



*James Ellis*

Head of Legal and Democratic Services

**MEETING** : EXECUTIVE  
**VENUE** : VIRTUAL MEETING – ATTENDEES WILL BE SENT  
DETAILS  
**DATE** : TUESDAY 2 JUNE 2020  
**TIME** : 7.00 PM

**MEMBERS OF THE EXECUTIVE**

- |                                   |   |
|-----------------------------------|---|
| Councillor Linda Haysey           | - Leader of the Council   |
| Councillor Peter Boylan           | - Executive Member for Neighbourhoods                             |
| Councillor Eric Buckmaster        | - Executive Member for Wellbeing                                  |
| Councillor George Cutting         | - Executive Member for Corporate Services                         |
| Councillor Jan Goodeve            | - Executive Member for Planning and Growth                        |
| Councillor Graham McAndrew        | - Executive Member for Environmental Sustainability               |
| Councillor Suzanne Rutland-Barsby | - Executive Member for Communities                                |
| Councillor Geoffrey Williamson    | - Deputy Leader and Executive Member for Financial Sustainability |

**CONTACT OFFICER: Rebecca Dobson**  
**Tel: 01279-502082**  
**Email: [Rebecca.Dobson@eastherts.gov.uk](mailto:Rebecca.Dobson@eastherts.gov.uk)**

## **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.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

### **Public Attendance**

Due to the Covid-19 lockdown measures, East Herts Council is conducting public meetings remotely. The Council offices are therefore not open to the public for meetings. East Herts Council has made provision for public attendance at its virtual meetings by live stream broadcast. The livestream will be available during the meeting on the East Herts District YouTube channel (available from YouTube and then searching for the channel) or at this link: <https://www.youtube.com/user/EastHertsDistrict/live>. The recording of the meeting will be uploaded to the Council's website on the meeting page for the Executive within approximately 24 hours of the meeting.

### **Accessing the agenda pack**

To obtain a copy of the agenda, please note the Council does not generally print agendas, as it now has a paperless policy for meetings. You can view the public version of the agenda for this meeting on the Council's website in the section relating to meetings of Committees. You can also use the ModGov app to access the agenda pack on a mobile device. The app can be downloaded from your usual app store.

Visit <https://www.eastherts.gov.uk/article/35542/Political-Structure> for details.

## AGENDA

1. Apologies

*To receive apologies for absence.*

2. Leader's Announcements

3. Minutes (Pages 7 - 18)

*To approve as a correct record the Minutes of the meeting held on 11 February 2020.*

4. Declarations of Interest

To receive any Member(s) declaration(s) of interest.

5. Update from Overview and Scrutiny Committee

*To receive a verbal report of the Committee Chairman.*

6. Update from Audit and Governance Committee

*To receive a verbal report of the Committee Chairman.*

7. Gilston Area Supplementary Planning Document - final for adoption  
(Pages 19 - 134)

8. Financial Update (Pages 135 - 148)

9. Noting the decision of the Chief Executive to approve a scheme for the Local Authority Discretionary Grant Fund taken under urgency provisions (to follow)

To note a decision of the Chief Executive in relation to a scheme for the Local Authority Discretionary Grant Fund (to follow).

10. Loan to SLM - report of decision taken by Chief Executive (Pages 149 - 160)

11. Exclusion of Press and Public

*To move that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the discussion of appendices A and B of item 12 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act of the following description: that it contains information which relates to the financial or business affairs of the company to which the loan was made.*

12. Loan to SLM - Decision taken by Chief Executive (Pages 161 - 166)

13. 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  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
TUESDAY 11 FEBRUARY 2020, AT 7.00 PM

---

PRESENT: Councillor (Chairman/Leader)  
Councillors L Haysey, P Boylan,  
E Buckmaster, G Cutting, J Goodeve,  
G McAndrew, S Rutland-Barsby and  
G Williamson.

ALSO PRESENT:

Councillors H Drake, M Pope, J Wyllie,  
R Bolton, S Bull, L Corpe, T Page, Pope and  
P Ruffles.

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
Helen Standen	- Deputy Chief Executive
Rebecca Dobson	- Democratic Services Manager
James Ellis	- Head of Legal and Democratic Services
Bob Palmer	- Head of Strategic Finance and Property

344 LEADER'S ANNOUNCEMENTS

Councillor Haysey reminded all present that the meeting was being webcast. She welcomed everyone, including those listening to the webcast.

345 DECLARATIONS OF INTEREST

There were no declarations of interest.

346 MINUTES

The Minutes of the meeting held on 21 January 2020 were received.

Councillor Page requested it be recorded that, although not a member of the Executive, he had declared a non-pecuniary interest in relation to the item on the agenda for the East of Manor Links site, as his wife was a member of the Golf Club. The Leader confirmed this fact would be recorded.

Councillor McAndrew proposed, and Councillor Cutting seconded, a motion that the Minutes of the meeting of 21 January 2020 be approved as a correct record. The motion being put to the meeting, and a vote taken, it was declared CARRIED.

**RESOLVED** – to receive the Minutes of the Executive meeting held on 21 January 2020 be approved as a correct record, and signed by the Leader.



347 UPDATE FROM PERFORMANCE, AUDIT AND GOVERNANCE  
OVERSIGHT COMMITTEE

---

The Chairman of the Performance, Audit and Governance Oversight Committee confirmed there was no additional report as the substantive matters considered by the Committee at its last meeting had been recommended to the Executive meeting of 21 January and had since been approved by Council.

348 UPDATE FROM OVERVIEW AND SCRUTINY COMMITTEE

The Chairman of the Overview and Scrutiny Committee said he had no additional matters to report to the Executive, other than the Parking Task and Finish Group recommendations which were to be presented later on the agenda. He welcomed any questions.

349 OUTCOMES OF THE PARKING TASK AND FINISH GROUP  
REVIEW

---

The Executive considered a report submitted by the Chairman of the Overview and Scrutiny Committee, and presented by Councillor Drake, as Chairman of the Parking Task and Finish Group.

Councillor Drake summarised the approach taken by the Parking Task and Finish Group, and the scope of the work it had carried out. The terms of reference had been to review the policy areas of town centre parking policies, focusing on Bishop's Stortford and Hertford, but looking also at the needs of other towns and villages; the Resident Permit Zone (RPZ) policy; parking standards within planning policies and climate

change and sustainability implications of parking policy.

Councillor Drake directed Members to the paper submitted to the Overview and Scrutiny Committee on 10 December 2019, which set out the detailed recommendations of the Task and Finish Group and an amendment proposed to the RPZ policy. She said the recommendations were ambitious but achievable.

Councillor Haysey thanked Councillor Drake for the detailed work she and the other Members of the Task and Finish Group had undertaken.

Councillor McAndrew thanked Councillor Drake for the Task and Finish Group's report, which he said set out very ambitious recommendations. Implementation of such recommendations would have costs implications, which would be likely to be exceptional. Whilst the Task and Finish Group had examined some of the operational issues affecting residents and others in relation to parking, it was necessary to assess the implications of implementing the proposals, in view of the Council's approved budget, and its new corporate plan which included environmental sustainability. It was also necessary to keep in mind the challenge the Council had set itself in its financially sustainable budget to find ways to manage parking behaviour through fees and charges. The recommendations of the Parking Task and Finish Group would require funding, so he would ask Officers to undertake further detailed work on costs.

Councillor McAndrew said he therefore proposed an

amendment, to add that authority be delegated to the Head of Operations, in consultation with the Chairman of the Overview and Scrutiny Committee, and with the Executive Member for Environmental Sustainability, to assess the full viability of the recommendations by the Executive and bring a further report to the Executive setting out cost implications.

Councillor Wyllie thanked Councillor Drake for the work she and the Task and Finish Group had done. The Committee had looked at the findings in detail and considered there could be further scope to explore options, for example, in relation to Airport related parking and on street parking. He understood the reason for Councillor McAndrew's amendment, but there was a need to resolve residents' problems.

Councillor McAndrew said he concurred with the aim to find solutions, but it was also necessary to take a holistic approach.

Councillor Wyllie asked that the amendment to the proposal should include provision for Councillor Drake to be consulted.

Councillor McAndrew agreed to the inclusion of this additional provision.

In response to a comment from Councillor Bull, Councillor McAndrew said each Town would be looked at on its own merit.

Councillor McAndrew proposed, and Councillor Williamson seconded a motion to support the proposal

as set out in the report, together with the amendment proposed by Councillor McAndrew. The motion being put to the meeting and a vote taken, it was declared CARRIED.

**RESOLVED** - that (A) the findings of the Overview and Scrutiny Committee Parking Task and Finish Group be received and considered; and

(B) authority be delegated to the Head of Operations, in consultation with the Chairman of the Overview and Scrutiny Committee and Chairman of the Parking Task and Finish Group, and with the Executive Member for Environmental Sustainability, to assess the full viability of the recommendations by the Executive and bring a further report to the Executive setting out cost implications.

350 HERTFORD KINGSMEAD WARD NEIGHBOURHOOD PLAN  
AREA DESIGNATION

The Executive considered a report on Hertford Town Council's application for the designation of a Neighbourhood Area in respect of Hertford Kingsmead Ward.

Councillor Goodeve, presenting the report, said the application had been made in accordance with process. She proposed the recommendations in the report.

Councillor Haysey welcomed the application.

Councillor McAndrew seconded the motion to support the recommendations. The motion being put to the meeting, and a vote taken, it was declared CARRIED.

**RESOLVED** - that the application for the designation of the Kingsmead Ward, Hertford as a Neighbourhood Area, submitted by Hertford Town Council, be supported.

351 GILSTON AREA CHARTER SUPPLEMENTARY PLANNING DOCUMENT - DRAFT FOR CONSULTATION

The Executive considered a report submitted by the Leader seeking agreement to publish for consultation the draft Gilston Area Charter Supplementary Planning Document (SPD).

Councillor Haysey said this SPD was one of a range of documents addressing the Gilston area, with focus on the standards for garden towns. This document would set out relevant planning considerations for the area.

Councillor Buckmaster spoke in support of the publication of the draft SPD. He said he had attended meetings of the Gilston Steering Group and it was accepted by the site promoters that a framework should exist to provide quality in a consistent way.

Councillor Page said this document was positive in many respects, but that he had reservations as to the collaboration of partner authorities. He had hoped a year ago that the collaboration would have been closer than had occurred. Clarification was needed as to whether the council would be working closely with its

partner authorities and with Steering Groups.

Councillor Haysey said the council had entered into a memorandum of understanding with Epping Forest District Council and Harlow Council, and with the County Councils, which was binding. Governance had been considered at the previous night's meeting of the Harlow and Gilston Garden Town Board, which would put this memorandum on a formal footing.

Councillor Haysey went on to say that in respect of the paper before the Executive, as Gilston was in the planning authority area of East Hertfordshire, the SPD was based on East Herts' planning policies. The council's partners could comment on the SPD but it was this council's responsibility to ensure that the homes were of the highest standard.

Councillor Buckmaster said another element which was important for the Gilston areas was that there were two site promoters, but the council aimed to make the process seamless in terms of engagement.

Councillor Page thanked Members for their responses, and said he still had concerns regarding the sustainable transport document. He asked that any further relevant information be shared with Members, as it was important there should be high quality public transport to support a modal shift away from using cars.

Councillor Haysey proposed a motion supporting the recommendation in the report. Councillor Goodeve seconded the motion. On being put to the meeting

and a vote taken, the motion was declared CARRIED.

**RESOLVED** - that (A) the draft Gilston Area Charter Supplementary Planning Document, as set out in Appendix A, be agreed and published for a minimum four-week period of public consultation;

(B) delegated authority is given to the Head of Planning after consultation with the Leader of the Council to make minor modifications to the draft Charter prior to publication for consultation;

(C) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, to determine that a Strategic Environmental Assessment of the emerging Gilston Area Charter Supplementary Planning Document (SPD) is not required as it is unlikely to have significant environmental effects.

352 QUARTERLY CORPORATE BUDGET MONITOR - QTR 3  
2019/20

---

The Executive considered a report submitted by Councillor Williamson on the quarterly corporate budget monitoring for Quarter 3 of the current financial year.

Councillor Williamson thanked officers for bringing the report earlier than it was usually submitted. He drew Members' attention to the main points in the report, in particular the predicted revenue budget underspend

as set out in the report, a number of marginal variances across the services, the capital programme in relation to the projects of Hertford Theatre, Old River Lane and the two Leisure Centres. Regarding performance monitoring, the report set out areas which were now achieving the target, such as fly tipping removal time, and also areas which were not achieving targets, such as missed bin collections and website satisfaction. In such areas, the reasons for underperformance were understood and would continue to be reviewed. He proposed a motion to support the recommendations in the report.

Councillor Pope asked whether older debts set out in appendix B to the report could be recovered.

The Head of Strategic Finance and Property said the great majority of the large debts were anticipated to be recovered. He referred to various details of such debts, including a sum of £88,000 which related to section 106 monies due from developers, a sum from a school for the joint use of a hall, and the Hertford Town Council contribution for works in Maidenhead Street.

Councillor McAndrew seconded the motion, which was put to the meeting. A vote being taken, the motion was declared CARRIED.

**RESOLVED** - that (A) the net cost of services budget forecast underspend of £35k in 2019/20 be noted (paragraph 2.5 of the report);



(B) the capital budget for 2019/20 is £77.812m, of which £78k is estimated to underspend and £64.292m is to be carried forward to future years be noted (paragraph 5.1.1); and

(C) the reported performance for the period October 2019 to December 2019 be noted (paragraph 7).

The meeting closed at 7.27 pm

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

This page is intentionally left blank

## **East Herts Council Report**

### **Executive**

**Date of Meeting: 2<sup>nd</sup> June 2020**

**Report by: Cllr Haysey, Leader of the Council**

**Report title: Gilston Area Charter Supplementary Planning Document – Final for Adoption**

**Ward(s) affected: Hunsdon, Eastwick, Gilston and High Wych**

### **Summary**

- To outline the results of the public consultation on the draft Gilston Area Charter Supplementary Planning Document (SPD) and seek Members' agreement to adopt a revised document.
- To report that the three statutory consultees have no comment on the Strategic Environmental Assessment (SEA) Screening report, so confirm that an SEA of the Gilston Area Charter Supplementary Planning Document (SPD) is not required.

## **RECOMMENDATIONS FOR Executive:**

- a) The responses of the consultation be noted and the officer responses and proposed changes to the Gilston Area Charter Supplementary Planning Document (SPD) be supported.
- b) The Gilston Area Charter Supplementary Planning Document (SPD), as detailed in Appendix C of this report, be approved for adoption;
- c) In accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, it has been determined that a Strategic Environmental Assessment of the emerging Gilston Area Charter Supplementary Planning Document (SPD) is not required as it is unlikely to have significant environmental effects; and
- d) That the Head of planning and Building Control, in consultation with the Executive Member for Planning and Growth, be authorised to make any further minor changes to the document which may be necessary.

### **1.0 Proposal(s)**

- 1.1 A Gilston Area Charter Supplementary Planning Document ("Charter" going forward in this report) has been produced to provide guidance to prospective applicants on the implementation of Policy DES1 Masterplanning of the East Herts District Plan in the context of delivering the policy aspirations for the Gilston Area site allocation (Policy GA1 of the East Herts District Plan).
- 1.2 It is recommended that the Charter is approved for adoption in order for it to be a material consideration in decision making.<sup>1</sup> In doing this, representations to the consultation, the officer

---

<sup>1</sup> A material consideration is a matter that should be taken into account in deciding a planning application or an appeal against a planning decision.

responses to those representations and proposed changes to the Charter are also supported.

## **2.0 Background**

- 2.1 Following adoption of the East Herts District Plan (EHDP), the Council agreed a new Local Development Scheme which sets out its commitment to preparing a number of topic related Supplementary Planning Documents (SPDs) in order to provide further guidance on the implementation of EHDP policies.
- 2.2 A draft Charter SPD has been produced in support of EHDP policies GA1 (The Gilston Area) and DES1 (Masterplanning). Once adopted, the Charter will be a material planning consideration that must be taken into account when the Gilston Area masterplans are produced and submitted to the Council for approval.
- 2.3 Members will recall that public consultation on the draft version of the Charter was agreed by Executive on 11<sup>th</sup> February 2020. The consultation subsequently took place between 12<sup>th</sup> February 2020 and 5pm on 12<sup>th</sup> March 2020.

## **3.0 Considerations**

- 3.1 The EHDP requires the production of Masterplans for all 'significant' developments proposed in the district (Policy DES1).
- 3.2 The role of the Charter SPD is to support the implementation of District Plan policy DES1 in the production of robust masterplans that deliver the overarching ambitions and aspirations for the Gilston Area as set out in District Plan policy GA1, as well as other relevant policy/guidance including the Garden Town Vision and Design Guide. As an SPD, the Charter will be a material consideration in planning decision making.
- 3.3 The guidance contained within the Charter will establish a consistent approach to the production of masterplans in the Gilston Area to ensure that development comes forward in a

comprehensive and cohesive manner that contributes to the creation of successful and sustainable places. This is particularly important to the Gilston Area given the strategic scale of development envisaged and the multiple parties with an interest in its delivery.

- 3.4 Importantly it will establish the principle that Masterplans will be produced for each of the Gilston Area villages, together with an overarching Strategic Landscape Masterplan that will address the strategic elements of the development and the important network of green spaces that will knit the development together and integrate it sensitively into its wider context.
- 3.5 It also seeks to embed the role of the Council, key stakeholders such as the Garden Town partner authorities and statutory bodies in the preparation of the Masterplans, as well as the local community in accordance with the emerging Gilston Area Community Engagement Strategy which is a supporting document being produced in parallel to the Charter (but not the subject of this report).
- 3.6 The Charter will also be supported by a Monitoring Framework. This will be a live web based platform that is updated on an ongoing basis to keep the public informed about the progress of development in the Gilston Area. In addition to sign posting the public to planning applications, the Monitoring Framework will also include a record of what has been delivered post construction and a means for quality checking what's been delivered.
- 3.7 In accordance with the Town and Country Planning (Local Planning (England) Regulations 2012, the draft SPD was subject to four weeks of consultation. 105 responses were received from 22 respondents. The majority of responses were seeking amendments to various elements of the Charter. There were some comments in support of the document in general, and others in support of specific elements within the document. Some objections were also received, although a large proportion related to the principle of developing the Gilston

Area and the amount of development proposed (a matter already agreed and established through the adoption on the District Plan). Other objections related to specific elements within the SPD.

- 3.8 The matters raised in these submissions are included in the Statement of Consultation, which can be found in Appendix A. This includes summaries of the main issues raised; the officer response to those issues; and proposed amendments to the SPD, where appropriate.
- 3.9 The agreed changes in the schedule have been carried forward into the final document which also includes some further minor officer changes to the text for clarity.
- 3.10 Members are therefore invited to agree the officer responses to the issues raised as part of the public consultation; the proposed changes to the draft SPD; and the adoption of the final document. A copy of the final Gilston Area Charter SPD is attached as Appendix C.

#### Strategic Environmental Assessment

- 3.11 Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations (2004), certain types of plans that set the framework for the consent of future development projects, must be subject to an environmental assessment. It is therefore a requirement that the Council undertakes a Screening Assessment to determine whether the draft Gilston Area Charter SPD should be subject to a Strategic Environmental Assessment.
- 3.12 The Regulations require that the Council consults three statutory bodies in reaching this determination. Consultation has therefore been carried out with the Environment Agency, Natural England and Historic England. All three organisations have confirmed that they have no comment on the Council's draft Screening Statement.
- 3.13 The final Screening Statement is attached in Appendix B. It concludes that the draft SPD is unlikely to have significant

environmental, social or economic effects beyond those of the District Plan policies it supplements; does not create new policies; and only serves to provide useful guidance on how to effectively and consistently implement the District Plan policies and therefore does not require a Strategic Environmental Assessment.

## **4.0 Options**

### *Option 1 Not to adopt the SPD*

- 4.1 EHDP policy DES1 requires masterplans to be produced for all significant development proposals. The Council could decide not to adopt the SPD and rely solely on policy DES1 to inform how the masterplans for the Gilston Area should come forward and also the criteria they should be assessed against.
- 4.2 However, given the strategic scale of development envisaged for the Gilston Area, the multiple parties involved in its delivery and the abundance of existing policy and guidance relevant to the area, it is considered that more detailed and tailored guidance in the form of an adopted SPD is required to support the production of the Gilston Area masterplans.
- 4.3 In the absence of this, the masterplans for the Gilston Area run the risk of coming forward in a piecemeal way based on different applicants' interpretation of Policy DES1. This could compromise the ability to deliver comprehensive, high quality sustainable development as envisaged by Policy GA1 and the Harlow and Gilston Garden Town.

### 4.4 *Option 2 Adopting the SPD*

The Charter will ensure that the masterplanning process is undertaken in a comprehensive manner, in collaboration with the Council, key stakeholders and the community. Importantly it will establish the principle that masterplans will be produced for each of the Gilston Area villages, together with an overarching Strategic Landscape Masterplan that will address the strategic elements of the development and the important network of green spaces that will knit the area together and



ensure it integrates successfully with the wider landscaping and existing neighbouring communities.

- 4.5 Adopting the Charter as a Supplementary Planning Document will ensure it is formally recognised as guidance that adds further detail to the policies in the East Herts District Plan and importantly has material weight in decision making.

## **5.0 Risks**

- 5.1 If the Gilston Area Charter SPD is not adopted, developers and members of the public would not be able to benefit from the additional guidance set out in the document. This would put at risk the ability to achieve the policy aspirations for the Gilston Area, and ultimately the quality of development that is delivered.

## **6.0 Implications/Consultations**

- 6.1 In October 2019 the Gilston Area Steering Group was briefed on the intention of the Planning Service to commence with the production of the Charter. Representatives from the main parties that attend the Steering Group (landowner and community representatives) were invited to be part of a smaller “Charter Group” to help inform its production and content.
- 6.2 The Charter Group was subsequently established and has met on several occasions to discuss and inform various elements of the Charter and its supporting documents.
- 6.3 Partner authorities and statutory bodies have also been informally and formally notified about the production of the Charter and given the opportunity to inform the process. These include Hertfordshire County Council, Essex County Council, the Environment Agency, Historic England and Natural England.
- 6.4 The Harlow and Gilston Garden Town (HGGT) Board was also notified of the production of the Charter and HGGT officers

have been party to various work streams associated with developing its content.

- 6.5 Elements of the draft Charter were also presented to HGGT Quality Review Panel (QRP) for a “Chair’s Review” in November 2019. Feedback from the QRP was generally supportive and it was recommended that a case study exercise should be undertaken to review example masterplans and Design Codes to help inform the guidance in the Charter. Officers (including HGGT officers) held two workshops in January 2020 to undertake this exercise. A summary of the workshops and associated outcomes is provided as an appendix to the draft Charter.
- 6.6 The draft Charter was subject to a statutory 4 week public consultation between the 20<sup>th</sup> February and 20<sup>th</sup> March 2020.
- 6.7 A Consultation Statement has been produced which summarises the above and can be found in attached as Appendix A.

**Community Safety**

No

**Data Protection**

No

**Equalities**

No

**Environmental Sustainability**

No

**Financial**

No

## **Health and Safety**

No

## **Human Resources**

No

## **Human Rights**

No

## **Legal**

No

## **Specific Wards**

Hunsdon, Eastwick, Gilston and High Wych

## **7.0 Background papers, appendices and other relevant material**

- 7.1 East Herts District Plan October 2018 – With particular reference to Policies GA1 Gilston Area (Chapter 11) and DES1 Masterplanning (Chapter 17) see;  
<https://www.eastherts.gov.uk/districtplan>
- 7.2 **Appendix A:** Consultation Statement
- 7.3 **Appendix B:** Strategic Environmental Assessment Screening Statement  
**Appendix C:** Gilston Area Charter Supplementary Planning Document.

**Contact Member**

Cllr Linda Haysey – Leader of the Council  
[linda.haysey@eastherts.gov.uk](mailto:linda.haysey@eastherts.gov.uk)

**Contact Officer**

Sara Saunders –  
Head of Planning and Building Control  
Contact Tel No 01992 531656  
[sara.saunders@eastherts.gov.uk](mailto:sara.saunders@eastherts.gov.uk)

**Report Author**

Karen Page –  
Place Making and Growth Officer (Gilston Area)  
[karen.page@eastherts.gov.uk](mailto:karen.page@eastherts.gov.uk)

Appendix A

Gilston Area Charter  
Supplementary Planning Document  
**Consultation Statement**

## **1. Introduction**

- 1.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 require a Local Planning Authority to consult the public and stakeholders before adopting a Supplementary Planning Document (SPD).
- 1.2 This statement sets out details of the consultation which has informed the preparation of the Gilston Area Charter SPD.
- 1.3 The Gilston Area Charter SPD has been produced to provide guidance to prospective applicants on the implementation of Policy DES1 “Masterplanning” of the East Herts District Plan in the context of delivering the policy aspirations for the Gilston Area site allocation (Policy GA1 of the East Herts District Plan).

## **2. Town and Country Planning Regulations**

- 2.1 The SPD has been produced in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The relevant regulations relating to the consultation process are explained below.
  - Regulation 12(a) requires the Council to produce a consultation statement before adoption of the SPD, this must set out who was consulted, a summary of the issues raised, and how these issues were incorporated into the SPD.
  - Regulation 12(b) requires the Council to publish the documents for a minimum 4 week consultation, specify the date when responses should be received and identify the address to which responses should be sent.
  - Regulation 35: Regulation 12 states that when seeking representations on an SPD, documents must be available in accordance with Regulation 35. This requires the Council to make documents available by taking the following steps;

- Make the document available at the principal office and other places within the area that the Council considers appropriate;
- Publish the document on the Council's website.

### **3. Statement of Community Involvement (SCI)**

- 3.1 The Council's current SCI was adopted in 2019 and sets out how East Herts Council will involve the community in the preparation, alteration and review of planning policy plans and guidance. It also explains how it will involve the community in planning applications.
- 3.2 Community engagement is a key part of the planning system as it ensures that the Council is able to listen to the views of stakeholders and the community to inform the outcome of planning decisions. This helps local people to become directly involved in place shaping in the district. The Council is committed to maximising publicity of its planning documents and wishes to involve all sectors of the community in the planning process, including in the production of Supplementary Planning Documents.
- 3.3 In light of the coronavirus pandemic and recent updates to government planning guidance the Council has made appropriate adjustments to its consultation and engagement processes to ensure opportunities to reach out to local people and involve them in the planning process is maximised. The Council's SCI is being updated to reflect this position.

### **4. Engagement and consultation undertaken**

#### *Early engagement and consultation*

- 4.1 In October 2019 the Gilston Area Steering Group was briefed on the intention of the Local Planning Authority to commence with the production of the Gilston Area

Charter SPD. Representatives from the main parties that attend the Steering Group (Council, landowner, key stakeholder and community representatives) were invited to be part of a smaller “Charter Group” to help inform its production and content.

- 4.2 The Charter Group was subsequently established and met on several occasions to discuss and inform various elements of the draft Charter and its supporting documents.
- 4.3 Partner authorities and statutory bodies were also informally notified about the production of the Charter and given the opportunity to inform the process. These included Hertfordshire County Council, Essex County Council, the Environment Agency, Historic England and Natural England.
- 4.4 As the Gilston Area forms part of the wider Harlow and Gilston Garden Town (HGGT), the HGGT Board was notified of the production of the Charter in October 2019 and HGGT officers have been party to various work streams associated with developing its content.
- 4.5 Elements of the draft Charter were also presented to HGGT Quality Review Panel (QRP) for a “Chair’s Review” in November 2019. The HGGT QRP is an independent design panel made up of planning and design professionals which can review any emerging work relating to the Garden Town, including planning guidance. The Panel provides an independent critique in relation to matters presented to it and its recommendations and observations may then be considered by applicants or the Local Planning Authority.



4.6 Feedback from the QRP was generally supportive and its recommendations have informed the content of the Gilston Area Charter SPD.

*Formal consultation*

4.7 The draft Gilston Area Charter SPD was approved for public consultation at East Herts Council Executive on 11th February 2020. The consultation subsequently took place between 12th February 2020 and 12th March 2020.

4.8 Consultation was undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement. Consultees were consulted by email; or post where no email address was provided. A list of consultees is provided in Appendix A. The SPD consultation was also advertised via the Council's website and via social media.

4.9 The draft SPD and Strategic Environmental Assessment (SEA) Screening Statement were made available on the Council's website: [www.eastherts.gov.uk/gilston-area-charter-supplementary-planning-document](http://www.eastherts.gov.uk/gilston-area-charter-supplementary-planning-document). This included Information about how to submit representations. Hard copies of the document were made available for public inspection during normal office hours at East Herts Council Offices' in Hertford and Bishop's Stortford, town council offices and in libraries across the district.

4.10 Representations could be made via the Council's consultation portal <http://consult.eastherts.gov.uk/portal>; emailed to [planningpolicy@eastherts.gov.uk](mailto:planningpolicy@eastherts.gov.uk)

or sent to; Planning Policy, East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ.

## 5. **Issues raised during the consultation**

- 5.1 During the consultation, 105 representations were received, made by 22 respondents. Of the representations made, 9 were general comments, 18 were objections, 4 were in support, 1 was a query and 73 were suggested points of modification.
- 5.2 Comments were wide ranging but largely focused on ensuring that the guidance in the Charter;
- appropriately acknowledges matters approved at the outline application stage as well as existing and emerging policy/guidance relevant to the area, including the Gilston Area Neighbourhood Plan, Gilston Area Concept Framework and the Harlow and Gilston Garden Town Guidance;
  - delivers masterplans which enable comprehensive and sustainable development that draws on best practice; and
  - sets out appropriate guidance on how best to engage the community and statutory bodies in the masterplanning process.
- 5.3 A summary of the consultation responses is set out in the schedule below. This table outlines the comments received in response to each section of the Charter, the Council's response to those comments and any consequential changes to the SPD.

No.	Representation	Comment type	Issue	Officer Response	Proposed modification
General feedback on the principle of the SPD					
1.	M. Ripsher	Object	<p>Opposition to development taking place in the Gilston Area which is protected Green Belt. Development will have negative impacts on natural environment, highway network and character of existing villages, cause pollution and compound existing public transport pressures.</p>	<p>The principle of development on land in the Gilston Area was determined when it was allocated for development in the East Herts District Plan (Policy GA1) adopted in 2018.</p> <p>The decision to de-designate the site as part of the Green Belt and release it for development as specified in Policy GA1, was robustly assessed and examined by an independent Planning Inspector following a statutory process of public consultation.</p> <p>The purpose of the Gilston Area Charter is not to create new policy, it is to support the delivery of existing Policy GA1 and DES1 in setting out guidance to ensure that meaningful masterplanning is undertaken as part of the planning process.</p> <p>The guidance within the Charter seeks to help embed high quality design solutions into the evolving plans for the Gilston Area and enable the delivery of comprehensive and sustainable</p>	None.

				development with appropriate supporting infrastructure.	
2.	A. Taylor	Object	Existing roads cannot sustain the additional traffic that would be generated by the amount of development.	Covered above in response to respondent 1.	None.
3.	F. J. Lloyd	Object	Development in the Gilston Area only serves to benefit developers and will add to existing traffic problems in the area.	Covered above in response to respondent 1.	None.
4.	T. Elmer	Object	Development in the Gilston Area will have a devastating impact upon quality of life of existing residents, wildlife and the environment, and will fail to provide the necessary supporting infrastructure.	Covered above in response to respondent 1.	None.
5.	S. McNamee	Object	The level of housing is too much for a semi-rural area and fails to consider climate change and the need for green space for food production. People move villages for peace and quiet, not everyone wants to live in a town or city.	Covered above in response to respondent 1.	None.
6.	J. McGill	Object	There is so much large scale development in the area, are the	Covered above in response to respondent 1.	None.

			houses really needed? Existing infrastructure (transport, schools and health specifically referenced) will not be able to cope with the amount of development. Will there be enough jobs for people? Visuals of the development do not look like a village.		
7.	S. Vyvyan	Comment	The green space in the Gilston Area should include woodland planting. This could support businesses, create areas for recreation and could provide wood for fuel.	The purpose of the Gilston Area Charter is to support the delivery existing Local Plan Policy GA1 and DES1 in setting out guidance to ensure that meaningful masterplanning is undertaken as part of the planning process.  Existing and new areas of woodland will be identified through the production of the Strategic Landscape Masterplan. The Charter identifies this requirement.	None.
<b>No.</b>	<b>Representation</b>	<b>Comment type</b>	<b>Issue</b>	<b>Officer Response</b>	<b>Proposed modification</b>
Comments on the content of the SPD – Section 1 (Introduction)					
8.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	Suggest paragraph 1.1 is amended to make clear that the objective is to integrate the development into the existing landscape and not create a formal parkland setting. Suggest inclusion of “set within a	Agree insertion of word “rural.”  The villages will also be set within managed open space and parkland as stipulated in policy GA1. This will be an important asset to the Gilston	Amend paragraph 1.1 as follows;  <i>This development will be delivered as several separate and distinct villages set with substantive <u>rural landscaping, managed open space</u></i>

			rural landscape" rather than set within substantive landscaping and parkland.	Area and as such should be referenced in the Charter.	<u>and parklands.</u>
No.	Representation	Comment type	Issue	Officer Response	Proposed modification
Comments on the content of the SPD – Section 2 (Planning policy and guidance relevant to this document)					
9.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	Suggests modifications to paragraph 2.3 to better clarify the role of the Concept Framework.	Noted and agree suggested modifications.	Amend para 2.3 as follows:  <i>A Concept Framework was produced in parallel to the District Plan by landowners Places for People and City and Provincial Properties in collaboration with East Herts District Council <u>and following intensive collective input by the local communities.</u> The framework identifies <u>potential design principles, land uses, infrastructure requirements and phasing</u> and used surveys, assessments, conceptual Masterplans and consultation input from key stakeholders and the community to support and demonstrate the deliverability of Policy GA1 <u>as seven distinct villages separated by meaningful landscape with shared infrastructure and a clear collective identity.</u> It also established key principles to underpin and shape the content of any future Masterplanning work</i>

					<i>undertaken, including 'strong vision, leadership and community engagement in accordance with Garden City principles.</i>
10.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	Suggests modifications to paragraph 2.6 to better clarify the role of the Neighbourhood Plan.	Agree suggested modifications which have informed the proposed amendments adjacent.	Replace paragraph 2.6 as follows;  <i>The Gilston Area Neighbourhood Plan (GANP) is currently being produced by the Hunsdon, Eastwick and Gilston Neighbourhood Plan Group and is expected to be in place later in 2020. The GANP is being prepared in close collaboration with the HGGT and with the landowners. It includes policies to guide landscape development, village structure and design, infrastructure delivery and the relationship of new development with the existing villages. On adoption, the Neighbourhood Plan will form part of the statutory Development Plan against which relevant planning applications will be determined, including the Gilston Area masterplans.</i>
<b>Page 39</b>	<b>Representation</b>	<b>Response type</b>	<b>Issue</b>	<b>Officer Response</b>	<b>Proposed modification</b>
Comments on the content of the SPD – Section 3 (The role of this Charter)					

11	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	Paragraph 3.5 should be clearer that emerging policy includes the Gilston Area Neighbourhood Plan.	The role of the Gilston Area Neighbourhood Plan is set out in paragraph 2.6 and also in Figure 4 that accompanies Section 3. It is not considered necessary to repeat it in paragraph 3.5, particularly as no other policy or guidance documents are specifically referenced in this paragraph.	None.
12.	Vision Planning (on behalf of Hunsdon House)	Modification	Paragraph 3.3 should be clear that the masterplans need to respond to and consider impacts on heritage assets outside of the site.	The focus of paragraph 3.3 is about the need for masterplans to consider how development in the Gilston Area will respond to its setting. This includes heritage assets within the site and the wider landscape, and relationship with existing settlements.	None.
<b>No.</b>	<b>Representation</b>	<b>Response type</b>	<b>Issue</b>	<b>Officer Response</b>	<b>Proposed modification</b>
Comments on the content of the SPD – Section 4					
13.	Places for People	Modification	Suggests amendment to paragraph 4.6 – delete “the strategic elements of the development.”	The Strategic Landscape Masterplan will look to address the strategic elements of the development. Further clarity on this point is covered in response to points 41 and 86 below. See also amendments to paragraph 4.6 in response to point 84.	None.



14.	Places for People	Modification	Suggests reference is made in paragraph 4.10 to the “landscape areas between the villages.”	A description of what will be included in the Strategic Landscape Masterplan is set out in paragraph 4.11.	None.
15.	Places for People	Modification	Suggests deletions to para 4.11 regarding reference to detailed proposals for landscaping and reference to how movement will be accommodated.	<p>The role of the Strategic Landscape Masterplan is to ensure that the site works successfully as one comprehensive development that also integrates seamlessly into its wider context.</p> <p>A broad understanding of the key routes between the villages, i.e. where they cross areas of landscaping and the points of access to individual villages and connectivity to wider routes beyond the site boundary will be essential for successful place making, wider integration and achieving Garden Town mode share aspirations.</p>	None.
			Suggests inclusion of “as far as it relates to the landscape areas between the villages.”	The first sentence in paragraph 4.11 sets out what the Strategic Landscape Masterplan will cover. Whilst it will primarily focus on the landscape areas and green infrastructure between the villages, it will also need to have due regard to nodal and access points that influence movement which may lie	None.

				outside of those areas.	
16	Places for People	Modification	Paragraphs 4.12, 4.14, 4.15 should make reference for the need to build on the parameters and commitments secured at the outline stage.	Paragraph 4.7 is clear that all masterplans must build on the parameters and commitments secured at the outline stage. Repetition of this point throughout Section 4 is not required.	None.
17.	Places for People	Modification	Paragraphs 4.14 and 4.18 – suggests reference to Masterplans and Design Codes being submitted pursuant to relevant conditions imposed at the outline stage.	This is already set out in paragraph 4.7, in Figure 6 and in Section 7.	None.
18.	Places for People	Modification	Paragraph 4.19 should include “This may necessitate amendments to the details approved under condition.”	Agree.	Amend paragraph 4.19 as follows (note this paragraph has also been amended as per below to address other points raised through the consultation);  <i>....The Compliance Checklist should also make provision for applicants to acknowledge where a code may no longer be fit for purpose and provide design justification for any proposed deviations. <u>This may (depending on the extent of the changes proposed) necessitate amendments to Design Code details approved through the discharge of condition and would require the approval of the Local Planning</u></i>

					<u>Authority following consultation with the local community.</u>
19.	Places for People	Modification	Paragraph 4.16 should delete reference to development plots.	The Regulatory Plan will establish where Design Codes are relevant and this may include development plots.	None.
20.	Briggens Estate 1 Limited	Modification	The Strategic Landscape Masterplan is intended to cover some matters not related to landscape or green infrastructure, such as those related to transport mode share. We do not consider this is an appropriate plan for the provision of this information, or any that is not related to landscape or green infrastructure matters. Response makes ref to suggested changes to paragraphs 4.6-4.14.	<p>Agree some suggested changes (see amendments adjacent).</p> <p>The suggested deletions to paragraphs 4.11 and 4.13 are not agreed. The role of the Strategic Landscape Masterplan is to ensure that the site works successfully as one comprehensive development that also integrates seamlessly into its wider context.</p> <p>A broad understanding of the key routes between the villages, i.e. where they cross areas of landscaping and the points of access to individual villages and connectivity to wider routes beyond the site boundary will be essential for successful place making, wider integration and achieving Garden Town mode share aspirations.</p> <p>Similarly it is important the Village Masterplans consider through place</p>	<p>Amend para 4.8 as follows;</p> <p><i>Once approved the Masterplans and their associated Design Codes will form a framework to guide <u>Reserved Matters applications (and any relevant detailed planning applications) for development plots or buildings that follow. A summary of how the Masterplans fit into the planning process for the Gilston Area is provided in Figure 6.</u></i></p> <p>Delete the word “Local” form para 4.9.</p>

				shaping, opportunities for tackling climate change and successful flood risk mitigation.	
21.	Briggens Estate 1 Limited	Object	We do not consider there is a need for a Design Code to accompany the Strategic Landscape Masterplan as stated at paragraph 4.15 of the Consultation Draft.	<p>Existing policy and guidance sets out an aspiration for the Gilston Area to be delivered as distinct and separate villages but also identifiable as one new settlement. The establishment of Design Codes will play a key role in helping to achieve this aspiration.</p> <p>A Design Code that supports the Strategic Landscape Masterplan provides a particular opportunity to help facilitate cohesion and a collective character/identity across the site.</p>	None.
22.	Briggens Estate 1 Limited	Object	The adoption of a 'testing' process, as proposed at paragraph 4.17 of the Consultation Draft, suggests an unduly onerous and time-consuming approach in which the local planning authority would assess the adequacy of information as part of a condition discharge process.	<p>The testing of design codes will be essential in terms of demonstrating to the LPA that when applied in practice they will deliver quality outcomes and more importantly are robust enough to ensure poor quality outcomes are avoided. Testing is likely to occur organically through the collaborative process of producing them.</p> <p>Design Code testing is not considered to be an onerous exercise, is recognised good practice</p>	None.

				and was recommended as step that should be taken by the Garden Town Quality Review Panel.	
23.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	More emphasis should be given to the principle of delivering the comprehensive development of seven distinct villages and three existing villages, particularly when referring the Strategic Landscape Masterplan. Amendments are suggested.	Agree that the principle for delivering comprehensive development could be emphasised more strongly in places.	Amend paragraph 4.1 as follows;  <i>They are particularly useful for large multi-phased developments such as that coming forward in the Gilston Area, acting as a mechanism to assist in the delivery of <u>comprehensive</u> and coordinated development and high quality design outcomes.</i>  Amend paragraph 4.10 as follows;  <i>This will establish a spatial strategy for <u>comprehensive development</u> of the entire Gilston Area site allocation in one overarching plan that draws together and expands upon the principles established in the parameter plans approved at the outline application stage, and the work already undertaken in the Gilston Area Concept Framework.</i>
24 Page 45	Hunsdon, Eastwick and Gilston Neighbourhood	Modification	Paragraph 4.9 should be clear that the Local Development Framework includes the Gilston Area Neighbourhood Plan.	Rather than referring to the Local Development Plan, the paragraph will be amended to refer to the statutory Development Plan	Amend paragraph 4.9 as follows:  <i>The content of each Masterplan must align with any parameters</i>

	Plan Group			documents. This aligns with Figure 4 which clarifies that the Gilston Area Neighbourhood Plan will form part of this.	<i>established through the outline applications, the <u>statutory Development Plan documents</u>....</i>
25.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	Figure 6 should be amended to ensure the masterplanning process includes community engagement as an integrated and on-going part of the masterplanning process.	Agree. The text in the figure 6 will be revised as set out adjacent.	Amend box two (Masterplans and associated Design Codes) as follows;  Replace bullet point 5 with;  <i><u>Production is developer led with key stakeholder and community engagement as an integrated and ongoing part of the process.</u></i>
26.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	Amend paragraph 4.10 to state that the Strategic Landscape Masterplan will be produced and approved before the village masterplans.	Agree. This amendment would not preclude Village Masterplans being prepared in parallel or from being approved shortly after.  The important point is that the village masterplans take account of, and can demonstrate how they will successfully integrate with the Strategic Landscape Masterplan.  This is clarified in Step 1 of the process steps that must be followed in their production but shall also be reiterated in paragraph 4.13 (see amendments set out under point 47).	Amend paragraph 4.10 as follows:  <i>A Strategic Landscape Masterplan will be produced and approved before <del>or in parallel with the</del> <u>approval of the first Village Masterplan.</u></i>

27.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	Reference to key buildings , features and nodal points in paragraph 4.14 should be amended as this could be interpreted as built gateways and landmark buildings which are not characteristic of Hertfordshire villages.	<p>The Charter is clear that when establishing Masterplans (including Character Areas), consideration must be given to adopted policy and guidance.</p> <p>The PPA Project Team and the community through engagement will inform how policy and guidance is interpreted and translated into the Masterplans as they are worked up, to ensure they come forward as envisaged by those documents.</p>	None.
28.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	<p>Guidance within the Charter on Design Codes should make ref to how they will;</p> <ul style="list-style-type: none"> <li>-take inspiration from patterns of local built form, relationship with the landscape, whilst adopting contemporary forms/features.</li> <li>- Prompt development of diverse architecture/irregular layouts within a consistent cohesive setting.</li> <li>- Recognise the Gilston Area will be built out over a long time and be able to react to change.</li> </ul>	<p>It's important that the Charter does not generalise about what the Design Codes should reference. Their production will form part of the masterplanning process as set out in Section 5. This will ensure they are appropriate and tailored to each masterplan which will have its own unique context/setting to respond to.</p>	None.
29.	Vision Planning (on behalf of Hunsdon House)	Modification	Paragraph 4.7 needs to go further and set out the elements to be included in the Design Code.	See response to point 28 above.	None.

30	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Object	Allowing for deviation/derogation will invalidate the principle and usefulness of the Design Codes.	<p>The Charter (Section 4) sets out that Design Codes will be expected to cover mandatory requirements but also allow for flexible design solutions where these are most appropriate. It also includes a requirement for Design Code testing to ensure they are sufficiently robust.</p> <p>It's important the Design Codes can adapt over time if necessary and the Charter allows for this, subject only to adequate justification and LPA approval first.</p> <p>In order to provide further reassurance, paragraph 4.19 will be amended to include a requirement to consult the community of any changes to the approved Design Codes.</p>	See amendments to paragraph 4.19 set out at point 18 above.
31.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	The compliance checklist is helpful but the example in figure 5 should be more relevant to Gilston.	Figure 5 is used to help explain what a compliance checklist is and the format it could take. The examples cited within it could be relevant to the Gilston Area.	None.



32.	Canal and Rivers Trust	Support/ Modification	Support the proposal for a Strategic Landscape Masterplan to be produced alongside the first Village Masterplan and the issues to be addressed within it as set out in para 4.11. Suggest that delivering net gains for biodiversity should also be included in paragraph 4.11.	Agree.	<p>Amend paragraph 4.11 as follows (note amendments in this paragraph also address other points raised through the consultation);</p> <p><i>It will focus on establishing the key components and Character Areas that will form the comprehensive green infrastructure network across the site that will surround and sit alongside the new villages, existing settlements <u>and the wider landscape. In establishing this, the Masterplan will look to address and plan for strategic matters including: how movement will be accommodated to prioritise active and sustainable modes of travel and the achievement of the 60% mode share target; how the development will successfully integrate with adjacent settlements and landscaping including the Stort Valley; how the new villages will have sufficient landscape buffers but will function successfully together as one new settlement and make efficient use of the land through coordinating measures such as the approach to drainage and flood risk and any potential net gains for biodiversity; and how the</u></i></p>
-----	------------------------	-----------------------	---	--------	--

					<i>community open space land allocated in the Gilston Area will be planned and landscaped to help facilitate its long term maintenance.</i>
33.	Essex County Council	Modification	<p>The connection between place making and how it can influence movement is not set out explicitly enough within the SPD.</p> <p>Recommends that the wording in paragraph 4.11 about achieving the 60% mode share target is strengthened.</p>	<p>Commitments will be secured at the outline application stage to deliver certain measures and mitigation to assist in achieving the 60% mode share target.</p> <p>The masterplanning stage will allow for movement to be planned through place shaping and applicants will be required to submit a sustainability statement as part of the masterplan submission to demonstrate how it responds to the HGGT Design Questions, this includes a number of considerations around sustainable modes of travel. Paragraph 4.11 and Point 7 in paragraph 6.1 will be amended to clarify this requirement more clearly.</p>	<p>See new drafting of paragraph 4.11 as set out in point 32 above.</p> <p>Amend point 7 in paragraph 6.1 as follows:</p> <p><i>Sustainability Statement: this should demonstrate how the Masterplan and associated Design Code have sought to achieve quality outcomes <del>responding to the relevant check markers</del> in response to the HGGT Design Quality Questions and the check markers as set out in Section 9 of the Charter.</i></p>
34.	Vision Planning (on behalf of Hunsdon House)	Modification	<p>The Strategic Landscape Masterplan goes beyond matters that just relate to landscaping and so should be referred to as the <i>Strategic Masterplan</i> to avoid ambiguity.</p>	<p>The Strategic Landscape Masterplan is primarily focused on the network of green spaces that will surround the villages. The role of landscaping will be critical in ensuring that the villages are sustainable and function as a comprehensive collective, whilst also maintain appropriate separation distances from each</p>	None.

				<p>other and existing settlements to be district in their own right. It will also ensure that the Gilston Area is developed in a way that respects and responds to its landscape setting. It is therefore considered important to maintain “Landscaping” in the title given its integral role in achieving the policy aspirations of the Gilston Area.</p>	
35.	Vision Planning (on behalf of Hunsdon House)	Modification	<p>In response to paragraph 4.19 - Design Codes and masterplans will need to explain why various elements are included; otherwise they run the risk of being incrementally diluted over time.</p>	<p>Paragraphs 4.18 and 4.19 set out a process by which design codes can be adapted overtime if required. This would however be subject to adequate justification and approval of the Local Planning Authority following consultation with the community. Any proposed changes would need to be considered in the context of existing policy. It is therefore considered that the process is robust enough to ensure that original design principles will not be diluted over time.</p>	None.
36.	Hertfordshire County Council	Modification	<p>From a movement and transportation perspective the Village and the Strategic Landscape Masterplans need to;</p> <p>- enshrine the LTP4 hierarchy of</p>	<p>Paragraphs 4.11 and 4.13 have been amended to draw on these points and those of other consultees. See officer response to point 33 above.</p>	Amendments made. See point 33.

			<p>movement and 60% mode share</p> <ul style="list-style-type: none"> <li>- ensure walking and cycling routes are more commodious than vehicle routes;</li> <li>- deliver of transport/community hubs;</li> <li>- (Strategic Landscape Masterplan) show how villages link together to achieve points 1 and 2 above;</li> <li>- provide a corridor for the A414/MRT;</li> <li>- ensure key vehicular routes reference links with sustainable transport routes;</li> <li>- make ref to 'existing natural features and water catchments.'</li> </ul>		
	<b>Representation</b>	<b>Support or Object</b>	<b>Issue</b>	<b>Officer Response</b>	<b>Proposed modification</b>
Comments on the content of the SPD – Section 5					
37.	Places for People	Modification	<p>Suggests amend Step 1 (Strategic Landscape Masterplan) to confirm its focus on the landscape areas around and between the villages.</p> <p>Suggests amend Step 1 (Village Masterplan) to confirm its focus on the developable areas and area immediate area adjacent as established at the outline planning stage.</p>	See officer response to point 15.	

38.	Places for People	Modification	The Charter refers at Step 2 (Strategic Landscape Masterplan and Village Masterplan) a requirement to agree a brief for the Masterplan and its objectives – we need to be clear that this means building on the principles/ parameters committed as part of the outline application parameters (i.e. Development Specification, Parameter Plans, Strategic Design Guide etc) which provide the starting point.	LPA agrees that the starting point for establishing a brief or vision for the masterplan requires consideration of what has been established at the outline stage and/or any discharge of condition details that follow. This is clearly set out as part of the masterplanning process in Step 1 and so does not need to be repeated again in Step 2.	None.
39.	Places for People	Modification	Suggests Step 3 (Strategic Landscape Masterplan and Village Masterplan) makes reference to acknowledging decisions made at the outline application stage.	This is clearly set out as part of the masterplanning process in Step 1 and so does not need to be repeated again in Step 3.	None.
40.	Places for People	Modification	The masterplan process suggests at Step 4 (Strategic Landscape Masterplan and Village Masterplan) that there might be a need to refine the masterplan boundaries. The Parameter Plans submitted for approval as part of the outline application fix the village developable areas, and conversely the green space elements. As a result these boundaries will not be refined at the Masterplan stage. Instead the masterplan process will determine	<p>The intention of Step 4 (Strategic Landscape Masterplan) is not to deviate from the elements fixed at the outline application stage but to ensure that due consideration is given to how the Strategic Landscape Masterplan interfaces with the Gilston Area villages and the wider landscaping beyond the site allocation boundary.</p> <p>The intention of Step 4 (Village Masterplans) is not to deviate from the matters approved in the</p>	<p>Replace Step 4 as follows:</p> <p>For Strategic Landscape Masterplan:</p> <p><i>Establish the extent of the Strategic Landscape Masterplan having regard to how it will interface and respond to the Gilson Area Villages and the wider landscaping/ development beyond the site allocation boundary.</i></p> <p>For the Village Masterplans:</p>

			<p>what occurs within each boundary. This step should therefore be re-phrased on this basis.</p>	<p>parameter plans but instead to ensure that the masterplanning stage allows for more detailed consideration of how the villages will appropriately respond to the landscape that will surround them and ensure appropriate landscape buffers are established.</p> <p>Agree this requires clarification see amendment adjacent.</p>	<p><i>Establish the extent of the Village Masterplan having regard to how it will interface and respond to its immediate surrounding landscape in the context of the approved Strategic Landscape Masterplan.</i></p>
41.	Places for People	Modification	<p>Suggests Step 5 (Strategic Landscape Masterplan and Village Masterplan) makes reference to acknowledging decisions made at the outline application stage.</p> <p>Suggests Step 5 (Strategic Landscape Masterplan) clarifies that the location and extent of key features should relate only to those within the areas of landscaping around and between villages.</p> <p>Also suggests deletion of transport hubs as a key feature and complete deletion of the last paragraph related to consideration of strategic nodal points within villages.</p>	<p>This is clearly set out as part of the masterplanning process in Step 1 and so does not need to be repeated again in Step 5.</p> <p>See officer response to point 15.</p> <p>The need to consider locating a sustainable transport hub(s) outside of the village developable areas within the green infrastructure should not be precluded.</p> <p>The primary role of the Strategic</p>	<p>None.</p> <p>None.</p> <p>None.</p> <p>Replace last paragraph under</p>

				<p>Landscape Masterplan is to help facilitate comprehensive and integrated development that meets the policy and guidance aspirations for the site allocation, including targets around mode share.</p> <p>Key to this will be an understanding of the strategic nodal points within the villages and beyond the site allocation boundary that will influence movement.</p> <p>Agree this should be better articulated. See amendment adjacent.</p>	<p>Step 5 (Strategic Landscape Masterplan) as follows;</p> <p><i>When establishing the above, the broad location of strategic infrastructure that will influence movement both within the Gilston Area Villages and beyond the masterplan boundary, such as sustainable transport hubs, village centres, schools, public spaces and access points should also be considered and inform the Strategic Landscape Masterplan.</i></p>
42.	Places for People	Modification	At Step 6 suggest insert “in the landscape areas around and between the villages” (Strategic Landscape Masterplan) and “within the developable area of the relevant village (Village Masterplan)	The requisites for how Character Areas should be defined and established are set out in paragraphs 4.11 and 4.14.	None.
43.	Places for People	Modification	Step 8 (both Strategic Landscape Masterplan and Village Masterplan) refers to determining the logical order for phasing development. Given that the outline planning application will fix infrastructure triggers and sequencing principles, we are keen	Matters associated with the phasing of development/infrastructure secured at the outline application stage is indicative only and could be subject to change for a variety of reasons, such as securing external funding for infrastructure.	<p>Delete Step 8.</p> <p>Amend Step 3 as per below.</p> <p><i><u>Drawing on conversant technical and supporting information, assess considerations and opportunities for development taking account of</u></i></p>

			to understand what additional phasing details are anticipated here.	It will be important at each masterplanning stage to have an up to date picture of when development/ infrastructure is likely to come forward as this will influence placeshaping decisions. For example there may be instances where it is necessary to build in flexibility to accommodate temporary measures (such as access points and roads) until permanent solutions are delivered.  Agree Step 8 is unclear on this point. Amendments suggested adjacent.	<i>the setting of heritage assets, key views, geographical/topographical features, ecological habitats (including trees/hedgerows), utilities infrastructure (retained and future provision), relationship to <u>existing/emerging settlements/development; and any influences arising from the phasing and timing of infrastructure delivery.</u></i>
44.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	Further paragraph should be added under para 5.1 specifically referencing the Concept Framework and emerging Gilston Area Neighbourhood Plan specifying where they would influence the masterplanning process.	Step 1 of Section 5 identifies the need to consider relevant policy and guidance at the first stage of the masterplan process.	None.
45.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	The Charter should require the selection of appropriate designers, with a track record of masterplanning suitable to the countryside and able to work collaboratively with the community. This should be set out in Step 2 in Section 5.	Agree this could be stipulated in the document.	Amend paragraph 5.1 as follows;  <i>It shall be led by <u>an applicant team of professionals with suitable experience of collaborative landscape led masterplanning who will work together with the Council, key stakeholders and the</u></i>



					<i>community.</i>
46.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	Step 4 (Village Masterplans) should be re-phrased to <i>confirmation of village boundaries ensuring that a meaningful separation between distinct built areas and continuous landscape is achieved.</i>	<p>The requirement to consider meaningful separation between the village developable areas, and the green spaces that surround them will be established (within limits of deviation) in the parameter plans approved at the outline planning stage.</p> <p>Step 4 the Charter sets out how this will be addressed in more detail at the masterplanning stage.</p> <p>Each step of the masterplanning process will need to be undertaken in the context of adopted policy and guidance; this will include the Concept Framework and the Neighbourhood Plan (Step 1), both of which make reference for the need for appropriate village buffers.</p>	Proposed amendments to Step 4 are set out under point 40 above.
47.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	Step 5 (Village Masterplans) should also include a requirement to identify views over countryside, landscape enclosed within the village, soft edges, informality etc taking account of policies in the Neighbourhood Plan.	<p>Step 5 lists the requirement to determine the location and extent of key features within the Village masterplan boundary.</p> <p>The key <u>design considerations</u> that should inform the villages (drawing on policy, including the Neighbourhood Plan), are addressed</p>	<p>Amend paragraph 4.13 as follows note amendments in this paragraph also address other points raised through the consultation);</p> <p><i>Each Village Masterplan will establish a spatial strategy for the key components that will comprise</i></p>

			<p>in Section 4.</p> <p>Notwithstanding this paragraph 4.13 has been amended to ensure it picks up more clearly on the matters identified in the Neighbourhood Plan.</p>	<p><i>the village, such as the village centre, access points and key routes, residential development plots, recreation and open spaces, and key supporting infrastructure such as education and health facilities. In establishing this, each masterplan will be required to compliment the Strategic Landscape Masterplan and plan for a village that: has distinct character; integrates sensitively with its surrounding landscape setting taking account of existing ecological and heritage assets; ensures movement is accommodated to prioritise active and sustainable modes of travel and the achievement of the 60% mode share target; delivers sustainable homes and places that commit to tackling climate change; connects successfully into the wider sustainable drainage network and reduces flood risk; will be a place to live that is safe and secure, promotes healthy lifestyles and fosters a strong sense of community. Finally it shall demonstrate how the village can adapt over time to meet the changing needs of the community.</i></p>
--	--	--	--	--

48.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	Step 6 and 7 (Village Masterplans) should clearly state Village Character and also require clarification of phasing, including delivery of infrastructure.	<p>Agree with point RE: insertion of word "Village."</p> <p>The need to consider phasing as part of the masterplanning process is confirmed in Step 3. See officer response to point 43 above.</p>	<p>Amend Step 6 as follows;</p> <p><b>Step 6</b> <i>Identify <u>Village Character</u> Areas.</i></p>
49.	D. Glass	Modification	<p>There are a number of Public Rights of Way (PRoW) that either will be affected by the proximity of the development or will be routed through the development. These PRoWs are used regularly by individuals and walking groups.</p> <p>Section 5.1, Strategic Landscape Masterplan, Step 5 mentions "Establish and determine the location and extent of ....public rights of way..."</p> <p>I cannot see anything about protection of PRoWs.</p>	<p>The Charter looks to support the implementation of policy GA1. This policy notes that development is expected to take account enhancing existing bridleways and footpaths throughout the site and into Harlow. This would include public rights of way.</p> <p>The Charter then goes further (Section 5) to state that the location and extent of public rights of way must be considered at the masterplanning stage. This could be protection, realignment or a combination depending on what best supports good place shaping, connectivity within the site and beyond the site boundaries, and supporting sustainable transport initiatives.</p> <p>Any proposed deviations or removals would also be subject to other approval processes outside of</p>	None.

				the planning processes.	
50	Essex County Council	Modification	<p>Steps in Section 5 should be clearer that sustainable movement is the main priority within the design (place making) process.</p> <p>In addition, Step 5 of the Village Masterplan process does not set out a requirement to show how employment provision and access to this will be addressed. This is necessary in order to meet Garden City principles and to enable internalisation of trips within the overall development as far possible.</p>	<p>Modifications were made to reinforce the need to prioritise sustainable travel when considering place shaping (see officer response to Point 33 above).</p> <p>Employment provision will be added as a bullet point under Step 5.</p>	<p>Amend Step 5 (Village Masterplans) to include additional bullet.</p> <p><i>Step 5 Establish and determine the location and extent of key features; building in flexibility where required. As a minimum this should include;</i></p> <p>....</p> <ul style="list-style-type: none"> <li>· <i>Community buildings such as schools and health care facilities;</i></li> <li>· <i><u>Provision of commercial and retail floorspace;</u></i></li> </ul>
51.	Vision Planning (on behalf of Hunsdon House)	Modification	Step 2 should explain who agrees the brief and set out the process for the community to agree this.	Engagement in the production of masterplans (including Step 2) is set out in Section 7 and 8 of the Charter. See also officer response to point 45 above.	None.
52.	Vision Planning (on behalf of Hunsdon House)	Comment	Step 4 suggests that the masterplan boundary would extend into third party land. If that is the case how will the Council control what happens on that land?	Step 4 has been amended to better describe its purpose, see officer response to point 40 above.	See amendment in response to point 40 above.
53.	Vision Planning	Modification	The starting point for Step 1 of the	Step 1 (and Step 7) does reference	None.

	(on behalf of Hunsdon House)		village masterplans should be consideration of what has been determined in the Strategic Landscape Masterplan.	the need to have regard to the Strategic Landscape Masterplan. See also amendments to Step 4 in response to point 40.	
54.	Vision Planning (on behalf of Hunsdon House)	Modification	Step 5 sets out matters agreed in the Strategic Landscape Masterplan and should focus instead on establishing finer grained elements.	The Strategic Landscape Masterplan will establish the broad location of the elements described under Step 5, having regard to the design considerations set out in Section 4.  Finer grained elements will be established through the associated Design Codes and at the Reserved Matters stage.	None.
55.	Hertfordshire County Council	Modification	Step 5 (Strategic Landscape Masterplan and Village Masterplans) would be improved if it identifies the following additional points. <ul style="list-style-type: none"> <li>· Areas where ecology and biodiversity take precedence</li> <li>· Areas where people can recreate</li> <li>· Movement corridors (especially in relation to the Stort Valley)</li> </ul>	Agree that Step 5 would be improved by suggested changes.	Amend Point 5 as per below;  (Strategic Landscape Masterplan)  Delete first bullet point and replace with: - <i>Defined areas for recreation such as community parks and fields;</i> - <i>Key habitat areas (both natural/semi natural) such as woodland areas, ongoing agricultural uses and green corridors including identification of where public access is allowed and where it is restricted to prioritise, protect and support ecology and biodiversity;</i>

					<i>-Sustainable transport/movement corridors including the broad location of transport hubs, Public Rights of Way, bridleways, cycle paths and footpaths that permeate the green infrastructure; ....</i>
56.	The Countryside Charity Hertfordshire	Modification	Design Codes should be design driven with the aim of quality place making and distinctiveness as well as support local services and tighter knit compact communities. Steps 1 and 2 (Section 5) should refer to the creation of a visual framework or high level design code showing key elements of the new place and how it all connects.	The Strategic Landscape Masterplan will comprise the overarching spatial strategy for the Gilston Area. Paragraph 4.11 sets out the key elements it will comprise and how it will connect the new villages, existing settlements and wider destinations. A Design Code will support this masterplan and will also be produced for each of the villages. The Design Codes will establish the key elements that are considered to contribute to the creation of high quality places from strategic to more focused detailed elements. This will help to deliver villages that are distinct in character but also work collectively as an identifiable new settlement. This is set out in paragraphs 4.15 to 4.20 of the Charter.	None.
	<b>Representation</b>	<b>Comment type</b>	<b>Issue</b>	<b>Officer Response</b>	<b>Proposed modification</b>

Comments on the content of the SPD – Section 6					
57.	Briggens Estate 1 Limited  Places for People	Objection	Disagree with the need for various technical documents to support the masterplan submission as a comprehensive range of environmental and technical information will have already informed the decision-making process at outline stage and the approved parameters of the Outline Planning Permissions.	<p>Point 9 is not stating that technical work needs to be undertaken again at the masterplanning stage.</p> <p>The masterplan submissions should make reference in the appendix (or include in full where helpful for ease of reference) any technical information/assessments that informed/supported the parameters approved at the outline planning stage or have been approved subsequently through the discharge of conditions.</p> <p>It may also be necessary for new and further supplementary or updated technical work to be undertaken to support a masterplan, particularly given the duration of the project and likely changes to relevant policy and guidance. This will become evident once the masterplanning work has started and should not be precluded.</p>	<p>Amend point 9 in Section 6 as follows;</p> <p><i>9. Appendix, this should comprise any supporting documents or technical studies used to inform and/or support the masterplan process covering matters such as heritage, ecology and floodrisk for example.</i></p> <p><i>This may draw on existing technical information such as that used to support the site allocation and outline applications, or approved through the discharge of conditions; and/or new technical information where updated or supplementary information is required given the duration of the project and likely changes to relevant Policy/guidance.</i></p>
58.	Hertfordshire Gardens Trust	Modification	Masterplans (Point 9) should include as an Appendix, a Heritage Impact Assessment including the impact on heritage assets outside of the boundary which could be affected.	See officer response to point 57.	See amendments in response to point 57.

59	Historic England	Modification	Support paragraph 9 which lists the technical evidence expected to accompany and inform the contents of a Masterplan, including heritage assessments and archaeological surveys, but request that reference is made here back to the Gilston Area Heritage Impact Assessment (October 2017) (HIA) that was prepared in support of the Gilston Area GA1 allocation. Policy GA1 outlines the requirement that the HIA will inform the design and layout of the site, so it is very important that the SPD makes it clear to developers that they will be expected to respond to the issues and recommendations set out in this report when preparing their Masterplans and design codes.	See officer response to point 57.	See amendments in response to point 57.
60.	Essex County Council	Modification	This section does not include a requirement for addressing health and wellbeing considerations, which is best done as early as possible in the development process. This may be addressed by a proportionate Health Impact Assessment (HIA) at the masterplanning stage. This would be important at this early design	Impacts on human health are considered at the outline stage as part of the Environmental Statement.  Paragraph 9 in Section 6 enables further/supplementary technical information to be provided to inform and support the masterplanning stage where required. This could	See amendments as set out under point 47.



	Hertfordshire County Council		<p>stage to ensure that this informs subsequent planning applications.</p> <p>Hertfordshire County Council (HCC) has produced a range of guidance to support health in planning, which the SPD could usefully signpost as a guide to good practice. Recommends adding to Section 6, paragraph 9, to include health and wellbeing impact assessments, including application of active design principles (as mentioned previously) as part of the technical and other associated documents to be submitted.</p>	<p>include a proportionate Health Impact Assessment. Drawing on best practice and consideration of measurable outcomes is also covered in Section 9 of the Charter.</p> <p>Paragraph 4.13 has also been amended to make specific reference to consideration of healthy lifestyles as part of the village masterplan design process.</p>	
61.	Vision Planning (on behalf of Hunsdon House)	Query	<p>Paragraph 6.1 refers to a Statement of Engagement. Does this exist yet and how does it relate to Policy GA1 and the Concept Framework?</p>	<p>A Statement of Engagement is required as part of the masterplan submission to confirm the engagement that was undertaken when producing the masterplan.</p> <p>It will need to confirm that engagement was undertaken in accordance with the Gilston Area Community Strategy as required by Policy GA1 (to be produced and published alongside the Charter). This is clarified further in Sections 7 and 8 of the Charter.</p>	None.

	<p>Vision Planning (on behalf of Hunsdon House)</p>	<p>Comment</p>	<p>The Eastwick and Gilston Neighbourhood Plan Group should be included in the PPA and the Core Project Group.</p>	<p>A working group of community representatives will be established to inform the production of masterplans (see para 7.8); this could include representatives from the Eastwick and Gilston Neighbourhood Plan Group.</p> <p>Furthermore, the working group will need to be established in accordance with the Gilston Area Community Strategy, this sets out a requirement for any engagement plans to be agreed by the Gilston Area Steering group. This group already exists and comprises representatives from the community including the Neighbourhood Plan Group.</p>	<p>None.</p>
<p>63.</p>	<p>Hertfordshire County Council</p>	<p>Modification</p>	<p>Section 6 (paragraph 9) would be improved by the addition of the words;  <ul style="list-style-type: none"> <li>- Transport Assessment with particular emphasis on how the approach to the development will promote delivery of an LTP4 hierarchy of movement and encourage attainment of the sustainable mode share which HGGT expects and targets.</li> <li>- Travel Plan including residential, commercial and for education</li> <li>- Heritage Assessment including</li> </ul> </p>	<p>Paragraph 9 of Section 6 sets out what technical and supporting information should be considered when producing the masterplans.</p> <p>This has been updated (see officer response to Point 57 above) and paragraph 4.9 will also be amended to explain this requirement in more detail.</p> <p>It should be noted that Travel Plan and archaeological survey details will be required through conditions</p>	<p>Amend paragraph 4.9 to include;</p> <p><i>....The current relevant policy and guidance documents are summarised in Appendix 1. <u>They will also be supported and informed by up to date technical work such as topographical and habitat surveys, and transport, heritage and flood risk assessments. This could include existing technical information used to support the outline planning applications, but also new and</u></i></p>

			archaeological survey which should include further evaluation of the site via geophysical survey and trial trenching should be carried out prior to, and should inform, the finalisation of detailed Village Masterplans.	secured at the outline stage.	<i>supplementary information where required, given the duration of the project and likely changes to policy/guidance.</i>
	<b>Representation</b>	<b>Comment type</b>	<b>Issue</b>	<b>Officer Response</b>	<b>Proposed modification</b>
Comments on the content of the SPD – Section 7					
64.	Briggens Estate 1 Limited  Places for People	Modification	<p>Do not agree that a PPA is necessarily the most appropriate tool for collaborative working on the Gilston Area Masterplans.</p> <p>The focus of the section would more usefully then be on the outcome being sought rather than the mechanism.</p> <p>Referring to project governance rather than simply a PPA might also allow mention of the Steering Group to be included in this</p>	<p>Planning performance Agreements (PPAs) are currently the only method of jointly project managing planning submissions to an agreed programme with the necessary resources provided to support it, which is recognised in government guidance. Imbedding the requirement for a PPA is seen as essential in enabling effective and meaningful masterplanning that is truly collaborative and which also provides the appropriate level of resources and expertise support their timely production.</p> <p>The role of Gilston Area Steering Group is identified in the Gilston Area Community Engagement Strategy and the Charter requires</p>	None.

			section.	<p>engagement of masterplans to be undertaken in accordance with this document. The Steering Group is identified in the strategy as playing a key role in planning matters, including the production of masterplans.</p> <p>It is important not to reference particular groups in the SPD as these may cease to exist over time. The Gilston Area Engagement Strategy (unlike the SPD) is a live document that can evolve and adapt overtime to changing circumstances and therefore it is preferable to reference adherence with this document rather than a particular group mentioned within it.</p>	
65.	Places for People	Modification	Clarity required on the role and function of the Core Project Group	<p>The Core Project Group is intended to comprise key representatives from the signatory parties to the Planning Performance Agreement. They are the individuals that will collectively lead on project managing the Masterplan process.</p> <p>Agree this should be made clearer through re-naming the group to "PPA Project Lead Group" and amendments to the supporting text.</p>	<p>Delete paragraph 7.5 and replace with:</p> <p><i>A PPA Project Lead Group will be established comprising key representative(s) from of each of the parties that are signatory to the PPA. The group will lead on project managing the masterplanning process and any associated decision making.</i></p>

66.	Places for People	Modification	<p>The draft states that the application to discharge the planning condition will be taken to East Herts Full Council – presumably this should be East Herts Planning Committee.</p>	<p>The decision to discharge the condition/approve the masterplan could be taken by the Council's Planning Committee. However, East Herts has published guidance on the approval process for Masterplans which was endorsed by full Council in 2017 and has already informed the approval process for a number of recent Masterplans produced in the district.</p> <p>It is acknowledged that the process will be slightly different for the Gilston Area masterplans as they will be submitted as a Discharge of Condition application; however it's important that the Council is consistent in its approach to decision making.</p> <p>Like the other masterplans produced in the district, it is also important the Gilston Area masterplans are endorsed by full Council so they have status as a document with material weight in decision making.</p>	None.
67. Page 69	7. Briggens Estate 1 Limited	Object	Do not agree that a multi-stage approach to engaging with the Garden Town Quality Review Panel during the masterplanning process is necessary given their prior	The masterplans will add a further layer of detail to the evolving plans for the Gilston Area and will include Design Codes. The focus of any critical review at this stage will be	Amend paragraph 7.9 as follows;  <i>Each Masterplan and respective Design Code shall be reviewed by the Harlow and Gilston Town</i>

			<p>involvement throughout the design evolution of the Gilston Area, including approval of the Parameter Plans that will inform the masterplans that follow.</p>	<p>different to the outline stage.</p> <p>Review of Masterplans and their associated Design Codes by the Quality Review Panel is considered to be an important step to enable confidence in their robustness and the avoidance of design compromises at the detailed application stage.</p> <p>The decision about how to most effectively engage with the QRP and how often will be taken by the Core Project Group (or "PPA Project Lead Group", as per response to point 65). However, it is considered that as a minimum there should be engagement as currently set out in the Charter.</p>	<p><i>Quality Review Panel (QRP) at various stages of their production, <del>including at the options testing phase and during the drafting phase (pre-submission) as agreed by the Core Project Group as agreed necessary by the PPA Project Lead Group. As a minimum this will include a QRP review at the options testing/drafting phase pre-submission.</del></i></p>
68.	Briggens Estate 1 Limited	Modification	<p>As a discharge of condition submission, it is questionable whether it is appropriate procedurally for the masterplans to obtain full Council approval when the outline applications do not. Suggest amendments to address this.</p>	<p>The Masterplans will be processed as a discharge of condition application and once approved will provide a framework for the detailed reserved matters applications that follow.</p> <p>By taking the masterplans to EDHC full Council for determination, they will also have the added status of having material weight in planning decision making. This is important as</p>	None.

				<p>it means they can inform the assessment of any standalone planning applications that might materialise.</p> <p>This process is also consistent with how all Masterplans are considered and determined at East Herts Council, as endorsed by full Council in 2019 (see officer response to Point 66).</p>	
69.	Places for People	Modification	<p>The Garden Town Quality Review Panel requirements are too prescriptive. We are keen that at the masterplanning stage we use the QRP in a different way. Whilst we may have 1 or 2 formal reviews before a masterplan is submitted, we'd like the opportunity to engage with key QRP representatives on a more frequent and informal basis to assist and shape thinking.</p>	<p>Section 7 paragraph 7.9 sets out the role of the Garden Town Quality Review Panel. This section states that masterplans shall be reviewed by the QRP. Review could mean all manner of things, i.e. not necessarily a formal full review but something less formal/rigorous such as Chairs Review.</p> <p>The drafting doesn't preclude discussion on how to best to engage with the QRP and use it most effectively to inform the masterplanning process.</p>	None.
70. Page 71	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	<p>Financial support should be provided to enable the community to properly review and respond to masterplan material.</p>	<p>Engagement will be a necessary part of the masterplanning process and will need to align with the principles set out in the Gilston Area Community Engagement Strategy</p>	None.

				(GACES).  The GACES will set out how applicants should support community representatives so they can effectively inform the masterplanning process.	
71.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	In reference to Paragraph 7.8, the community through the Parish Council's should be should establish the terms of reference for the working group including selection of its members. Further articulation of this and on how the community group will engage with PPA lead group should be set out in the Charter.	The Gilston Area Community Engagement Strategy will require that any engagement plans related to planning applications, including the production of Masterplans, are informed and agreed first by the Gilston Area Steering Group. This group comprises representatives from the community and local councillors.  This is considered to be the appropriate method for establishing how and who from the community should be engaged and involved in the process.  It's also important that the Charter isn't overly prescriptive in regards to how engagement should be undertaken given the duration of the development; see officer response to Point 75 below.	None.
72.	Harlow District	Modification	Suggests that paragraph 7.2 be	Agree. See adjacent amendment to	Amend paragraph 7.2 as follows:



	Council		amended to make reference to HGGT partners as opposed to individual bodies. The change would add clarity and context; it would highlight the existing cross-border partnerships which seek to deliver effective, robust and integrated land-use planning and delivery across the Harlow and Gilston Garden Town as a whole.	paragraph 7.2	<i>A Planning Performance Agreement (PPA) will be prepared and agreed between the applicant and East Herts together with other relevant bodies such as <u>HGGT partners</u>, Harlow Council, Hertfordshire County Council and Essex County Council before work of any significant extent on the Masterplan is undertaken.</i>
73.	Hertfordshire County Council	Support	Section 7 relating to the use of Planning Performance Agreements associated with both the production of Masterplans is fully endorsed. This approach will enable HCC and other public authority partners to recover reasonable costs associated with engagement in the Masterplan process which will be necessary to achieve the comprehensive development, and quality outcomes, anticipated by Policy GA1.	Noted.	None.
	<b>Representation</b>	<b>Support or Object</b>	<b>Summary of Issue</b>	<b>Officer Response</b>	<b>Proposed modification</b>
Comments on the content of the SPD – Section 8					
74	Places for People	Modification	The role and status of the Engagement Plan is not clear.	Agree that further clarification should be incorporated.	Amend last sentence in paragraph 8.1 as follows;

					<i>This will establish who will be involved in the production process, how and when, and will inform the Statement of Engagement included within the formal masterplan submission as set out in Section 6.</i>
75.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	The Charter makes ref in Section 8 to engagement being undertaken in accordance with the Gilston Area Engagement Strategy which is still in draft. In the interests of clarity the Charter should set out how the community should be engaged in the preparation of masterplans; suggestions are provided.	<p>It's important that the Charter is not overly prescriptive in regards to how engagement should be undertaken in relation to the Masterplans. Their production is likely to take place over several years and how to most appropriately engage will change overtime as the new community grows and existing groups evolve and change.</p> <p>The Gilston Area Community Engagement Strategy is live working document that will able to adapt over time to take account of those changes. The first version will be ready for publication by the time the Charter is adopted.</p> <p>The content of the strategy will be informed by the Gilston Area Steering Group (members include representatives from the Gilston Area Neighbourhood Plan Group) to ensure it includes the most effective</p>	None.

				and up-to-date methods for engaging the local community.	
76.	Canal and Rivers Trust	Support	Welcome the proposal that an Engagement Plan will be prepared for each Masterplan, suggest that the Canal & River Trust should be seen as an important consultee for the Strategic Landscape Masterplan and any plans that involve crossings of the River Stort Navigation.	Noted. The Canal and Rivers Trust would be included as one of the "other bodies" engaged in the process of producing the Strategic Landscape Masterplan.	None.
77.	Hertfordshire County Council	Modification	Step 8 would be improved if the words "in the opinion of the LPA in consultation with other stakeholders and the developers" were to be introduced.	Step 8 has been removed (see comment 43 above).	None.
	<b>Representation</b>	<b>Support or Object</b>	<b>Summary of issue</b>	<b>Officer Response</b>	<b>Proposed modification</b>
Comments on the content of the SPD - Section 9					
78.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Support	Support the commitment to high quality design solutions and the intention to keep the public informed. The monitoring framework will also assist in monitoring the Neighbourhood Plan.	Noted.	None.
	<b>Representation</b>	<b>Support or Object</b>	<b>Summary of issue</b>	<b>Officer Response</b>	<b>Proposed modification</b>

Comments on the content of the SPD - Appendix					
76	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Modification	The structure, headline policies and ambitions of the latest draft of the Gilston Area Neighbourhood Plan should be referenced and clarified in the appendix and the document should be referenced higher in the table to reflect its emerging Development Plan policy status.	Agree. Appendix needs to be updated to reflect the current status of the Gilston Area Neighbourhood Plan.	Update the summary paragraph and move reference to the Neighbourhood Plan higher in the table.
80.	Hunsdon, Eastwick and Gilston Neighbourhood Plan Group	Object	The case study examples of design documents in Appendix 2 are not relevant to the Gilston Area and should make ref to South Cambridgeshire Village Design Guide.	<p>The Charter is a guidance/process document. The purpose of the case study workshop was to review a wide variety of design codes/design documents, looking at the approach and format they took, the level of detail included and their effectiveness as a tool for professionals to use and the public to understand.</p> <p>Its good practice to review a wide variety of examples, and all those chosen had learning points that could be applied to the Gilston Area context.</p> <p>The South Cambridgeshire Village Design Guide was not reviewed as part of the workshop and so cannot be included. The case studies did however review the Cambridgeshire</p>	None.

				guidance note on the preparation of Design Codes and the Wing Masterplan (Cambridge).	
81.	Vision Planning (on behalf of Hunsdon House)	Modification	The Concept Framework entry should make reference to the fact it is referred to in Policy GA1.	Agree.	Amend Status column as follows:  <i>Produced and approved as a material consideration in July 2018 and referenced in Policy GA1 of the <u>East Herts District Plan.</u></i>
82.	Hertfordshire County Council	Modification	Appendix 10 would be improved if it can also cross referenced the relevance of; Local Transport Plan 4 – Hertfordshire’s Local Transport Plan, 2018 – 2031 (adopted May 2018).	Agree.	Add Hertfordshire’s Local Transport Plan, 2018 – 2031 to appendix table with specific reference to Local Transport Plan 4.
	<b>Representation</b>	<b>Support or Object</b>	<b>Summary of issue</b>	<b>Officer Response</b>	<b>Proposed modification</b>
Comments on the content of the SPD – General comments or comments that relate to more than one section of the draft SPD					
83.	Briggens Estate 1 Limited	Object	The masterplanning process should not revisit those key matters of principle and development parameters that have been established through the Outline Planning Application process and it is important that the Charter acknowledges this. A number of statements contained within the	The masterplans will establish a further layer of detail to the evolving plans for the Gilston Area.  The LPA agrees that each masterplan produced must align with the parameters established at the outline stage. This is set out in paragraph 4.7, Step 1 of the masterplanning process in Section 5,	Amend paragraph 4.7 as follows:  <i>Each Gilston Area Masterplan will be supported by a Design Code and together they will provide an added layer of detail to the evolving plans for the <del>Gilston</del> area, building on the parameters and commitments secured at the outline <u>planning application stage and the work</u></i>

			<p>draft should therefore be deleted to ensure there is no unnecessary confusion over the role of the masterplanning stages. This includes paragraph 3.3; Step 3, Step 4 and Step 8 in relation to the Strategic Landscape Masterplan (as listed under paragraph 5.1); Step 8 in relation to Village Masterplans (as listed under paragraph 5.1) as shown below. In addition, parts of paragraph 4.11 and 4.13 as shown within the following section of these representations should also be deleted.</p>	<p>and confirmed in Figure 6.</p> <p>On this basis the LPA does not agree that the amendments and deletions to the paragraphs suggested are required, or that reference to this requirement needs to be repeated further throughout the document.</p> <p>However paragraph 4.7 will be amended to further emphasise this point this, taking account also of comments made further in the response letter in relation to this paragraph.</p>	<p><i>already undertaken in the Gilston Area Concept Framework <u>which underpins these applications</u>. The requirement for their production will be secured by this Charter and a planning condition secured at the outline <u>planning</u> application stage in accordance with District Plan Policy DES1.</i></p>
84.	Briggens Estate 1 Limited	Modification	<p>Throughout the document, there needs to be a consistent use of terminology around the two types of masterplans that are to be produced and the respective processes to ensure there is clarity. Therefore recommend that the word "Village" is inserted before the word "Masterplan" where referring to the plan that is to be prepared in relation to each of the seven villages, as set out below. In turn, "Strategic Landscape" should be inserted before the word "Masterplan" where referring to</p>	<p>Much of the guidance in the draft Charter relates to all masterplans required for the Gilston Area, whether they are "Village" masterplans or the "Strategic Landscape" masterplan. The term "Masterplan" when used on its own is used generically for points related to both. When points relate only to a specific type of masterplan, the type of masterplan is clarified.</p> <p>It is recognised that the distinction between the two types of masterplan needs to be clarified more clearly in paragraph 4.6 as</p>	<p>Amend paragraph 4.6 as follows;</p> <p><i>As set out earlier in this document, <u>Village Masterplans</u> will be required for each of the Gilston Area villages, together with an overarching <u>Strategic Landscape Masterplan</u> that will address the <u>appropriate strategic elements of the development and the important network of green spaces that will play a key role in knitting the development together and integrating it into the wider context.</u></i></p>

			the masterplan that is to be prepared across the Gilston Area (Villages 1-7) to guide the green infrastructure that will be brought forward as part of the respective proposals.	suggested.	
85.	Places for People	Modification	The Charter would benefit from identifying via a plan the anticipated boundaries of each masterplan.	Step 4 of the Strategic Landscape Masterplan (as amended to address point 40 above) will establish the extent of the masterplan having regard to how it will interface with and respond to the Gilson Area Villages. This will need to factor in what has been secured and fixed through the parameter plans approved at the outline planning stage. Clarity over boundaries will therefore be established through the production of the Strategic Landscape Masterplan.	None.
86.	Places for People	Modification	The word 'Strategic' should be deleted from the Landscape Masterplan title. We agree that the reference to Landscape should be included in the title, but given that the intention is for the Landscape Masterplan to cover the whole of the Gilston Area, the word 'Strategic' is not needed. Changes are suggested to the	The word <i>Strategic</i> needs to remain. The Landscape Masterplan will be a strategic masterplan in that it covers the entire site allocation and considers its connections beyond the site boundary. Furthermore, effective masterplanning of the landscaping cannot be undertaken without having a broad understanding of movement across	None.

			wording of paragraphs within Section 4.	<p>the site and the drivers for movement – i.e. where key nodal/ destination points are and where key routes will be within and beyond the site boundary. These elements do not have to be determined at the Landscape Masterplan Stage (agree this is most appropriately established at the VMP stage) but they should be identified in the Strategic Landscape Masterplan, even if only in broad terms.</p> <p>Finally as the Strategic Landscape Masterplan will influence the content of the Village Masterplans, the word <i>Strategic</i> also emphasises its importance and hierarchy in the masterplaning of the Gilston Area.</p>	
87.	Places for People	Object	Reference is made to role of the masterplans being a material consideration, which in our view is not technically correct. The approved masterplan sets the framework for detailed Reserved Matters applications - RMAs must accord with the masterplan - and 'material consideration' suggests divergence is possible which it is not.	<p>The Masterplans will be processed as a discharge of condition application and once approved will provide a framework for the detailed Reserved Matters applications that follow.</p> <p>By taking the masterplans to EDHC full Council for determination, they will also have the added status of having material weight in planning decision making. This is important as it means they can inform the</p>	None.



				assessment of any standalone applications that might materialise.	
88.	Places for People	Modification	The Charter should be clear that the masterplans will be prepared by developers (this is shown in the process diagram but could usefully be pulled into the text too).	The requirement for the preparation of masterplans to be developer led is stipulated in para 5.1 and in figure 6.	None
89.	Hertfordshire Gardens Trust	Object	Disappointed not to have been engaged as part of developing a draft.	<p>Engagement on the draft Charter SPD, both formal and informal has been undertaken in accordance with the Council's Statement of Community Involvement and the Town and Country Planning (Local Planning) (England) Regulations 2012.</p> <p>This formal consultation provides the opportunity for the Hertfordshire Garden Trust to comment and inform the document.</p>	None.
90.	Hertfordshire Gardens Trust	Object	No consideration has been given in the Charter to the impact of development on heritage assets such as listed buildings and parks on the periphery of the development as required by National Planning Policy Framework.	The role of the Charter is to support the implementation of District Plan Policy GA1 (The Gilston Area) and DES1 (Masterplanning); not to produce new policy. Both these policies make reference to the importance of considering the impacts of development on heritage assets, this will include at the Masterplanning stage.	None.

				The need to consider heritage impacts is also referenced in the process steps that should be taken in the production of masterplans (see Step 3 in Section 5).	
91.	Hertfordshire Gardens Trust	Object	Impact of new population on trains via Roydon Station has not been addressed.	Any mitigation required to alleviate impacts on the existing public transport system will be considered and secured at the outline planning application stage.	None.
92.	Hertfordshire Gardens Trust	Comment	Key to sustainable transport is the phasing of the development. The roads/cycleways and schools and other infrastructure needs to be put in place before the first residents move in.	Matters of phasing and when infrastructure should come forward to support development will be considered and secured at the outline planning application stage.  It will also be considered as part of place shaping when the masterplans are produced, as set out in Section 5 (Step 3).	None.
93.	Hertfordshire Gardens Trust	Modification	Consideration of Garden City Principles should be included in the various Masterplans.	The need for masterplans to acknowledge the Garden City Principles is confirmed in the Charter (See Sections 1 and 2). This is also a requirement of Local Plan Policy GA1 which all masterplans will need to accord with.	None.

94.	Hertfordshire Constabulary	Modification	Consideration of Secure by Design should be included in the Charter suggestions are made for where this could be incorporated. Also that the Hertfordshire Constabulary should be consulted as part of the stakeholder engagement.	Agree. Suggest that this is most appropriately incorporated into paragraph 4.13 which sets out the role of the Village masterplans.  Engagement point agreed and noted.	See amendments as set out under point 47.
95.	Historic England	Comment	Guidance contained within this document establishes a clear and consistent approach to the production of Masterplans and Design Codes in the Gilston Area. Particularly pleased to see numerous references to the historic environment within the SPD, including acknowledgement of the important role that the historic environment plays in place-making (for example paragraph 4.14). The importance of distinctive placemaking is emphasised in both Government and Historic England guidance. We reiterate our advice that development should draw on local vernacular/building materials and village forms, allowing a development to have a clear and distinctive character.	Comments noted.	None.
96.	Essex County Council	Modification	Recommends inclusion of the Sport England and Public Health	Section 9 of the Charter sets out the requirement for high quality	Replace paragraph 9.2 as follows;

			<p>England Active Design principles (ADP's) within the masterplans. The application of the ADP's could helpfully support the active travel, movement and modal shift ambitions raised within the SPD. The Active Design principles checklist should form part of the design compliance checklist. To support this, ECC wishes to see health frameworks/strategies developed as part of strategic developments within HGGT and included as part of master-planning, with their application demonstrated via health impact assessments as scoped by key stakeholders and then considered as part of masterplan compliance (section 7 of SPD refers).</p>	<p>outcomes and makes reference to how this will be achieved. This includes the need for applicants to demonstrate how the masterplans have responded to HGGT guidance (including Design Quality questions) and emerging guidance.</p> <p>The above guidance sets high expectations in regards to the encouragement and take up of sustainable movement and travel and the creation of healthy places. This objective is also picked up throughout the document (e.g. paragraph 4.13).</p> <p>In response to ECC, the Charter will also make reference to best practice to enable consideration of guidance such as Active Design Principles.</p>	<p><i>The masterplans should also consider and respond to any guidance or checklists established by East Herts or jointly by the Garden Town Authorities, as well as other best practice that looks to embed high quality sustainable solutions through the planning process and build in consideration of measurable outcomes.</i></p>
97.	Natural England	Comment	<p>Does not wish to provide specific comments but advises consideration of the following issues:</p> <ul style="list-style-type: none"> <li>- Make provision for green infrastructure within the development</li> <li>- Opportunities for biodiversity enhancement</li> <li>- Opportunities for Landscape enhancement</li> </ul>	<p>These points are picked up in Sections 4 and 5 of the Charter.</p> <p>Natural England was consulted separately on the Gilston Area SPD Draft Strategic Environmental Assessment Screening Opinion which concluded that an assessment would not be required.</p> <p>They concluded that the SPD poses a</p>	None.

			<p>- NPPF guidance such as para 180 which looks at impacts of lighting on natural environment</p> <p>- Ensure that consideration has been given to whether a Strategic Environmental Assessment/Habitats Regulations Assessment is necessary.</p>	<p>low risk in terms of impact on the natural environment.</p>	
98.	Vision Planning (on behalf of Hunsdon House)	Modification	<p>Too much detail is being approved at the outline application stage which would prejudice meaningful masterplanning.</p> <p>The Strategic Landscape Masterplan should be submitted for approval before any outline applications are submitted to ensure that development of the area suitably responds to existing features within and outside of the site such as landscape and heritage assets, and that the Gilston Area is developed comprehensively (particularly now that two separate outline applications have been submitted for the area).</p> <p>(These points are made in response to various sections in the Charter).</p>	<p>The role of the Charter is to assist the implementation of policies GA1 (the Gilston Area) and DES1 (Masterplanning). Neither of these policies precludes outline applications being submitted before the production and approval of masterplans.</p> <p>Two outline applications have been submitted to EHC. The Local Planning Authority has a statutory obligation to determine the applications or there is a real risk of the applicants appealing on the grounds of non- determination; this could compromise the quality and appropriateness of what is approved if an appeal was successful.</p> <p>The level of detail approved at the outline stage will need to accord with existing policy and guidance and build in the flexibility to allow for</p>	None.

				<p>meaningful masterplanning to be undertaken at the next stage (note neither of the current applications have been approved yet).</p> <p>The Charter provides an opportunity to supplement Policy DES1 to ensure it enables meaningful masterplanning that is nuanced to the Gilston Area. This includes a two tiered approach to masterplanning, whereby an overarching Strategic Landscape Masterplan must be approved first, followed by individual village masterplans. This not only ensures that the site can be considered comprehensively with a strong emphasis on landscape setting, but also that each village will have its own distinct character surrounded by suitable buffers as set out in the Concept Framework.</p>	
99.	Vision Planning (on behalf of Hunsdon House)	Modification	Rather than a discharge of condition application, it would be more appropriate for the masterplans to be produced as SPDs or DPD in consultation with the community.	The masterplans for the Gilston Area will add a further layer of detail to the evolving plans for the Gilston Area. Although they will not be SPDs or DPDs, they will go through an approval process (see Section 7) that gives them material weight in all decision making for any detailed applications that follow.	None.

100.	Vision Planning (on behalf of Hunsdon House)	Modification	The Charter provides an opportunity to place more emphasis on the Concept Framework and avoid the role of this document being diluted (reference is made to various paragraphs where this could be emphasised).	Section 2 of the Charter (and Figure 4) is very clear about the policy and guidance that is relevant to the guidance in the SPD and the later stages of the planning process. This includes the role of the Concept Framework.  This is also reconfirmed at various points throughout the document.	None.
101.	Vision Planning (on behalf of Hunsdon House)	Modification	The Charter SPD should emphasise the importance of engaging with stakeholders and the community at every stage of the Gilston development (reference is made to various paragraphs where this could be emphasised).	The need for engagement to be undertaken as part of the masterplanning process is covered in Sections 7 and 8 of the Charter and referenced elsewhere in the document.  It will also be set out more fully in the Gilston Area Community Engagement Strategy, a separate document that will be published alongside the Charter SPD.	None.
102.	The Countryside Charity Hertfordshire	Comment	Density needs to be applied skilfully to support place making and the role of sustainable transport. This helps limit loss and encroachment of open countryside.	Noted.	None.
103.	The Countryside Charity	Comment	Sustainability Statement: It is recommended that the Statement	Paragraph 9.2 requires the masterplans to consider and	None.

	Hertfordshire		be carried out in accordance with the 17 UN Sustainable Development Goals and tested against objectives that align with a declared Climate Emergency and a path to Zero Carbon emissions.	respond to relevant best practice /guidance and measurable sustainability outcomes.	
104.	The Countryside Charity Hertfordshire	Comment	Concerned about adequacy of the mechanisms in place to achieve land value capture for communities in accordance with Garden City principles.	Matters associated with land value capture are considered and negotiated at the outline application stage and secured as part of the associated s106 legal agreement. This is not a matter for the masterplanning stage.	None.
105.	A. Rowe	Objection	The Gilston Area Charter Supplementary Planning Document (SPD) should be subject to a Strategic Environmental Assessment (SEA) in accordance with the European Union Directive 2001/42/EC (SEA Directive) and the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).	Under the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004, the Council was required to consult the Natural England, Historic England and the Environment Agency to seek their opinion as to whether the Charter will have significant environmental effects and as such requires a Strategic Environmental Assessment to be undertaken.  All statutory bodies agreed with the conclusions of the screening process that a Strategic Environmental Assessment was not required. The Strategic Environmental Assessment	None.



				Screening Statement can be viewed on the Council's website as one of the supporting documents to the Charter.	
--	--	--	--	---	--

## Appendix A: Consultees

The following organisations were directly notified of the draft Gilston Area Charter SPD in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). It should be noted that individuals on the planning policy consultation database were also consulted, but are not listed.

Affinity Water	Hertfordshire Building Preservation Trust
Anglian Water	Hertfordshire Chamber of Commerce & Industry
Bat Conservation Trust	Hertfordshire Community Health Services
Beds and Herts Local Medical Committee	Hertfordshire Local Neighbour Partnership
British Horse Society	Hertfordshire Police Authority
British Telecommunications plc	Herts & North Middlesex Area of the Ramblers
British Waterways	Herts Sports Partnership
Broxbourne Borough Council	Hertfordshire Gardens Trust
Briggens Estate 1 Limited (Landowner)	High Wych Parish Council
Building Research Establishment	Highways England
CABE	Historic England
Canal & River Trust	Home Farm Trust Herts & Essex
Carers in Hertfordshire	Homes and Communities Agency
CDA for Herts	Homes England
Civil Aviation Authority	Hunsdon Parish Council
Clinical Commissioning Group	Hutchinson 3G UK Limited
Community Safety & Crime Reduction Department, Herts Constabulary	Labour Party
Communication Operators	Mobile Operators Association
Countryside Management Service	National Express East Anglia
East of England Ambulance Service NHS Trust	National Grid
Eastwick and Gilston Parish Council	National Farmers Union
EDF Energy Networks	National Federation of Gypsy Liaison Groups
Environment Agency	Natural England
Epping forest District Council	Network Rail
Essex County Council	NHS East and North Hertfordshire CCG

Fields In Trust	NHS West Essex
Freight Transport Association	North East Herts Labour Party
Friends, Families and Travellers and Traveller Law Reform Project	Office of Rail Regulation
Garden History Society	North Hertfordshire District Council
Garden Town Developer Forum	Openreach Newsites
Gilston Area Steering Group	Orange Personal Communications Services
Gilston Area Charter Working Group	Places for People (Landowner)
Gilston Neighbourhood Plan Steering Group	Police and Crime Commissioner
Greater Anglia	The Princess Alexandra Hospital NHS Trust
Harlow and Gilston Garden Town Board	The Traveller Law Reform Project
Harlow District Council	Roydon Parish Council
Hertford Disability Support Group	RSPB
Hertford Heath Primary School	Sport England
Hertfordshire Action on Disability	Stanstead Airport
Hertfordshire Association of Parish and Town Councils	Stevenage Borough Council
Hertfordshire Constabulary	STOP Harlow North
Hertfordshire County Council	Thames Water
Hertfordshire Local Enterprise Partnership	Uttlesford District Council
Hertingfordbury Conservation Society	Veolia Water
Herts & Middlesex Badger Group	
Herts & Middlesex Wildlife Trust	



# **Gilston Area Charter Supplementary Planning Document**

## **Strategic Environmental Assessment Screening Statement**

### **1. The Purpose of this Statement**

- 1.1 This screening statement has been prepared to determine whether the proposed Gilston Area Charter Supplementary Planning Document (SPD) should be subject to a Strategic Environmental Assessment (SEA) in accordance with the European Union Directive 2001/42/EC (SEA Directive) and the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).
- 1.2 The purpose of the Gilston Area Charter SPD is to aid the implementation of the Gilston Area site allocation, Policy (GA1), and the Masterplanning Policy (DES1) in the East Herts District Plan, adopted October 2018.
- 1.3 Policy DES1: Masterplanning requires all 'significant' development proposals to prepare a masterplan. Policy GA1 allocates land for the development of 10,000 houses and associated infrastructure across several distinct villages based on Garden City Principles.
- 1.4 The Gilston Area Charter SPD provides additional guidance on the process to be followed when producing masterplans in the Gilston Area which will be required for each of the villages as well as the overarching green infrastructure that will knit the area together and integrate it into the wider context. The aim is to ensure the scope and content of the masterplans are consistent and that a comprehensive approach to bringing forward development is taken. It also aims to ensure that masterplans are developed collaboratively with the Council, key stakeholders and the community.
- 1.5 The SPD will be a material consideration in the determination of planning applications in the Gilston Area and will inform Development Management decisions.

### **2. Strategic Environmental Assessment – Regulatory Requirements**

- 2.1 The basis for Strategic Environmental Assessment legislation is European Directive 2001/42/EC. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations). Detailed guidance of

these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM, 2005) and Paragraph 11-008 of the Planning Practice Guidance (PPG), which states that "supplementary planning documents do not require sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already been assessed during the preparation of the local plan.

- 2.2 Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations (2004), certain types of plans that set the framework for the consent of future development projects, must be subject to an environmental assessment.
- 2.3 The objective of Strategic Environmental Assessment is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development.
- 2.4 The 2001 Directive has been updated a number of times, with the most recent Directive issued in April 2014. While Article numbers cited in the 2005 guidance have been updated/removed, the principle of determining whether a Plan or Programme will have likely significant effects on the environment remain the same. Therefore, this screening statement uses the only Government guidance available.

### **3. The Strategic Environmental Appraisal Process**

- 3.1 The first stage of the process is for the Council to determine whether or not the SPD is likely to have significant effects on the environment. This screening process includes assessing the SPD against a set of criteria (as set out in Schedule 1 of the SEA Regulations). The results of this are set out in Appendix 1 of this statement. The aim of this statement is therefore to provide sufficient information to demonstrate whether the SPD is likely to have significant environmental effects.
- 3.2 The Council also has to consult the Environment Agency, Historic England and Natural England on this screening statement. A final determination cannot be made until the three statutory consultation bodies have been consulted.
- 3.3 Where the Council determines that a SEA is not required, Regulation 9(3) of the SEA Regulations states that the Council must prepare a statement setting out the reasons for this determination. This statement is East Herts Council's Regulation 9(3) Statement.

### **4. Other Regulatory Considerations**

#### **Sustainability Appraisal**

- 4.1 Whilst there is no statutory requirement to undertake a Sustainability Appraisal (SA) of the Gilston Area Charter SPD, the Council has considered whether an SA of this SPD is required. The Council has determined that the SPD is unlikely to have significant environmental, social or economic effects beyond those of the District Plan policies it supplements. This SPD does not create new policies and only serves to provide useful guidance on how to effectively and consistently implement the policies in the East Herts District Plan, which has been subject to a fully comprehensive SA process, incorporating SEA.
- 4.2 More information on the Sustainability Appraisal of the East Herts District Plan can be viewed on the Council's website: [www.eastherts.gov.uk/districtplan](http://www.eastherts.gov.uk/districtplan).

### **Habitats Regulations Assessment**

- 4.3 In addition to SEA and SA, the Council is required to consider Habitats Regulations Assessment (HRA). HRA is the process used to determine whether a plan or project would have significant adverse effects on the integrity of internationally designated site of nature conservation importance, known as European sites. The need for a HRA is set out within the Conservation of Habitats and Species Regulations 2010, which transposed EC Habitats Directive 92/43/EEC into UK law.
- 4.4 As with the SA, the District Plan was also subject to a comprehensive HRA. The HRA screened out the housing policies at an early stage, concluding that they were unlikely to have a significant effect on the integrity of European Sites. As the purpose of this SPD is to expand upon these policies and create new policy, the Council has determined that a HRA is not required.
- 4.5 More information on the Habitats Regulations Assessment of the East Herts District Plan can be viewed on the Council's website: [www.eastherts.gov.uk/submission](http://www.eastherts.gov.uk/submission).

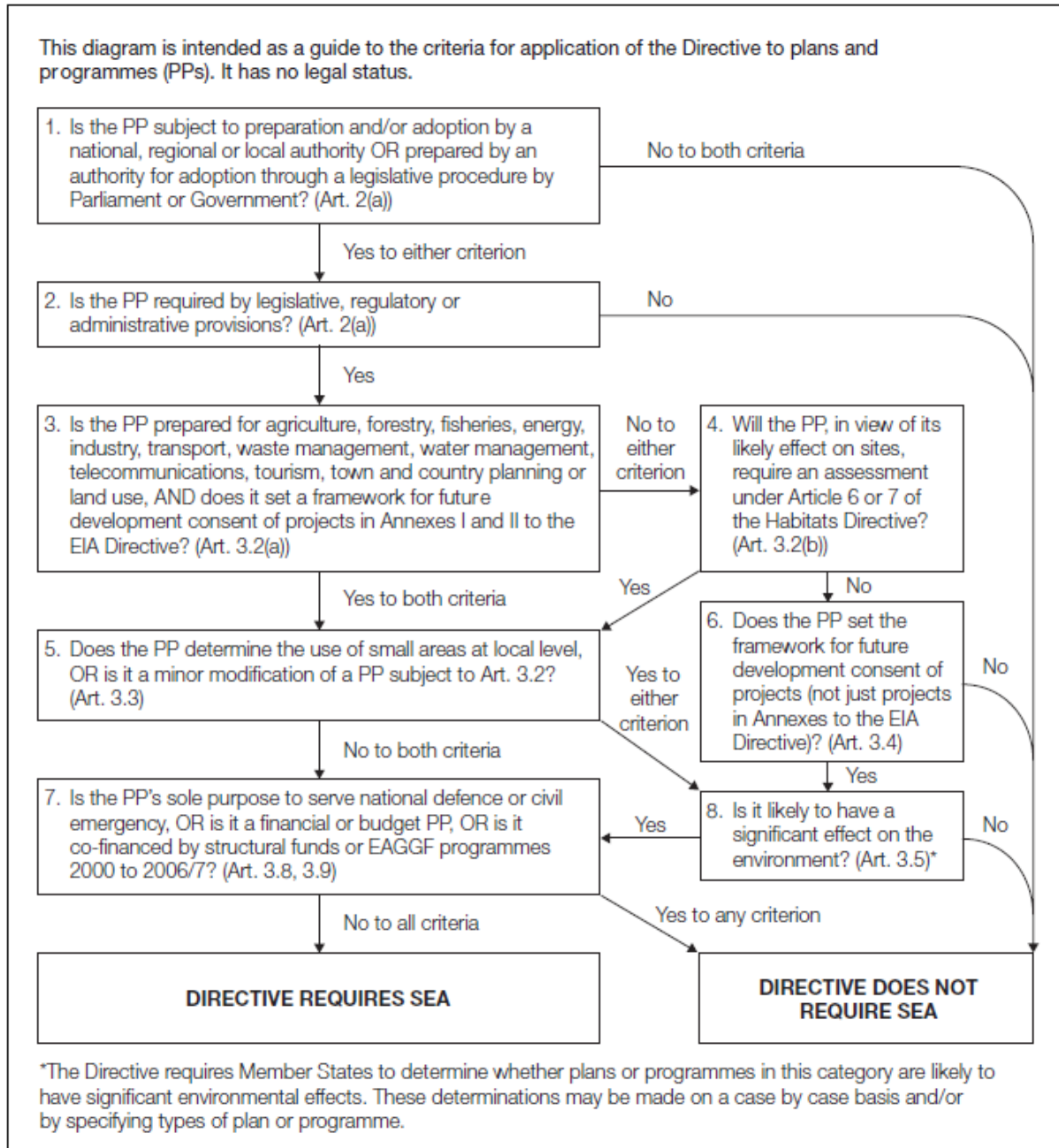
## **5. Conclusion**

- 5.1 On the basis of the screening process, it is the Council's opinion that the Gilston Area Charter SPD does not require a Strategic Environmental Assessment or Sustainability Appraisal. This is because there will be no significant environmental, social or economic effects arising from its implementation, as it seeks only to expand upon and provide guidance for the effective and consistent implementation of District Plan policies.

# Appendix 1

## SEA Screening of the Gilston Area Charter SPD:

Figure 1: Application of the SEA Directive to plans and programmes guide



A Practical Guide to the Strategic Environmental Assessment Directive, ODPM 2005



**Table 1: Establishing whether there is a need for SEA**

Stage	Yes/No	Assessment
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes to either criterion:  proceed to question 2	The SPD has been prepared by East Herts Council to provide guidance on how masterplans should be produced for the Gilston Area. The SPD will form adopted guidance to support the implementation of District Plan Policy DES1 Masterplanning, in the context of helping deliver the policy aspirations for the area as set out in District Plan Policy GA1.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes:  proceed to question 3	Once the SPD is adopted it will become a material consideration for development in the Gilston Area, supporting existing policies in the East Herts District Plan 2018.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Yes to both criterion:  proceed to question 5	The SPD is prepared for the purpose of town and country planning. It supplements policies within the East Herts District Plan 2018, by providing guidance relating to the process for producing masterplans that will guide new development in the Gilston Area.  AND the SPD sets the framework for development which may require an Environmental Impact Assessment under Schedule II of the EIA Directive such as 'urban development projects'. However, the SPD does not create new policy.
5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes to first criterion:  proceed to question 8	The SPD supplements the District Plan policies related to the site allocation for the Gilston Area and how it should be masterplanned. It does not determine the design/use of the masterplans or elements at local level, it instead serves to provide guidance on how masterplans should be produced.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	The principles of the masterplan approach and how development should come forward in the Gilston Area have both been established in the District Plan, which was subject to

comprehensive SA incorporating SEA. The purpose of the SPD is to provide guidance on the production process for masterplanning development within the Gilston Area.

**Directive does not require SEA.**

**Table 2: Assessment of the SPD against Schedule 1 of the SEA Directive**

SEA Directive Criteria (Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Potential effects of the SPD
1. Characteristic of the SPD having particular regard to:	
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The SPD has been prepared by East Herts Council to provide more detail on the policies and principles established in the East Herts District Plan 2018, which has been subject to comprehensive SA incorporating SEA. The purpose of the SPD is to provide guidance on the <u>process</u> for masterplanning development within the Gilston Area.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The purpose of the SPD is to supplement the District Plan policies and sit below the District Plan in terms of the Development Plan hierarchy. It will influence the process for producing masterplans in the Gilston Area.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The SPD is focussed on process matters associated with how masterplans in the Gilston Area should be produced. It will promote sustainable development as a principle (building on the provisions of policies within the District Plan) how this is translated into the Gilston Area masterplans will be determined at the masterplanning stage.
(d) environmental problems relevant to the plan or programme; and	There are no environmental problems relevant to the SPD. The SA of the East Herts District Plan identified a number of benefits arising from the relevant District Plan policies which this SPD supplements.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The purpose of the SPD is to provide guidance on the effective and consistent implementation of policies relating to the production of masterplans for the Gilston Area. The East Herts District Plan contains other policies relating to these objectives.
2. Characteristics of the effects and area likely to be affected having particular regard to:	

<p>(a) the probability, duration, frequency and reversibility of the effects;</p>	<p>The SPD is not expected to give rise to any significant environmental effects. The environmental effects of development in the Gilston Area have already been considered in the District Plan SA/ SEA. This SPD provides further guidance on the masterplan process and does not change District Plan strategy and policies.</p> <p>The masterplans will become a material consideration in decision making associated with future planning applications in the Gilston Area. Given that the SPD should improve the consistency and scope of the masterplans, it should have a positive effect on enhancing the sustainability of the proposed development and ensuring the community are engaged in the process.</p>
<p>(b) the cumulative nature of the effects;</p>	<p>By providing guidance which seeks to ensure the effective and consistent application of masterplanning across the Gilston Area, the SPD will have a cumulative effect on delivering high quality, sustainable design in the area.</p>
<p>(c) the trans-boundary nature of the effects;</p>	<p>The trans-boundary nature of development coming forward in the Gilston Area has been considered throughout the development of the District Plan.</p> <p>As a document providing guidance on process, the SPD is not expected to give rise to any significant transboundary environmental effects.</p>
<p>(d) the risks to human health or the environment (for example, due to accidents);</p>	<p>There are no anticipated effects of the SPD on human health.</p>
<p>(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p>	<p>The role of the SPD in aiding a consistent and comprehensive approach to masterplanning the Gilston Area will have positive benefits for East Herts residents in and around the Gilston Area, and also residents outside the district within Harlow.</p>
<p>(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or</p>	<p>The SPD is not anticipated to adversely affect any special natural characteristic or cultural heritage. The SPD aims to enhance how</p>

cultural heritage;  
(ii) exceeded environmental quality standards or limit values; or  
(iii) intensive land-use;

development comes forward in the Gilston Area by promoting a consistent and comprehensive approach to masterplanning in collaboration with stakeholders and the wider community. The SPD will ensure issues are addressed early in the masterplan process, including a requirement to protect and conserve the natural environment and where appropriate, enhance heritage assets within the site.

The SPD is not expected to lead to the exceedance of environmental standards or promote intensive land use.

(g) the effects on areas or landscapes which have a recognised national, community or international protection status.

The SPD is expected to have positive effects on the national environmental designations (ancient woodlands) and heritage assets (conservation areas and listed buildings) in the Gilston Area by ensuring any issues are considered comprehensively and upfront at the masterplanning stage, therefore enhancing the conservation of these assets.

This page is intentionally left blank

# **Gilston Area Charter Supplementary Planning Document - Draft version for adoption**

## **1. Introduction**

- 1.1 East Herts District Council (“East Herts”) is committed through its District Plan to supporting the delivery of 10,000 homes and associated infrastructure in the Gilston Area. The development will be delivered as several separate and distinct villages set within substantive rural landscaping, managed open space and parklands.
- 1.2 The Gilston Area forms part of the Harlow and Gilston Garden Town (“the Garden Town”), which was designated a Garden Town by the Ministry for Homes, Communities and Local Government in January 2017, comprising 23,000 new homes across Harlow Town together with 23,000 new homes across new neighbourhoods to the east, west, and south of Harlow, and new villages in the Gilston Area to the north. The Garden Town is located within the local authority areas of East Herts, Epping Forest and Harlow, and also includes Hertfordshire and Essex County Councils (collectively the “Garden Town Authorities”) (see Figure 1).
- 1.3 This Gilston Area Charter (the “Charter”) has been produced by East Herts through engagement with landowners, key stakeholders and representatives from the local community to help guide the planning and delivery of high quality and coordinated development and infrastructure within the Gilston Area, informed by the Garden City Principles and the Vision for the Garden Town (see Figures 1 and 2).

Figure 1. Vision for the Garden Town and location of the Gilston Area

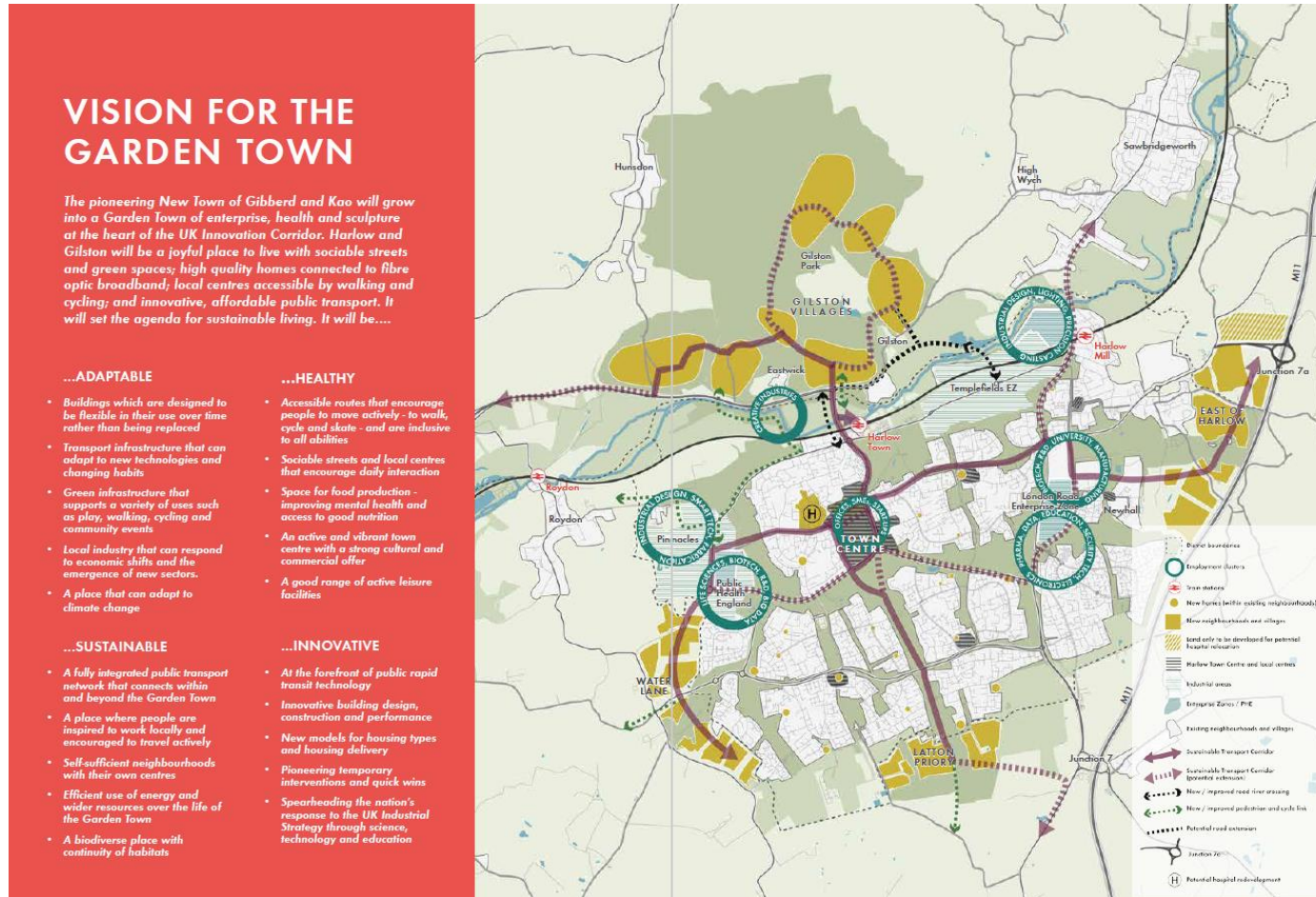
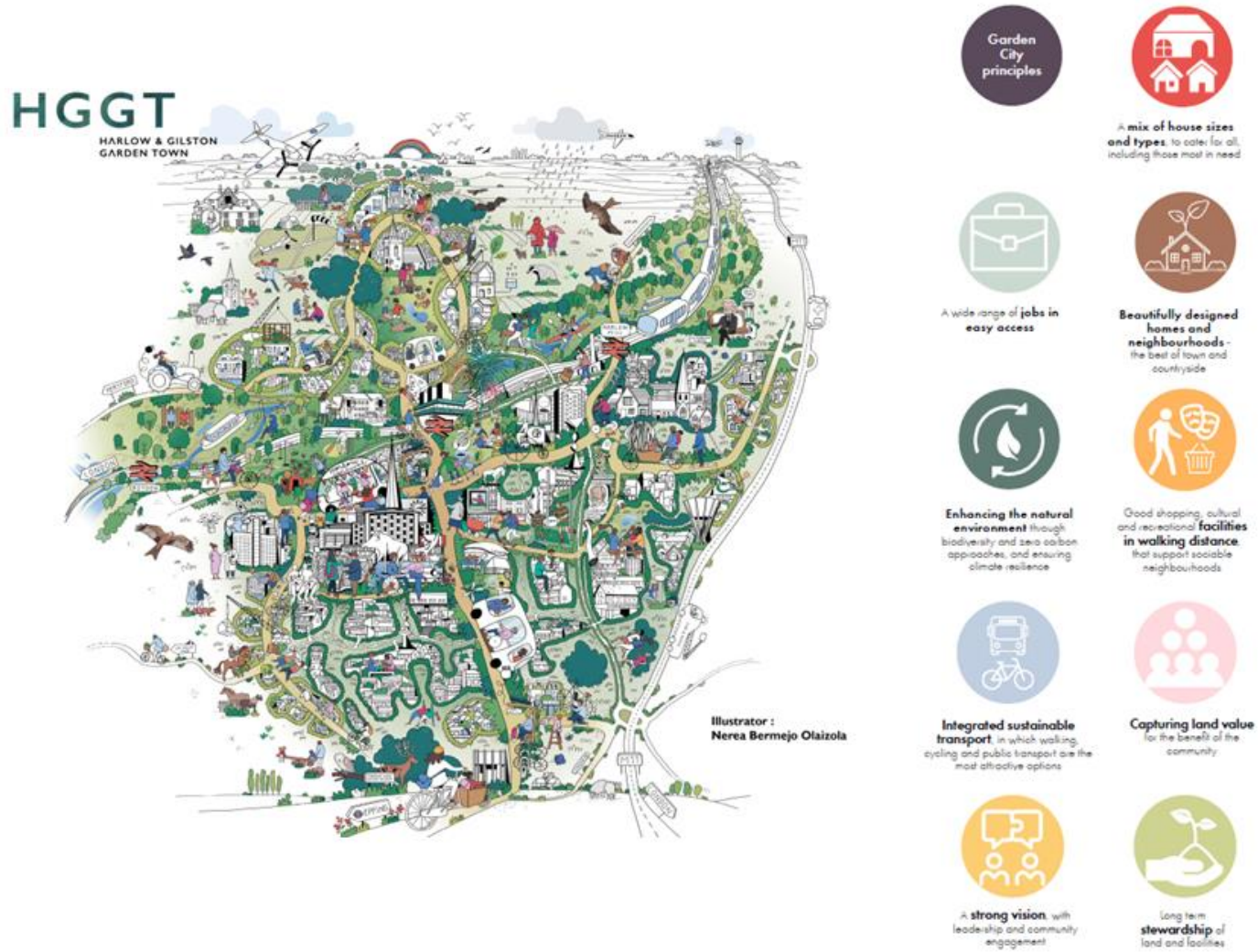




Figure 2. Artists illustration of the Garden Town and the Garden City Principles



## 2. Planning policy and guidance relevant to this document

- 2.1 In October 2018, East Herts adopted its District Plan which sets out the Council's planning framework for the district, identifying how it will grow and develop over the plan period up to 2033. Part 1 of the Plan establishes the Council's vision and strategic objectives for the district, including a development strategy with settlement/site specific policies.
- 2.2 District Plan policy GA1 (see Figure 3) identifies the Gilston Area for significant growth, including the delivery of 10,000 homes and associated infrastructure, comprising but not limited to community facilities, employment, retail, education, sports, open space and strategic transport improvements including additional/enhanced crossings over the River Stort. The new homes will be delivered within distinct villages set within substantive landscaping and parkland, each based on Garden City Principles and forming a key part of the Garden Town.
- 2.3 A Concept Framework was produced in parallel to the District Plan by landowners Places for People and City and Provincial Properties in collaboration with East Herts District Council and following intensive collective input by the local communities. The framework identifies potential design principles, land uses, infrastructure requirements and phasing, and used surveys, assessments, conceptual Masterplans and consultation input from key stakeholders and the community to support and demonstrate the deliverability of Policy GA1 as seven distinct villages separated by meaningful landscape with shared infrastructure and a clear collective identity. It also established key principles to underpin and shape the content of any future Masterplanning work undertaken, including strong vision, leadership and community engagement in accordance with Garden City principles.
- 2.4 A Garden Town Vision and Garden Town Design Guide have been produced by the joint Garden Town Authorities which set out expectations and aspirations for the delivery of high quality and sustainable development across the Garden Town. The Design Guide states that;
- “East Herts Council will work with landowners, stakeholders and the community to prepare a Charter for the Gilston Area to demonstrate how it will be delivered in accordance with the village concept and the Garden Town Vision.”*
- 2.5 District Plan policy DES1 (see Figure 3) requires all 'significant' development proposals to include the preparation of a Masterplan. Given the scale of development in the Gilston Area, individual Masterplans will be required for each of the Gilston Area villages, together with an overarching Strategic Landscape Masterplan that will address the strategic elements of the development and the important network of green spaces that will knit the villages together and integrate the area into its wider context. Chapter 17 of the District Plan identifies the use of Design Codes in helping to deliver high quality outcomes on particular sites/areas and supports the use of Design Reviews to provide assessment and support to ensure high standards of design.

- 2.6 The Gilston Area Neighbourhood Plan (GANP) is currently being produced by the Hunsdon, Eastwick and Gilston Neighbourhood Plan Group and is expected to be in place later in 2020. The GANP is being prepared in close collaboration with the HGGT and with the landowners. It includes policies to guide landscape development, village structure and design, infrastructure delivery and the relationship of new development with existing villages. On adoption, the Neighbourhood Plan will form part of the statutory Development Plan against which relevant planning applications will be determined, including the Gilston Area masterplans.

**Figure 3: Policy GA1 'The Gilston Area' and DES1 'Masterplanning' of the East Herts District Plan**

**Policy GA1 The Gilston Area**

I. In accordance with Policy DPS3 (Housing Supply 2011-2033), land at the Gilston Area is allocated for development to accommodate 10,000 homes, to be delivered within this Plan period and beyond. It is anticipated that at least 3,000 homes will be delivered by 2033.

II. A Concept Framework is being jointly prepared by the landowners, the Council and the local community. The Concept Framework identifies design principles, potential land uses, infrastructure requirements and phasing, and will be used as a benchmark in reviewing proposals for development. Prior to the submission of any planning application(s) further design work through the pre-application engagement process will be required in order to agree, among other things, the quantum and distribution of land uses, access and layout principles.

III. The Gilston Area will provide for 10,000 homes across distinct villages, each based on Garden City principles respecting the following:

- strong vision, leadership and community engagement;
- land value capture to deliver the social and physical infrastructure for the benefit of the community;
- long-term community ownership of land and stewardship of assets;
- mixed-tenure homes and housing types including those that are genuinely affordable;
- a wide range of local jobs within easy commuting distance of homes;
- beautifully and imaginatively designed homes with access to open space, combining the best of town and country to create healthy communities, and including opportunities to grow food;
- development that enhances the natural environment, providing a comprehensive green infrastructure network and net biodiversity gains, and that uses energy-positive technology to ensure climate resilience; strong cultural, recreational and shopping facilities in walkable, vibrant, sociable communities; and
- integrated and accessible sustainable transport systems, with walking, cycling and public transport designed to be the most attractive forms of local transport for new residents to travel within the Gilston Area and to key local destinations.

IV. A community engagement strategy will be prepared, working with the two local parishes, which will include consideration of managing the effects on local residents, and opportunities for them to participate in the emerging new community. Engagement with the local communities and other relevant stakeholders shall take place through the planning application process and through the development of village Masterplans.

V. The development is expected to address the following provisions and issues:

- (a) a range of dwelling type and mix, in accordance with the provisions of Policy HOU1 (Type and Mix of Housing);
- (b) Affordable Housing in accordance with Policy HOU3 (Affordable Housing);
- (c) a care home/ flexi-care or sheltered properties in accordance with the provisions of Policy HOU6 (Homes for Older and Vulnerable People);
- (d) Self-Build and Custom Build Housing in accordance with Policy HOU8 (Self-Build and Custom Build Housing);
- (e) the provision of a serviced site for Gypsy and Travellers, in accordance with Policy HOU9 (Gypsies and Travellers and Travelling Showpeople) which should deliver 15 pitches for longer term needs beyond the Plan period;

- (f) the provision of a serviced site for Travelling Showpeople in accordance with Policy HOU9 (Gypsies and Travellers and Travelling Showpeople) which should deliver 8 plots for longer term needs beyond the Plan period; (each of sufficient size to allow for the provision of accommodation and equipment plus storage/maintenance);
- (g) quality local green infrastructure throughout the site including opportunities for preserving and enhancing on-site assets, maximising opportunities to link into existing assets and enhancing biodiversity. This will include the protection of Local Wildlife Sites and other assets of environmental value;
- (h) the provision of significant managed open space and parklands, and a limited number of buildings associated with that use, on the northern section of the site as identified in Figure 11.2, the ownership of which will be transferred to a community trust or other mechanism that ensures long term stewardship and governance for the benefit of the community;
- (i) a variety of public green spaces across the site, including the provision of play areas and opportunities for outdoor health and fitness activities, as well as space for wildlife;
- (j) access arrangements and local highways measures and commensurate financial contributions to addressing impacts on the wider strategic highways network, including the provision of additional crossings to the River Stort;
- (k) land for twenty forms of entry for both primary and secondary education, including Early Years facilities, subject to more detailed modelling. All schools should provide for the dual use of facilities for community purposes;
- (l) sustainable transport measures which encourage walking, cycling and the use of public transport including:
  - the provision of cycleways and footways that provide links throughout the site and into Harlow;
  - enhancement of existing bridleways and footpaths; enhanced passenger transport services including the creation of a sustainable transport route through the site which will link into a sustainable transport corridor which links the Gilston Area to the urban area of Harlow; and
  - the setting of objectives and targets for the use of sustainable transport modes.
- (m) consideration of the potential of the site to facilitate the delivery of a re-located Princess Alexandra Hospital;
- (n) the use of appropriate landscape buffers in order to protect the individual character and integrity of Eastwick and Gilston villages within the context of the development;
- (o) the protection and enhancement of heritage assets and their settings, both on-site and in the wider area through appropriate mitigation measures, having regard to the Heritage Impact Assessment. Gilston Church and the Johnston Monument (both grade I listed), the moated site Scheduled Monuments at Eastwick, the Mount Scheduled Monument, and Gilston Park house (grade II\*) are of particular significance and sensitivity and any planning application should seek to ensure that these assets and their settings are conserved and, where appropriate, enhanced, through careful design; landscaping; open space; buffer zones; protection of key views; and, better management and interpretation of assets, where appropriate;
- (p) neighbourhood centres in accessible locations, providing local retail and community uses, including healthcare facilities to meet the day-to-day retail and health needs of new residents;
- (q) employment area/s (of around 5ha), within visible and accessible location/s, which provides appropriate opportunities to promote self-containment and sustainability;
- (r) consideration of opportunities for local supply chains as well as opportunities for local employment and training including apprenticeships and improving skills base for local people;
- (s) indoor and outdoor sports facilities (which may be shared use) taking into account the Council's evidence on sports and open space needs;
- (t) consideration of need for cemetery provision;
- (u) landscaping and planting, both within the site and peripheral, which responds to the existing landscape and complements development, as appropriate, and a defined recognisable boundary to the Green Belt;
- (v) assisting the delivery of all other necessary on-site and appropriate off-site infrastructure;
- (w) necessary new utilities, including integrated communications infrastructure to facilitate home working;
- (x) satisfactory water supply, including acceptable water pressure for occupants;
- (y) sustainable drainage and provision for flood mitigation;
- (z) other policy provisions of the District Plan and relevant matters, as appropriate.

VI. Any application for development will include an indicative phasing plan for the delivery of infrastructure and utilities across the villages.

VII. The delivery of the Gilston Area will include a mechanism for:

- securing the long term stewardship, protection and maintenance of the parkland, open spaces, play areas and community assets;  
- managing the construction process to address potential impacts on existing and future communities;  
- encouraging a successful and active community, including an innovative approach to create the conditions for local resident participation in the design and stewardship of their new communities.

VIII. Proposals for the Gilston Area should complement, and have regard to, ongoing work in relation to the Harlow and Gilston Garden Town

### **Policy DES1 Masterplanning**

I. All 'significant' development proposals will be required to prepare a Masterplan setting out the quantum and distribution of land uses; access; sustainable high quality design and layout principles; necessary infrastructure; the relationship between the site and other adjacent and nearby land uses; landscape and heritage assets; and other relevant matters.

II. The Masterplan will be collaboratively prepared, involving site promoters, land owners, East Herts Council, town and parish councils and other relevant key stakeholders. The Masterplan will be further informed by public participation.

III. In order to ensure that sites are planned and delivered comprehensively, any application for development on part of the site will be assessed against its contribution to the Masterplan as a whole.

## **3. The role of this Charter**

3.1 This Charter is a Supplementary Planning Document (SPD) which seeks to support the implementation of District Plan Policy DES1 in producing robust Masterplans that deliver the overarching ambitions and aspirations for the Gilston Area as set out in District Plan policy GA1 and other relevant policy/guidance. As an SPD, the Charter is a Local Development Document that builds upon and provides more detailed advice or guidance on the policies in the District Plan and has weight as a material consideration in planning decision making.<sup>1</sup>

3.2 The guidance contained within this document establishes a consistent approach to the production of Masterplans in the Gilston Area to ensure that development comes forward in a comprehensive and cohesive manner that contributes to the creation of successful and sustainable places that embody the Garden City Principles. This is particularly important to the Gilston Area because of the strategic scale of development and the multiple parties with an interest in its delivery.

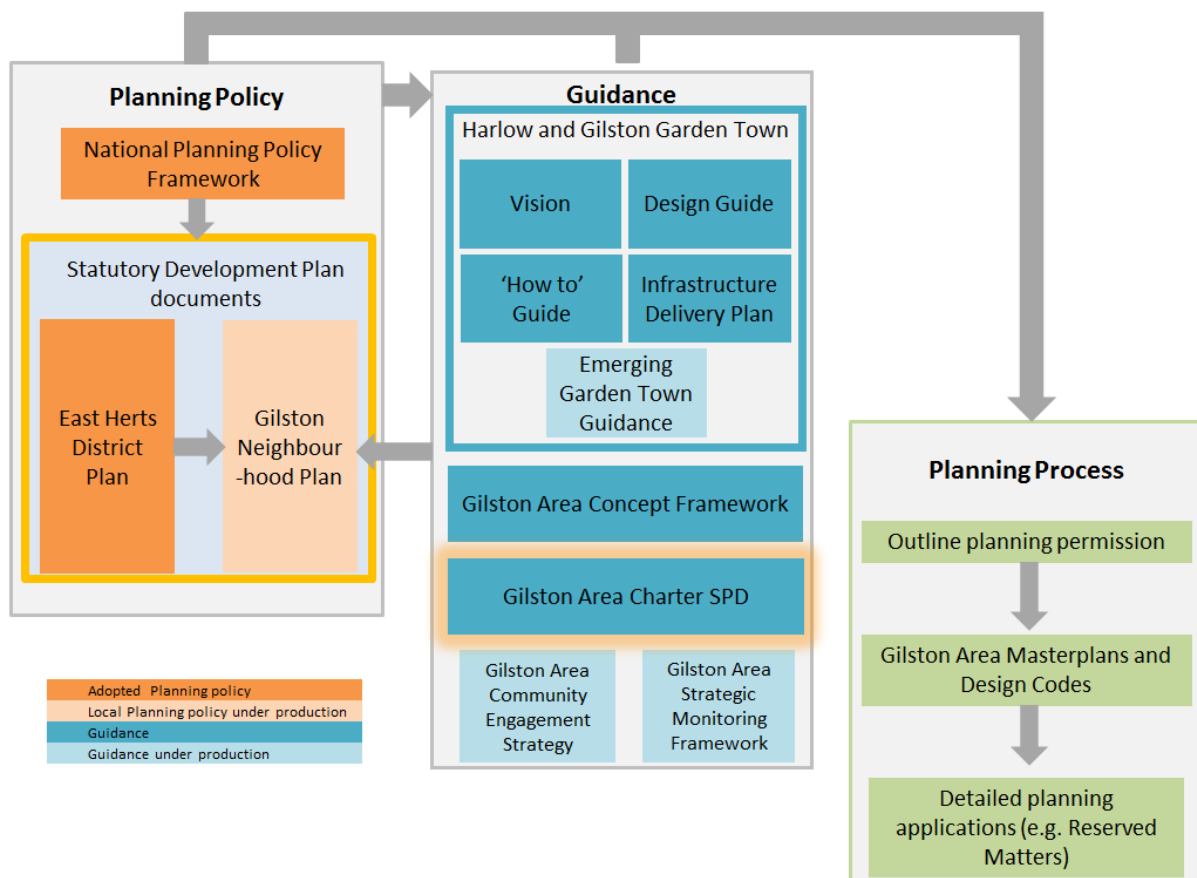
3.3 In addition it requires the masterplanning process to appropriately consider how development in the Gilston Area will sensitively respond to its setting including for example protecting and enhancing ecological and heritage assets of the site, the wider landscape and Stort Valley and the relationship with existing settlements, Harlow and the wider Garden Town.

---

<sup>1</sup> A material consideration is a matter that should be taken into account in deciding a planning application or an appeal against a planning decision.

- 3.4 Finally the Charter also seeks to embed the important role of collaborative engagement between the applicant and the Council, key stakeholders and statutory bodies in the preparation of the Masterplans, as well as the local community in accordance with the emerging Gilston Area Community Engagement Strategy.
- 3.5 The guidance contained within this document has been informed by existing and emerging policy and guidance and a case study review of a broad range of existing design documents, including Design Strategies, Design Codes and Masterplans; these are summarised in the Appendix to this document.

**Figure 4: The Gilston Area Charter in the context of relevant policy/guidance and the planning process for the Gilston Area**



## 4. The role of Masterplans and Design Codes in shaping the development of the Gilston Area

- 4.1 East Herts expects a high standard of design quality for all new development proposed in the district and identifies Masterplans and Design Codes as means of helping to achieve this. They are particularly useful for large multi-phased developments such as that coming forward in the Gilston Area, acting as a mechanism to assist in the delivery of comprehensive and coordinated development and high quality design outcomes.
- 4.2 Masterplanning is about place making. A good masterplan should tell a 'story' about the place as it is now and how it will be in the future as it is developed. Incorporating masterplanning into the planning process enables issues to be addressed collaboratively and in a coordinated and comprehensive way before the detailed elements of a development are established. This helps to enable the overarching development objectives for the site to be realised and reduces the potential for design quality compromises and delays at the detailed planning application stage.
- 4.3 Design Codes are a set of illustrated rules or requirements that guide how the physical elements of a development should be designed, such as streets, buildings and landscaping. They often include mandatory design requirements but also make recommendations where flexible design solutions are most appropriate.
- 4.4 The graphic and written components of Design Codes build upon the matters established at the outline application and masterplanning stages and aim to provide clarity as to what constitutes acceptable design quality at the detailed application stages, thereby providing a level of certainty for developers, the Council and the local community alike.
- 4.5 Planning policy guidance<sup>2</sup> advises that Design Codes are best prepared in partnership to secure agreed design outcomes and should be tested and reviewed as development proceeds.

### The Gilston Area Masterplans

- 4.6 As set out earlier in this document, Village Masterplans will be required for each of the Gilston Area villages, together with an overarching Strategic Landscape Masterplan that will address the appropriate strategic elements of the development and the important network of green spaces that will play a key role in knitting the area together and integrating it into the wider context.
- 4.7 Each Gilston Area Masterplan will be supported by a Design Code and together they will provide an added layer of detail to the evolving plans for the Gilston Area, building on the parameters and commitments secured at the outline planning application stage and the work already undertaken in the Gilston Area Concept Framework which underpins these applications. The requirement for their

---

<sup>2</sup> <https://www.gov.uk/guidance/design#para008>

production will be secured by this Charter and planning conditions secured at the outline planning application stage in accordance with District Plan Policy DES1.

- 4.8 Once approved the Masterplans and their associated Design Codes will form a framework to guide Reserved Matters applications (and any relevant detailed planning applications) for development plots or buildings that follow. A summary of how the Masterplans fit into the planning process for the Gilston Area is provided in Figure 6.
- 4.9 The content of each Masterplan must align with any parameters established through the outline applications, the statutory Development Plan documents and take account of relevant guidance including the Gilston Area Concept Framework and the Garden Town Vision and Design Guide. The current relevant policy and guidance documents are summarised in Appendix 1. They will also be supported and informed by up to date technical work such as topographical and habitat surveys, and transport, heritage and flood risk assessments. This could include existing technical information used to support the outline planning applications, but also new and supplementary information where required, given the duration of the project and likely changes to policy/guidance.

#### **The Gilston Area Strategic Landscape Masterplan**

- 4.10 A Strategic Landscape Masterplan will be produced and approved before the first Village Masterplan. This will establish a spatial strategy for comprehensive development of the entire Gilston Area site allocation in one overarching plan that draws together and expands upon the principles established in the parameter plans approved at the outline application stage, and the work already undertaken in the Gilston Area Concept Framework.
- 4.11 It will focus on establishing the key components and Character Areas that will form the comprehensive green infrastructure network across the site that will surround and sit alongside the new villages, existing settlements and the wider landscape. In establishing this, the Masterplan will look to address and plan for strategic matters including: how movement will be accommodated to prioritise active and sustainable modes of travel and the achievement of the 60% mode share target; how the development will successfully integrate with adjacent settlements and landscaping including the Stort Valley; how the new villages will have sufficient landscape buffers but function successfully together as one new settlement, making efficient use of the land through coordinating measures such the approach to drainage and flood risk and any potential net gains for biodiversity; and how the community open space land allocated in the Gilston Area will be planned and landscaped to help facilitate its long term maintenance.



### The Gilston Area Village Masterplans

- 4.12 A Masterplan will also be produced for each Gilston Area village. These will provide a framework within which designers and developers can bring forward more detailed proposals for individual development plots in a planned and comprehensive way, whilst still allowing for design flexibility and innovation at the detailed design stage.
- 4.13 Each Village Masterplan will establish a spatial strategy for the key components that will comprise the village, such as the village centre, access points and key routes, residential development plots, recreation and open spaces, and key supporting infrastructure such as education and health facilities. In establishing this, each masterplan will be required to compliment the Strategic Landscape Masterplan and plan for a village that: has distinct character; integrates sensitively with its surrounding landscape setting taking account of existing ecological and heritage assets; ensures movement is accommodated to prioritise active and sustainable modes of travel and the achievement of the 60% mode share target; delivers sustainable homes and places that commit to tackling climate change; connects successfully into the wider sustainable drainage network and reduces flood risk; will be a place to live that is safe and secure, promotes healthy lifestyles and fosters a strong sense of community. Finally it shall demonstrate how the village can adapt over time to meet the changing needs of the community.
- 4.14 Each Village Masterplan will establish its own Character Areas, informed by special/memorable places such as heritage or ecological assets, key views, the location of proposed key buildings and features, nodal points, and green spaces.

### Gilston Area Design Codes

- 4.15 Each Masterplan including the Strategic Landscape Masterplan will be supported by a Design Code. The Design Code will establish elements that are considered to contribute to the creation high quality place making, starting from the most strategic elements working through to more focused detailed elements.
- 4.16 A Regulatory Plan will be produced in support of each Design Code to illustrate how it relates to development plots, land parcels or different character areas on a single scalable drawing. This will enable users to navigate where the provisions of the code will apply.
- 4.17 Each Design Code will need to be tested to determine whether it is fit-for-purpose before it is finalised and submitted for approval. Testing should consider how user friendly the code is, its market viability, likely capacity to deliver quality and its efficiency as an administrative tool that can help streamline the planning process. The testing process should be evidenced as part of the Design Code submission.
- 4.18 To ensure that Design Codes are effectively implemented, a 'Compliance Checklist' shall also be produced as part of the Design Code submission, this will set out the mandatory elements of the code in a Compliance Checklist table. Applicants submitting detailed/Reserved Matters applications will be expected to complete the

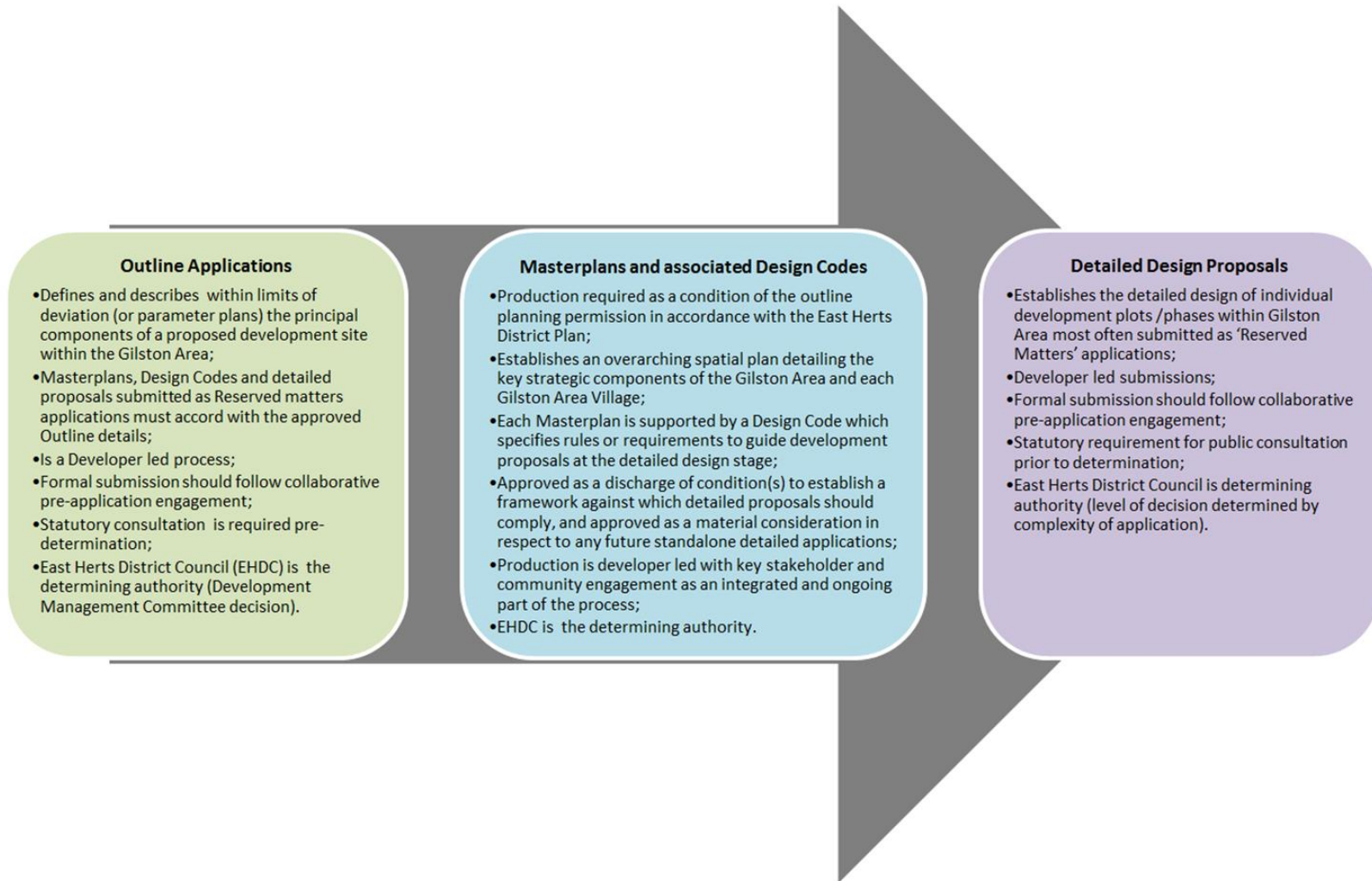
table as part of their submission to confirm their proposals accord with the Design Code.

- 4.19 It is likely given the duration of the Gilston Area development that the circumstances within which the code will operate will change over time. The Compliance Checklist should also make provision for applicants to acknowledge where a code may no longer be fit for purpose and provide design justification for any proposed deviations. This may (depending on the extent of the changes proposed) necessitate amendments to Design Code details approved through the discharge of condition and would require the approval of the Local Planning Authority following consultation with the local community. An example of the format a Compliance Checklist might take is provided in Figure 5 below.
- 4.20 The remainder of this Charter will set out the steps that should be undertaken in the production of the Gilston Area Masterplans and the associated submission and determination process. It also sets out the important process of community and stakeholder engagement in the masterplanning process.

**Figure 5. Example of the format a Compliance Checklist might take**

<b>REF.</b>	<b>Design Principle</b>	<b>YES</b>	<b>PARTIALY with design justification provided</b>	<b>NO with design justification provided</b>	<b>Not applicable</b>
<b>2.1</b>	<b>Does the design take account of the principles set out for the Eastern Access Key Grouping?</b>				
<b>5.4</b>	<b>Has the Village Centre been designed to ensure a clear definition between public and private spaces?</b>				

Figure 6. Planning process for the Gilston Area



## 5. The process steps that should be taken in the production of Gilston Area Masterplans and Design Codes

5.1 The production of each Masterplan for the Gilston Area shall follow the process steps identified below. It shall be led by an applicant team of professionals with suitable experience of collaborative landscape led masterplanning who will work together with the Council, key stakeholders and the community. It will also be necessary to seek a review of the Masterplan proposals as they evolve by the Harlow and Gilston Garden Town Quality Review Panel (QRP). Further detail on the role of the QRP and how collaboration should be undertaken is set out later in this document.

### 5.2 *Strategic Landscape Masterplan*

**STEP 1** Confirm the parameters and commitments secured at the outline application stage and through adopted policy and guidance that are relevant to the Masterplan. This should include an initial definition of the Masterplan boundary.

**STEP 2** Establish an agreed brief for the Masterplan and its objectives.

**STEP 3** Drawing on conversant technical and supporting information, assess considerations and opportunities for development taking account of the setting of heritage assets, key views, geographical/topographical features, ecological habitats (including trees/hedgerows), utilities infrastructure (retained and future provision), relationship to existing/emerging settlements/development; and any influences arising from the phasing and timing of infrastructure delivery.

**STEP 4** Establish the extent of the Masterplan having regard to how and where it will interface and respond to the Gilston Area Villages and the wider landscaping/development beyond the site allocation boundary.

**STEP 5** Establish and determine the location and extent of key features, building in flexibility where required. As a minimum this should include;

- Defined areas for recreation such as community parks and fields;
- Key habitat areas (both natural/semi natural) such as woodland areas, ongoing agricultural uses and green corridors including identification of where public access is allowed and where it is restricted to prioritise, protect and support ecology and biodiversity;
- Sustainable transport/movement corridors including the broad location of transport hubs, Public Rights of Way, bridleways, cycle paths and footpaths that permeate the green infrastructure;
- Key vehicular routes and access points that permeate the green infrastructure;

- Settings of heritage assets and their enhancement and interpretation;
- Watercourse crossings, SUDS infrastructure such as a connected network of surface water attenuation features and outfalls and enhancements to existing watercourses;
- Areas of public lighting beyond village boundaries or dark zones to reduce impacts on ecology and night sky;
- Significant land level changes.

When establishing the above, the broad location of strategic infrastructure that will influence movement both within the Gilston Area villages and beyond the masterplan boundary, such as sustainable transport hubs, village centres, schools, public spaces and access points should also be considered and inform the Strategic Landscape Masterplan.

**STEP 6** Identify Character Areas.

**STEP 7** Establish a Design Code including Design Code Testing. This should include any site wide Design Codes that should also be reflected in the Village Design Codes in order to establish a consistent sense of place.

### 5.3 *Village Masterplans*

**STEP 1** Confirm the relevant parameters and commitments secured under the outline planning permission and through adopted policy and guidance for the masterplan. This should include an initial definition of the Village Masterplan boundary that compliments the Strategic Landscape Masterplan.

**STEP 2** Establish an agreed brief for the Masterplan and its objectives.

**STEP 3** Drawing on conversant technical and supporting information, assess considerations and opportunities for development taking account of the setting of heritage assets, key views, geographical/topographical features, ecological habitats (including trees/hedgerows), utilities infrastructure (retained and future provision), relationship to existing/emerging settlements/development; and any influences arising from the phasing and timing of infrastructure delivery.

**STEP 4** Establish the extent of the Village Masterplan having regard to how it will interface and respond to its immediate surrounding landscape in the context of the approved Strategic Landscape Masterplan.

**STEP 5** Establish and determine the location and extent of key features, building in flexibility where required. As a minimum this should include;

- The Village Centre;
- Points of access;

- Sustainable Transport HUB;
- Sustainable transport/movement routes including any Public Rights of Way, bridleways, cycle paths and footpaths;
- Vehicle routes;
- Development plots, including their orientation, maximum size and building heights and broad land uses;
- Community buildings such as schools and health care facilities;
- Provision of commercial and retail floorspace;
- Outdoor recreation areas such as playing fields and playgrounds;
- Green wedges and habitat corridors;
- SUDS infrastructure such as ponds and other surface water attenuation features;
- Formal and informal public spaces such as allotments, village buffers etc;
- Significant land level changes;
- Areas that will be publically lit including streets, recreation areas and other public spaces;
- Other physical development such as utilities infrastructure.

**STEP 6** Identify Village Character Areas.

**STEP 7** Establish a Design Code including Design Code Testing. This should take account of any site wide Design Codes established as part of the Strategic Landscape Masterplan.

## **6. The content of a Masterplan submission**

6.1 Each Masterplan shall comprise written and visual material and applicants are encouraged to use physical models as well as interactive visualisations to support engagement and understanding of the Masterplan including where these can be adapted as development is delivered. Plans, drawings and photographs should also be included supported by various technical documents. The content of each masterplan should include the sections as set out below:

1. Description of the site:  
For Village Masterplans this should include a plan showing the physical extent of the village in the context of the wider Gilston Area. For the Strategic Landscape Masterplan this should include a plan showing the entire site in the context of the wider area, denoting the areas that will be developed through the Village Masterplans, their supporting green infrastructure and the areas that will be safeguarded from development.
2. Relevant background information including:
  - Planning policy/guidance considered when establishing the Masterplan and associated Design Code.

- Confirmation of the parameters and commitments approved at the outline application stage that have informed the Masterplan.
  - Summary of the main findings and issues identified in any supporting technical assessments.
3. Statement of Engagement: this should include how and who was engaged in the preparation of the Masterplan and associated Design Codes in accordance with the Gilston Area Community Engagement Strategy.
  4. Options testing: this should tell the story of how the final version of the Masterplan and Design Codes were arrived at using plans and narrative. It should include the options considered and ruled out and also how feedback from the Harlow and Gilston Garden Town Quality Review Panel and other key stakeholders informed the process.
  5. The Masterplan: this should be illustrated on a plan with supporting narrative and illustrative material.
  6. The Design Code: this should include a Regulatory Plan, illustrations and supporting narrative as set out in Section 4.
  7. Sustainability Statement: this should demonstrate how the Masterplan and associated Design Code have sought to achieve quality outcomes in response to the HGGT Design Quality Questions and the check markers as set out in Section 9 of the Charter.
  8. Framework for delivery including any agreed phasing plan for development and infrastructure.
  9. Appendix, this should comprise any supporting documents or technical studies used to inform and/or support the masterplan process covering matters such as heritage, ecology and flood risk for example.

This may draw on existing technical information such as that used to support the site allocation and outline applications, or approved through the discharge of conditions; and/or new technical information where updated or supplementary information is required given the duration of the project and likely changes to relevant Policy/guidance.

## **7. Submission and approval process**

- 7.1 The following section sets out the process for formally submitting a Masterplan to East Herts for consideration and determination.

### ***(1) Project Governance Arrangements***

- 7.2 A Planning Performance Agreement (PPA) will be prepared and agreed between the applicant and East Herts together with other relevant bodies such as HGGT partners before work of any significant extent on the Masterplan is undertaken.
- 7.3 A PPA is a project management tool which local planning authorities and applicants can use to agree timescales, actions and resources for handling particular applications. They can be particularly useful in setting out an efficient and transparent process for developing large and/or complex planning submissions such as Masterplans. They encourage joint working between the applicant, Local Planning Authority and other statutory bodies involved in the planning process. They also enable any issues to be addressed early and collaboratively which speeds up decision making and avoids development compromises later in the planning process.
- 7.4 A PPA programme will be established that is based on achieving the steps set out in Section 5 above and will establish the resources required for other signatories to the PPA to support the Masterplan production process.
- 7.5 A PPA Project Lead Group will be established comprising key representative(s) from of each of the parties that are signatory to the PPA. The group will lead on project managing the masterplanning process and any associated decision making.

### ***(2) Masterplan Engagement***

- 7.6 Prior to work commencing on the production of a Masterplan, an Engagement Plan will be prepared by the Core Project Group in accordance with the Gilston Area Community Engagement Strategy. The plan will seek to;
- 7.7 a) Identify any statutory parties, HGGT partners and other bodies that should inform the masterplanning process including how/when they should be engaged;
- 7.8 b) Establish a working group of community representatives to help inform the production of the masterplan.

### ***(3) Quality Review***

- 7.9 Each Masterplan and respective Design Code shall be reviewed by the Harlow and Gilston Town Quality Review Panel (QRP) at various stages of their production as agreed necessary by the PPA Project Lead Group. As a minimum this will include a QRP review at the options testing/drafting phase pre-submission. The QRP is an independent design panel made up of planning and design professionals which can review any emerging work relating to the Garden Town, including development proposals from landowners / developers. The Panel provides an independent critique in relation to matters presented to it and its recommendations and



observations may then be considered by applicants or the local planning authority to inform the content of the Masterplans.

#### ***(4) Formal submission and decision making***

- 7.10 Each Masterplan will be submitted by the applicant to East Herts as Local Planning Authority (LPA) as an Approval of Details application seeking to discharge the associated strategic condition secured at the outline application stage. The application will be accompanied by the supporting documents as set out in Section 6 above (unless otherwise agreed by the LPA) and the process for its production will have followed the steps set out in Section 5.
- 7.11 The LPA will assess the application in accordance with the programme specified in the PPA.
- 7.12 The Masterplan will be taken to East Herts Full Council for endorsement. Once endorsed, the Masterplan will be approved formally through discharge of the associated planning condition and form the framework for subsequent reserved matters applications and form a material planning consideration in the determination of any detailed planning applications that may come forward in the respective Masterplan area.

## **8. Engagement**

- 8.1 All Masterplans and their associated Design Codes shall be prepared in liaison with statutory bodies, key stakeholders such as the HGGT partners and the local community from the pre-submission stage. As mentioned in Section 7 above, an Engagement Plan shall be produced prior to any work on the Masterplan commencing. This will establish who will be involved in the production process, how and when, and will inform the Statement of Engagement included within the formal masterplan submission as set out in Section 6.
- 8.2 The Engagement Plan shall also demonstrate how the measures within it have given due regard to the Gilston Area Community Engagement Strategy which sets out the required approach to stakeholder engagement and consultation for all planning matters associated with the Gilston Area, including the production of Masterplans.
- 8.3 Statutory bodies that shall be engaged will include the Environment Agency, Historic England and Natural England, as well as other bodies as required.

## **9. Quality outcomes**

- 9.1 District Plan (Policy GA1) seeks to ensure that the development of the Gilston Area comes forward having regard to the Garden City Principles (see figure 2). The Garden Town Design Guide has translated the principles into a number of design quality questions which should be considered and responded to at the masterplanning stage

(see Figure 7). This will help to embed high quality design solutions into the evolving plans for the Gilston Area and ensure that once completed it works as a successful, sustainable place where people will want to live, work and visit.

- 9.2 The masterplans should also consider and respond to any guidance or checklists established by East Herts or jointly by the Garden Town Authorities, as well as other best practice that looks to embed high quality, sustainable solutions through the planning process and build in consideration of measurable outcomes.
- 9.3 The Garden Town Authorities will seek to provide information on an ongoing basis to keep the public informed about the planning process for the Gilston Area and subsequent development as it comes forward. In accordance with the East Herts District Plan policy DEL4, East Herts will also provide monitoring for the Gilston Area through a Monitoring Framework to review progress and outcomes throughout the planning, construction and post construction stages by identifying a series of targets that can be measured. Opportunities to link these to indicators established through the Masterplans and Design Codes will be explored, as well as in relation to other approvals and any new policy/guidance relevant to the Gilston Area.
- 9.4 As set out in Section 6, a Sustainability Statement shall be included as part of each Masterplan submission to demonstrate how it has responded to the above considerations.

**Figure 7 – Design Quality Questions (Harlow and Gilston Garden Town Design Guide)**

- |  |  |
|--|--|
| <p><b>1</b> How will the proposals respond positively to the existing context, including heritage assets, and make a positive contribution to the character and quality of place?</p>                              | <p><b>10</b> How will the proposals establish and contribute to an attractive walking and cycling network that people will want to use, including access to the Super Greenways?</p>                 |
| <p><b>2</b> What steps have you taken to ensure high quality architecture and construction that achieves distinctive neighbourhoods and villages that contribute to a harmonious whole?</p>                        | <p><b>11</b> How will the proposals encourage a behavioural change to facilitate the overall modal shift towards sustainable travel required across the Garden Town?</p>                             |
| <p><b>3</b> How have the proposals incorporated different architectural typologies to support balanced, sustainable and diverse communities, in terms of the range of uses, spaces, housing types and tenures?</p> | <p><b>12</b> How will the proposals integrate with and support the Bus Rapid Transit network across the Garden Town and beyond? This should appropriately balance both movement and placemaking?</p> |
| <p><b>4</b> Demonstrate how the proposals will facilitate social interaction and help improve the physical and mental health of residents and visitors.</p>  | <p><b>13</b> Explain the measures taken to ensure the proposals support changing working patterns and future working needs?</p>  |
| <p><b>5</b> Explain how the proposed buildings and places could adapt to changes in lifestyles, climate change and future requirements?</p>  | <p><b>14</b> Explain in what ways your approach supports the success of Harlow Town Centre, and the network of existing or new local centres.</p>  |

- 6** How will the proposals demonstrate a landscape-led approach that preserves hedgerows, mature trees, water ways and other existing natural landscape features?
- 7** How will the proposals extend and enhance the network of Green Wedges Green Fingers and open spaces? How do these vary in character and in what ways are they usable?
- 8** Demonstrate how proposals have been informed by stakeholders to contribute to a clear net biodiversity gain and climate resilience?
- 9** How have the proposals incorporated approaches to sustainable energy, water, waste, design and construction and other practices that will improve household sustainability?
- 15** How have proposals considered and taken account of feedback from local consultation? What changes have been made to demonstrate this? Have any community 'quick-wins' been identified and how will they be delivered?
- 16** What is the approach to phasing and how will proposals support early delivery of key infrastructure in conjunction with homes e.g. landscape, transport, digital, community?
- 17** Demonstrate how collaboration with the community has positively informed arrangements for the long-term stewardship of community assets within the proposals?

## APPENDIX

### Appendix 1 – Main policy and guidance documents that support the production of a Charter and the Gilston Area Masterplans/Design Codes

Document	Author	Status	Summary
<b>East Herts District Plan</b> <a href="https://www.eastherts.gov.uk/planning-building/planning-policy">https://www.eastherts.gov.uk/planning-building/planning-policy</a>	East Herts Council	Adopted October 2018	<p>Adopted development plan for the District which sets out the Council's planning framework for the district, identifying how it will grow and develop over the plan period up to 2033.</p> <p>Of particular relevance to the Charter are Chapter 11 - The Gilston Area (Policy GA1) and Chapter 17 - Design and Landscape.</p>
<b>Hunsdon, Eastwick and Gilston Neighbourhood Plan</b>	Hunsdon Eastwick and Gilston Neighbourhood Plan Group	Consultation draft, published September 2019 On adoption, Neighbourhood Plans form part of the Development Plan against which relevant planning applications will be determined.	<p>The Gilston Area Neighbourhood Plan (GANP) is currently being produced by the Hunsdon, Eastwick and Gilston Neighbourhood Plan Group and is expected to be in place late 2020. The GANP is being prepared in close collaboration with the HGGT and with the landowners. It includes policies to guide landscape development, village structure and design, infrastructure delivery and the relationship of new development with the existing villages. On adoption, the Neighbourhood Plan will form part of the statutory Development Plan against which relevant planning applications will be determined, including the Gilston Area masterplans.</p>

Document	Author	Status	Summary
<p><b>Gilston Area Concept Framework and Council Report</b></p>	<p>Places for People, in partnership with City and Provincial Properties and East Herts Council</p>	<p>Produced and approved as a material consideration in July 2018 and referenced in Policy GA1 of the East Herts District Plan.</p>	<p>Produced to demonstrate the deliverability of the proposed site allocation, establish key principles that should underpin the development of the Gilston Area and guide the preparation of future detailed proposals. The Framework presents a broad articulation of the delivery of the Gilston Area as a set of distinct villages, in advance of the formal pre-application or statutory planning application process.</p> <p>Of particular relevance are;</p> <ul style="list-style-type: none"> <li>- P10, vision for the Gilston Area</li> <li>- P12, development objectives for the Gilston area.</li> <li>- P74-79, placemaking design principles.</li> <li>- P81-87, key landscape and physical characteristics that will shape the design of each of the 7 villages.</li> <li>- P90, the principles for protecting heritage assets.</li> <li>- P96, principles to minimise the impacts of the development of the Gilston Area on existing communities.</li> <li>- P96-101, recommendations of how to protect the character and appearance of existing settlements in the Gilston Area.</li> <li>- P102, principles for scale and massing of new development in the area.</li> <li>- P103, responding to surrounding landscape assets.</li> <li>- P104, principles for densities in the area.</li> <li>- P107, consideration of appropriate densities throughout the development area.</li> <li>- P114, key green infrastructure objectives for the area.</li> <li>- P119-121, recommendations for green infrastructure in the area.</li> <li>- P123, recommendations for SUDs systems.</li> <li>- P124, outline how the development of the Gilston area should support the Stort Valley.</li> <li>- P126, open space guidelines.</li> <li>- P128, recommendations for open space features and character.</li> </ul>

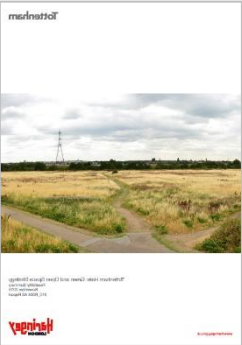

Document	Author	Status	Summary
			<ul style="list-style-type: none"> <li>- P130, approach to considering ecological constraints.</li> <li>- P132, features of village centres and place making recommendations.</li> <li>- P134, recommendations for the layout of retail centres and commercial provision.</li> <li>- P135, recommendations for an 'Education and Leisure Zone' next to Home Wood in the centre of the Gilston area.</li> <li>- P137, proposed design criteria for housing.</li> <li>- P140, proposed governance arrangements.</li> <li>- P146, strategic access arrangements for the area.</li> <li>- P147, recommendations for street typologies.</li> <li>- P148-P152, principles and recommendations for sustainable modes of transport.</li> <li>- P154 and 155, proposals for strategic highways improvements.</li> <li>- P158 and p163 set out overarching principles for the development of the area.</li> </ul>
<b>Harlow and Gilston Garden Town Vision</b>	Allies and Morrison Urban Practitioners working with the Garden Town Authorities	Produced November 2018. Approved as a material consideration in December 2018	<p>Document sets out the vision for the Garden Town and the principles which will inform its growth and management.</p> <p>Of particular relevance to the Charter are P4, the Vision for the Garden Town and P8, the principles and indicators which should shape and inform the development of the area.</p>
<b>Harlow and Gilston Garden Town Design Guide</b>	Allies and Morrison Urban Practitioners working with the Garden Town Authorities	Produced November 2018. Approved as a material consideration in December 2018	<p>Document sets out the expectations and aspirations for the delivery of high quality and sustainable developments.</p> <p>Of particular relevance are;</p> <ul style="list-style-type: none"> <li>- P17, Density and typology considerations.</li> <li>- P20 onwards, consideration of important views and landmarks.</li> <li>- P24 onwards, recommendations for sustainable movement network extensions.</li> <li>- P39-41, design recommendations for the Gilston Area.</li> <li>- P50-51, design quality questions to be considered by new</li> </ul>

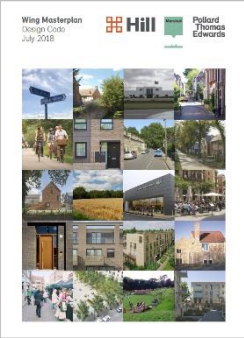

Document	Author	Status	Summary
			development proposals.
<b>HGGT Infrastructure Delivery Plan</b>	Arup working with the Garden Town Partner Authorities	Published April 2019 as a material planning consideration	<p>The IDP draws on previous work undertaken by the Councils – in particular, the District-level IDPs already produced to support the respective Local Plans – and compiles, aligns and updates it. The combined Infrastructure Schedule for the Garden Town covers a wide range of types of infrastructure.</p> <p>The IDP also identifies how expected developer contributions from various sites will be apportioned and what collection mechanisms can be utilised to assist in funding the infrastructure items which serve more than one site. Through the process of producing the IDP, a package of measures and broad estimates of the likely financial contribution for each of the Garden Town sites has been produced. The IDP has been produced concurrently with the Strategic Viability Assessment, to allow these costs to be included in the appraisal. The purpose of the Strategic Viability Assessment is to consider the wider deliverability of the Harlow and Gilston Garden Town, taking into account infrastructure requirements alongside other considerations.</p>
<b>HGGT 'How to' Guide for Planning Obligations, Land Value Capture and Development Viability</b>	Garden Town Authorities	Published April 2018 as a material planning consideration	This Guide sets out how the Councils intend to ensure that a consistent approach is adopted to support growth and deliver the necessary infrastructure to ensure the sustainability and long term stewardship of the Garden Town as a whole in line with the Garden City Principles and Harlow and Gilston Garden Town Vision. This will include the capture of development land value through the use of planning obligations.
<b>HGGT Transport Strategy (draft)</b>	Aecom working with the Garden Town Partner Authorities	Draft – Proposed to be approved as a material planning consideration.	The Transport Strategy will set out how HGGT will achieve the challenge of future travel demand linked to planned growth.
<b>HGGT Sustainability Guidance and Checklist</b>	Garden Town Authorities	Draft – Proposed to be approved	The document provides practical and technical guidance on how relevant sustainability indicators and policies (environmental, social




Document	Author	Status	Summary
		as a material planning consideration.	and economic) in the HGGT Vision and partner authorities plans will be applied to new major residential and non residential developments in the Garden Town.
<b>East Herts Masterplanning Approach</b>	East Herts District Council	Guidance	Document sets out the minimum steps the Council expects to be undertaken in the production of Master Plans.
<b>Hertfordshire's Local Transport Plan, 2018 – 2031</b>	Hertfordshire County Council	Adopted 2018 – material planning consideration.	<p>Hertfordshire's Local Transport Plan sets out how transport can help deliver a positive future vision for Hertfordshire by having a major input into wider policies such as economic growth, meeting housing needs, improving public health and reducing environmental damage whilst also providing for safe and efficient travel.</p> <p>The plan also considers how future planning decisions and emerging technology might affect the way that transport needs to be provided in the longer term.</p> <p>Of particular relevance to Gilson is Local Transport Plan 4.</p>



## Appendix 2 - Case study examples of design documents reviewed to inform the guidance in the Charter.

Case Study	Summary	Learning points and relevance to the Gilston Area
<p>Tottenham Hale Green and Open Space Strategy, London 2015</p> 	<p>Associated with a growth area in London for 5,000 new houses and 4,000 new jobs. The Strategy seeks to:</p> <ul style="list-style-type: none"> <li>• Improve accessibility and links between urban areas and open spaces.</li> <li>• Increase planting and greenery within the urban area.</li> <li>• Merge the green spaces and urban areas.</li> </ul> <p>The strategy guides improvements to the routes between the green and open spaces, extending and connecting open spaces from the Lee Valley Park into the Tottenham Hale area.</p>	<p>This is an Open Space Strategy, and therefore does not present design codes. The Strategy does however provide a good example of developing open space projects which link open space to surrounding urban areas.</p> <p>The Gilston Area could:</p> <ul style="list-style-type: none"> <li>• Focus on accessibility to open spaces from developed areas.</li> <li>• Seek to merge green spaces and developed areas.</li> <li>• Consider creating set projects to bring together developed areas and open space areas.</li> </ul>
<p>Queen Elizabeth Olympic Park Design Guide, London, 2018</p> 	<p>This relates to a 100ha area of open space on the site of the London 2012 Olympic Games Park, now managed by the London Legacy Development Corporation. The Guide sets out expected standards for ensuring good design and biodiversity across the park, and integrating place making principles. The Guide sets out overarching and detailed design principles to guide new development and projects in the Queen Elizabeth Park area.</p>	<p>The Guide is well presented and easy to understand. The use of examples is helpful in conveying the design features being sought. The Guide presents a large amount of detail on design preferences to guide decision making.</p> <p>The Guide is less detailed than Design Codes. This is less restrictive for development proposals but will require more assessment and review by the Council at the planning application stage.</p> <p>The Gilston Area could use a strategic design guide approach to outline strategic design principles and manage the layout of open space, green space and public areas throughout the Gilston Area and the surrounding area.</p>

Case Study	Summary	Learning points and relevance to the Gilston Area
<p data-bbox="92 237 336 309">Wing Masterplan, Cambridge, 2018</p> 	<p data-bbox="375 237 793 584">Development of 1,300 new homes, a primary school, community hall, mixed use units, open space, allotments, clubhouse and sports pavilion. The Design Code aims to ensure quality and co-ordination across all phases of development.</p>	<p data-bbox="815 237 1398 349">The masterplan presents detailed and comprehensive Design Codes which are well presented and easy to understand.</p> <p data-bbox="815 394 1506 696">The masterplan clearly presents mandatory features and recommended features. The use of character areas throughout the development site assists in understanding the requirements across the area. The presentation of good and bad examples of design features is a helpful addition to the document, making the aims and objectives of the document easy to understand.</p> <p data-bbox="815 741 1506 1167">The Gilston Area could use the approach of presenting Design Codes within the village masterplans and could consider creating character areas within and across the village masterplan areas. A similar approach to using landmark features throughout the village masterplan areas could be used to create a more interesting overall design. Masterplans and Design Codes associated with the Gilston Area could incorporate good and bad design examples to help peoples understanding of the aims and objectives of the documents.</p>
<p data-bbox="92 1216 336 1328">Deptford Neighbourhood Plan Design Codes, 2019</p> 	<p data-bbox="375 1216 793 1794">Relates to the Convoys Wharf development site in London, and connections to surrounding estates included within the emerging Neighbourhood Plan. The development site has outline planning permission for up to 3,500 homes, shops, restaurants, cafes and a hotel. The Design Codes provide strategic and detailed design guidance in relation to accessibility, heritage and well-being.</p>	<p data-bbox="815 1216 1506 1480">The Gilston Area could draw upon this approach to develop guidance for key connections into and out of villages, linked to protecting / enhancing heritage, providing access to green infrastructure, and promoting cultural integration. The approach to stakeholder engagement to inform Design Codes could also be beneficial for the Gilston Area.</p> <p data-bbox="815 1525 1422 1592">Design Codes associated with the Gilston Area should:</p> <ul data-bbox="815 1603 1506 1827" style="list-style-type: none"> <li>• Ensure that the status and role of the codes are clearly articulated.</li> <li>• Consider what level of detail is required to meet the aims and objectives of the area.</li> <li>• Consider what themes are required for codes in the area.</li> </ul>

Case Study	Summary	Learning points and relevance to the Gilston Area
<p>Alconbury Weald Design Code</p> 	<p>Development of 5,000 new homes, B1/B2 employment floorspace, open space, and community facilities. The Design Code relates to 108ha of the development site. The Code provides clear and comprehensive design fixes and guidance to inform the production of the reserved matters planning applications.</p>	<p>This Design Code demonstrates the importance of good presentation and clarity in creating a successful document which achieves its aims and objectives. This example can be used to consider the level of detail that is appropriate for the Gilston Area Design Codes. Establishing clear linkages with Reserved Matters applications is helpful in defining the scope, remit, role and status of design codes. The use of a Regulatory Plan is helpful in reviewing and understanding this Design Code.</p> <p>The Gilston Area could:</p> <ul style="list-style-type: none"> <li>• Incorporate and adapt the structural and presentational elements of this Design Code.</li> <li>• Provide a similar level of clarity on design fixes and guidance.</li> <li>• Consider incorporating an overarching Regulatory Plan.</li> </ul>
<p>Land South of Chesterton, Cirencester</p> 	<p>Relates to a site allocated in the Cotswold District Council Local Plan as a new strategic mixed-use neighbourhood that will deliver up to 2,350 homes, employment uses, education and community facilities, areas of public open space and allotments.</p>	<p>The Design Code focuses on design characteristics that are important to achieve, informed by stakeholder engagement. The Codes present clear mandatory and illustrative requirements. The document is well presented and clearly structured / articulated. The Codes include a Regulatory Plan, present detailed design elements, and include a compliance checklist which covers mandatory requirements to inform the reserved matters applications.</p> <p>The Gilston Area could:</p> <ul style="list-style-type: none"> <li>• Draw upon the approach to presenting and structuring a Design Code.</li> <li>• Incorporate a Regulatory Plan.</li> <li>• Include a compliance checklist.</li> </ul>
<p>Chilmington Green, 2016</p> 	<p>Relates to a new garden suburb in Ashford, Kent, for 5,750 new homes arranged in three distinct neighbourhoods. Through a collaborative approach including stakeholder meetings, the design code aims to deliver a high quality environment with a memorable sequence of</p>	<p>There are similarities in the scale and type of development to the Gilston Area. The Design Code covers the entirety of the development rather than distinct village areas. The structure of the document is clear and follows best practice by including a Regulatory Plan, a structured approach, and clearly demonstrating mandatory and illustrative components. Stakeholder engagement has informed the production of this document, and the Codes include a quality charter which helps to</p>

Case Study	Summary	Learning points and relevance to the Gilston Area
	public spaces and a variety of character areas.	<p>provide an overarching series of commitments to guide individual developments.</p> <p>The Gilston Area could:</p> <ul style="list-style-type: none"> <li>• Include a Regulatory Plan and should clearly demonstrate mandatory and illustrative features.</li> <li>• Draw upon the approach to stakeholder engagement.</li> <li>• Include a quality charter to outline a set of commitments to guide development.</li> </ul>
Design Codes for Strategic Development Sites within the Cambridge Fringe Areas, Cambridge City Council and South Cambridgeshire District Council 2012	Produced to provide guidance to applicants on the preparation of Design Codes. The document builds on best practice and lessons learned and sets out a desirable process for the production of Design Codes.	<p>The Charter may draw on the guidance to incorporate requirements for the:</p> <ul style="list-style-type: none"> <li>• Form and scope of design codes.</li> <li>• Identification of detailed elements to be agreed in negotiation with Council.</li> <li>• Design elements to be ‘fixed’ which are non-negotiable.</li> <li>• Process for producing, consulting, testing, reviewing, amending monitoring and enforcing design codes.</li> <li>• Approach to charging for design related support from Councils and seeking to recover costs.</li> <li>• Identification of appropriate governance arrangements.</li> </ul>



This page is intentionally left blank

## East Herts Council Report

### Executive

**Date of Meeting: 2 June 2020**

**Report by: Cllr Geoff Williamson, Deputy Leader & Executive Member for Financial Sustainability**

**Report title: Financial Update**

**Ward(s) affected: All**

---

### Summary

**Across the world countries are dealing with the outbreak of Covid 19 with varying degrees of success. It is clear that both the human and economic impacts will be severe. The full impacts will not be known for some time but by monitoring the financial impact and looking at both the short and medium term, the Council will be able to take informed decisions on resource allocation and plan more effectively for the future.**

### RECOMMENDATIONS FOR EXECUTIVE:

**(a) That the potential impacts of Covid 19 on the budget for 2020/21 and the Medium Term Financial Plan be noted.**

**(b) That authority be given to Heads of Service to agree the deferment of any business related fees and charges where a business can demonstrate that payment would cause immediate financial hardship.**

### 1.0 Proposal(s)

1.1 This report proposes that the Executive note the

potential impacts of Covid 19 on the Council's finances over the short and medium term.

- 1.2 It is also proposed that short term financial assistance is extended to businesses that incur business related fees or charges and are currently experiencing financial hardship.

## **2.0 Background**

- 2.1 The measures put in place to try and combat Covid 19 have had a significant impact on the finances of all local authorities. County Councils have faced additional spending pressures, particularly in adult social care, whilst district councils have suffered from major income streams, such as car parking, drying up overnight.
- 2.2 At this time, with no certainty on when and how restrictions will be lifted and how long it will take for previous levels of activity to return, it is not possible to precisely set out the exact impacts of Covid 19. However, using the best information currently available it is possible to set out some of the key items and provide indicative figures.
- 2.3 The report will consider the budget for 2020/21, the Medium Term Financial Plan and the Council's cash position and level of reserves.

## **Issues for 2020/21 Budget**

- 2.4 In common with other district councils, the revenue budget at East Herts is heavily reliant on income that we generate ourselves from fees and charges or other means. These amounts far outweigh grant support from central government. Most of this income has reduced significantly or in some cases disappeared completely. The table below provides a summary of the key income streams at the end of April.



Income Source	Budget 2020/21	Budget April	Actual April
Land Charges	£266,500	£22,700	£8,930
Licenses	£358,000	£27,958	£8,719
Planning Fees	£1,557,450	£125,430	£72,787
Domestic Paid Loads	£84,700	£7,486	-£28
Trade Refuse	£787,650	£190,022	£4,367
Clinical Waste	£52,150	0	£16
Kerbside Recyclables	£1,284,000	£70,083	0
Pay & Display	£3,616,800	£259,983	£900
Season Tickets	£33,350	£27,608	£17,813
Parking - SMS	£67,200	£2,683	0
Residents Parking	£157,500	£5,500	0
PCN	£736,000	£61,333	£22,847
Theatre	£1,241,890	£77,867	£5,926
Rent	£2,044,940	£76,242	£19,084
Total	£12,288,130	£954,895	£161,361

2.5 The shortfall against budget for income in April is approximately £800,000. If we assume restrictions start to ease in June, but that people take some time to return to their previous behaviours, an optimistic view would be to start the estimate of the overall effect at three times the loss for April or £2.4 million. If this was to extend to an equivalent of five months, the potential loss of income would increase to £4 million. So the

range of income losses is likely to fall between £2.4 million and £4 million.

- 2.6 There are additional concerns about some of the items in the table that could cause higher losses. It is likely that a proportion of the businesses that we provide a trade waste service for will go into administration. This will also have an impact on income that has been recognised in 2019/20 but for which the invoices remain outstanding.
- 2.7 The figures shown in the Budget 2020/21 column for Pay & Display and Rent include the additional amounts of £200,000 for each item that were included as growth targets. We need to consider when to start charging again for our car parks and at what point it would be appropriate to increase fees. Most other Hertfordshire districts either did not suspend their charges or have already re-introduced them.
- 2.8 The increase in rental income was based on the acquisition of additional properties by the Financial Sustainability Committee. Some opportunities were being assessed by the Committee before the restrictions were imposed but little progress has been possible on these recently.
- 2.9 Taking the base potential loss of income of between £2.4 million and £4 million from 2.5 above and allowing for additional losses in trade waste and an underachievement against the additional targets for pay and display and rent takes the projected loss of income figure to between £2.9 million and £4.5 million.
- 2.10 An item of income that is shown below the Net Cost of Services is the interest from our investments. The Council has investments of approximately £10 million each in two property funds. These property funds had been providing returns above 3%, which far exceeded the rates available on bank deposits. The principal sums invested are not at risk but it is likely that returns could

drop by 1%, which would represent a loss in income of £200,000 for 2020/21.

- 2.11 The final income item worth considering is the income from the Council's investment in Millstream. It is likely that the combined impact of curtailed/delayed property purchases and reduced rental income from existing tenants means that instead of the £160,000 income to the council budgeted for 2020/21, the income will be reduced by at least £50,000.
- 2.12 To partially off-set the losses in income there will be some cost savings, particularly the costs associated with putting on events at the theatre. Overall these savings are likely to be limited as the Council's costs are largely made up of staffing and fixed premises related expenditure. On balance, the savings are likely to be of the same magnitude as the loss of income on investments so the total predicted loss remains between £2.9 million and £4.5 million.
- 2.13 Some of the Council's key services have been outsourced so we need to consider the impact of Covid 19 on our contractors.
- 2.14 Everyone Active were provided with a short term loan of £150,000 to cover their payroll while the Government Furlough Scheme was being established. This loan has now been repaid. Smaller support loans of approximately £10,000 per month have been agreed to cover the costs of maintaining the leisure centres while they are shut. These loans will be repaid within six months of the leisure centres re-opening.
- 2.15 The waste service has already been amended, with the suspension of collections of garden waste, to keep domestic waste collections going. Urbaser have notified the council that they are incurring additional costs but these are still to be quantified and negotiated. At this point additional costs for contractors are assumed not to significantly change the predicted loss figure.

- 2.16 In the Financial Update distributed to Members on 7 April, information was provided on commercial tenants seeking help with their rent. We had received requests from nine tenants to defer rent or alter payment periods. For all nine of them we had agreed to defer either the current quarter's rent or the June – Sept quarter if they have already paid March – June. We have advised that we will keep the situation under review and agree a repayment plan once businesses can re-open and resume normal trading. All the tenants have been happy with arrangement so far although we are expecting further requests both from other businesses and these ones for further deferrals if the lock down is prolonged. The annual income from these nine properties is £410,770.
- 2.17 The current position has improved slightly as one of the businesses mentioned above has actually continued paying their rent. This means there are eight tenants currently deferring rent and the annual income from these eight properties is £404,920. It is assumed that this rent will all ultimately be paid.
- 2.18 At this point, it is worth considering if the Executive want to defer any other business related fees. Small businesses may struggle to re-establish themselves when restrictions are eased and may be unable to immediately pay some fees and charges without suffering financial hardship.
- 2.19 A balance needs to be struck here between helping businesses and not causing any further damage to the Council's own finances. Therefore, a blanket deferment is not proposed but it may be appropriate for Heads of Service to be given discretion to agree deferrals on a case by case basis where a business can demonstrate that it is viable in the long term but the lack of deferment would cause immediate financial hardship.
- 2.20 In summary, the Council's financial position for 2020/21

is likely to be between £2.9 million and £4.5 million worse than budgeted. However, the government have provided grant funding of approximately £1.5 million so the net increase in the use of reserves to support the budget for 2020/21 is likely to be between £1.4 million and £3 million.

## **Medium Term Financial Plan**

- 2.21 Initially it is worth reminding ourselves where we got to in setting the Budget for 2020/21 and the Medium Term Financial Plan (MTFP) at Council on 29 January. The savings proposals and additional income generation plans had completely closed the budget gap for 2020/21 but there was still a budget gap for 2021/22 of £420,000.
- 2.22 The additional income generation plans for 2020/21 included £40,000 for improved recycling rates and £25,000 for additional trade waste customers. With the disruption to the waste service and the wider economy it is unlikely that either of these targets will be achieved in 2020/21, although it remains reasonable to assume they can still be achieved over the medium term.
- 2.23 One of the key elements in bringing the Council's spending in line with its income over the medium term is additional income from pay and display. The additional income target of £200,000 for 2020/21 has already been mentioned above. Similar targets exist for each of the four years of the MTFP, giving a cumulative target of increasing income by £800,000 by 2023/24.
- 2.24 Officers in operations are re-mapping the timelines for a decision on the parking strategy but it is unlikely that we will be in a position to provide additional income from parking in 2020/21. Traffic regulation orders require consultation which during a lockdown will not be possible in a meaningful way. Also, an immediate

increase in parking charges as we emerge from lockdown is likely to generate a hostile response from residents and businesses.

- 2.25 Additional annual income targets had also been set for financial sustainability and Millstream. Beyond the difficulties set out for 2020/21 above, these should still be achievable over the medium term. Due diligence was already undertaken by the Financial Sustainability Committee and this will be enhanced going forward to ensure that potential tenants are financially robust.
- 2.26 The market for both residential and commercial property has been slowed by the lockdown and it is possible that opportunities may arise for good value acquisitions in both areas.
- 2.27 The single largest item for generating additional income in 2021/22, is the £400,000 for the introduction of charging for green waste. There is still a lot of work to do on this and any extended disruption to the waste service may cause a delay in the implementation of this scheme. It seems more realistic now to assume this income will arise in 2022/23.
- 2.28 In addition to the Council's own spending and income, the MTFP also includes assumptions on council tax, retained business rates and new homes bonus. To provide a complete picture we also need to consider how these elements have changed due to recent events.
- 2.29 One of the additional funding streams made available by the government was a hardship fund to help working age claimants receiving a council tax reduction. This provided for a further reduction of £150 on the council tax account of all such cases. This was a welcome step but the concern going forwards is how the impact of Covid 19 on the economy may increase unemployment and push up the caseload of council tax support claimants.

- 2.30 Any increase in council tax support cases has the effect of reducing the taxbase. The MTFP includes assumed increases in the taxbase of 2.3% per annum, based on historical trends. A combination of reduced construction activity and an increase in council tax support cases could see no growth in the taxbase for 2021/22. If that happens, income from council tax will be approximately £250,000 lower than the figure in the MTFP.
- 2.31 There have been no official announcements yet on the easing of restrictions on increases in council tax. The maximum annual increase currently allowed without a referendum is £5. It seems highly likely that the government will prefer local authorities to fund themselves via increases in the council tax than through central grants financed by increases in income tax or corporation tax. In order to achieve the council tax income in the MTFP for 2021/22, assuming no increase in taxbase, an increase of £9.11 would be needed from £174.09 to £183.20. This would be an increase of 5.23% and is within the range of flexibility that we might reasonably expect in the future.
- 2.32 For an extended period local government has been awaiting the outcomes of the Fair Funding Review and the implementation of changes to the system of business rates retention. These changes have been further delayed along with the business rates revaluation that was due in 2021. The MTFP had assumed the benefits we currently enjoy of historical growth would be lost in any updating of the system of business rates retention. Hence the reduction of £330,000 included for this funding in 2021/22. Any extension of the current methodology should push this reduction back.
- 2.33 New Homes Bonus has been reduced in stages over recent years. It was expected to disappear completely with the Fair Funding Review providing some other form

of incentive on housing delivery. The amount of New Homes Bonus is determined by the annual growth in residential properties in the district and this will have slowed considerably with the reduced levels of construction. Given both the delay in the Fair Funding Review and the lower value of New Homes Bonus, it seems likely that this funding may continue into 2021/22 but that its significance will be reduced.

- 2.34 In summary, at this time it is not possible to give credible overall estimates of the impact on the MTFP. There are too many key variables in play and some of these will off-set each other. It is clear though that new ideas to reduce net expenditure will be needed to replace or supplement existing plans.

## **Cash & Reserves Position**

- 2.35 The Council currently has approximately £30 million of cash available and is unlikely to run out of money in the short term. However, a significant amount of this cash will be required for precept payments and for the ongoing capital projects.
- 2.36 The cash flow may deteriorate over time if we see a reduction in council tax collection and this is key as we still have to pay the County Council their share regardless of whether we have been able to collect it. At the end of April the collection rate was only down 0.3% on the previous year, in cash terms around £345,000. This is better than expected but there are a much larger number of cases than usual that have made no payments yet.
- 2.37 The Budget and MTFP approved by Council on 29 January included a paper setting out projected levels on reserves over the medium term. This paper projected that as at 31 March 2021 there would be general



reserves available of £4.514 million.

- 2.38 The annual accounts for 2019/20 are still being compiled and early indications are that the use of reserves in that year could be £0.25 million higher than estimated in January. The section above on the Budget for 2020/21 set out that the use of reserves for 2020/21 could be £3 million higher than previously estimated. If we deduct £3.25 million from the predicted balance of £4.514 million we get a revised estimate for general reserves as at 31 March 2021 of £1.264 million.

### **Overall Summary**

- 2.39 It is clear that the Council will suffer short to medium term difficulties as a result of Covid 19. However, the Council has adequate levels of cash and reserves which will allow a considered and pragmatic approach to overcome these challenges.
- 2.40 There is no immediate need for spending or service reductions, although additional initiatives to those in the MTFP will be needed to reduce net spending. The position on both the 2020/21 budget and the MTFP will be kept under review and further updates provided as more information becomes available.

### **3.0 Reason(s)**

- 3.1 For the Executive to take reasoned and informed decisions they need to be aware of the council's financial position.

### **4.0 Options**

- 4.1 The main content of the report is presented for noting and so has no options associated with it. The second

recommendation covers the possible deferment of business related fees and charges and there are different options available on this. At one extreme, amounts could be waived rather than deferred and at the other extreme no help could be offered at all. A middle path of allowing Heads of Service discretion to defer charges in proven cases of financial hardship is recommended.

## **5.0 Risks**

- 5.1 The level of financial risk presented by Covid 19 is one that can currently be managed by the Council. If the lockdown continues for longer than is currently expected or there is a second peak of infections the risk could increase significantly.

## **6.0 Implications/Consultations**

- 6.1 No formal consultation has been undertaken on the content of this report.

### **Community Safety**

No

### **Data Protection**

No

### **Equalities**

No

### **Environmental Sustainability**

No

### **Financial**

As set out in the body of the report.

## **Health and Safety**

Health and safety will have to be carefully considered and government guidelines followed as the council transitions service provision back to normal.

## **Human Resources**

A small number of staff have been furloughed but the majority have been able to work from home or have been re-deployed to other duties.

## **Human Rights**

No

## **Legal**

If the Council was in financial difficulties it would be necessary to consider restrictions on spending, this is not currently the case.

## **Specific Wards**

No

## **7.0 Background papers, appendices and other relevant material**

7.1 None

### **Contact Member**

Councillor Geoff Williamson, Deputy Leader &  
Executive Member for Financial Sustainability

[geoffery.williamson@eastherts.gov.uk](mailto:geoffery.williamson@eastherts.gov.uk)

### **Contact Officer**

Bob Palmer, Interim Head of Strategic Finance  
and Property

Contact Tel No 01279 50 2074

[bob.palmer@eastherts.gov.uk](mailto:bob.palmer@eastherts.gov.uk)

## **Report Authors**

Alison Street, Financial Planning Manager

[alison.street@eastherts.gov.uk](mailto:alison.street@eastherts.gov.uk)

and

Bob Palmer, Interim Head of Strategic Finance

and Property

## East Herts Council Report

**Report to:** Executive

**Date of Meeting:** 2 June 2020

**Report by:** Head of Operations

**Report title:** To note a decision taken under delegated powers to approve an emergency loan to the leisure contractor, Sport and Leisure Management Ltd (SLM) as a response to COVID-19 restrictions.

**Ward(s) affected:** All

---

### Summary

An urgent decision taken by the Chief Executive under delegated powers is required to be reported to the Executive. The decision was for funding approval to provide a loan to the Council's leisure centre operator, Sport and Leisure Management Ltd (SLM).

### RECOMMENDATIONS FOR EXECUTIVE

**To note a decision taken under delegated powers by the Chief Executive:**

**(a) To approve a loan to SLM of the sum set out in the exempt from publication Appendix B to this report, to support the cost of SLM's payroll costs for furloughed staff for April 2020 only.**

**(b) To approve funding for a further loan of £16,171 in April, £12,391 in May and £10,578 in June 2020 (subject to a monthly review of Government instructions) to support the cost of a core team of staff carrying out essential maintenance of East Herts leisure centres.**

## **1.0 Proposal(s)**

- 1.1 That Executive note the following. All information set out below is the same as that provided in the report accompanying the published decision. Certain information is exempt from publication to the press and public, where indicated.
- 1.2 The decision which was sought was that Council provides a loan of the amount set out in Appendix B to SLM to support the cost of SLM's payroll costs for furloughed staff for the month of April 2020 whilst SLM apply for funding through the government's Job Retention Scheme
- 1.3 The decision also sought to approve that the Council provides a loan to SLM to support the cost of a core team of staff to maintain the leisure centres whilst they are closed following government instruction on 20 March 2020. The loan amounts requested were as follows: £16,171 in April, £12,391 in May and £10,578 in June 2020 and subject to review on a monthly basis in line with government instruction.
- 1.4 The decision was approved by the Chief Executive acting under the authority delegated within Part 3c, paragraph 9.2 g) of the Council's constitution.

## **2.0 Background**

- 2.1 On Monday 20 March 2020, the government issued instructions to close all leisure centres as a response to the COVID-19 outbreak. Leisure centres closed with immediate effect.
- 2.2 Prior to closure of the facilities SLM were in regular contact with the Council updating business continuity plans and seeking financial assistance to manage the increasing number of staff self-isolating, the reduced participation (and therefore income from customers)

and forecasting the impact of a potential closure of facilities through a government instruction.

- 2.3 As of March 2020, SLM had funding, details of which are set out at Appendix B, at their disposal to meet their payroll obligations for March, leaving SLM with only a third of the money they would need for the payroll run in April 2020. SLM are a high generating cash business, which on a normal month will, across the group, generate more than sufficient funds to meet payroll requirements, predominantly through direct debit collection. This income effectively has gone down to zero from the start of April due to the government's instruction to close the facilities and SLM's reserves will very quickly be used up without financial assistance from its client teams.
- 2.4 In essence SLM have furloughed the vast majority of colleagues in the contract leaving a small team of staff to check over the building.
- 2.5 Due to the time it will take SLM to access the funding from the Government's Job Retention Scheme, SLM sought a loan from East Herts Council of the sum set out in Appendix B to cover the cost of furloughed staff (80% of staff costs) in April 2020. East Herts Council stipulated within a loan agreement with SLM (Appendix A), that this loan is paid back to the Council within 3 days of SLM receiving funds from Government.
- 2.6 In order to continue maintaining the buildings and to cover the running costs such as utilities SLM are requesting East Herts Council provide an additional loan of:
- £16,171 in April 2020
  - £12,391 in May 2020
  - £10,578 in June 2020
- 2.7 East Herts Council has stipulated that this aspect of the loan is to be repaid to the Council within 6 months of

leisure centres re-opening.

- 2.8 The total funding request for a loan to SLM is therefore the sum set out in Appendix B.
- 2.9 It should be noted that the Council will continue to pay SLM's management fee of the sum set out in Appendix B each month in line with our contract.

### **3.0 Reason(s)**

- 3.1 Without the loan, the company simply does not have the reserves to pay its staff. In line with our corporate approach to contract management the Council would seek to work in partnership to support SLM's ability to retain staff where practically possible in readiness of the re-opening of facilities.
- 3.2 Also, this approach is in line with procurement advice issued by the Government on supporting key contractors.

### **4.0 Options**

- 4.1 The Council could choose to not provide a loan, this would invoke a Force Majeure event as SLM would have no means of trading and therefore delivering the operational management of East Herts Leisure Centres.
- 4.2 The Council could chose to only provide a loan for the April 2020 payroll costs and not the core staff. This is likely to result in a much longer lead in time for the facilities to re-open and therefore impacting SLM's ability to repay the Council in a timely manner.

### **5.0 Risks**

- 5.1 The key risk in providing a loan to SLM is their ability to repay the loan to the council. In accordance with the guidance on the HMRC website SLM would be eligible for the job retention scheme. They would also be eligible for government backed business loan schemes and therefore, as they have access to funds, the risk is



low.

- 5.2 Prior to COVID-19 the Council undertook a procurement exercise to re-tender the leisure operating contract. SLM's financial standing is not a cause for concern in normal business circumstances, these are exceptional circumstances and therefore an emergency loan is requested and is not seen as a high risk.

## **6.0 Implications/Consultations**

- 6.1 Both the Head of Strategic Finance and Property and the Head of Legal and Democratic Services were consulted.

### **Community Safety**

No

### **Data Protection**

No

### **Equalities**

No

### **Environmental Sustainability**

No

### **Financial**

Yes – the financial and service risks to the Council would be far greater if SLM was unable to pay staff and continuing trading. The amount of the loans is small relative to the Council's reserves and the risk of non-payment is not high. SLM have access to funds through the Government's Furlough Scheme and through the extended arrangements for business loans and so should be able to repay the loans and continue trading.

The action was the most efficient and economic way of mitigating the risk of the leisure contract failing.

## **Health and Safety**

No

## **Human Resources**

No

## **Human Rights**

No

## **Legal**

Yes – The document signed by both parties provides a legal basis for the loan, setting out the intentions of both parties and for the repayment of the loan in a timely manner upon receipt of the funds through the Government’s Furlough Scheme by SLM.

## **Specific Wards**

No

## **7.0 Background papers, appendices and other relevant material**

- 7.1 Appendix A – loan agreement
- 7.2 Appendix B – loan amount (exempt paper)
- 7.3 Appendix C – decision sheet

### **Contact Member**

Cllr Eric Buckmaster – Executive Member for Wellbeing

[Eric.Buckmaster@eastherts.gov.uk](mailto:Eric.Buckmaster@eastherts.gov.uk)

### **Contact Officer**

Jess.Khanom-Metaman – Head of Operations

Contact Tel No 1693

[jess.khanom-metaman@eastherts.gov.uk](mailto:jess.khanom-metaman@eastherts.gov.uk)



This page is intentionally left blank

## EAST HERTS COUNCIL

**OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS  
2014  
OFFICER DECISION WRITTEN RECORD**

Reference:	ODD2022
Subject Matter:	Request for emergency loan to leisure contractor, Sport and Leisure Management Ltd (SLM) as a response to COVID-19 restrictions.
Date of Decision:	16 April 2020
Exempt /Confidential information (Yes ):	Yes, partially
If Exempt/Confidential – reason why:	Report appendices contain financial information regarding SLM included which is commercially sensitive and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
Name of Officer taking decision under delegated authority:	Richard Cassidy, Chief Executive
Source of delegated authority:	Acting under the authority delegated within Part 3c, paragraph 9.2 (g) of the Council’s constitution.
Exercise of delegated authority approved by: <i>(if different from Officer taking decision)</i>	
Decision:	(a) Funding approval for a loan to

	<p>SLM of the sum set out in Appendix B to support the cost of SLM's payroll costs for furloughed staff for April 2020 only.</p> <p>(b) Funding approval for a further loan of £16,171 in April, £12,391 in May and £10,578 in June 2020 (subject to a monthly review of Government instructions) to support the cost of a core team of staff carrying out essential maintenance of East Herts leisure centres.</p>
Reason(s) for Decision:	SLM do not have sufficient reserves to run payroll for April 2020. Without a loan SLM would have difficulty maintaining staff and trading in readiness for the re-opening of facilities.
Details of alternative options, if any, considered and rejected:	<p>The following options were discounted:</p> <p>1) The Council could choose not to provide a loan, this would invoke a Force Majeure event as SLM would have no means of trading and therefore delivering the operational management of East Herts Leisure Centres.</p> <p>2) The Council could chose to only provide a loan for the April 2020 payroll costs and not the core staff. This is likely to result in a much</p>

	longer lead in time for the facilities to re-open and therefore impacting SLM's ability to repay the Council in a timely manner.
Name of Officer who has confirmed with all Members involved in taking this decision whether they have a pecuniary or non-pecuniary interest:	N/A
Name(s) of any Member who has removed himself/herself from contributing to this decision because of a conflict of interest:	N/A

This page is intentionally left blank



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank