

HARLOW DISTRICT COUNCIL: Examination of the Harlow Local Development Plan, 2011 – 2033.

Essex County Council () Examination Hearing Statement

Matter 3: Overall Strategy; Harlow & Gilston Garden Town - General Principles & Infrastructure Questions 3.2 3.3 and 3.7

Inspector's Question

- 3.2 Is Policy HGT1 to guide the overall development and delivery of the new Garden Town communities justified and would it be effective? Does Policy HGT1 inappropriately seek to set policy for areas beyond the plan boundary? If so how should comprehensive policies for the overall Garden Town be established?

ECC Response

1. Policy HGT1 (Development and Delivery of Garden Town Communities in the Harlow and Gilston Garden Town) refers to four Strategic Garden Town Communities being planned through the three respective Local Plans (for Harlow, Epping Forest district and East Hertfordshire district). ECC advises the Inspector that a matter and questions similar to this are being considered through the current Epping Forest district Local Plan examination. In response, ECC has submitted a hearing statement on the HGGT matter 8 for that examination¹. The hearing statements prepared on this by Harlow Council and Epping Forest District Council are also available to view via the EFDC Local Plan examination webpages².
2. ECC advises that the four stated Garden Town Communities are intended, and need, to function together, as part of a single Garden Town. This point is important and does matter, for reasons the rest of this statement will help explain. The HGGT Vision document (HGGTV)³ November 2018 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 recognises that paragraph 5.5 of the Local Plan states that Policy HGGT1 seeks to provide 'a framework to ensure a consistent approach for the consideration of development proposals for Harlow'. The key issue on this in ECC's view is that the policy refers to four (strategic) Garden Communities, instead of treating the growth collectively and describing it all as forming part of a cohesive, single Garden Town.
3. It is suggested that a clear, unified policy framework is required and needs to be promoted that will prove 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 necessary to ensure that delivery of strategic sites, within a number of land ownerships, by a range of different landowners / promoters/developers is steered successfully, each with due regard to the whole Garden Town. Each of the planned strategic developments

¹ See ECC statement: <http://www.efdclocalplan.org/wp-content/uploads/2019/02/19STAT0024-Essex-County-Council-Matter-8-.pdf>

² See HDC statement: <http://www.efdclocalplan.org/wp-content/uploads/2019/02/19STAT0026-Harlow-Council-Matter-8-.pdf> and EFDC statement: <http://www.efdclocalplan.org/wp-content/uploads/2019/02/Epping-Forest-District-Council-Matter-8-.pdf>

³ See HGGT Vision: <https://www.harlow.gov.uk/sites/harlow-cms/files/files/documents/files/Harlow%20and%20Gilston%20Garden%20Town%20Vision.pdf>

(Gilston Area; East of Harlow; Latton Priory and the Water Lane area) need to be knitted in and integrated with the existing areas of Harlow adjacent to them. This is important for social cohesion and ensuring that the new developments do not lead to establishing a ring of unconnected new communities enjoying greater opportunity surrounding a more disadvantaged older town, the communities of which have poorer housing, a poorer living environment and less advantageous socio-economic circumstances. These considerations partly reflecting Harlow Council's corporate / community priorities, including 'Wellbeing and social inclusion'.

4. ECC has 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 other retail areas, etc. Without this interconnectivity it will be much more difficult 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)
5. ECC noted that during preparation of the Submission Draft (Regulation 19) Plan stages, a change was introduced (first observed in the EFDC Local Plan submission Version LPSV 2017) 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 EFDC Local Plan). The EFDC LPSV introduced, through 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 expressed to EFDC through its formal representations on that Local Plan is that this loses the integrity and cohesion of the requisite single, Garden Town and single Garden Community approach. ECC acknowledges that the departure from a single Garden Town approach and description (in both Local Plans) may not have been intentional, although ECC was not specifically consulted at that time.
6. In response, ECC recommended to EFDC and to HC to revert to the previous approach and wording to ensure that a cohesive approach to Garden Town growth is achieved. This requires rewording to Policy HGT1 (and Policies SP 4 and SP 5 in the EFDC LPSV), so that all references are instead to a single Garden Community, i.e. Harlow and Gilston Garden Town, instead of four individual Garden Communities. Through ECC's SoCG discussions with HC, it is ECC's understanding that HC may be open minded and amenable to revisiting and revising this approach.
7. ECC suggests that this required change for the Harlow Local Plan could be addressed in a relatively straightforward way, by revising the wording of supporting paragraphs 5.1 – 5.5 and Policy HGT1. As the Inspector may be aware, this matter will be considered by the EFDC Local Plan examination on Thursday 21 March 2019. By way of reference and in view of the Inspector's ensuing question 3.3 (regarding consistency of approach between the respective Local Plan policies for HGGT), ECC suggested the following text description to EFDC for its Local Plan. ECC suggests

that this description of HGGT as a single Garden Town entity could be included within the text of paragraph 5.5, as a prelude to Policy HGT1.

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)**

8. Policy HGT1 would accordingly need to be amended to be consistent, by changing the existing references in parts 1 and 2 to 'Four strategic Garden Town Communities' and 'each Garden Town Community' instead to **four new neighbourhoods, planned on Garden Community principles.** The existing references to 'Garden Town Communities' in part 2 (d); (f); and (n) would also need revising thus. This also applies to ensuing references in paragraphs 5.14; 5.15; 5.18; 5.19; 5.20; 5.21; 5.24 and 5.25. Other such references, for example that in Policy HS3 (Strategic Housing Site East of Harlow) would similarly need revising.

Inspector's Question

- 3.3 Is Policy HGT1 consistent with the equivalent or complementary policies for the Garden Town in the East Hertfordshire and Epping Forest local plans? If there are significant inconsistencies, how can these be resolved?

ECC Response

9. ECC is of the view that the Harlow LDP policy is generally consistent with the wording / approach of the EFDC LPSV 2017, in respect of policy for the HGGT. The wording of the two policies resulted from liaison between the two district councils. This post-dates earlier work and Plan preparation for the now adopted East Hertfordshire Local Plan (from 2018). ECC has not identified any particular elements of the policy approach towards the HGGT for the Harlow LDP that are inconsistent or at odds with that of the East Herts Local Plan (chapter 11 The Gilston Area). As ECC has set out above in this statement, ECC seeks changes to these policies (to reflect a single, cohesive Garden Town approach) and if these are made across the two emerging Local Plans, they will in that respect remain consistent.

Strategic Infrastructure Requirements

Inspector's Question

- 3.7 Have the overall infrastructure requirements for the overall Garden Town, including the transport effects, been adequately assessed? What transport improvements would be required, and how would these be delivered? How does the development relate to the new M11 Junction 7a?

ECC Response

Transport Assessments

10. ECC advises that extensive strategic and local junction transport modelling has been undertaken as part of the transport evidence base.

11. The wider Harlow 'VISUM' strategic assignment model has been used by ECC, on behalf of the West Essex and East Herts Districts, to appraise the wider highway impacts and cumulative impacts of the East Herts, Epping Forest and Harlow Local Plan growth, centred on Harlow and the strategic sites adjacent to it. The VISUM model has been validated to WebTAG standards and is therefore considered a robust tool with which to identify the extent of impacts, infrastructure and mitigation required to support the Local Plan development and that of Harlow and Gilston Garden Town (HGGT). The model has also been approved by Highways England as an acceptable tool for use in evaluating a range of planning scenarios during preparation of these Local Plans.
12. Documentation on the wider Harlow VISUM model validation and forecasting is included as part of the transport assessment outputs [TN1-7] (Document reference HEB17 a-g)⁴. Required transport interventions are set out within the Delivery Study for Harlow and the Surrounding Area – Infrastructure Delivery Plan – March 2018 (HEB11). In addition, a HGGT wide IDP is also being prepared at present. The HGGT IDP is to be supported by an emerging strategic viability assessment. It may be anticipated that HC officers will update the Inspector on the progress of this for the examination. Both IDP documents outline the key transport infrastructure measures, the lead organisation and the proposed means of funding. Whilst developer funding will, as a principle, be the primary source of funding, other funding sources have also been identified, including Highways England / ECC funding for M11 J7a. In addition, a Housing Infrastructure Fund (HIF) bid, led by Hertfordshire CC, is to be made to establish a rolling infrastructure fund for other future transport measures. It is also important that the HGGT partners are collectively developing a joint HGGT Transport Strategy (HEBGT5)⁵.

Impacts and Findings

13. The findings of the VISUM modelling established that while ~16,000 homes and ~12,000 jobs could be accommodated within HGGT, this will require a major step-change in active/sustainable travel, not only to deliver the principles and benefits of a garden town, but also to ensure that unacceptable congestion does not result on the local and strategic highway network. In addition, some highway capacity improvement schemes and extensive sustainable travel capacity improvement schemes have also been identified.
14. The WEEH Highways and Transportation Infrastructure MOU, February 2017 (HEBDTC2)⁶, sets out the issues and identified the need for key strategic infrastructure, including a new junction on the M11 - Junction 7a, and improvements to M11 Junction 7. If new Junction 7a is not delivered, then a major scheme is required at Junction 7 instead. Improvements to the A414 corridor, to the A1025 Second Avenue corridor, widening of the existing A414 Fifth Avenue, central River Stort crossing, and a new, eastern River Stort crossing would all help to mitigate some highway impacts, while also facilitating delivery of sustainable transport corridors (STC) north-south and east-west across the garden town.
15. As stated in EFDC IDP Part A, 5.1.1, "*All growth locations in Harlow would increase the need for major intervention to improve access to the M11 highways network, however growth to the East of Harlow is particularly reliant on the provision of J7a.*"

⁴ See: <https://www.harlow.gov.uk/evidence> - Infrastructure section

⁵ See: <https://www.harlow.gov.uk/evidence> - Garden Town section

⁶ See: <https://www.harlow.gov.uk/evidence> - Duty to Cooperate section

It should be noted that further growth at the Harlow Enterprise Zone is conditionally capped (see London Road North Local Development Order and associated Highways Agency SoCG, extracts copied below) due to the lack of capacity at M11 J7, further supporting the assertion that a major strategic scheme is required at either J7 or new J7a to enable the Local Plan growth to take place.

16. It should be noted that both funding and planning permission have been secured for this intervention. It remains a high priority for ECC, although it is recognised that it is still possible that a public inquiry for this may prove necessary.
17. ECC has recommended to EFDC that the wording of EFDC LPSV Policy SP5.3, and other policies relating to the strategic sites around Harlow, be amended to reflect the position that M11 J7a (or a major improvement at J7) and the Sustainable Transport Corridors, plus developer contributions towards these, are required in order to enable development within and around Harlow. ECC, HC and EFDC are working towards an agreed text/overarching statement to this effect.
18. ECC has similarly made a representation to HC concerning the East of Harlow strategic site requesting that Highway and transport improvements for this strategic site should include direct bus/walk/cycle access and linkage to/through Newhall site as part of Sustainable Transport Corridor improvements. This point has been discussed with HC although is not agreed to date. This is because HC considers that there is merit in discussing this further through the hearings process with a view to further exploring the precise location / routing of the STC, given that some of this is yet to be determined.

Background information – Harlow Enterprise Zone Local Development Order

Enterprise Zone Local Development Order (EZLDO)

[<http://www.harlow.gov.uk/sites/harlow-cms/files/files/London%20Road%20North%20Order%20and%20Schedule.pdf>]

EZLDO Condition PDH11 Appendix J Land

No development shall be begun under Schedule A or Schedule B of the Local Development Order on any land shaded red on Appendix J until a new junction on the M11 to the east of Harlow (Junction 7a) has been completed and made available for use.

Reason: To ensure enterprise zone development is phased to take account of the transport assessment undertaken and the modelled impact of development on junction 7 of the M11.

Note: See informative INF6 for further information.

EZLDO INF6 – Phasing condition PDH11 and Junction 7a

It is understood that the Highways Agency will not oppose a release of condition PDH11 pursuant to Section 73 where it can be demonstrated that sufficient spare highways capacity exists at Junction 7 because of one or more of the following reasons:

1. the monitoring of Enterprise Zone development across Harlow by the Local Planning Authority has demonstrated that a less transport intensive form of development has been developed such that the net transport impact of the development is lower than the 5,899 net new jobs originally anticipated within the Harlow Enterprise Zone area to the extent that sufficient spare highways capacity exists on Junction 7 of the M11 to allow development on land shaded red on Appendix J to be begun; and/or
2. the monitoring of travel planning measures undertaken within the Enterprise Zone and/ or within other areas of Harlow has demonstrated that sufficient spare highways capacity exists on Junction 7 of the M11 to allow development on land shaded red on Appendix J to be begun; and/or
3. an alternative scheme of highway improvement works to Junction 7 of the M11 has been implemented has delivered the agreed additional highways capacity at Junction 7 such that development on the land shaded red on Appendix J may be begun.

Highways Agency, Statement of Common Ground, London Road North and London Road South, May 2013 [http://www.harlow.gov.uk/sites/harlow-cms/files/files/documents/files/London%20Road%20North%20Statement%20of%20Common%20Ground%20-%20Highways%20Agency_0.pdf]