



*Alison Stuart  
Head of Legal and  
Democratic Services*

**MEETING** : DISTRICT PLANNING EXECUTIVE PANEL  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : THURSDAY 21 SEPTEMBER 2017  
**TIME** : 7.00 PM

**MEMBERS OF THE PANEL**

Councillors L Haysey (Chairman), E Buckmaster and G Jones

All other Members are invited to attend and participate if they so wish.

Members are requested to retain their copy of the agenda and bring it to the relevant Executive and Council meetings.

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## DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
  - must not participate in any discussion of the matter at the meeting;
  - must not participate in any vote taken on the matter at the meeting;
  - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
  - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
  - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.
4. It is a criminal offence to:
  - fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
  - fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
  - participate in any discussion or vote on a matter in which a Member has a DPI;
  - knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

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## **AGENDA**

1. Apologies

*To receive apologies for absence.*

2. Chairman's Announcements

3. Minutes (Pages 5 - 14)

*To approve as a correct record the Minutes of the Panel meeting held on 9 March 2017.*

4. Declarations of Interests

*To receive any Member(s)' Declaration(s) of Interest*

5. Open Spaces and Sports Facilities Assessment Technical Study  
(September 2017) (Pages 15 - 28)

6. Draft Affordable Housing Supplementary Planning Document (SPD)  
(Pages 29 - 34)

7. Agreement for the Principle of Using the Council's Compulsory Purchase Powers in Respect of Land Required to Support Development of the Gilston Area (Pages 35 - 42)

8. Harlow and Gilston Garden Town Update (Pages 43 - 60)

9. Local Development Scheme (LDS) September 2017 (Pages 61 - 74)

10. East Herts Approach to Master Planning (Pages 75 - 88)

11. Urgent Business

*To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.*

MINUTES OF A MEETING OF THE  
DISTRICT PLANNING EXECUTIVE PANEL  
HELD IN THE COUNCIL CHAMBER,  
WALLFIELDS, HERTFORD ON THURSDAY  
9 MARCH 2017, AT 7.00 PM

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PRESENT: Councillor L Haysey (Chairman)  
Councillors E Buckmaster and G Jones.

ALSO PRESENT:

Councillors A Alder, D Andrews, R Brunton,  
S Bull, M Freeman, G McAndrew, T Page,  
M Pope, S Rutland-Barsby, N Symonds and  
J Wyllie.

OFFICERS IN ATTENDANCE:

Chris Butcher	-	Principal Planning Officer
Martin Ibrahim	-	Democratic Services Team Leader
James Mead	-	Assistant Planning Officer
Kay Mead	-	Principal Planning Officer
Laura Pattison	-	Senior Planning Officer
George Pavey	-	Planning Officer
Jenny Pierce	-	Principal Planning Officer
Claire Sime	-	Planning Policy Manager
Kevin Steptoe	-	Head of Planning and Building Control Services
Liz Watts	-	Chief Executive

**71 EAST HERTS DISTRICT PLAN - REGULATION 22  
CONSULTATION STATEMENT, MARCH 2017**

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The Panel considered a report on the Regulation 22 Consultation Statement, March 2017, which sought support to include this as a companion document to the East Herts District Plan for submission to the Planning Inspectorate.

The Statement had been prepared in order to comply with the requirements of Regulation 19 and Regulation 22 (1) part (c) of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Panel recalled that an Interim Consultation Statement had been considered at the Panel meeting held on 22 October 2016.

Officers referred to the tabled amendment text relating to paragraphs 4.5 – 4.7 of the Statement set out at Essential Reference Paper 'B' of the report submitted, which highlighted updated figures on the number of comments received.

The Panel supported the recommendation now detailed.

**RECOMMENDED** - that the Regulation 22 Consultation Statement, March 2017, as detailed at Essential Reference 'B' to the report submitted and now amended, be agreed as a companion document to the East Herts District Plan, for submission to the Planning Inspectorate.

**72 EAST HERTS DISTRICT PLAN - DUTY TO CO-OPERATE  
COMPLIANCE STATEMENT, MARCH 2017**

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Consideration was given to a report setting out the Duty to Co-operate Compliance Statement, March 2017. The Panel noted that a Compliance Statement was required, in order to help ensure that East Herts was able to demonstrate to an Inspector at Examination that it had met the requirements of the Duty.

The Statement identified how the Council had engaged with neighbouring authorities and other organisations throughout the plan making process in order to address strategic cross boundary issues. The Panel recalled that an interim version had been considered at its meeting held on 13 October 2016.

In response to Members' comments, Officers explained that in respect of discussions with Uttlesford District Council on education provision, a Memorandum of Understanding would be agreed in due course. It was also explained that the letters of support referencing regeneration of Harlow related to the wider Gilston and Harlow Town Garden Town project. The Panel Chairman commented on the need to differentiate between the housing development on the Gilston Area site, which was wholly within East Herts and the broader project area involving Epping Forest and Harlow Councils.

The Panel supported the recommendations now detailed.

**RECOMMENDED** – that (A) the Duty to Co-operate Compliance Statement be agreed in support of the Pre-Submission District Plan; and

(B) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to agree any further amendments to the Duty to Co-operate Compliance Statement as required.

### **73 EQUALITIES IMPACT ASSESSMENT OF THE EAST HERTS DISTRICT PLAN, MARCH 2017**

The Panel considered a report on an Equality Impact Assessment (EQIA) of the East Herts District Plan. It was noted that, in line with the Council's commitment to ensuring that its policies improved the quality of life within East Herts and that the District Plan policies were inclusive, met the needs of diverse communities and had outcomes and opportunities that were the same for all, an

**EQIA of the Plan had been undertaken. This was detailed at Essential Reference Paper 'B' of the report now submitted.**

**The Panel supported the recommendation as now detailed.**

**RECOMMENDED – that the Equality Impact Assessment, March 2017, as detailed at Essential Reference Paper 'B' of the report submitted, be agreed.**

**74 EAST HERTS DISTRICT PLAN - PROPOSED MINOR CHANGES, SUBMISSION AND EXAMINATION**

**The Panel considered a report seeking support for a schedule of Proposed Minor Changes to the District Plan. The Panel also considered support for the submission of the District Plan and its supporting documents to the Planning Inspectorate on 31 March 2017, and the process, including indicative timelines, following submission of the Plan.**

**The Panel considered feedback on the Regulation 19 Consultation that had been undertaken between 3 November and 15 December 2016, and noted the next steps in the process, including submission of the District Plan to the Planning Inspectorate and the subsequent examination.**

**The Panel supported the recommendations as now detailed.**

**RECOMMENDED – that (A) the schedule of Proposed Minor Changes, as detailed at Essential Reference Paper 'B' of the report submitted, be agreed, with any further additions authorised by the Head of Planning and Building Control, in consultation with the Leader of the Council;**

**(B) the submission of the District Plan and**



supporting documents to the Planning Inspectorate on 31 March 2017, be agreed;

(C) the process following submission of the District Plan be noted; and

(D) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to agree any further information required for the Examination.

**75 EAST HERTS INFRASTRUCTURE DELIVERY PLAN,  
FEBRUARY 2017**

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Consideration was given to a report on the East Herts Infrastructure Delivery Plan (IDP), February 2017. The Panel noted that in order to successfully deliver the identified level of growth across the District, new housing would need to be supported either by improvements to existing infrastructure or by the creation of new infrastructure. Therefore the identification of required schemes was a fundamental part of the plan making process. The Council was required to prepare an IDP in order to support the implementation of a local plan.

Various Members commented and asked questions on a number of different infrastructure issues.

In response to Councillor S Bull's comments in respect of the A10 southbound dualling at Buntingford, Officers acknowledged local concerns and advised that discussions with HCC would continue.

Regarding Councillor M Pope's comments on the Spine Road in the development proposed to the north and east of Ware, the Panel noted that no exact route had yet been agreed and Officers advised that the trigger point for its provision was indicative and could be updated once the outcome of updated modelling work to be agreed by Hertfordshire County Council was known.

In respect of Councillor J Wyllie's comments on the absence of London Road, Bishop's Stortford from any transport measures, Officers advised again that HCC's modelling work was awaited, but that initial evidence had demonstrated that the highway network in that area would be able to cater for the proposed level of development.

Councillor T Page referred to the map showing healthcare locations in Bishop's Stortford and suggested this needed correcting, which Officers undertook to address.

Councillor G Jones made a number of comments relating to developers' viability issues, the absence of off-street car parking as an infrastructure measure, the difficulties in persuading Network Rail to carry out station improvements in Hertford and the absence of special schools provision in Ware. Officers commented that the schemes in the IDP were viable and had been evidenced by the studies undertaken. It would be difficult to include off-street car parks in the IDP as parking generally was considered a part of much wider issues, such as sustainable transport. As for special schools, this was difficult as HCC did not make forecasts as with other schools.

The Panel supported the recommendations as now detailed.

**RECOMMENDED** – that (A) the East Herts Infrastructure Delivery Plan, February 2017, as detailed at Essential Reference 'B' of the report submitted, be supported as part of the evidence base to support the East Herts District Plan; and

(B) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to update the Infrastructure Delivery Plan as required for the Examination.

## **76 TRANSPORT MODELLING - COMET AND VISUM TECHNICAL PAPERS**

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The Panel considered a report which sought support for the COMET Technical Paper, January 2017, as part of the evidence base to support the East Herts District Plan and detailed the main outputs of VISUM modelling.

The Panel was advised that transport modelling formed an integral part of the evidence base in support of local plan preparation. The development strategy contained within the East Herts District Plan had been shaped by ongoing advice from both Hertfordshire County Council and Essex County Council in respect of highway capacity issues. Each of the County Councils had prepared a strategic transport model which considered the impact of proposed growth on the highway network and identified mitigation measures that could alleviate any issues identified.

The Panel Chairman expressed her disappointment that the technical studies supporting the VISUM modelling had yet to be published by Essex County Council. However, Officers provided the Panel with a verbal update with regards to emerging outputs.

The Panel supported the recommendations as now detailed.

**RECOMMENDED** – that (A) the COMET Technical Paper, January 2017, be agreed as part of the evidence base to support the East Herts District Plan;

(B) the outputs of VISUM modelling be noted;

(C) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to agree the VISUM Technical Paper prior to the submission of the District Plan to the Planning Inspectorate; and

**(D) further transport modelling be undertaken prior to the District Plan Examination Hearing Sessions.**

**77 APPROACH TO MASTER PLANNING AND DELIVERY OF STRATEGIC SITES**

**The Panel considered a report setting out the background and advantages of adopting a Masterplanning approach to development within East Herts.**

**The Panel noted that the District Plan included a series of site specific policies which established the principle of development in locations across the District and identified what a planning application was expected to address. For the strategic sites, generally those over 500 homes, the District Plan set out a specific policy requirement that, prior to the submission of any planning application, a Masterplan should be prepared.**

**The Panel considered the role of Masterplans and supported a process whereby Masterplans were collaboratively prepared and agreed to ensure high quality, well designed, sustainable places which embraced new technologies and construction techniques and had been developed with full community involvement.**

**The Panel Chairman emphasised the importance of this paper as it demonstrated the Council's commitment to seeking high quality design and build in future developments. Officers advised that these principles would be applied widely across large and small sites including sites those with affordable housing.**

**In response to a comment from Councillor T Page on the need for guidance, Members were advised that training would be provided, including tours of sites that would demonstrate good and bad examples.**

The Panel supported the recommendation as now detailed.

**RECOMMENDED** – that the approach to Masterplanning set out in the report submitted, be agreed to support the delivery of sites allocated for development in the emerging District Plan.

78 CHAIRMAN'S ANNOUNCEMENTS

The Panel Chairman welcomed Members, Officers and the public and reminded everyone that the meeting was being webcast.

She commented that this would be the last Panel meeting before the submission of the District Plan and advised that recommendations from this meeting would be submitted to meetings of the Executive and Council on 21 and 29 March 2016 respectively.

79 MINUTES

RESOLVED – that the Minutes of the meeting held on 13 October 2016 be approved as a correct record and signed by the Chairman.

The meeting closed at 8.01 pm

Chairman	.....
Date	.....

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## EAST HERTS COUNCIL

DISTRICT PLANNING EXECUTIVE PANEL – 21 SEPTEMBER 2017

REPORT BY THE LEADER OF THE COUNCIL

OPEN SPACES AND SPORTS FACILITIES ASSESSMENT  
TECHNICAL STUDY (SEPTEMBER 2017)

WARD(S) AFFECTED: ALL

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### **Purpose/Summary of Report**

- This report summarises the findings of the Open Spaces and Sports Facilities Assessment Technical Study (September 2017) and seeks agreement to use the Assessment to inform the preparation of the East Herts District Plan and to inform Development Management decisions.

<b><u>RECOMMENDATION FOR DISTRICT PLANNING EXECUTIVE PANEL:</u> That Council, via the Executive, be advised that:</b>	
<b>(A)</b>	<b>Parts 1 to 3 of the Open Spaces and Sports Facilities Assessment Technical Study (September 2017), be approved as part of the evidence base to inform and support the East Herts District Plan;</b>
<b>(B)</b>	<b>Parts 1 to 3 of the Open Spaces and Sports Facilities Assessment Technical Study (September 2017), be approved to inform Development Management decisions;</b>
<b>(C)</b>	<b>the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to agree Part 4 of the Open Spaces and Sports Facilities Assessment Technical Study (September 2017), as part of the evidence base to inform and support the East Herts District Plan; and</b>
<b>(D)</b>	<b>the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to agree Part 4 of the Open Spaces and Sports Facilities Assessment Technical Study (September 2017), to inform Development Management decisions.</b>

## 1.0 Background

1.1 Open space, sports, play and recreation facilities are important in enhancing people's quality of life. They also perform wider health and wellbeing functions, helping to build inclusive communities, and promoting healthy lifestyles. As such, it is important that new developments make provision for new facilities for recreation and physical activity, and where possible, existing facilities are improved and enhanced.

1.2 In order to understand the potential implications of the growth associated with the proposed District Plan on demands for such facilities, the Council commissioned this assessment. The Open Spaces and Sports Facilities Assessment (August 2017) comprises four separate reports plus appendices:

- Part 1 – Background and Context
- Part 2 – Built Facilities Strategy
- Part 2 – Appendices
- Part 3 – Playing Pitch Strategy
- Part 3 – Appendices
- Part 4 – Open Spaces Audit and Assessment
- Part 4 – Appendices

1.3 Part 4 of the Assessment; the Open Spaces Audit and Assessment is yet to be complete. This report therefore contains only the recommended standards arising from the assessment which have been agreed with officers. The final Assessment report will therefore be agreed in consultation with the Head of Planning and the Leader of the Council.

## 2.0 Report

2.1 Sport England was engaged in the initial brief preparation and has been involved throughout the project as a member of the Steering Group. As such, the Study comprises a very comprehensive assessment of existing facilities, playing pitches and open spaces, and is in full conformity with the guidance set out by Sport England.

2.2 Officers of the Leisure and Environment teams were also engaged throughout the project, ensuring that the Study will provide a useful evidence base for a number of Council roles and projects. The consultants engaged on the Leisure Strategy work,



Max Associates, were also consulted throughout the project, with some of the Leisure evidence on patronage and quality of built facilities informing this Study.

- 2.3 Part 1 of the Study comprises five sections, detailing the purpose of the Study, the policy framework behind the project, a precis of the character of the district, an update on the evidence available and strategies of neighbouring authorities and a summary.
- 2.4 Part 2 of the Study comprises the Built Facility Strategy. Made up of 13 sections it details the assessment process and methodology, discusses the existing leisure network, and provides detailed assessments for the following facilities:
- Sports Halls
  - Swimming Pools
  - Health and Fitness
  - Athletics
  - Indoor and Outdoor Bowls
  - Tennis
  - Squash
  - Gymnastics
  - Village and Community Halls
  - Other sport and recreation activities
- 2.5 Section 13 focuses on delivering the strategy. This section discusses ways of maximising health and wellbeing outcomes, maximising cost-effectiveness and working across authority boundaries. The section also discusses different ways of securing sport provision through development, such as Community Infrastructure Levy or Section 106 Agreements. The Strategy makes recommendations on different scenarios and approaches regarding phasing of development and timing of provision. Figure 48 sets out the standards for built facilities that should be applied when calculating contributions arising from new housing developments, replicated below. The table also indicates that for the four largest proposed developments there is a specific need for multi-purpose community halls:

Figure 48: Provision Guide for New Housing Developments

<i>Facility type</i>	<i>Quantity per 1,000 population</i>	<i>Accessibility</i>	<i>Quality</i>
<i>Sports Halls</i>	0.29 badminton courts <b>fully available</b> at peak time	20 minutes by car	Design and quality to meet Sport England or the relevant national governing body guidance
<i>Swimming Pools</i>	11.31 sq m water space <b>fully available</b> at peak time	20 minutes by car	Design and quality to meet Sport England or the relevant national governing body guidance
<i>Fitness Facilities (Stations)</i>	7.17 stations <b>fully available</b> at peak time	15 minutes by car	Design and quality to meet Sport England guidance
<i>Fitness Facilities (Studios)</i>	0.13 studios <b>fully available</b> at peak time	15 minutes by car	Design and quality to meet Sport England guidance
<i>Outdoor Bowls</i>	0.59 rinks per 1,000 provided as 6-rink green	15 minutes by car	Design and quality to meet Sport England or the relevant national governing body guidance
<i>Outdoor Tennis Courts</i>	0.32 courts per 1,000 available at all times	10 minutes by car	Design and quality to meet Sport England or the relevant national governing body guidance
<i>Multi-Purpose Community Halls</i>			
Gilston Area:	A facility with a minimum internal area of 780 sq m	800 m walk	Design to be agreed with the Council
Bishop's Stortford South, North and East of Ware and East of Welwyn Garden City:	A facility with a minimum internal area of 530 sq m.	800 m walk	Design to be agreed with the Council

*\* Fully available at peak time means open to community use in the evenings and weekends*

2.6 Section 13 also contains recommended priorities for action, with a project list derived from the needs evidence and discussion with stakeholders. These projects could be delivered through development or through the combination of other programmes and strategies, including cross-boundary planning. The ongoing assessment of the deliverability of these projects should form part of a rolling programme, with alternatives identified if necessary. The next stage of the strategy work will be the testing of these projects through feasibility assessments, working with delivery partners and detailed costing and business planning. Figure 49 of the Strategy sets the recommended priorities for the short term (see page 203 of the Strategy). Figure 50 places some indicative costs against the recommended projects identified in Figure 49 (see page 2013 of the Strategy). Figure 51 provides an overview of all the key facilities in the district which brings together the recommendations of the Strategy using a rating system of Protect, Enhance or Provide.

2.7 The appendices for the Built Facility Strategy comprise:

- Appendix 1: the Facility Capacity Assessment Methodology arranged by facility type; and an explanation of 'peak periods' for participation and use of facilities.
- Appendix 2: comprises a copy of the Community Scrutiny Committee report on the Leisure Task and Finish Group, which outlines the issues, options and risks for joint use and sites wholly owned by the Council.
- Appendix 3: an extract of Sport England's Sports Halls Design Guidance
- Appendix 4: an Assessment of Community and Ancillary Halls in East Herts
- Appendix 5: a summary of sports development ambitions for England Netball
- Appendix 6: an audit of netball club facilities
- Appendix 7: a worked example of the East Herts Contributions Assessment Calculator which references the Sport England Sports Facility Calculator

2.8 Part 3 of the Assessment is the Playing Pitch Strategy. This part comprises the assessment of outdoor pitches, some of which are strategic in nature:

- Adult grass football pitches
- Youth grass 11v11 football pitches
- Youth grass 9v9 football pitches
- Mini-soccer grass 7v7 football pitches
- Mini-soccer grass 5v5 football pitches
- '3G' football turf pitches
- Grass and artificial turf cricket pitches
- Grass rugby pitches
- Artificial Grass Pitches for hockey

2.9 The Strategy looks at the current use and capacity of pitches and considers the impacts of additional demands arising from new population participation to determine the need for new pitches. To identify localised issues, a sub-area analysis based on Middle Super Output Areas (MSOAs) clustered around the main towns and service centres in the district is used (see Figure 1 of the Playing Pitch Strategy).

2.10 In addition to taking into account population growth, the Strategy also considers the priorities and programmes of key stakeholders including the Council's Leisure Services department, governing bodies of pitch sports, Hertfordshire Sports Partnership, local sports clubs and pitch providers, local schools, league secretaries, neighbouring authorities and Sport England.

2.11 Section 2 considers the football pitches needs in the district. Participation in football is extremely high in East Herts, particularly in Bishop's Stortford, Hertford and Ware. As such, many pitches are over-played or have limited capacity to absorb additional demands. The demands of larger clubs can displace smaller clubs from their local pitch, having a negative impact on rural participation. Lack of available pitches is considered to be the greatest barrier preventing increased participation. The national and local drive to increase youth and female participation in football is often hampered by a lack of suitable changing facilities. Another key barrier to participation is the lack of community access to many school pitches, which could make a significant contribution towards meeting the demands of youth and mini-soccer. Similarly, continued use of school pitches is not a guarantee, therefore an alternative form of supply also needs to be considered. Existing unmet and latent demand results in a deficit of 11.83ha of grass pitches and 9.52 '3G' pitches. With additional population growth, the demand for new grass pitches rises to 41.96 ha, while the additional demand for 3.07 new '3G' pitches brings the total demand to 12.59 '3G' pitches (11.64 ha).

- 2.12 Demand for '3G' football turf pitches outstrip supply. '3G' pitches have the ability to accommodate a greater number of matches compared to traditional grass pitches and can be accommodated on far smaller sites. However, they are more expensive as a facility and often require security features and floodlighting, which are often constraints within rural areas or near to residential properties.
- 2.13 The Strategy sets out a series of recommendations for securing additional accessible and secured pitch capacity using the 'Protect', 'Enhance' and 'Provide' approach. The key recommendations are to safeguard existing provision, secure community access to school pitches, increase capacity on existing pitches through ancillary facilities or pitch enhancements (including the conversion of adult to youth/mini-soccer pitches), using developer contributions to enhance or provide new facilities, to invest in the creation of strategic hub sites including '3G' and grass pitches, and invest in the creation of new '3G' opportunities through developments. These recommendations are then illustrated in proposed Action Plans arranged by sub-area (see page 84 and Figures 123 to 128).
- 2.14 Section 3 considers the cricket pitch needs in the district. The Strategy found that all cricket clubs and teams are currently able to accommodate their needs using facilities in the district, with some imported demand, with Knebworth Park Cricket Club playing some 'home' fixtures at Aston cricket Ground. However, all clubs identified that lack of pitches are an impediment to growth resulting in unmet and latent demand. Coupled with the demands arising from new development across the district, there will be a need for an additional 7.25 pitches. As with football, the Strategy sets out a series of 'Protect', 'Enhance' and 'Provide' recommendations, a list of key strategic actions and site-specific actions (see page 125 and Figures 177 to 182).
- 2.15 Section 4 of the Strategy considers the rugby pitch needs in East Herts. A lack of training pitches and changing facilities are cited as issues by clubs, which are preventing a growth in participation. Unmet and latent demand in addition to population growth will result in a need for 10.75 additional adult pitches. When added to the current identified deficit of 6.25 match equivalents, there is a need for an additional 14.25 rugby pitches. The Strategy sets out a series of 'Protect', 'Enhance' and 'Provide' recommendations

along with an action plan for each club and for each strategic development site (see page 153 and Figure 208).

- 2.16 Section 5 considers Hockey pitch needs in the district. There are two hockey clubs in East Herts, though Harlow Hockey Club plays some of its games at Leventhorpe Academy in Sawbridgeworth. The clubs have cited that a lack of pitches is preventing an increase in participation. Lack of secure tenure is also a risk as all the hockey pitches are on school sites. Due to the lack of '3G' pitches in the district, several football clubs share the same pitches, preventing the full capacity of sites suitable for hockey being used for hockey. Expressed, unmet and latent demand in addition to residential growth will result in a need for 2.88 pitches. When adding the existing deficit, this rises to 3.04 pitches; two within the Bishop's Stortford and Sawbridgeworth sub area and one for the sub-area for Hertford, Ware and the rest of the district. The Strategy sets out a series of 'Protect', 'Enhance' and 'Provide' recommendations along with an action plan for each club and for each strategic development site (see page 179 and Figure 232).
- 2.17 Section 6 of the Strategy focuses on delivering the strategy. Various mechanisms for securing funding and delivery are discussed, including the need to consider cross-boundary contributions where there is an inter-relationship between imported and exported demand for particular sports. One example of this is where Harlow Hockey Club uses pitches in Sawbridgeworth, which could be met through a new facility provided through the Gilston Area development. This section also discusses the need to monitor the strategy regularly and makes suggestions as to some of the ways by which the delivery of the strategy could be taken forward. Options suggested include securing new or enhanced provision through development, through enabling (financially supporting) or facilitating projects managed by other delivery partners such as schools, sporting organisations and sport governing bodies for example. Furthermore, the Strategy recommends that the Council, in consultation with stakeholders should prepare a short-term action plan identifying priorities and actions for year one of the strategy delivery. This may need to be supported by further project-specific feasibility assessments.
- 2.18 The Playing Pitch Strategy includes one appendix; a worked example of the Sport England Playing Pitch Calculator supported by an explanation. This is useful for applicants and officers in calculating demand from developments and indicative costs.

- 2.19 Part 4 of the Assessment is the Open Spaces Audit and Assessment. This comprises an assessment of all the open spaces across the District that are not a formal playing pitch or built facility. The assessment therefore looks at the following types of spaces:
- Amenity Green Space
  - Parks and Gardens
  - Natural and Semi-Natural Green Space
  - Allotments
  - Cemeteries and Churchyards
  - Children and Young People
- 2.20 In total, 430 different sites were assessed. Each space is assessed against qualitative factors and given an overall score. As such, it is easy to see where minor improvements could be made which would raise the overall performance of a space, for example, the installation of signs and noticeboards can make a space more welcoming at relatively little cost. Each typology is also assessed against the current (2007 Local Plan) quantity and accessibility standards, grouped by settlement type and open space type.
- 2.21 The Assessment uses benchmark authorities and the Fields in Trust standards as a way of comparing quantity and accessibility standards in order to derive the standards recommended for East Herts. It is important to note that many spaces have overlapping functions which are not necessarily bound to one standard. Where possible, each function has been assessed and calculated separately. However, in acknowledgement of this multi-functionality, the standards for Amenity Green Space and Parks and Gardens are now combined into a single standard. The standards for Children's Play now reflects the Fields in Trust standard which differentiates between local areas for play and equipped areas for play. Table 1 overleaf shows the proposed standards for open spaces across the district.
- 2.22 The appendices for Part 4 comprise a series of large spreadsheets which contain all the site visit appraisals and their scores. A series of maps are also available.

Table 1: Proposed Open Space Standards

Open Space Typology	Existing Standards		Proposed standards		Number of sites assessed	Justification
	Quantity	Accessibility	Quantity	Accessibility		
Amenity Green Space	0.55ha	400m	1.4ha	480m	141	<p>The Fields in Trust (FiT) quantity standards for Parks and Gardens and Amenity Green Space have been combined, as there are many similarities between both typologies and a Park and Garden can also be considered as an Amenity Green Space.</p> <p>In addition, local residents are likely to favour the sites closest to them site irrespective of its classification.</p> <p>As there are only a small number of Parks and Gardens within the district, the existing quantity standard was only satisfied in a small number of the settlements.</p> <p>The accessibility for Amenity Green Spaces and Parks and Gardens have been updated based on the FiT standards.</p>
Parks and Gardens	0.53ha	800m		710m	8	
Natural and Semi Natural Green Space	7.76ha	800m	3.4ha (for new development)	720m	75	<p>3.4ha is the current provision of Natural and Semi Natural Green Space (per 1000 people) within urban areas. As new development will be focused within these areas the updated standard will allow the current rate of provision to be maintained.</p> <p>The accessibility standard has been adjusted to match the Fields in Trust recommended standard.</p>
Allotments	0.21ha	4000m	0.21ha	1000m	47	<p>The existing accessibility standard of 4000m provided a near complete coverage of 'accessible' sites for the whole district. For the</p>



						majority of rural settlements with an allotment, a 1000m accessibility will cover the entire area. As allotments are more important for residents within an urban area, the proposed 1000m accessibility will highlight any localised gaps in accessibility. The on site assessment highlighted some spare capacity in the majority of allotments, including those within urban areas. Therefore, it can be assumed that the current supply of allotments is well matched to existing demand. As new development should provide additional allotment space, combined with the spare capacity of existing sites the quantity standard of 0.21 ha per 1000 has been carried forward from the previous strategy.
Children's Play	0.2ha	800m	0.25ha (0.01 ha for a LAP 0.04ha for a LEAP 0.1ha for a NEAP)	LAPs – 100m LEAPs – 400m NEAPs – 1000m	104 Children's Play 48 Teenage Provision	The quantity and quality standards for Children's Play have been updated to reflect the Fields in Trust recommended standards.
Cemeteries and Churchyards	No standard	No standard	No standard	No standard	7	
<b>Total sites</b>					<b>430</b>	

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

#### Background Papers

The Assessment and appendices are available to view on the Council's website: [www.eastherts.gov.uk/evidencebase](http://www.eastherts.gov.uk/evidencebase)

- Part 1 – Background and Context
- Part 2 – Built Facilities Strategy
- Part 2 – Appendices
- Part 3 – Playing Pitch Strategy
- Part 3 – Appendices
- Part 4 – Open Spaces Audit and Assessment
- Part 4 – Appendices

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	A wide range of consultation has been undertaken in preparing the Open Spaces and Sports Facilities Assessment. Consultees included National Governing Bodies, Sports Clubs and Partnerships, Town and Parish Councils and Sport England.
Legal:	There are no direct legal implications arising from this report.
Financial:	The Assessment makes a series of recommendations which may form part of future Council strategies for sports and leisure, but there are no direct financial implications from this report.
Human Resource:	There are no direct human resource implications arising from this report.
Risk Management:	This report forms part of the evidence base behind the East Herts District Plan. Without an adopted District Plan the district will be vulnerable to further unplanned development. This report will help ensure that appropriate sport and recreation facilities are delivered as part of development.
Health and wellbeing – issues and impacts:	The District Plan in general will have positive impacts on health and wellbeing through a range of policy approaches that seek to create sustainable communities. This report contains a full audit of open spaces and sports facilities and provides a series of recommendations to ensure future provision.

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## EAST HERTS COUNCIL

DISTRICT PLANNING EXECUTIVE PANEL – 21 SEPTEMBER 2017

REPORT BY EXECUTIVE MEMBER FOR HEALTH AND WELLBEING

DRAFT AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT (SPD)

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WARD(S) AFFECTED: ALL

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### **Purpose/Summary of Report**

- This report seeks Members' agreement to produce a new draft Affordable Housing Supplementary Planning Document (SPD), which will sit alongside the East Herts District Plan once adopted.

<b><u>RECOMMENDATIONS FOR DISTRICT PLANNING EXECUTIVE PANEL:</u> That Council, via the Executive, be advised that:</b>	
<b>(A)</b>	<b>a new draft Affordable Housing Supplementary Planning Document (SPD) be produced, with the content to be agreed in due course prior to public consultation.</b>

#### 1.0 Background

1.1 There is an ongoing need for affordable housing in East Herts. A significant proportion of this need will be met through the delivery of affordable housing through the planning system.

1.2 The emerging East Herts District Plan contains the latest information on affordability and the housing market in East Herts. The location of East Herts on the periphery of London means that affordability of housing is a key issue across the district.

1.3 It is proposed that a new Affordable Housing Supplementary Planning Document (SPD) is prepared to provide further guidance on the delivery of affordable housing in East Herts. The SPD will support Policy HOU3: Affordable Housing as set out in the emerging District Plan.

- 1.4 Once adopted, the new Affordable Housing SPD will replace the Council's current Affordable Housing SPD (January 2008). The new SPD will build upon the current SPD (2008), by applying lessons learnt during implementation.
- 2.0 Report
- 2.1 The emerging District Plan is based on the latest available evidence and takes account of current economic conditions, its impact on development viability, and the level of affordable housing need in the District and current national policy.
- 2.2 Draft Policy HOU3: Affordable Housing is a key policy in the emerging District Plan and requires affordable housing to be provided as follows:
- (a) up to 35% on sites proposing 10 or fewer gross additional dwellings, and where the dwellings would have a gross floor space greater than 1,000 square metres;
  - (b) up to 35% on sites proposing 11 to 14 gross additional dwellings;
  - (c) up to 40% on sites proposing 15 or more gross additional dwellings.
- 2.3 The intention is that the SPD will help all parties' involved (such as the Council, developers, landowners and registered providers) deliver affordable housing through new development. The SPD will seek to provide greater clarity and certainty, particularly in terms of:
- When the policy applies;
  - The specification sought;
  - The type/mix required.
- 2.4 The SPD will be prepared in consultation with Legal Services and Development Management in order to make it an effective document for those that will be implementing the policy.
- 2.5 The emerging District Plan has not yet been adopted and is currently being examined by the Secretary of State.

Consequently, if changes to District Plan Policy HOU3 are made as part of the examination, the SPD will reflect these changes.

2.6 With this in mind, it is not anticipated that a final draft of the SPD will be produced before the end of 2017. This would then be presented to the Panel for agreement prior to public consultation.

2.7 The adoption of the Affordable Housing SPD will take place at the same time as the District Plan.

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

None

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	The Affordable Housing Supplementary Planning Document (SPD) will be subject to public consultation in due course in accordance with the Council's Statement of Community Involvement (October 2013) and statutory regulations.
Legal:	There are no direct legal implications arising from this report.
Financial:	There are no direct financial implications arising from this report.
Human Resource:	There are no direct HR implications arising from this report.
Risk Management:	Having an agreed SPD that has been subject to public consultation is considered to be the most effective way of ensuring that the planning application stage is straightforward, and as such will speed up the decision making process.
Health and wellbeing – issues and impacts:	The Affordable Housing SPD will assist in the delivery of high quality and sustainable new affordable housing development in the district resulting in improved residents health and wellbeing.

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## EAST HERTS COUNCIL

DISTRICT PLANNING EXECUTIVE PANEL – 21 SEPTEMBER 2017

### REPORT BY THE LEADER OF THE COUNCIL

AGREEMENT FOR THE PRINCIPLE OF USING THE COUNCIL'S  
COMPULSORY PURCHASE POWERS IN RESPECT OF LAND  
REQUIRED TO SUPPORT DEVELOPMENT OF THE GILSTON AREA.

WARD(S) AFFECTED: ALL

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### **Purpose/Summary of Report**

- This report seeks agreement for the principle of using the Council's Compulsory Purchase Order power under Section 226 of the Town and Country Planning Act 1990 in respect of land required to support development of the Gilston Area.

<b><u>RECOMMENDATION FOR DISTRICT PLANNING EXECUTIVE PANEL:</u> That Council, via the Executive, be advised that:</b>	
<b>(A)</b>	<b>It is agreed in principle that the use of the Council's Compulsory Purchase Order powers under Section 226 of the Town and Country Planning Act 1990 in respect of the land identified in this report be authorised, subject to a further report seeking authorisation to commence the process dealing with the detailed procedural and legal requirements and relevant considerations.</b>

#### 1.0 Background

1.1 The Gilston Area is one of strategic sites proposed for allocation within the emerging East Herts District Plan. The site has been identified to deliver 10,000 homes, both within the current Plan period up to 2033 and beyond. In order to support development in this location, a range of new infrastructure is also planned including new roads, schools, healthcare facilities as well as parklands and open spaces.

## 2.0 Report

- 2.1 Through the formation of the Co-operation for Sustainable Development Board, the Council has worked closely in recent years with Harlow and Epping Forest District Councils, and other partners, in order to consider the implications of providing significant new development in the wider Harlow area. As part of this work, Essex County Council has undertaken transport modelling to assess the impacts of proposed growth on the highway network, and to identify the measures required to mitigate this impact. The main outputs of this work were presented to District Planning Executive Panel on 9<sup>th</sup> March 2017. The full reports now form part of the evidence library for the ongoing District Plan Examination (document reference numbers TRA/016 to TRA/019).
- 2.2 One of the key aspirations of growth in this location is to provide a step change away from car use by encouraging the use of more sustainable forms of transport. Measures to help achieve this are currently being considered through work on the Harlow and Gilston Garden Town, and will also form a key aspect of future masterplanning work for the Gilston Area. However, the transport modelling demonstrates that a number of highway schemes are also required. These schemes are identified within the Council's Infrastructure Delivery Plan (evidence library reference number IDM/001). One such project is a Second Crossing of the River Stort. It is proposed that this crossing, which will be located to the east of the existing crossing, would run from Eastwick Road within East Herts, to River Way within Harlow.
- 2.3 As identified within Figure 1 below, the route of the proposed crossing lies outside of the site boundary of the Gilston Area, and is therefore not within the control of the Gilston Area landowners. There is currently no agreement in place with the owners of the land between Eastwick Road and the River Stort to facilitate the delivery of the Second Crossing.
- 2.4 The land hatched red has previously been promoted to the Council for residential development. While allocating this site for new homes could help facilitate the delivery of the Second Crossing, it is the view of Officers that residential development in this location would be inappropriate for the following reasons:
- Much of the site lies within Flood Zones 3 and 2;

- Development would have a significant impact on Gilston village which could not be mitigated through the use of landscape buffers;
- There is uncertainty with regards to potential gas emissions associated with the site's previous landfill use;
- The eastern part of the site lies within an area of particularly sensitive Green Belt that helps prevent the coalescence of High Wych, Sawbridgeworth and Harlow.

2.5 It is hoped that, following the conclusion of the District Plan Examination, an agreement can be reached with the landowners in order to facilitate the delivery of the Second Crossing.

2.6 However, should this not prove possible, it may be necessary for this Council to pursue a Compulsory Purchase Order (CPO) of the land required to deliver the Second Crossing, working with Hertfordshire County Council as the Highway Authority as necessary. Figure 1 below shows the indicative route of the Second Crossing and also identifies the area of land within which any necessary CPO would be contained.

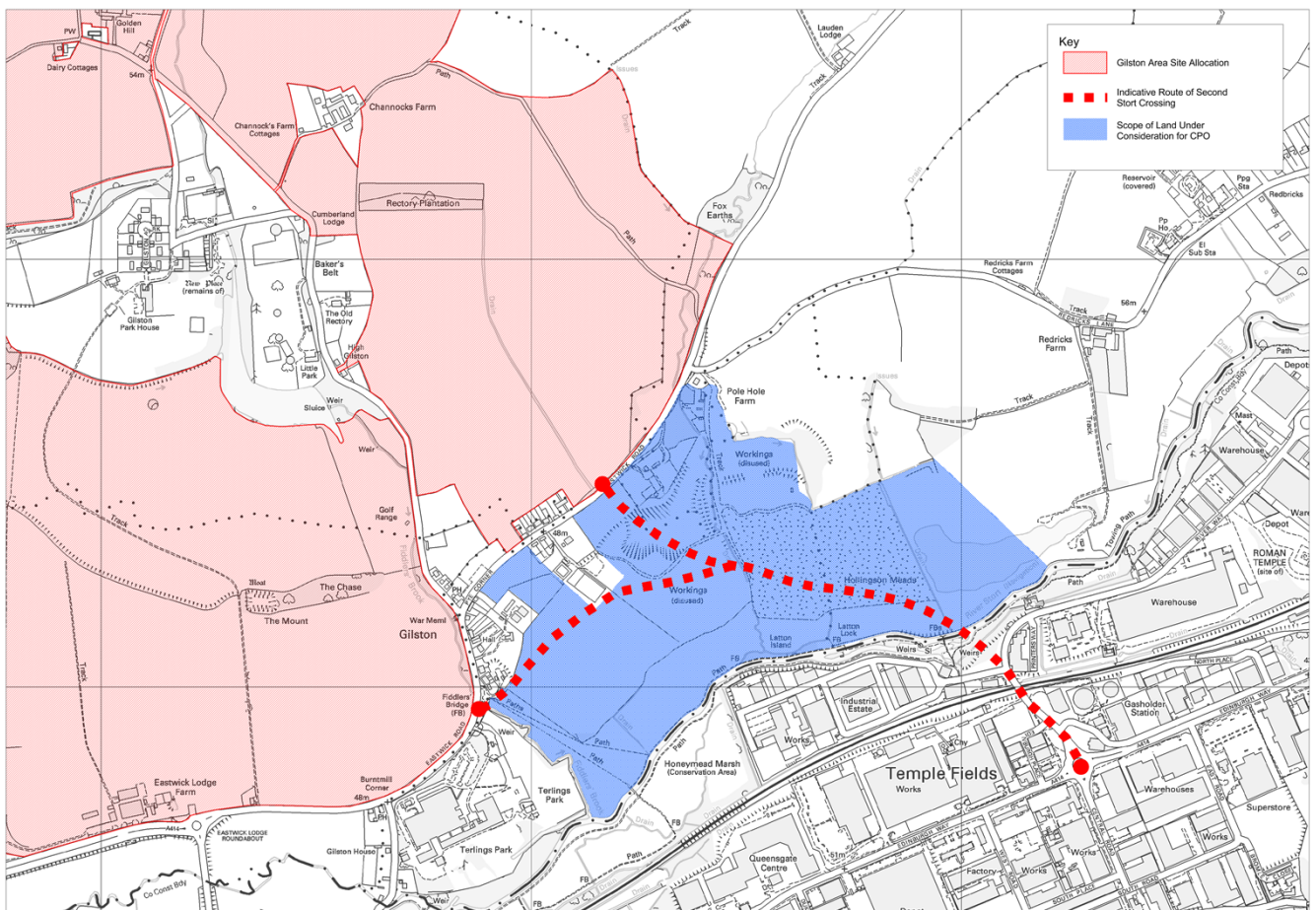


Figure 1

2.7 Any such action would be undertaken under the auspices of Section 226 of the Town and Country Planning Act 1990. Guidance issued by the DCLG in the form of the most recent Circular states that:

*“this power is intended to provide a positive tool to help acquiring authorities with planning powers to assemble land where this is necessary to implement proposals in their Local Plan or where strong planning justifications for the use of the power exist. It is expressed in wide terms and can therefore be used to assemble land for regeneration and other schemes where the range of activities or purposes proposed mean that no other single specific compulsory purchase power would be appropriate”.*

2.8 It should be noted that there would be an expectation that the cost of purchasing the land would be reimbursed by the landowners/developers of the Gilston Area (Places for People and City and Provincial Properties). As such, the Council would not progress any compulsory purchase of the required land until a legal agreement had been signed with Places for People and City and Provincial Properties that secured this arrangement. It is therefore not expected that the financial cost to the Council would be significant.

2.9 The detailed legal actions required to undertake a CPO would be presented to Members at the appropriate time, should this course of action prove necessary. However, at the forthcoming District Plan Examination Hearing sessions, it will be important to demonstrate to the Inspector that the Second Crossing, and the Gilston Area development, are both deliverable. Therefore this report seeks support from Members with regard to the principle only of using such powers if necessary.

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper ‘A’**.

#### Background Papers

West Essex and East Hertfordshire Local Plan Modelling Technical Notes (TRA/016 – TRA/019): <https://www.eastherts.gov.uk/TRA>

Infrastructure Delivery Plan (IDM/001): <https://www.eastherts.gov.uk/IDM>

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	None.
Legal:	This report does have legal implications in respect of the potential use of the Council's Compulsory Purchase Powers. As such it has been written in consultation with the Council's legal team. Advice has also been provided by the external legal support that is being utilised as part of the District Plan Examination.
Financial:	If Compulsory Purchase is required, it is expected that the cost of purchasing the land would be reimbursed by the landowners/developers of the Gilston Area (Places for People and City and Provincial Properties).
Human Resource:	There are no direct HR implications arising from this report.
Risk Management:	The Second Stort Crossing is a critical piece of infrastructure, necessary to support the delivery of development in the Gilston Area. Failure to deliver the Crossing would considerably reduce the number of homes that could be provided in that location, thereby impacting on the Council's ability to implement the proposals contained in the District Plan.
Health and wellbeing – issues and impacts:	Development in the Gilston Area will be designed to enhance health and wellbeing, in accordance with requirements for the wider Harlow and Gilston Garden Town initiative.

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## EAST HERTS COUNCIL

### DISTRICT PLANNING EXECUTIVE PANEL – 21 SEPTEMBER 2017

#### REPORT BY THE LEADER OF THE COUNCIL

#### HARLOW AND GILSTON GARDEN TOWN UPDATE

WARD(S) AFFECTED: ALL

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#### **Purpose/Summary of Report**

- This report seeks to provide an update with regards to ongoing work on the Harlow and Gilston Garden Town.

<b><u>RECOMMENDATION FOR DISTRICT PLANNING EXECUTIVE PANEL:</u> That Council, via the Executive, be advised that:</b>
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<b>(A)</b>	<b>the ongoing work in relation to the Harlow and Gilston Garden Town be noted.</b>
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#### 1.0 Background

1.1 In October 2016, East Herts Council, working jointly with Harlow and Epping Forest Councils, submitted an expression of interest in response to the Government's Locally Led Garden Villages, Towns and Cities prospectus. The Government subsequently advised that it would support the proposal for the Harlow and Gilston Garden Town in January 2017. The support offered thus far includes payments totalling £675,000 in order to help fund any necessary technical work. The joint working Councils have also bid for further funding for the current 2017/2018 financial year. The outcome of this bid should be known in late summer or autumn.

#### 2.0 Report

2.1 Following the confirmation of Government support, a number of workstreams have been progressed in relation to the Garden Town. In June 2017, two consultancies were commissioned by the joint working Councils in order to undertake specific pieces of work. Arup have been appointed in order to provide project

management support for an interim period. This work has included the establishment of governance arrangements for the Garden Town. In addition, Arup are currently facilitating two specific areas of work relating to the establishment of a Design Review Panel and the creation of Sustainable Transport Corridors. A paper detailing this work was presented to the Co-operation for Sustainable Development Member Board on 31<sup>st</sup> July. The paper forms **Essential Reference Paper B** to this report.

2.2 In addition, Allies and Morrison have been commissioned to undertake some visioning and design work for the Garden Town. This work, which is expected to be completed in November, has so far included:

- A review of adopted and emerging planning policies from the constituent local authorities;
- An urban design, landscape and transport baseline review to understand the key characteristics of Harlow and the surrounding area;
- A review of good practice and key trends nationally;
- Stakeholder interviews and workshop.

2.3 The information gathered through this process will form part of a Stage 1 report. The next stage is to use those outcomes to inform a spatial vision and design charter for the various sites that will comprise the Garden Town. It is envisaged that this work will subsequently inform detailed masterplanning work in due course.

2.4 Further work in relation to the Garden Town will take place over the coming months. Further updates will therefore be presented to this Panel as appropriate in due course.

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

None

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	None.
Legal:	There are no direct legal implications arising from this report.
Financial:	There are no direct financial implications arising from this report. Work undertaken has been funded by Central Government.
Human Resource:	There are no direct HR implications arising from this report.
Risk Management:	None
Health and wellbeing – issues and impacts:	The Harlow and Gilston Garden Town initiative seeks to maximise health and wellbeing as part of new development in that location.

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## **Harlow and Gilston Garden Town – Project Planning, Management and Delivery Support Update**

**Report to the Cooperation for Sustainable Development Board 31 July 2017**

### **Recommendations/Decisions Required:**

- (1) That the proposed Harlow and Gilston Garden Town interim governance arrangements are endorsed and**
- (2) That other update matters are noted.**

### **Executive Summary:**

#### **This report seeks:**

- (a) To update members of the progress of the Harlow and Gilston Garden Town project planning, programme management and project delivery support activities undertaken by Arup since their appointment in June 2017.**

**Arup has provided recommendations (see Section 2) on the setting up of a Garden Town Member Board, a Garden Town Officer Steering Group and a Garden Town Project Team. The Member and Officer Boards would be ‘sub-groups’ to the existing Co-Operation for Sustainable Development Boards and would meet on a monthly basis. The existing Co-Operation for Sustainable Development Boards would then move to meet on a two-monthly cycle.**

**Other updates to note are also set out in relation to:**

- Project programming;**
- The preparation of a Sustainable Transport Corridor Concept and Feasibility Study Brief and**
- Establishing a Design Review Panel**

### **1. Introduction**

- 1.1 As Members will be aware, on 2 January 2017 the Government announced its support for the Expression of Interest submitted to the Government’s locally – led Garden Towns prospectus on behalf of East Herts Council, Epping Forest District Council (EFDC) and Harlow Council. Epping Forest District is acting as lead authority.**
- 1.2 The Harlow and Gilston Garden Town Project recently tendered for consultancy support to assist in putting in place suitable and appropriate governance and project**

management arrangements for the Councils to work together efficiently and effectively and to continue to build relationships with external organisations, including infrastructure providers, and local communities.

- 1.3 Arup was appointed in June 2017 to take forward these workstreams and an Inception Meeting was held with the Garden Town Officer Steering Group on 07 June 2017.
- 1.4 The key priorities identified to progress were:
  - a) Development of Interim Governance Arrangements
  - b) Preparation of a project programme
  - c) Preparation of a Sustainable Transport Corridor Concept and Feasibility Study Brief
  - d) Establishing a Design Review Panel
- 1.5 This report provides an update to Members on progress on the above workstreams and seeks approval to move forwards with the proposed interim governance arrangements.

## 2. Interim Governance Arrangements

- 2.1 Arup is tasked with identifying and considering potential models for the delivery of strategic growth around Harlow drawing on knowledge and experience of recent best practice examples. Arup is drawing from recent experiences in establishing similar joint working and governance arrangements elsewhere in order to deliver cross-boundary strategic growth and is having regard to the outcomes and proposals put forward by ATLAS at the Joint Officer Workshop held on 08 February 2017.
- 2.2 An initial assessment by Arup of various case study examples of existing or emerging Garden Towns has shown a number of common threads:
  - a) **Three tiered approach to governance:** the majority of existing/emerging Garden Towns have three levels of governance – a member advisory board, an officers steering group and a project team led by representatives of the Council or a specially appointed team. In some cases, the member board has decision making powers, but in the majority of cases it is the Executive Board which should act as decision maker.
  - b) **Stakeholder engagement and involvement:** the case studies have shown the importance of integrating inputs from the range of stakeholders which have a part

to play in development of a Garden Town through community groups, developer forums, and integrated approach with infrastructure providers and others etc.

- c) **Utilising existing networks:** many emerging Garden Towns propose to use existing bodies initially before expanding or developing these bodies and groups to meet the needs of the Garden Town. This provides a more efficient approach than establishing wholly new bodies and needing to find availability for these.

2.3 Building on the above, and an understanding of existing governance arrangement within and between the three districts of EFDC, EHDC and Harlow, a governance structure is proposed below. It is recognised that the proposed arrangements may flex as the Project progresses.

2.4 Mirroring the common three tiered approach to governance, it is proposed that the Harlow and Gilston Garden Town would be governed by:

- a) The Garden Town Member Board – Acting as a Sub-Group to the principal Co-Operation for Sustainable Development Member Group it is proposed that the Garden Town Member Board would meet monthly with the principal Board meeting every other month immediately after the Garden Town Member Board meeting
- b) The Garden Town Officer Steering Group - Acting as a Sub-Group to the principal Co-Operation for Sustainable Development Officer Group it is proposed that the Garden Town Officer Steering Group would meet monthly (or more often as required) with the principal Co-Op Officer continuing to also meet monthly given, amongst other matters, the Local Plan progress of the three District Councils
- c) The Garden Town Project Team – this team would be responsible for setting, managing and delivering the workstreams required to facilitate the development of Harlow and Gilston Garden Town.

2.5 Sitting alongside and underneath these groups would be a series of forums and groups who will feed into the development and growth of the Garden Town, as follows:

- a) The Developer Forum – the existing EFDC Local Plan Developer Forum for strategic sites around Harlow was established (together with its Terms of Reference) alongside the progression of the Epping Forest District Council Local Plan, to provide a basis for ongoing discussions with relevant landowners, site promoters and stakeholders. (Note there is a separate forum for other sites in the rest of the District). The Developer Forum provides a basis for the long term planning and implementation of sites identified for allocation in the Local Plan and provides a basis for the coordination and management of Strategic Masterplans and planning proposals associated with the sites. The Forum could also usefully provide the

appropriate mechanism to discuss the spatial visioning/design charter and sustainable transport corridor workstreams with these stakeholders.

The core membership of the existing Developer Forum comprises

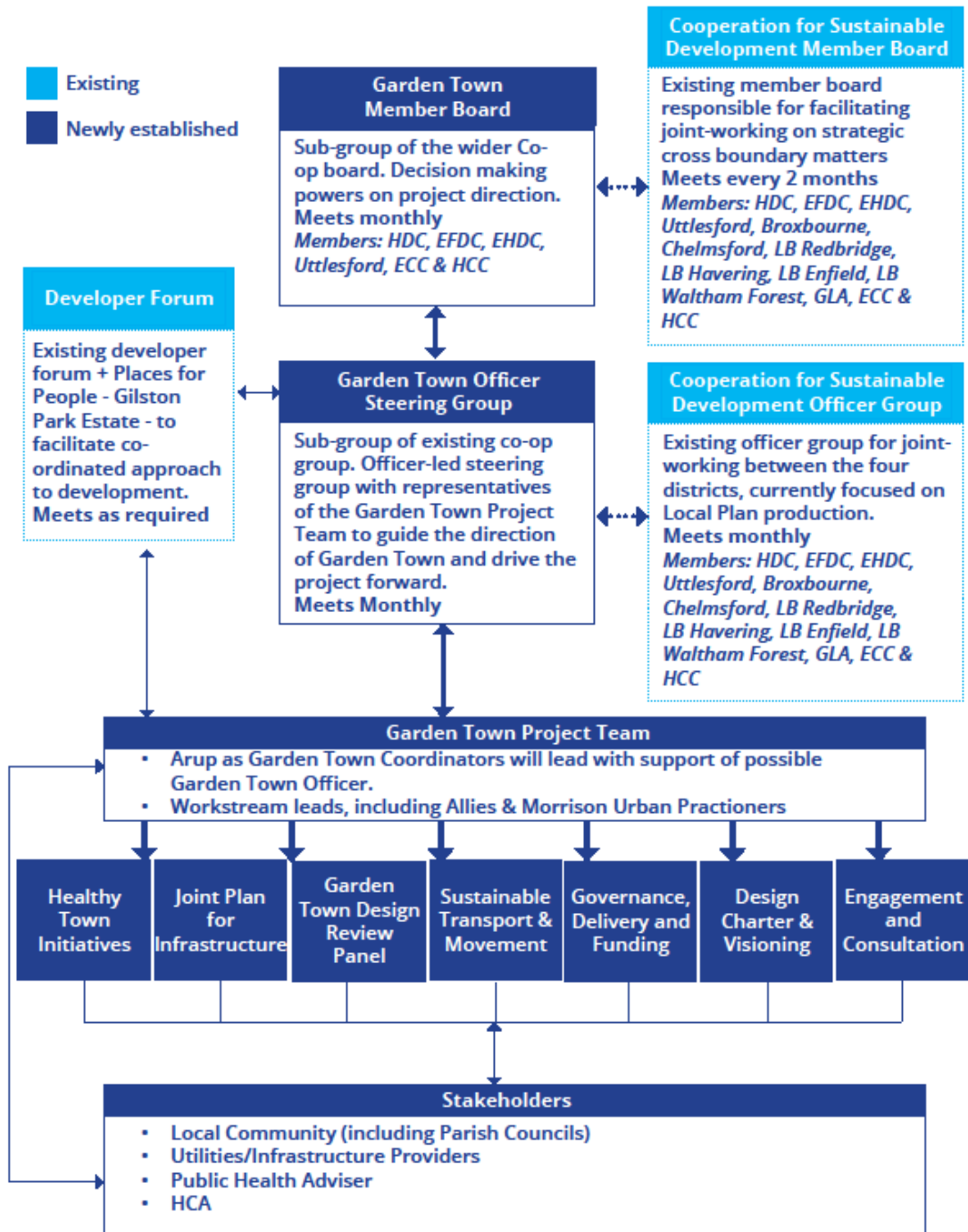
- Promoters / landowners / planning agents of strategic sites around Harlow
- EFDC Officers – including Planning Policy, Development Management, Conservation, Housing, Environmental Health and others as required
- Essex County Council Officers – including Planning, Transport, Education and others as required
- Harlow District Council Officers and;
- East Herts District Council Officers

In addition to EFDC, as noted above, officers from East Herts and Harlow District Councils also attend so to, in part, ensure a basis for the consideration and consistent implementation of utilities and statutory providers' approaches across the Districts.

It is recommended that representatives from 'Places for People' (re: Gilston Park Estate in East Herts) be invited to the existing EFDC Developer Forum (note: the East Harlow site is already represented as the same promoter/landowner already attends for that part of the site within EFDC) to ensure joint planning of the Garden Town.

- b) Workstreams of the Garden Town Project Team (with associated consultant leads)
- c) Stakeholder fora and/or groups

2.6 Figure 1, below shows the interaction between these groups. The remainder of this section summarises the role of each group, and their interactions with each other in further detail.



### **Garden Town Co-op Member Board**

- 2.7 The existing Co-operation for Sustainable Development board (the Co-op board), is a joint member body established in 2014 with elected members from EFDC, EHDC, HDC, Uttlesford District Council, Brentwood Borough Council, Broxbourne Council, Chelmsford City Council, LB Redbridge, LB Havering, Enfield Council, Waltham Forest Council and the GLA. Other key bodies and organisations necessary to support the work of the Board, such as Lee Valley Regional Park Authority, City of London (Conservators) and Natural England, the Environment Agency, Highways England, either through direct support/advice or through joint projects are also involved. This body currently has responsibility for administering and facilitating joint-working on strategic cross boundary matters affecting the area. The Chair of the existing Co-op board is rotated, and the Leader of Harlow District Council is the current Chair.
- 2.8 It is proposed that a sub-group of the Co-op board be established to consider issues specifically associated with the Harlow and Gilston Garden Town - the Garden Town Member Board. It is recommended that this should consist of members from East Herts, Harlow, EFDC, Essex County Council, Herts County Council and Uttlesford (noting that Uttlesford would attend in an 'observation non-voting' capacity and that whilst Uttlesford do not have sites in the Garden Town much of the work that will be undertaken relates to Uttlesford e.g transport, FEMA, SHMA etc). The Garden Town Co-op Board would meet monthly, and as far as possible on the same dates as Co-op Board meetings, to ensure efficiency and maximise availability of members. On the month that the main Coop Board meetings also take place it is recommended that the Garden Town meeting takes place first for an hour and is then followed by the main meeting.
- 2.9 The Garden Town Co-op Board will be responsible for ensuring co-operation between the three Districts and two Counties (with Uttlesford) on the growth of Harlow and Gilston Garden Town. In addition, it is envisaged that the body would have decision making powers over the Garden Town project, allowing them to provide strategic project direction, guided by the Garden Town Officer Steering Group and Project Team (see below).

### **Garden Town Officer Steering Group**

- 2.10 In line with the existing Co-op board, an Officer working group also exists, chaired by the Chief Executive of Epping Forest District Council. This working group deals largely with topics relating to the preparation of the Councils' respective new Local Plans, ensuring that cross boundary strategic planning matters are discussed and prepares papers for the Coop Board meeting.

- 2.11 It is proposed that a new, Garden Town Officer Steering Group is established to provide Officer direction for the Harlow and Gilston Garden Town. This would include Senior Officer representatives from each of the three Districts and two Counties (with Uttlesford to have a watching brief), as well as a representative of the Garden Town project Team (see below). The Garden Town Steering Group would co-ordinate its programme to ensure meetings take place prior to the Garden Town Co-op Board to allow for the outcomes to feed through efficiently to the elected members and decision makers.
- 2.12 The Garden Town Officer Steering Group would have responsibility for guiding the direction of the Garden Town and driving the project forward. In co-operation with the Project Team, they would guide the objectives and vision for the Garden Town; prepare, agree and coordinate the Garden Town work programme; review the outcomes of the individual workstreams; and manage and review positive engagement with developers and communities, including pre-application engagement on strategic planning applications.

#### **Garden Town Project Team**

- 2.13 The Garden Town Project team would be responsible for setting, managing and delivering the workstreams required to facilitate the development of Harlow and Gilston Garden Town. This team is currently led by Paul Jarvis supported by a team from Ove Arup and Partners. The workstreams shown in the Figure one reflect the priority areas identified at the Joint Officer Workshop held in February 2017 - it is recognised that other important themes such as strategic infrastructure (physical, social and community), education and green infrastructure will also be progressed in parallel as the Project moves forward.

#### **Developer Forum**

- 2.14 As set out in paragraph 2.5 above, an existing EFDC Local Plan Developer Forum is already established for the purposes of Local Plan making, which crosses all three districts and includes 'strategic sites' within its remit for discussion. The proposal is to utilise this forum, and to invite 'Places for People' - Gilston Park.
- 2.15 It will also be necessary, as the project develops, to establish strong one-on-one relationships with developers and other delivery partners to ensure they and the Garden Town are working together towards common goals. These individual meetings are to commence shortly.

#### **Stakeholder Groups**

- 2.16 As identified from a case study review, the engagement of the wide range of relevant stakeholders will be central to successful delivery of the Harlow and Gilston Garden Town.

2.17 The range of stakeholders, includes the following:

- a) Local Community
- b) Parish Councils
- c) HCA

2.18 Arup is undertaking a wider stakeholder review with the Garden Town District Councils to ensure that any Garden Town-focused stakeholder engagement does not add to further 'consultation fatigue'. The range of stakeholders is evidently much wider than the non-exhaustive list noted above and it will be important to ensure that any Garden Town consultation where possible feeds into existing Local Plan and Neighbourhood Planning exercises.

2.19 It is not proposed that a separate community forum is established, but rather that a programme of community and stakeholder engagement is established to ensure the community feel included in the development of the Garden Town. This may include presentations to Parish Councils, liaison with Neighbourhood Plan groups, drop-in sessions for local residents and the setting up of a website, and possibly newsletter and email list. Community engagement will be particularly important at the early stage for the Spatial Vision and Design Charter workstream, and as the strategic Masterplans are developed.

### 3. Project Programme

3.1 Having regard to the various project workstreams, Arup has prepared an interim project programme. This is a live document with progress on each workstream to be reported to each Co-operation for Sustainable Development Garden Town Member and Officer Group meetings.

3.2 A summary of key dates / workstreams is as follows:

- a) *Interim Governance and Delivery Structure:*
  - i. Proposal for Initial Sub-Group arrangement(s) presented to Board **26 June**
  - ii. Revised proposal, incorporating comments made on 26 June 2017, reported to Garden Town Officer Steering Group **20 July**



- iii. Reporting to Member Sub-Group **31 July** for sign-off
- b) *Establishing Quality Review Panel:*
  - i. Briefing Note to Harlow and Gilston Garden Town Officer Steering Group  
**07 September 2017**
  - ii. Reporting to Member Sub-Group **18 September**
  - iii. Advertise for supplier to manage panel process – complete by  
**Sept/October 2017**
  - iv. Interviews **October 2017**
  - v. Appointment by **October 2017**
  - vi. Further report to Member Sub-Group **October 2017**
- c) *Brief for Sustainable Transport Corridor*
  - i. Update for the Co-Op for Sustainable Development Member Group **31 July**
  - ii. Tender period complete **September 2017**
  - iii. Interviews **September 2017**
  - iv. Appointment **September 2017**
- d) *Website Templating*
  - i. Officer Sub-Group review of briefing note complete by **September**
  - ii. Tender period for suppliers complete by **September**
  - iii. Appointment **by 31 October**

#### **4. Preparation of a Sustainable Transport Corridor Concept and Feasibility Study Brief**

- 4.1 All three Districts consider transport, and sustainable transport measures (including walking, cycling and public transport) as central to the successful growth of the Harlow and Gilston Garden Town. The Councils share an ambition to create sustainable

transport corridors as part of managing overall travel demand and linking new communities and Enterprise Zones through a choice of transport modes.

- 4.2 As part of this vision, the Councils recognise it is essential to provide a robust and deliverable policy framework to promote and deliver a step change in sustainable travel, and to manage overall travel demand. For example, early delivery of a second River Stort crossing is essential to facilitate a north-south sustainable travel corridor, significant modal shift and wider network benefits to Harlow and Gilston Garden Town.
- 4.3 Two indicative Sustainable Transport Corridors are already identified in emerging Local Plans – these run North-South and East-West through Harlow to provide the connectivity required to support growth of the Garden Town. It is expected that these will form the starting point for the consideration of sustainable transport in the area – see the indicative pan below:



- 4.4 Arup is preparing a brief for the undertaking of a Sustainable Transport Corridor Concept and Feasibility Study for the Harlow and Gilston Garden Town and is liaising with Allies and Morrison Urban Practitioners to ensure the Spatial Vision and Design Charter workstream ties in with this Brief. The purpose is to provide recommendations

for an integrated package of sustainable travel infrastructure improvements (and traffic management) in and around the Harlow and Gilston Garden Town area.

- 4.5 The study outputs should help to inform an integrated and accessible transport strategy, in line with Garden City principles, with walking, cycling and public transport designed to be the most attractive forms of local transport. It is envisaged that the study will also help to unlock additional transport capacity, which would otherwise prevent economic growth and development. The development of sustainable transport corridors must also be underpinned by consideration of the strategic network of green wedges and green fingers which are set out in Gibberd's original vision for Harlow.

## **5. Establishing a Design Quality Review Panel**

- 5.1 Arup is also tasked with a review of options for the establishment of a Quality Review Panel with the objective of embedding high quality design into emerging proposals in a consistent way across the Garden Town. If, as expected, the Design Review Panel process is successful in raising the quality of design in the planning process and secures development of the highest quality then it is envisaged that the Harlow and Gilston Garden Town model could be adopted across the three Districts as a tool for early engagement as part of the planning process masterplanning and pre-application stages. By engaging at an early stage, design teams and applicants can help to reduce the uncertainty and therefore risk at the decision making stage.
- 5.2 In order to ensure 'placemaking' and a consistent design message across the Garden Town, Arup will be coordinating the Quality Review Panel workstream alongside the preparation of the Spatial Vision and Design Charter that is being progressed by Allies and Morrison Urban Practitioners. Design panels are already well established across England at national, regional and local levels and provide an independent, expert assessment of architectural proposals and are now an essential part of the planning process.
- 5.3 Arup is reviewing a number of models and will be reporting on their recommendations.

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## EAST HERTS COUNCIL

### DISTRICT PLANNING EXECUTIVE PANEL – 21 SEPTEMBER 2017

#### REPORT BY THE LEADER OF THE COUNCIL

#### LOCAL DEVELOPMENT SCHEME (LDS) SEPTEMBER 2017

WARD(S) AFFECTED: ALL

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#### **Purpose/Summary of Report**

- This report presents an updated version of the Council's Local Development Scheme (LDS): the schedule and work programme that sets out the timeline for preparation of the District Plan. It replaces the LDS May 2016 (Version 6).

<b><u>RECOMMENDATIONS FOR DISTRICT PLANNING EXECUTIVE PANEL:</u> That Council, via the Executive, be advised that:</b>
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<b>(A)</b>	<b>the Local Development Scheme (LDS) September 2017, attached at Essential Reference Paper 'B', be agreed to take effect from September 2017.</b>
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#### 1.0 Background

- 1.1 The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) requires Councils to prepare and maintain a Local Development Scheme (LDS).
- 1.2 Local development schemes set out when an authority expects to reach key milestones in the plan-making process. They include information on the preparation of any Local Development Documents (LDDs) that a local planning authority is preparing. LDD's include Development Plan Documents (DPDs), Supplementary Planning Document's (SPD's) and the Council's Statement of Community Involvement (SCI).
- 1.3 At present the Council is proposing a single DPD, namely the East Herts District Plan. The Council does have a suite of Supplementary Planning Documents (SPDs) which it will be reviewing, as appropriate, in due course. The Council's Statement

of Community Involvement (SCI) was adopted in March 2013.

1.4 Version 6 (May 2016) of the LDS was presented to Members at the District Planning Executive Panel on 24 May 2016, and subsequently adopted at Full Council on 27 July 2016. The District Plan was submitted in-line with Version 6 of the LDS but since submission the timeline has been updated and therefore a new LDS is required.

## 2.0 Report

2.1 A copy of the LDS is contained in **Essential Reference Paper 'B'**. As Members will be aware, the Council has already undertaken the following stages in the plan-making process:

Stage	Regulation	Undertaken
Awareness Raising	-	2008 – 2009
Issues and Options	-	September – November 2010
Preferred Options	18	February – April 2014
Publication	19	October 2016
Submission	22	March 2017

2.2 The timeline for the remaining stages of District Plan preparation is set below, against the regulatory milestones contained within the Town and Country Planning (Local Planning) Regulations 2012. An explanation of the regulatory stages is contained in Appendix A of the LDS.

Stage	Regulation	Timeline
Inspectors Consideration of Representations	23	April – October 2017
Examination Hearings Start	24	October 2017
Further Hearing Dates (if required)	24	November 2017
Receipt of Inspector's Report	25	Early 2018
Adoption	26	Summer 2018

2.3 The timeline above seeks to estimate the dates of the various stages of District Plan preparation. All the stages above are dependent upon a number of factors, including external, and therefore are subject to change.

2.4 Where the Inspector identifies that main modifications are required in order to resolve issues that would otherwise make the Plan unsound or not legally compliant, then arrangements for a

public consultation will need to be made prior to receipt of the final Inspector's Report.

2.5 The LDS also sets out an assessment of any potential risks to the timeline. This is set out in a Risk Assessment (Section 4 of the LDS) and includes measures to mitigate these risks as well an assessment of their potential impact.

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

None

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	None
Legal:	Local planning authorities are required to publish and keep up to date a local development scheme which sets out the documents that will comprise their local plan.
Financial:	There are no direct financial impacts arising from this report, However, in terms of risk management, significant financial costs could arise as a result of delay to the preparation of the District Plan and/or failure to produce a plan that is found 'sound' at examination.
Human Resource:	None
Risk Management:	The District Plan must be prepared in accordance with the LDS. It is therefore essential that the LDS accurately reflects the timetable for District Plan production. The District Plan could otherwise be found 'unsound' at examination.
Health and wellbeing – issues and impacts:	None

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# LDS



## Local Development Scheme

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September 2017

East Herts District Council

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# 1. Introduction

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- 1.1 The preparation of a Local Development Scheme (LDS) is a statutory requirement that was introduced in the Planning and Compulsory Purchase Act (2004). The LDS identifies all planning documents that the Council wishes to produce and the timeframe for their preparation.
- 1.2 The LDS should include the timeline for preparation of any Local Development Documents (LDD's) the Council is preparing. LDD's include Development Plan Documents (DPD's), Supplementary Planning Document's (SPD's) and the Council's Statement of Community Involvement (SCI). At present the Council is proposing a single DPD, namely the East Herts District Plan.
- 1.3 The Council does have a suite of SPD's which it will be reviewing, as appropriate, in due course. The Council's SCI was adopted in March 2013.
- 1.4 This LDS supersedes the previous version dated May 2016.

# 2. The East Herts District Plan

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- 2.1 The District Plan sets out the framework for guiding development in East Herts. It describes the Council's spatial vision for the District and includes strategic policies to deliver the homes, jobs and infrastructure that is required.
- 2.2 The District Plan also contains development management policies that address the following topic areas:
  - Housing
  - Economy
  - Retail and Town Centres
  - Design and Landscape
  - Transport
  - Community Facilities, Leisure and Recreation
  - Natural Environment
  - Heritage Assets
  - Climate Change
  - Water
  - Environmental Quality

- 2.3 The Policies Map illustrates geographically how and where the policies in the District Plan apply across the district. An updated Policies Map has been published alongside the District Plan.

## 3. Timeline

3.1 The East Herts District Plan is not a one-off event but instead contains various stages of preparation and consultation. This enables the Council to fine-tune its plans and policies in response to comments from the community and other stakeholders.

3.2 Below is a list of the stages of plan-making that have already been undertaken:

Stage	Regulation	Undertaken
Awareness Raising	-	2008 – 2009
Issues and Options	-	September – November 2010
Preferred Options	18	February – April 2014
Publication	19	October 2016
Submission	22	March 2017

3.3 The timeline for the remaining stages of District Plan preparation is set out below, against the regulatory milestones contained within the Town and Country Planning (Local Planning) Regulations 2012. An explanation of the regulatory stages is contained in Appendix A.

Stage	Regulation	Timeline
Inspectors Consideration of Representations	23	April – October 2017
Examination Hearings Start	24	October 2017
Further Hearing Dates (if required)	24	November 2017
Receipt of Inspector's Report	25	Spring 2018
Adoption	26	Summer 2018

3.4 The timeline above seeks to estimate the various dates that these stages will take place. All of the above stages are dependent upon the Planning Inspectorate which examines the plan on behalf of the Secretary of State, therefore there is scope that the dates may change based on the evidence heard during the Hearing Sessions and how many dates the inspector will need in order to establish the soundness of the District Plan.

3.5 Where the Inspector identifies that main modifications are required in order to resolve issues that would otherwise make the Plan unsound or not legally compliant, then arrangements for a public consultation will need to be made prior to receipt of the final Inspector's Report.

The efficient and timely progression of the East Herts District Plan is of paramount importance, therefore a number risks, and any mitigation measures that can be applied to ensure that the preparation of the District Plan runs in accordance with the timetable in this LDS, have been noted below.

	<b>Risk</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Comment</b>	<b>Mitigation Measures</b>
1	Change in National Policy or Legislation	High	Medium	Numerous changes to national planning policy, planning practice guidance and the recent publication of the Housing and Planning Bill have raised a number of issues.	The Council carefully monitors new policy and legislation and will prioritise managing any key impacts. The District Plan will reflect the most up-to-date policy position.
2	Council fails to agree District Plan for adoption	Low	High	Local Plans are highly complex with a number of issues being difficult to resolve without compromise.	The Council has ensured Member engagement throughout the preparation process so that Members understand and agree to both the preparation process and the proposals.
3	Planning Policy team resource diverted from District Plan work.	Low	High	The Council has a team working on the District Plan. However, the team also supports other areas of work and there could be pressure to undertake other activities which are non-critical to success of the District Plan at examination.	Agree priorities and staff resourcing. Priority will lie with the District Plan and other responsibilities can commence after examination and hearing dates.
4	Failure to agree critical cross boundary strategic planning issues with prescribed Duty to Co-operate bodies.	Low	High	Ensure early and active engagement with prescribed Duty to Co-Operate bodies.	Follow Planning Advisory Service template DtC Statement including actively seeking input to key technical documents. Discuss with Planning Inspectorate prior to submission if



	<b>Risk</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Comment</b>	<b>Mitigation Measures</b>
					disagreement remains.
5	Planning Inspectorate takes longer than one year to examine the District Plan	Low	Medium	A large number of plans were submitted by other Local Planning Authorities in early 2017 and it is unclear whether the Inspectorate is adequately resourced to manage this.	Monitor the situation and communicate with the Inspectorate
6	Key component of evidence-base found unsound at examination. (e.g. OAN etc.)	Low	High	Local Plans are highly complex; the evidence base behind a Local Plan is equally complex and will face scrutiny from a number of different stakeholders at examination.	The District Plan evidence is based on an objective analysis of the most up-to-date data available.
8	Legal Challenge to District Plan mounted	Low	Medium	Financial cost and delays to adoption of the District Plan.	Ensure the District Plan is produced in accordance with regulations, tests of soundness and based on objective analysis of planning issues.
9	Legal Challenge to District Plan Successful	Low	High		

## Appendix A – Explanation of the Regulatory Stages

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The key stages in production of Local Plans are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 are as follows:

- **Preparation** ([Regulation 18](#)): this is the main consultation opportunity on the draft District Plan, following which further amendments and adjustments may be made to take account of feedback received. It is important to publish key evidence studies and undertake constructive engagement during this stage and prior to this consultation in order to comply with the Duty to Co-operate.
- **Publication** ([Regulation 19](#)): this is the final opportunity for comment on the District Plan prior to submission of the Plan for examination. No further changes may be made to this document after this stage. It is not a full public consultation and will not be accompanied by the full range of publicity and participation opportunities undertaken as part of the Regulation 18 consultation, but the ‘general’ and ‘specific’ consultation bodies must be notified of the availability of the documents. The Council must collect all responses and compile a Statement of Representations to submit to the Planning Inspectorate.
- **Submission** ([Regulation 22](#)): this is the dispatch of the required documents to the Planning Inspectorate for Examination. The Government has indicated that it wants all Local Planning Authorities to submit their Local Plans by ‘early 2017’.
- **Consideration of representations by the appointed person** ([Regulation 23](#)): before examining the District Plan the Inspector must consider the comments (‘representations’) made on the plan by interested parties.
- **Examination in Public** ([Regulation 24](#)): a Planning Inspector will consider the documents submitted and issue a report which states whether he or she considers the District Plan to be ‘sound’. The inspector can recommend ‘main modifications’ to the submitted plan.
- **Receipt of the Inspector’s Report** ([Regulation 25](#)): if the Inspector recommends that the plan is ‘sound’, then the Council may proceed to adopt the plan as policy. Exceptionally, if the plan is not found sound, then the Council may withdraw it under Regulation 27.
- **Adoption** ([Regulation 26](#)): following receipt of the Inspector’s final report, the Council may adopt the District Plan as a material consideration in the consideration of planning applications under Section 23 of the Planning and Compulsory Purchase Act 2004.

## EAST HERTS COUNCIL

DISTRICT PLANNING EXECUTIVE PANEL – 21 SEPTEMBER 2017

REPORT BY LEADER OF THE COUNCIL

EAST HERTS APPROACH TO MASTER PLANNING

WARD(S) AFFECTED: ALL

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### **Purpose/Summary of Report**

- This report sets out the Council's approach to master planning and seeks agreement that the approach is used to support the delivery of significant development sites in the district.

<b><u>RECOMMENDATION FOR DISTRICT PLANNING EXECUTIVE PANEL:</u> That Council, via the Executive, be advised that:</b>
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<b>(A)</b>	<b>the approach to master planning set out in this report be endorsed as the approach to be followed in relation to the development of significant development sites in East Herts.</b>
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### 1.0 Background

1.1 The Council has submitted its emerging District Plan for examination by the Secretary of State and the dates for the initial Examination hearings are fixed for October and November this year.

1.2 Once adopted, the District Plan will allocate land for significant development in the district. Landowners and developers are already in the process of engaging with the Council to seek to show how their sites can come forward for development and be deliverable.

1.3 Throughout the development of the Plan the Council has made it clear that it is seeking to ensure that development of the highest quality comes forward, fully supported by infrastructure and delivering a range of aspirations that the Council and the

community in general has about the benefits to be delivered as part of development.

- 1.4 These aspirations can be best identified and achieved through a collaborative master planning approach to the bringing forward of sites for development. Members will recall that an initial report on the background and advantages of adopting a master planning approach was presented to the Panel in March 2017 (see Background Papers). This report now seeks endorsement of an East Herts agreed approach to master planning.
  - 1.5 This report refers to significant development sites; in effect, any development which has an impact on the community and the ability to bring forward potential benefits as a result of development. In addition, the significance of development may not arise as a result of the scale of the development proposed, but be a result of the impact on the local character of the place into which it is to be introduced.
  - 1.6 As a result, there is no threshold suggested over which this approach is to be followed. Instead, each of the developments coming forward will be considered individually and, where appropriate, the Council will seek to engage with landowner and developers through this master planning approach. Irrespective of size, all District Plan allocations would be included within this model.
- 2.0 Report
- 2.1 Master planning is not a new concept, being in general usage to describe an approach to the strategic consideration of development at any site, taking into account its wider impacts and potential.
  - 2.2 It is in this generic way that it is now being applied by Officers to seek to ensure that good quality development is secured through all District Plan allocations and other significant developments. Furthermore, Officers have explored and defined the concept further so that it can be appropriately applied to specific sites that come forward, in order that the requirements of it can be understood in the local context, and so that a judgement can be made as to whether its requirements have been fulfilled.

- 2.3 The results of this more specific East Herts perspective are set out in **Essential Reference Paper 'B'**. This is effectively a template document that sets out the approach to be followed.
- 2.4 The main areas of work that should be included in a master planning exercise and as set out in this approach include:

#### Establishing the vision and aspirations

This should be a wide ranging activity, including all stakeholders, as appropriate, enabling the opportunity for aspirations to be articulated and a vision formed. This should then form a baseline against which outcomes are judged throughout the process. Often development proposals will come forward in the absence of this step, formulated on the basis of what only the landowner and/or developer consider to be the important aspirations for the development and the inclusion of this stage will address that issue.

#### Deriving and testing scenarios

This is the process through which different development and land use scenarios should be canvassed and tested to ensure that all the implications of development are considered. The scope of this cannot be definitively set out as it will be relevant to the particular development scenario, but it should be comprehensive enough to ensure that all relevant development issues are tested. A common approach is that development promoters will come forward with development solutions without enough information to show that their proposals have been fully tested in this respect and the inclusion of this step will address that matter.

#### Consultation

This is the stage where the development scheme identified is tested back with all stakeholders. They are asked to scrutinise it and to comment on it with regard to the aspirations identified at the earlier stage.

#### Refinement

This follows consultation and is the process of building in, where possible and appropriate, the feedback that has been received through the consultation exercise.

#### Implementation and future governance

This is the stage at which the future management, control and governance of the scheme is identified to ensure that it will remain a quality development in the longer term. These issues will be

relevant and should be considered through the development stages set out above, but this is the stage at which future responsibilities should be clarified and confirmed. This clearly is an important stage and it should not be delegated to a later point in the process and/or passed to the responsibility of other organisations without their agreement.

### Output

Once all the above processes have been undertaken, the result should be a master plan that is in an acceptable form for the Council.

- 2.5 The master planning process is flexible enough to allow arrangements in each case to be adapted to the particular circumstances of the development. The Council will expect the approach in each case to be a joint one, between it and the developer party and for the consideration of the process to be undertaken jointly. In each case however it is expected that the following working arrangements would be in place:
- a Planning Performance Agreement (PPA) will have been secured between the Council and the developer party at the outset setting out approach, milestones and the resources that can be made available to the Council to support the approach;
  - Steering Group arrangements, which may comprise the Executive, a sub group of the Executive, or other appropriate arrangements;
  - a Member working group, drawn from local ward members, members of the DM committee, as well as other interested members; and,
  - appropriate consultative arrangements to ensure that all wider and relevant stakeholders are able to engage in the process.
- 2.6 Once a final version of a master plan has been achieved that is deemed to be acceptable, it will be subject to the formal endorsement of the Executive at the next available meeting and then by full Council.
- 3.0 Implications/Consultations

- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

DPEP Report on the Approach to Master Planning and Delivery of Strategic Sites (9<sup>th</sup> March 2017) is available to view here:

<http://democracy.eastherts.gov.uk/documents/s38580/Masterplanning.pdf?J=5>

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## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	It is expected that Masterplans will be collaboratively prepared involving site promoters, landowners, East Herts Council, Hertfordshire County Council, town and parish councils, local communities, Neighbourhood Plan forums where appropriate and other key stakeholders.
Legal:	None
Financial:	It will be necessary to pursue early Planning Performance Agreements (PPAs) to ensure that necessary resources are in place in terms of funding and staff to bring forward Masterplans.
Human Resource:	It will be necessary to pursue early Planning Performance Agreements (PPAs) to ensure that necessary resources are in place in terms of funding and staff to bring forward Masterplans.
Risk Management:	Having an agreed Masterplan that has been subject to public consultation is considered to be the most effective way of ensuring that the planning application stage is straightforward, and as such will speed up the decision making process.
Health and wellbeing – issues and impacts:	Masterplanning in general will have positive impacts on health and wellbeing through a range of policy approaches that seek to create sustainable communities.

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## East Herts Master Planning Approach

### Process

The steps set out below are the minimum the Council expects to be undertaken in the production of Master Plans. The steps are not exhaustive and it may be that additional or repeat exercises are required in some cases, due to the issues that proposals raise.

The Council will normally expect a Planning Performance Agreement (PPA) to be prepared and signed before work of any significant extent can be undertaken. The PPA will be based on the process/ steps set out below and will establish the resources required for the Council to be able to support engagement in the process.

The result of the process should be a document that sets out proposals for buildings, spaces, movement and land uses in three dimensions – and matches these to a delivery and implementation strategy. A Master Plan will provide a framework within which designers and developers can bring forward more detailed proposals

Step	What happens?	Who should be involved?	Action/ Involvement	Timeline/ Notes for:
Establish vision and aspirations	Identification of the aspirations for the site in question, what do all those involved want development of the site to achieve?	Landowner Council Other stakeholders?	For the Council many of the aspirations for the development of site are set out in the emerging District Plan policies – and Statements of Common Ground (SoCG) being formulated in advance of the Examination of the Plan. Aspirations will also be set out in Neighbourhood Plans, where relevant  The Council will organise engagement with all relevant members at this stage, to further test aspirations.	

ESSENTIAL REFERENCE PAPER 'B'

			Other stakeholders should be engaged at this stage. Including the relevant parish/ town Council, residents associations and others who have an interest in the development of the site.	
Determine the client	Identify who is responsible for commissioning and managing the master planning work.	Usually the landowner/ developer	The Council takes the view that, on most occasions, the landowner/ developer will act as the client and commission the work?	
Commission the consultant	Engaging an organisation to undertake the master planning work – this may be an 'in house' commission	Landowner/ Client	The clear preference of the Council is that it has a role in commissioning the consultant. The scope and extent of this role should be discussed with Council officers in each case.	
Identification of baseline information and issues to be addressed	The consultant should consider aims and aspirations and identify the issues that the work will address – before the further work takes place	Consultant	<p>The landowner/ developers consultant will be expected to undertake the first survey work of the site, to identify relevant issues and start to gather baseline data and evidence.</p> <p>The Council would expect a review at this stage – the scope of this to depend on the nature of the proposals. There would most likely be Council Member involvement – but this may be from a sub group of Members drawn from those who engaged in relation to the initial aspiration setting for the site.</p>	

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Deriving and testing scenarios	Consultant sets out a first/ draft response to relevant issues and starts to test with relevant parties	Consultant Council Stakeholders	<p>Council Officers will be involved as appropriate to the case. This will be organised by the lead planning officer. Involvement may be through meetings/ workshops/ present and follow up sessions etc. Engagement to be designed in collaboration with officers.</p> <p>It will be necessary to engage with external technical stakeholders at this stage: Highway Authority, Lead Local Flood Authority, Environment Agency, etc, as appropriate. The planning officer will seek to assist with facilitation in respect of this.</p>	
Consultation	Seeking feedback on the scenarios advanced	Consultant Council Stakeholders	<p>Council Members will be involved in this through a presentation by either the landowners/ developers representatives or the planning officer. A separate presentation may be requested for Executive Members.</p> <p>Full public consultation should be undertaken, the extent and method of this to be agreed in discussion with the lead planning officer.</p>	
Refining the work	Taking account of the feedback received during consultation	Consultant	Consultant led – the consultant may wish to engage with particular parties, depending on the issues raised in consultation.	
Implementation and future	Setting out how the master plan will be	Consultant/ landowner/	Council officers would expect a dialogue in relation to the identification	

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management issues	implemented – phased/ by landowner or responsibility passed on. Identifying responsibility for management and resources required.	developer	<p>of implementation/ construction phase issues and future maintenance.</p> <p>The Council may wish to be directly involved in future maintenance and the potential for this will be identified at this stage.</p>	
Output	Presentation of the results of the process	Consultant	<p>Output should include full detail of how the feedback received during the consultation stage has been addressed.</p> <p>A presentation will be made by either the landowners/ developers representatives or the planning officer available to all Council Members. A separate presentation may be requested for Executive Members.</p> <p>The planning officer will consider with the landowner/ developer any wider presentation of outputs.</p>	

**Formal Endorsement**

In most cases the Council will 'endorse' an agreed Master Plan as Council policy. It will not comprise a Supplementary Planning Document (SPD) but will be a material consideration in future decision making. The route to this formal endorsement will usually be through the Council's District Planning Executive Panel, then Executive, then Council.

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The timescale of this formal endorsement process may be extended due to meeting timescales; however, the Council will indicate informal agreement to a completed Master Plan following the completion of the above process where it is able to do so. This will enable further work on planning applications or other more detailed matters to commence with reduced risk.

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