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Quod

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# Equality Statement

Compulsory Purchase  
Order enabling the delivery  
of the Central River Stort  
Crossing and Eastern Stort  
Crossing

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MARCH 2022

Q30176

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# 1 Introduction

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## Purpose of this Statement

- 1.1 This Equality Statement (EqS) has been prepared by Quod to provide information to the relevant public bodies in relation to their use of Compulsory Purchase Powers.
- 1.2 These powers are available to them under section 226(1)(a) of the Town and Country Planning Act 1990 and will allow them to compulsorily purchase land and/or acquire rights within each District to enable development of the Central River Stort Crossing and Eastern Stort Crossing, subject to determination.
- 1.3 This Statement provides a summary of the likely impacts of the proposals which the Authorities should consider when discharging their Public Sector Equality Duty (PSED) under Section 149 of the Equality Act 2010 ('the 2010 Act').
- 1.4 This Statement may require revision in the event that any changes to the land referencing occur between now and the making of the CPOs (or any other relevant considerations arise through the process of that application).
- 1.5 No disproportionate effects have been identified. Some differential effects could occur and these are summarised in Section 6.
- 1.6 Based on the nature of the likely effects of the CPO, any such effects will be able to be mitigated or compensated for through the process of making the CPO. Relevant indirect environmental effects as a result of the construction and operational River Crossings (primarily noise effects, for a limited number of receptors) will be mitigated and managed under the conditions placed on the Planning Permissions granted for the River Crossings.
- 1.7 Under the Act, the Authorities are not required to take any specific course of action in response to any identified effects or potential equality effects, just to take due consideration of the effects in their decision making.
- 1.8 The public bodies, namely Harlow District Council and East Herts District Council, are hereafter referred to as "the Acquiring Authorities". The Minister is hereafter referred to as the "Confirming Authority"; and collectively as the "Authorities".

## The Planning Context

- 1.9 Places for People ('the Applicant' for the Central River Stort Crossing and the Eastern Stort Crossing) seeks to deliver 8,500 new homes in Gilston Park Estate (GPE)<sup>1</sup>. This site is part of a 16,000 home plan (and other uses) for the expansion of Harlow in four key areas collectively referred to and planned as the Harlow and Gilston Garden Town (HGGT). To enable the delivery of the HGGT strategic infrastructure work is planned. This includes two road bridge crossings – the Central River Stort Crossing and Eastern Stort Crossing. The Central (3/19/1046/FUL) and Eastern (3/19/1051/FUL) River Stort Crossing Planning Applications were made to both Harlow District and East Hertfordshire District Councils<sup>2</sup> (HDC and EHDC) as they cross the administrative boundary.
- 1.10 To facilitate construction of the Central River Stort Crossing (CRSC) and Eastern Stort Crossing (ESC) for the benefit of the Harlow of Gilston Garden Town (HGGT) as well as EHDC and HDC individually, it will be necessary for HDC and EHDC to exercise compulsory purchase powers.
- 1.11 Because this statement is directly related to Compulsory Purchase powers, it focusses on the proposed crossings for which CPO rights are required, and not on the potential effects of the wider development applied for under 3/19/1045/OUT (Gilston Park Estate Villages 1-6); Village 7 of Gilston Park Estate; Latton Priory; East Harlow; Water Lane; or any other element of the Harlow and Gilston Garden Town (although that wider context is considered where relevant). Given the geographical links between the Crossings and Gilston Park Estate, that application is referred to in most detail. For the avoidance of doubt, the Authorities will be required to discharge their PSED when consenting all planning applications, as well as in using their CPO powers to enable the CRSC and ESC, but this statement relates to the CPO functions specifically.

## The PSED

- 1.12 There are ways in which any CPO, or any development which it enables, could potentially disproportionately or differentially impact on individuals or groups with Protected Characteristics. This EqS addresses both the direct effects of the CPO itself (i.e. those that arise as a result of the acquisition of land or rights) and those that could arise as a result of both the construction and operation of the CRSC and the ESC.
- 1.13 The 2010 Act requires public authorities to have due regard to equality considerations when exercising their functions. These considerations include to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - Advance equality of opportunity between persons who share a relevant protected characteristic (explained in detail below) and persons who do not share it;

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<sup>1</sup> The Outline Planning Application, made to East Hertfordshire District Council, is for 8,500 new homes spanning six new villages along with supporting social and community infrastructure (3/19/1045/OUT).

<sup>2</sup> Listed Building Consent ref: 3/19/1049/LBC was also applied for but is not directly relevant to this statement.

- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 1.14 These are sometimes referred to as the three aims or arms of the PSED. The Act explains that having due regard for advancing equality involves:
- Removing or minimising disadvantages suffered by people due to their protected characteristics;
  - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
  - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- 1.15 The Act states that “meeting different needs” involves taking measures to take account of disabled people's disabilities. It describes “fostering good relations” as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the PSED may involve treating some people more favourably than others (referred to in some contexts as “positive discrimination”).
- 1.16 The main objective of the PSED is to ensure public policies and programmes are implemented fairly, in particular with regard to their impact on the protected characteristics identified below:
- Age
  - Disability
  - Gender reassignment
  - Marriage and civil partnership<sup>3</sup>
  - Pregnancy and maternity
  - Race
  - Religion or belief
  - Sex
  - Sexual orientation.
- 1.17 When exercising functions related to CPO the Authorities should consider the potential effects of that CPO on those protected characteristics, as defined under the Act. They should give due regard to equality considerations and attribute appropriate weight to such considerations in its decision making. Consideration can be given to whether there are alternative approaches or additional steps that could alleviate or mitigate the impact of a decision. Equality impacts should be a considered in the balance, alongside the benefits arising from the CPO.
- 1.18 Mitigation measures can eliminate or reduce some equality impacts, but some impacts may be unavoidable. Under legislation, identification of an impact does not mean a CPO should not proceed. In these cases, the Authorities should make it clear that they have considered these

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<sup>3</sup> Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. This means that the first arm of the duty applies to this characteristic, but that the other arms (advancing equality and fostering good relations) do not apply.

potential impacts in decision making (due process) and consider whether other considerations, including the public benefit of the development that will be supported by the CPO, outweigh the potential adverse effects.

1.19 Under the Act, the Authorities are not required to take any specific course of action in response to any effects, just to give due consideration of the effects in their decision making.

1.20 The PSED cannot be delegated, therefore this report does not in itself discharge the Authorities' duties, although it should provide relevant information that will help them to do so.

## Principle of Development

1.21 The principle of the development of the Stort Crossings has been established in EHDC planning policy (See Section 11.4 of the East Herts District Plan 2018) and HDC planning policy (See Policy SIR1 of the Harlow Development Plan 2020). The adoption of planning policies by public authorities is subject to the PSED assessment and both the EHC and HDC development plans have been found sound in that respect through the examination process.

1.22 The principle of this type of development in this type of location has already been subject to some degree of an Equality Impact Assessment subject to level of detail available at that stage.

## Structure of this Report

1.23 This EqS sets out the likely equality impacts arising from the CPO considering the nature of these and setting out the proposed mitigation where this is necessary to avoid likely effects.

1.24 The structure of this report is as follows:

- Scheme Description
- Methodology
- Baseline
- Equality Statement summary of effects
- Conclusion
- Appendices

## 2 Scheme Description

### The Proposed Development

- 2.1 Full planning permission is being sought for Central River Stort Crossing (3/19/1046/FUL):

*Alterations to the existing Fifth Avenue road/rail bridge, and creation of new bridges to support the widened highway to west of the existing structure to create the Central Stort Crossing, including embankment works, pedestrian and cycle facilities, a pedestrian and cycle bridge over Eastwick Road, lighting and landscaping works and other associated works*

- 2.2 Full planning permission is also being sought for Eastern Stort Crossing (3/19/1051/FUL):

*Erection of a new road, pedestrian and cycle bridge; replacement of an existing rail bridge at River Way; alterations to the existing local highway network; lighting and landscaping works; listed building works to Fiddlers Brook Bridge; and other associated works.*

- 2.3 The following maps show the alignment of the two crossings and their relationship with neighbouring land uses and communities.

Figure 1: CRSC proposed layout

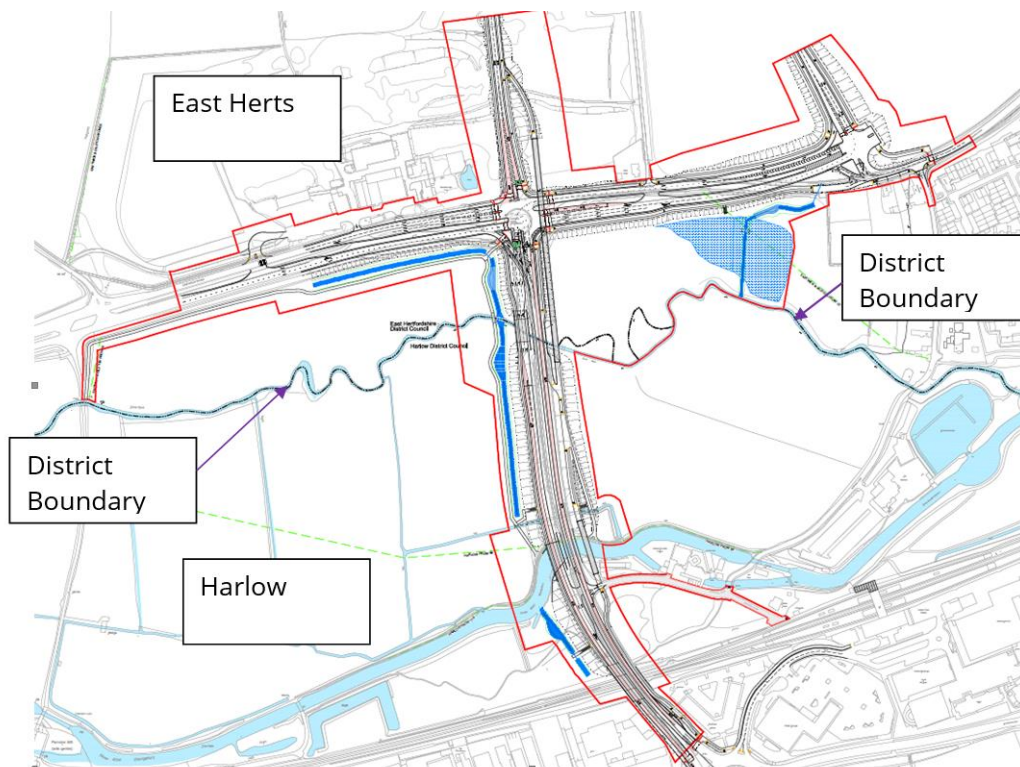
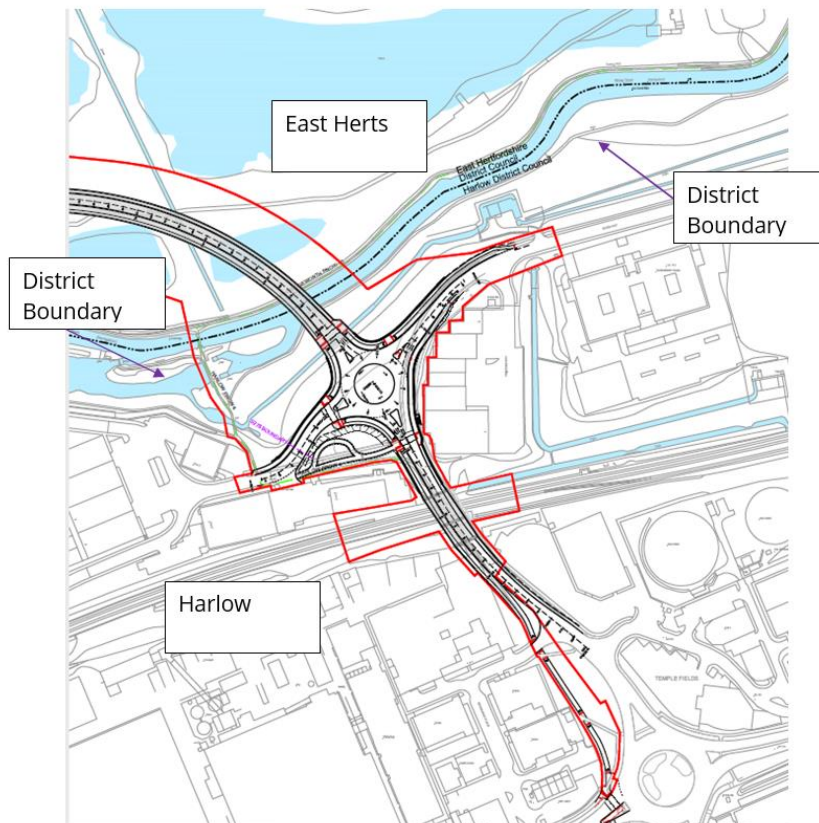


Figure 2: ESC proposed layout



## Central Stort Crossing

### *The existing road layout*

- 2.4 The existing Fifth Avenue road crossing is constructed on a raised embankment above the Stort Valley floodplain and crosses the River Stort, the Stort Navigation and the West Anglia Mainline railway (which links Harlow with London, Stansted Airport and Cambridge) on bridges.
- 2.5 At the northern end of Fifth Avenue, where it joins Eastwick Road, is a non-signalised roundabout. To the west this links to the A414 a dual carriageway road toward Ware and Hertford. To the east it is a two lane single carriageway road linking across to Terlings Park, Pye Corner, High Wych and Sawbridgeworth.
- 2.6 A pedestrian path runs on the western side of Fifth Avenue but is very narrow in places and encroached upon by vegetation. The path is generally well separated from the carriageway, except at the northernmost end.
- 2.7 There are two other walking and cycle paths to the east and west of Fifth Avenue that cross the River Stort, the Stort Navigation, and the railway mainline. The west route is between Parndon Mill Lane and Eastwick Road. The east route is Burnt Mill Lane. Both connect into the towpath that runs along the Stort Navigation, underneath Burnt Mill Bridge.



## *Proposals*

- 2.8 The proposed development comprises enhancements and widening the existing Eastwick (A414)/ Fifth Avenue Crossing over the Stort Valley to facilitate the provision of sustainable transport infrastructure between the Gilston Area residential development (District Plan allocation Site GA1) and Harlow. The application, as amended, comprises:
- The main central access into that part of the Gilston area allocation immediately north of the existing Eastwick junction (Village 1) (in interim and final form), to allow for sustainable modes of transport only;
  - A new “all modes” access into Village 1, located to the east of the “sustainable modes” junction off Eastwick Road (in interim and final form);
  - New northbound carriageway and bridge structures to the west of the existing Fifth Avenue Crossing;
  - Parameters for a new dedicated pedestrian and cycle route to the east of the existing Fifth Avenue Crossing comprising a bridge over the Eastwick Road junction, a bridge over the Stort Navigation and a bridge over the West Anglia Mainline; and
  - A new access from the A414 into the Eastwick Lodge Farm complex and amendments to existing access arrangements.
- 2.9 The CRSC is anticipated to take two and a half years to design and construct including enabling works.
- 2.10 The Application includes full details for the accesses, new pedestrian and cycle provision and the new road carriageway.
- 2.11 However, details for the design of the area under the carriageway where Stort Navigation and its associated towpath will be provided as part of the detailed engineering design stage to follow determination. This is addressed by a planning condition. Similarly, details will be required via condition for the design of the dedicated pedestrian and cycle bridge over Eastwick Road.
- 2.12 The application provides the technical design parameters for the construction of the bridge, with the full details to emerge through a later design stage. The final extent of land needed to facilitate the development of the CRSC will be determined as part of the later design stage but shall be no larger than that proposed as part of the CPO.

Figure 3: CRSC illustrative visuals



Figure 4: Burnt Mill Lane and Terlings Park Access Illustrative Visual



### Eastern Stort Crossing

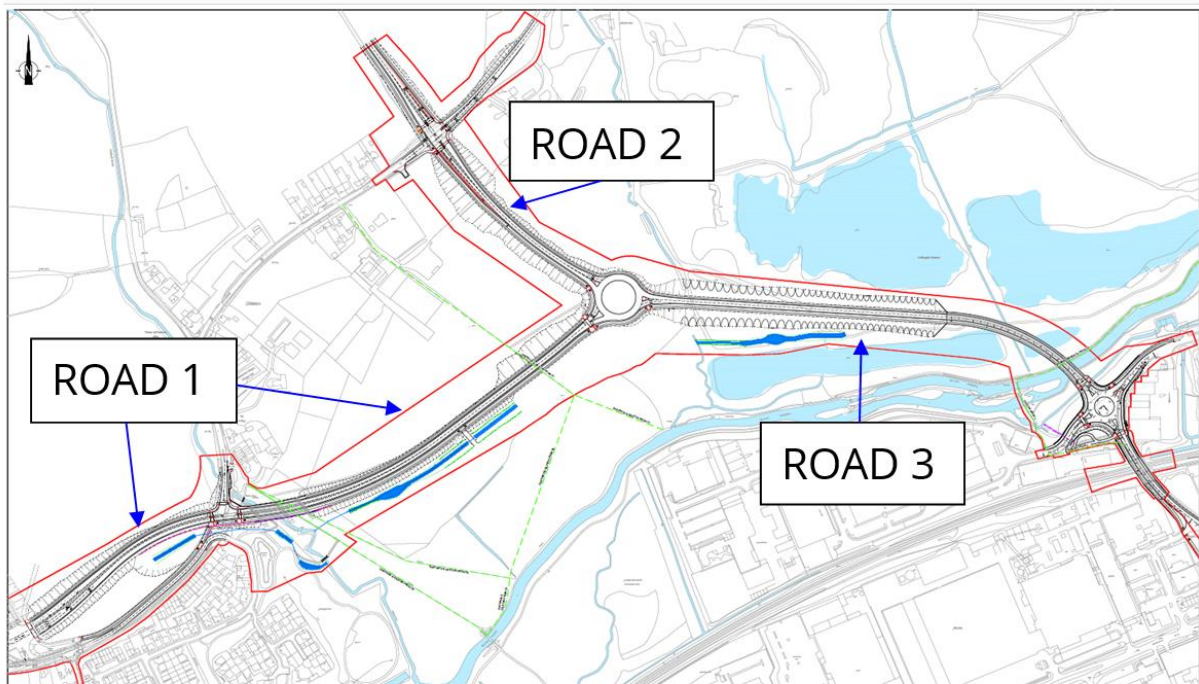
#### *The existing road layout*

- 2.13 There is currently no road crossing of the Stort Valley in this location (although Public Right of Way (footpath) does link Pye Corner and the towpath). The ESC will link the existing Eastwick Road (in two locations) with River Way and the Edinburgh Way Junction.

#### *The proposed road layout*

- 2.14 The proposed Eastern Stort Crossing (ESC) is a new pedestrian, cycling and vehicular route which runs between the A414/ Eastwick Road/ Fifth Avenue junction to the A414 Edinburgh Way junction in Harlow.
- 2.15 The site encompasses an area of 26.9 hectares spanning from the Village 1 junction in the west to River Way, Harlow to the east. The route of the ESC is broken into three sections: Road 1, Road 2 and Road 3. The three roads join at the Central Roundabout.

Figure 5: ESC sections



- 2.16 There are three locations where highway bridge structures are required; Road 1 is required to span Fiddlers' Brook near Terlings Park; Road 3 is required to span the Stort Valley and the Stort Navigation to the south east where the road links with the existing highway at River Way; and the River Way Bridge over the railway line, which is reaching the end of its serviceable life, is being replaced to, in part, enable a safe connection to be made that meets current highway safety standards.
- 2.17 Within the river valley itself, the proposal includes the replacement of two small bridge decks which connect the canal towpath and river footpath to the Mead Park Industrial Estate in Harlow to the south. This path is currently poorly signposted and is very narrow, with poorly maintained footbridge structures. Improving the structures will provide an off-road alternative to the road bridge footway/cycleway.
- 2.18 A segregated 5m useable width footway/ cycleway facility plus buffer zones is provided for the full extent of the ESC between Fifth Avenue/Central Stort Crossing and River Way/ Edinburgh Way junction.
- 2.19 A construction period of approximately 2 years has been identified for Roads 1 and 2, and approximately 2 years for the construction of Road 3. It is anticipated that there will be a period of overlap rather than running consecutively.

Figure 6: Fiddlers Brook Road Bridge Cross Section (Road 1)

Upon completion and after 10 years

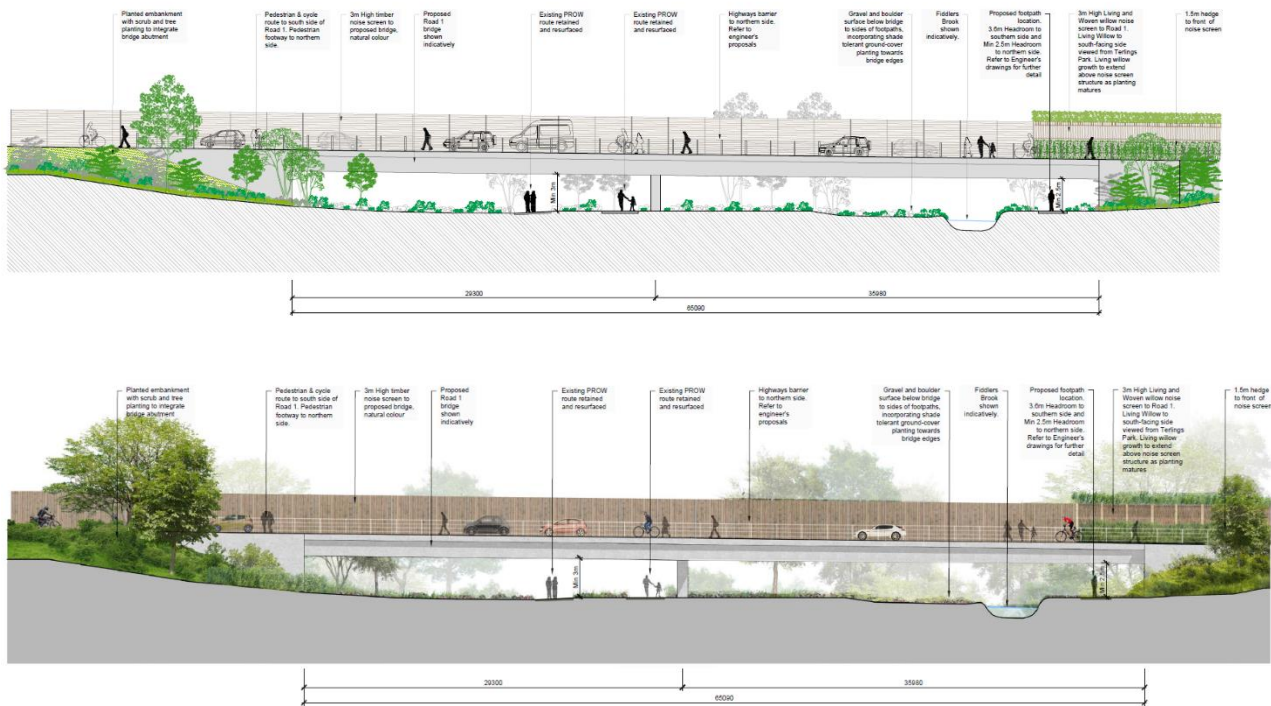


Figure 7: Eastern Stort Crossing Vision (looking West, with Terlings Park at the centre top)



## Scheme Design and Selection

- 2.20 Policy GA2 in the East Herts District Plan identified two strategic schemes for improving capacity and connectivity over the River Stort:
- A widening of the existing A414 crossing to enable a dualling of the northbound and southbound carriageways and provision of a new footway/cycleway, which will form part of a north-south sustainable transport corridor through Harlow; and
  - A new vehicular, cycle and pedestrian crossing either to the east of the existing crossing (connecting the A414 to the River Way), or to the west of the existing crossing (connecting the A414 to Elizabeth Way)
- 2.21 The explanatory text to GA2 at paragraph 11.3.2 acknowledges that a new crossing either to the east or west of the existing A414 crossing would be feasible and that they would deliver different benefits. An eastern crossing is the option preferred by ECC as it provides relief to junctions along the western end of the A414 Edinburgh Way in Harlow, and enhances access to the Enterprise Zone and links through, potentially, to the proposed new motorway Junction 7a.

- 2.22 Schemes for improvements to the existing A414 crossing at Eastwick were first designed by Essex City Council (ECC), in advance of the Gilston Area allocation.
- 2.23 Chapter 5 of the Environmental Statement (ES) and Chapter 5 of the Environmental Statement Addendum (Addendum) provides a detailed explanation of all of the crossings options that have been considered and the reasons the current proposals are preferred.

## 3 Methodology

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### Approach

- 3.1 Land acquisition will affect those with an interest in that land, and the CPO acquisition process is intended to ensure that this acquisition is only done where necessary and is fairly compensated. That reduces effects on people irrespective of their protected characteristics.
- 3.2 All people have some protected characteristics (including age, sex, race etc). That does not, however, mean that an effect of a development or CPO necessarily constitutes an equality effect. It becomes an equality consideration where the act affects them differently as a result of those characteristics.
- 3.3 Ways in which that could happen include:
- Personal characteristics that make it harder for an affected person to understand or engage with the process (for example language, or disability).
  - Characteristics which make alternatives less suitable – for example the occupier of a house that has been specially adapted for a disability, for whom compensation to buy an alternative, non-adapted home, would not be sufficient.
  - Characteristics which make an affected person more vulnerable than normal to the effects of disruption or from being required to move home (for example age or disability).
- 3.4 There are no statutory or regulatory requirements for the form, methodology or content of an Equality Impact Assessment. A growing body of recent practice applies the approach of categorising potential equality impacts into two types: *disproportionate* and *differential*. This is a helpful categorisation to distinguish the effects of a decision on people, in general, from effects that should be considered as part of the PSED.
- 3.5 Some effects of development will affect many users – residents, visitors, employees – including many with protected characteristics. This is not necessarily an equality issue, but it may become one when any adverse effect on those with protected characteristics is either *disproportionate* or *differential*, as explained below:
- **Disproportionate:** there may be a disproportionate equality effect where people with a particular protected characteristic make up a greater proportion of those affected than in the wider population.
  - **Differential:** there may be a differential equality effect where people with a protected characteristic are affected differently to the general population as a result of circumstances, vulnerabilities or restrictions they face because of that protected characteristic.
- 3.6 The scale and significance of such impacts cannot always be quantified, but the direction of the effects can be qualitatively considered through descriptive analysis of impacts and identifying whether such impacts are adverse, beneficial or neutral.



- 3.7 Some impacts are inherently more difficult for the CPO or planning process to directly control. For example, some effects may depend on how people respond to a development in future (e.g. the future way people will use the road crossings), which cannot be accurately projected. For this reason, the EqS should focus on impacts that can be modelled or forecast with a reasonable degree of certainty, or on impacts that can be controlled through relevant measures.
- 3.8 This Statement considers the direct effects of the CPO and CPO process itself, including:
- Disproportionate or differential effects resulting from the displacement of existing owners or users of the land which is due to be the subject of a CPO; and,
  - How the protected characteristics have been considered in the CPO process, specifically with reference to the engagement with the affected parties, known as the Qualifying Persons<sup>4</sup>.
- 3.9 It also considers the indirect effects of the ESC and CRSC that are enabled by the CPO including:
- The construction phase for the Crossings – impacts, particularly in respect of severance, could disproportionately affect some people with particular Protected Characteristics in the absence of mitigation, particularly older people (Age) and disabled people (Disability);
  - The completed Crossings – the effects on residents and businesses around the CPO land are likely to relate primarily to air quality, noise and traffic, which could differentially and/or disproportionately affect some people with particular Protected Characteristics in the absence of mitigation, particularly older people and children (Age), disabled people (Disability), and pregnant people or those with young children (Pregnancy and Maternity).
- 3.10 The potential effects and their potential vulnerable populations are summarised in the following table. These are the examples of the ways in which vulnerable populations could be affected in the context of a CPO and is not an exhaustive list:

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<sup>4</sup> Defined as: an owner; an occupier; a tenant (whatever the period of the tenancy); a person to whom the acquiring authority would be required to give notice to treat if it was proceeding under section 5(1) of the Compulsory Purchase Act 1965; a person the acquiring authority thinks is likely to be entitled to make a claim for compensation under section 10 of the 1965 act (compensation for injurious affection) if the order is confirmed and the compulsory purchase takes place, so far as he is known to the acquiring authority after making diligent inquiry; this relates mainly, but not exclusively, to easements and restrictive covenants.

**Table 3.1 Potential Effects on Protected Characteristics**

<b>Topic</b>	<b>Potential Effects</b>	<b>Vulnerable Populations</b>
Land Acquisition	<p>The owners/secure tenants of acquired land may be unable to acquire or afford alternative land or premises.</p> <p>The users of acquired land may be unable to secure access to a suitable alternative.</p> <p>Affected people may find it hard to understand or engage with the process</p> <p>Affected people may experience greater costs of relocation, e.g. costs of adapting a new premises for a disability</p>	<p>Children</p> <p>The elderly</p> <p>People with disabilities</p>
Road Safety	<p>There may be an increased risk of road traffic accidents as a result of changes in traffic flows and patterns during both construction and operation (with an associated potential adverse effect on health).</p>	<p>Children</p> <p>Pregnant women</p> <p>The elderly</p> <p>People with disabilities</p>
Active Travel	<p>Changes in active travel as a result of changes in traffic flows and patterns resulting in severance, road/footpath closures and subsequent diversions for pedestrians and cyclists (construction), and changes in amenity, contributing to people’s ability or inclination to walk or cycle.</p>	<p>Children</p> <p>Pregnant women</p> <p>The elderly</p> <p>People of limited mobility</p>
Accessibility & severance	<p>During scheme construction, disruption to the road and public transport network may result from road closures/diversions and public transport diversions, potentially affecting access to schools, healthcare and community facilities as well as being a cause of driver stress.</p> <p>During scheme operation, there may be improvements to accessibility resulting from the provision of a new cross-river vehicular route, including improved public transport capacity which could improve access to facilities and services.</p>	<p>Children</p> <p>Pregnant women</p> <p>The elderly</p> <p>People with disabilities</p>
Access to work & training	<p>During scheme construction, beneficial effects could relate to improvements to mental health and general well-being arising from access to construction jobs and training.</p> <p>Adverse effects could arise from the loss of employment as a result of land-take from the scheme, with associated effects on health and well-being.</p> <p>During scheme operation, beneficial effects could relate to reduced congestion improving access to work by car. Improved access to employment and training resulting in</p>	<p>All residents - but young adults may be particularly vulnerable to (and may particularly benefit from) jobs and skills loss/opportunities</p>

Topic	Potential Effects	Vulnerable Populations
	improvements to mental health and general well-being. Adverse effects may relate to personal affordability and the effect on those not able to transfer to bus or use an alternative route.	
Noise and Air Quality	The scheme could have both beneficial and adverse effects on health according to where there are improvements or deteriorations in noise levels and air quality.  Effects may result in an increase or decrease in annoyance levels, levels of sleep disturbance, and risk of cardiovascular conditions such as myocardial infarction and an increase or decrease in a range of conditions including asthma, other respiratory and circulatory diseases.	Children Older people People with disabilities (including existing long-term respiratory conditions)

## Methodology

### Baseline

- 3.11 The baseline assessment aims to understand the characteristics of those likely to be impacted by the CPOs and the construction and operation of the ESC and CRSC.
- 3.12 The nature of the land acquisition process, dealing with affected individual people, means that general discussion of protected characteristics can become specific and personal, and some relevant information may be confidential. There are therefore limits to how much information can be published for individuals affected although it has been presented where possible and available.
- 3.13 The Baseline below refers to the general characteristics at neighbourhood (where available) and district level.
- 3.14 Where there specific information is not available, a statement of likely level of risk/vulnerability has been presented based on the available evidence.
- 3.15 For the CPO element, the baseline is all the Qualifying Persons. There is no publicly available statistical record that is available at an individual property level so any relevant protected characteristics have been identified through the direct consultation with the Qualifying Persons. Some of this is personal and confidential and so cannot be published.
- 3.16 For the wider impact section the “receptors” or people who may be impacted by the effect of the construction and operation of the Crossings have been identified through the Environmental Impact Assessment process undertaken in support of the three planning applications. The most relevant assessments are Air Quality (ES Chapter 8), Noise (ES Chapter 8), and Transport and Access (ES Chapter 9).
- 3.17 The maps in Appendix 1 show the location of the Sensitive Receptors identified in each case and used as the basis for the ES assessment. The methodology for identifying these receptors is set out in the respective ES Chapters.

### Identification of potential effects

- 3.18 Section 5 presents the potential effects of the Proposed Development on people with Protected Characteristics, focusing on differential and disproportionate effects.
- 3.19 The information presented is based on a review of all relevant documents within the planning applications (including Environmental Impact Assessment) and engagement with the Authorities, the Applicant and its Project Team, and through engagement directly with the Qualifying Persons and with the wider community.

## 4 Baseline

### Baseline for Direct Effects of the CPO

- 4.1 The direct effects of the acquisition of the land could give rise to equality effects on either the owners (called Qualifying Persons) or the occupiers or users of the land. Most of the land parcels required for the crossings are not in private economic use – they are land already in public ownership (typically for highways and verges).
- 4.2 There is a small number of parcels which currently house active businesses and leisure uses, one dwelling, road access and some agricultural and park land, all of which could theoretically give rise to equality impacts. The table below considers owners as well as occupiers.
- 4.3 Full details on the parcels can found in Table 1 of the Schedule to the Draft Orders. The following table summarises those in active use (e.g. other than for highways and verges) as known at the time of writing.

Table 4.1 Land Plots within the Order Limits, potentially giving rise to equality effects [this table is still be finalised]

Title No	LRS Plot No.	Address	Current use of the land	Title Absolute and/or Proprietors	Relevant Protected characteristic of Qualifying Persons <sup>5</sup>
<b>EX877978</b>	11, 11a, 11b, 11c, 11d, 12	Land lying to the south of Eastwick Road, Harlow	Pasture land to the east and west of existing highway (including existing highway)	Land Restoration Trust	none
<b>EX686164</b>	8, 8a, 8b	Land on the north side of the River Stort (navigation), Harlow	Public highway and part of roundabout with agricultural land either side.	Homes and Communities Agency	none

<sup>5</sup> relevance defined as being likely to trigger a differential or disproportionate effect from land acquisition

Title No	LRS Plot No.	Address	Current use of the land	Title Absolute and/or Proprietors	Relevant Protected characteristic of Qualifying Persons <sup>5</sup>
<b>EX686160</b>	15, 15a, 17, 17a, 17b, 20, 20a, 29, 31	Land at Elizabeth Way, Burnt Mill, Burnt Mill Lane, Fifth Avenue, Allende Avenue, Edinburgh Avenue and Harlow Town Station, Harlow	Public highway and part of roundabout with agricultural land either side.	Harlow District Council	none
<b>EX410562</b>	32	Land lying to the north east side of Fifth Avenue	Goodman House offices. Verge land adjacent to the offices	Essex County Council	none
<b>HD127528</b>		Land at Gilston Park Estate	Agricultural and verge land	Places for People Developments Limited	none
<b>HD332654</b>		Eastwick Lodge Farmhouse, Eastwick Road, Gilston, Harlow, CM20 2QT	Agricultural Land, including Eastwick Lodge Farm	Places for People Developments Limited	none

Table 4.2 Acquisition of land parcels within the Order Limits, potentially giving rise to equality effects: ESC

Title No	LRS Plot reference	Address	Current use of the land	Title Absolute	Relevant Protected characteristic of Qualifying Persons <sup>6</sup>
<b>HD555808</b>	55, 56, 58, 61, 65, 66, 73, 75, 76, 82	Land adjoining Highview, Pye Corner, Gilston, Harlow, CM20 2RB	Agricultural and scrubland	Mary Blanche Pope Roger James Beaumont	none
		High View, Pye Corner, Gilston, CM20 2RB	Dwelling	Mary Blanche Pope Roger James Beaumont (freeholder)	none  (owner and occupier relevant, if different )
<b>HD276093</b>	62, 63, 64, 74, 77, 80	Land to the South East of Eastwick Road, Stanstead Abbots, Ware	Agricultural land	Mary Blanche Pope Roger James Beaumont	none
<b>HD142647</b>	52, 53, 59	land on the south side of Eastwick Road, Gilston	Park land (open space) surrounding previous development	Bloor Homes Limited	All of the Terlings Park residents (200+) have a private right to access the park land owned by Bloor (although it has or will soon be transferred to the TP's Management Vehicle).  The CPO will affect a parcel of the land to the north of the park land near Eastwick road and Fiddler's Brook but it will not affect the right to access the remaining

<sup>6</sup> relevance defined as being likely to trigger a differential or disproportionate effect from land acquisition

Title No	LRS Plot reference	Address	Current use of the land	Title Absolute	Relevant Protected characteristic of Qualifying Persons <sup>6</sup>
					<p>land at Terlings Park at the south of the residential development</p> <p>Residents of Terlings Park may be affected by this loss of amenity land, and it may differentially affect people with disabilities who are less able to travel to other green and amenity space, and children, however, the majority of the parkland will remain in use including space that is accessible to adjacent homes and including the children's play area.</p> <p>A process of Land Exchange will take place whereby suitable alternative land is provided.</p>
<b>HD146507</b>	84, 85, 86	land on the south west side of High Wych Road, High Wych, Sawbridgeworth	Agricultural land plus part lake	Mary Blanche Pope Roger James Beaumont	none currently identified
<b>EX530834</b>	119, 120, 122, 123, 124	1-6 Printers Way, Harlow, CM20 2SD	Industrial estate land and one industrial unit	Richard and Elaine Smith City Trustees Limited (as trustees of the Lionheart Trust)	none currently identified



Title No	LRS Plot reference	Address	Current use of the land	Title Absolute	Relevant Protected characteristic of Qualifying Persons <sup>6</sup>
<b>HD441060</b>	90, 91, 92, 93	land at Redricks Farm, Redricks Lane, Sawbridgeworth	Scrubland plus part of a lake.	Richard Lumley Green-Wilkinson Christopher Edward Langford	<p>Redricks Lake and Redricks farm are currently used for recreational swimming and camping respectively.</p> <p>No information is known about the demographics of the swimmers.</p> <p>The swimming activity takes place at the other end of the lake to the land within the Order Limits and it is likely that swimming will still be able to continue. Some amenity impacts (noise and visual) are likely to be experienced as a result of the construction and operation of the ESC which may make this a relatively less popular swimming location for some people although there is no evidence that this would be a disproportionate effect.</p>
<b>HD136879</b>		Land on the north side of Eastwick Road, Eastwick	Agricultural and verge land	Places for People Developments Limited	none

<b>Title No</b>	<b>LRS Plot reference</b>	<b>Address</b>	<b>Current use of the land</b>	<b>Title Absolute</b>	<b>Relevant Protected characteristic of Qualifying Persons<sup>6</sup></b>
<b>HD127528</b>		Land at Gilston Park Estate	Agricultural land	Places for People Developments Limited	none
<b>EX311710</b>	142	1-3 Edinburgh Place, Harlow, CM20 2DJ	Verge land. Industrial parking land	Terrence James Hill	none
<b>EX232475</b>	104, 105	Land and buildings at Templefields, Harlow	Scrubland and parkland	The Prudential Assurance Company Limited	none currently identified

## Baseline for indirect effects of the Eastern and Central Stort Crossings enabled by the CPO

### Geographic Scope

- 4.4 Based on the location of the crossings and the identification of effects in the ES chapters for noise and air quality or transport and access, the most relevant settlements for baseline consideration are Terlings Park, Pye Corner and South Lodge.
- 4.5 The CRSC and the ESC (and the surrounding existing routes that will be affected either temporarily or permanently) will form part of a network of roads that serve a wide catchment area including residents of Harlow and beyond. So, in addition to the immediate neighbourhood of the crossings (where effects are more likely to occur) changes to these routes could affect anyone using them.
- 4.6 For the purposes of the Socio-Economic Chapter of the Environmental Statement in support of the Planning Applications, an Inner Impact Area was identified which covered the eighteen wards that cover the extent of the proposed Harlow and Gilston Garden Town. This geographical area is referred to where relevant, as is the HGGT Area, EHDC and HDC as a whole (a plan is include at Appendix 1).
- 4.7 The CRSC will be an integral part of the network of Sustainable Transport Corridors that integrate the neighbourhoods of the HGGT with rapid transit/dedicated bus lanes which will “provide attractive and enjoyable transport choices which are accessible to all ages and abilities” and this would be a beneficial effect in the context of the HGGT as a whole, which may differentially benefit some residents of across the HGGT, including those with disabilities or young people who are unable to drive.
- 4.8 Referring to the Noise Monitoring and Sensitive Receptor Locations (ES Figure 11.1, appended at Appendix 1) the relevant receptor locations are R3, R4, R5 and R6. Referring to the Air Quality Sensitive Receptor Locations (ES Figure 10.1) the relevant locations are 43, 44, 29, 46, 47 and 48. Referring to the Transport Link Locations (ES figure 9.1) 37, 38 and 39 are most relevant, although the wider network and impacts more generally on road amenity, access and safety are also relevant.
- 4.9 There is a possibility of some very limited permanent residential mooring of canal boats on the Stort Navigation and at Moorhen Marina but none are within the CPO boundary and the legal status of any permanent moorings (to the extent any could be said to be permanent) is in doubt from discussions with the Canal and River Trust. The Stort Valley (the river, navigation, towpath and surrounds) are used for recreation. Referring to the Noise Monitoring and Sensitive Receptor Locations (ES Figure 11.1, appended at Appendix 1) the relevant receptor location is R24.
- 4.10 At the northern end of the proposed CRSC crossing to the north-west of the junction is the Eastwick Lodge Farm complex which comprises retail units, workshops and a veterinary practice. Places for People is the freeholder of this land, the tenant is on a short lease and it is not within the Order limits.

- 4.11 The former Eastwick Lodge Farm House has been converted into a number of apartments, located approximately 75 metres from the proposed junction with the A414/Eastwick Road. To the north-east lies a single residential property, South Lodge, some 115 metres from the junction. The homes will remain.
- 4.12 Temples Fields/Printers Way is a non-residential area so only impacts on the working population and businesses are considered. This area has not been identified as being a sensitive receptor for noise. Relevant air quality receptor locations are 39 and 40.
- 4.13 At the southern end of the CRSC crossing, immediately west of the proposed new carriageway lies the Burnt Mill Industrial Estate. Uses comprise light and heavy industry and informal uses such as car washing utilising otherwise vacant unit space. There is an approved scheme for the redevelopment of this site as part office, part residential uses. The lower floors will be for office use with residential above. There is not envisaged to be any negative noise impact on these residential properties given their distance from the proposed highway so they are not considered any further in this baseline.
- 4.14 Further south, and on the other side of Fifth Avenue are residential and commercial uses such as Goodman House. The relevant noise receptor location is R25. The air quality receptor location is 4.
- 4.15 Significant effects that could lead to a disproportionate or differential effect on people or groups with protected characteristics are unlikely outside of these areas.
- 4.16 There is no publicly available data on protected characteristics at a household level. However, baseline information is available for Hunsdon Ward (which covers an area extending across large parts of the future Gilston Park Estate, most of which is in agricultural use), with figures put into the context of EHDC and HDC.
- 4.17 Where stakeholders have formally responded to the public consultation for the applications for the Crossings and for Gilston Park Estate, and those responses include evidence relevant to this statement, this information has been included but referred to in general terms. A formal process of engagement has taken place, and will continue to take place, with the Qualifying Persons.

### *Population*

- 4.18 There are approximately 270 dwellings in Terlings Park<sup>7</sup>, and another approximately 75 in Pye Corner<sup>8</sup>, which are understood to be almost exclusively houses (as opposed to flats). Based on occupancy ratings for houses in Hunsdon ward, the average occupancy rating is 2.5 people per household. Therefore, it is estimated that approximately 680 people live in Terlings Park, and another 190 people live in Pye Corner.
- 4.19 Data from the 2011 Census indicates a total resident population of 104,350 within the HGGT Area. This does not include the planned additional 16,000 homes.

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<sup>7</sup> Based on the number of proposed dwellings for the area as set out in the outline planning application 3/11/0554/OP

<sup>8</sup> Based on property information for postcode CM20 2RD. This should be seen as an indication only.

## Age

- 4.20 Under the 2010 Act, a reference to an age group is a reference to a group of persons defined by reference to age, whether by reference to a particular age or to a range of ages.
- 4.21 Data from the 2019 mid-year population estimates (ONS, 2020) indicates that the age structure in Hunsdon Ward is in line with that of EHDC and East of England as a whole, with 20% of the population aged 0-15, 61% aged 16-64 and 19% aged 65+.
- 4.22 The age structures in Terlings Park and Pye Corner are not expected to diverge significantly from these averages, and it is therefore not expected that there will be a disproportionately large group of either elderly people or children in either of the areas.
- 4.23 The population of over 75s in the HGGT Area significantly increased (29%) in the ten years from 2001, compared to 17% across Hertfordshire and Harlow.

## Disability

- 4.24 Under the Act, a person has a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.
- 4.25 According to the 2011 Census, approximately 14% in Hunsdon ward have a long-term health problem or disability which impacted their day-to-day activities either a little or a lot. This is broadly in line with EHDC as a whole, but lower than Harlow and the East of England region. This statistic is self-reported.
- 4.26 The Annual Population Survey 2019/20 estimated the percentage of people to who are “Equality Act Core Disabled” in EHDC to be approximately 17.8%<sup>9</sup> and in HDC to be lower at 13.6%. Equality Act Core Disabled includes those who have a long-term disability which substantially limits their day-to-day activities. This statistic is also self-reported.
- 4.27 Levels of disability in Terlings Park and Pye Corner are not expected to diverge significantly from these averages, so it is anticipated that between approximately 14% - 18% in Terlings Park and Pye Corner have a long-term illness or disability which limits their day-to-day activities. This could amount to approximately 95 – 120 people in Terlings Park and 25 – 35 people in Pye Corner, although it could diverge from the average.

## Maternity and Pregnancy

- 4.28 There are no detailed statistics on the number of local people who are pregnant at any one time, but Public Health England publishes General Fertility Rates (GFR) at the regional level. This is the number live births per 1,000 women of reproductive age, 15 to 44, in a population, per year. The latest available data shows that in 2019 the general fertility rate in the East of England region was 60.7.
- 4.29 By calculating the number of women aged 15-44 as a proportion of the population (using the 2019 population estimates), it is possible to estimate the number of women of reproductive

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<sup>9</sup> ONS, 2020. Annual Population Survey.

age. By then applying the East of England GFR, it is estimated that there are approximately seven births (and therefore pregnancies) in Terlings Park annually, and approximately two in Pye Corner.

### *Race*

- 4.30 Under the Act, Race includes—
- (a) colour;
  - (b) nationality;
  - (c) ethnic or national origins.
- 4.31 A reference to a person who has a particular protected characteristic is a reference to a person of a particular racial group.
- 4.32 The most recent, comprehensive data covering these topics is the 2011 Census. Hunsdon Ward is predominantly White British. 94% of residents of Hunsdon and 90% of residents of EHDC reported themselves as being White British in 2011. The remainder of the population was diverse, with small percentages of people from a wide variety of other ethnicities. 87% of Hunsdon residents identified as being English, Welsh, Scottish or Northern Irish or British, 84% in HDC and 83% across EHDC. 72% specifically identified as English. 95% of residents reported their place of birth as within the UK (92% in EHDC and 88% in Harlow) and 98% of people lived in a household where English was the main language spoken by all adults. The rate is lower in Harlow at 90%.

### *Religion or belief*

- 4.33 65% of people across both Hunsdon and EHDC reported having a religion, which is higher than the rate in Harlow at 59%. Out of these, almost all were Christian. There are very small percentages (each less than 1% of the resident population) of Buddhist, Hindu, Jewish, Muslim and Sikh residents. In Harlow, a higher rate of population identified as Muslim – at 4%. 35% of residents across Hunsdon and EHDC had no religion or did not wish to state it. The rate was slightly higher for Harlow at 41%.
- 4.34 Data from the Annual Population Survey at district level (the year to June 2021) indicates that there has not been a significant change in this profile since 2011.
- 4.35 Based on the available neighbourhood level information, this profile is unlikely to be significantly different at Pye Corner and Terlings Park compared to the general resident population.

### *Other characteristics: sex, sexual orientation, gender reassignment, marriage and civil partnership*

- 4.36 There is no publicly available evidence to suggest that rates of any of these protected characteristics are significantly different in any affected area compared to the general resident populations in EHDC or HDC, or that the effects of CPO and construction and operation of the crossings would differentially or disproportionately affect any residents with one or more of these protected characteristics at any spatial scale.

### *Cross cutting themes – health and education, employment and economic activity*

- 4.37 There are two cross cutting themes which are not protected characteristics, but which can be closely linked to protected characteristics, in some ways through a causal relationship. These are health and employment. For example, race (specifically being from black and other minority ethnic groups) has been linked to poorer health outcomes in the UK, and discrimination against people with any protected characteristic can affect their employment and economic outcomes.
- 4.38 The links between socio-economic inequality, poor health and Protected Characteristics are complex and causation is, in many cases, not direct or clear. However, there is sufficient spatial overlap between deprived areas and areas with high proportions of people with certain Protected Characteristics, particularly BAME residents, for effects on health and socio-economic inequality to be relevant to the consideration of differential or disproportionate effects on people with those characteristics.

### *Health*

- 4.39 The Marmot Review (10 Years On) (2020)<sup>10</sup> sets out that evidence shows stalling of life expectancy gains and a widening of the gap in health and wider societal inequalities. For example, it states that, “Intersections between socioeconomic status, ethnicity and racism intensify inequalities in health for ethnic groups. Some groups, notably individuals identifying as Gypsy or Irish Traveller, and to a lesser extent those identifying as Bangladeshi, Pakistani or Irish, stand out as having poor health across a range of indicator.”
- 4.40 Life expectancy in Hunsdon ward is 81.1 for men and 85.1 for women, which is broadly in line with EHDC but higher than England as a whole. This indicates that the overall health can be assumed to be very good also in Terlings Park and Pye Corner. As for Harlow, the life expectancy is lower for both men and women, at 78.5 and 82.3 respectively.
- 4.41 Given this is an infrastructure project likely to affect air quality, it is however worth noting that the Standard Mortality Rate (SMR) for deaths from respiratory diseases was much higher in Hunsdon Ward (100.1) than in EHDC as a whole (89.4), however 100.1 indicates that it is around the national average. The rate for deaths from respiratory diseases in Harlow was significantly higher at 113.5 than all spatial scales.

### *Education, employment and economic activity*

- 4.42 People with some protected characteristics are typically disproportionately represented in terms of barriers to accessing work, skills and qualifications, due to issues including racial discrimination, language or cultural factors, family requirements and the need for flexible and/or part-time work. Young people, older people, family carers and ethnic minorities tend to have disproportionate challenges accessing employment because of such issues.
- 4.43 Claimant count is a useful statistic to understand the extent to which the population of an area are claiming benefits. The Claimant count, using January 2020 data to avoid including potentially short-term effects from the Covid-19 pandemic (although it is acknowledged that these effects may have effected people with protected characteristics) was 1.1% in Hunsdon Ward, which was in line with EHDC and lower than the East of England (2.3%). The rate in

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<sup>10</sup> Marmot, M., Allen, J., Boyce, T., Goldblatt, P., Morrison, J. (2020). Health Equity in England: The Marmot Review 10 Years On. Institute of Health Equality.

Harlow was higher at 3.6. Comparing these figures with claimant count data from January 2021, it also showed that Hunsdon ward and Harlow fared well compared to both EHDC and the East of England. The percentage point increase in claimants in Hunsdon ward was 2.3 compared to 2.7 in EHDC and 3.0 in East of England. For Harlow, the increase was slightly lower than Hunsdon at 2.1.

## Commercial Activity

- 4.44 This section focusses on the immediate neighbourhood within and around the Order Limits. There are multiple businesses across HDC and EHDC who may be affected where their business relies on access routes (for goods, staff or customers) that are subject to change either temporarily or permanently. These changes will mainly include improvements, especially from improved access to and from the town centre on public transport, via the Sustainable Transport Corridor.
- 4.45 Pye Corner and Terlings Park are largely residential.
- 4.46 Subject to final land referencing, in the immediate neighbourhood of the CRSC and the ESC, commercial activity is located at:
- Plume of Feathers pub (Pye Corner)
  - Dusty Miller Pub (Terlings Park)
  - Templefields/Printers Way
  - Eastwick Lodge, including vet
  - Redricks Farm swimming lake, Aqua Splash and campsite.
  - Essex Outdoors (The Lock, Harlow Centre for Outdoor Learning) (also listed under recreation).
- 4.47 One of the tenants at Eastwick Lodge is a specialist veterinary services for service animals (for example, guide dogs). This land is outside the CPO limits and will not be affected by the CPO.
- 4.48 Essex Outdoors provides individuals, corporate groups and school groups with indoor climbing, water sports, team building and other outdoor activities. The site also has conferencing facilities.
- 4.49 Templefields is a large industrial area at the northern edge of Harlow. Using BRES data shows that there are approximately 10,500 jobs in the two LSOAs (Harlow 002B and Harlow 002E) which broadly covers Temple Fields.
- 4.50 The largest proportion of jobs are within business administration and support services (17%); manufacturing (15%) and retail (12%). A further 31% of jobs are within construction; motor trades; wholesale; and transport and storage.
- 4.51 There are no publicly available statistics on the protected characteristics of workers at a local level. All workers will hold some protected characteristics. It should be assumed, for example, that some workers will have a disability, some workers will be pregnant or have recently given birth and some workers will be from a BAME background and/or hold a religion or belief.



4.52 There is no publicly available evidence to suggest that any of these rates of these protected characteristics are significantly different at any of these sites compared to the general working population in EHDC or HDC.

#### Recreational uses

4.53 The Stort Valley and surrounds are used for recreation. The towpath, and some routes connecting to it, are Public Rights of Way. Redricks Lake and Farm are used for swimming and camping on a fee-charge basis. Essex Outdoors provides the services outlined above.

4.54 There are five plots within the Order Limits that are designated as Open Space. A plan is included in Appendix 1:

- HDC Location 1 (adjoining the Central Stort Crossing)
- HDC Location 2 (adjoining the Eastern Stort Crossing)
- HDC Location 3 (adjoining the road leading to the Eastern Stort Crossing)
- EHDC Terlings Park
- EHDC Fiddlers Brook / Lowland Fens

4.55 The Order Limits include portions of designated Public Rights of Way: Eastwick and Gilston 31; Eastwick and Gilston 29; Eastwick and Gilston 18; Eastwick and Gilston 19, Eastwick and Gilston 30; Sawbridgeworth 40, Harlow 4, Harlow 68 and Harlow 119.

4.56 There is no available data on the characteristics of people who use these facilities. All visitors will hold some Protected Characteristics. It should be assumed, for example, that some visitors will have a disability.

4.57 The majority of visitors to Aqua Splash and Essex Outdoors are likely to be children. Apart from this, there is no publicly available evidence to suggest that rates of specific protected characteristics would be significantly different at any of these sites compared to the general population in EHDC or HDC.

#### Agricultural uses

4.58 There are active agricultural tenancies on land impacted by the CPO. Some of this activity may be able to continue but other activity will be required to cease under the agreed terms of acquisition.

4.59 There is no available evidence to suggest that people associated with this agricultural activity will be disproportionately or differentially impacted because of a protected characteristic that they hold.

#### Local facilities

4.60 Eastwick Lodge includes a veterinary surgery that provides specialist services for disability service animals. This surgery has other branches in the Epping/Woodford area providing the same services/facilities, and there are several other veterinary surgeries in Harlow likely to provide similar services.

4.61       Reviews of other local facilities with ties to specific protected characteristics that may be disproportionately or differentially impacted by a CPO, including care homes, nurseries, schools, have been undertaken to understand if any particular protected characteristics are likely to be more present in the local area. The review found that no relevant local facilities were identified that are likely to be significantly impacted.

## 5 Equality Statement

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- 5.1 This section sets out the equality considerations for the CPO.
- 5.2 It sets out how matters that may be relevant to equality considerations (such as noise) influenced scheme selection and design; how consultation was used to make decisions on these matters; and how the direct and indirect effects of the CPO could give rise to equality impacts.
- 5.3 This information was drawn from the Environmental Statement (ES) and from the Officer's Reports to Committee for the CRSC and the ESC. The Officer's Reports to Committee provide a thorough summary of the proposals and their likely impacts and provide a good reference point from which to navigate the ES (which is a technical document not easily accessible to a non-technical audience). The ES also has a Non-Technical Summary.
- 5.4 Where potential effects have been identified, the statement reports the nature of these and the proposed mitigation to address potential adverse effects.
- 5.5 To reiterate as set out in the introduction, the Public Sector Equality Duty cannot be delegated, therefore this section does not in itself discharge the Authorities' duties, although it should provide relevant information that will help them to do so.

### Consultation and Scheme Selection

- 5.6 Chapter 5 of the Environmental Statement (ES) and Chapter 5 of the Environmental Statement Addendum (Addendum) provides a detailed explanation of all of the crossings options that have been considered and the reasons the current proposals are preferred.
- 5.7 As set out in the Gilston Park Estate Statement of Community Involvement (2019), the Applicant and the Authorities have sought to engage with communities from the outset of Places for People taking ownership of the Gilston Park Estate site (in 2009)..
- 5.8 There were several years of engagement by Places for People prior to the introduction of local and national policy mandating engagement with local stakeholders. In partnership with the Authorities, they have continued to maintain and exceeded these consultation requirements following the introduction of these policies and will continue to do so through the development of detailed masterplans and other planning processes associated with development.
- 5.9 Specific methods and types of events/media were used to widen participation, and improve access to information. These included:
- A residents' survey (with 407 responses). Specific questions referred to facilities for the over 60s; schools/children's facilities and access/transport issues
  - Digital engagement, social media campaigns, online surveys and virtual events
  - Direct leaflet dropping in key neighbourhoods

- Direct commissioning of professional support for the community to draft their consultation responses (Urban Silence)
- Engagement directly with young people (and their educators) through school and college programmes, including Harlow College and Passmores Academy
- Consultation bus and consultation events directly in affected communities i.e. going to the community rather than expecting them to travel to events. Events were held on a mixture of weekdays, weekends, evenings and during the day.
- Direct engagement with community representatives through environmental groups, sports clubs and religious groups.

5.10 One of the key issues raised throughout consultation, has been the overall access arrangements for the GPE site, namely the ESC and CRSC.

5.11 Residents in Gilston and Terlings Park had previously raised concerns about the impact of additional traffic on their neighbourhood. They were presented with various options and approaches in a series of workshops in 2018 and 2019. Full details are set out in the Statement of Community Involvement Chapter 4.

5.12 The Applicant committed to exploring further options and solutions in response to issues raised and held a targeted workshop for Gilston, Terlings Park, Gilston Park House and Pye Corner residents (who received hand-delivered invites). The event was well-attended, with around 80 local residents attending, giving attendees an opportunity to ask the project team questions and annotate transport plans with their comments. To ensure that the community was able to participate fully in this further workshop, the Applicant commissioned an independent facilitator, Christina Norton from Soundings, to chair the workshop and produce a report to be shared with them and Gilston Area Steering Group to ensure that actions would be implemented.

5.13 These amendments along with additional environmental information submitted by the Applicants were subject to consultation between November 2020 and January 2021.

5.14 All feedback received during the consultations was taken into account, in particular transport (and associated noise, air quality and safety) concerns raised about the proposed connection to ESC and the entrance of Terlings Park. The potential vulnerability of children and old people were highlighted.

5.15 Through the consultation, concerns were raised about (among other things):

- noise and vibration impacts
- air quality impacts, including those on the health of children
- mental health impacts from environmental and stress factors
- quality of life effects
- public transport accessibility
- safety for pedestrians (especially children and older people) and other non-vehicle road users include horse riders

- safety concerns about entrance and exit into Terlings Park for children and older people.
- concerns over the likely increase in HGVs being routed along the ESC
- the need to close Eastwick Road to through traffic
- criticisms that too much focus was placed on sustainable transport measures
- Redricks Lake used for fishing and swimming could be affected by traffic noise, pollution and visual impact.

5.16 There were mixed responses to the five transport options developed following the earlier workshops.

5.17 In designing the proposed crossings, engagement also took place with local, regional and national stakeholders including the Environment Agency, the Canal and Rivers Trust, the Stort Catchment Partnership, HCC, ECC, the Environmental Agency, EHDC, HDC, Network Rail and Natural England.

5.18 This engagement has resulted in a range of design amendments and enhancements to the proposals.

5.19 The proposed crossing was reviewed by the Garden Town Quality Review Panel in February 2019 and again in April 2020 which resulted in a comprehensive review of the pedestrian and cyclist experience and landscaping proposals.

5.20 The Panel supported the joint work undertaken by the Applicant's team and the Local Planning Authorities in bringing forward the Stort River Crossings, concurrently with the Gilston Area scheme. The Panel strongly supported the planning authority's work to ensure the design of the crossings (CRSC in particular) support active healthy sustainable travel from the outset.

5.21 The Applicant was able to consider this Panel feedback prior to the submission of their planning applications and make amendments accordingly.

### CRSC

5.22 As submitted, the application proposed a single access in to the GA1 area Village 1, comprising a continuation of the CRSC northwards into the village. As a result of consultation and engagement on the applications, the proposals were amended with the principal change being a restriction to the use of the direct Village 1 access to sustainable modes only.

5.23 This was complemented by the addition of a proposed further all-modes access to Village 1, which will be located to the east of the Eastwick Junction. This will take the form of a new cross-road style junction with access to Village 1 to the north and access to Terlings Park and Burnt Mill Lane to the south.

5.24 These amendments result in the shift to the north of the current Eastwick Road to enable the retention of the access to Terlings Park on its current alignment, with a new junction.

5.25 EHDC Planning Officers are in agreement with the views of the Quality Review Panel that the amendments to the Terlings Park and Pye Corner accesses comprise improvements to the overall scheme, by reducing the proposals for road space and enhancing permeability between the Terlings Park and the existing Gilston village and new development to the north. The

amended access arrangements to Village 1 have been subject to the consultation process with the Highway and partner authorities and, likewise, are considered to comprise positive amendments to the scheme.

### ESC

- 5.26 The alterations to the alignment from that originally submitted proposals for the ESC moved the route further away from existing residential properties at Terlings Park and provide the necessary noise attenuation features alongside enhanced landscaping areas, as well as continuing to deliver substantial public realm improvements to Gilston Village.

### Direct impacts of the CPO

- 5.27 The process undertaken by the Applicant to negotiate with the existing land owners and acquire the land and rights without recourse to CPO is outlined in the Statement of Reasons.
- 5.28 The nature of land acquisition negotiations is more direct and individual than wider consultation, which has enabled specific protected characteristics to be considered individually. Effects are more likely where a CPO relates to acquisition of a dwelling and there the occupant of that dwelling (as owner or not) has specific needs that mean additional compensation may be required to meet their needs in a new home. There is only dwelling within the Order Limits (High View, Pye Corner, Gilston, CM20 2RB).
- 5.29 Land owned by Bloor Homes (soon to be/recently transferred to the Terlings Park Management Vehicle) does not have dwellings on it, but the portion of this land that is within the Order Limits is part of the open space for the adjacent homes.
- 5.30 There are four other locations where the Order Limits include portions of open space, which may be in use for public recreation (although their use by the public is not yet confirmed). These are not formal parks and their use by the public is most likely (if used at all) to be for walking or running. In some cases only temporary rights (including air rights) will be needed. Where rights over existing open space would be permanently taken, exchange land will be required i.e. alternative appropriate open space sites will be provided. Further details of this are set out in the draft '*Application for Certificates in Respect of Compulsory Acquisition of Open Space and Rights over Open Space pursuant to Section 19(1)(a) and Paragraph 6(1)(a) of Schedule 3 – Land Acquisition Act 1981*'.
- 5.31 All Public Rights of Way will be retained or redirected under condition of the Planning Permissions.
- 5.32 The design retains existing Public Rights of Way (PRoWs) through the Stort Valley and provides new opportunities for active movement,
- 5.33 Further Qualifying Persons may still be identified up to the point at which the CPO is made, and further engagement with all Qualifying Persons will take place between now and the making of the Order. Qualifying Persons are given support to engage in the process which ensures they have a full opportunity to highlight and explain the ways in which they personally may be affected by the acquisition process.

- 5.34 Through this process, no affected persons within the Order Limits have been identified for whom protected characteristics differentially affect their ability to understand or engage in the land acquisition process, or how they will be affected by it. Engagement will continue throughout the land referencing process to monitor the needs of Qualifying Persons as they relate to the Equality Act.
- 5.35 The nature of any equality effects from land and rights acquisition, if they arise, is likely to mean mitigation and compensation through the CPO process will be possible.
- 5.36 As well as impacts on landowners, there are potential impacts on occupiers and users. These include users of the park, canal, roads, and other land and buildings. These are assessed within the Indirect Effects section below.

### Indirect effects of the Eastern and Central Stort Crossings enabled by the CPO

- 5.37 Table 3.1 (above) sets out the pathways through which indirect effects might give rise to equality impacts during either the construction or operational phases. These include:
- Road safety
  - Active travel
  - Accessibility and severance
  - Access to work and training
  - Noise
  - Air quality
  - Land uses outside the Order Limits.
- 5.38 Amenity impacts are set out in detail in the Environmental Statement (ES) (and the subsequent ES addendum), specifically Chapter 6 on Construction, Chapter 8 on Human Health, Chapter 9 on Transport, Chapter 10 on Air Quality, Chapter 11 on Noise and Vibration and Chapter 21 on Cumulative Effects. These effects may become relevant to consideration of equality where they affect people with protected characteristics in a differential or disproportionate way. These are referenced in this section where relevant. A summary of the proposals and their effects is presented in the Officer's Reports to Committee prepared for the Crossings Applications. Information included in those reports is presented here alongside evidence from the ES Chapters.
- 5.39 This section sets out where such impacts could arise during both the construction and operational phases. It aims to describe the potential impacts in plain, non-technical language. For the full technical assessments, refer to the ES. The Officer's Reports to Committee provide a thorough summary of the proposals and their likely impacts and provide a good reference point from which to navigate the ES.
- 5.40 The ES deals with the entire GPE Development, including the crossings. Some of the communities closest to the crossings will be affected by other elements of the GPE Development. Where possible this statement focuses only on the impacts of the crossings, but in some cases these are not identified or distinguishable separately from wider scheme effects.

## Construction Phase

- 5.41 Construction works have the potential to impact on residents and workers due to, for example, severance, noise, vibration, and dust.

### *Traffic and Access Effects*

- 5.42 Severance and rerouting can reduce access to services, recreation and employment opportunities.

- 5.43 This may particularly affect less mobile people and those travelling on foot such as older people, young children and parents with children in pushchairs, and people with disabilities for whom different/longer journey times may be particularly challenging. Older or younger people may find walking for longer distances more difficult or who may be less comfortable navigating streets where the surroundings are unfamiliar. Older people are also more likely to experience some form of impairment which can affect their travel.

- 5.44 The road network and its supporting infrastructure will be used by current and future residents, workers and visitors travelling to and from Harlow, Harlow Town Station, the wider HGGT area and beyond. The experience (including amenity, safety and journey times) of these users is a relevant consideration in this EqS. However, as set out in more detail below, likely adverse effects of the crossings (where they arise) will generally be localised to the areas immediately around them and those users who would interact with them on foot or cycle. This could include people who live outside the immediate area but commute to or from Harlow and need to use these routes to reach their final destination.

- 5.45 There are no likely road safety risks that have been identified for any users. Pedestrian and cyclist impacts are addressed in more detail below. If there are minor delays or temporary amenity effects to those in motorised transport connecting with the wider road network (as a result of closures/diversions for example), this is unlikely to have any disproportionate or differential effect on any person or group linked to their Protected Characteristics.

- 5.46 There may be potential beneficial effects of the new infrastructure on the functioning and user experience of the wider road network which may benefit those who cannot drive, such as people with disabilities or young people) differentially.

- 5.47 The Environmental Statement (ES) assesses the impact on each part (link) of the highway network directly and indirectly affected by the proposed Crossings and as such there are different levels of impact depending upon which part (link) of the road network one focuses on. Full details of the effects at each receptor are presented in the ES.

- 5.48 The potential effects during construction are summarised below.

### *CRSC*

- 5.49 There will be anticipated delays to all forms of movement during the construction period due to the need for temporary road/ lane closures or diversions, but impacts are anticipated to be less on those walking and cycling, either because routes will remain unaffected, or because suitable alternatives will be available.



- 5.50 During construction the following specific effects were reported:
- slight adverse effects for driver delay, severance and cyclist amenity;
  - neutral effect for pedestrian delay, cyclist delay, and accidents and road safety ;
  - slight beneficial effects for public transport.
- 5.51 There are a number of routes available that will remain useable during construction of the CRSC for pedestrians and cyclists using the routes that link Gilston, Terlings Park and Eastwick Lodge via the existing Fifth Avenue Crossing and Burnt Mill Lane from or to key destinations such as the Harlow Town Station. Such users are therefore not expected to be significantly inconvenienced. This is because most of the work on the new crossing and the pedestrian and cycle bridge will occur independently of the existing crossing or following completion of the northbound carriageway and footpath on the western side.
- 5.52 It is currently anticipated that construction will be occurring on the early phases of the residential development simultaneously with the construction of the CRSC, and therefore access must also be maintained for early occupants in order to enable and encourage movements by sustainable means. The early delivery of off-site improvements to routes such as Burnt Mill Lane will provide alternative options for pedestrian and cycling movements during the construction of the new bridge, with delivery secured via conditions and or the legal agreement associated with the residential development. Notwithstanding this, during the construction phases the Applicant has proposed interim arrangements to maintain a pedestrian route, and to add a cycle route along the existing Fifth Avenue Crossing. The interim provision will be altered to maintain safety through the construction period but will maintain a direct connection from Eastwick junction to Harlow and these routes will be considerably safer than current crossing arrangements.
- ESC*
- 5.53 Highway impacts could occur for pedestrians and cyclists, particularly during construction periods. All road users, but pedestrians in particular could include people with protected characteristics that mean that changes to the public realm affect them differentially, especially older people, pregnant people or those with disabilities.
- 5.54 In the area around River Way, the land use is predominantly employment land – pedestrian movements for residential, retail or community facilities are likely to be limited (if at all). Employees are the main consideration (and this therefore excludes children and older people). The ES identifies Neutral to Slight Adverse effects with respect to severance and pedestrian/cyclist amenity on River Way South – which will be temporary over the two years of construction (note that construction will be delivered in phases so impacts in any one location may not extend for the full two years).
- 5.55 During the construction of the new bridge, in order to maintain pedestrian and cycle (dismounted) access, a temporary structure will be erected over the railway line. This will be subject to a separate planning application for temporary works to Harlow District Council. It is proposed that these improvements are completed prior to the operational use of Road 3 from

River Way. Indicative plans have been discussed with and have been agreed in principle by the Highway Authority (Essex County Council), with all works to occur in the highway boundary.

- 5.56 There will also be an effect on some PROWs due to construction activities. In particular the Stort Valley Way will be affected by construction activities including the Central Crossing works. When temporary closure of the PROW is required then alternative diverted routes will be provided with appropriate signing.
- 5.57 There are a number of routes available that will remain useable during construction of the ESC for pedestrians and cyclists to travel between Pye Corner and Terlings Park through the Terlings Park estate to or from key destinations such as the Harlow Town Station, and are therefore not expected to be significantly inconvenienced.
- 5.58 It is normal practice to retain access to Public Rights of Way throughout construction where possible and this will be controlled by condition.
- 5.59 It is proposed that crossing points and temporary footpaths around the Pye Corner junction will be operational before the existing PROWs need to be temporarily closed to construct the bridge deck, thereby retaining access through this corridor.

#### *Summary Potential Equality Considerations*

- 5.60 There will be significant changes in the road layout during construction of both crossings, including potential for temporary closures of rights of way and routes. This may have temporary adverse effects on people who struggle with wayfinding due to age, illness or disability. There is no available evidence to indicate that there is a disproportionate number of people with these conditions that could be affected.
- 5.61 Avoiding severance for those without a car is critical to reducing potential equality effects associated with transport and access. The priority throughout the design of the mitigation process for both crossings has been to ensure that safe walking routes, especially to shops, services and recreation opportunities, are retained which limits the likelihood of a differential impact on certain residents.
- 5.62 Users of motorised transport passing through the areas affected and (for example by rerouting or closure) are not likely to experience any disproportionate or differential effects linked to Protected Characteristics.

#### *Access to Work and Training*

- 5.63 People with certain protected characteristics, as set out in the baseline, may disproportionately experience barriers to accessing work, skills and qualifications and therefore may benefit from new opportunities.
- 5.64 The construction phase will generate construction jobs and may provide opportunities for entry-level training and employment for local people.
- 5.65 Public transport routes, and walking and cycling connections to those routes, will be retained throughout. There may be some disruptions to routes, already discussed under transport and access.

### *Summary Potential Equality Considerations*

- 5.66 There may be positive equality impacts arising from construction jobs created by the development of the crossings.

#### *Noise and vibration*

- 5.67 Effects from noise and vibration may result in an increase or decrease in annoyance levels, levels of sleep disturbance an increase or decrease in a range of pre-existing mental and physical conditions.
- 5.68 Vibration effects are not assessed separately for the impact of the crossings specifically, although effects are assessed as negligible across all existing receptors except R3 (South Lodge, Eastwick Road), which is assessed as minor adverse.
- 5.69 Construction traffic noise effects are not assessed separately for the impact of the crossings, although assessed as negligible across all roads except Haydens Road, which is assessed as minor adverse.

#### *CRSC and ESC*

- 5.70 In order to consider the impact of construction noise and vibration on sensitive receptors and buildings, a comprehensive noise assessment has been undertaken, which can be found in the ES.
- 5.71 As with any form of construction project there will be temporary impacts on nearby uses from the noise and disturbance caused by vehicles and construction activities. Properties nearest to the construction will be those most affected, and the magnitude of that effect will depend upon how long the construction nearest to those properties continues. The CRSC as a whole is expected to take around two and a half years including enabling works, but will be constructed in phases, so construction activity will only be in a certain location for a proportion (perhaps a very small proportion in some cases) of that time.
- 5.72 In relation to Central Stort Crossing, moderate adverse effects (significant) on R3 (South Lodge, Eastwick Road) and R24 (public rights of way and River Stort towpath), and minor adverse effects are assessed for R25 (Harlow receptors near Central Stort Crossing). There is also potential for adverse effects on introduced receptors (i.e. new residents) in Village 1 and Village 2 (R26-R27) depending on phasing.
- 5.73 In relation to the ESC, predicted worst case construction noise levels are assessed as moderate adverse (significant) for R6 (Pye Corner receptors – east of Plume of Feathers pub) and R24 (public rights of way and River Stort towpath) and minor adverse for R4 and R5 (Eastwick Road receptors south of Pye Corner and Pye Corner receptors south of Plume of Feathers Pub).
- 5.74 A series of options and alignments were analysed as part of the plan making processes for East Herts and Harlow, as part of the integrated working through the HGGT, and as part of the application process. The proposals were modified post submission in November 2020 to respond to consultation comments. The alterations to the alignment from that originally submitted moved the route further away from existing residential properties at Terlings Park

and provides the necessary noise attenuation features alongside enhanced landscaping areas, as well as continuing to deliver substantial public realm improvements to the heart of Gilston Village.

- 5.75 The Code of Construction Practice proposes that all construction works will occur during normal working hours as far as is reasonably practicable, with restrictions on construction works outside of these hours. However, there may be instances where larger vehicles are needed to transport materials such as long structural beams for example, and for the benefit of highway safety it is often better that these deliveries occur outside of peak travel periods. Officers anticipate that there will need to be night time construction activities and temporary road closures when the new and existing carriageways are tied in and the new bridge decks and parapets are installed. In order to minimise such disruption, these activities are normally undertaken over a very short time period and residents and properties will be notified of these periods in advance.
- 5.76 This time restriction will be beneficial to residents as it will reduce disturbance during evenings and prior to 8 o'clock in the morning, with few instances of night time sleep disturbance. From an equality point of view, it should be considered that some people, including the ill, elderly or young children and their carers will be at home during the day.
- 5.77 There may be some amenity effects for users of the Stort Crossing for recreation, when construction is closest to those points, although these are not expected have disproportionate or differential effects on people or groups with a Protected Characteristic.
- 5.78 Internal acoustic standards are different for business uses compared to residential uses, so apart from the relatively short period of time required to construct the northbound carriageway from Burnt Mill Roundabout, levels of amenity will be retained for workers.

#### *Summary Potential Equality Considerations*

- 5.79 There will be noise effects on some homes during construction which could differentially affect people with vulnerabilities due to their Protected Characteristics. Some residents including older people, young children, or those with limiting disabilities or illness may spend longer at home and are therefore could be disproportionately affected by day-time noise disturbance. People with certain disabilities (for example Autism and Asperger's Syndrome) may also be more sensitive to noise effects. There is no available evidence to indicate that there is a disproportionate number of people with these conditions that could be affected.
- 5.80 Effects on recreational users are not likely to give rise to equality effects. Effects on workers are not significant.
- 5.81 Mitigation will be in place from the start, with commitment to the S61 of the Control of Pollution Act to minimise noise as far as reasonably practicable, and a communications strategy and liaison with occupiers of sensitive receptors who may be adversely impacted.
- 5.82 Details of the mitigation, including mechanisms for enforcing time limits on construction and routes for construction vehicles will be secured in writing prior to commencement of the development in the Code of Construction Practice, the Construction Environmental Management Plan and the Construction Traffic Management Plan.

## *Air Quality*

- 5.83 People with some protected characteristics may experience differential or disproportionate health impacts from environmental effects such as changes in air quality. Public Health England (2018)<sup>11</sup> specifies that air pollution particularly affects people who are pregnant, children (through, for example, slower development of lung function), people with some types of long-term conditions (such as asthma), and elderly people (through, for example, accelerated decline of lung function). Changes in air quality can alter the risk of cardiovascular conditions such as myocardial infarction and an increase or decrease in a range of conditions including asthma, other respiratory and circulatory diseases.

### *CSRC and ESC*

- 5.84 During the construction stage, The Hides, Velizy Avenue receptor location is predicted to experience a small increase in NO<sub>2</sub> levels and because of high existing NO<sub>2</sub> levels this is recorded as a major adverse effect. The high existing level is driven by bus routes (see the Officer's Report to Committee para 13.5.25. In order to mitigate this as far as possible, the Construction Traffic Management Plan will be required to set routes for construction vehicles that avoid this location; this will be secured by planning condition. The Officer's Report to Committee goes on to say, "Given the distance of residential properties from the site and the proposed management techniques included in the Code of Construction Practice submitted with the application, it is considered that potential risks are identified and can be mitigated appropriately."
- 5.85 All other receptor locations saw negligible changes for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> projections during construction. No other significant impacts are expected.
- 5.86 There will be some dust soiling on residential properties at Terlings Park and alongside Eastwick Road at Pye corner, Eastwick and various farms and properties from earthworks and construction. However, the air quality chapter concludes minor adverse effects of dust soiling on human health for people and properties within 50m of construction phase activities and this is not a significant effect in the ES.
- 5.87 During construction, there are a range of measures that can be employed to control dust and emissions generated thereby lessening the annoyance and human health impacts associated with dust and particulate matter. Effective site management is essential to ensure successful prevention and mitigation of construction dust emissions. All potential dust-generating activities will be identified prior to the commencement of each phase of construction and will be managed at source through appropriate handling techniques, good maintenance and good housekeeping. Conditions relating to construction environment management will ensure that appropriate standards are applied.

### *Summary Potential Equality Considerations*

- 5.88 Air quality effects could exacerbate the effects of disability, especially in the case of disability related to lung function (for example, asthma, Chronic Obstructive Pulmonary Disease). Effects from dust may affect people with disabilities or limiting illnesses differentially. There is

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<sup>11</sup> Public Health England / UK Government, 2018. Health Matters: Air pollution.  
<https://www.gov.uk/government/publications/health-matters-air-pollution/health-matters-air-pollution>

no available evidence to indicate that there is a disproportionate number of people with these conditions that could be affected.

- 5.89 Mitigation will be embedded from the start through the relevant management plans and real-time dust monitoring will be undertaken in proximity to residential properties and other dust-sensitive properties. Construction vehicles will be required to meet the latest Euro emissions standard, be regularly inspected and well maintained. The CEMP will set out a construction traffic routing.

#### *Land Uses outside of the Order Limits*

- 5.90 Construction of the Crossings will not stop or prevent any of the activity currently taking place (leisure or otherwise) on land outside the Order Limits.
- 5.91 Some amenity effects may be experienced by the users of Redricks Lake, however there is no evidence that this would have any differential or disproportionate equality effects.

### **Operational Phase**

- 5.92 As with construction, the likely adverse effects of the operation of the crossings will generally be localised to the areas immediately around them and those users who would interact with them on foot or cycle. There are no significant adverse effects identified for those using motorised transport.
- 5.93 Beneficial effects with respect to improved public transport networks are addressed below.

#### *Transport and Access Effects*

##### *CRSC*

- 5.94 A key feature of the CRSC proposal is the creation of good quality, dedicated segregated pedestrian and cycle facilities running parallel to the road on the eastern side of the existing carriageway. The other key feature is the dedicated bus route that links into Harlow as part of the Sustainable Transport Corridor. As this route is intended to provide for high volumes of pedestrian and cycle movements, the bridge needs to have gentle gradients to ensure accessibility standards are met, and should be constructed using materials that are robust. The proposed parameters for the pedestrian and cycle bridge design will ensure that appropriate gradients are used to enable safe, comfortable use for those in wheelchairs or pushing buggies and prams.
- 5.95 Those that do not wish to use the elevated structure will benefit from routes provided on either side of the bridge, comprising a mixture of shared and segregated paths for walking and cycling. In this way, the application meets the proposal ensures that no disadvantage is given to those with disabilities. Those using the at-grade option will can use the crossing points on each arm of the new junction.
- 5.96 The CRSC forms an integral part of the network of Sustainable Transport Corridors that integrate the neighbourhoods of the HGGT with rapid transit/dedicated bus lanes which will “provide attractive and enjoyable transport choices which are accessible to all ages and abilities [...] [and provide] a series of strategic corridors in the Garden Town providing high

quality public and active travel options, connecting neighbourhoods quickly with key destinations such as the town centre and rail station<sup>12</sup>. There would be a beneficial effect in the context of the HGGT as a whole, which may differentially benefit some residents including those with disabilities who are unable to drive.

- 5.97 The CRSC proposal also includes the spur of Burnt Mill Lane from the Fifth Avenue crossing towards Burnt Mill Close. Improvements are proposed to this existing route in order to ensure alternative walking and cycling routes options are available. These improvements comprise changing the status of Burnt Mill Lane and Burnt Mill Close to become a pedestrian and cycle quiet lane which may potentially include the provision of a shared surface and reduced speed limit with clear signs and surfacing. The detail of these changes will be submitted via a planning condition on this application, but the delivery of the improvements will be secured through either a legal agreement entered into by the applicant with the Highway Authority under section 278 of the Highways Act 1980, or via a S106 planning obligation associated with the Outline Villages 1-6 application.
- 5.98 This lane is an important route connecting Terlings Park and Burnt Mill Lane to Harlow Town Station via the Fifth Avenue Crossing in both directions, so vehicular movements from the south will be restricted to access only to serve the outdoor activity centre, Station House, and the public car park for the nature reserve.
- 5.99 Access northwards along Burnt Mill Lane will remain closed to vehicles due to the presence of a weak bridge. The temporary treatment to secure the closure of the bridge comprises the use of large concrete blocks.
- 5.100 The Applicant has committed to delivering public realm improvements at this location along with enhancements to the rest of Burnt Mill Lane in order to improve pedestrian and cycle access along its entire length (delivered via a legal agreement entered into by the applicant with the Highway Authority under section 278 of the Highways Act 1980) or through a s106 obligation associated with the Villages 1-6 outline application.
- 5.101 The details of the proposed improvements will be required to be submitted via a condition on the outline application, so whilst this is not material for this application, this paragraph provides the context of the wider package of mitigation associated with the development as a whole.

#### *ESC*

- 5.102 Operational (long term) changes to road layout will be particularly relevant to two settlements of Terlings Park and Pye Corner (Links 37 and 39). Severance at these points has been assessed to be minor adverse. The Officers' Report to Committee states that,

*In terms of connectivity and severance concerns, the amended layout and design of the ESC proposal in this particular location is considerably better than originally proposed. The reduction in carriageway width has enabled the creation of much*

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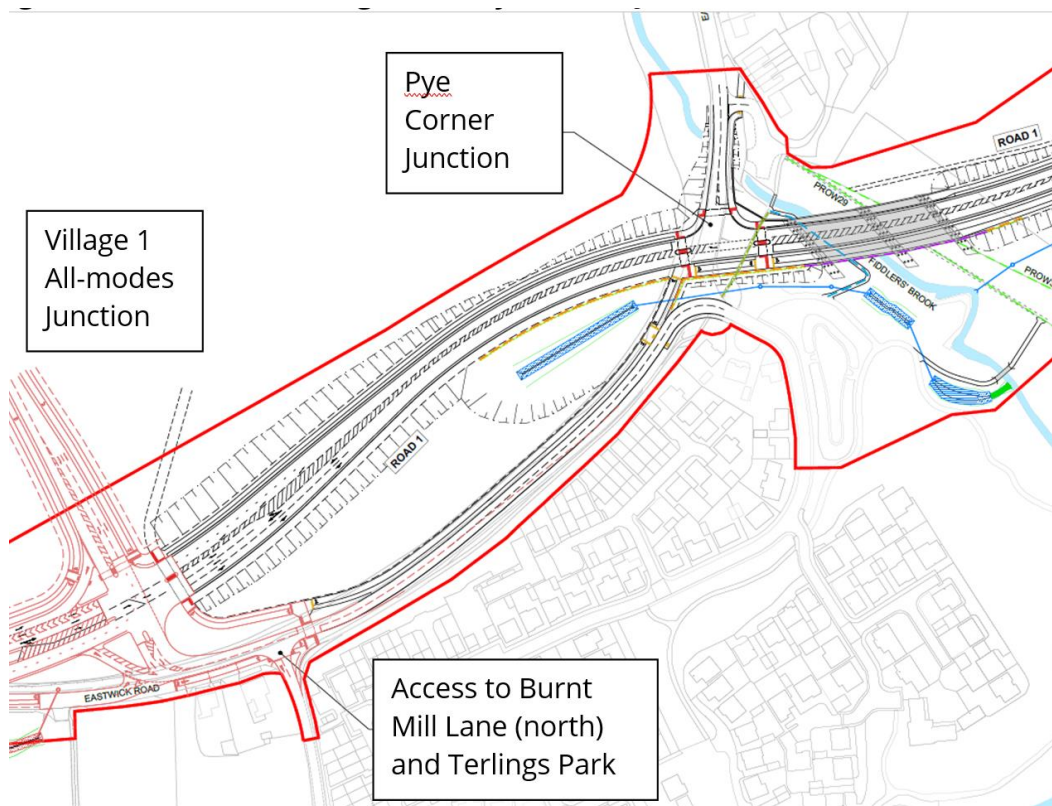
<sup>12</sup> Harlow and Gilston Garden Town Vision, November 2018

*simpler and direct pedestrian and cycle crossing points without the need for staggered crossings with central islands, multiple sets of lights and waiting periods. [Para 13.2.18]*

- 5.103 Signal controlled pedestrian crossing opportunities will be provided at the new Eastern Stort Crossing / Pye Corner / Terlings Park access traffic signal junction, which provides a connection between Pye Corner and Terlings Park. A pedestrian route is also provided under the Eastern Stort Crossing structure to the east of the junction. However, pedestrian flow is likely to be low as there are many alternative walking routes to/from Harlow - for example, there will be direct access onto Burnt Mill Lane from Terlings Park tying in with improved pedestrian facilities on Burnt Mill Lane itself (approved as part of the application for the Terlings Park site). This would allow pedestrians to avoid Eastwick Road entirely – See Figure 8 below,
- 5.104 Following consultation the road alignment has been moved further from Terlings Park and Junction design amended, as a result of the additional options prepared for Pye Corner and Terlings Park in terms of access. The amendments are part of Option 3A which was selected as the Preferred option.
- 5.105 The design retains existing Public Rights of Way (PRoWs) through the Stort Valley and provides new opportunities for active movement, especially through the provision of dedicated walking and cycling routes, including a new 5m wide footway and cycleway adjacent to the carriageway which will increase connectivity across the valley without introducing new routes along the valley floor.
- 5.106 In addition, improvements along the retained Pye Corner, Eastwick Road and Burnt Mill Lane plus the two towpath bridges will provide safe and convenient routes, both for commuter and leisure purposes.



Figure 8: Amended Terling's Park/Pye Corner Junction



*Summary Potential Equality Considerations*

- 5.107 The design of the Crossings will assist road users in achieving sustainable mobility targets (including access to public transport) which are likely to be aligned with reduced effects on those with vulnerabilities associated with Protected Characteristics.
- 5.108 Changes to the road layout may have short term consequences for people who struggle with way finding and orientation and who are less comfortable navigating streets where the surroundings are unfamiliar, which could include older people and those with disabilities.

*Access to Work and Training*

- 5.109 Public transport routes, and walking and cycling connections to those routes, will be improved by the Crossings for both new and existing residents and other road users. No routes to work or training by any mode will be substantially impaired, and all route changes will be mitigated through alternative provision. There are unlikely to be equality effects associated with this, and if there are, these may be beneficial.

*Noise*

CRSC

- 5.110 The widened carriageway of the CRSC will bring the road closer to businesses and properties that are currently in construction (Goodman House). Noise levels are anticipated to be below 3dB, which is considered to be at worst, a slight adverse effect. The Officer's Report to Committee States,

*For example, on the eastern side of the crossing is Goodman House, a mixed occupancy office block and on the western side of the crossing is the proposed mixed use office and residential development as referred to above. Internal acoustic standards are different for business uses compared to residential uses, so apart from the relatively short period of time required to construct the northbound carriageway from Burnt Mill Roundabout, levels of amenity will be retained. [Para 13.5.19]*

- 5.111 Those walking or cycling along the CRSC will experience noise associated with the passing traffic, those walking or cycling along the canal towpath and along the Stort Navigation in the vicinity of the crossing will be protected from as much road noise as possible by proposed noise attention measures. Further detail on this is set out in the Officer's Report to Committee Paragraphs 13.5.21-22.

#### *ESC*

- 5.112 The ESC was designed to minimise the impact of road traffic noise where practicable. A number of design options for the ESC were assessed holistically to determine the most appropriate options. Option 3A – access to Terlings Park moved to Burnt Mill Lane – was taken forward as the preferred option. The road does not follow the original alignment of Eastwick Road but arcs to the north around Terlings Park.
- 5.113 This road alignment creates a buffer between properties at the north boundary of Terlings Park and the west spur of the Eastern Stort Crossing. Additionally, this section of road is located in a cutting, which provides partial screening of road traffic noise for Terlings Park receptors.
- 5.114 While the potential for significant effects was reduced for a number of receptors due to the design changes (compared to what was set out in the original ES, and following the preferred design option), 21 receptors (homes) in Terlings Park and 8 receptors (homes) in Pye Corner are predicted to experience significant (moderate adverse) noise effects due to traffic as a direct result of the ESC. The Officers' Report to Committee states the following:

*“while the number of residential receptors experiencing significant adverse effects has reduced, the models indicate that there will still be large adverse and moderate adverse noise impacts on 27 properties in Terlings Park and Pye Corner during the day time and 41 properties during the night time as a result of different parts of the ESC proposal after mitigation measures are taken. Of these 41, 12 properties are modelled to experience an increase in noise of 5dB or more and 29 experience an increase in noise of between 3dB and 5dB. It should be noted however, that the baseline measurements indicate that the majority of these receptors already experience noise levels above 50dB, i.e. the level at which noise is considered as having an observed adverse effect, and other facades of these buildings may experience significant beneficial reductions in noise. Notwithstanding this, these properties may be eligible for compensation under the Noise Insulation Regulations.” [Para 13.5.26]*

- 5.115 A 3m high noise barrier has been designed to the north of Terlings Park in order to screen noise from the ESC. The design is also planned to include low noise road surfaces to reduce noise created by the interaction between tyre and road.
- 5.116 It should also be noted that a number of receptors (including some at Terlings Park and Pye Corner) will also see beneficial effects.
- 5.117 The key benefit arising from the ESC proposal is that it creates a bypass of Pye Corner, and through the realignment of Eastwick Road, reduces noise and disturbance impacts on the majority of properties in Terlings Park, as set out in the Officer's Report to Committee Paragraph 13.3.28.

#### *Summary Potential Equality Considerations*

- 5.118 The primary consideration is the significant noise effects on Terlings Park and Pye Corner residents, where 29 homes will experience moderate adverse effects.
- 5.119 Extensive engagement with these residents has taken place and there were at least 47 individual consultation responses made to the three planning applications (GPE, CRSC and ESC) by residents of Terlings Park. 31 of these responses specifically refer to noise effects, although none specifically refer to a Protected Characteristic which would mean they were differentially affected.
- 5.120 If there are residents that are differentially affected by the noise, the absolute number will be small.
- 5.121 Beneficial effects on some homes may also improve quality of life for some vulnerable residents.
- 5.122 Mitigation measures have been designed to reduce the noise impact of the ESC as far as reasonably practicable. Affected receptors may also be eligible for compensation under the Noise Insulation Regulations.

#### *Air Quality*

##### *CRSC and ESC*

- 5.123 Air quality effects from the operation of the development (which has not, in the case of air quality, been assessed separately for the Crossings in isolation) will be negligible in almost all locations.
- 5.124 Receptors where the impact is not negligible include a commercial property in Printers Way, Harlow, a receptor location in Sawbridgeworth AQMA, one property in Eastwick Road and The Hides in Velizy Avenue, Harlow.
- 5.125 These receptor locations represent areas with the greatest impacts. However, concentrations at all of these locations will be within the air quality criteria for all pollutants. No significant effects are predicted due to the development being in operation.

- 5.126 The ES and ES addendum air quality chapter set out that at the operational stage, the largest predicted increase (representing a worst-case scenario) in annual mean NO<sub>2</sub> concentration due to the Development is 7.5µg/m<sup>3</sup> at Receptor 45 (1 Printers Way, Harlow, within the Temple Fields commercial area). This is due to the opening of the ESC, which is predicted to result in a large increase in traffic flow between the Development and the A414 via the new crossing and River Way. This corresponds to a moderate adverse impact.
- 5.127 Minor adverse impacts are also predicted at Receptor 63 (an isolated property immediately to the north of Eastwick Road east of the Central Stort Crossing). There are minor adverse impacts on another 23 receptors along London Road, Sawbridgeworth and South Lodge (Eastwick Road).

#### *Summary Potential Equality Considerations*

- 5.128 Any effects will be related to (typically) day-time working hours and relevant to the industries set out in the baseline assessment. As the majority of people on-site are expected to will be of working age (16-64), no equality effects (neither disproportionate nor differential) are expected on older people or children in this case.
- 5.129 However, differential effects could be felt among workers with certain types of disabilities (such as asthma) or pregnant women, and although the actual number of people potentially affected is very small this is a relevant consideration.
- 5.130 Isolated effects on residents at identified receptors should also be considered although absolute numbers are very small. Two residents of Terlings Park and one of Pye Corner responded to the consultation on the three planning applications (GPE, CRSC and ESC) citing asthma in their family as concern with respect to the Crossings. Several respondents highlighted the potential effects of pollution on children living at Terlings Park.

#### *Land Uses outside of the Order Limits*

- 5.131 Operation of the Crossings will not stop or prevent any of the activity currently taking place (leisure or otherwise) on land outside the Order Limits.
- 5.132 Some amenity effects may be experienced by the users of Redricks Lake, however there is no evidence that this would have any differential or disproportionate equality effects.

## 6 Conclusion

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- 6.1 When considering the acquisition of land or rights, the PSED requires the Authorities to consider how their decision making concerning the making of a CPO will affect people who are protected under the Equality Act 2010.
- 6.2 As is established good practice, this Equality Statement has presented the potential effects of the CPO (and the works it facilitates) that may differentially or disproportionately affect people with protected characteristics. In meeting its duty, the Authorities should give due regard to these equality considerations (and any others it considers relevant) and seek to advance equality of opportunity between people who share protected characteristics with those who do not.
- 6.3 Where it considers these are required, the Authorities should seek to secure appropriate mitigation to remove or minimise the potential adverse effects on people with protected characteristics. They should take the necessary steps to meet the needs of people with protected characteristics where those needs differ from those who do not share that characteristic.
- 6.4 As set out in the Introduction, some impacts may be unavoidable. Considerations, including the public benefit of the development that will be supported by the CPO, can outweigh the potential adverse effects. Under the Act, the Authorities are not required to take any specific course of action in response to any identified effects or potential effects, just to take due consideration of the effects in their decision making.

### Direct Effects of the CPO

- 6.5 No affected persons within the Order Limits have been identified for whom protected characteristics differentially affect their ability to understand or engage in the land acquisition process, or how they will be affected by it. Engagement will continue throughout the land referencing process to monitor the needs of Qualifying Persons as they relate to the Equality Act.
- 6.6 The full land referencing exercise is still to be completed and the table of Qualifying Persons will continue to be updated as this process takes place.
- 6.7 Engagement will continue throughout the land referencing process to monitor the needs of Qualifying Persons as they relate to the Equality Act.
- 6.8 The nature of any equality effects from land acquisition, if they arise, is likely to mean mitigation and compensation through the CPO process will be possible.

### Indirect effects

- 6.9 In this Statement, some potential adverse environmental effects have been identified (which constitute indirect effects of the CPO). An adverse environmental effect does not automatically constitute an equality effect and in the majority of cases it would not do so. Some of these effects are short term, and some are isolated affecting only a very small number of residents.

The scale and nature of these effects is not considered to amount to illegal discrimination as defined in the Act.

6.10 No disproportionate effects have been identified.

6.11 Some differential effects could potentially occur including:

- The road network and its supporting infrastructure will be used by current and future residents, workers and visitors travelling to and from Harlow, the wider HGGT area and the beyond. The experience (including amenity, safety and journey times) of these users is a relevant consideration in this EqS. However likely adverse effects of the crossings will generally be localised to the areas immediately around them and those users who would interact with them on foot or cycle. If there are minor delays or temporary amenity effects to those in motorised transport connecting with the wider road network (as a result of closures/diversions for example), this is unlikely to have any disproportionate or differential effect on any person or group linked to their Protected Characteristics.
- The CRSC forms an integral part of the network of Sustainable Transport Corridors that integrate the neighbourhoods of the HGGT with rapid transit/dedicated bus lanes which will “provide attractive and enjoyable transport choices which are accessible to all ages and abilities” and this would be a beneficial effect in the context of the HGGT as a whole, which may differentially benefit some residents including those with disabilities or young people who are unable to drive.
- The Residents of Terlings Park may be affected by the purchase of a small parcel of parkland in their ownership, and this may differentially affect people with disabilities who are less able to travel to other green space, and children. The majority of the parkland will remain in their ownership and in use as open space and **alternative land will be provided in an appropriate location.**
- There will be significant changes in the road layout during construction of both crossings, including potential for temporary closures of rights of way and routes. This may have temporary adverse effects on people who struggle with wayfinding due to illness or disability. There is no evidence to indicate that there is a disproportionate number of people with these conditions that could be affected.
- Throughout construction and during operation, proposed mitigation measures have prioritise keeping safe walking and cycling routes available for recreation and access to services and public transport. In operation, walking and cycling infrastructure will be significantly improved by the crossings for new and existing residents.
- The construction phase will generate construction jobs and may provide opportunities for entry-level training and employment for local people, and this may differentially benefit young people.
- There will be noise effects on some homes during construction which could potentially differentially affect people with vulnerabilities due to their Protected Characteristics. The total number of homes affected would be small. Mitigation is proposed in the form of management plans which will control the timings, methods of construction and routes for construction vehicles.
- There will be some air quality effects related to dust from earthworks and construction at Terlings Park, alongside Eastwick Road at Pye corner, Eastwick and various farms and

properties. Mitigation is proposed in the form of management plans which will control the timings, methods of construction and routes for construction vehicles.

- The design of the Crossings will assist in the new and existing communities achieving sustainable mobility targets (including access to public transport) which are likely to be aligned with reduced effects on those with vulnerabilities associated with Protected Characteristics.
- There are expected to be significant noise effects on Terlings Park and Pye Corner residents, where 29 homes will experience moderate adverse effects. Some of these residents may potentially be differentially affected by the noise. Due to the small population affected, it is expected that the absolute number of people differentially affected (if any) will be small. Beneficial effects on some homes may also improve quality of life for some vulnerable residents. Mitigation measures have been designed to reduce the noise impact of the ESC as far as reasonably practicable. Affected receptors may also be eligible for compensation under the Noise Insulation Regulations.
- Operational air quality effects (which are minor or less) have been identified at some commercial and residential receptors. Differential effects could potentially be felt among workers with certain types of disabilities (such as asthma) or pregnant women, and the actual number of people potentially affected is very small. There may potentially be isolated air quality effects on residents at identified receptors although absolute numbers are very small. There are two households at Terlings Park and one at Pye Corner who have stated they have members with asthma (which could constitute a disability when it is severe). These areas have not been identified as receptors with a significant adverse effect on air quality.
- No routes to work or training by any mode will be substantially impaired during construction or operation, and all route changes will be mitigated through alternative provision. There are unlikely to be equality effects associated with this, and if there are, these may be beneficial.





# Appendix 1: Receptor Maps

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## Appendix 2: Baseline summary tables

Measure		Terlings Park	Pye Corner	Hunsdon Ward	East Hertfordshire District	East of England
Population (ONS, 2020)		13,788	16,137	3,470	149,750	6,236,000
Age Structure	0-15	-	-	20%	20%	19%
	16-64	-	-	61%	62%	61%
	65+	-	-	19%	18%	20%
Sex	Male	-	-	49%	49%	49%
	Female	-	-	51%	51%	51%
Health and Disability						
Long Term Health Problem or Disability	Day-to-day activities limited a lot	-	-	6%	5%	7%
	Day-to-day activities limited a little	-	-	8%	8%	9%

(Census, 2011)	Day-to-day activities not limited	-	-	86%	87%	83%
EA Core or work-limiting disabled (aged 16-64) (APS, 2020)		-	-	-	17.8%	19.5%
Life expectancy at birth (PHE, 2013-2017)	Males	-	-	81.1	81.6	79.5 (England)
	Females	-	-	85.1	85.3	83.1 (England)
Deaths from respiratory diseases, all ages (SMR) (PHE, 2013 – 2017)		-	-	100.1	89.4	-
<hr/>						
Pregnancy and Maternity						
Total fertility rate (live births per 1,000 women aged 15-44) (PHE, 2019)		-	-	-	-	60.7 (57.7 in England)
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Employment						
Claimant Count (January 2020)		-	-	1.1%	1.2%	2.3%
Claimant Count (January 2021)		-	-	3.4%	3.9%	5.3%

Sources: Census 2011; GLA 2016; Public Health England 2019; Annual Population Survey 2019; ONS 2017

