

East Herts District Council – Harlow District Council Meeting Notes

Date/time: Thursday 2 October 2014, 5:30pm
Venue: Harlow District Council Offices

Attendees:

East Herts District Council

Cllr Mike Carver (MC) Executive Member for Strategic Planning and Transport
Claire Sime, Team Leader, Planning Policy
Martin Paine, Senior Planning Officer

Harlow District Council

Cllr Jon Clempner, Leader of the Council
Cllr Tony Durcan, Deputy Leader
Graeme Bloomer, Head of Regeneration
Dianne Cooper, Planning and Building Control Manager
Paul McBride, Planning Policy Manager

Meeting Notes:

1. The importance of getting a robust plan in place was discussed. East Herts was very concerned by the current unplanned development proposals allowed on appeal in the Rural Area Beyond the Green Belt and wanted to bring forward a Plan as quickly as reasonably possible in order to manage planning applications more effectively.
2. At the same time, East Herts was mindful of the importance of getting robust infrastructure plans in place to support development. Complications with infrastructure planning were delaying progress and this was very frustrating for many in the Council and beyond.
3. East Herts explained that it had appointed Peter Brett Associates to undertake a Delivery Study to look at the deliverability of the draft Plan, including proposals for the Gilston Area. The specification for this work was in the public domain. This work covered a number of technical areas, including financial viability, transport advice, and infrastructure planning. Harlow Officers had been involved in a number of East Herts workshops on delivery matters.
4. Harlow Council's response to the East Herts draft District Plan consultation (dated 22 May 2014) was reviewed. Three main points were discussed in relation to this. Each is addressed in turn.

Objectively Assessed Housing Needs

5. Harlow Council's consultation response states that *"The Draft District Plan does not provide sufficient reasoning for why only housing needs arising from forecast population changes are being met and why an*

upward adjustment to these figures has not been made to reflect other considerations (such as affordability pressures across the EHDC area) and the need to drive forward long term national growth as set out in government policy”

6. In relation to this point, it was discussed that the projections are the starting point for consideration, as set out in the NPPF. The new Strategic Housing Market Assessment (SHMA) was due to be published in draft shortly and this should provide fresh evidence as to the levels of housing, and enable refinement of the evidence in the demographic projections. The SHMA would also address issues of market signals and affordability.
7. However, it was understood that the SHMA itself would not provide a single definitive answer as to an appropriate housing requirement, and the evidence would require careful interpretation. East Herts was taking advice from Peter Brett Associates, authors of the Planning Advisory Service Technical Note on Objectively Assessed Needs in relation to interpretation of the SHMA. It was discussed that the figure of 750 represents a step change in supply over the RSS figure of 600 per annum.

Unmet needs of adjoining authorities

8. The second main point in Harlow Council’s consultation response states that *“The Plan does not recognise or seek to accommodate the development needs of adjoining Councils, including Harlow. Moreover, neither the Draft Plan nor any supporting evidence to date, demonstrates how EHDC has satisfied the legal and soundness components of the Duty to Co-Operate.”*
9. It was agreed that the Planning Inspectorate is taking a hard line on this issue, as evidenced in the conclusions of a number of Local Plans elsewhere in the country where examinations had been suspended pending resolution of these issues.
10. East Herts Council acknowledges this issue. However, only when the SHMA evidence was available and the level of Objectively Assessed Needs was understood, that it would be possible to consider this issue properly. It would also be necessary to understand deliverability and phasing issues in the area before a considered view could be reached on whether/how much could be identified towards unmet needs, should any be identified. ATLAS had provided evidence of delivery rates at strategic developments elsewhere in the country which should be used to inform thinking around this point.
11. The Duty to Co-Operate had formed an important factor in East Herts Council’s decision to include the Gilston Area within the draft Plan. Careful consideration had been given to Harlow Council’s regeneration aspirations through achieving critical mass, and the technical work

demonstrating this level of consideration was available on East Herts Council's website.

12. A Memorandum of Understanding (MoU) was discussed. East Herts was attempting to secure MoUs with all seven adjoining Local Planning Authorities. These needed to be agreed by the Council's membership. East Herts was currently in discussion with Welwyn Hatfield Borough Council over an MoU covering the area east of Welwyn Garden City. Although, given the comparatively early stage in the plan preparation process, this could not currently resolve issues such as unmet need, it was nevertheless a step forward in identifying further areas for joint working. It was agreed that Harlow and East Herts should consider a similar approach.
13. Harlow Council acknowledged that it had not been possible to arrange Member-level meetings recently due to Harlow Council's elections in May 2014 and the subsequent time taken to appoint to Cabinet positions. It was discussed that there was good joint-working at Officer level, including work on joint studies. Harlow Council had been participating in various workshops arranged by East Herts, including on the Delivery Study.

Level of Certainty

14. The final main point in Harlow Council's consultation response states that *"The Draft Plan commits only to further testing of the appropriateness of the Gilston Area for development through a separate development plan document. The final scale and nature of development here (if any) is a central issue for the strategy that has wider implications for not only providing for EHDCs development needs but also for adjoining District Council areas. This matter should not be deferred until a later date but considered fully as part of the Draft Plan."*
15. East Herts Council acknowledged that there remains at present a significant degree of uncertainty around the Gilston Area, and that this would need to be addressed in order for the Plan to move forward and satisfy the Planning Inspectorate at examination.
16. One area of uncertainty included the different visions of development provided by Places for People and City and Provincial Properties, with some fundamental differences remaining between the site promoters, including the overall scale of development and the location of Stort Crossings. This was a significant issue for viability and would have a big influence on any planning framework for the area. It was discussed that the site promoters were being encouraged to work out a joined-up approach to these fundamental issues.
17. It was also the case that whilst Essex County Council seemed comfortable with a development of up to 10,000 homes, Hertfordshire County Council (HCC) had so far not expressed a view on the matter,

but appeared to be urging caution and further work. The VISUM modelling, due in November, should address the proposed Junction 7a and also clarify the wider impacts of the cumulative development in the area, including at Bishop's Stortford South, Sawbridgeworth, and 10,000 homes at the Gilston Area. East Herts explained that PBA's transport specialist planned work with HCC in order to identify a way forward.

18. The appropriateness of the approach to a DPD was discussed. It was discussed that Area Action Plans or DPDs are commonly used for large urban extensions, particularly where there are complex infrastructure matters to address. It was agreed that Officers from both Councils would seek a joint meeting with ATLAS and the Planning Advisory Service in order to obtain an independent view as to an appropriate way forward.

Scale of Development

19. Harlow Council asked whether a 'Garden City' approach to development should be pursued for the area. It was pointed out that this would require at least 15,000 homes in order to meet the definitions set out in the government's Garden Cities Prospectus and therefore to qualify for government funding.
20. East Herts Council responded that whilst any additional funding would certainly help with the feasibility and viability of development, it was doubted whether a level of development above 10,000 homes would be realistic. Although the original Ropemaker Proposals had proposed up to 25,000 dwellings in the area, this was at extremely high densities which would result in very little open space.
21. City and Provincial Properties were proposing 1,500 dwellings on their land, to add to the 8,500 dwellings proposed by Places for People. Places for People were not proposing to develop on Hunsdon Airfield, or the area around the woodlands to the north, which would be turned over to local people as some form of Community Trust. Places for People's vision for a lower-density development including significant areas of open space including Gilston Park.
22. LEP involvement was discussed. East Herts Council was engaging with Hertfordshire LEP, which was viewed as key to unlocking essential infrastructure funding.

ACTIONS

- Officers to share work on other MoUs and begin to draft an MoU for the two Councils
- Officers to arrange a joint meeting with ATLAS/PAS to investigate appropriate policy vehicles (DPD or other)
- A further Member-level meeting to be arranged once the SHMA conclusions were available.

The meeting ended at 7pm

As of 17th November 2014, Harlow Council had not responded to requests for comment on the meeting notes, but had been made aware that they are being made public.