

EAST HERTS COUNCIL

COUNCIL – 1 MARCH 2007

REPORT BY EXECUTIVE MEMBER FOR REGIONS AND PARTNERSHIPS

10. REGIONAL SPATIAL STRATEGY FOR THE EAST OF ENGLAND (RSS 14) REPSONSE TO THE SECRETARY OF STATE'S PROPOSED CHANGES - DECEMBER 2006

WARD(S) AFFECTED: ALL

'D' RECOMMENDATION – that in respect of the Proposed Changes to the Regional Spatial Strategy for the East of England – December 2006, by the Secretary of State for Communities and Local Government:

- (A) the Secretary of State be advised that East Herts District Council re-iterates it's total opposition to development north of Harlow, in East Hertfordshire District, and objects to the Government's Proposed Changes to the Regional Plan, which identifies Harlow North as a major area for development;
- (B) the Secretary of State be advised that East Herts District Council endorses the stance taken by the Eastern England Regional Assembly, at its meeting on 2 February 2007, in respect of the Government's Proposed Changes, and more particularly:
 - (i) considers the East of England Plan as proposed by the Secretary of State to be neither deliverable nor sustainable. There is a lack of a clear investment strategy based on a thorough analysis of the social, economic and environmental infrastructure needs of each sub region and a lack of commitment by Government to adequately fund this essential infrastructure to deliver truly sustainable communities. In particular the issue of transportation infrastructure remains unresolved and there are real concerns about

water supply, waste water treatment capacity and health service provision;

- (ii) expresses its extreme disappointment that there are still no guarantees about the increased levels of investment required for the supporting infrastructure to make the Plan deliverable (which concern previously led the Assembly to suspend its endorsement of the draft Plan shortly after its submission to Government in December 2004);
- (iii) supports the restatement by the Assembly of its suspension of support for the East of England Plan until the issues set out in its and these Resolutions and previous Assembly policy statements have been satisfactorily addressed by the Secretary of State;
- (iv) deplores the Government's decision not to allow the RSS process to reconsider the principle of a second runway at Stansted Airport, in view of the major impacts of such a development and its incompatibility with the objectives of the Plan and the principles of sustainable development.
- (v) calls on Government to support the proposed process for preparation of the Regional Investment Strategy and work with the Assembly in order to secure the delivery of the appropriate resources and measures it requires in order to deliver the East of England Plan, when finalised;
- (vi) objects to:
 - (a) the proposed increase in overall dwelling numbers to at least 508,000. It is believed that a figure closer to the 478,000 houses in the original draft Plan, including the additional allocations offered by some local authorities, should be the maximum limit which can be delivered in the Plan period;
 - (b) the expression of regional and local dwelling targets as minima as these would introduce

significant uncertainty into the plan led system with serious consequences both for infrastructure planning and assessing sustainability of proposals, possibly also leading to speculative unsustainable development;

- (c) the requirement for the first round of Local Development Documents to make provision for development beyond 2021 i.e. the current end date for this version of the Plan;
- (d) the proposed increase in the regional employment target to 452,000. It is considered that the difficulties associated with the achievement of higher employment targets to complement the projected higher housing target could lead to local misalignment between jobs and housing. A jobs target of around 421,000 is still the most appropriate target to aim for;
- (e) the omission of a policy explicitly linking housing, employment and infrastructure provision at regional, sub-regional and local levels. It is believed that the Plan can only be delivered sustainably if there are robust mechanisms in place to phase the delivery of development supported by strong policies in the Plan, but supports the Assembly's confirmation of its continued willingness to work with the Government, local authorities and other delivery agencies to develop a Regional Investment Strategy as part of an Implementation Framework which addresses infrastructure requirements;
- (f) the removal from the Plan of some of the defined sub-regions and local detail in policies as this may cause problems in developing LDDs, and therefore delays, especially where there are cross-border issues arising from a greater future emphasis on housing market areas;

- (g) the removal of an overall affordable housing target as this would cause considerable difficulties for certain local authorities seeking to defend affordable housing targets in LDDs and would undermine the objectives of the Regional Housing Strategy. It is believed that the final Plan should recognise the diversity of housing stress across the region. A regional affordable housing target of 35% should be set, with local authorities to test through Local Development Documents an appropriate local target. This should take into account the strategic housing market assessment, evidence of affordability pressures and the current balance of affordable/market housing stock;
- (h) the unacceptable impact of the proposed level of development on the transport network of the region and the removal from the Plan of references to specific transport measures over and above those currently committed or in the Regional Funding Allocations submission. This will reduce the focus of the transport policies and make it more difficult to secure funding for the infrastructure essential to support development at all scales and in all locations. It is believed that all of the schemes listed in the draft Plan should be reinstated, with the exception of the Harlow Outer Northern Bypass and new junction on M11;
- (i) the proposals for additional and relocated growth not included and tested in the public consultation on the original Plan as these appear to have been proposed without adequately robust consideration of the impact such proposals would have on local communities, infrastructure capacity and the environment;
- (j) the localised adverse impacts on the functions of Green Belts, and particularly their role in the avoidance of coalescence; and

- (vii) expresses concerns over the adequacy of the Sustainability Appraisal and Strategic Environment Assessment as highlighted in the report prepared for the Assembly by LUC/Levett-Therivel Sustainability Consultants and urges the Government to address these issues before finalising the Plan;
 - (viii) expresses extreme concern in respect of the results of the assessments undertaken of impacts of the levels of growth recommended by the EiP Panel on the strategic road and rail network. The Government is urged to undertake further assessment of the impact of the growth as now proposed using updated models particularly to examine the extent of demand management and other measures necessary to secure acceptable conditions on the road and rail network throughout the Plan period. This work should be conducted as a matter of urgency and lead to a debate on the acceptability of measures necessary before publication of the final East of England Plan;
 - (ix) expresses extreme concern in respect of the results of the East of England Foul Water Capacity Study and urges the Government to consider the changes necessary to the regulatory system for bringing forward waste water infrastructure to enable such development to serve new development at an appropriate time without impacting on existing consumers in the East of England or reducing environmental protection standards;
- (C) in addition to the above resolutions, the Council submits the content of Appendix 'E10' to this report, as its detailed response;
- (D) the Director of Neighbourhood Services, in consultation with the Executive Member for Regions and Partnerships, be given delegated authority to make further amendments, which support the Council's response which may be deemed appropriate and/or arise from further joint work with other Authorities, prior to the end of the consultation period; and

- (E) the Director of Neighbourhood Services and Head of Legal Services, in consultation with the Executive Member for Regions and Partnerships, give consideration to the merit of commissioning joint legal advice with Hertfordshire County Council and other Hertfordshire District and Borough Councils, in respect to Proposed Changes and Regional Plan process generally, if felt appropriate to the East Herts Council position. The cost of such legal advice to be met from the existing Council Regional Plan budget.
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1.0 Purpose/Summary of Report

1.1 This report sets out for consideration by Council, an East Herts Council response to the Government's Proposed Changes to the Draft Revision to the Regional Spatial Strategy for the East of England, and the Government's Statement of Reasons for those Proposed Changes. The Council's response will then be submitted to Go-East, the Government Office for the East of England, prior to the end of the consultation period on 9 March 2007.

1.2 The Council's proposed response is set out at Appendix 'E10' to this report (pages 30 - 57).

1.3 In order to accommodate any further amendments/additions to the Council's response, which may be deemed appropriate and/or arise from further work with other Authorities, prior to the end of the consultation period, it is proposed that the Director of Neighbourhood Services, in consultation with the Executive Member for Regions and Partnerships, be given delegated authority to make further changes, which support the Council's response.

2.0 Contribution to the Council's Corporate Objectives

2.1 The report seeks to contribute to the Corporate Priority of *"preserving the unique mix of rural and urban communities, ensuring economic opportunities are generated for the benefit of all"*

3.0 Background

- 3.1 The East of England Plan aims to provide a regional spatial strategy (RSS) to guide land-use development and infrastructure provision for the East of England Region for the 20 year period 2001 – 2021.
- 3.2 On 19 December 2006 the Department of Communities and Local Government published Proposed Changes to the draft East of England Plan for consultation.
- 3.3 The Proposed Changes document consists of a schedule of the Secretary of State's Decisions on the Recommendations by the Panel who conducted the Examination in Public (EiP) and the modified text of RSS incorporating the Proposed Changes. The Proposed Changes are accompanied by: a report of the Sustainability Appraisal, incorporating the Environmental Report, of the Proposed Changes; and a report of the Habitats Directive Assessment. Further technical work has also been published alongside the Changes on Waste Water Infrastructure, the Strategic Highway Network, the Rail Network. Reference is also made to the East of England Regional Assembly (EERA) submission on waste matters made in September 2006.
- 3.4 This consultation represents the latest stage in a longer process of preparing the revision on the Regional Spatial Strategy for the East of England. The main stages in the process are outlined below:

Main stages in preparation of East of England Plan	
Stage:	When took place:
Start of Work	2001
Options Consultation	Autumn 2002
Preparation of Draft Plan	Late 2002 – late 2004
Submission of Draft Plan to Government	Dec 2004
Consultation on Draft Plan	Dec 2004 – March 2005
Examination in Public (EiP)	Nov 2005 – Mar 2006
Publication of Report of EiP Panel	June 2006
Consultation on Proposed Changes to the Plan	Dec 2006 – Mar 2007

- 3.5 The Government anticipates that, following its consideration of the responses to the consultation exercise currently being

undertaken, it will be able to publish the final version of the East of England Plan in summer 2007. The Plan will then provide the strategic framework within which the first round of Local Development Documents (LDD's) in the region will be prepared.

4.0 Report

Overview of Proposed Changes

- 4.1 A high level briefing prepared by the East of England Regional Assembly (EERA), on the content of the Proposed Changes is attached as Appendix 'A10' (pages 19 - 21). Although the Plan as now proposed is very different from the version submitted by EERA, this in large part reflects the Government's acceptance of the Panel's recommendation that the East of England Plan should be a more strategic document, with less locational detail and fewer sub-regions. Many key features of the strategy contained within the submitted version of the Plan have been considered to be sound and are retained in the Plan as now proposed.
- 4.2 In this context much of what is proposed in the Proposed Changes is acceptable rewording of what was originally proposed by EERA: the more explicit recognition of the need to minimise the Region's contribution to climate change, the stronger policies to promote greater efficiency in energy and water consumption, renewables, and the development of green infrastructure; and the endorsement of policies seeking to minimise the need for travel and to promote sustainable modes of transport, are all aspect of the Proposed Changes that are considered to be supportable in principle.
- 4.3 However, notwithstanding the many positive elements of what is proposed there is clearly the issue of scale of housing growth now proposed in the region and the lack of either the endorsement of a package of infrastructure measures sufficient to sustainably deliver this or a policy recognising that there is an explicit link between growth and the infrastructure required to support it. The Proposed Changes do little to respond to the concerns, which previously led EERA to suspend its endorsement of the Plan.

Main Implications for East Herts

- 4.4 **Housing and Green Belt** - Appendix 'B10' (pages 22 - 24) of this report reproduces for ease of reference the Briefing Note accompanying the East Herts Members information Bulletin 22/12/2006.
- 4.5 The total East Herts District housing provision is shown in the Proposed Changes Document as 12,000 dwellings, which represents a reduction from the 20,800 in the Draft RSS (December 2004), but no change from the 2006 EiP Panel Recommendation. This figure, however, **excludes** any urban extensions around Harlow in East Herts and Epping Forest, which are incorporated in one Harlow housing provision figure of 16,000.
- 4.6 Harlow's 16,000 includes 2,500 dwellings anticipated to be built late in the plan period, at Harlow North, in East Herts District.
- 4.7 The Green Belt is to be reviewed around Harlow. The Review to the north (in East Herts) should provide for an eventual development of at least 10,000 dwellings, as possibly as many as 20,000.
- 4.8 The Green Belt Review should identify a compensatory strategic Green Belt extension to the north of Harlow, several miles wide, and ensure overall that Green Belt in the region is increased.
- 4.9 **Jobs Growth** - The Proposed Changes add:
- i) 11,000 more jobs in the Central and North Essex Area to reflect job growth at Stansted Airport (direct jobs) up to 2021 as a consequence of moving beyond full use of the existing runway once a second is built; and
 - ii) 10,000 more jobs at Harlow to reflect regeneration needs there and potential to attract some indirect Stansted-related job growth.
- 4.10 New policy E1: Job Growth 2001 – 2021 shows North and East Herts, including Stevenage area, with an indicative target for new growth in jobs of 18,000.

- 4.11 **Airports** - The Proposed Changes acknowledge that the Air Transport White Paper supports new capacity at both Stansted and Luton Airports, with first priority to make maximum use of current facilities, followed by a second runway at Stansted.

Sustainability Appraisal and Strategic Environmental Assessment.

- 4.12 In support of the Proposed Changes the Government has made available a Sustainability Appraisal (SA) of the Proposed Changes to the East of England Plan. In line with Government Guidance the appraisal has aimed to meet the requirements of Strategic Environmental Assessment (SEA). The appraisal should assess any significant changes proposed by the Secretary of State, and provide information in order to inform decision-making.
- 4.13 In order to inform its consideration of the Government's Sustainability Appraisal of the Proposed Changes, EERA commissioned its own appraisal of the Government's Appraisal. The Executive Summary of the EERA Appraisal is contained at Appendix 'C10' to this report (pages 25 - 27).
- 4.14 The report commissioned by EERA concludes that the approach taken in the SA of the Proposed Changes is by and large consistent with the SA of the submitted draft Plan. However, it goes on to identify a number of areas where the SA of the Proposed Changes can be considered to be deficient and concludes that "we do not understand how the Parliamentary Under Secretary of State could have concluded, in her letter dated December 2006 accompanying the Proposed Changes, that the *"Sustainability Appraisal concludes that the Proposed Changes are in accordance with the principles of sustainable development and that the additional growth and changes to distribution do not give rise to adverse environmental impacts"*.

Transport Studies

- 4.15 In order to inform the Secretary of State's decisions on the Proposed Changes, two assessments of the transport impacts were undertaken and published in December 2006. Both assessments updated modelling reports that were available to inform the EiP and include scenarios assessing the impact of the

level of growth proposed by the EiP Panel at 2021 and assuming the improvements to the transport network listed in Appendix 4 of the Proposed Changes are implemented. One, relating to the Strategic Highway Network, was conducted for the Highways Agency by Faber Maunsell. The other, relating to the rail network, was carried out for Department for Transport (Rail) by Atkins.

- 4.16 In summary, the models project a considerable level of congestion and suppressed demand for transport.

Habitats Directive Assessment

- 4.17 The Government has also published an “appropriate assessment” of the East of England Plan, in relation to protected European Sites under the Habitats Directive. The assessment concludes that:

“implementation of the policies within the East of England RSS will not result in any likely significant effects on Natura 2000 or Ramsar sites, either individually or in combination”

Waste Water Capacity Study

- 4.18 Following the debate at the Examination in Public relating to sewerage issues the Environment Agency, EERA and the Government Office for the East of England, commissioned Halcrow Group Ltd to produce a report advising on the ability of existing wastewater infrastructure and receiving watercourses within the East of England to accommodate the growth levels as recommended by in the EiP Panel Report. This report was undertaken during the second half of 2006.
- 4.19 The Executive Summary of this report is attached as Appendix ‘D10’ (pages 28 - 29). The report identifies that the investment programme needed to deliver the level of growth recommended by the EiP Panel will be significant, as investment is required to expand and improve sewerage networks and sewage treatment works. It identified several areas where further more detailed appraisal was necessary to fully assess improvements necessary and that there is a major challenge to the delivery of the infrastructure necessary given the currently regulatory regime.

4.20 The Waste Water Capacity Study points to very significant constraints in relation to the capacity of the sewage treatment facilities (principally but not exclusively related to the Rye Meads Works in East Hertfordshire), to accommodate the growth at Harlow and Stevenage in particular.

5.0 Consultation

5.1 East Herts Council has sought to raise public awareness of the Government's Proposed Changes to the Draft Regional Plan, through the local media and distributing a leaflet to all households in the District.

5.2 All five Community Voice Meetings in January/February 2007 discussed the Government's Proposed Changes.

5.3 There has been joint working between Hertfordshire County Council, all Hertfordshire Districts and Borough Councils Members and Officers in drafting this response. There has also been internal East Herts Council Member and Officer liaison.

6.0 Legal Implications

6.1 The East of England Plan (RSS) once approved, will form part of the statutory Development Plan and replace the existing County Structure Plan. Future local planning documents will, therefore, be required to be consistent with the provisions of the RSS.

6.2 Hertfordshire County Council and certain Hertfordshire District and Borough Councils are giving consideration to the possibility of seeking Counsels advice, in respect of framing their response to the Proposed Changes.

6.3 There may also be a possibility at a future date of reviewing whether any legal challenge to RSS may be appropriate, if any identified shortcomings are identified and not addressed.

6.4 It is considered that the Director of Neighbourhood Services and Head of Legal Services, in consultation with the Executive Member for Regions and Partnerships, consider the merits of such joint legal advice, and if felt appropriate to the East Herts Council position, jointly commission such legal advice. The cost

of such legal advice to be met from the existing Council Regional Plan budget.

7.0 Financial Implications

7.1 The cost of formulating the Council's response to the RSS and the associated publicity campaign is being funded through existing budgets. The cost of any initial legal advice, as set out in paragraphs 6.2 and 6.4 can be met as indicated from within existing budgets.

8.0 Human Resource Implications

8.1 The RSS process to date has involved significant Officer time and has been given high priority, bearing in mind its significance to the future planning of the District.

9.0 Risk Management Implications

9.1 No known risk management implications.

Background Papers

- East of England Plan – The Secretary of State's Proposed Changes to the Draft Revision to the Regional Spatial- Strategy for the East of England and Statement of Reasons – December 2006.
- Non Technical Summary of the Sustainability Appraisal of the East of England Proposed Changes RSS – ERM for Government Office for the East of England – December 2006.
- Sustainability Appraisal of the East of England Proposed Changes RSS and Annexes – ERM for Government Office for the East of England – December 2006.
- East of England Regional Spatial Strategy – Habitats Directive Assessment Report – ERM for Government Office for the East of England – December 2006.
- East of England Foul Water Capacity Study – Halcrow for Environment Agency, EERA and Go-East – December 2006.
- Report into the Implications of the Panel's Recommendations into the draft East of England Plan on the Strategic Road Network – Faber Maunsell for the Highways Agency.

- Report into the Implications of the Panel's Recommendations in the draft East of England Plan on the Rail Network – Atkins for Department for Transport (Rail).
- Review of the Sustainability Appraisal/Strategic Environmental Assessment of the Proposed Changes to the Draft East of England Plan – LUC and Levitt – Therival Sustainability Consultants for EERA – January 2007.

Contact Member: Councillor Mike Carver – Executive Member for Regions and Partnerships.

Contact Officer: Bryan Thomsett, Head of Planning Policy (Ext. 1620)

List of Appendices

- A10 - EERA High Level Briefing Note (January 2007) (pages 19 – 21)
- B10 - East Herts Member Briefing Note (December 2006) (pages 22 – 24)
- C10 - EERA's Executive Summary of the Review of the Sustainability Appraisal / Strategic Environmental Assessment of the Proposed Changes to the Draft East of England Plan (pages 25 – 27)
- D10 – Executive Summary of the East of England Wastewater Infrastructure Capacity Delivery Strategy Study: Phase One Final Report – December 2006 (pages 28 – 29)
- E10 - East Herts Council Response to the Governments' Proposed Changes to the draft East of England Plan (pages 30 – 57)

**APPENDIX A10 - EAST OF ENGLAND PLAN - SECRETARY OF STATE'S
PROPOSED CHANGES:
A HIGH LEVEL EERA BRIEFING (January 2007 update)¹**

KEY PROPOSED CHANGES
Overall approach: endorses the Panel recommendations on being a more strategic document, with less locational detail and fewer sub-regions.
Sustainable development: endorses the Panel recommendations on the Plan making a stronger contribution to sustainable development. Includes an overall policy on achieving sustainable development, including the criteria that determine a “sustainable community”. Reflecting the recently announced PPS on climate change the Plan contains proposals for carbon performance trajectories for new development and local authorities will be asked to encourage a proportion of energy supply for new homes to come from renewable or low carbon sources. ²
Employment/housing alignment: Housing/jobs ratio maintained at the regional level. Sub-regions yet to be checked for alignment, although both Harlow and Stevenage are identified as locations where Local Development Documents might “exceptionally” identify a need for further job growth.
Employment: Proposed job growth is 452,000 (up from the Panel recommendation of 440,000 and the draft Plan’s 421,000). Some increases (Bedfordshire and Norfolk) are consistent with EERA’s line at EiP, others reflect increased housing numbers (Cambridge sub-region). Changed approach from Panel in central and north Essex and Hertfordshire, where growth at Harlow and Stevenage is seen as additional to the ‘enhanced growth’ in the rest of those areas, rather than replacing some of the growth. Central and North Essex also has 11,000 additional jobs related to 2 nd runway at Stansted. ³
Overall housing: Proposed increase to 508,000 from the Panel’s 505,500 (itself an increase of 27,500 homes on the Draft Plan’s 478,000). This further increase is additional growth in the Harlow area. Has accepted all other increases in District allocations proposed by the Panel. All housing figures are to be treated as floors and not ceilings and local planning authorities should seek to exceed their targets if more can be delivered through brownfield capacity and, where appropriate, increased densities. There are also strong hints that further increases will be needed in the early review of the RSS, rolling forward to 2031.
Affordable housing: Endorses the Panel recommendations on an aspirational 35% regional target, with all detail of tenure / type of provision left to LDDs and no specific district targets. Applies to new provision.
Longer term strategy: Plan review to commence in 2007 and finish by 2010. Drivers for that review are listed in supporting text and include PPS3 and ‘post Barker’ policy

¹ This briefing has been updated to correct two errors pointed out by the Government Office as outlined below, and a further error arising from the clarifications. Other minor amendments have been made to the briefing for reasons of clarity.

² Correction - this requirement takes immediate effect, not from 2016 as previously stated.

³ Correction – the previous reference to ‘Harlow’ has been amended to ‘Central and North Essex’ as indicated on p69 of the Proposed Changes.

<p>approach; latest national household projections; “more outward looking appreciation” of region’s relationship with London and other regions; water issues; spending review 2007 outcomes; carbon emission trajectories; SA/SEA and hazardous waste.</p>
<p>Spatial strategy: Endorses EERA’s general approach of concentrating development on urban areas. Endorses the Panel’s recommendations to include Hemel Hempstead and Welwyn/Hatfield as growth locations, with Green Belt reviews (taking into account adjoining District of St Albans). A stronger emphasis on Harlow as a major growth location with a Green Belt review to its north, east and, on a smaller scale, to the south and west⁴; and the housing target increased by 2,500 reflecting an anticipated start late in the Plan period for Harlow North. So the Government has disagreed with the EiP Panel’s conclusions about growth in the Harlow area. However, does accept Panel recommendation to reject development at North Weald.</p>
<p>Sub-regions: Endorse the Panel recommendation to retain only four sub-regions: Thames Gateway, Haven Gateway, Cambridge, and the London Arc (referred to as a sub-area). Cambridge sub-region to also include market towns of Royston, Saffron Walden, Haverhill and Newmarket (as per draft Plan). Other urban areas covered by Key Centre for Development and Change category, to which Watford is added (as per the draft Plan). Removes majority of transport-related content, including that proposed by the Panel, on the grounds that it will be covered by the Transport policies.</p>
<p>Previously developed land: maintains the proposed 60% target (nb. Deliverability against a higher regional housing allocation needs checking).</p>
<p>Green Belt: Endorses need for strategic reviews (around Hemel Hempstead, Welwyn/Hatfield, Harlow, Stevenage, minor review at Broxbourne, possible review at Chelmsford if arising from LDD review). No further review at Cambridge. Compensating additions to Green Belt in North Hertfordshire (arising from Stevenage) and East Hertfordshire (arising from Harlow). Supporting text identifies that in undertaking reviews, LDDs should test the release of sufficient land to 2031 at average rate 2001-2021, although whether or not that is then developed post 2021 is a matter for the Review of RSS (this is the same approach as the approved Milton Keynes South Midlands Sub-Regional Strategy).</p>
<p>Regional Transport Strategy: On the Regional Transport Strategy the thrust of Panel’s recommendations are accepted but aim of absolute reduction in traffic in Plan period is rejected as unrealistic. Priority areas are identified for further work to determine the measures needed to tackle congestion and support growth, these cover large parts of the region including several corridors with London at one end but no East-West corridors. Demand management policies are included, following any future agreed national policy, panel’s conclusions regarding road pricing producing more funds for transport investment are rejected. Overall there is very little specificity regarding the measures that may be promoted over and above those already approved through other processes.</p>
<p>Airports: “The RSS does not have a role in determining the rate of air traffic growth or runway provision” - proposes that the policy on airports only covers managing access to them and other associated impacts.</p>

⁴ Correction - the clarification is ‘north, east and, on a smaller scale, to the south and west’ not ‘...south east’ as stated in the revised briefing.

Implementation: Endorses the Panel recommendations on the need for a region-wide implementation plan and high-level regional coordinating arrangements. Refers to existing arrangements, e.g. Regional Partnership Group. Does not reintroduce the Assembly's proposals (Revised IMP2) to regulate the flow of development according

to level of investment in key infrastructure.

The boundaries of the growth areas (and hence access to Growth Areas Fund) may be changed in future to reflect the broader approach to housing growth envisaged in the final Plan with a greater role for areas close to London.

Some additional guidance in sub-regional policies on where joint LDDs and co-ordinated working is required.

Sustainability Appraisal/SEA: Have undertaken SA/SEA (not yet reviewed).

Waste: Panel recommendations are largely accepted. Policies now include waste apportionment the figures for which are largely drawn from EERA's September 2006 waste submission. Policy commitment to end practice of landfilling untreated municipal and commercial and industrial waste by 2021, as suggested by EERA, is also included.

Out of town retail: Proposed modifications state that expansion of existing out-of-centre regional or sub-regional shopping centres will be unlikely to meet the requirements of Government policy on town centres. However, views are invited on whether or not there should be additional retail floorspace at Lakeside

Water: introduces a commitment to match development with water efficiencies. EERA need to set a per capita per day consumption target to monitor which is intended to deliver the Panel's recommendation for a 25% water efficiency requirement. Policy added on water resource development.

EAST OF ENGLAND PLAN
SECRETARY OF STATE'S PROPOSED CHANGES
DECEMBER 2006

MAIN IMPLICATION FOR EAST HERTS

Housing and Green Belt

District level housing allocations should be regarded as minimum targets, rather than ceilings not to be exceeded.

Herts total =83,200.No change from 2006 EIP Panel Recommendation.
Excludes Harlow urban extensions in East Herts and any provision adjoining Luton in North Herts.
2004 Draft Plan total was 79,600.

East Herts total= 12,000. No change from 2006 EIP Panel Recommendation.
Excludes provision in urban extensions to Harlow, which are included in figures for Harlow.
2004 Draft Plan total was 20,800 (including 10,000 at Harlow North in East Herts, which EIP Panel recommended be deleted).

Harlow= 16,000. Includes urban extensions in Epping Forest and East Herts.
Split between Districts to be determined in Local Development Documents(LDD's).
Change from 2006 EIP Panel Recommendation of 13,500, which included extensions in Epping Forest, but not East Herts, as 10,000 at Harlow North recommended for deletion.

Harlow's 16,000 to be accommodated in existing town and urban extensions to north(East Herts), east(Harlow), and smaller scale to south and west(Harlow and Epping Forest).

Harlow's increased housing target of 2,500 reflects an anticipated start late in the Plan period for Harlow North. Any further provision, more of the 10,000 or more, would be post 2021.

Green Belt to be reviewed to accommodate urban extensions.
'Review to north should provide for an eventual development of at least 10,000 dwellings and possibly significantly more'(new Policy HA1 (3)).
Other text in SoS's Reasons for Decision(page 26 of main document) indicates 'as many as 20,000'.

Joint or co-ordinated LDD's should determine appropriate distribution between urban extensions.

Strategy for Harlow should be delivered through strong partnership approach. Matter of urgency for Harlow, Epping Forest, East Herts, working with county transport authorities and others, should undertake appraisal of planning and transport options to inform preparation of joint or co-ordinated LDD's (new policy HA1 (7)).

Supporting text/reasoned justification to new Harlow policy HA1, in respect of North of Harlow, in summary says at:

Para 13.68 : 'North of Harlow there is potential to put in place a major development of a large enough scale to be a model of sustainable development. This is a significant and rare opportunity for somewhere so close to London'.

Green Belt review to test scale of urban extension north of Harlow to 2031 and beyond (ie not restricted to looking to 2031 and at same rate of growth for 2021-2031 as 2001-2021)

Para 13.69: Green Belt review should identify compensatory strategic Green Belt extension to north of Harlow, several miles wide, and ensure overall Green Belt in region is increased.

Para 13.73: The Local Delivery Vehicle, Harlow Renaissance, will have key role in delivery. 'It's powers may need to be extended or reviewed to ensure...an appropriately fast rate of delivery'.

Jobs Growth

Government has accepted broad thrust of EIP Panel's recommended Job Growth Policy (now E1), but not the Panel's recommended job growth figures for Herts and part of Essex, and hence not Panel's recommended regional total, which it proposes be increased from 440,000 to 452,000.

Annex A para10 – Rest of Herts area to be re-named 'North and East Hertfordshire, including Stevenage'.

Annex A para 11- Rest of Essex(Harlow/Uttlesford/Chelmsford/Braintree/Maldon) to be re-named 'Central and North Essex'.

To the indicative job growth target of 21,000 for this area, Government's proposed changes add:

-about 11,000 more jobs to reflect extra job growth at Stansted Airport(direct jobs) up to 2021 in consequence of moving beyond full use of the existing runway once a second is built.

- about 10,000 more jobs at Harlow to reflect regeneration needs there and potential to attract some indirect Stansted-related job growth.

New Policy E1: Job Growth 2001-2021 shows North and East Herts, including Stevenage area, with an 'indicative target for net growth in jobs' of 18,000.

Stansted Airport

New Policy E8: The Regions Airports, states that the roles of Stansted and Luton Airports are outlined in the 2003 Air Transport White Paper (ATWP). Further development at these airports is the responsibility of the airport operators/owners in conjunction with partners. Development proposals will need to be informed by the ATWP and the other RSS policies.

New supporting text para 4.32 to the Plan, acknowledges that the ATWP recognises the important role that Stansted and Luton play in the provision of airport capacity in the South-East. New capacity at both airports is supported with first priority to make maximum use of current facilities. The ATWP further supports development of the first new runway in South-East at Stansted.

New supporting text para 4.36 to the Plan states, inter alia, that:
'The sum of housing allocations for Harlow, East Herts and Uttlesford Districts should be sufficient for both airport-related and all other housing needs, though this will need to be kept under review as the airport develops'....
'LDD's for Uttlesford and East Herts should take account of the sustainability benefits in enabling a growing number of other employees to live at towns close to the airport'.

Consultation runs until 9 March 2007.

Government to publish final version in May/June 2007.

Bryan Thomsett 20/12/06

APPENDIX 'C10' – EXECUTIVE SUMMARY OF REVIEW OF THE SUSTAINABILITY APPRAISAL/STRATEGIC ENVIRONMENTAL ASSESSMENT OF THE PROPOSED CHANGES TO THE DRAFT EAST OF ENGLAND PLAN

Land Use Consultants and Levett-Therivel Sustainability Consultants were commissioned by the East of England Regional Assembly (EERA) to review the Sustainability Appraisal/Strategic Environmental Assessment (the 'new SA') of the Secretary of State's Proposed Changes to the draft East of England RSS.

The Brief

EERA requested that the review cover five key matters:

- How well the new SA addressed inadequacies in information and process identified in the original SA of the draft RSS.
- The extent to which the potential impacts of additional development in the Proposed Changes have been adequately appraised, with particular attention on the London Arc and cumulative effects.
- Whether due regard was given to additional work since the original SA on waste, sewerage capacity and water resources.
- Whether taken as a whole the original SA and the new SA represent a sound SA of the Proposed Changes East of England RSS.
- Whether the published SA complies with Government guidance on SA.

Each of these matters was considered in turn and the new SA was assessed in relation to the findings and recommendations of the original SA and draft RSS, the Panel Report and the Secretary of State's Proposed Changes document. Recommendations for additional work were made where required.

Main findings

The approach taken in the new SA is by and large consistent with the original SA, and the findings of the new SA often validate those of the original SA. However, the review identified a number of areas where the new SA can be considered deficient:

- The new SA report focuses primarily on the Proposed Changes, and not the RSS as a whole once the Proposed Changes are taken into account.
- It is not always clear how far the conclusions and recommendations of the original SA are still applicable, which parts of the original SA are superseded.

- The new SA does not explicitly consider which of the three key alternatives is most sustainable: the draft RSS, the Panel draft RSS and the Secretary of State Proposed Changes RSS. All three are reasonable alternatives and under the SEA Directive the relative merits should have been properly assessed and reported.
- The new SA generally fails to address and comment on the ‘watering down’ of policy recommendations from the Panel Report to the Proposed Changes RSS, in relation to key regional sustainability issues such as transport, water, and wastewater.
- The new SA fails to pick up on inconsistencies in the Proposed Changes RSS (e.g. removal of the Panel’s reference to traffic reduction, which will undermine other RSS commitments such as those in relation to climate change).
- The new SA proposes that difficult issues e.g. environmental limits/compensation of impacts be dealt with at LDD stage. Such issues need to be addressed at the regional and sub-regional level through the RSS, since it is at this level that the overall scale and distribution of development is established and where cumulative effects that cross local authority borders are best addressed.
- The new SA concludes that “the increment of growth proposed by the Proposed Changes will exacerbate the problems identified by the SA of the Draft RSS to a relatively small degree at regional level”. The original SA identified a number of key sustainability issues (apparently confirmed by the new SA) where any increment of additional growth could have significant adverse effects.
- Even though the overall increment of growth may not be significant for the region as a whole, there are some locations such as Hemel Hempstead, Welwyn Garden City, Hatfield and Norwich where the additional growth under the Proposed Changes is very much higher than that proposed in the draft RSS. Yet these are often the very locations (e.g. the London Arc) where the pressure on landscapes, transport networks, water supplies and water treatment is greatest. This was not brought out in the new SA.
- There is no explicit commentary in the new SA on proposed development to the north of Harlow, which the Panel Report recommended should be deleted, but was reinserted in the Proposed Changes.
- The outcomes of the Halcrow Sewerage study are not fully reflected in the appraisal of sub-regional policies, particularly in relation to Stevenage.
- The effects of even more development on water resources is not explicitly identified as a cumulative effect. There is no clear message as to whether the original SA’s stance on water neutrality was justified or not; nor whether

Environment Agency's Water Resources work was adequately reflected in the Proposed Changes document.

- In many instances, the appraisal matrices appear to appraise only those aspects directly relevant to the policy in question.
- Throughout the new SA there is no differentiation between 'significant' effects and 'other' effects.

Even with the above deficiencies, the new SA confirmed that the sustainability issues identified in the original SA still stand. Given the number and significance of these sustainability issues, and confirmed in the new SA, we do not understand how the Parliamentary Under Secretary of State could have concluded, in her letter dated December 2006 accompanying the Proposed Changes, that the *"Sustainability Appraisal concludes that the Proposed Changes are in accordance with the principles of sustainable development and that the additional growth and changes to distribution do not give rise to adverse environment impacts"*. We recommend that the authors of the new SA are asked whether they endorse this conclusion in the light of not just the difference made by the Proposed Changes but on the basis of the Proposed Changes RSS as a whole.

Land Use Consultants
Levett-Therivel Sustainability Consultants
17 January 2007

APPENDIX 'D10' – EXECUTIVE SUMMARY East of England (Waste Water Infrastructure) Capacity Delivery Strategy. Study: Phase One. Final Report. December 2006

EXECUTIVE SUMMARY

The purpose of this report is to assess the ability of existing wastewater infrastructure and receiving watercourses within the East of England to accommodate the growth levels proposed in the Panel Report (July 2006) on the East of England Plan. In assessing the capacity of infrastructure it has been assumed that existing environmental standards will be maintained as a minimum. Where existing infrastructure has been assessed as having insufficient capacity to accommodate the forecast growth to 2021, estimation of the timing and likely scale of the required expansion works has been provided where possible.

The scale of the investment programme to deliver the required capacity in wastewater infrastructure will be significant. With much of the sewer network and the sewage treatment works within the region operating at or close to capacity, the scale and rate of the proposed development will often necessitate the expansion of infrastructure within the next five year regulatory planning cycle, beginning in 2007 for implementation between 2010 – 2015. The findings of this report indicate that the scale of the required growth led investment programme for wastewater infrastructure would exceed that of previous five year Asset Management Plans.

Investment will be required to expand and improve sewerage networks and sewage treatment works. There are also a number of risk factors relating to the capacity of small receiving watercourses to accommodate significant increases in growth. Anglian Water are already aware of two sites where additional planning and mitigation will be necessary; this study has highlighted a further 14 receiving watercourses as having risk factors relating to capacity. These sites should be assessed as soon as possible to identify the scale of the restrictions if any.

The two large works within the Thames Water study area, Rye Meads and Maple Lodge, collectively are forecast to receive over 12 per cent of the proposed growth within the East of England. Both these sewage treatment works have limited capacity and will require expansion to accommodate the predicted levels of growth. The lack of capacity at Rye Meads and Maple Lodge is not expected to constrain the growth in their catchments to below the target level; however a detailed study of Rye Meads is recommended to determine whether phasing of development is necessary to allow sufficient time for delivery of the expansion works.

Owing to the lack of sewage treatment works in the Stevenage area, and the limited capacity of the sewerage network draining to Rye Meads, this area will require detailed appraisal and a high level of investment if the growth target levels are to be achieved.

The potential conflict of the timetables for growth and that of the regulatory regime, dictated by Ofwat, represents an external risk to the water companies to delivering the necessary expansion works. A strategic review should be undertaken to assess if restrictions to funding and the timetable for the periodic review will inhibit water companies from establishing the necessary investment plans to allow the delivery of growth in a sustainable manner.

EAST OF ENGLAND PLAN

**SECRETARY OF STATE'S
PROPOSED CHANGES – DECEMBER 2006**

EAST HERTS COUNCIL RESPONSE

References and page numbers relate to the Secretary of State's Statement of Reasons / Decisions and Policy and Supporting Text changes, as contained in the Proposed Changes Document published by the Government Office for the East of England – December 2006

E1 Key Centres for Development and Change

Statement of Reasons / Decisions Ref: R4.3, page 12. Policy / Supporting Text Ref: New Spatial Strategy Policy SS3, page 87.

Summary of Change /Decision:

New Policy SS3 omits 'to 2021'... because it is likely that development will continue to be concentrated at most, if not all, Key Centres after 2021.

E2 Green Belt

Statement of Reasons / Decisions Ref: R4.7, page 14 Policy / Supporting Text ref: New Spatial Strategy Policy SS7, page 93.

Summary of Change /Decision:

Government endorses Draft RSS and EiP Panel view that Strategic Green Belt reviews should be undertaken, as part of Local Development (LDD) preparation, to ensure that sufficient land is identified to avoid further Green Belt reviews before 2031. Harlow – include references to review involving land in East Hertfordshire and requiring a compensating strategic extension to the Green Belt to the north of Harlow; ... to enable urban extensions to the north of Harlow. Extending the Green Belt here will define the long-term limits to urban development to the north of Harlow'.

East Herts Council Response: Object

E3 Although the core spatial strategy of the Draft Plan (urban concentration, key centres for development, use of previously-developed land, reduce the need for travel et al) has been broadly endorsed by the Government, there is a very real danger that this will be undermined by the proposals to increase the scale of regional housing and employment growth; the re-introduction of the growth location of Harlow North; the inclusion of additional growth locations; removal of the policy linking housing, employment and infrastructure; and treating local housing allocations as minimums to be exceeded.

E4 The lack of a linking policy between housing, employment and infrastructure provides no mechanism for addressing any misalignment between the three, and this is compounded by the

treatment of local allocations as minimums. The uncertainty introduced into the 'plan-led' system by setting allocations as minimums has serious consequences, not least for infrastructure planning but also for assessing the sustainability of proposals. Despite caveats proposed in the draft policy, this will lead to intense pressure for speculative and unplanned developments.

- E5** The additional and relocated growth has not had adequately robust consideration of impact on local communities, infrastructure capacity and the environment, nor on the regeneration prospects of growth locations identified in the Draft Plan.
- E6** The further significant growth will require additional Green Belt reviews, which raises concerns over the localised impact on the functions of Green Belt protection, particularly that of avoiding urban coalescence. For the Green Belt reviews local authorities are also required to roll forward rates of development to 2031 (or in the case of north of Harlow to test “the most sustainable eventual scale of urban extension”) although the supporting text suggests it will be for the early review of the Plan to set the rate of growth at these key centres.
- E7** In respect of Strategic Green Belt reviews, as this RSS has not developed a spatial strategy to 2031, it would be inappropriate for Green Belt releases to be made to accommodate development to that timeframe, or beyond. The next review of the RSS should develop a spatial strategy to 2031, which should determine the likely scale of Green Belt releases for that timeframe at various growth locations.
- E8** The Proposed Changes require these Green Belt reviews to be based on annual development rates 2001 – 2021, or in the case of Harlow, potentially significantly greater development rates. This RSS process has already established that it would unlikely to be sustainable to continue to simply add on development to existing centres. The Government’s approach does exactly that. In the context of this RSS this approach is considered to be totally inappropriate and ill-founded.
- E9** The Secretary of State’s proposal for Strategic Green Belt Reviews is fundamentally flawed. There has been no technical work undertaken to justify the rate of growth this would imply. The issue of the release of Strategic Green Belt beyond 2031 should

be a matter for the RSS review together with exploring the option of a new settlement in the region, and the effective monitoring of the Plan's delivery and the provision of essential infrastructure.

- E10** East Herts Council considers that the Secretary of State should delete the requirement for local authorities to undertake strategic Green Belt reviews and to ensure that all the options for accommodating long term development needs are properly considered as part of the RSS Review.

E11 Changes to Regional Housing Provision

Statement of Reasons /Decisions Ref: R7.1, page 40 - 44. Policy / Supporting Text Ref: New Housing Policy H1 – Regional Housing Provision 2001 - 2021, page 117, and New Housing Policy H3 – Affordable Housing, page 125.

Summary of Change /Decision:

New Regional Housing Provision total of at least 508,000 dwellings, instead of EiP Panel total of at least 505,000. Harlow housing total increased from 13,500 to 16,000. Both Regional and Harlow increase of 2,500 is as a consequence of decision on Harlow North.

District allocations in Policy H1 should be regarded as minimum targets to be achieved.

Affordable housing at the regional level should be monitored against an expectation that some 35% would be affordable.

East Herts Council Response: Object

- E12** The Government considers even 508,000 homes as inadequate as it “falls significantly short of what is needed based on evidence of housing pressure, affordability and household projections” with an early review of the RSS testing scope for higher growth from 2011. This is despite the EiP Panel conclusion that its figure was the highest that could reasonably be expected to be delivered, in the plan period to 2021.
- E13** The requirement that all Local Development Documents (LDD's) to have planned a fifteen year supply of housing land from the date of their adoption (new national policy as of December 2006) is translated in the Proposed Changes as a requirement to 'roll

forward' the development rates in the Plan to cover any of that fifteen year period beyond 2021. This is an inappropriate response, as it will lead to future regional strategy being determined in some areas through individual decisions on LDD's and not being tested through the imminent Regional Plan Review and a regional sustainability appraisal.

- E14** The whole RSS process has been based on identifying scales of growth for the region, sub-regions, districts and specific growth locations, based on an understanding (or lack of it in some cases) of their environmental, infrastructure and other constraints and opportunities. Engagement of public has been on the basis that the levels of growth proposed within the RSS are the ones they can expect to come forward in the future. The Secretary of State now proposes, at this very late stage in the RSS process, to undermine the capacity work that underpins housing levels in the RSS, by making housing numbers minima that can be exceeded.
- E15** The Secretary of State proposes that housing targets for every district *'should be regarded as minimum targets to be achieved, rather than ceilings which should not be exceeded'*. This makes the Plan even less sustainable and will increase further the pressure on infrastructure and create uncertainty in taking forward Local Development Documents. This fundamentally undermines the previous approach and whole basis upon which housing targets have been developed – setting levels based on balancing a wide range of environmental, social and economic considerations.
- E16** This raises significant environmental, social, economic, infrastructure and service delivery concerns, particularly at proposed strategic growth locations. The environmental and infrastructure constraints were well recognised by EERA and the EiP Panel.
- E17** East Herts Council therefore considers the Secretary of State should remove the reference to minimum housing targets in the Plan.
- E18** The Secretary of State's proposals recommend 35% of new housing in the region to be affordable with no breakdown to individual local authority. The proposed policy lacks clarity and represents a watering down of the EERA affordable housing

position, which states at least 30% in all local authority areas and 40% in areas of housing stress.

- E19** East Herts Council considers the Secretary of State should reinstate EERA's original policy on affordable housing in order to demonstrate strategic support for the delivery of minimum affordable housing targets by local authority area across the region.

Changes to Regional Job Growth

Statement of Reasons / Decisions Ref: R6.2, page 36. Policy /Supporting Text Ref: New Policy E1: Job Growth 2001 – 2021, page 102.

Summary of Change / Decision:

New Regional Job Growth total of 452, 000 instead of EiP Panel total of 440,000, as a consequence of the Government not accepting EiP Panel recommended job growth figures for Hertfordshire and part of Essex.

East Herts Council Response: Object

- E20** The jobs figures in the Draft Plan are based on 'enhanced growth' and were considered by many to be challenging. Arbitrarily increasing the jobs allocations to match new housing (as the Panel undertook) is not going to deliver an alignment of jobs and workers. Any increases need to be backed up by appropriate intervention, which will require significant investment support, which at best appears uncertain. (See also paragraph E75 concerning Central and North Essex, Harlow and Stansted Airport).

E.21 Economic Development – The Regions Airports

Statement of Reasons / Decisions Ref: 6.13, page 39. Policy /Supporting Text Ref: New Policy E8 – The Regions Airports, pages 114/115.

Summary of Change / Decision:

Broad thrust of EIP Panel's recommended policy accepted by Government, except not including term 'master plan', but instead refers to future airport development being the responsibility of airport operator / owners in conjunction with partners, and

indicates that development proposals will need to be informed by the Air Transport White Paper and the other policies of this RSS.

East Herts Council Response: Object

E22 It is of great concern that the Proposed Changes carry forward the EiP Panel's position that growth is a matter of national policy and cannot be considered as part of the RSS. The reworded policy E8 concentrates on the role of airport operators/owners in terms of surface access, infrastructure and environmental safeguards, and appears to relegate the strategic and local planning democratically accountable bodies to an inferior secondary role.

E23 Regional Transport Strategy

Statement of Reasons/ Decisions Ref: R8.1 pages 47, 48, 51, 53.
Policy / Supporting Text Ref: New Transport Policies T3 – Managing Traffic Demand, page 135 / 135; New Transport Policy T12 – Access to Airports, p146; New Transport Policy T15 – Transport Investment Priorities, p.149/150.

Summary of Change / Decision:

Policy T3 – Omit EiP Panel recommended last bullet:

'produce resources for investment to support the objectives of this RTS', ... because this implies a net overall increase in resources, which may or may not occur depending on a range of factors, including future policy on national taxation and the overall availability of resources for transport'.

Policy T12 - EiP Panel's recommendation accepted by Government, that there is no role for the RSS in determining the rate of air traffic growth or runway provision at the regions airports. Decisions on that, and resolving any policy conflicts attendant on those decisions, remain for Government. New Policy T12 only covers managing access to airports and other associated impact.

Policy T15 – EiP Panel's recommendation largely accepted with following conditions;

- *'The programme of investment should be regularly reviewed to ensure it continues to deliver the infrastructure and services necessary to support the Regional Spatial Strategy' ... 'to stress the Government's commitment to keeping the programme under regular review'.*

- *Include a list identifying the areas of the transport network likely to come under traffic growth and the development strategy of the RSS where further work should be focused to identify the interventions needed.*

East Herts Council Response: Object

- E24** There is serious concern whether implementation of the policies proposed is likely to bring about the outcomes described in Policy T1, i.e. improved journey reliability; increased proportional use of public transport; safe, efficient and sustainable movement; reduced green house gas emissions; economic growth without a concomitant growth in travel. There is also serious concern over the lack of specificity about regionally significant transport measures needed (over and above those currently programmed for the region) and the policy position on Regional Airports.
- E25** The available assessments of the road and rail networks suggest that the impact of the development now proposed in the East of England, and the lack of planned improvements to the transport infrastructure, are likely to result in unacceptable conditions on the road and rail network towards the end of the Plan period, seriously hindering the movement of people and goods and holding back the economic development of the region.
- E26** The Council supports the view of the Regional Transport Forum (RTF) which concluded in January 2007, that *“The East of England Plan will have profound and far reaching consequences for the Region. In accepting the Panel’s rejection of the concept of an infrastructure deficit, the Secretary of State is in fundamental conflict with the views of EERA, and the RTF. The East of England Plan should provide a strategic framework, integrating land-use and transport and other infrastructure provision at regional and sub-regional levels. The Proposed Modifications, by rejecting a link between the phasing of growth and the provision of infrastructure, through the removal of Regional Transport Strategy schemes and the deletion of much of the sub-regional policy framework, would severely undermine the effectiveness of the East of England Plan in achieving this. The Modifications are likely to further delays in implementation and make it less likely the Region will receive the investment required.”*

- E27** The Regional Transport Strategy (RTS) has been watered down to such an extent that it is now made up of a range of general policies. There is little of any real substance and success will be entirely dependent upon other processes, not the RTS itself. Investment priorities will not be determined through the RSS but by other means. EERA is endeavouring to develop an Infrastructure Investment Strategy to fill the gap but it will have to sit outside of the RSS and thus its subsequent ownership and weight that will be attached to it is unclear at best.
- E28** There are major transportation concerns in the Region, particularly at a number of growth locations (e.g. Harlow) that remain unresolved. Whilst the Government recognises that work needs to be done in these areas to explore means of addressing these issues, this leaves the RSS with major growth but few answers to key transportation issues. This must raise serious questions about deliverability of the RSS development strategy.
- E29** The way in which this is dealt with by the RSS is to leave it to the local planning authorities to resolve through the LDF process, the County Council to address through its Local Transport Plan and all parties to seek to handle through regional funding allocation processes. This will be too late in the process and will make it difficult for strategic investment to be identified and delivered. In addition it will only be at this stage that it will be clear whether the growth can be delivered which goes to the heart of the RSS. This must be resolved now before the Regional Plan is finally approved.
- E30** There is no commitment to enhanced funding to address existing and expected future infrastructure deficits. The failure of the Government to accept the EiP Panel's recommendation that resources should be produced for investment, to support the objectives of the Regional Transport Strategy, is not acceptable.
- E31** In respect of Regional Airports, it is of great concern that the Proposed Changes carry forward the EiP Panel's position that growth is a matter of national policy, and cannot be considered as part of the RSS. A second runway at Stansted and longer runway at Luton are considered to be incompatible with the sustainability objectives of the Regional Plan and the need to tackle climate change. The reworded policy T12 only concentrates on access to

the region's airport, in order that this may be managed and enhanced to support development, as and when it is approved.

E32 Implementation / Infrastructure Provision

Statement of Reasons / Decision Ref: R11.1, page 64. Policy / Supporting Text Ref: New Policy IMP1 – Implementing the RSS, page 230 – 242.

Summary of Change / Decision.

Proposed Changes accept EiP Panel's recommendation to replace Policies IMP1, 2 and 3 with New Policy IMP1, whereby implementation will be achieved through private, public and voluntary sectors working together, co-ordinated by a Regional Implementation Plan; early preparation of LDD's by Local Planning Authorities; and the work of Local Delivery Vehicles.

Proposed Changes do not re-introduce EERA's Revised IMP2 policy, which sought to regulate the flow of development according to the level of investment in key infrastructure.

East Herts Council Response: Object

E33 Given that the mechanisms/resources/funding likely to be required to deliver the RSS have effectively been stripped out of the RSS, there is limited evidence available to demonstrate whether the RSS is actually deliverable in a number of key respects. Deliverability decisions are therefore deferred either to Local Development Documents (LDD's) or to RSS annual monitoring exercises. Whilst the RSS has implementation /monitoring policies, the implementation section of the RSS could be strengthened to acknowledge that there are fundamental delivery issues that will need to be resolved through RSS annual monitoring and LDD processes.

E34 Infrastructure has consistently featured as one of the main areas of concern as the RSS has progressed. Indeed EERA withdrew support for its own plan, soon after its submission in December 2004. As a consequence of a lack of Government commitment to the resources / infrastructure required to deliver the scale of growth proposed in the RSS. Technical work has demonstrated the significant pressures placed upon the transportation infrastructure of the Region by the growth proposed, with significant increases in congestion predicted to arise.

- E35** The infrastructure studies published alongside the Proposed Changes confirm the view that road, rail and waste water networks are likely to suffer greater congestion and raise significant concerns about the capacity of the systems to handle the scale of growth proposed in the Proposed Changes.
- E36** This also raises very real concerns about the extent to which the Secretary of State can have adequately considered the spatial strategy implications of these studies in formulating the Proposed Changes. At the very least these latest studies point to significant deliverability issues in relation to growth generally and at particular proposed growth locations.
- E37** The Waste Water Capacity Study points to very significant constraints in relation to the capacity of the sewage treatment facilities (principally but not exclusively related to the Rye Meads Works in East Hertfordshire) to accommodate the scale of growth at Harlow and Stevenage in particular.
- E38** The East of England Plan as proposed by the Secretary of State is neither deliverable or sustainable. There is a lack of a clear investment strategy based on a thorough analysis of the social, economic and environmental infrastructure needs of each sub region and a lack of commitment by Government to adequately fund this essential infrastructure to deliver truly sustainable communities. In particular the issue of transportation infrastructure remains unresolved and there are real concerns about water supply, waste water treatment capacity and health service provision.
- E39** East Herts Council considers the Secretary of State should:
- i) Await the completion of the work on the Investment Strategy before finalising the East of England Plan.
 - ii) Give an undertaking to fully fund the necessary level of infrastructure to deliver the East of England Plan and the growth proposals for Hertfordshire.
 - iii) Reinstate the approach of making development in each sub region conditional upon the delivery of essential infrastructure.
 - iv) Support the proposed process for preparation of the Regional Investment Strategy in order to secure the delivery

of the appropriate resources and measures it requires in order to deliver the East of England Plan, when finalised.

E40 Harlow

Statement of Reasons / Decisions Ref: R5.10, pages 24-30.
Policy / Supporting Text Ref: New Policy HA1 – Harlow. Key
Centre for Development and Change, pages 223 – 229.

Summary of Change / Decision

E41 *Government has accepted inclusion of New Policy HA1 for Harlow as Key Centre for Development and Change (KCDC); deletion of development proposals for North Weald; but with following differences from that recommended by EiP Panel:*

- i) 16,000 rather than 13,500 dwellings 2001 – 2021, including urban extensions in East Herts and Epping Forest districts;*
- ii) Urban extensions to the north, east and on smaller scale to south and west;*
- iii) Joint or co-ordinated LDD's to determine appropriate distribution between urban extensions, objective being to promote Harlow's regeneration, is as sustainable as possible and can be implemented at required pace;*
- iv) Green Belt review to north should provide at least 10,000 dwellings, possibly significantly more;*
- v) Requiring Harlow, East Herts and Epping Forest District Council's working with County Transport Authorities, Regional Assembly, Government Office and Harlow Renaissance to appraise planning and transport options to inform LDD's.*

E42 *In addition Supporting Text indicates:*

- i) Green Belt review should test the most sustainable scale of urban extension to the north of Harlow to 2031 and beyond and should not be restricted by development rates applicable 2001 –2021, i.e. should be higher rates.*
- ii) Green Belt review should identify compensating strategic extension to greenbelt north of Harlow, which should be several miles wide.*

E43 *Inclusion of urban extensions to the north of Harlow means the Secretary of State reaches a different conclusion from the EiP Panel about the balance of evidence and accepts the case for a*

Green Belt review and substantial development at Harlow North for the following reasons:

- i) unresolved issues about the Panel's approach to the future of Harlow and the M11 Corridor;*
- ii) the Panel argue against development north of Harlow because it would be delayed by need for investment in water treatment. This is about timing and funding, not the principle of development here;*
- iii) approach in these Proposed Changes will establish options for overcoming Harlow's transport infrastructure constraints;*
- iv) the Panel argue against development north of Harlow on the basis it would undermine the town's regeneration. This is inconsistent with Panel's approach elsewhere, and discounts proximity of Harlow North to the station, town centre and main employment areas;*
- v) how far Harlow North is independent from Harlow and fails to support its regeneration is a matter of how it is developed. In any case Harlow North should not be a threat to regeneration because lead in time of 5 –10 years for push of regeneration, before Harlow North would be of significant scale;*
- vi) evidence on landscape and other environmental issues are considered is a matter of interpretation.*
- vii) reference to at least 10,000 dwellings and possibly significantly more at Harlow North reflect the potential for major sustainable development; this is significant and rare opportunity so close to London; and need to avoid further Green Belt review before 2031.*

East Herts Council Response: Harlow North - Object

E44 East Herts Council re-iterates its total opposition to development north of Harlow, in East Herts District and objects to the Government's Proposed Changes to the Regional Plan, which identify Harlow North as a major area for development.

E45 The rationale for the Secretary of State's re-introduction of major growth at Harlow North, both within the Regional Plan period, and on an 'open-ended' basis beyond 2021, with indications of 2031 and beyond, together with the manner by which the EiP Panel's clear conclusion and recommendation on Harlow North have been dismissed by the Government are difficult to comprehend.

- E46** Harlow North is the only substantive area where the Secretary of State has failed to accept the recommendation of the EiP Panel. The Secretary of State's reasons for not accepting the recommendations of the EiP Panel, both in terms of overall scale of growth at Harlow and development to the north are considered to be flawed.
- E47** The Secretary of State considers that the EiP Panel's approach would not give an appropriately strong emphasis to Harlow to achieve the degree of transformation necessary to address its substantial physical and economic regeneration needs. Setting aside Harlow North, the Proposed Changes, compared to the EiP Panel's recommendation, only amount to an additional 2,500 dwellings in the RSS plan period to 2021. This is not considered to be pivotal in transformation terms, nor justification for including Harlow North.
- E48** The timeframe of this RSS is to 2021. Development needs beyond this date are to be subject to an immediate review of RSS, to roll it forward to 2031, which is scheduled to be completed by 2010. There is no danger of not meeting development needs beyond 2021. There is a process in hand to deal with this. The next Review can address the development needs beyond 2021 and where necessary Green Belt reviews to 2031. Even if it were accepted (which it is not) that the RSS needs to provide a framework for Green Belt reviews to 2031, Harlow North is not necessarily required to achieve this.
- E49** The Secretary of State believes that to not include Harlow North, would leave a shortage of development capacity in the wider southern section of the London – Peterborough Growth Area. There is no evidence available on the appropriate level of capacity there should be in this area against which this can be measured.
- E50** The Proposed Changes fail to address how the transport, access and congestion issues for Harlow are to be resolved, other than to propose that issues be explored further. All the Proposed Changes do is put in place mechanisms for issues to be considered. It does not resolve those issues.
- E51** The Secretary of State considers that development north of Harlow, in terms of investment in water treatment, is about timing and funding, not the principle. Timing and likely resource

availability are considered to be key to decisions about the extent to which a location can accommodate growth. East Herts Council is far from convinced about the likelihood of resolving wastewater issues to the extent envisaged by the Secretary of State.

- E52** The EiP Panel argue against development north of Harlow on the basis it would undermine the town's regeneration. The Government consider this is inconsistent with the Panel's approach elsewhere. East Herts Council considers that each location needs to be considered on its merit. A major factor in respect of Harlow North is its likely high level of self-containment, its physical separation from existing Harlow, and likely access routes away from Harlow between it and the town. Potential contribution to regeneration is not just about how close the development would be to the town centre.
- E53** The fact that any development would be located on the other side of a valley from the town will inevitably mean it is separated from the town, no matter what transport or green infrastructure is put in place to attempt to ameliorate that isolation. The Panel notes (paragraph 5.91) that *"the impression that a separate town would be created is strengthened by indications that it would be regarded as the first stage of a development up to 25,000 homes ..."* Even the Secretary of State's reasons for decisions state *"... Even if the area north of Harlow were eventually to provide as many as 20,000 dwellings in the longer term ..."*. The developers are promoting a development in excess of this scale and it is these proposals that have been presented to the Regional Planning Board and Government Office. East Herts Council is of the view that this is a new settlement size development that will not only draw attention away from the existing town – it will be in direct competition with it.
- E54** The extent to which it would support regeneration is not just a matter of how it is developed. Given the net out-commuting implied in the spatial strategy for this part of the region, the Panel heard evidence of the likelihood of the satellite development being a commuter dormitory settlement. The RSS and LDDs can do very little about the life choices of future residents to the North of Harlow. With regard to the regeneration of Harlow, the scale of the challenge required has been identified in the Harlow Regeneration Study. The likelihood of achieving transformational change – with massive new employment opportunities, a sea-

change in the perception/image of Harlow, resolving transportation problems, and so on, is not likely to happen in the next 5-10 years.

- E55** The Secretary of State considers that the evidence on landscape and other issues identified by the EiP Panel are a matter of interpretation. East Herts Council considers this fails to recognise that the Panel sees the Stort Valley as a landscape barrier and the landscape grounds relate to the principle of breaching the Hertfordshire hills. No amount of green infrastructure can address this. It is a matter of principle, not of mitigation.
- E56** In the case of Harlow North and Green Belt reviews, the Secretary of State proposes it be an exception to the general rule applying to other strategic reviews. The Green Belt review for Harlow North should look to 2031 and beyond and should not be restricted to development rates 2001 – 2021. The Secretary of State further considers there to be enough scale to be a model sustainable development, which East Herts Council considers would be a new settlement size development.
- E57** It has been acknowledged by this RSS process that options for this scale of development should be considered as part of the next RSS review. A decision now for growth to the north of Harlow would pre-judge that process. Under the current policy climate, any new settlement size development that were identified should be a model of sustainable development. Such credentials should not be restricted to this location. Indeed, whether such a development, at a location where the RSS proposes major out-commuting, can be considered to be sustainable is highly questionable.
- E58** The Secretary of State considers Harlow North to be a significant and rare opportunity for somewhere so close to London. It may be significant and rare but not necessarily unique, until other alternatives have been assessed. Whether Harlow North is appropriate in a longer-term spatial strategy beyond 2021 is something that should be determined by the next RSS review. Until the locational options for this scale of development have been fully explored region-wide, through the next RSS review, it should not form part of this RSS.
- E59** In her decisions, the Secretary of State fails to address the Panel's view that in view of the need to invest in the 'High Quality Public Transport' system it would not see either North Weald or Harlow

North making a contribution until the latter half of the Plan period. The Proposed Changes merely point to the need to take forward transportation work. This does not respond to the conclusion of the Panel that the lack of this specific piece of infrastructure compromises the role Harlow North can play in this RSS.

- E60** Taking account of the range of spatial strategy / deliverability considerations on Harlow and Harlow North, on balance the EiP Panel could be considered to have taken a necessarily precautionary, realistic and responsible approach. The Secretary of State's reasons for her decisions are not considered to be satisfactorily robust.
- E61** Harlow is located in a part of the Region where there are significant wastewater infrastructure issues. The Secretary of State's approach is to defer this to be handled by subsequent planning processes not this RSS. This is considered to be an unsatisfactory approach. The scale of the wastewater infrastructure issues are so significant as to raise spatial strategy concerns. This leads to the conclusion that such matters together with other infrastructure issues, particularly transport, should be considered further as part of the next RSS review. Hence Harlow North should be deleted as a major growth location from this RSS.
- E62** East Herts Council re-iterates in summary below its previous objections to, and arguments against development at Harlow North. These, along with similar arguments by Hertfordshire County Council, Stop Harlow North, the local community and others, were accepted by the EiP Panel in its clear recommendations to the Secretary of State. The Secretary of State's in dismissal of the Panel's strong recommendations on Harlow North are considered ill founded and unjustified.
- E63** **Vision and Strategy for Harlow** - East Herts Council considers that growth on the scale proposed at Harlow, especially to the north of the town, will hinder, rather than assist, the local regeneration process. The strategy for Harlow should be focussed firmly on the regeneration of Harlow.
- E64** No robust argument has been advanced for the level of development proposed at Harlow, within and beyond the current RSS plan period. The area around Harlow is extremely congested and the proposed level of development at Harlow North would

result in the loss of significant Greenfield land, much of which is designated Green Belt.

E65 In order to assess whether growth on the scale proposed will assist or hinder the regeneration of Harlow, it is necessary to assess the regeneration needs of the town. Evaluation of the regeneration needs of Harlow from the published reports indicates that the following measures will be appropriate:

- i) improving the access of lower skilled people in Harlow to employment offering prospects of betterment;
- ii) improving and diversifying the housing stock, for its own sake and in order to provide opportunities for higher skilled groups to remain in or move to Harlow;
- iii) improving the town centre and other services for residents,
- iv) improving the layout of the town;
- v) improving the industrial and business premises offer.

E66 Nowhere in the plan or supporting documents has the linkage between growth and regeneration been clearly and convincingly spelt out. It has been suggested that a larger town would justify higher order services. Whilst a larger settlement is more likely to attract such services as a university and a department store, there are other factors at play, for example the image of the town and the spending power and habits of its residents; conversely there are many smaller towns that have such facilities because they are attractive in other ways than pure size.

E67 It has not been identified that any services are missing or deficient in Harlow for which Harlow North would provide the critical population increase. Indeed the converse is more likely to apply. The proposed population increase risks taking demand for services beyond their capacity, with funding and timing to increase their capacity uncertain e.g. the findings of the Regional Wastewater Capacity Study (December 2006) in respect of Rye Meads Sewage Works.

E68 The assumption is that it is both possible and desirable to change fundamentally the role and character of Harlow, in effect to gentrify the town with an injection of high-income people. The more likely outcome of developing the area north of Harlow on the scale set out in the Proposed Changes, is that the new 'settlement' will develop its own facilities to suit the spending and tastes of its residents, or that its residents will travel to other centres e.g. Cambridge to find higher quality services.

- E69** In relation to the economic performance of towns, PACEC in their report on city/town size, growth and benefits to residents and firms in Harlow (in support of the Harlow Regeneration Strategy), conclude that “there are potentially both economic and social benefits to be exploited from increased city/town size and more rapid growth” (para 1.4.1). This work is of little help in defining an appropriate scale of development to achieve the regeneration of Harlow for a number of reasons, primarily because, as the authors themselves state, “the analysis does not imply a categorical causal relationship between size/growth and the indicators”.
- E70** It is accepted that the housing mix in Harlow is a significant factor in the health of the town; a more diverse stock would be valuable. However, the growth proposals for Harlow in the Proposed Changes will only perpetuate the present imbalance. If alternatively, say, 8,000 open market houses were developed, this being the reported capacity of the urban area of Harlow and east Harlow, then the overall affordable proportion would fall from 35% now to 27%. The Plan proposals pose a real risk of a conflict of priorities between growth and regeneration. There is a real risk that growth will be given priority and regeneration left to follow, or not.
- E71 Environment/Culture** - The strategy has had little regard to the environment and culture around Harlow. The pressures on the environment have been outlined in the Draft RSS SEA report, and are reinforced by a number of other studies. Development at Harlow North would have an extremely damaging effect on longstanding Green Belt and landscape goals in this part of Hertfordshire.
- E72** East Herts Council has a fundamental objection to development at Harlow North. The process for determining the location of development is flawed and has taken no account of the landscape and environmental thresholds of the area around Harlow.
- E73** The Harlow Area Study – Masterplanning Principles and Sustainability Criteria, completed in April 2005 by Matrix Partnership in association with Halcrow and Levett Therivel, refers to the New Town Master Plan and the design principles of Sir Frederick Gibberd. Essentially, the layout of the town was designed as a semi-circle, with the River Stort as the base line. In the New Town Master Plan, Gibberd emphasised the key role of the river valley with the “Hertfordshire Hills” beyond.
- E74** In responding to the proposals by the former Commission for the New Towns in 1976, Gibberd was keen to maintain the principles of his

design, and favoured development to the west and east, rather than to the north or south. Any future growth should be carried out with respect to the Gibberd design.

- E75** The Harlow Area Study has begun to look at other options for development locations around Harlow. These include the area to the west of the town, much of which has been designated as a Countryside Conservation Area by Epping Forest District Council in their Local Plan. Despite this, in reality this tract of countryside is characterised by urban fringe pressures and in parts shows signs of degradation, with areas of disused greenhouses, farm fragmentation, horse paddocks, sporadic housing and commercial developments, landscape deterioration, and high volumes of traffic.
- E76** East Herts Council would wish to emphasise the intrinsic landscape and environmental qualities of the Stort Valley. Its significance has long been recognised. In a 1980 study, completed jointly by Hertfordshire and Essex County Councils, a number of important features were outlined, including herb-rich meadowlands, historic landscapes and gardens, and areas of nature conservation value. As a result of the study a number of these features were protected from development and engineering works.
- E77** In more recent times, the importance of the valley has been further acknowledged by the Hertfordshire Landscape Character Assessment, as well as the Stansted/M11 Corridor Development Options Study (Colin Buchanan December 2003). In addition the recently produced Harlow Green Infrastructure Plan (Chris Blandford Associates) strengthens the importance of the Stort Valley, for ecology, landscape and historic environment. The Green Infrastructure Plan has been 'steered' by a committee made up of interested parties: Countryside Agency, Groundwork, Go-East, Harlow, Herts and Essex County Councils.
- E78** There are also considerable concerns about the effects of development upon the rural area to the north. The Harlow North Ropemaker proposal illustrates the scale of the effects:
- The loss of a large area of Grades 2 and 3A agricultural land.
 - The engulfing of the rural settlements at Eastwick, Gilston, Pye Corner and High Wych.
 - An effect on 16 County Wildlife Sites, three Scheduled Ancient Monuments, six Areas of Archaeological Significance, and several historic gardens.

- The proposed extension of the A414 to the north of Harlow would have a devastating effect on the landscape integrity of the Stort Valley.
- The so-called eco-bridge across the Stort Valley and any attempts at enhancing the biodiversity of the gap would be off-set by the pressures caused by the scale of the development itself, in particular on the integrity of the Hunsdon Meads SSSI downstream.
- The development of a significant area of Greenfield Green Belt countryside, which has an important function in preventing the coalescence of towns within the main transport corridor of the M11/Stort Valley.

E79 Harlow North is under the landing flight path of Stansted Airport, which is set to expand significantly. There are noise and safety issues, and to locate major housing development under the flight path does not represent safe and sound planning practice.

E80 In summary, East Herts Council considers that environmental effects of the Proposed Changes for Harlow North are a major failure of the Draft Plan, and Proposed Changes to the Plan. This has been pointed out in the Draft RSS SEA report (see Table 3.2h), which cites the major weaknesses of the Plan with regard to the scale of development in the south of the region.

E81 The Proposed Changes add 11,000 more jobs in the Central and North Essex Area, and 10,000 more at Harlow.

E82 Employment/Economy - The Proposed Changes indicate a significant imbalance in the alignment of workers and jobs around Harlow and the Stansted / M11 area. The Alignment Study shows an additional 17,600 more workers than jobs by 2021. This would indicate more reliance on jobs being provided in London, leading to increased congestion and commuting and 'dormitory' housing estates – hardly a recipe for building sustainable communities. The scale of growth indicated for Harlow, as opposed to any other scale of growth, is nowhere justified or subjected to sustainability appraisal.

E83 However the scale of employment growth is very questionable for a number of reasons:

- The sectors and types of development targeted in ST3 are all highly mobile investments. They will be able to choose from a wide range of alternative locations in the region ("regional offices"), in the UK (many of the activities identified) and in continental Europe

("European headquarters"). Given that Harlow is neither eligible for grant assistance to encourage inward investment nor an attractive investment location (witness the low level of rents for industrial and business premises), the town will struggle for many years to attract this quality of investment in significant volumes. The plan itself identifies many locations in the region to which inward investment will be encouraged by agencies such as EEDA in competition with Harlow:

- Key centres: Cambridge, Colchester, Chelmsford, Stevenage
 - Regeneration areas: Bedford/Kempston, Colchester, Stevenage and parts of Cambridge
 - Potential large new settlement (SS2)
 - Maintaining vitality of market towns
 - Supporting economic well-being of rural villages.
- Some of the competing centres have a strong growth record already, e.g. Cambridge. In contrast Harlow has a poor track record of attracting investment, evidenced by low industrial and commercial rents in the town, which, together with the poor image of the town, will be a competitive disadvantage for Harlow in attracting investment, which is heavily influenced by confidence.
 - Much (probably around 70%) of the increase will need to come from service industries (e.g. distribution and administration). By definition most of this type of employment arises in response to the service needs of the local population and local "export" employers. It is therefore logically inconceivable that this large sector of employment will **lead** development.
 - A number of the targeted sectors, which are the non-service or "export" activities, are currently well represented in Harlow e.g. R & D, but employment in this sector declined 12.5% 1998-2003, and manufacturing generally which declined by 28.9% 1998-2003. Overall employment declined 1% in the same period. It requires a major transformation to go from decline to a net increase of over 60% in the Plan period.

E84 Most of the employment is population-driven. This means that a net increase in overall employment of some 60% will need to be driven by rapid growth (early in the Plan period) in the highly mobile export sectors for which Harlow is competitively weak. If that growth is not achieved then the jobs will not be available for the population. People will then choose to live elsewhere or live in Harlow and commute to jobs elsewhere. Whichever way the supposedly linked regeneration of the town will not be achieved.

E85 Housing - There is a real risk that growth will be given priority and regeneration left to follow, or not:

- There is a natural tendency to address new development first. It is in some ways simpler and it delivers very visible results compared to regeneration, especially people-oriented programmes, such as education and training.
- Commercially developers will need to develop and sell new housing before tackling regeneration obligations, as it is the new housing that will generate the capital for investment in regeneration.

E86 Linked to this priority issue is the pace of development that is required to achieve the plan targets. Developers tend to reduce the pace of development in order to maintain prices. Those prices are fundamental to the level of planning obligation resources, available to fund very heavy demands including regeneration.

E87 There is clearly a risk that either the rate of development will fall short of the target, or that prices will be undermined by the scale of the supply, both having the effect of reducing the planning obligation product available for regeneration.

E88 The housing provision proposals are clearly not based on sound assumptions about previously developed land and urban capacity. No assessment has been made of the sustainability of development on the scale proposed for Harlow, versus other locations within the sub-region, or of the sustainability of the locations selected around Harlow, versus alternatives within the immediate Harlow area. Specifically no assessment has been made of the sustainability of rebalancing the mix of housing in Harlow, by developing more affordable housing in locations beyond Harlow town that are accessible to the town by different forms of transport.

E89 East Herts Council does not accept that the broad locations for development at Harlow are appropriate, in that specifically the scale of development proposed to the north of the town will impede the regeneration of Harlow. That location could be made regionally strategic if the link to the M11 were made and if adequate infrastructure capacity were provided (see v) below). However these improvements

would tend to detach the development even more from Harlow and make it a freestanding development, dependent for jobs and services on those within its bounds, or on centres elsewhere in the region/London.

E90 East Herts Council does not accept that the land to the north of Harlow is capable of delivering sustainable development. In their proposals Ropemakers allege that their development would be linked to Harlow across the Stort Valley, principally by means of a “Living Bridge”.

E91 Both Ropemaker and the RPG14 Strategy Review (para 9.24) are persuaded by the same point, that development to the north of Harlow would put the stations (and the town centre) at the centre of the town, a more accessible location and therefore, they assert, more sustainable. This argument does not stand up to scrutiny:

- The barrier is very significant (some 500 metres) and it is indeed consolidated in the Ropemaker proposals through the development of an “Ecological Park” in the floodplain. The barrier effect would be exacerbated were the proposal to create a northern bypass linking to a new junction on the M11 to come about.
- It is nowhere claimed, neither could it be, that the new development or any significant part of it would be within reasonable walking distance of the town centre or the station.
- The proposed development ironically perpetuates the urban form of Harlow, which is widely criticised as being inefficient and unsympathetic to public transport usage.
- A northern bypass would open up very attractive alternative opportunities for the population of the new development: real choices between going to Harlow for work, shopping, leisure etc and going to nearby centres that are more attractive e.g. Bishop’s Stortford and Cambridge.
- Ropemaker lay great stress on the introduction of a new population that is of much higher socio-economic status than the current Harlow population. This, together with the distance to the main town and the understandable quest for self-containment within the extension, will make it very attractive to provide suitable shops, leisure facilities and public services within the development. The submission is conspicuously silent on the scale and composition of a district centre to serve the new development.

- The need to market the new development at a very high rate and to market it to higher socio-economic groups which are not “naturals” to the town, will put irresistible pressure on the developers to stress the distinctiveness of the development, not its integration with Harlow:
 - It will be given a name in order to identify it as a distinctive offer.
 - The services available within the development will be enhanced: e.g. a high quality supermarket and separate secondary and primary schools serving the community.
 - Employers currently under-represented in Harlow will see the attraction of locating where they have good access to a range of skills and to better local services than those in the town centre.

E92 Ropemaker implicitly confirm the tendency to make the extension self-contained and separate in their emphasis on the need to regard 10,000 dwellings as the first stage of further development to say 25,000 dwellings. This level of development is re-enforced in the Proposed Changes with reference to up to 20,000 houses north of Harlow.

E93 The Council, in its representation on the Draft Plan, has already referred to the reports which concluded that land in and adjacent to Harlow on the south, east and west sides of the town should be developed in preference to the land to the north of the town. In particular the Harlow Options Study concluded that the Sub-Regional Focus Scenario, which had the strongest focus on the regeneration of Harlow, did not require development on land north of the town to meet either of their preferred growth targets. These conclusions still stand. Only the RPG14 Strategy Review (2004) has come to a different conclusion, apparently based on very little evidence and without a full comparison of the alternative locations around Harlow.

E94 It follows from the Council’s analysis of the development that is proposed in the Green Belt, that East Herts Council does not consider the Plan has demonstrated the exceptional circumstances that could justify a review of the Green Belt. There has been no review of alternative ways of achieving the development that is proposed; no assessment of the effects on the purposes for which Green Belts are designated; and no measurement of the benefits of the proposed development against the damage caused to Green Belt policy. There certainly does need to be an assessment of alternative locations, both

within Harlow for that portion of the housing development that will contribute directly to its regeneration, together with limited growth for local needs.

- E95 Key Infrastructure** - East Herts Council has noted the concerns of many other participants with regard to the infrastructure deficit in the region. With the pressures of development and activity in this part of the region, there is already a problem. Transport is a particular concern. It is the view of East Herts Council that these problems should be addressed by concentrating on investments in public transport, walking and cycling.
- E96** In terms of strategic infrastructure, the railway lines, which serve the towns in the Lee and Stort valleys, are at capacity. Local services to and from Cambridge, Bishop's Stortford and Hertford East have to compete for track space with the Stansted Express service. Provision of additional tracks on the main line is essential, especially with the potential further expansion of Stansted Airport. The Plan makes no firm provision for any rail improvements in this corridor.
- E97** In Harlow, internal movements are the main problem. The emphasis should be on regeneration, coupled to limited growth for local needs. In terms of transport investment, this should be coupled to the provision of public transport, either in high frequency bus services or a guided bus network. This type of solution is outlined in the Harlow Area Study and would utilise the green corridors, which exist in the town.
- E98** A proposed northern bypass would do little for transport problems locally, in addition to the environmental harm it would cause. There would be more merit in a distributor road to the south and west of the town, which would be far more effective in providing for locally-generated traffic in the commercial areas, and accessing potential new housing areas to the south and west.
- E99** There are other problems with strategic infrastructure in this part of the sub-region. The scale of development would exceed the threshold of the local sewage treatment works at Rye Meads, in East Hertfordshire. Additional water provision would be difficult in an area, which already has supply problems. The Proposed Changes are far too vague. The Plan should include far more specific proposals for infrastructure investment, rather than a reliance on vague "special arrangements", and an Implementation and Investment Strategy, which sits outside the statutory Development Plan.

E100 Delivery Arrangements - East Herts Council supports the democratic model of delivery arrangements, and would reject any suggestion for an Urban Development Corporation or a similar body. The Area Regeneration Partnership should be “open, transparent, and democratically accountable”. It should take a holistic approach to regeneration across local authority boundaries, but with a firm focus on Harlow. There should be no bypassing of the planning process in the delivery of the Plan, or indeed, the use of master planning studies, instead of Local Development Documents.

E101 One argument advanced for northward expansion of Harlow is that the land is mainly owned or controlled by a single landowning interest. This is no guarantee, however, of the delivery of development, as it may be in the landowner’s interest to manage the release of land to maximise the financial returns from the investment. Ease of implementation, based on a single land ownership, would set a dangerous precedent for the purchase of large areas of countryside on the assumption that planning permission would be forthcoming.

Sustainability Appraisal/Strategic Environmental Assessment of the Proposed Changes to the East of England Plan – December 2006.

Summary of concerns on the Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)

E102 Concerns have been raised about the quality of SA and SEA of the RSS at various stages of its preparation. There are also significant concerns about the extent to which the Government’s updated SA/SEA addresses the original RSS SA/SEA of the Draft RSS, the concerns of the EiP Panel and whether it does an adequately robust job on the Secretary of State’s Proposed Changes. The Secretary of State does not appear to have taken into account the SA/SEA that has been produced.

E103 The report commissioned by EERA concludes that the approach taken in the Government commissioned Sustainability Appraisal (SA) of the Proposed Changes is by and large consistent with the SA of the submitted draft Plan. However, EERA’s Appraisal goes on to identify a number of areas where the SA of the Proposed Changes can be considered to be deficient and concludes that “we do not understand how the Parliamentary under Secretary of State could have concluded, in her letter dated December 2006 accompanying the Proposed Changes, that the *“Sustainability Appraisal concludes that the Proposed*

Changes are in accordance with the principles of sustainable development and that the additional growth and changes to distribution do not give rise to adverse environmental impacts.” (See Appendix C to this East Herts Council report).

E104 East Herts Council concurs with the conclusions of EERA’s Appraisal and the views taken and concerns expressed by EERA at its Assembly meeting on 2 February 2007, namely that:

‘This Assembly:

*8. **Expresses** concerns over the adequacy of the Sustainability Appraisal and Strategic Environmental Assessment as highlighted in the report prepared for the Assembly by LUC/Levitt –Therival Sustainability Consultants and urges the Government to address these issues before finalising the Plan.’*