part of the site.
18. The Indicative Master Plan at Appendix B demonstrates that there is sufficient land on the site as a whole to accommodate the potential relocation of the PAH (onto a new health campus), two primary schools (one in each district), a secondary school, two local centres (one in each district), attenuation basins, strategic landscaping and public open space / amenity space.
19. Further information on how these non-residential uses and facilities will be delivered and funded will be provided in the final Garden Town Infrastructure Delivery Plan (IDP), once published.

***Question 4.5 – Is the Access Route for Strategic Housing Site East of Harlow in Policy SIR1 necessary and justified? How would it be delivered? Would there be any adverse effects? How does the development relate to the new M11 Junction 7a?***

20. The tripartite Statement of Common Ground confirms 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 East of Harlow site.
21. The access route will be delivered by Miller Homes and its costs will be met by the development. No overriding adverse effects are anticipated at this stage, but further work will be carried out in relation to the access route at the Strategic Masterplan stage.
22. M11 J7a already benefits from planning permission and Essex County Council (ECC) has already identified full funding for its delivery. Therefore no planning contributions are required from the East of Harlow site towards M11 J7a.



***Question 4.6 – Have the overall transport effects of the proposal been adequately considered? What public transport, cycling and walking links would be provided to maximise sustainable transport options? Are these adequately secured in the plan?***

23. The tripartite Statement of Common Ground confirms that the transport effects of the proposal have resulted in the identification of appropriate access points and that these will be supplemented by the provision of a Sustainable Transport Corridor. The Corridor will link the site to key destinations across Harlow and the other strategic sites, and will be characterised by an integrated network of bus, cycleways and footpaths which will facilitate modal shift.
24. The policy requirement for the delivery of Sustainable Transport Corridors is contained in Policies HGT1 and SIR1 of the Harlow Local Plan. Further information on these corridors, including the east-west corridor which will serve the East of Harlow site, is set out in the Harlow & Gilston Garden Town Sustainable Transport Corridor Strategy (2019) (HEBGT4a).
25. The anticipated highway impacts arising from the East of Harlow site have been considered in ECC's Technical Note 5 (2017) (HEBI7e).

***Question 4.7 – Have the surface water drainage and waste water implications of the development been adequately assessed? Would mitigation measures be necessary, and would this affect the layout of the scheme?***

26. The tripartite Statement of Common Ground confirms 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 during the Strategic Masterplan process and, where necessary, through conditions attached to subsequent planning applications.
27. Furthermore, drainage experts at RPS (acting for Miller Homes) have considered the surface water drainage requirements likely to arise from the development of the site, including an additional 40% allowance for climate change and an additional 10% allowance for urban creep, and have recommended potential locations and sizes for on-site surface water attenuation ponds. These have been incorporated on the Indicative Master Plan at Appendix B and the residential parcel sizes shown are net of those ponds.
28. In respect of waste water, the Thames Water Greater Harlow Position Statement (2018) (HEBDTC6) sets out that: (i) the existing sewer network has some additional capacity and on most occasions will be able to accommodate the proposed growth; (ii) where areas of insufficient sewer network capacity have been identified, high level solutions have been established (with detailed design to be required and delivered based on phasing programmes for the development sites); (iii) the Rye Meads Sewage Treatment Works is currently being upgraded and once completed should have capacity up to 2036; and, (iv) given the scale of development coming forward Thames Water is keeping a regular review of sewage treatment works capacity.

***Question 4.8 – Have the historic heritage [sic] and ecological impacts of the proposal been adequately assessed, including any recreational or air quality effects on the Epping Forest SAC? Are there any implications for the content of the development or its layout?***



29. RPS (acting for Miller Homes) prepared series of site-specific baseline reports and preliminary advice in the latter part of 2018 in respect of access, air quality, archaeology, contamination, ecology, heritage, landscape and noise. Amongst other things, this work identified the parts of the site that are more sensitive from a heritage and a landscape and visual perspective, including near Hubbard's Hall, Franklin's Farmhouse, the Churchgate Street Conservation Area, Sheering Hall and along the Pincey Brook valley. This in turn has helped to inform the preparation of the Indicative Master Plan at Appendix B, which seeks to locate strategic landscaping, public open space and / or green space on the sensitive parts of the site, wherever feasible.
30. Site specific work in relation to ecology has recommended that the existing network of hedgerows, tree lines and woodland are retained on-site, but otherwise finds that the site predominantly comprises unremarkable arable fields, which do not present an ecological constraint to development.
31. It is understood that an Interim Mitigation Strategy for the Epping Forest Special Area of Conservation (SAC) was published in October 2018 and that based on visitor survey data, this recognises a Zone of Influence around Epping Forest of 6.2 km. The East of Harlow allocation is located far beyond the outer edge of this Zone of Influence and therefore Miller Homes submits that the proposed development will have no material recreational or air quality impacts on the Epping Forest SAC.
32. The Mitigation Strategy also lists allocations (albeit in Epping Forest District) which should be required to provide Strategic Alternative Natural Green Space (SANGs) on-site – East of Harlow is not listed as one of these sites.

***Question 4.9 – Given all these factors, is the estimate of the site capacity realistic?***

33. Miller Homes is satisfied that the estimate of capacity at the East of Harlow site is realistic and deliverable.
34. The Indicative Master Plan at Appendix B demonstrates that approximately 2,600 new homes can be accommodated in Harlow District, on land in Miller Homes' control and at a density that is consistent with that recommended on page 44 of the Harlow & Gilston Garden Town Design Guide (HEBGT3).
35. Furthermore, the Indicative Master Plan does not specifically include any housing delivery on:
  - the two small fields (i.e. one south of Elmbridge and the other east of Windmill Fields) that fall outside of Miller Homes' control; or
  - the northern-most part of the East of Harlow site (in Epping Forest District).
36. If the two small fields are brought forward during the plan period and / or additional new homes are accommodated on the northern-most part of the East of Harlow site (in turn allowing the layout of the development to be reconsidered and additional land in Harlow District dedicated to new housing), this is likely to further supplement new housing delivering at the site allocation.

***Question 4.10 – Does Policy HS3 provide sufficiently clear guidance for the development of the site? If not, how should it be amended? Is the policy consistent with the equivalent or complementary policy in the Epping Forest District Local Plan?***



37. The tripartite Statement of Common Ground confirms that, in general, Policy HS3 in the Harlow Local Plan provides clear guidance to bring forward the development of the site and is complementary to Policy SP5 in the Epping Forest Local Plan.

38. However, Miller Homes has the following detailed comments to make on Policy HS3:

Part A

39. Policy HS3(a) expects development to reflect the overarching design principles of the Harlow and Gilston Garden Town Spatial Vision and Design Charter, now named the Harlow and Gilston Garden Town Vision (HEBGT2) and Design Guide (HEBGT3). However, Miller Homes objects to this policy expectation on the basis that the Design Guide (HEBGT3) contains two significant errors in respect of East of Harlow.

40. First, page 43 of HEBGT3 notes that road access will come from Moor Hall Road and Hobbs Cross Road. This is misleading, as the main access strategy for East of Harlow does not rely on either of these existing roads. Three potential points of vehicular access are being planned, including: one at Mayfield Farm; another from the new M11 J7A link road roundabout (known as The Champions Roundabout); and, the third to the south via HDC's depot site adjacent Gilden Way. No vehicular access is planned via Moor Hall Road or Hobbs Cross Road, other than to serve existing properties / land and potentially some limited frontage development. Detailed junction designs are being considered to prevent vehicles from the new development (with the exception of some limited frontage development) using these routes.

41. Second, the diagram on page 42 of HEBGT3 suggests that land to the north of the M11 J7A link road (i.e. in Epping Forest District) is "only to be developed for potential hospital relocation". Although Miller Homes has reserved this land for the potential relocation of the PAH, if for any reason the PAH does not relocate here, this land could accommodate residential uses or other forms of development consistent with the overall strategic allocation at East of Harlow. Certainly it would be premature to rule out the possibility of other uses here (in the event that PAH does not relocate) or elsewhere on the northern part of the site, prior to the preparation of a collaborative Strategic Masterplan Document.

42. For these reasons, pages 42 and 43 of the Design Guide (HEBGT3) should be amended to correct the two issues described above. This will ensure that Policy HS3(a) is effective (i.e. deliverable over its period) and justified (i.e. the most appropriate strategy when considered against the reasonable alternatives).

Part C

43. Policy HS3(c) refers to an IDP. However, at the time of writing, the Garden Town IDP has not yet been finalised and published. Miller Homes has seen a draft of the IDP, including an outline of the required transport and highway measures, and funding apportionment. But few details have been provided to date on how such apportionment has been calculated or whether other schemes will be added to the IDP list. Accordingly Miller Homes reserves the right to make further verbal comments at the hearing session, once the final Garden Town IDP has been published.





***Question 4.11 – What is the land ownership situation? Is it realistic for all 2,600 dwellings to be built out during the plan period? What is the timetable for development - when would work commence, when would completions come on stream and how many dwellings would be built per annum when at peak delivery?***

44. Miller Homes has a signed promotion agreement in place with the landowners and controls all of the red line land shown on the Site Location Plan at Appendix A. This land covers the whole of the “Strategic Housing Site HS3” shown on the Proposals Map (HSD2), with the exception of two small fields (i.e. one south of Elmbridge and the other east of Windmill Fields).
45. Miller Homes considers that the whole of the 2,600 dwellings allocated in Policy HS3 can be built out during the plan period. The tripartite Statement of Common Ground includes a phasing and delivery trajectory to explain how this can occur. This trajectory is based:
- the submission of a Strategic Masterplan Document in Q3 2020;
  - the submission two separate but identical planning applications (i.e. one to each local authority) in Q4 2020;
  - the delivery of the 1<sup>st</sup> housing completion within Harlow District in 2023/24; and
  - the delivery of the 2,600<sup>th</sup> housing completion within Harlow District in 2032/33.
46. Peak delivery is estimated to be 300 dwellings per annum in Harlow District, which could be achieved by more than one developer operating on-site concurrently from circa five to six outlets and each outlet producing at least one completion per week. This is realistic and achievable.
47. For example, elsewhere in Essex, the approved strategic development (totalling 4,345 dwellings) at Beaulieu / Channels in North East Chelmsford began delivering new homes in 2015 and has already produced:
- 71 completions from two outlets in 2015/16;
  - 282 completions from four outlets in 2016/17; and
  - 372 completions from six outlets in 2017/18.
48. Delivery is forecasted to peak at 446 completions from seven outlets in 2020/21 at Beaulieu / Channels. These verified figures were published in document EB063c to the Chelmsford Local Plan Examination (2018).

## **SUMMARY**

49. Miller Homes controls 249.7 ha of land to the east of Harlow. The southern part is allocated in Policy HS3 of the Harlow Local Plan for approximately 2,600 homes and other associated uses, while the northern part of the site is allocated in Policy SP5 of the Epping Forest Local Plan for approximately 750 homes, other associated uses and the potential relocation of the PAH.





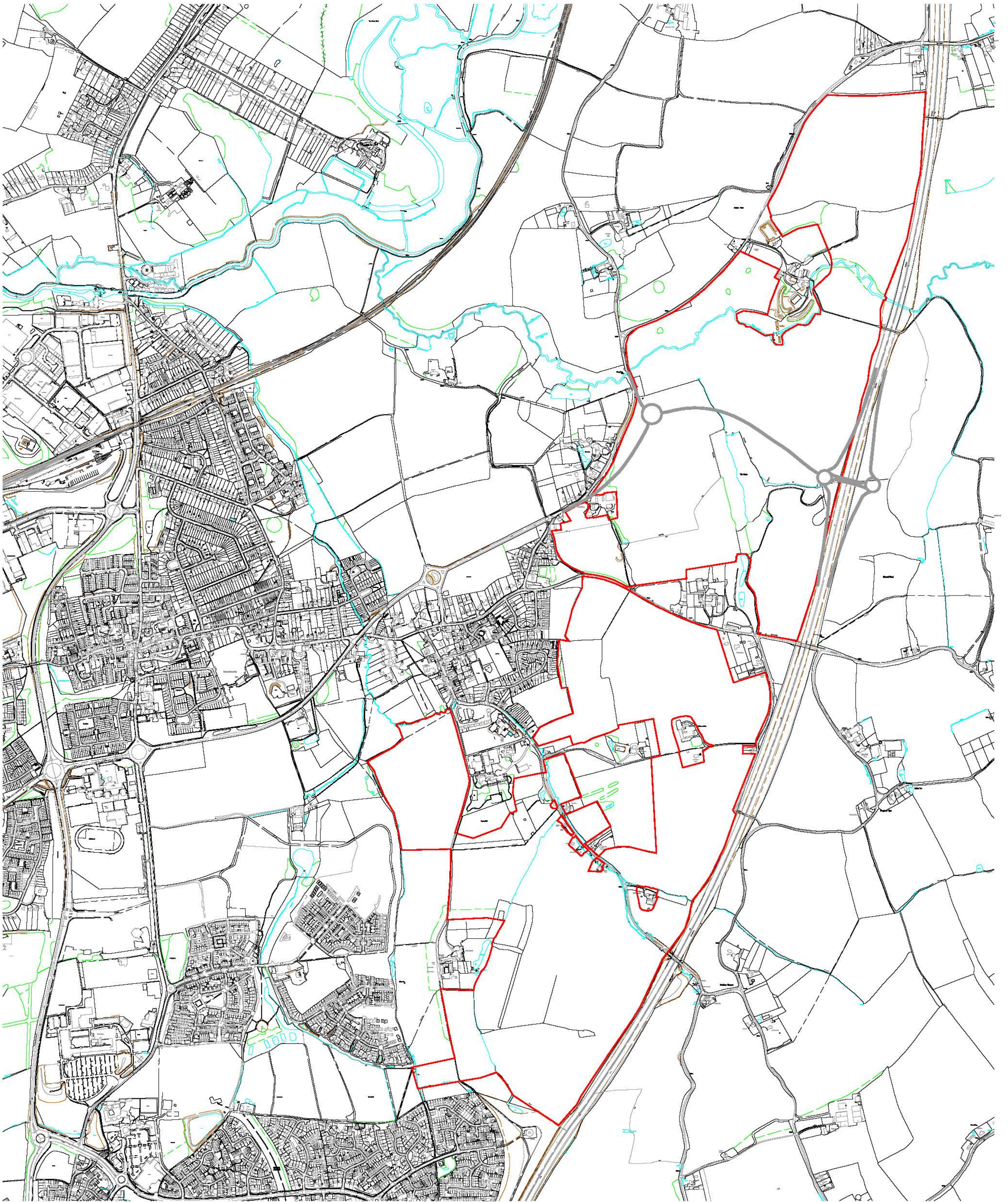
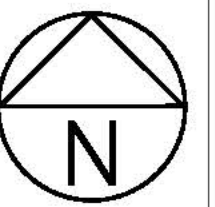
50. This Hearing Statement supplements representations made in July 2018. In particular:
- It confirms that there are exceptional circumstances to justify the deletion of the Green Belt to the East of Harlow to facilitate development.
  - It considers the site allocation to be appropriate in light of the site's constraints and infrastructure requirements.
  - It acknowledges that the site allocation is effectively a single comprehensive proposal along with the allocation in EFDC's Plan.
  - It highlights the non-residential uses and facilities that will be delivered on-site as part of the development.
  - It confirms that the access route identified in Policy SIR1 is likely to be necessary to provide access and highway capacity to accommodate the development.
  - It refers to the relevant evidence base documents which assess the highway impacts likely to arise from the development and provide details of a new east-west Sustainable Transport Corridor which will link the site to other locations in Harlow via bus, cycle and on foot.
  - It explains that surface water drainage requirements have already been factored into initial proposals for the site and that waste water implications have been adequately assessed by Thames Water.
  - It explains that heritage and landscape and visual sensitivities have already been factored into initial proposals for the site and that ecology and the Epping Forest SAC are not considered to be a significant constraint to development here.
  - It confirms that the site's estimated residential capacity is realistic and deliverable.
  - It is supportive generally of Policy HS3, but makes detailed comments in respect of the Harlow & Gilston Garden Town Design Guide (HEBGT3) and the unpublished Garden Town IDP.
  - It confirms that the site is entirely under Miller Homes' control and that all 2,600 dwellings can be realistically built out during the plan period (in Harlow District).
51. Miller Homes also has additional comments in respect of the Inspector's other Matters and Questions, which are set out in separate hearing statements.



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## APPENDIX A – SITE LOCATION PLAN





0m 250m 500m 750m 1000m

Title Site Location Plan Land at East Harlow		
Drawing Number 13001_05	Revision b	Revision Detail
Drawn by CH	Date 02/19	Scale 1:10000@A2

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## APPENDIX B – INDICATIVE MASTER PLAN





	Site		Existing PROW		Potential footpath links		Indicative vehicular route		North of Gilden Way - Planning Permission May 2015		Attenuation basins/ponds
	Significant vegetation		Local Wildlife Site		Proposed planting/screening		Public open space/amenity space		Proposed vehicular access		Sustainable Transport Corridor Link
	Existing built form		Reserve land for hospital or residential		Proposed residential development - 78.3ha		Proposed Primary School		Proposed Allotments		Possible residential and/or care use
	Railway station		Existing watercourse/ water bodies		Proposed Local Centre		Proposed Secondary School				

**Epping Forest District:**

Indicative masterplan provides 20.2 ha of residential development land = 757 dwellings @ 37.5dph

**Harlow District**

Indicative masterplan provides 58.1 ha of residential development land = 2614 dwellings @ 45dph.

Title		
Indicative Masterplan East Harlow		
Drawing Number	Revision	Revision Detail
13001_06	d	
Drawn by	Date	Scale
CH	01/19	1:10000@A2

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