

EAST HERTS COUNCIL

EXECUTIVE – 12 JUNE 2018

REPORT BY THE LEADER OF THE COUNCIL

GILSTON AREA CONCEPT FRAMEWORK AND PLANNING PROCESS

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- To enable Members to consider the Gilston Area Concept Framework document and seek agreement to use the Concept Framework and this Report to inform further work, as set out, and act as a benchmark when considering future Development Management Decisions in relation to the Gilston Area.

RECOMMENDATION FOR EXECUTIVE: To recommend to Council that:

(A)	the Gilston Area Concept Framework, as detailed at Essential Reference Paper 'B', and as to be revised in accordance with the schedule of proposed changes, as detailed at Essential Reference Paper 'C', together with this report be agreed as a material consideration for Development Management purposes;
(B)	the pre-application engagement process and areas of further design work, as set out within this report, be endorsed; and
(C)	the Concept Framework be used as a benchmark against which future development proposals will be assessed, as set out within this report.

1.0 Background

- 1.1 The Gilston Area is an allocation for 10,000 homes together with associated uses and infrastructure comprising but not limited to community facilities, employment, retail, education, sports and open space and strategic transport improvements including additional/enhanced crossings to the River Stort. These are identified within Chapter 11 of the emerging District Plan and specifically Policy GA1 as set out in the Main Modifications Consultation February 15 – March 29 2018. Further details on the River Stort Crossings are set out within Policy GA2.
- 1.2 At the time of this report, Examination Hearings into the Submission version of the District Plan have been completed and consultation has been undertaken on the proposed Main Modifications. Responses to these Main Modifications have been collated by the Council and submitted to the Inspector subsequent to the consultation closing on 29 March 2018. The Inspector's fact check report is expected early June, with the final report anticipated in late June/July 2018.
- 1.3 On receiving the Inspector's final report the Council will review and consider further actions as necessary including whether the Plan is able to be formally adopted by the Council.
- 1.4 As set out within the Plan and Policies, the Gilston Area forms part of the Harlow and Gilston Garden Town which comprises various new developments in the wider Harlow area, within the local authority areas of East Herts, Harlow and Epping Forest District Councils. These Councils are working cooperatively alongside Hertfordshire and Essex County Councils to bring forward these significant developments. Policy GA1 commits that proposals for the Gilston Area should complement, and have regard to, ongoing work in relation to the Harlow and Gilston Garden Town.
- 1.5 In May 2016 it was agreed between the Council and the

landowners for the Gilston Area, with the guidance of the Homes and Communities Agency (now Homes England), that a Concept Framework document would be prepared as a proof of concept to demonstrate the deliverability of the allocation.

- 1.6 The Framework document used a combination of surveys and assessments, conceptual masterplanning and consultations with stakeholders and the community in order to illustrate the form that development of the allocation might take, including setting out clear principles that could be followed in order to deliver such a concept.
- 1.7 Policy GA1 (Main Modifications) of the District Plan part II states that “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.”
- 1.8 The Concept Framework document has been subject to consultation between 24 July 2017 and 8 September 2017.
- 1.9 Comments were received from a range of stakeholders including statutory bodies, interest groups, community representatives and the general public.
- 1.10 Subsequent to that consultation, revisions were incorporated to the Concept Framework in December 2017. These were informed through technical evidence prepared to support the District Plan allocation at Examination and through further engagement undertaken with the community facilitated through the Gilston and Hunsdon Neighbourhood Planning Group and the Gilston Area Steering Group. This engagement

with the community and their representatives has been particularly valuable due to the commitment and effort provided by the community.

- 1.11 The revisioning process undertaken has sought to articulate a specific concept approach to delivering the Gilston Area as a series of distinct villages, produced through a collaborative process of engagement between the landowners, the Council and the community.
- 1.12 Whilst the concept of creating a series of distinct villages is specific, the content of the Framework should be considered a broad articulation of the delivery of this concept, in advance of formal pre-application or statutory application engagement. It has therefore not sought to exhaustively reflect or address all comments received, to either the consultation or subsequent engagement. Neither does it necessarily reflect compliance with all policies set out within the District Plan or its Modifications, nor does it necessarily reflect a collective agreement or authoritatively define such delivery. The positions of the Council, community and statutory bodies and interest groups in subsequent engagement are therefore not pre-judged by their involvement in the preparation of this Framework.
- 1.13 Further engagement upon any future development proposals is considered necessary and is highlighted within this report.
- 1.14 The December 2017 version of the Gilston Area Concept Framework document is at **Essential Reference Paper 'B'** to this report and can be viewed at: [Gilston Area Concept Framework December 2017](#) together with a schedule of further amendments, attached at **Essential Reference Paper 'C'**, which are proposed to be incorporated as a final version, subject to the recommendations of this report.

2.0 Report

2.1 The structure and purpose of this report is:

I. Status of the Concept Framework:

To confirm and record the status of the Concept Framework;

II. Stages of the pre-application engagement process:

To set out the broad stages of the 'pre-application engagement process' that is expected by the Council in order to inform and bring forward planning applications for the Gilston Area in accordance with part II of Policy GA1;

III. Pre-application design work:

To identify in broad terms the 'further design work through the pre-application engagement process' that the Council considers necessary prior to the submission of any planning application, in accordance with part II of Policy GA1;

IV. Stakeholder engagement:

To set out how the Council expects applicants to take account of the stakeholder engagement received through the Concept Framework preparation and continue engagement in the preparation of any planning applications;

V. Review against the Concept Framework Benchmark:

To set out how the Concept Framework will be used by the Council as a benchmark in reviewing proposals for development in accordance with part II of Policy GA1.

I. Status of the Concept Framework:

2.2 **Essential Reference Paper 'B'** includes the Gilston Area Concept Framework, December 2017 version, which highlights earlier revisions to the document.

2.3 **Essential Reference Paper 'C'** includes a Schedule of recommended final amendments to the Concept Framework document.

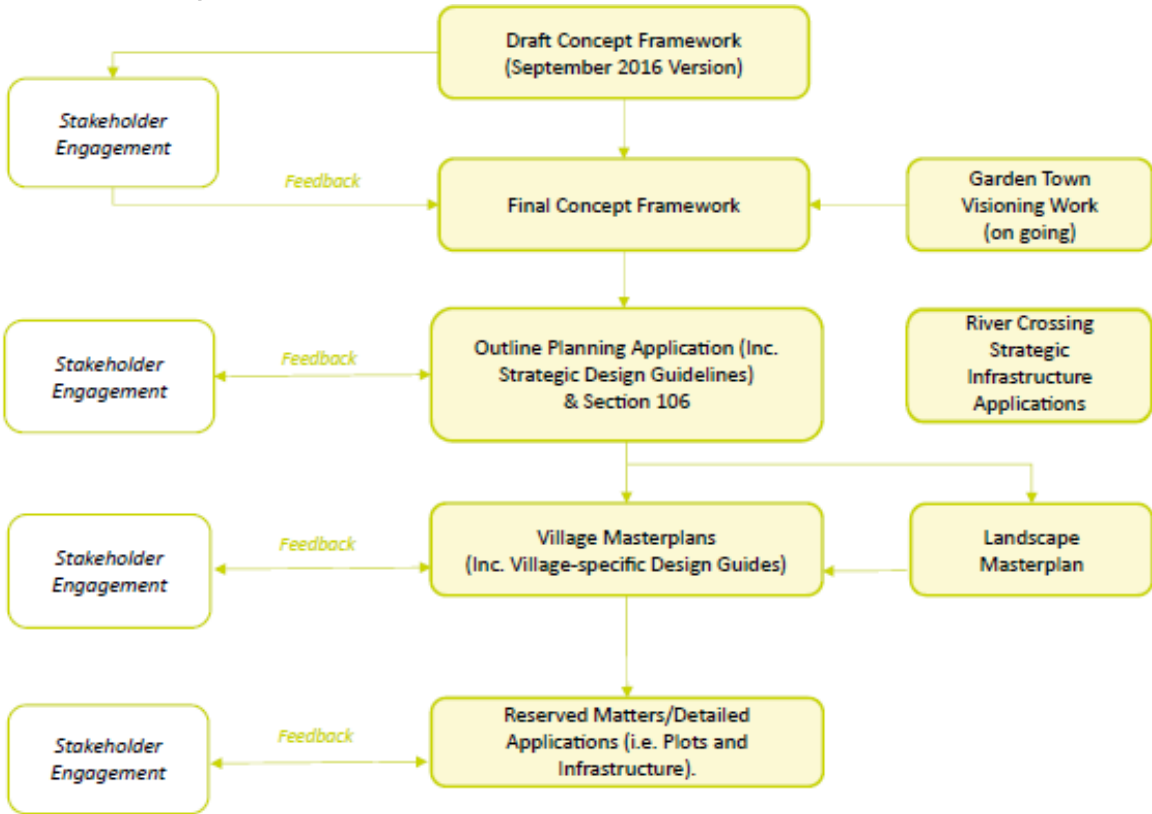
2.4 The Concept Framework will be formally revised in accordance with this schedule. The Council will then consider that the Concept Framework formulation process is completed.

- 2.5 It is recommended that the Gilston Area Concept Framework, as revised, together with this report is agreed by the Council as a material consideration¹ for Development Management purposes.
- 2.6 Hereafter, for the purposes of the District Plan, explicitly Policy GA1, and Development Management, reference to the Concept Framework should duly be considered to be implicitly referring to both documents, these being considered as directly coupled.

II. Stages of the pre-application engagement process:

- 2.7 The Concept Framework sets out an indicative planning process for the Gilston Area as illustrated in **Figure 1**:

Figure 1: Gilston Area Planning Process (Gilston Area Concept Framework, December 2017)



- 2.8 **Figure 1** illustrates a layered approach with the Concept Framework preceding the planning application process which

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

is expected to follow a set of stages, starting with Outline planning applications, followed by Masterplans for each of the villages prior to progressing to detailed planning application. At each stage stakeholder engagement will take place. In simplistic terms the level of detail increases at each layer of this process, progressing from the Concept to the broad Parameters of the Outline application, to the Masterplan of a Village and finally to the detailed design of buildings and places.

- 2.9 It should be noted that the Gilston Area represents a development programme which will extend significantly beyond the 15 year District Plan horizon of 2033, with current estimations by the Council of first occupations in 2022/23 and final occupations in 2056/57. It should also be noted that the present promoters and landowners of the Gilston Area have announced that they will not submit a joint outline planning application for the Gilston Area but instead will submit separate applications reflecting the extents of their respective land ownerships. Land ownerships and the identity of future applicants are likely to be subject to additional change over time.
- 2.10 Due to the long term nature of the Gilston Area allocation it is necessary for the planning process to remain flexible in order to respond to the likelihood of changes to those involved in its delivery, changes in market conditions, national planning legislation and guidance as well as in order to consider best practice.
- 2.11 A more detailed planning process is set out at **Essential Reference Paper 'D'** representing the expectations of the Council at this time. At all times the planning process will be in accordance with relevant legislation and the Council's adopted procedures including the Statement of Community Involvement.

- 2.12 **Essential Reference Paper 'D'** illustrates the relationship between the Councils work undertaken in cooperation with neighbouring authorities on the Harlow & Gilston Garden Town and that of the District Plan. Effectively together these form the top layer of the planning process, within which the Concept Framework document will sit as a material consideration.
- 2.13 A Gilston Area Development Charter is also identified within this top layer. This will be informed by the District Plan, the Concept Framework and the emerging Garden Town Spatial Vision. It will set out principles for delivering the allocation in accordance with the Concept and the Vision. This Charter is yet to be prepared.
- 2.14 The Concept Framework will be a material consideration alongside these other documents when the Council considers formal application submissions including at Outline, Masterplan and Reserved Matters stages. Applicants will be directed to consider the Concept Framework when preparing applications and to set this out within accompanying illustrative design statements.
- 2.15 The planning process set out does not include for an output from the current joint Neighbourhood Planning Group as, whilst the area designation has been agreed, there is no draft plan. The Council will work with the Neighbourhood Plan Group to provide advice to the community in the preparation of any Neighbourhood Plan which would need to be in general conformity with the adopted Development Plan for the local area.
- 2.16 It is recommended that the planning process set out in **Essential Reference Paper 'D'** is endorsed by the Council as the process which applicants will be expected to follow, and give consideration to, when preparing proposals related to the Gilston Area. Any variation from this process should be agreed with the Council.

III. Pre-application Design Work:

- 2.17 In accordance with Part II of Policy GA1 of the emerging District Plan 'further design work through the pre-application engagement process' is considered necessary by the Council prior to the submission of any planning application for the Gilston Area.
- 2.18 The further work is considered necessary to inform the next stage of the planning process. It should complement, and have regard to, ongoing work in relation to the Harlow and Gilston Garden Town, and take account of stakeholder comments received in the course of consultation and engagement on the Concept Framework. The broad subject headings of the further work are listed below:
- Transport Strategy to provide priority for sustainable travel options within the Gilston Area and to destinations within the wider Harlow & Gilston Garden Town in order to facilitate a 60% modal shift towards sustainable forms of travel across the Garden Town;
 - Transport Infrastructure & Access Design for the Gilston Area and the new/enhanced River Crossings including consideration of ways to address the varying levels of severance to free movement between the Gilston Area and wider Garden Town as well as between and within existing communities of Gilston and Eastwick, in particular, how highway infrastructure may affect the relationship between Pye Corner and Terlings Park;
 - Housing mix;
 - Village Centres and non-residential uses including Education, Retail, Employment, Leisure, Community Uses and other. Their potential location and form as part of a Gilston Area-wide strategy taking account of

the relationship with the wider Garden Town and existing communities in order to deliver vibrant and viable centres to the new village communities;

- Consideration of the potential of the site to facilitate the delivery of a re-located Princess Alexandra Hospital;
- Landscape and Visual Impact, Ecology, Drainage and Flood Risk;
- Protection and enhancement of Heritage Assets;
- Parameter Plans and Parameter Text, including how open spaces, 'buffers' and building heights will be articulated and defined;
- Gilston Area wide principles for high quality design and high quality delivery through engaging with the Council and Stakeholders in the preparation of a Development Charter;
- Future Governance and long-term Stewardship of open space, infrastructure and community assets across the Gilston Area;
- Working with the Council and the Gilston Area Steering Group to prepare a Community Engagement Strategy;
- Other matters as informed by the emerging District Plan, the Garden Town, Stakeholder engagement and pre-application engagement with officers.

2.19 It is recommended that the further work set out in Paragraph 2.18 is endorsed by the Council as the broad matters on which the applicants will be expected to engage with the Council through pre-application process prior to the first submission of any planning application(s).

IV. Stakeholder Engagement:

- 2.20 Through the preparation of the Concept Framework a range of Stakeholders were engaged both through the formal consultation and subsequent discussions, particularly representatives of the local community through the joint Neighbourhood Plan Group and the Gilston Area Steering Group.
- 2.21 The Council directs applicants to use the output of engagement received to inform the preparation of their planning proposals at Outline or subsequent Masterplanning and Reserved Matters stages, dependent upon the nature of the comments. This does not preclude future community and stakeholder engagement by applicants, which continues to be encouraged and expected by the Council, but should help inform that engagement to be co-ordinated through the Gilston Area Steering Group and the Engagement Strategy.

V. Review against the Concept Framework Benchmark:

- 2.22 In accordance with Part II of Policy GA1 of the emerging District Plan the Concept Framework (and by implication this report) will be used by the Council as a benchmark in reviewing application proposals for the Gilston Area.
- 2.23 The Council will apply the benchmark of the Concept Framework in the following three ways.
- 2.24 Firstly, applicants will be directed to consider the Concept Framework when preparing their proposals and engaging in pre-application discussion and Stakeholder engagement.
- 2.25 Secondly, applicants will be directed to support application submissions with an illustrative Design Statement that includes a demonstration of how their proposals have considered the Concept Framework, including how their proposals relate to the Concept and, where necessary, where and why their proposals may differ.

- 2.26 Thirdly, when assessing planning applications the Council's officers and Members (through appropriate decision making processes) will take account of the level of conformity between the application proposals and the Concept Framework. It is anticipated this will be achieved through the associated officer report on each application which will consider the Concept Framework as a material consideration² when making recommendations.
- 2.27 It is to be expected that additional surveys, engagement and design work throughout the application process may lead to agreement upon changes in approach, however, particular consideration will be given to whether those changes impact upon the specific concept of the creation of a series of distinct villages within the Garden Town developed in accordance with Garden City Principles as articulated within the Concept Framework.
- 2.28 In summary, it is recommended that the Gilston Area Concept Framework, as detailed at **Essential Reference Paper 'B'**, as to be revised in accordance with the schedule of proposed changes, as detailed at **Essential Reference Paper 'C'**, together with this report, be agreed as a material consideration³ for Development Management purposes. It is also recommended that the Council endorse the planning process set out in **Essential Reference Paper 'D'**, the further work identified within paragraph 2.18 of the report as considered necessary prior to submission of any first planning application and the process set out within the report by which the Concept Framework will be used as a benchmark.

² A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.

³ A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.

3.0 Implications/Consultations

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

Background Papers:

Emerging District Plan -

<https://www.eastherts.gov.uk/mainmodifications>

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