

24 July 2015



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Dear Ms Haddow,

**Response to Application for Neighbourhood Plan Area Designation
Eastwick and Gilston Parish Council and Hunsdon Parish Council
Savills Planning on behalf of City and Provincial Properties**

We write on behalf of City and Provincial Properties (CPP) as a joint land promoter of the Gilston Area for new development (as identified within the emerging East Hertfordshire District Council (EHDC) District Plan) alongside Places for People, in respect of the application made by the Parish Councils of Eastwick and Gilston, and Hunsdon to create a joint neighbourhood planning area.

This letter should be read in conjunction with the correspondence prepared and submitted by Quod, on behalf of Places for People.

CPP's land relates to the western part (Village 7), comprising approximately 114 hectares of the Gilston Area masterplan (see Appendix 1). This masterplan to including CPP's land (forming part of a wider Delivery Plan for the site's delivery) has been presented to EHDC and their advisers Peter Brett Associates (PBA). Joint technical work is being developed jointly by both promoters to support the wider masterplan to include both land ownerships in support of the next consultation on the Local Plan.

Background to the Gilston Area

As Quod's letter sets out, both land promoters have been engaging with EHDC Planning Officers throughout the development of the District Plan, to identify the Gilston Area as a suitable location for new housing development with supporting land uses and infrastructure which would make a significant contribution towards meeting housing needs in the area within this plan period and the next, as well as the economic regeneration of Harlow.

Within the latest Preferred Options draft of the emerging District Plan (published for consultation in February 2014) EHDC state that the "*Council accepts the principle of development*" in the Gilston Area.

Given the significant levels of evidence base and technical work that has been undertaken by EHDC and the Gilston Area land promoters to develop the proposals District Plan and for the Gilston Area more specifically, the purpose of this letter is to express CPP's concern that the application for the creation of a joint neighbourhood planning area, and any neighbourhood plan that follows, does not seek to challenge or

undermine the principle of development in the Gilston Area, which is critical to meeting the future housing needs of the District.

Relationship between a Local Plan and a Neighbourhood Plan

The National Planning Policy Framework (NPPF) (March 2012) is clear that the NPPF should be a key consideration in the preparation of both local and neighbourhood plans (paragraph 2).

In discussing the relationship between local and neighbourhood plans, paragraph 16 of the NPPF states:

“... neighbourhoods should:

- *develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;*
- *plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and*
- *identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.”*

The National Planning Practice Guidance (NPPG) (correct as at 23rd July 2015) states that a draft neighbourhood plan or Order must be “*in general conformity*” with the strategic policies of the development plan if it is to meet the basic conditions required to progress to referendum.

From these extracts, it is clear that a neighbourhood plan should occupy the role of a secondary document to that of the local plan, whose responsibility it is to sets the strategic direction of growth. Neighbourhood plans are then able to direct local development, which is separate to the strategic elements of the local plan.

There have also been a number of recent High Court judgements relating to the relationship between the two tiers of policy. Of note is *Burton and South Derbyshire College v Secretary of State* (2015) in which the Judge was clear that neighbourhood plans must conform with the local authority’s local plan, even in cases where such a document is only at an emerging stage.

Summary

In summary, the allocation and development of the Gilston Area is crucial for meeting the ever growing housing need within the District as well as the regeneration of Harlow. Therefore it is critical that EHDC ensure the Parish Council’s neighbourhood plan aspirations do not negatively impact on the Gilston Area and work within the policy framework of the NPPF and the District Plan.

Whilst CPP have these concerns, they do not oppose the principle of a neighbourhood plan being developed and would welcome the opportunity to work constructively with the Parish Councils in the development of the document at the appropriate time with the ultimate aim to achieve strategic housing growth in sync with the objectives and timeline for the adoption of the EHDC District Plan.