

DEVELOPMENT MANAGEMENT COMMITTEE REPORT – MARCH 2023

Application Number	3/19/2124/OUT
Proposal	Outline planning application for development including demolition of existing structures, refurbishment and change of use of existing Grade II Listed Brickhouse Farm Barn and structures, and erection of a residential led mixed use development comprising: up to 1,500 residential market and affordable homes; a mixed use local village centre; retail, business, commercial and community uses; primary school, early years and nursery facilities; leisure and sports facilities including a football hub; provision for 8 no. pitches for Gypsies & Travellers; open spaces, ecological areas, woodlands and public realm; pedestrian, cycle and vehicular accesses and network within the site; associated drainage, utilities, energy and waste facilities and infrastructure; works to and realignment of the existing highway; other supporting works, facilities and infrastructure; other supporting works facilities and infrastructure; together with associated temporary enabling works or structures. With all matters reserved apart from detailed works to the A414 Church Lane junction (phased development (each and every phase and or sub phase being a separate and severable part of the development). Application accompanied by an Environmental Statement.
Location	Land Off Church Lane, North of the A414, Hunsdon and Eastwick, Hertfordshire.
Parish	Hunsdon and Eastwick Parishes
Ward	Hunsdon

Date of Registration of Application	18 th October 2019
Target Determination Date	23 rd March 2023
Reason for Committee Report	Major application
Case Officer	Emily Harvey

RECOMMENDATION

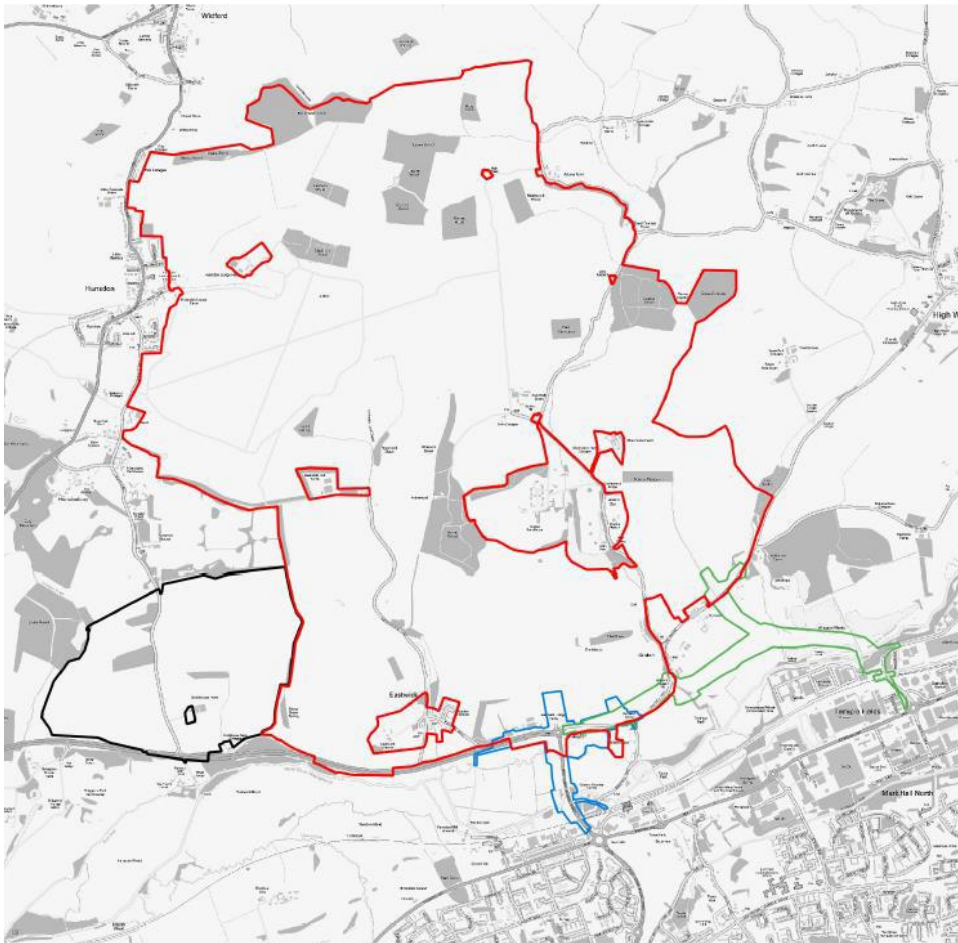
That planning permission be **GRANTED**

- a. Subject to a S.106 legal agreement first being entered into and the proposed conditions set out at the end of this report.

- b. That delegated authority be granted to the Head of Planning and Building Control to finalise the detail of the S.106 Legal Agreement and draft planning conditions annexed (including delegated authority to add to, amend or delete conditions).

1.0 Summary

- 1.1 Background and context – The application site forms part of the Gilston Area which is allocated (GA1) in the East Herts District Plan 2018 to deliver a mixed-use development of 10,000 homes and supporting infrastructure.
- 1.2 The application site forms part of the Harlow and Gilston Garden Town (HGGT), as designated by government (Jan 2017). The HGGT seeks to deliver housing growth and infrastructure across new neighbourhoods near Harlow; as well as within new villages in the Gilston Area.
- 1.3 The application was submitted by Briggens Estate 1 Ltd. The application site was bought by Taylor Wimpey and Taylor Wimpey took over this application which is now in their name and they are the applicant.
- 1.4 The application site comprises the part of the GA1 allocation known as 'Village 7;' The site known as 'Villages 1 to 6' is the subject of a separate planning application (ref no: 3/19/1045/FUL). East Herts Development Management Committee resolved to grant planning permission for this application in February 2023, subject to completion of a s106 legal agreement and conditions.
- 1.5 Part of the central-southern portion of the site is excluded from the application. This contains the Grade II listed Brickhouse Farmhouse, stables and walled garden. This is not within the control of Taylor Wimpey.
- 1.6 Alongside the V1-6 Outline Planning Application, Places for People submitted full planning applications for the development of the Central and Eastern River Stort Crossings respectively and jointly to EHC and Harlow Council ("HC") (local authority references 3/19/1046/FUL / HW/CRB/19/00220 and 3/19/1051/FUL / HW/CRB/19/00221) along with a related Listed Building Consent application submitted to EHC (local authority reference 3/19/1049/LBC). These applications were approved by East Hertfordshire and Harlow Council's on 18th March 2022.
- 1.7 Figure 1 below illustrates the application area, edged in black and its relationship to the neighbouring application for Villages 1 to 6 which is shown edged red. The river crossings are shown edged in green and blue.

Figure 1: Application Area

- 1.8 The matters seeking permission at this stage of the planning process – This is an outline planning application with all matters reserved for future consideration, except the A414/ Church Lane access. Outline Applications seek to establish whether the scale and nature of a proposed development are acceptable, before fully detailed proposals for development phases or development plots are put forward.
- 1.9 A414/Church Lane junction – This existing junction will form the western end of the proposed Sustainable Transport Corridor (STC). It will be signalised to accommodate new dedicated turning lanes into and out of the Site via Church Lane and to provide formal at-grade pedestrian and cycle crossing facilities over the A414, which will improve pedestrian and cyclist connectivity between the Site and the Stort Valley notably as well as functioning as an attractive amenity space with dedicated pedestrian and cyclist routes.
- 1.10 The documents submitted for approval - The documents submitted for approval are:
- six *Parameter Plans*: Establish the limits to which development must comply.

- *Development Specification*: Provides the supporting narrative to the information shown in the Parameter Plans and establishes principles for how development must be come forward.
- *Strategic Design Guide*: Sets out high level design principles for the Gilston Area allocation
- A414/Church lane junction detailed design: The detail for the part of the application that has been submitted in detail (access).

1.11 The application is supported by a wide range of supporting information in accordance with the Council's validation requirements.

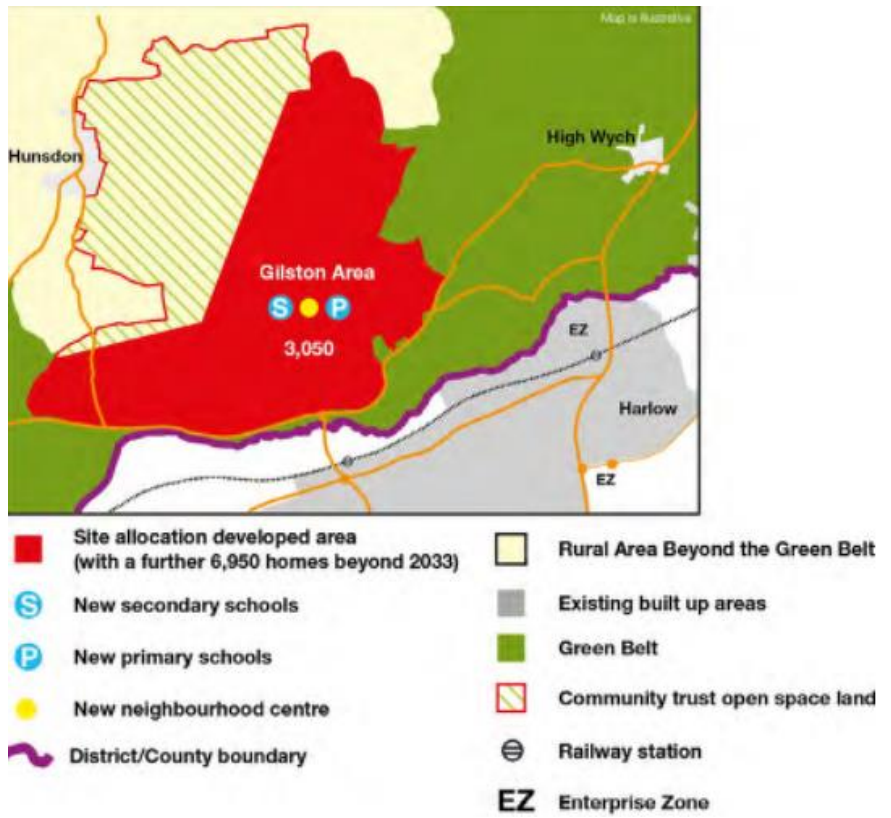
1.12 *Environmental Statement* – A scoping report was submitted on 26th May 2017 in accordance with the EIA regulations. A scoping Opinion was adopted by EHDC on 30th August 2017. An ES accompanies the application to establish whether there would be any likely significant environmental effects arising from the development and how this could reasonably be mitigated. The ES is based on worst case scenario assumptions and takes account of impacts arising from the development should it come forward on its own, or alongside other planned development, including Villages 1 to 6 (3/19/1045/OUT).

1.13 *Amended/ Additional Information* - To positively respond to comments arising through the course of the application, the proposals have been subject to several revisions. Revised information was submitted during submitted Jan 2021; August 2021; and Dec 2022/January 2023 and consulted upon. The amendments and associated consultation is discussed further below.

2.0 Site Description

2.1 The site lies in the south eastern part of East Hertfordshire District Council's (EHDC) administrative area, to the east of Roydon and to the west of Sawbridgeworth. The site lies to the north of the A414 and River Stort wholly within EHDC's area, however, is close to the border with Harlow town, which lies within Harlow's administrative area and is broadly to the south east of the site.

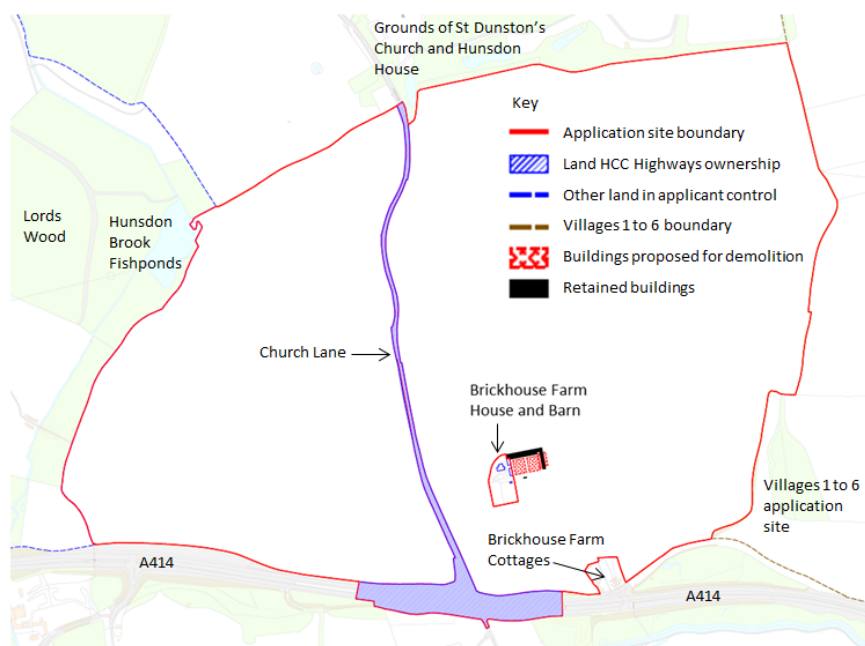
Figure 2: East Herts District Plan Allocation Map



2.2

The application site itself comprises 117.4ha of land which lies to the south of the Hamlet of Hunsdonbury and Hunsdon Village, to the west of Eastwick Village and to the north of the A414.

Figure 3: Site Application Area



- 2.3 The land is principally in arable agricultural use. The site surrounds the Grade II listed Brickhouse Farm, stables, and walled garden. The associated Grade II listed barn and cattle shed do form part of the application site and are to be retained. There are concrete agricultural buildings to the south of Brickhouse Farm within the application site that are proposed to be demolished.
- 2.4 A public highway (Church Lane) bisects the site north/south. There is an existing Right of Way that runs along the western boundary of the site. Within the site are areas of established woodland, water features, notable and veteran trees and hedgerows.

Table 1: Heritage, Nature Conservation and Landscape Assets

Category	Relevant Assets (the setting of assets outside of the application site boundary may also be relevant and is considered later in the report)
Historic Assets	<p>The following assets are within the site:</p> <ul style="list-style-type: none"> • The barn and cattle shed at Brickhouse Farm (Grade II) <p>The following assets are nearby:</p> <ul style="list-style-type: none"> • Brickhouse Farm House and Barn (Grade II) (adjacent to the Site). • Hunsdon House (Grade I) • Parish Church of St Dunstan (Grade I) • Monuments in St Dunstan's Churchyard (Grade II) • Hunsdon Brook Fishponds (Scheduled Monument ref: 1457907) • Olives Farm House (Grade II*), along with four other associated listed buildings, including the stables (Grade II), attached granary (Grade II), barn (Grade II), and the Old Bungalow (Grade II). • Briggens Park, a Registered Park and Garden. This group of assets is centred around the Briggens House Hotel (Grade II) and includes a number of ancillary Grade II listed buildings. • Hunsdon Mill House, Pound House (Grade II), bridge and abutments and base of the former watermill (Grade II), which form a picturesque group along the River Stort. • Mead Lodge (Grade II) and coach house block at Mead Lodge (Grade II). • St Boltoph's Church (Grade II*) and six Grade II listed assets within Eastwick, as well as Eastwick Manor (Grade II), with separately listed stables and coach house (Grade II). There are two scheduled monuments at Eastwick: the moated site south of Eastwick Hall Farm, and the moated site and associated earthworks south-west of Home Wood. • There are three Areas of Archaeological Significance within the Site, located within the north-east corner.

Biodiversity	<p>There are no assets within the site, however the following are in the vicinity of:</p> <ul style="list-style-type: none"> • Lee Valley Special Protection Area (SPA) and Ramsar Site • Wormley-Hoddesdon Park Woods Special Area of Conservation (SAC) (including SSSI site)– 6.4km from site • Epping Forest SAC (including SSSI site) are - 10.8km from the Site • Rye Meads Site of Special Scientific Interest (SSSI) located 2.5km south-west of the Site • Amwell Quarry SSSI that lies approximately 3.1km west of the Site. • Further south in the Lee Valley is Turnford and Chestnut Pits SSSI and Walthamstow Reservoirs SSSI, which are also components of the Lee Valley SPA and Ramsar site. • Hunsdon Mead SSSI is approximately 210m from the southern boundary of the Site • Several Ancient Woodlands occur within 1km of the Site. The closest of these is Lord’s Wood (also a Local Wildlife Site (LWS)) that lies adjacent to the western boundary. • There are three Local Nature Reserves (LNR) within 5km of the Site: <ul style="list-style-type: none"> • Harlow Marsh LNR – the closest LNR at approx. 1.5km south-east; • Hawkenbury Meadow LNR; and • Nazeing Triangle LNR. • Eastwick Mead LWS (notified for its fen and swamp habitat) • Lord’s Wood LWS • LWS within 1km of the Site boundary: <ul style="list-style-type: none"> • Hunsdon Churchyard LWS; • Stansted Bury Wood LWS; • Roydon Mead LWS; • Eastwick and Parndon Mead LWS; • Ram Gorse LWS; • Field W. of Eastwick Hall Lane LWS; • Pasture by Eastwick Hall Lane LWS; • Pasture N. of Eastwick LWS; • Bury Plantation (Hunsdonbury) LWS; and • Bonningtons LWS.
Landscape	<p>Natural England locates the Site within NCA86 South Suffolk and North Essex Claylands National Character Area (NCA).</p> <p>The Site is identified within the Standstead and Pishiobury Parklands</p>

	<p>landscape character area as defined in the EHDC Landscape Character Assessment SPD (2007).</p> <p>The Site borders the River Stort character area.</p> <p>In respect of landscape, there are no designated sites within the application boundary.</p>
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- 2.5 Four residential properties (Brickhouse Farm Cottages) intersect the southern boundary of the site, accessed directly from the A414. These properties do not fall within the application site boundary.
- 2.6 To the north, beyond the boundary of the Site is the Grade I listed Hunsdon House (list entry number: 1347687) and further to the north is the hamlet of Hunsdonbury, with the village of Hunsdon lying further to the north of that. To the west of Hunsdon House is the Parish Church of St Dunstan, which is a Grade I listed building (list entry number:1101973).
- 2.7 To the east of the Site lies open farmland, with Eastwick Manor and the village of Eastwick beyond that. To the immediate south is the A414, and to the immediate west lies Hunsdon Brook Fishponds, a designated schedule monument (list entry number 1457907) and a public footpath (Hunsdon Footpath 001), with Lord's Wood lying west of that. The land to the west forms part of the Green Belt.
- 2.8 The Site has access to existing local and community amenities in Harlow as well as two national rail railway stations nearby, Harlow Town and Roydon, which provide frequent services into London.
- 2.9 Brickhouse Farm lies outside of the application boundary, but centrally positioned in the context of the application site.

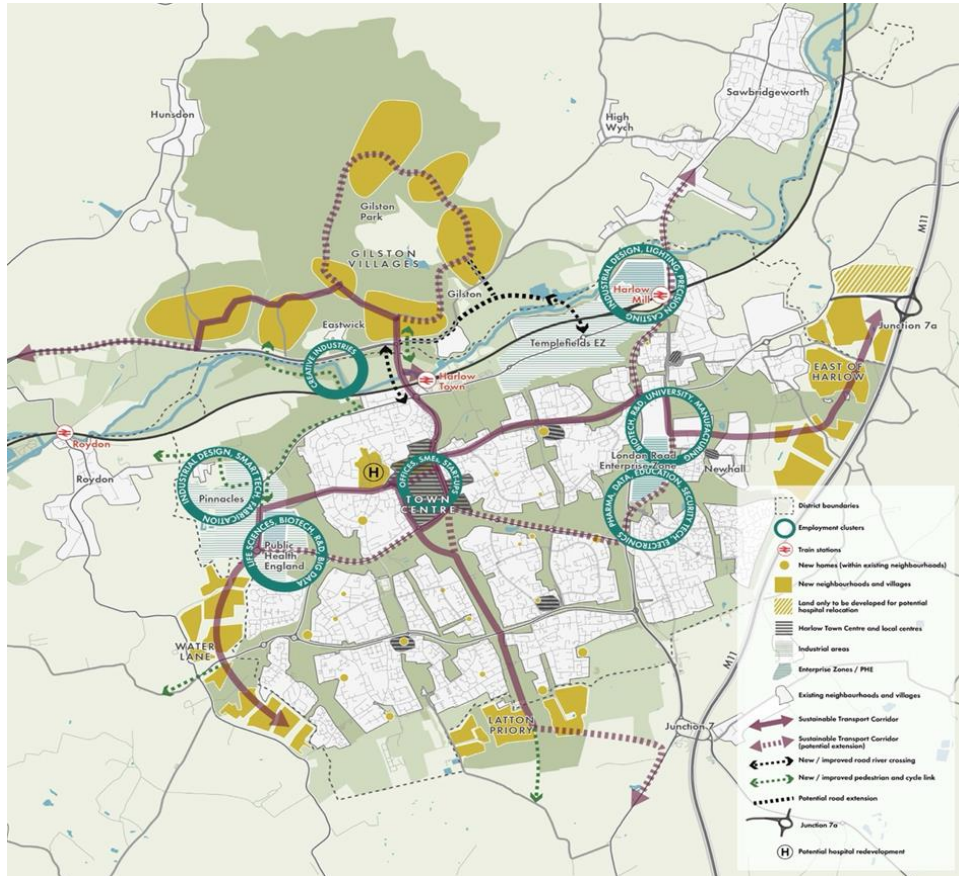
3.0 Application Context

- 3.1 In January 2017 the Ministry for Homes, Communities and Local Government designated the Harlow and Gilston Area as a Garden Town. The Harlow and Gilston Garden Town (HGGT) involves partnership working between East Herts, Epping Forest and Harlow District Councils (being local planning authorities for land comprised in the Garden Town) and Essex and Hertfordshire County Councils (being the highways and education authorities) (hereinafter referred to as the HGGT partners) to deliver transformational growth in and around Harlow according to Garden City principles, to ensure that growth plans for the Garden Town support sustainable living and a healthy economy, provide a good quality of life for existing and future residents and to respond to local landscape and character.

3.2 The HGGT comprises new and existing communities in and around Harlow which are planned and promoted on Garden City principles. The strategic sites for the HGGT make up 16,500 new homes and includes: East Harlow; Latton Priory (south of Harlow); and the Water Lane Area (west of Harlow); and the Gilston Area (north of Harlow). Figure 4 below indicates the locations of each of these strategic sites. The Gilston Area allocation in East Herts represents the largest allocation in the Garden Town totalling 10,000 homes, of which approximately 3200 are intended to be delivered within the Plan period to 2033.

3.3 The Central Stort Crossing along with the Eastern Stort Crossing and the Gilston Area outline applications represent the first strategic planning applications to come forward within the HGGT area, and the two Crossing applications were the first to be determined. An application was made by a landowner (related to the ESC) to the High Court for permission to apply for judicial review of the decision by East Herts Council and Harlow Council to grant planning permission for the two crossings. Permission has been twice refused on the basis that the claim is unarguable, but the appellant has since applied to the Court of Appeal for permission to appeal the decisions of the High Court. There is no set timeframe for the Court of Appeal to determine the appeal.

Figure 4: Strategic Development within the HGGT Vision



(HGGT Vision, 2018)

- 3.4 The HGGT partners have published a Garden Town Vision. This sets out that the pioneering New Town at Gilston will grow into a Garden Town of enterprise, health and sculpture at the heart of the UK Innovation Corridor. It is to be adaptable, healthy, sustainable and innovative. A Quality Review Panel (QRP) has been established which can be convened to consider development proposals and documents coming forward. The QRP considered the illustrative masterplans put forward by the applicant at an early stage and the emerging masterplan proposals.
- 3.5 A successful application was made by HCC (acting as accountable body for the HGGT partners) for Government funding via Homes England towards the early delivery of infrastructure to support the Gilston Area development and the wider HGGT. Approximately £171 million funding is now available ("the Grant"), in principle (subject to detailed contractual requirements, including achieving milestones in relation to the proposed development).
- 3.6 The Grant is will not be repaid to Homes England provided that equivalent or higher quantum of developer contributions are secured and recovered by the Local Planning Authorities via planning agreements associated with the Outline development and other HGGT developments. Such developer contributions (which do not arise in connection with the Crossings but the outline development applications) would be ring-fenced to fund other HGGT infrastructure, in accordance with any planning obligations and relevant policy considerations.
- 3.7 The HIG funding is not considered to be a local financial consideration in the context of Section 70(2) of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) nor a material consideration in the context of Section 38(6) of the Planning and Compulsory Purchase Act 2004 for the purposes of determining this application. The Grant is not deemed to serve a planning purpose connected with the character and use of the land or which is fairly and reasonably related to the development comprised in the application.
- 3.8 The viability of the proposed development, particularly in the context of the level of affordable housing to be provided, is a material consideration and the HIG funding contributes to scheme viability (along with a range of inputs). The availability of HIG funding contributes to the deliverability and likely delivery of the scheme (and therefore the benefits which flow from it). Thus, the availability of HIG funding forms part of the wider context and is relevant to the determination of applications to that extent. Beyond that, the grant by Homes England of HIG funding is not of itself a material consideration in considering the acceptability in planning terms of what is proposed.

- 3.9 For completeness, certain requirements concerning the repayment by the Applicant of HIG funding are required to be included in the planning obligation by Homes England. They are included in the Heads of Terms. These requirements follow from the grant of HIG funding are therefore necessary for the funding to be secured but are not necessary to make the development acceptable in planning terms. These elements of the Heads of Terms are not therefore matters to be taken into account as reasons for granting planning permission.

4.0 Consultation and Amendment of the Application

Pre-Application Discussions

- 4.1 Prior to submission 7 pre-application meetings were held, the first of which took place on 24th April 2018 with the final meeting on 28th February 2019. A range of topics were explored including approach to the application(s), housing, heritage, design, education, noise, landscape and green infrastructure, drainage, access and connectivity, conservation, biodiversity, archaeology and employment. The feedback and learning from the pre-application meetings informed the submitted application approach and detail. Two further meetings were held (June and November 2018) on transport matters.
- 4.2 The applicant team presented draft proposals were presented to the Harlow and Gilston Quality Review Panel (QRP) on 19th July 2018 and 22nd February 2019 to seek their views on design quality. The feedback from the Harlow and Gilston QRP focused predominantly on the development parameters and Illustrative Masterplan The engagement with the QRP provides a strong basis for development of the design detail post outline consent.
- 4.3 The applicant team held two public consultation events were held during March 2019. The events held at Harlow and Hunsdon sought to give the public opportunity to review and comment on draft proposals. The event was publicised to 45,547 addresses by way of a leaflet drop. Further consultation has been held by the applicant team by way of engagement with community groups including Gilston Area Steering Group, Hunsdon Parish Council and the local Neighbourhood Plan Group. There has been applicant attendance at the Gilston Garden Town Developer Forum.

Post Submission Engagement

- 4.4 Following submission of the application in October 2019 the applicant has engaged further with the community by way of a dedicated website for the proposals, local newsletter, presentation and meetings with the Neighbourhood Plan Group, a community webinar and presentation at the Gilston Area Councillor's briefing.

- 4.5 The proposals were further presented to the QRP on 17th September 2020 focussing on the parameter Plans and Development Specification. The panel provided recommendations for the scheme
- 4.6 On 7 December 2020, the applicant team presented an overview of the proposed post-submission amendments to the members of East Herts District Council and Harlow District Council. The presentation formed part of a wider Gilston Area event, with the applicant team for Villages 1-6 also present. A range of transport related comments were made as well as comments on coordination of the applications across the allocation, affordable housing, climate change and employment needs.
- 4.7 Amendments to the application were submitted during January 2021. The amendments included a revised access drawing, parameter plans, illustrative plans, Development Specification Document, and a range of supporting technical documents. Further amendments were submitted in December 2022 and January 2023 which included further amendments to parameter plans, the Environmental Statement, the provision of a health impact assessment, strategic design guide and Development Specification Document. A Viability appraisal was also submitted during this time.

5.0 Environmental Impact Assessment (“EIA”)

- 5.1 The proposed development is considered an ‘EIA development’ as it falls within the description and thresholds in Schedule 2 Category 10 (b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) as an ‘urban development project’ likely to have significant effects on the environment by virtue of its nature, size or location.
- 5.2 A Scoping Report was submitted to the Council in May 2017 for the development of 10,000 homes and two river crossings, submitted jointly by the two landowners Places for People (PfP) and Briggens Estate (also known as City and Provincial Properties (CPP) who were landowners at the time of the submission) encompassing the proposed developments by the landowners for Villages 1-6, the two crossings, and as proposed by the landowner for Village 7 respectively. East Herts Council responded to this with a Scoping Opinion in August 2017.
- 5.3 The Environmental Statement (ES) was submitted as part of this outline planning application in October 2019. In line with the Scoping Opinions issued by the Councils, the ES assessed the effects of the development on the following environmental receptors and matters:
- Socioeconomics and Community Effects

- Human Health
- Transport and Access
- Air Quality
- Noise and Vibration
- Built Heritage
- Landscape and Visual
- Biodiversity
- Agriculture and Soils
- Ground Conditions
- Water Resource and Flood Risk
- Services and Utilities
- Light
- Climate Change
- Archaeology
- Cumulative Effects

- 5.4 On behalf of the LPA, East Herts Council appointed Barton Wilmore (BW) to assist the Council in ensuring the reliability of the Environmental Statement (ES), whether the assumptions made are reasonable and correct and to confirm whether it satisfies the requirements of the EIA Regulations.
- 5.5 Further information was offered by the applicants. The amended application and supporting information including a Comprehensive update to the ES was submitted in January 2021 with ES addenda submitted in August 2021 and December 2022/ January 2023 and were subject to consultation.
- 5.6 East Herts Officers are satisfied that the further information together with the ES and ES Addendums provide sufficient information to assess the likely effects of the proposed Outline development in this regard, and that the ES is compliant with the requirements of the EIA Regulations.
- 5.7 The ES has considered whether there are any impacts and likely significant effects on the environment from the Development. Villages V1-6 and Village 7 are not a 'single project' in EIA terms. It is material because there is potentially a difference between assessing them as a single project in EIA terms and Village 7 assessing Villages 1-6 as part of a cumulative assessment, which is the approach taken by this application and that for villages 1-6. Where necessary, the ES highlights impacts that have relevance to the Outline proposal, therefore the ES provides a comprehensive assessment of the likely environmental impact to enable a decision to be made on this application on its own as well as considering the cumulative impact of other planned developments.
- 5.8 The ES identifies the likely significant environmental effects (adverse and beneficial) from the construction phase (including demolition and other

associated site preparation activities) and operation of the proposed development. The Outline application has been designed with embedded mitigation (measures identified and adopted as part of the evolution of the project design) which is reflected in the assessment of effects. Likely effects are considered both with respect to:

- 'the Development' (Villages 7) as a stand-alone development, and
- When taken cumulatively with other consented and planned proposals, including the related Village 1-6 application and the crossings as part of the overall GA1 site, and
- Development allocations within the East Herts District Plan, applications within the Harlow area, development allocations within the Harlow Local Development Plan and within the emerging Epping Forest Local Plan.

- 5.9 In addition to the embedded mitigation, appropriate mitigation measures specific to the application proposal are recommended where adverse effects have been identified in the form of a mitigation route map. The LPA can of course decide that additional conditions and mitigations to those suggested in the ES are imposed upon the grant of any permission, where necessary and appropriate to do so. For clarity, the conditions forming part of the recommendation and detailed in the Schedule of Conditions appended to this Report are considered to provide effective mitigation for the application proposal, are necessary for planning reasons and are otherwise reasonable.
- 5.10 The ES, along with other relevant documentation submitted with the planning application, consultee responses and representations made by any other persons constitute the 'environmental information' which has been considered in this report and is required to be considered when determining this planning application. The environmental effects have been comprehensively assessed and are understood, such that Officers are able to form a planning judgement on the acceptability of the application and any necessary mitigation. The provision of an EIA does not absolve the LPA from making its own reasoned judgement based upon the information presented and material planning considerations.
- 5.11 The Local Planning Authority (LPA) has identified the impacts associated with the Outline application and the necessary mitigations, not only from the EIA material but also from site visits, engagement with and independent advice from technical experts and statutory bodies. For example, the ES (including the associated information submitted by the Applicant and proposed mitigation) has been subject to independent scrutiny and advice by environmental consultants Barton Willmore commissioned on behalf of the Council as Local Planning Authority.

6.0 Habitats Regulations Assessment (“HRA”)

- 6.1 The Council, as Local Planning Authority is a competent authority in relation to the Directive 92/43/EEC of 12 May 1992 on the conservation of natural habitats and of wild fauna and flora (the ‘Habitats Directive’), and the European Parliament and Council Directive 2009/147/EC on the conservation of wild birds (the ‘Birds Directive’), as transposed into UK law through the Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019) (the ‘Habitats Regulations’). As such, the Council has undertaken a Habitats Regulations Assessment.
- 6.2 The Habitats Regulations Assessment (HRA) comprises a screening assessment and appropriate assessment of the likely significant effects of the Development upon the National Network Sites of the Lee Valley SPA/Ramsar, Wormley-Hoddesdonpark Woods SAC and Epping Forest SAC. The screening considered whether the applications comprising the Development alone, when considered as a whole and when considered in combination with other relevant plans and programmes, were likely to have a significant effect on the National Network Sites. Where likely significant effects could not be ruled out without the need for mitigation, an appropriate assessment was undertaken on that potential impact.
- 6.3 Appendix A forms a part of this report and contains the Council’s HRA in full. Table 1 below contains a summary of the screening and appropriate assessment conclusions for ease of references. However, the summary is not a substitute for the full HRA and committee members are advised to read the HRA in Appendix A for a full understanding of the findings and conclusions.

Table 2: Screening and Appropriate Assessment Conclusion Summary

National Network Site	Impact Pathway	Screened Out – No Likely Significant Effects	Appropriate Assessment Needed	Appropriate Assessment Conclusion
Lee Valley SPA/Ramsar	Recreational Impacts	No Likely Significant Effects		
	Air Quality Impacts		Yes	Contribution to critical loads less than 1%, improving nutrient levels, no adverse effect on habitats supporting species. No adverse effect on integrity of site or conflict with

				Conservation Objectives
	Water Quality/Quantity Impacts		Yes	New homes require connections to Rye Meads Waste Water Treatment Works. Condition on V1-6 Outline required to mitigate development post 2036. CTEMP conditions required on Crossings to prevent harm to water quality. With conditions no adverse effect on integrity of site or conflict with Conservation Objectives
Wormley-Hoddesdon-park Woods SAC	Recreational Impacts		Yes	Due to lack of site management plan V7 Outline required to provide strategic greenspace. With design mitigation no adverse effect on integrity of site or conflict with Conservation Objectives
	Air Quality Impacts	No Likely Significant Effects		
	Water Quality/Quantity Impacts	No Likely Significant Effects		
Epping Forest SAC	Recreational Impacts	No Likely Significant Effects		
	Air Quality Impacts		Yes	Contribution of Development to critical loads is 0.1% above the ammonia threshold at kerb side. This represents an exceedance although minor. In-combination with other plans and projects a delay in achieving improvements. No adverse effect on habitats supporting species. No adverse effect on integrity of site or conflict with Conservation Objectives
	Water	No Likely		

	Quality/ Quantity Impacts	Significant Effects		
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- 6.4 Any likely significant effects which were identified or could be at the screening stage, were subject to an 'appropriate assessment' as to whether they would have an adverse effect on the integrity of a National Network Site, considering the features of and conservation objectives of each site. The appropriate assessment considers the applications comprising the Development alone, in combination with each other and in combination with other plans and projects, including villages 1 – 6 of the Gilston Area allocation.
- 6.5 Engagement has been carried out with, and inputs have been made to this HRA from chartered ecologists at Hertfordshire Ecology (as advisors to the Council), Barton Willmore (as advisors to the Councils), chartered ecologists at EPR Consulting (as advisors to the Applicants) and Weightmans LLP (as legal advisors to the Council). Furthermore, Natural England has been consulted during the preparation of this HRA and has not expressed concerns.
- 6.6 The appropriate assessment concludes that having taken account of relevant information and considering that mitigation measures will be adequately secured as part of any conditions attached to the planning permissions, and which are expected to be effective (with no reasonable scientific doubt), the Council is satisfied that the proposed outline planning application, when considered either alone and in combination with other plans and projects, would not lead to any adverse effects on the integrity of any National Network Site nor conflict with relevant Conservation Objectives for the National Network sites.

7.0 Equalities and Human Rights

- 7.1 Under the Equality Act 2010, the Local Planning Authority are required to have regard to the impacts of planning decisions on equality. The Act provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. As part of the Equality Act, a public sector equality duty applies to all public authorities including those developing planning policies and applying them. The public sector equality duty requires that decisions take account of individuals with protected characteristics that might lead people to experience discrimination and inequality. Under the Act, a public authority must, in the exercise of its functions, have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act;
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 The duty covers the following eight protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. 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.

7.3 Public authorities must also have regard to the requirements of the Human Rights Act 1998, which transposed the European Convention on Human Rights (ECHR) into UK law. The general purpose of the ECHR is to protect human rights and fundamental freedoms and to maintain and promote the ideals and values of a democratic society.

7.4 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a manner incompatible with the European Convention on Human Rights. Various convention rights are relevant and potentially engaged in the context of the current applications, namely: -

- *Entitlement to a fair and public hearing in the determination of a person's civil and political rights (Convention Article 6)*. This can include property rights and opportunities to be heard in the consultation process. It is noted that ample opportunities for consultation have been afforded to the public in connection with the current proposals, including in respect of the ES information submitted and any material amendments to the proposals. Further, constitutional processes of the LPA for determination of major applications of this scale afford applicants and objectors the right to be heard in public by decision makers. Following determination further rights to be heard are available to both applicants and the public.
- *Peaceful enjoyment of possessions (First Protocol Article 1)* - This right is subject to the state's right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest. It is noted that land assembly, potentially including by compulsory acquisition, will be required in connection with implementation of the development proposals, and such decisions on whether to proceed with compulsory purchase orders (CPO) will be subject to separate decisions and consideration of Human Rights and Equalities implications in the context of any exercise of compulsory purchase powers. The application will deliver vital infrastructure required to enable the delivery of homes comprised in the Gilston Area (EHDP Policy GA1) allocation, as well as wider planned growth in the HGGT. Therefore, the general interest in the promotion of planned growth to meet the needs of local communities by

providing infrastructure to enable the delivery of homes is a legitimate aim and any interference with Protocol 1 rights would be proportionate to such aims in the public interest.

- *Right to respect for, private and family life (Convention Article 8)* – This right is also a qualified right in respect of which the likely health impacts of the proposals have been considered in evaluating the Outline scheme. A very thorough EIA process has been undertaken to consider the likely significant impacts of the Outline application in combination with other related developments (as a single project) and cumulatively with others in assessing human health and noise impacts (among others). Officers are satisfied that sufficient information has been provided, including in relation to the likely significant health impacts of the proposals and all appropriate mitigation has been included such that it is possible to conclude that no unlawful interference with Article 8 rights is anticipated. In addition, enabling the delivery of future homes for local communities in need and which will enable active and sustainable transport choices with attendant positive impacts on health, wellbeing and quality of life promotes respect for the private and family life of existing and future residents of the HGGT.

7.5 The courts recognise that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole". Both public and private interests are to be considered in the exercise of the Council's powers to determine these applications in accordance with the recommendation to grant permission. Any interference with a Convention right must be necessary and proportionate. Officers consider that no unacceptable or unlawful interference with convention rights would arise and any interference would be necessary and proportionate in the wider public interest in granting permission for the application which would deliver planned housing growth in the Council's Development Plan as well as new community facilities and job opportunities accessible by active and sustainable modes of transport.

7.6 Considerations of human rights and equalities impact has been incorporated as part of the planning assessment of the planning application against all relevant national and local planning policies, and relevant legislation and/or guidance. The Council therefore considers that no conflicts with the requirements of the Equality Act 2010 or the Human Rights Act 1998 are anticipated from this development. Being an Outline application with all matters reserved except for the main access points to the development, the highways aspects of the scheme will be required to meet relevant industry standards such as those set out in the Design Manual for Roads and Bridges (DMRB), which ensure regard and respect for the rights of those with disabilities and other vulnerable road users to ensure

the safety of all users. Likewise, Hertfordshire County Council's Roads in Hertfordshire: A Design Guide (2011) and Local Transport Plan 4 (2018-2031) also set the design principles for highways infrastructure, in line with the provisions of the DMRB and have been applied in respect of the proposals. The subsequent detailed masterplans that will follow the application will be designed to respond to the HGGT Transport Strategy which is a relevant material consideration to the determination of the Crossings applications. Both the DMRB and Transport Strategy documents were subject to an EQIA process when they were produced. This report incorporates considerations of the above requirements within the body of the report where relevant and secures appropriate mitigations via conditions.

8.0 Planning History

- 8.1 The substantive part of the Gilston Area site allocation directly to the east of Village 7 was the subject of a separate outline application submitted by different landowner/applicant *Places for People* (application ref no: 3/19/1045/FUL). The application proposed up to 8,500 new homes across six villages with supporting infrastructure. EHDC Development Management Committee resolved to grant planning permission for this application on 28th February 2023.
- 8.2 *Places for People* also submitted two full applications for new and upgraded pedestrian, cycle, and vehicle crossings over the River Stort known as the Eastern Stort Crossing (ref. 3/19/1051/FUL) and Central Stort Crossing (ref. 3/19/1046/FUL). This infrastructure is required to support the population growth arising from the development of the Gilston Area and within the wider Harlow and Gilston Garden Town. The East Herts and Harlow Development Management Committees resolved to grant planning permission for both these applications in February 2022. Planning Permission for both crossings was issued on 18th March 2022.
- 8.3 Listed Building consent was granted on 11th July 2017 (ref 3/16/2028/LBC) for the refurbishment of Brickhouse Farm Barn to enable potential office use. The Listed Building consent expired in 2020 and has not been implemented.

9.0 Main Policy Issues

- 9.1 The National Planning Policy Framework was published on 27 March 2012 and revised in 2018, 2019 and most recently 20 July 2021 (NPPF) and sets out government's planning policies for England and how these are expected to be applied. The NPPF is supplemented by the National Planning Practice Guidance which provides further detail as to the application of the policies contained therein.

- 9.2 The East Hertfordshire District Plan (adopted 2018) sets out the Council's planning framework for the district, identifying how it will grow and develop over the plan period up to 2033. The plan has three parts:
- Part 1: District wide vision and strategic objectives, including a development strategy.
 - Part 2: Development management policies to assess planning application
 - Part 3: Infrastructure and service delivery policies.
- 9.3 A Gilston Area Neighbourhood Plan (GANP) has been produced by the Hunsdon, Eastwick and Gilston Neighbourhood Plan group and formally became part of statutory Development Plan in 2021. The GANP includes policies to guide landscape development, village structure and design, infrastructure delivery and the relationship of new development in the Gilston Area with the existing surrounding villages.
- 9.4 The Hertfordshire Minerals Local Plan and Waste Local Plan, along with the Essex Minerals Local Plan and Waste Local Plan are also relevant.

Table 3: Development Plan Policies and the NPPF

EHDC Policy	GANP Policy	NPPF
Principle of development		
<ul style="list-style-type: none"> • GA1: The Gilston Area • GA2: The River Stort Crossings • INT1: Presumption in Favour of Sustainable Development • DPS1: Housing, Employment and Retail Growth), • DPS2: The Development Strategy 2011-2033 • DPS3: Housing Supply 2011-2033 • DEL1: Infrastructure and Service Delivery 	<ul style="list-style-type: none"> • AG1: Promoting Sustainable Development in the Gilston Area • AG9: Phasing of Infrastructure Delivery • TRA1: Sustainable Mobility 	Section 5
Delivery of the District Plan Housing Strategy		
<ul style="list-style-type: none"> • Policy GA1: The Gilston Area • DPS2: The Development Strategy 2011-2033 • DPS3: Housing Supply 2011-2033 • DEL1: Infrastructure and Service Delivery 	<ul style="list-style-type: none"> • AG1: Promoting Sustainable Development in the Gilston Area • AG9: Phasing of Infrastructure Delivery • 	Section 5
Design Parameters and Principles		
<ul style="list-style-type: none"> • DES2: Landscape Character • DES3: Landscaping 	<ul style="list-style-type: none"> • AG5: Respecting Areas of Local Significance 	Section 12

<ul style="list-style-type: none"> • DES4: Design of Development • CFLR9: Health and Wellbeing 	<ul style="list-style-type: none"> • AG8: Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities • EX1: Existing Settlements • TRA1: Sustainable Mobility • TRA2: Access to the Countryside 	
Supporting Economic Growth		
<ul style="list-style-type: none"> • GA1: The Gilston Area • RTC5: District Centres, Neighbourhood Centres, Local Parades and Individual Shops • ED1: Employment 	<ul style="list-style-type: none"> • Policy BU2 Village Cores/Centres • Policy BU3 Employment Areas 	Section 6
Delivery of Community Infrastructure		
<ul style="list-style-type: none"> • Policy GA1: The Gilston Area • Education • Open space for sport and recreation • Health Care • Healthy Community Design 	<ul style="list-style-type: none"> • AG9: Phasing of Infrastructure Delivery • Policy C1 Community Facility Provision 	Section 7, 8, 12
Protecting and Enhancing the Natural Environment		
<ul style="list-style-type: none"> • Policy GA1: The Gilston Area • DES2: Landscape Character • DES3: Landscaping • NE1: International, National and Locally Designated Nature Conservation Sites • NE2: Sites or Features of Nature Conservation Interest (Non-Designated) • NE3: Species and Habitats • NE4: Green Infrastructure • EQ2: Noise Pollution • EQ3: Light Pollution • EQ4: Air Quality 	<ul style="list-style-type: none"> • AG1: Promoting Sustainable Development in the Gilston Area • AG2: Creating a Connected Green Infrastructure Network • AG3: Protecting and Enhancing the Countryside Setting of New and Existing Villages • AG4: Maintaining the Individuality and Separation of all Villages • AG7: Creating New Countryside Parks at Hunsdon Airfield and Eastwick Woodlands • LA1: Landscape Within the New Village Boundaries • TRA2: Access to the Countryside 	Section 15
Climate Change, Flood Risk and Sustainable Drainage		
<ul style="list-style-type: none"> • Policy GA1: The Gilston Area • WAT1: Flood Risk Management • WAT3: Water Quality and the Water Environment • WAT5: Sustainable Drainage • CC1: Climate Change Adaptation 	<ul style="list-style-type: none"> • AG1: Promoting Sustainable Development in the Gilston Area • AG2: Creating a Connected Green Infrastructure Network • AG8: Minimising the Impact of Traffic and New Transport 	Section 14

<ul style="list-style-type: none"> • CC2: Climate Change Mitigation 	<ul style="list-style-type: none"> • Infrastructure on Existing Communities • LA1: Landscape Within the New Village Boundaries 	
Transport Considerations		
<ul style="list-style-type: none"> • Policy GA1: The Gilston Area • TRA1: Sustainable Transport • TRA2: Safe and Suitable Highway Access Arrangements and Mitigation • CFLR3: Public Rights of Way • CFLR9: Health and Wellbeing 	<ul style="list-style-type: none"> • TRA1: Sustainable Mobility • TRA2: Access to the Countryside • AG8: Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities 	Section 9
Protection and Enhancement of the Historic Environment		
<ul style="list-style-type: none"> • Policy GA1: The Gilston Area • HA1: Designated Heritage Assets • Policy HA2 (Non-Designated Heritage Assets) • HA3: Archaeology 	<ul style="list-style-type: none"> • AG1: Promoting Sustainable Development in the Gilston Area • H1: Celebrating Existing Heritage Assets 	Section 16
Ground, Contamination, Noise, Air, Waste, Utilities		
<ul style="list-style-type: none"> • WAT2: Source Protection Zones • EQ1: Contaminated Land and Land Instability • EQ2: Noise Pollution • EQ3: Light Pollution • EQ4: Air Quality 	<ul style="list-style-type: none"> • AG3: Protecting and Enhancing the Countryside Setting of New and Existing Villages • AG8: Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities 	Section 15
Long Term Stewardship		
<ul style="list-style-type: none"> • Policy GA1 	<ul style="list-style-type: none"> • GANP Policy D2 Community Ownership and Stewardship 	-
Infrastructure Delivery		
<ul style="list-style-type: none"> • GA1: The Gilston Area • GA2: The River Stort Crossings • DEL1: Infrastructure and Service Delivery • DEL2: Planning Obligations • DEL3: Monitoring Framework • DEL4: Monitoring of the Gilston Area 	<ul style="list-style-type: none"> • AG9: Phasing of Infrastructure Delivery 	Section 2 Section 4

9.5 Other relevant planning supplementary documents and guidance are summarised below:

Table 4: Relevant Planning Documents and Guidance

Document	Author	Summary
Gilston Area Charter SPD (2020)	East Herts Council	Provides guidance to support the production of Masterplans and Design Codes specific to the Gilston Area that will follow outline planning permission.
Sustainability SPD (2021)	East Herts Council	Supports the implementation of East Herts District Plan policies that seek to improve the environmental sustainability of new development.
Gilston Area Community Engagement Strategy (2020)	East Herts Council	Outlines the aims to address uncertainty by setting out how the various parties involved in the growth of the Gilston Area will undertake engagement, collaboration, and co-operation with the community at various stages of the planning process.
Affordable Housing SPD (2008)	East Herts Council	Supports the effective implementation of the affordable housing policies in the East Herts District Plan and assists developers in understanding the Council's approach and requirements regarding viability.
Health and Wellbeing Strategy (2019-2023)	East Herts Council	Outlines the Council's approach to planning obligations in relation to planning applications and reflects the Council's corporate priorities and objectives.
Open Spaces, Sport and Recreation SPD (2020)	East Herts Council	Provides guidance on the type and scale of open space, sport and recreation that will be required to support new development within East Herts. This SPD provides information and guidance to developers regarding the relevant types of infrastructure and/or amount of contributions needed.
Gilston Area Concept Framework and Council Report (2018)	Places for People, in partnership with City and Provincial Properties and East Herts Council	Produced to demonstrate the deliverability of the proposed site allocation, establish key principles that should underpin the development of the Gilston Area and guide the preparation of future detailed proposals. Relevant to this application are the objectives on promoting sustainable travel, protecting, and enhancing landscape and a network of green spaces, protecting, and enhancing natural assets and ensuring the phased delivery of necessary infrastructure to meet the needs arising from the development. The Concept Framework has been largely assimilated in the

		Gilston Area Neighbourhood Plan.
Hertfordshire's Local Transport Plan, 2018 – 2031 (adopted 2018)	Hertfordshire County Council	<p>Sets out how transport can help deliver a positive future vision for Hertfordshire by having a major input into wider policies such as economic growth, meeting housing needs, improving public health, and reducing environmental damage whilst also providing for safe and efficient travel.</p> <p>The plan also considers how future planning decisions and emerging technology might affect the way that transport needs to be provided in the longer term.</p>
Hertfordshire Minerals Local Plan (2007)	Hertfordshire County Council	<p>Sets out the policies for determining mineral extraction planning applications and the preferred areas for future sand and gravel extraction.</p> <p>The plan is used to protect sand and gravel resources from non-minerals development, making them inaccessible for extraction or introducing development which is not compatible with mineral extraction nearby.</p>
Hertfordshire Waste Development Framework (2012)	Hertfordshire County Council	Sets out the County Council's strategic vision, objectives, overall spatial strategy and development management policies for waste development for the period 2011-2026

9.6 A series of HGGT documents have been prepared by the partnership that seek to provide guidance for strategic developments within the HGGT. These are summarised in Table 5 below.

Table 5: Relevant HGGT Documents and Guidance

Document	Author	Summary
Harlow and Gilston Garden Town Vision (2018)	On behalf of the Harlow and Gilston Garden Town Partner Councils	<p>Document sets out the vision for the Harlow and Gilston Garden Town and the principles which will inform its growth and management.</p> <p>Of particular relevance to the application are page 4 - the Vision for the Harlow and Gilston Garden Town, pages 12-16 - the principles and indicators relating to landscape and green infrastructure and pages 18-21 the principles and indicators relating to sustainable movement which should shape and inform the development.</p> <p>The Vision sets the objective that 50% of all trips</p>

		<p>originating within the Harlow and Gilston Garden Town should be by sustainable active travel modes, with a target to achieve 60% within new villages and neighbourhoods. This target is continued through to the emerging Harlow and Gilston Transport Strategy.</p>
Harlow and Gilston Garden Town Design Guide (2018)	On behalf of the Harlow and Gilston Garden Town Authorities	<p>Document sets out the expectations and aspirations for the delivery of high quality and sustainable developments.</p> <p>Of particular relevance are pages 24-25 on sustainable movement and pages 39-41 on strategic site guidance for the Gilston Area.</p>
HGGT Infrastructure Delivery Plan (IDP) 2019	On behalf of the Harlow and Gilston Garden Town partner Councils	<p>The IDP draws on previous work undertaken by the HGGT authorities, in particular the District-level IDPs already produced to support the respective Local Plans and compiles, aligns and updates it. The IDP identifies the infrastructure requirements of the HGGT including the Central and Eastern Crossings, classifying them as 'critical infrastructure', which must happen in order for the planned HGGT development to proceed.</p> <p>The IDP identifies how expected developer contributions from various sites will be apportioned and what collection mechanisms can be utilised to assist in funding the infrastructure items which serve more than one site. Through the process of producing the IDP, a package of measures and broad estimates of the likely financial contribution for each of the Harlow and Gilston Garden Town sites has been produced. The IDP has been produced concurrently with the <i>Strategic Viability Assessment</i>, to allow these costs to be included in the appraisal. The purpose of the Strategic Viability Assessment is to consider the wider deliverability of the Harlow and Gilston Garden Town, taking into account infrastructure requirements alongside other considerations.</p>
HGGT Transport Strategy 2021	On behalf of the Harlow and Gilston Garden Town Council Partners	<p>Sets out how the HGGT will achieve the challenge of future travel demand linked to planned growth. The Transport Strategy has been subject to consultation and has been endorsed as a material consideration by Harlow Council on the 4th November, and by East Herts Council's Executive on 23rd November 2021.</p> <p>The Transport Strategy sets out the following mode</p>

		<p>share Objective: 50% of all trips starting and/or ending in the existing settlement area of Harlow Town should be by active and sustainable travel modes and 60% of all trips starting and/or ending in the new Garden Communities of Harlow & Gilston Garden Town should be by active and sustainable travel modes.</p> <p>The Objective is underpinned by the application of three Principles: A user hierarchy – prioritising active and sustainable travel – walking, cycling and public transport. Supporting a culture of active and sustainable travel – an environment where active and sustainable travel is valued, prioritised, and supported to ensure that their social, environmental, health and economic benefits are available to everyone. Accessible and inclusive – providing a sustainable, accessible and affordable transport system that reduces congestion, improves public health outcomes, and is designed with consideration of those with most need first.</p>
HGGT Sustainability Guidance and Checklist	On behalf of the Harlow and Gilston Garden Town Council Partners	Provides practical and technical guidance on how relevant sustainability indicators and policies (environmental, social and economic) in the HGGT Vision and partner authorities plans will be applied to new major developments in the HGGT.

10.0 Summary of Consultee Responses

- 10.1 The original submission was consulted during December 2019 and January 2020. Following this consultation amendments to the proposals were submitted and consulted upon during February 2021. Further amendments were submitted and consulted upon during December 2022 and Jan & Feb 2023.
- 10.2 This section summarises the responses; Full responses are available on the EHDC’s website. The organisations are shown in alphabetical order for ease of reference.
- Affinity Water
- 10.3 Affinity Water responded to the 2019 original application, advising that the site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to Roydon Pumping Station. These are public water

supplies comprising several chalk abstraction boreholes operated by Affinity Water Ltd.

- 10.4 Affinity Water recommended that a number of conditions be attached to any permission to ensure the protection of water sources from pollution through the development construction and operation. Conditions relate to applying British Standards and Best Management Practices, undertaking detailed groundwater risk assessments prior to any excavation or intrusive ground works such as piling or geo-thermal systems, avoiding any excavations below the chalk groundwater table and carrying out focussed investigation and monitoring in collaboration with Affinity Water. Direct infiltration of surface water into the ground or via soakaway should be prevented or approved through Affinity Water, acknowledging that the Environmental Statement identifies that direct infiltration has not been deemed viable due to ground conditions.

Ancient Monument Society (now Historic Buildings and Places)

- 10.5 Concern about the impact of the development on heritage assets and loss of Green Belt.

Cadent Gas

- 10.6 Advise that they have identified operational gas apparatus within the application site boundary. As such works must not infringe on Cadent's legal rights and if any structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. Likewise, if construction traffic is likely to cross a Cadent pipeline the applicant is advised to contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delay.

Canal & Rivers Trust

- 10.7 The Canal and Rivers Trust previously submitted a response in 2019. An additional response was received in 2021 following revision to the proposed development, And the Trust responded further to the Viability Submission.
- 10.8 The Canal and Rivers Trust advised in their 2021 response that the proposed development would result in increased recreational and movement demand within the Stort Valley, utilising the canal towpath. A sum of circa £2.6m was requested to mitigate the harms that increased demand would place on the towpath and the environment surrounding it. This was based on an appraised and costed scheme of improvements with the towpath divided into distinct sections so that the relative impacts associated with the Villages 1-6 and Village 7 proposals could be differentiated in terms of their potential likely impact within the valley. The trust welcomes the contribution towards towpath improvements but seeks greater clarity and consultation on S106 wording.

Council for British Archaeology

- 10.9 Welcome revised information including further archaeology detail and support public engagement in detailed archaeology works.

CPRE Hertfordshire

- 10.10 CPRE considers there are shortcomings of the submitted Environmental Statement, including lack of indication of climate change impacts, lack of adherence to Garden Town and Village principles, low densities and potential impacts on greenbelt land, lack of sustainable transport provision. They suggest the scheme should consider Design Review processes, land value capture and early delivery of infrastructure and stewardship. provision of a Garden City Trust or similar, biodiversity Net Gain, provision of truly affordable housing. They note a lack of confidence in the applicant and consider the location of the Gypsy and Traveller site inappropriate.

East of England Ambulance Service NHS Trust

- 10.11 Support CCG response. Advocate water efficiency measures with a view to reducing localised flooding and reducing burden on emergency services and suitable residential layouts for home working to protect health. Advocate Vision Zero/ Safe System approach to highway design. Encourage seating in open spaces and opportunities to design out crime. Request S106 contributions for additional ambulance services

EHDC Conservation & Urban Design

- 10.12 Welcome demolition of modern farm buildings near to Brickhouse Farm and suggest consideration at master planning and reserved matters stage to manage impacts on Brickhouse Farm which is considered to have been assessed at the Local Plan stage and can be managed by the controls the application proposes, including demolition of the modern barns, sensitive development areas and the development specification document. Considers potential for impact of Gypsy and Traveller pitches on SAM at Eastwick Hall Farm acknowledged but considered to amount to less than substantial harm. Considers development Area parameters respect Hunsdon Brook Fishponds to limit level of impact. Advocate provision of information boards and a Conservation management Plan for the fishponds. Welcome commitment to strategic tree planting along northern edge of village 7 to screen and break up views thereby mitigating harm. Considers there is a minimal visual connection with Briggens House, albeit some connection with wider setting, and the proposals are not considered to harm character and appearance of Hunsdon Conservation Area. Advocate inclusion of planning conditions to ensure master planning is approved ahead of submission of Reserved matters applications. Supports Strategic Landscape masterplan, Design Codes and Village Masterplan being subject to condition and approval and informed by relevant appraisal. Advocates a site wide public art strategy within the strategic design code. Question commitment to net zero aspirations. Welcome the addition of Sensitive Development Areas shown in Parameter Plan

2. Support walking and cycling connections to village 6 and beyond. Raises Concern over deviation on internal site access road and impact on the experience of the village centre and do not support the location of the proposed Gypsy and Traveller site due to the location in a strategic green corridor and consider it contrary to the HGGT vision

EHDC Economic Development

- 10.13 To support the mode share objectives and to accommodate 40% of residents working locally or remotely from their place of employment, provision must be made in each Gilston village for small local companies requiring office and workshop space to allow alternatives to working from home. Medium sized employment spaces should be in the village centre to benefit vitality and be accessed by public transport. Employment densities may be above the norm and the application should be planning for a greater level of floorspace.

EHDC Environmental Health

- 10.14 Suggests conditions relating to contaminated land and construction management.

10.15 EHDC Housing

Welcome contribution towards meeting district affordable housing needs but disappointed with reduction in quantum. Require minimum of 60% homes for affordable rent. Consider proportion of flats should not exceed 30%. Units should meet nationally described space standards. Shared ownership products should be affordable to households with a maximum income of £80,000 and rents should be set at a maximum of 2.75% of unsold equity and the Homes England Model lease format should be used. M4(3) dwellings should be provided. Units should be integrated into the wider development and tenure blind. Mixed tenure blocks of flats should be avoided. Homes should be managed by a registered provider and an affordable housing statement be provided with future submissions.

EHDC Planning Policy

- 10.16 Sets out requirement for Gypsy and Traveller provision within the Gilston area.

EHDC Waste & Recycling

- 10.17 No objection subject to conditions

Environment Agency

- 10.18 Originally raised objection on the grounds of inadequate flood storage compensation and inadequate information to demonstrate protection of water quality. The EA raised no objections on the revised submission subject to conditions to address flood risk and water quality to be imposed should permission be granted.

Essex County Council

- 10.19 Content with the approach to comprehensive development and that sufficient commitments are in place to ensure infrastructure delivery at appropriate times. Consider their previous concerns have been addressed. Comments raised in respect of the S106 detail and ensuring comprehensiveness, proportionate mitigation across a range of scenarios and differing built out rates. Request future input to the S106 and future stages.

Forestry England

- 10.20 Supports buffer zone to ancient woodland. Notes standing advice on veteran trees and ancient woodland. Supports use of home-grown timber for construction

Garden's Trust

- 10.21 The Gardens Trust have authorised Hertfordshire Gardens Trust. Having considered the details for determination to any matters regarding the heritage of designated parks and gardens in the area both designated and non-designated, HGT do not wish to make a comment. However, they applaud the provision of dedicated foot and cycle bridges across the River Stort.

Georgian Group

- 10.22 Request that the two Gilston Area applications are considered together for the cumulative impacts to be assessed as one and recommend the Council has regard to policies set out in the NPPF and of the Planning (Listed Building and Conservation Areas) Act 1990.

- 10.23 Harlow Council

Offer support for the scheme and recommend detail for the highways heads of terms, including trigger points. Welcomes the approach to comprehensive development and suggests points for consideration in detailed drafting of the S106.

- 10.24 HCC – Including Lead Local Flood Authority, Growth and Infrastructure Unit, Highway Authority, Adult Care Services, Children's Services, Community Protection, Libraries, Waste, Young People Services, Archaeology and Ecology.

- Highways – identifies on and off-site infrastructure and where financial contributions are expected. Provides suggestions on the Development Specification, including removal of reference to 40% mode share, need to bolster public rights of way network, flexibility and branding for mobility hubs and density. Seeks clarity on the Roydon commuter link and interim utility link. The need for Road Safety Audits and Speed reviews is identified in relation to the church Lane/ A414 junction and conditions relating to the

Eastwick Commuter Link. The Parndon Mill Link and expectations for delivery is considered and condition proposed.

- Adult Care – Satisfied with the approach
- Childrens Services – 275 sq m identified for private nursery provision. Identifies need for 3FE primary school on site and contribution to delivery of secondary school. Supports the provision of an Education Review Group to monitor and manage needs arising from the development. Requests early delivery of Sustainable Transport Corridor to serve the development. Sets out expectations for Special Needs Education.
- Lead Local Flood Authority – No objection subject to conditions
- Community Protection – Request for fire hydrants and emergency services hub contribution
- Libraries – identifies expected contribution of £337,631
- Waste – Identifies expected contribution of £320,148
- Young People – Identifies expected contribution of £73,568 to support youth facility.
- Archaeology - Welcome inclusion of sensitive development areas. Further archaeological investigation required. Recommend archaeological conditions.
- Ecology – Surveys considered acceptable and to follow best practice approach
- General – Support governance strategy and welcome further discussions on S106 as matters progress

HCC Landscape

- 10.25 Recommends addition of maximum to parameters plan to reinforce extents and comments on built development within the landscaped areas. Does not support the removal of veteran or notable trees. Queries conflict between the football hub and the pylons. Raises inconsistencies with the typologies identified on the parameter plans. Welcomes strategic planting and woodland retention. Request further detail on the Strategic transport corridor. Raise concern over conflict between employment uses and nearby woodland. Consider the Gypsy and Traveller site should be removed. Queries the significance conclusions of the

LVIA and representative viewpoints. Raises concerns over building heights along the ridge and lighting impacts. Identifies conditions to be imposed.

Health & Safety Executive

- 10.26 Not within the consultation distance of a major hazard site or major accident hazard pipeline.

Hertfordshire & Middlesex Wildlife Trust

- 10.27 HMWT's representation to the original application stated that the biodiversity calculator is incorrectly populated, and if done correctly would result in a net loss to biodiversity. 10m buffers should be applied to hedgerows. Conditions should require bat and bird boxes on all buildings bordering a public open space. Outline Ecological Management Plan includes inappropriate measures and needs to be amended to ensure biodiversity net gain. A condition is recommended. Water flows and abstraction need to be managed. Representations to the first amendments consider the calculator is incorrectly populated, hedgerow buffers should be 10m and bat and bird boxes should be conditioned.

Harlow and Gilston Garden Town Representatives

- 10.28 HGGT responded to the original application and to the 2020 Amendments, advising that the expectation of the Garden Town Board is that the strategic sites in the HGGT area will deliver transformational growth in and around Harlow and that their future operation will be inextricably linked to the economy and function of the town. The response summarises objectives contained in HGGT documents, highlighting objectives relating to sustainable travel, high quality design, use of the Quality Review Panel, stewardship and delivering comprehensive development supported by necessary infrastructure.

National Highways (formally Highways England)

- 10.29 Recommend conditions relating to a trigger for delivery of the central stort crossing and bus strategy

Historic England

- 10.30 Satisfied with the hydrological impacts on Hunsdon Brook Fishponds, however request careful siting of attenuation features within their setting.

10.31

Historic England considers that the football pitches and its associated development has the potential to cause less than substantial harm, moderate to high on the scale to the setting and significance of Hunsdon House, a grade I listed building (see final response of 19.08.2022).

Inland Waterways

- 10.32 Object to towpath widening and consider this would have impacts on historic features. Object to the noise bund/ greenway and consider it would reflect noise back to the Stort navigation area.

Ministry of Defence

- 10.33 Advise that the site lies outside any safeguarded areas and therefore raises no objections to the development.

National Grid

- 10.34 No national Grid assets are affected.

National Trust

- 10.35 The National Trust Commented on the original application requesting financial contributions to Hatfield Forest SSSI, referring to a Hatfield Forest Visitor Survey and Impact Management Report 2018. The Trust acknowledged that the request has come after the adoption of the District Plan but considers that there will be recreational demands on the forest from a development this scale within 10km of the forest. The Trust recommends provision of natural green space on-site to reduce demands on the forest and offers no objection to the proposal.

NATS Safeguarding

- 10.36 NATS advise that the proposed development has been examined from a technical safeguarding aspect and does not conflict with NATS safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objections to the proposal.

Natural England

- 10.37 Request financial contribution towards mitigating recreational impacts on Hatfield Forest. Clarity is required on the role of green infrastructure provided on site. Guidance provided on the creation of SANG to assist in ensuring green infrastructure meets guidance. Advise that new biodiversity calculator is available and should be used. Recommends conditions to ensure sewerage is managed to avoid impacts on Rye Meads SSSIs. HRA should consider air quality impacts on Epping Forest SAC.

Network Rail

- 10.38 Network Rail advise that although the bridge structure is owned by Essex County Council any proposal will be subject to NR approval via business and technical clearance. Therefore, the applicant must consult with them to obtain easement for the proposed works adjacent to the existing Network Rail Bridge re:BGK 1453. Comprehensive design and construction proposals should be submitted to National Rail for review and due consideration should be given to National Rail operational requirements and existing National Rail infrastructure such as

overhead electricity lines at this location. Bridge parapet is required to be 1.8m high H4a. Any work to be carried out over the railway must comply with National Rail safe working practices.

NHS England West Essex Clinical Commissioning Group/ Hertfordshire and Essex Integrated Care Board

- 10.39 The NHS GP Planning Service request financial contributions to the provision of NHS services, including the provision of an on-site health facility. Contributions are requested for GP services, mental health services, community healthcare services and acute care. The Hospital Planning Team have requested contributions to the provision of hospital services.

Public Health England

- 10.40 No Comment

Society for the Protection of Ancient Buildings

- 10.41 SPAB object to the application due to harms to the rural setting of heritage assets; important views would be irrevocably altered and below ground archaeology would be lost.

Sport England

- 10.42 Has requested that confirmation is provided regarding the scale of off-site contributions and the proposed projects towards which these will be directed. Sport England support the use of school land for sports and recreation secured by a Community Use Agreement but highlight the limitations of such agreements in terms of being able to meet the community football needs as identified in the Council's Playing Pitch Strategy. Furthermore, Sport England recommends that open spaces provided beyond the education sites are designed to facilitate informal outdoor sports and recreation. Sport England provide criteria for the design of facilities and recommend Active by design standards should be incorporated into future planning stages and set out the on-site sports facilities required to serve the new community in line with the East Herts Open Spaces and Sports Facility Assessment Technical Study.

Stansted Airport Safeguarding

- 10.43 The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. They have no aerodrome safeguarding objections to the proposal, however, request a condition requiring the submission of a Bird Hazard Management Plan (BHMP) (included within recommendation).

Thames Water

- 10.44 Thames Water advise that with regard to surface water drainage, if the developer follows the sequential approach to the disposal of surface water, they

would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Thames Water advise that for foul water sewerage network infrastructure capacity, they would not have any objection to the above planning application, based on the information provided. The development is within 15m of a sewer and a condition requiring the submission of a piling method statement is requested.

Uttlesford Council

- 10.45 Directs EHDC towards national policy and guidance to bring forward strategic sites. Welcomes the use of design guides and connected neighbourhoods. Supports the delivery of integrated infrastructure, a mix of homes and fabric efficient buildings. Seeks green infrastructure to be integral to the design ethos and sustainable travel options to support health and mode shift.

Woodland Trust

- 10.46 Raise concern that development has the potential to harm ancient woodland through accidental or deliberate harm, including through creation of pathways through root protection area and changes to hydrology. They recommend a 50m buffer be allowed to areas of ancient woodland to avoid root damage and allow for the effect of pollution from the development. Buffers should not contain any development, including drainage features. Furthermore, a buffer of 15m is recommended around an ancient or veteran tree.

11.0 Town/Parish Council Representations

- 11.1 Hunsdon, Eastwick and Gilston Neighbourhood Plan Group raise comments in respect of the following:

- Government letter to LPAs of December 2022, particularly importance of design quality
- Poor community engagement
- Importance of timing of infrastructure delivery
- Importance of timing of Strategic Landscape masterplan preparation
- Importance of design codes
- Unacceptable Greenbelt release
- Comprehensive development and village integration
- Reduced affordable housing quantum unacceptable
- Deliverability of off-site infrastructure
- Concern over realignment and traffic using Church Lane
- Concern over types of development in Strategic Green Corridors
- Support Sensitive Development Areas but consider them insufficient
- Impact on heritage Assets
- Control over building heights

- Importance of acute healthcare provision
- Delivery of employment land
- Identify recommended conditions
- Approach to stewardship and governance

11.2 Roydon Parish Council raised comments on:

- Comprehensive applications for the Gilston allocation
- Roydon Station: Cycle security, Crossing safety, Lighting sensitivity, localised flooding, access times because of crossing gates, indiscriminate parking,
- Submitted information: Query survey timing outside peak hours, dispute 'no accidents' at the station, reliance on 2009 road survey data.

12.0 Summary of Other Representations

12.1 In total 2934 neighbouring properties were originally consulted. A total of 316 responses were received. Of these, 16 were neutral representations, 5 support the proposal and 259 objects to the proposal (number recorded on 8.03.23). The concerns objections and comments raised are summarised as follows:

- Inadequate assessment of delivery timescales
- Absence of Statement of Delivery
- Inadequacy of land assembly costs, compensation, and lack of viability assessment
- Inadequate transport assessment
- Inadequate EIA
- Inadequate section 106 draft heads of terms
- Inadequate assessment of noise and air quality impacts
- Adverse impact on heritage and landscape character
- Inadequate description of development
- Inappropriate design
- Inadequate provision of properly costed infrastructure
- Loss of trees
- Disruption from development
- A414 already too congested
- Adverse impact of development on quiet country area
- Adverse impact of noise from the road
- Sound barrier will be ugly and intrusive
- Devaluation of existing local properties
- Plan is flawed as only allows for additional bus movements
- Adverse impact on home environment and mental health
- Consultation period too short
- Development will create more traffic
- Want road widened

- Development will impact adversely on the environment and quality of life for local people
- Development should have the River Stort as its focal point
- Noise pollution and adverse impact on Terlings Park
- Alternative route away from Terlings Park should be sought
- Adverse impact on rail network
- Red line boundary incorrect (NB: Not specified where)
- Adverse impact on Princess Alexandra Hospital
- Additional stress on water supply/sewage
- 60% mode share target unachievable
- New bridges will be visually intrusive
- Impact on local wildlife sites
- Road has been designed for dualling, bringing more traffic and HGV's into the area
- Pedestrian/cycle bridge may be an eyesore
- Inadequate public transport to serve the development
- Loss of light, outlook, and privacy
- Adverse impact on road safety
- Increased traffic in Roydon and impact on capacity of trains to/from Roydon station
- Roads in Harlow cannot cope with additional traffic
- Application should only be determined when outcome of outline application(s) is known
- Councils have already made HIF bids so suggests support already agreed. Therefore applications should be determined by an independent body.
- New northern entrance lacks detailed design or funding mechanism
- Construction traffic should not be allowed through Pye Corner
- Construction materials should be delivered by train and transported by crane across the valley
- It would be preferable to separate the cycle route from the walking route. Bicycles are stressful for walkers
- Investment should be focussed on the North East instead
- The development is welcome if it relieves congestion. Would also have like to have a western crossing to further reduce congestion.

13.0 Consideration of Issues

13.1 Principle of development

13.1.1 The National Planning Policy Framework (NPPF) highlights the Government's desire to promote and support the delivery of sustainable growth.

13.1.2 Policy GA1 (The Gilston Area) of the EHDCLP allocates the Gilston Area for 10,000 new houses. This allocation forms part of the development strategy in the

District Plan as detailed in Policies DPS1 (Housing, Employment and Retail Growth), DPS2 (The Development Strategy 2011-2033) and DPS3 (Housing Supply 2011-2033).

- 13.1.3 This application forms 15% of the overall housing allocation at GA1 but has been considered in the context of the allocation to ensure a cohesive settlement.
- 13.1.4 The objections of residents, the parish councils and neighbourhood plan group to the principle of development are noted. The site forms part of the District Plan development strategy for housing growth in the District as detailed in policies DPS1, DPS2, DPS3, and is allocated for development at GA1.
- 13.1.5 The allocation removed the site from the Green Belt and Policy VILL3 Group 3 Villages is not applicable. The community has been involved in the preparation of the Concept Framework which identified the outline application led approach to Gilston development. There has also been community engagement at the pre-application stage. It is acknowledged that the Gilston Area falls within the parishes of Eastwick, Hunsdon and Gilston, it is being planned as part of the HGGT to support growth in and around Harlow, as part of the wider Harlow and Gilston Garden Town. This accords with policy and the principle of development is considered acceptable
- 13.1.6 The GANP responds to the allocation of the Gilston Area and acknowledges the land is allocated for 10,000 homes. The GANP area covers some – but not all of the GA1 allocation area. The vision and objectives of the GANP “wishes to ensure ...release of Greenbelt in the area genuinely leads to development of exceptional quality”. Whilst not explicit, the principle of development is accepted throughout the GANP.

13.2 Delivery of the East Hertfordshire Housing Strategy

- 13.2.1 Of the GA1 allocation village 7 is anticipated to deliver 1500 homes within the plan period to 2033. By way of context, approximately 3,200 homes are forecast to be delivered within the Plan period (up to 2033) in Villages 1-6 with the remainder 5,300 homes delivered beyond the Plan period. GA1 ensures the delivery of a large proportion of the Local Plan housing delivery strategy set out at DPS2 and 3.
- 13.2.2 In the absence of a deliverable five-year housing supply, the Local Plan policies controlling housing delivery are out of date. In this case. The tilted balance set out at NPPF, including at paragraph 11d is therefore relevant to the consideration and determination of this application. In such circumstances, increased weight should be applied to the contribution housing as part of this allocation.

- 13.2.3 The applicants have set out an anticipated delivery timetable. Each step is broadly reliant on those before and therefore this is subject to change. It is anticipated that work would begin on site during spring 2024 (subject to relevant consents) with a view to delivering first homes during Spring 2025. It is anticipated that there would be two sales outlets which would deliver 150 – 200 homes per annum across the whole site. The works are expected to be completed by Spring 2032.
- 13.2.4 There could be several developers delivering homes, infrastructure, and facilities across the site, in parallel, resulting in the delivery of a wide range of housing products. The phasing of delivery will be secured by way of condition. The continued delivery of homes as part of planned, comprehensive, sustainable development is a significant benefit.

13.3 Gypsies and Travellers and Travelling Showpeople

- 13.3.1 The District Plan requires that land be allocated to provide for the accommodation needs of Gypsies and Travellers and Travelling Showpeople in line with Government guidance (Planning policy for traveller sites (August 2015)) and the NPPF. To ensure delivery and to ensure sites are well located to services, the District Plan allocates sites within the strategic allocations as set out in Chapter 14 and Policy HOU9 (Gypsies and Travellers and Travelling Showpeople) of the EHDCLP.
- 13.3.2 Policy HOU9 sets out that land is to be safeguarded within the GA1 area to accommodate 15 Gypsy and Traveller pitches and 8 Travelling Showpeople plots, to be delivered as evidence of need dictates. Relevant Government guidance is clear that separate sites should be provided for each community and their differing needs. 8 Gypsy and Traveller pitches are proposed and there is an agreed position between the village 7 and village 1-6 applicants in relation to apportionment.
- 13.3.3 The proposed Gypsy and Traveller site is identified on Parameter Plan 5 and is intended to provide 8 pitches. The delivery will be controlled by way of S106. The timing of delivery will be determined by the outcome of the needs mechanism set out in the S106 and the practicalities of delivering the pitches in the identified location.
- 13.3.4 The Gypsy and Traveller site lies within the Green Infrastructure Corridor in the north east part of the application site, between villages 7 and 6. GA1 requires development to be holistic and that Gypsy and HOU9 requires that Traveller sites can be integrated. Whilst when read in the context of Village 7 in isolation, the proposed location may appear peripheral, however in the context of the wider allocation, the site is well located to the services and facilities of several villages

and the existing settlements. The Gypsy and Traveller community representatives (GATE) advised that a peripheral location was preferable to the Gypsy and Traveller community and this site is therefore considered suitable when balancing the wants and needs of the community and sustainability considerations.

- 13.3.5 It is acknowledged that there may be an interim period during the construction phases where all proposed connections may not be established, the triggers identified within the S106 ensure suitable connectivity is maintained. The required Strategic Landscape Masterplan will need to demonstrate that pitches can be delivered within the landscape, with appropriate access through the site, in a way that meets the vision and objective of such spaces. This detail will come through the master planning stage ahead of the submission of Reserved Matters applications.
- 13.3.6 The Council has undertaken a recent update to its Gypsy and Traveller Accommodation Needs Assessment (July 2022), which identifies a more immediate need for accommodation and requests that the provision within the GA1 Area be delivered soon. Delivery timings will be balanced against the practicalities of a large construction site, including Health and Safety and accessibility considerations as well as the Council's identified need. A reserved matters application will be required and considered on its own merits. A sufficient area of land is safeguarded and will be secured by way of the Parameters Plan and S106 to ensure the requirements of Policy GA1 and Policy HOU9 are met in respect of Gypsy and traveller Accommodation.

13.4 Housing tenure, mix and density

Housing Mix

- 13.4.1 An indicative residential mix has been submitted. Whilst this application is in outline and the final mix will come forward in future stages this indicative mix is broadly representative of the Council's Strategic Housing Market Assessment and therefore represents the evidenced need. The indicative mix provides for a range of sizes, types, and tenures to meet local housing needs.

Table 6: Indicative Housing Mix

Unit Type	Private	Affordable	Total
1 Bed Apartment	104 (9%)	68(19.7%)	172 (11.5%)
2 Bed Apartment	89 (7.7%)	40 (11.6%)	129 (8.6%)
2 Bed House	206 (17.9%)	99 (28.7%)	305 (20.3%)
3 Bed House	505 (43.7%)	108 (31.3%)	613 (40.9%)
4 Bed House	191 (16.5%)	30 (8.7%)	221 (14.7%)
5 Bed House	45 (3.8%)	-	45 (3%)

2 Bed House (Self-Build)	3 (0.3%)	-	3 (0.2%)
3 Bed House (Self-Build)	8 (0.7%)	-	8 (0.5%)
4 Bed House (Self-Build)	3 (0.3%)	-	3 (0.2%)
5 Bed House (Self-Build)	1 (0.1%)	-	1 (0.1%)
Total	1,155	345	1,500

13.4.2 During the future stages, each Village Masterplan will be accompanied by a Village Housing Strategy, which will set out the proposed mix of units to be delivered within that village. Each subsequent Reserved Matters Application will be expected to demonstrate how the overall housing mix for the village has been achieved in each detailed application area.

Housing Density

13.4.3 The application is in Outline form and therefore does not fix density levels across the site, however in the context of Sensitive Development Areas and specific restrictions to height and density in the vicinity density is important to protect designated heritage assets through managing the location and height of built development. Further details of density outside of the Sensitive Areas will come through the master planning stage, when matters of density can be considered holistically as part of the wider design process.

Affordable Housing

13.4.4 Policy HOU3 of the Council's District Plan sets out a target of 40% Affordable Housing in new development, subject to viability and that affordable housing provision will be expected to incorporate a mix of tenures taking account of the Council's most up to date SHMA, the National Planning Policy Framework (NPPF) and relevant guidance.

13.4.5 The application proposes a minimum of 23% of homes will be affordable dwellings. This equates to up to 345 of the up to 1500 homes being available to purchase or rent at lower than market values. In late 2022, the Applicant submitted a viability report that describes how the costs of providing the supporting infrastructure, including additional costs identified through the appraisal of the application, have resulted in a need to review the quantum and mix of affordable housing proposed.

13.4.6 The Council sought specialist independent advice from BPS Surveyors in response to the submitted viability assessment and the applicant has responded to comments raised through that process. The viability submission was publicised and publicly consulted upon and included a financial appraisal as well as accompanying evidence and technical reports. The November 2022 Financial Viability Assessment identified 21.65% affordable housing as being a reasonable quantum, verified by the Council's advisors, BPS but the applicant has agreed to

deliver 23% across the site which ensures for a consistent proportion of provision across the Gilston Area as an added benefit in achieving the new sustainable community.

- 13.4.7 The financial appraisal indicates that the cost increases over recent years and an improved understanding of the required mitigation, as well as earlier delivery of the required crossings and some offsite highway improvements has resulted in an increased burden to the developer, particularly at the initial stages of the project. The requirements for early delivery of infrastructure, such as schools, highway improvements and healthcare have an impact on the cashflow and viability of the project.
- 13.4.8 The applicant tested a range of scenarios such that the impacts could be explored. By delivering 40% affordable housing, the infrastructure could not be delivered and as such the mitigation required to make the development acceptable could not be provided and planning permission could not have been recommended for approval. 23% affordable housing is therefore considered a reasonable minimum to ensure the provision of a range of affordable homes to support local needs as well as to ensure infrastructure is delivered in a timely way to ensure a sustainable and attractive settlement in the interests of place making.
- 13.4.9 Recognising that things change over time and the strong place making criteria for the development seek to deliver a high quality and attractive settlement, an upwards only Affordable Housing Review Mechanism is sought by way of S106. The review mechanism will also consider the tenure split.
- The proposal includes a tenure split of:
 - 60% of the affordable rent and;
 - 40% to be intermediate housing products (including shared ownership).
- 13.4.10 Affordable rent properties are set by the registered provider up to a maximum of 80% of market rents in the area. Both products will be secured through the S.106 Agreement.
- 13.4.11 The council advocates a tenure split of 84/16% and therefore the proposals deviate from this ideal position. The viability evidence however identifies that any further movement away from the 60/40% split proposed would result in a further reduction of the quantum of affordable products delivered (i.e. less than 23%). On balance having regard to the viability evidence and with the review mechanism in place this is considered acceptable.

- 13.4.12 It is proposed for the affordable homes to be clustered throughout the development and delivered in a way such that they are indistinguishable from market homes. Detailed design will be considered at the Reserved matters stage.

Adaptable/Wheelchair accessible units

- 13.4.13 Development is required to provide wheelchair accessible and adaptable homes by HOU7. It is proposed 15% of all affordable units are to meet Category M4(3) requirements (wheelchair user dwellings). 1% of market houses and ground floor flats will meet category M4(3). The remaining dwellings will achieve M4(2) standards. This will be secured by S106.

Self/ Custom Build

- 13.4.14 Policy GA1 requires opportunities for those who wish to custom design or build their own properties. The approach to self and/ or custom build within any given village will be established in the Village Housing Strategy. The application proposes a range of 15 homes to be self-build or custom-build. This will be secured in the S106 to ensure compliance with Policy HOU8.

Homes for all ages

- 13.4.15 Policy GA1 requires the provision of a care home or flexi-care or sheltered properties to be provided within the allocation to provide for older people and vulnerable adults. The application proposes to deliver homes for older people through the delivery of 20 independent/ assisted living units. These are proposed to include a mix of 1- and 2-bedroom units and their provision will be secured by way of S106. The details of how these accommodation needs are to be met will be determined at the village masterplan stage and will form a part of the Village Housing Strategy.

Starter/ First Home

- 13.4.16 Government policy seeks that local authorities support the delivery of entry-level homes suitable for first-time buyers, or those looking to rent their first home. This means that homes should be available for affordable home ownership, which is defined as being priced at least 20% below market value. The proposals allow for discount market sale and starter home products within the affordable tenures and this approach will be secured through the legal agreement and in line with current government policy and guidance.
- 13.4.17 The submitted Development Specification describes how a wide range of housing opportunities are committed to as part of the scheme, including the provision of homes for all ages and care needs and this will assist in the creation of diverse and vibrant communities. The principles and objectives set out in the Development Specification, will be secured through the S106 legal agreement and conditions, including for the submission and agreement of Village Housing

Strategies to define the specific mix and tenure of properties at the Village Masterplan stage.

- 13.4.18 The delivery of a continual supply of affordable homes of a tenure and size agreed with the Council which responds to evolving needs is in accordance with the provisions of Policy HOU3 is given significant positive weight. The application is therefore considered to comply with policies GA1, HOU1, HOU3, HOU6, HOU7 and HOU8 of the District Plan. With this approach secured, the development will make a significant contribution to the District Plan's housing strategy and is given significant positive weight.

Homes within the village Centre

- 13.4.19 The proposals include for up to 221 residential units within the village centre, alongside a range of non-residential uses. This may include apartment alongside or over non-residential development. Conditions are proposed to manage potential conflicts between residential and non-residential uses.

13.5 Design Parameters and Principles

Design Parameters

- 13.5.1 As an outline application, appearance, landscaping, layout and scale are reserved for future consideration. The application therefore includes a series of documents to shape and guide the future stages. These include:
- Strategic Design Guide – Sets design principles
 - Parameter Plans – Sets spatial framework
 - Development Specification – Adds criteria based on the above
 - Village masterplan – Finer grain spatial detail
 - Village design Code – Finer grain design principles

Strategic Design Guide

- 13.5.2 A Strategic Design Guide (SDG) has been submitted with the application. The Guide seeks to define the vision and design quality, taking its basis from, and responding to, the Garden Town Vision and Design Guide. The SDG outlines a series of high-level principles to guide future stages alongside the Development Specification. The principles accord with those set out in the Concept Framework and Garden Town Vision and Design Guide, acknowledging variance in terminology in some places.
- 13.5.3 The SDG also contains Village Principles and design objectives for the village. Future stages are expected to accord with these principles, the Parameter Plans and the Development Specification.

13.5.4 The SDG represents a design guide for the whole allocation and therefore responds to the policy requirement (Policy DES1 Masterplanning) to plan comprehensively, despite the varying ownerships and applications. The SDG is referred to in conditions as relevant.

Development Specification

13.5.5 This document defines and describes the principal components of the village development. Along with the parameters it is intended to guide master planning. Each Parameter Plan considered in detail along with setting relevant criteria and objectives. The document describes the highway works that form part of the outline application and provides high level information about the implementation and delivery of the development, having regard to relevant impacts (e.g., ecology).

13.5.6 The document also provides context to the comprehensive nature of the development and the process to follow (e.g., master planning, reserved matters) and development sequence. This is in line with the approach set out in the Gilston Area Concept Framework. This 'route map' approach allows for the continued layering of information to respond to constraints in a positive way, taking opportunities to enhance existing assets and to provide a robust and well-considered basis for the detailed applications to follow.

13.5.7 The Development Specification contains detail relating to key views towards and from heritage assets and the approach proposed within the defined Sensitive Development Areas. Appendix 5 of the Development Specification sets the detailed heritage design principles for these sensitive areas, namely around the Grade I listed St Mary's Church and associated Grade II listed Church Cottages; Eastwick Moated Sites Scheduled Monument; and The Mount Moated Site Scheduled Monument.

13.5.8 The applicant is committed through the Development Specification to the assessment of Cherished Views through future stages, including the village 7 masterplan. This is consistent with the specific requirement at part 4. of Policy AG5, that "The preparation of Village Masterplans should involve consultation with the local community on locally cherished views (identified in Figure 14)". The Landscape Visual Impact Assessment shows the V7 assessed viewpoints as "Viewpoint locations (central and nearer to Site)" plan (drawing reference 1244/12.7b) as attached to the ES as supporting Figure 12.7) within Appendix 12.1.

13.5.9 The Development Specification combines the objectives set out in a range of submitted strategy documents and provides one comprehensive set out objectives. Incorporating the objectives from these strategies into the

Development Specification achieves this and ensures that these are also considered during future stages.

Parameters Plans

- 13.5.10 The parameters plans are proposed to be controlling plans approved as part of this application. The plans set out the limits of the various aspects of the proposed development and will need to be complied with within the future stages. At this stage to ensure the best design solutions can be achieved the parameters plans allow for a +/- 10 metres tolerance zone on all plans apart from the building heights parameter which includes a tolerance of +/-2m. The included parameters plans are as follows:
- 13.5.11 Parameter Plan 1 identifies the location and boundary of the site (edged red). Further land within the control of the applicant is identified (edged blue).
- 13.5.12 Parameter Plan 2 defines the Developable Area for built development within Village 7 and buffers. The zones are derived from existing features on the site which provide opportunities for and constraints to development. The following buffers and parameters are included:
- The site boundary;
 - The Village 7 Developable Area – the area to which built development will be limited;
 - The Minimum Village Buffer – an area immediately within the site boundary to be safeguarded and kept free from built development to provide an appropriate transition between the built development and surrounding landscape to avoid encroachment.
 - Existing Woodlands
 - Existing Veteran Trees to be retained and protected
 - Existing Notable Trees to be retained and protected
 - Minimum 20m Buffer to Existing Ancient Woodland which may include landscaping but no built development.
 - Minimum 10m Buffer Either Side of Existing Woodlands free from built development but may include landscaping, street furniture and paths.
 - Existing Hedgerows to be retained/ enhanced.
 - Minimum 5m Buffer Either Side of Existing Hedgerow (i.e. 10m in total).
 - A Sensitive Development Area (SDA) for the Hunsdon Brook Fishponds Scheduled Monument within the site, adjacent to its north-western boundary. Development within this SDA will therefore be assessed against the following criteria:
 - Varied building heights and massing to visually soften the development edge and provide a transition to the areas south and east of the SDA;
 - Form of housing that softens the north-western extent;
 - Appropriate levels of vegetation, with key planting and specimen trees to provide a natural edge and reflect a field or meadow boundary;

- Provide street lighting that minimises light spread and visual distraction in longer views of the SDA, including views to and from the Church of St Dunstan; and
 - Within the SDA, outside of the developable area works and development to be sensitively designed to avoid any unacceptable visual impact on the setting of the fishponds or impact on their significance, and to enhance their setting where possible.
- An SDA for The Brickhouse Farm House, Brickhouse Farm Barn and Orchard, having regard to these Heritage Assets and their setting and significance. Development within this SDA will therefore be assessed against the following criteria:
 - The visual prominence of the Farmhouse including opportunities for views and vistas through the development;
 - The prominence of the Barn and opportunities for views and vistas through the development;
 - Planting to establish light screening, with specimen trees and indigenous new hedge planting;
 - The scale of the proposed housing so as to not over-dominate its character and/ or setting of the barn;
 - The boundary treatments around the barn.
 - Electricity Pylons Easement Zone – identified as a no buildings zone with only ancillary operational development associated with the Strategic Green Corridor and Natural and Semi-Natural Public Open Space, to include the Community Park will be permitted.

13.5.13 The Minimum Village Buffer accommodates a “greenway” to the south of the developable area and is shown indicatively on the Illustrative Masterplan. This will provide a landscaped noise barrier which will function as part of the landscaping and drainage systems as well as provide an elevated pedestrian and cycle connection across the southern edge of the Village. The indicative design of the landscaped noise barrier has been informed by indicative noise and modelling assumptions, to ensure that the details of the barrier will be both effective and workable, when designed within the proposed parameters of the outline planning application.

13.5.14 The Minimum Village Buffer and its edges will provide a soft transition between the edge of the development and surrounding context with opportunities to create new habitats which positively and sensitively respond to existing features beyond Village 7.

13.5.15 The strategic views identified within the submitted Landscape and Visual Impact Assessment have informed Parameter Plan 2. The Cherished Views identified

within the Hunsdon, Eastwick and Gilston (HEG) Neighbourhood Plan will be assessed at the Masterplanning stage. This is consistent with the specific requirement of Part 4 of Policy AG5 of the HEG Neighbourhood Plan.

- 13.5.16 Parameter Plan 3 defines where green infrastructure and open space provision will be delivered, outside of the Developable Area. Parameter Plan 3 has been informed by a range of submitted documents including the Open Space, Landscape and Public Realm Strategy Assessment, tree survey, ecological appraisal and drainage assessment.
- 13.5.17 The plan identifies a broad range of open space and green infrastructure. The following typologies sit outside of the Developable Area and will provide a network of green infrastructure that frames the built development and is connected via a series of green corridors and wedges.
- A Strategic Green Corridor – semi natural open space and habitat connections with the plateau to the north and Village 6;
 - Natural and Semi-natural Green Spaces providing publicly accessible woodlands, urban forestry, scrub, grasslands and wetlands for wildlife conservation and informal recreation.
 - Woodlands – existing natural habitats retained and actively managed for improved public access
 - Community Parks including outdoor sports facilities for leisure, sport and play as well as allotments
 - Amenity Green Spaces providing informal green spaces for recreational activities within close proximity to homes.
 - Areas of Play for Children and Young people providing a variety of play equipment and social spaces to cater for a range of different ages in the forms of Local and Neighbourhood Equipped Areas of Plays (LEAP's and NEAP's); and
 - Allotments – providing residents with opportunities to grow their own produce.
- 13.5.18 The open green spaces, playing fields, allotments and green infrastructure areas will include environmental and landscape resources, and their interpretation will provide facilities for informal and formal recreation, enjoyment and outdoor entertainment, horticulture, surface water drainage and movement between other land use areas.
- 13.5.19 The exact boundaries and detailed configuration of each space as identified within these parameters will be defined through the Strategic Landscape and Village Masterplan stages to inform the reserved matters stage.

- 13.5.20 Strategic woodland planting will be provided within the Strategic Green Corridor, along the northern site boundary which adjoins the parkland of Hunsdon House to the north. This will provide natural screening along this boundary edge and strengthen the wooded horizon and support the microclimate of the Community Park, providing opportunities for enhanced habitat links.
- 13.5.21 A heathland habitat is proposed in the areas of the Strategic Green Corridor adjacent to the overhead powerlines to discourage recreational activity (such as kite flying/ ball games) within this part of the site which could otherwise pose potential health and safety risks for users. The heathland typology is considered appropriate given it links back to the historical landscape of the site and its surroundings. It is intended that this will create a high grass sward, with the opportunity for an occasional shrub or tree and limit movement within this area whilst also introduce further ecological benefits.
- 13.5.22 The natural and semi-natural green spaces will accommodate a sustainable urban drainage system, and the details of any ponds, dry ponds, ditches and other drainage measures with these areas will be determined at the master planning and reserved matters stages. Sustainable urban drainage measures would also be accommodated within the developable area, the details of which will be determined through the master planning stage.
- 13.5.23 Notable and Veteran Trees are shown on this Parameter Plan. Veteran trees are of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient but are old relative to other trees of the same species. Notable trees are usually mature trees which may stand out in the local environment because they are large in comparison with other trees around them. Notable trees are usually worthy of recognition and can be potential, next generation veteran trees.
- 13.5.24 The site does not comprise any Ancient Woodland. Immediately to the north west of the site is Lord's Wood which is a designated Ancient Woodland. A minimum 20m buffer which shall be free from built development is identified on parameter Plan 2. Existing Woodland on the site will be retained.
- 13.5.25 *Parameter Plan 4* shows the means of access to the site as well as movement within it. This includes the STC (within a defined +/- 50 metres horizontal limit of deviation ("LOD")); a network of strategic primary foot/cycle paths and the interconnection of these with existing routes through and adjoining the site; a proposed supplemental (indicative) STC bus route and indicative secondary bus route.
- 13.5.26 The following means of access are proposed to serve the development:

- a. Improved Means of Access from A414;
- b. Indicative Means of Access Connection Zone to Village 6; and
- c. Realignment of Existing Means of Access on Church Lane, leading to Hunsdon.

- 13.5.27 Internal movement prioritises sustainable modes through the STC to include bus, walking and cycling. Parameter Plan 4 identifies the location of the STC, which will be delivered within a defined +/- 50 metres horizontal tolerance zone. The STC does not infringe on buffers identified on Parameter Plan 2 – Buffers and Development Zones. A supplemental STC bus route will extend west of the Village Centre from the main corridor to serve a wider catchment and this is shown indicatively to be fixed as part of the master planning stage.
- 13.5.28 The internal private vehicular movement network within each Village will be catered for on a hierarchy of primary, secondary, and tertiary streets which will be defined at the Village Masterplan and/or Reserved Matter stages. Primary streets will provide private vehicle access between villages and onward to the strategic access points. They may form part of the STC however, priority will be given to active and sustainable modes to ensure those journeys have the most reliable journey time.
- 13.5.29 A strategic network of primary off-road foot/cycle paths is proposed to provide connections within and beyond the application boundary to existing routes within and those to be delivered within Village 6 to link into the wider Gilston Area network. An indicative network is shown on Parameter Plan 4 based on the Illustrative Masterplan. A Sustainable Transport Hub will be delivered (providing for interchange between all mobility types and a range of other community facilities).
- 13.5.30 The Village Masterplan process will also test the scope for and specific locations of up to two Neighbourhood Transport Nodes (NTN). This will consider how these could be incorporated within a localised high-quality public space and tied in to the strategic network of primary off-road foot/cycle paths that extend across the site and link to connections beyond.
- 13.5.31 A high quality east-west pedestrian / cycle route will be considered at the Village Masterplan stage. This will be strategic in nature and connect into the NTNs to ensure for a high quality experience of users of the route.
- 13.5.32 Bus services including on-demand services will be delivered to provide quicker and more direct access to key destinations compared to private car journeys particularly at peak hours. All homes shall be within 800m (10 minute walk) of a Sustainable Transport Hub and within 400m (or a 5 minute walk) of a bus stop

with a frequent bus service. Walking routes to bus stops will be safe, direct and of high quality.

- 13.5.33 Provision of car parking for private vehicles shall be provided in the context of supporting the modal shift towards sustainable travel required across the Garden Town and the creation of walkable neighbourhoods and healthy streets that are safe, vibrant public spaces that connect people to the places where they live, work, and play.
- 13.5.34 A Car Parking Strategy for each village will be prepared at the masterplan stage which will address the above, establishing principles for how parking will be designed, located and managed to encourage trips that are easier, safer and more convenient by walking, cycling and public transport as opposed to private car journeys. These principles will inform the approach to parking provision within each development plot at the Reserved Matters stage.
- 13.5.35 The exact delineation of the indicative routes will be defined at the master planning stage with detailed designs agreed at the reserved matters stage. However, the Vehicular Access and Movement Parameter Plan identifies the design intent for a network of vehicular and foot/cycle routes based on the Illustrative Masterplan to illustrate one way in which means of travel can come forward.
- 13.5.36 Parameter Plan 5 sets out land uses that will be delivered within the site boundary. This includes the areas that will be predominantly residential as well as defining the mixed use zone, which lies within the indicative boundary of the Village Centre. An area is also identified for safeguarding, along the eastern boundary of the site, to provide for Gypsy and Traveller development.
- 13.5.37 The areas identified for residential use will comprise up to 1,500 new dwellings (Class C3 use) including ancillary open space, outdoor playing space, landscaping, roads and parking areas and associated uses.
- 13.5.38 The Mixed Use Zone, as part of the Village Centre, will provide a combination of commercial uses, including: retail (including shops, financial professional services, restaurants and cafes) (Class E); pubs or drinking establishments (sui generis); takeaways (sui generis); community (including community centres and meeting places) (Class F2); office (Class E); and residential uses, (Class C3). In addition, up to 2,100 square metres of additional employment floorspace would be delivered in the Village Centre, which could be in its north western part in the form of Class E Light Industry, Class B2 Industry and B8 Storage and Distribution floorspace.

- 13.5.39 The retail, commercial and community uses will provide active ground floor frontages in appropriate locations and deliver the quantum of development as set out within the Schedule of Non-Residential Land Uses.
- 13.5.40 Within the Village Centre, a Primary School, nursery and play provision will be provided. North of the Village Centre outdoor sports facilities and recreational provision will sit within the Strategic Green Corridor. including a Football Hub, within the Community Park. The exact arrangement will be subject to further testing at the master planning stage.
- 13.5.41 The Village Centre is proposed to be located at the meeting point of the STC through Village 7 and the local route of a realigned Church Lane. This approach aligns with the Vision for the Garden Town, such that it is integrated and well connected with the wider network of existing surrounding settlements and the remainder of the new Gilston Area development to the east.
- 13.5.42 This layout and positioning of uses is shown on the illustrative masterplan and demonstrates that the uses proposed can be achieved in the form of a coherent and well-planned Village Centre dispersed along the STC deviation zone as a fixed parameter that will run through the heart of the Village.
- 13.5.43 The Village Centre can support taller buildings and denser forms of development as controlled through other parameters of the scheme and careful consideration will be given to the design, orientation, massing, and scale of proposed development at the Village Masterplan and Reserved Matters stages. This includes any development immediately to the north of Brickhouse Farm House and Brickhouse Farm Barn, where the impact on their character and/or setting needs careful consideration. Brickhouse Farm House and Brickhouse Farm Barn will be visually and physically separated from the 4 and 5 storey built development in the Village Centre through the alignment of the STC. Their character and / or setting would be preserved and, where possible, enhanced.
- 13.5.44 Outside of the Developable Area Boundary but within the site, provision has been made to support up to 8 no. Gypsy & Traveller pitches within an area safeguarded adjacent to the site's eastern boundary, as shown on the Parameter Plan 5. It is expected that the Gypsy and Traveller site will be of a low-density form and comprise single storey development. The pitches will have regard to the verified views set out in the LVIA and maximise soft edges using strategic landscaping and planting.
- 13.5.45 The following design principles should be applied to the options testing of the Village 7 safeguarded site at the Strategic Landscape master planning stage. As has been demonstrated through the technical work undertaken to identify an appropriate location for the safeguarded site, its siting within the Strategic Green

Corridor is not considered to interfere with the role and function of this typology (as defined at paragraph 4.15 of this Statement). Whilst buildings and structures will be accommodated within the Village 7 Developable Area, there are exceptions to include ancillary operational development which could be appropriately accommodated within the Strategic Green Corridor and natural and semi-natural public open space. Development associated with the Gypsy and Traveller site is low-key and operational in nature.

- 13.5.46 The disposition of land uses as shown on this Parameter Plan accord with the maximum height limits within each land use zone as identified on Parameter Plan 6 – Building Heights Plan.
- 13.5.47 Each developed land use area will gain access from the STC, the vehicular through-route and network of strategic foot/cycle paths as shown for contextual purposes on Parameter Plan 4 – Vehicular Access and Movement.
- 13.5.48 *Parameter Plan 6* - The maximum building heights for the proposed development are shown on Parameter Plan 6 – Building Heights Plan.
- 13.5.49 Within the Village 7 Developable Area, varying maximum building heights are proposed according to location within the site and the corresponding proposed land uses, as shown on Parameter Plan 5 – Land Uses. Parameter Plan 6 denotes the maximum height in Above Ordnance Datum (AOD) as shown by reference to existing contours. This has been derived with consideration of the existing and proposed Median AOD. Within the indicative Village Centre boundary, Parameter Plan 6 identifies a maximum building height of 19 metres. Heights are measured from ground level to the ridge of the roof and the established building height parameters are subject to a +/- 2 metres tolerance. This forms the basis upon which the proposed development has been assessed and allows for incidental elements such as chimneys which may exceed the ridge of the roof but will sit within the overall upper height tolerance level.
- 13.5.50 In conjunction with the height parameters, the proposals will provide a range of indicative densities, reflective of the location of the different development zones within the site (not shown on this plan). High density areas with an average of 60 dwellings per hectare, will be primarily directed within and surrounding the Village Centre as well as at key junctions along the primary vehicular corridor. Medium to high density areas with an average of 45 dwellings per hectare will be in a concentrated block within the northern part of the Developable Area. Medium density areas with an average of 40 dwellings per hectare will be in concentrated blocks within the eastern and western parts of the Developable Area as well along the eastern edge of the Village Centre. Medium to low density areas with an average of 35 dwellings per hectare will be in concentrated blocks at the centre of the eastern and western sections of the Developable Area. Low

density areas with an average of 30 dwellings per hectare will be wide-spread and provide the pre-dominant density range within the Developable Area to create a village environment.

- 13.5.51 The density principles are provided as a range of dwellings per hectare (gross area) for each residential area, including the Village Centre where residential development is also proposed. The proposed indicative densities are calculated based on all the uses included within the zones identified including access roads, parking areas, open space areas and landscaping, and play areas. Any ancillary, operational development associated with the Strategic Green Corridor and/or Natural and Semi-Natural Public Open Space outside of the developable area comply with Parameter Plan 3 - Green Infrastructure and OpenSpace.
- 13.5.52 The massing across the proposed development will be controlled by a combination of Parameter Plan 6 and the number of residential dwellings for which approval is sought and as per the description of development. The maximum building heights contained within Parameter Plan 6 therefore could not be built out in full across the site due to this limitation and the permitted capacity of up to 1,500 residential units.
- 13.5.53 Future Stages have been identified to set a clear process for the parameters to be explored and enhanced to support detailed planning applications. There are three key processes which are set out below and will require formal submission, consideration and approval from the Council and therefore will form approved documents to which the future development must comply.
- 13.5.54 The Strategic Landscape Masterplan - develops the DS principles into a landscape led framework plan for future stages, including the approach to primary green, grey and blue infrastructure. The Gilston Area Charter SPD contains a series of expectations for the masterplan, which has been supplemented by matters arising through consultations. The engagement strategy will reflect the adopted Community Engagement Strategy and set a template for other masterplans. The SLMP will be secured by condition.
- 13.5.55 The Village Masterplan is required in advance of Reserved matters and secured by condition. It is anticipated that this will come forward alongside the SLMP. The VMP will focus on the key land uses for the village, set out primary and secondary highway infrastructure, including Public Rights of Way and identify the fate of existing structures. The VMP will define the relationship with the surrounding landscape and the greenspaces, and the relationship with key SuDS features.
- 13.5.56 A Village Design Code (secured by condition) will support the VMP to provide further detail, setting out design principles that will inform the character, design

and layout of the village. The coding within the document may vary to respond to the role and function of land uses and to respond to constraints and opportunities. The Village Design Code and VMP work together to establish the next level of detail in terms of the location of key uses, infrastructure and connections, setting out detail in a regulatory plan. Reserved Matters Applications will need to demonstrate how the design code has been met.

- 13.5.57 To demonstrate that the proposed development with all its land uses and spatial requirements is achievable, the applicant has undertaken an illustrative exercise. This demonstrates that the proposed development can be accommodated, having regard to the parameters and would result in a gross residential density of 14.2dph with a site area of 117.4ha. Density ranges are set out in the Development Specification Statement and sets a range of average densities of between 30 and 60 dwellings per hectare.
- 13.5.58 Whilst design detail is reserved for consideration within the future stages, there are key principles that are established through this application. These are set out within the parameter Plans, Development Specification Document and considered in the submitted Design and Access Statement. These documents are informed by a range of technical studies, including the Landscape and Visual Impact Assessment, Heritage reports and the Illustrative masterplan.
- 13.5.59 The location of the application site near the Greenbelt and Open Countryside advocates the landscape led approach proposed. A strategic Green Corridor is proposed along the northern part of the site. It is intended this will include a range of recreation opportunities, including the proposed Football Hub and associated infrastructure. There are overhead power lines within this northern zone. The associated utilities easements and HSE limitations will limit the form of development in this area.
- 13.5.60 The remaining edges of the site include for landscaped edges to contain the developable area and blend into the Strategic Green Corridor. Bar the proposed access therefore a landscaped buffer surrounds the proposed development. This provides a defensible greenbelt boundary and opportunities for attractive recreational spaces.
- 13.5.61 The Landscape and Visual Impact Assessment assesses the impact of the proposed development on the landscape features. The LVIA sets out proposed landscape features. Key principles include retention of important landscape features, proposed areas of green infrastructure, tailoring the extents of the height and density of development to ensure impacts are limited. Within the village centre heights are limited to 5 storeys reducing to 3 storeys beyond the village centre.

- 13.5.62 At the North West extent of the site, there will be no development and a strong sense of openness will be retained at the Northeast. This ensures the views along and across the River Stort valley are preserved.
- 13.5.63 At the Public Right of Way known as Hunsdon Footpath 001, the LVIA identifies potential for adverse changes resulting from the development. It is proposed that planting and the location of the landscape buffers will ensure views of St. Dunstan's Church and Hunsdon House are retained.
- 13.5.64 The proposed Football Hub is located to minimise impacts on the open character of the proposed Community Park and to ensure distant views across the Stort Valley. Conditions and Proposals seek to reinforce the wooded horizon along the southern edge, where there are opportunities for planting enhancement. Future Stages will control the form of development such as the timing of delivery of key landscaping elements and any proposed buildings and flood lighting associated with the sports infrastructure.
- 13.5.65 There are landscape features within the developable area including historic hedgerows and heritage assets. Parameter Plan 2 sets out appropriate buffers to protect these features and ensure they can remain in perpetuity to create an attractive setting to and enhance the character of new development consistent with the landscape led approach. Outside of but adjacent to the site is Lords Wood, an area of ancient woodland.
- 13.5.66 The village centre is proposed to encompass Brickhouse Farm and the buildings contained therein. The Primary School is proposed as located on the northern edge of the village centre. At the southern end is the retained barns within Brick House Farm which are intended to delivery commercial and community facilities. The timing and approach to ensuring delivery is secured by way of S106.

13.6 Relationship to Existing Settlements and Properties

- 13.6.1 The Strategic Design Guide, Parameter Plans, and Development Specification set clear principles for how each village developable area will be designed to respond to existing properties. Buffer planting and greenspace surrounds the developable area creating a physical distance between existing properties surrounding the site and proposed development. Height parameters restrict the built form.
- 13.6.2 Brickhouse Farm is surrounded by the application site, although it does not form part of the site. There is potential for impacts on the farmhouse and curtilage in respect of residential amenity. At this outline stage, the details of future development are not for consideration. The parameter plans ensure the land uses in the vicinity of the existing dwellings are suitable. The future stages will bring forward detailed design which will be required to protect existing

residential amenity and offer scope for reasonable mitigation, should this be required.

- 13.6.3 Brickhouse Cottages lie at the southern boundary of the site. The development in this area would be limited by way of the proposed landscaped areas and limits to the developable area. It is unlikely therefore that there will be significant amenity impacts on these residents, albeit it is acknowledged that the development would result in a wider change of character to the area.
- 13.6.4 More generally, other nearby properties are at the boundaries of the site. Those to the south are separated by the A414. Properties outside of the site boundary will be protected by virtue of the large, landscaped areas that are secured by way of the proposed parameters.
- 13.6.5 The creation of new utility networks required to serve the development will provide opportunities for connections to services e.g., fibre optic networks enabling the provision of high-speed broad band to existing isolated properties and existing villages. The development will not directly deliver these enhancements to existing homes, but it will make individual connections far easier. The Development Specification suggests a number of 'early wins' that will benefit existing properties that will be explored.
- 13.6.6 Policy EX1 (Existing Settlements) of the GANP states, long-term maintenance of green and public spaces within the existing communities (defined in the preamble as all settlements within the parishes of Eastwick, Gilston and Hunsdon) will be considered through the planning process and as part of any community stewardship arrangement and seeks financial contributions towards improvements in existing settlements to mitigate the impacts of development. However, the Plan does not define what improvements are required or what impact requires mitigation. Nor does the ES (as amended) identify harms to existing settlements that require mitigation.
- 13.6.7 The application proposes a range of services and facilities which will provide benefits for existing residents. These include the proposed Community Park, Football Hub, Primary School, Public Open Space, vehicular, walking and cycling routes and connectivity to Harlow, commercial and retail services, enhanced bus provision, community facilities and a range of additional services and facilities partly funded by this development but beyond the application boundary. The S106 Heads of Terms included within this report set out evidenced financial contributions required by way of mitigation.

13.7 Landscape & Visual Impacts

13.7.1 A Landscape and Visual Impact Appraisal has been submitted. The LVIA explains how impacts are assessed and how the significance of the effect is determined. The assessment considers the susceptibility and value of the landscape and surrounds and rates using set criteria to establish the significance of any effects thereon. The impacts are rated. Where environmental effects are considered less likely to be significant, mitigation may still be required. The LVIA is independent of the design process and its conclusions have informed the design responses set out within the plans and documents for approval. Development of this scale will inevitably have an impact. It is important to identify whether any resulting harm outweighs the benefits of the development, having regard to mitigation, compensation, and enhancements. Officers are satisfied that the information set out within the LVIA is sufficient to allow assessment of the development.

13.7.2 The impact is assessed during both construction and operational phases. Given the scale of the project and the anticipated construction period, the LVIA considers the effects likely to arise during construction. The assessment considers impacts on designated assets, on nearby Public Rights of Way. The site falls within the Stansted to Pishiobury Parklands Local Landscape Character Area (81).

- A range of mitigation measures are proposed. These include:
- Landscaped buffers
- Retention and enhancement of existing woodland
- Hedgerow Retention
- Buffer to woodlands and hedgerows
- Ancient woodland buffer
- Introduction of sensitive development area zones
- Retention of notable and veteran trees
- Limitation of development in the area over the overhead power lines
- Strategic green corridor
- Open space provision
- Realignment of Church Lane
- Location on village centre and Gypsy and traveller accommodation
- Maximum building heights parameters

13.7.3 The project would result in land use change from arable agricultural to residential and mixed use-built development. The site lies on a south facing slope falling toward the River Stort, as well as tributary valleys to the west and east. The topography provides for partial visual containment of the development. Existing vegetation and woodland combined with the topography result in limited widespread landscape and visual impact from the proposals.

- 13.7.4 The retention and mitigation proposed (set out above) combined with the proposed land use arrangement, i.e. landscape buffers surrounding developable area and inclusion of sensitive development areas ensure impacts are minimised further and the development will integrate into the wider landscape in the long term. The approach ensures a sense of openness is retained in the North East of the site and the rural character is retained in the North west of the site.
- 13.7.5 The listed farm buildings at Brickhouse Farm within the application site are proposed to be at the heart of the new village centre. This ensures the building will have a function with the aim of supporting the preservation of the heritage asset in the long term and ensures the historic context of the site is integrated into its future.
- 13.7.6 The retention of the existing landscape features - such as hedgerows, woodland and notable and veteran trees - combined with the zoned approach to developable area and building heights ensure the site responds positively to the visual relationship with the River Stort Valley and integrates into the landscape. Harm to the Landscape Character Areas which form the landscape setting to the villages of Hunsdon, Hunsdonbury and Eastwick would therefore be minimised.
- 13.7.7 Importantly there is a significant adverse impact identified to the Hunsdon Footpath 001 during both construction and immediately post completion, but not in the long term. Views of construction and subsequently built form would be introduced along this route. The sense of enclosure would increase as the route passes through the application site. The Sensitive Development Areas proposed would preserve views toward St. Dunstan's Church and Hunsdon House, both Grade I listed heritage assets. The proposed noise bund is likely to alter ground levels at the south western part of the site and may create additional views toward the River Stort valley for the users of Hunsdon Footpath 001. The noise bund will be required by condition. The significance of impacts on views from the footpath will therefore reduce over time.
- 13.7.8 When assessed cumulatively with Villages 1-6, the enclosed nature of the landscape to the west and north and the proposed mitigation and enhancement measures would result in limited landscape impacts and there is no significant harm in the long term. Cumulative visual effects are identified in respect of the Harcamlow Way, Towing Path, Three Forests Way and the River Stort in the medium/ long term. It is considered these residual effects would continue to reduce over time and would not be significant post 2055.
- 13.7.9 Documents such as Codes of Construction Practice, Construction Traffic and Environment Management Plans, Landscape Strategy and Ecological Management Plans are in line with Policies AG1 (Promoting Sustainable Development in the Gilston Area), AG2, (Creating a Connected Green

Infrastructure Network), AG3 (Protecting and Enhancing the Countryside setting of New and Existing Villages), AG4 (Maintaining the Individuality and Separation of all Villages) and AG5 (Respecting Areas of Local Significance) of the GANP.

- 13.7.10 Officers likewise consider that the proposed mitigation is in accordance with Policy GA1 (The Gilston Area) parts (n), (o) and (u) and the provisions of paragraph 130 of the NPPF 2021. The allocation of the site through the independently assessed Local Plan Process, acknowledged the inevitability of visual and landscape changes. The identified harm because of the development is outweighed by the significant benefits associated with the development.

13.8 Supporting Economic Growth

- 13.8.1 The Village Centre will meet the day-to-day needs of residents as well as providing a local destination for residents of the wider Gilston Area and neighbouring villages/settlements. It will feature appropriately sized commercial units as well as key services which will be 'local' in nature. As a standalone centre, this will ensure the Village Centre has the vibrancy and viability to remain successful over the lifetime of the Proposed Development whilst as part of the Village Centre hierarchy, it will function as a "tier two" centre.
- 13.8.2 Within the village centre, 3095 sq m of commercial floorspace is to be safeguarded. An absolute minimum provision of 1,745 square metres of commercial and nursery floorspace is to be provided in the Village Centre, comprising of up to 1,195sqm of Office and any Light Industrial floorspace (Class E) and up to 550 square metres of Independent Day Nursery floorspace (Class E).
- 13.8.3 The delivery of the safeguarded land, beyond the secured 1195 sq m will be subject to a future market needs assessment to ensure confidence on delivery. This will complement the other centres of the Gilston Area and not be of a scale or role that would compete with existing centres within surrounding villages and settlements, such as Harlow Town Centre, as a higher order location for shopping services and leisure facilities.
- 13.8.4 A mix of appropriate main town centre land uses (inclusive of retail and offices) and individual quantum's has been indicatively identified as part of this Application to inform the Illustrative Masterplan and demonstrate a deliverable and sustainable Village Centre. This approach is also set out within the submitted Development Specification Statement. This will provide a level of control and comfort over the proportion of each land use that will need to be delivered to support the needs of Village 7 and fulfil the characteristics of a "tier two" centre.
- 13.8.5 This includes provision for up to a further 1,805 square metres of Class E Office and Light Industry floorspace, as well as up to 2,100 square metres of Class E Light Industry, Class B2 Industry and B8 Storage and Distribution floorspace

within the Village Centre. The requirement for this additional employment floorspace will be determined through a future market needs assessment to ensure confidence on delivery. Based on no demonstrable market requirement through early and later reviews.

- 13.8.6 This application proposes 1 village of the Gilston allocation, which includes for 7 villages in total. It is anticipated that each village will provide sufficient local facilities to serve the immediate needs of its residents and provide an indirect benefit to villages and existing properties beyond. The provision of local facilities is intrinsic to the creation of walkable neighbourhoods thereby reducing reliance on the private car. The co-location of facilities offers opportunities for a reduced number of trips.
- 13.8.7 The proposed village centre is broadly centrally located to the application site, close to the north/ south primary route known as Church Lane. The location is within a reasonably accessible distance to development across the application site. It is intended that the village centre will be a mixed-use space offering commercial, community, residential and recreational facilities.
- 13.8.8 Policy GA1 requires the provision of employment areas of around 5ha to be delivered within the allocation. Further HGGT team assessment identified a need for 34,000sqm across the Gilston Area with 4,800sqm to be provided in Village 7. The application identifies for this to be delivered in a mixed-use central core to the village. The detail of the employment uses will come forward through the future stages.
- 13.8.9 Policy GA1 (The Gilston Area) of the EHDP requires that a range of employment opportunities are created and Policy BU3 (Employment Areas) of the GANP states that employment uses will be encouraged to be in the village centres as part of mixed-use areas in the interests of sustainability and to support the vitality and viability of each village centre. The Parameter Plans identify a central mixed use/ village centre zone in which employment will be located, subject to market demand.
- 13.8.10 The applicants supporting information sets out anticipated economic outputs from the development. It is expected that the development will generate in the region of 1248 jobs during construction with 535 jobs created once construction is complete.
- 13.8.11 The construction phase will provide jobs and opportunities. By way of S106, there is a requirement for the developers to engage with local further educational establishments (e.g. Harlow College and Herts Regional College) to provide apprenticeship schemes and to support local employment. An Action

Plan will establish further initiatives, such as a Skills to support the construction and local employment.

- 13.8.12 The S106 also requires a market demand assessment to verify commercial market demand. This sits alongside a minimum requirement of 1745 sq m. Whilst this does not provide absolute certainty of delivery in the early stages of development, this needs to be balanced against ensuring that the employment land provided is attractive to users and provides viable and attractive employment land to enhance the vitality of the development. The employment land will require a critical mass of population and services and facilities, such as bus provision, accessibility, primary school and nursery etc to ensure its attractiveness to businesses wishing to re/locate.
- 13.8.13 Officers acknowledge the careful balance between placemaking and commercial pressures hence the demand led assessment approach and its control through the S106. In the interests of balance, the S.106 Agreement should secure a minimum quantum of employment floorspace (1745 sq m including 1195 office and light industry and 550 nursery provision) and safeguard employment land for a suitable period to ensure the development and placemaking is sufficiently progressed for the employment land to be attractive to operators. The Village masterplan will be informed by the market demand assessment.
- 13.8.14 With a commitment to the delivery of a minimum quantum of employment floorspace secured within the S.106 Agreement, along with the safeguarding of employment land, approach to understanding employer demand to inform master planning and approach to providing training and local employment opportunities, the scheme is considered to address the requirements of Policy GA1 (The Gilston Area) of the EHDP and Policy BU3 (Village Cores /Centres) and BU3 (Employment Areas) of the GANP.

13.9 Delivery of Community Infrastructure

- 13.9.1 In providing new homes, those homes also need to be adequately serviced to provide a sustainable development and attractive place to live work and play. As such the village centre is proposed to provide a mixed-use heart to the village including a range of services and facilities required by those using the village. This ensures village 7 is sustainable on its own, as well as part of the GA1 allocation.
- 13.9.2 Primary School - A 3FE primary school is proposed within the village centre on an area of land of 3.42ha. This will provide primary school places for 630 pupils, which provides for the number of children likely to be living within the application site once built out, based on the indicative information (such as housing quantum and mix) submitted at this outline stage. This will be secured

by way of S106 agreement. The S106 agreement will further require detailed assessment of future requirements for Special Needs and Disabled Education through the mechanism of the Education Review Group (ERG). Where required this would form an integral part of the proposed Primary School.

- 13.9.3 Up to 550 sq m of floorspace is also proposed to provide a Children's Day Nursery within the village centre. It is possible that parents have children of varying ages and that local children will progress to the Primary School following attendance at the local nursery, as such the location of both uses close together within the village centre is practical. The nursery would be offered to private operators to run and manage.
- 13.9.4 A community building of up to 1060 sq m is proposed within the village centre area. The detail of the community building will need to be developed alongside the community to ensure the facility best meets demand, is self-sustaining and therefore viable and vibrant in the long term. This will be secured by way of S106.
- 13.9.5 A football Hub and Playing Field are proposed. The Football Hub has been indicatively designed to include a football hub building, car parking (60 spaces), 2 adult artificial grass football pitches, 1 adult grass pitch with associated shelters etc., 1 under 15s/ under 16s pitch and 1 under 13's/ under 14's pitch. The village Playing Field has been designed to include 1 adult grass pitch and a pavilion building. The facilities are proposed to be located within the Community Park. The S106 agreement will set out the future stages to achieve detailed designs for and delivery of the facilities.
- 13.9.6 The EHDC Open Spaces and Sports Facilities Assessment identifies a requirement for 14.36ha for outdoor sport facilities. The application provides for 15.56ha of provision.
- 13.9.7 EHDP Policy GA1 requires that community needs are met through the provision of on-site facilities for education, healthcare, sports and open spaces and active travel networks, with neighbourhood centres providing local facilities to meet day-to-day needs of new residents. Policy CFLR1 (Open Space, Sport and Recreation) states that developments will be expected to provide open spaces, indoor and outdoor sport, and recreation facilities to meet the needs arising from the development, setting criteria for their location and design. Policy CFLR7 (Community Facilities) provides criteria for the design and location of community facilities, including flexible designs to enable multiple uses and accessibility through active and sustainable modes of travel. Policy CFLR9 (Health and Wellbeing) provides criteria for the design and location of facilities for healthcare, faith and wellbeing, and facilities that encourage active and healthy lifestyles. Policy CFLR10 (Education) requires the provision of education facilities

to meet the needs arising from new development, providing criteria for their location and design.

- 13.9.8 The East Herts Health and Wellbeing Strategy 2019-2023 contains the Council's vision and objectives for creating healthy places and vibrant communities. It includes an Action Plan with for the creation of new community facilities through new development to support health and wellbeing. An update to the strategy: The East Herts Community Health & Wellbeing Plan 2023-2028 is currently out for consultation. The emerging plan expands upon the previous strategy including objectives for individuals and communities to support themselves and each other through community organisations.
- 13.9.9 GANP Policy AG9 (Phasing of Infrastructure Delivery) encourages the early delivery of social infrastructure having regard to the HGGT Vision and IDP, to meet cumulative needs of new and existing communities. Policy BU2 (Village Cores/ Centres) seeks to focus community facilities within village centres. Policy C1 (Community Facility Provision) repeats the approach set out in Policy BU2, with the addition of a requirement where appropriate, for the transfer of key community facilities into the ownership and stewardship of the local community as part of a governance agreement. Policy D1 (Establishing a Partnership with the Community) and Policy D2 (Community Ownership and Stewardship) both seek the engagement of the community in the design and stewardship of the village development.
- 13.9.10 Section 8 of the NPPF states that planning decisions should aim to achieve healthy, inclusive and safe places. Key objectives include promoting social interaction, providing safe, accessible and inclusive places to enable and support healthy lifestyles that provide the social, recreational and cultural facilities and services the community needs.
- 13.9.11 Primary education and Early Years Provision - Currently the nearest existing Primary Schools are located at Hunsdon, Stansted Abbots and within Harlow with limited or no capacity for additional students and no safe routes for walking or cycling from the application site. Up to 3850 sq m of education floorspace is proposed as part of this application, contained within 3.42ha of land. This is sufficient for a 3-form entry (3FE) Primary School.
- 13.9.12 The Primary School is proposed to be located within the village centre, broadly central to the application site. As such the Primary School would be within a reasonable walking distance for most residents and support the aspirational mode share targets for Gilston. A 3FE school is sufficient for 630 pupils. The anticipated pupil requirement from village 7 calculated using Hertfordshire County Council's strategic planning pupil yield methodology is 3FE. The proposed

school would therefore satisfy the demand as a result of the proposed up to 1500 homes at Village 7 and GA1 of the Local Plan in this regard.

- 13.9.13 A Gilston wide Education Review Group (ERG) will be required by way of S106. This will interrogate education demand further and the timing of delivery. It is possible that the school would be built as a 2FE school with room for a further 1FE if expansion were required in the future, but only where there is clear evidence through the work of the ERG to determine 2FE would meet current demands in a timely way. Factors such as build rate, birth rate, master planning requirements, housing mix and development phasing cannot be fully established now but may impact upon the Primary education requirements. Schools also provide opportunities for social and community activities, providing support for families. In the early stages of the new settlement this may be important to developing a strong community.
- 13.9.14 Secondary Education - This application proposes a contribution to Secondary Education secured by way of S106. The maximum level of funding secured by way of S106 is sufficient to secure 3 FE secondary education and can be used to support the delivery of a new secondary school for the Gilston area. Whilst not for determination under this application, new secondary schools are proposed within villages 1 and 5 of the Gilston allocation area. The S106 HoTs identify funding from this application can be directed to this new school or support provision of additional places at existing local secondary schools. Further modelling and review via the ERG will establish demand at the time of delivery and dictate the appropriate project for funding.
- 13.9.15 In the initial stages a temporary secondary school may be required to serve the Gilston area. The S106 agreement will include provision towards funding for the temporary secondary school and transport to and from such a school to ensure children can access the school safely.
- 13.9.16 Special Needs Education - The proposals include for Special Needs and Disabled Education provision to be provided within the village 7 Primary School. The demand will be assessed by the ERG and secured by way of S106. A contribution of £857,947 is to be secured by way of S106 towards special needs education provision. This approach will collocate facilities in the interests of sustainability and mode share and ensure an inclusive learning environment offering the broadest range of facilities to students of all needs.
- 13.9.17 Nursery Provision - Up to 550 sq m floorspace is proposed to support a day nursery. This could be publicly or privately owned/ operated and is expected to accommodate 84 children. The meets the demand arising from village 7. The timing and form of the provision will be explored through the ERG.

- 13.9.18 Healthcare - The 2019 Harlow and Gilston Garden Town (HGGT) Infrastructure Delivery Plan (IDP) covers S.106 contributions expected from HGGT developments towards healthcare provision to serve residents. The emerging HGGT IDP update has been informed by a Health Impact Assessment using the Healthy Urban Development Unit (HUDU) commissioned by Princess Alexandra Hospital. The Council has adopted the HGGT IDP as guidance and should be considered. The applicants submitted a Health Impact Assessment in their amendments of December 2022.
- 13.9.19 For primary health care, community, and mental health, the ICB is content with the provision of an offsite Health Centre which also meets the demand arising from village 7. Ambulance services space will be provided within the offsite health centre serving the development of the Gilston Area.
- 13.9.20 For acute care, the ICB consider Princess Alexandra Hospital (PAH) is seeking contributions towards meeting local health impacts (acute health needs) arising because of the development and identify the hospital has little or no capacity and a funding shortfall is also likely and request S106 contributions.
- 13.9.21 While Officers are sympathetic to the matter of acute care and the difficulties faced in the NHS, insufficient evidence has been provided to justify contributions towards the hospital and acute healthcare provision, regardless of whether the Hospital is relocated or remains in its current location. The Gilston Area allocation has been identified in response to household projections, which are the same projections used by the NHS to prepare and plan for service delivery.
- 13.9.22 The Trust has not been able to identify how funds would be spent, or how other measures other than new floorspace would provide the same mitigation, and this therefore fails the necessity test in the CIL Regulations. An existing capacity issue has been identified but no evidence is provided to explain how the funding sought will address 'new' impacts arising from development. Nor is it evidenced that the planned growth in adopted Plans allocated to meet ONS projections are not or cannot be accounted for in normal business planning for acute services. Finally, Officers have requested, but not been provided sufficient evidence to justify why the funding gap identified in the hospital relocation development option is fairly and reasonably related in scale and kind to the 'new' development rather than across the hospital catchment, and no evidence is provided to justify how shortfalls in service and existing capacity is related to the development.
- 13.9.23 The requests from the NHS have been carefully considered against the regulations governing planning obligations and examples of how similar requests have been treated been reviewed. Hospital access is important Princess Alexandra Hospital is intrinsic in providing services to the existing community. This role would not change because of hospital relocation. Funding of hospital

and ambulance services is the remit of the UK government via an NHS Hospital Trust funded by taxation. The hospital already provides a service to existing residents and would continue to do so whether it was relocated or not and as such is not necessary to make the development acceptable in planning terms and/ or directly related to the development and fails the tests set out in Regulation 122 of the CIL regulations.

- 13.9.24 This application responds to an allocation in the EHDP to meet the housing needs arising in East Herts. These housing needs largely arise from existing households. Development itself does not generate new population as the individuals already exist irrespective of whether they move to a different house. This population is already accounted for in terms of their demand on NHS services.
- 13.9.25 The application will provide proportionate funding towards health care facilities to serve the Gilston Area prior to the occupation of 250 units within the village. The healthcare provision will cost circa. £15m and will deliver enhanced services. The additional level of service provided within the new facility aims to reduce pressure on acute care services, including at Princess Alexandra Hospital. Funding will be secured by way of S106. The proposals therefore align with paragraphs 92 and 93 of the NPPF, the East Herts Wellbeing Strategy and Policy CFLR9 (Health and Wellbeing) of the EHDP.
- 13.9.26 Emergency Services - The application identifies a contribution equivalent to 15% of the overall figure towards the delivery of an emergency services hub located within the Gilston Area. The emergency services hub would provide space and facilities for police and fire services. Land is safeguarded within the Gilston area for the Hub within the mixed-use zone of village 6 (not within this application site). The financial contribution is secured by way of S106.
- 13.9.27 Community Facilities - The demand for a community hall arising from village 7 is calculated to be 420 sq m (forming part of the wider 1,060 sq m offer). This is intended to form a community hall/ building to enable a range of facilities for a range of uses. The provision of a community building will be secured by way of S106. The S106 will set out a specification for the building setting out the key items required to be delivered and identify the approach to its management. The building is intended to be located within the village centre, within reasonable walking distance for most residents and nearby existing properties.
- 13.9.28 1060 sq m of F2 use is proposed. F2 enables outdoor sports use for non-motorised vehicles, indoor or outdoor pools and ice rinks. In this case it is proposed to deliver a playing field for the village. The facility will be secured by way of S106. The F2 use is proposed to be located within the village centre. The

provision of this facility will enhance the recreational offer of the development in the interests of wellbeing and placemaking.

- 13.9.29 The application proposes up to 45 Local Area's Play (LAPs), five Local Equipped Areas of Play (LEAPs) and one Neighbourhood Equipped Areas of Play (NEAP). The precise quantum and location of these will be detailed in future stages, however all play areas will be within a reasonable walking distance of homes (LAP's - 100m, LEAPs - 400m, NEAP - 1000m) and there is reasonable space within the application boundary to deliver them, as shown by the illustrative masterplan.
- 13.9.30 The NEAP will contain the most equipment and will be within the Village Centre. This will be collocated with the other community facilities and education provision to provide a vibrant heart to the village and a broad recreation offer for all ages.
- 13.9.31 Three sites for allotments are proposed. Two of the allotment locations will be within the developable area of the application and a further location will be immediately to the east of the proposed Community Park. The sites will provide 1.14ha of land for allotments to accommodate 8 pitches. The provision of allotments and a specification for such will be included within the S106 and detail progressed through the Strategic Landscape Masterplan and the Village Masterplan stages.
- 13.9.32 *Sports Provision* - In addition to the F2 uses identified above, a Football Hub is proposed. The hub will be located on the northern edge of the development, in between the strategic greenspace and the developable area. The hub will deliver a football hub building (to include changing, office and toilet facilities), car parking for c. 60 cars, 2 adult artificial grass pitches, 2 adult grass pitches - 1 with shelters/ dug out, 1 under 15/16s grass pitch and 1 under 13/14s grass pitch.
- 13.9.33 The location of the hub on the development edge provides opportunity for a softer transition to the green space. The location has been carefully considered to avoid key views and impacts on the designated heritage assets at St Dunstan's Church and Hunsdon House.
- 13.9.34 To ensure the sports facilities are available all year round, floodlighting will be required. The hub will be located on the topographically higher part of the site and at the development edge. It is important therefore that lighting is controlled to ensure limited impacts on amenity, biodiversity, heritage, and landscape. The detailed design of residential development and the hub will include detail of the floodlighting provision and the extent of its use will be assessed at that stage.

- 13.9.35 EHDCs Open Space, Sport and Recreation Strategy Supplementary Planning Document sets out expectations for the types and quantum of facilities expected in new development. For Gilston the requirement is set allocation wide rather than specific to this application site. The scale of the allocation dictates that in some cases one larger facility serving the whole allocation are preferable, such as the requirement for a leisure centre with swimming pool and the football hub.
- 13.9.36 Initial advice from Sport England suggested the allocation should deliver 44 grass pitches. With further discussion Sport England agreed to 20 grass pitches and 4 artificial pitches. Artificial pitches can be more intensively used across a wider range of time and weather conditions. Village 7, whilst only comprising 15% of the allocation in housing terms is contributing 50% (2 no) of the artificial pitches required thereby more than mitigating its own demand.
- 13.9.37 Sport England identified a need for 4 rugby pitches for the Gilston Area. There is an established Rugby Club in Harlow which is capable of improvement and therefore funding will be directed to this facility. As the club is already up and running, a facility will be provided potentially more quickly and provide integration into the existing area for new residents at Gilston. Funding will be secured by S106.
- 13.9.38 Sports facilities require infrastructure, such as changing facilities, toilets, equipment storage and office facilities. The application makes provision for the necessary buildings within the football hub area.
- 13.9.39 The provision of sports facilities and funding will provide significant opportunities for health and wellbeing within and near to Gilston, creating active, healthy and sustainable places.
- 13.9.40 Open Space - The application provides for a range of public open space on a site that is currently in private ownership and inaccessible to the general public, except for existing rights of way. The application will deliver a minimum of:
- 11.96ha of Parks, Public Gardens and Amenity Greenspaces
 - 33.4ha of Natural and Semi Natural Greenspace
 - 15.56ha of Outdoor Sports Land
 - 0.95ha of Land for Children and Young People (Play Space)
 - 1.14ha for Allotments.
- 13.9.41 The outdoor sport, allotment and Play Areas are discussed above. The broad locations are set out on the parameter plans. The precise locations will be determined at future stages to ensure comprehensive planning and placemaking. The proposed quanta exceed EHDC standards.

- 13.9.42 The parameter plans limit development in the northern part of the site. A community Park and natural and semi natural greenspace is proposed in this area with a football hub at its southern edge. Existing Hedgerows and Woodlands will be retained along with veteran and notable trees. These areas will provide a soft buffer to the proposed built form, thereby enhancing the setting of new development and existing heritage assets and providing a soft transition at the rural edge.
- 13.9.43 There will be overhead power lines in part of the northern open space area. This is secured through the parameter plans and serves to prevent a conflict between the utilities pylons/ overhead wires and development. The open space areas will contain some infrastructure such as routes for walking, cycling and maintenance, SUDS features such as ponds and swales and potentially isolated built development, such as a pump station or substation. The integration of these facilities into the open space ensures that they can be provided in a suitable location to serve the development effectively.
- 13.9.44 A green corridor will run east/ west through the development to provide pedestrian and cycle connectivity as well as routes for wildlife and SUDS infrastructure. This will provide connections with the wider Gilston area and in future provide connectivity beyond village 7. The precise alignment will be secured through the village 7 future stages, including the village masterplan and strategic landscape masterplan.

13.10 Wellbeing and Social Value

- 13.10.1 A Health Impact Assessment has been submitted, setting out how the proposal will contribute towards health and wellbeing objectives. These principles are embedded in the Development Specification, which is a document for approval and to which future stages must comply and are set out in the Strategic Design Guide.
- 13.10.2 The principles are set out below and respond to Sport England's Active by Design standards and sustainable design principles which seek to make every-day activities easier to undertake through active methods of travel; services easier to access for all; and homes that are affordable, comfortable and that fulfil changing needs of residents over time, to foster a sense of community, personal wellbeing and to reduce the need for traditional healthcare services.
- a. Delivering a development that learns from best practice in healthy placemaking elsewhere, exploring new and innovative strategies and working in partnership across sectors to deliver beneficial wellbeing outcomes for current and future residents.*

- b. Making decisions about the design and delivery of the development based on a detailed understanding of the wider determinants of health.*
- c. Ensuring the principles of good design for health and wellbeing are embedded and are reflected at the Village Masterplan and Reserved Matters stages.*
- d. Delivering a new primary care centre in Village 1 (with the potential for another centre in Village 4) in an accessible village centre location. Delivery of healthcare facilities on-site will be considered from the very first homes being occupied - temporary provision may help to deliver GP access before the new health centre(s) is built.*
- e. Providing a wide range of tenure options, specialist housing and dementia friendly neighbourhoods, supporting older and vulnerable people to live as independently, safely and happily as possible.*
- f. Providing independent living and step-down care which will reduce pressure on hospital beds, supporting people come home from hospital and improving their long-term prognosis.*
- g. Deliver homes built to high standards of fabric energy efficiency, to ensure they are dry, warm and affordable to heat, and explore innovation and best practice on design for health and wellbeing (e.g., Happy by Design)*
- h. Residents of the Gilston Park Estate will have access to affordable opportunities for sport and leisure close to their homes.*
- i. Delivery of spaces and facilities that provide for the needs of children and young people, by implementing the principles for design and delivery of children and young people's services, play and recreation.*
- j. Working with the local authorities and the Garden Town Steering Group to instigate a process of knowledge and data sharing over time and a partnership approach to service design, delivery, and feedback.*

13.10.3 These considerations contribute to a sense of belonging and encourage retention creating strong and resilient communities. The future stages require collaborative engagement with existing communities and those who may become part of future communities. The Stewardship Strategy supports the process of community engagement embedding the principles of community ownership and social value into the design the village and the Gilston.

13.10.4 The ES considers this application and the cumulative effects of this application together with Villages 1-6 and other cumulative schemes. The ES considers the effects of the development related to community facilities in the context of the Socio-Economic and Community Effects chapter as well as within the Health chapter. The ES also considers that as the development will be designed to promote physical activity and active lifestyles through the built and natural environment, this is linked to improved physical and mental health, reducing risk of cardiovascular disease and other chronic conditions. Therefore, the ES considers residual effects to be negligible or beneficial.

13.10.5 The application commits to a wide range of community floorspace, through physical delivery, safeguarding land and financial contributions. This will ensure development needs are met. This is given positive weight. The proximity of new services and facilities to existing residents is also beneficial. Local services, on-site, within walking distance of new and existing homes combined with the commitments in the Development Specification to the creation of walkable and cycle-friendly neighbourhoods, will reduce the need to travel, contributing to wider objectives around modal shift to active and sustainable travel

13.11 The Natural Environment

13.11.1 Policy GA1 (The Gilston Area) of the East Herts District Plan 2018 support developments that enhance the natural environment, provide a comprehensive green infrastructure network and net biodiversity gains. Policy DES2 (Landscape Character) requires proposals to demonstrate how they conserve, enhance or strengthen the landscape character and be supported by a Landscape and Visual Impact Appraisal. Policy DES3 (Landscaping) requires proposals retain, protect and enhance existing landscape features, ensuring no net loss, and where losses are unavoidable and justified should be compensated for appropriately.

13.11.2 EHDP Policy NE1 (International, National and Locally Designated Nature Conservation Sites) states that development that adversely affects the integrity of a designated site will not be permitted unless it can be demonstrated that there are material considerations that outweigh the harm. Policy NE2 (Sites or Features of Nature Conservation Interest (Non-Designated)) recognises the importance of all non-designated assets and states that proposals should achieve a net gain to biodiversity. Policy NE3 (Species and Habitats) requires development to enhance biodiversity and to create opportunities for wildlife, protecting and enhancing habitats and avoiding impacts on species and habitats of principal importance for the purpose of conserving biodiversity as defined under Section 41 of the Natural Environment and Rural Communities Act 2006 (or as amended). Policy NE4 (Green Infrastructure) states that proposals should avoid the loss, fragmentation, or functionality of the green infrastructure network and to maximise opportunities for its enhancement and should demonstrate how lighting will not adversely impact on green infrastructure that functions as nocturnal wildlife movement and foraging corridors. Policy CFLR1 (Open Space, Sport and Recreation) requires the loss of open spaces to be replaced with a suitable alternative.

13.11.3 EHDP Policy EQ2 (Noise Pollution) and EQ3 (Light Pollution) seek to avoid and minimise impacts on the environment from noise generating activities and from glare and light spillage. Policy EQ4 (Air Quality) states that all developments are to include measures to minimise then mitigate impacts on air quality during construction and operation.

- 13.11.4 Gilston Area Neighbourhood Plan Policies AG1 (Promoting Sustainable Development in the Gilston Area) and AG2 (Creating a Connected Green Infrastructure Network) state that development should protect and enhance areas of ecological importance, minimising direct and indirect effects on natural landscape assets, to ensure suitable connections are created for wildlife, walking and cycling and to create new green spaces and habitats to achieve a net gain in biodiversity. Policy AG3 requires development in the Stort Valley to protect the rural setting and wetland environment and open views of the valley. Policy AG5 (Respecting Areas of Local Significance) acknowledges and permits in exceptional circumstances development needed for strategic infrastructure required for the Gilston Area. Policy AG8 (Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities) specifically seeks that new transport infrastructure proposals must minimise impacts on the character and environment of the River Stort, including potential noise, visual and pollution impacts. Policy TRA2 (Access to the Countryside) requires that connections to strategic green infrastructure such as the River Stort should minimise environmental impacts such as noise and light pollution.
- 13.11.5 Paragraphs 174 to 182 of the NPPF 2021 relate to the consideration of development proposals in the context of conserving and enhancing the natural environment. Key principles include protecting and enhancing sites of nature conservation importance in a manner commensurate to its designation, avoiding harm, mitigating impacts and as a last resort, compensating for harmful impacts.
- 13.11.6 A Habitats Regulations Assessment is set out (at Appendix A to this Report) pursuant to the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended by Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (together “the Habitats Regulations”). As competent body under the terms of the Habitats Regulations the Local Planning Authority has undertaken a Habitats Regulations Assessment of the outline application together with other relevant plans or projects. The HRA comprises a screening assessment and appropriate assessment, as necessary, of the potential impacts, i.e. likely significant effects, of application, upon the National Network Sites of the Lee Valley SPA/Ramsar, Wormley-Hoddesdon Park Woods SAC and Epping Forest SAC. The screening considered whether the application comprising the Development alone, when considered as a whole and when considered in combination with other relevant plans and programmes, were likely to have a significant effect on the National Network Sites.
- 13.11.7 Appendix A to this report contains the HRA in full. The appropriate assessment concludes that having taken account of the information received (including consulting Natural England) and considering that mitigation measures will be adequately secured as part of any planning permissions, and are expected to be

effective beyond reasonable scientific doubt, the Council is satisfied that the applications comprising the Development (as defined in the HRA), either alone, as a whole Development or in combination with other plans and projects, would not lead to any adverse effects on the integrity of any National Network Site, nor conflict with relevant Conservation Objectives for the National Network sites.

- 13.11.8 The Council has a duty under section 40 of the Natural Environment and Rural Communities Act 2006 ("the NERC Act") to consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective, which is the conservation and enhancement of biodiversity. It also has a duty to consider the impact of development on habitats and species of principal importance as recorded pursuant to Section 41 of the NERC Act. This is a list of living organisms and types of habitat which are of principal importance for the purpose of conserving biodiversity in England, maintained by Natural England but published by the Secretary of State.
- 13.11.9 The Wildlife and Countryside Act 1981 (as amended) provides protection for certain plant species from intentional picking, uprooting or destruction under Schedule 8, and prevents the spread of invasive non-native species listed under Schedule 9. The Conservation of Habitats and Species Regulations 2017, the Water Environment (Water Framework Directive (England and Wales) Regulations 2017, The Countryside and Rights of Way Act 2000 and the Protection of Badgers Act 1992 are all relevant to biodiversity considerations.
- 13.11.10 Given the proximity to the Stort Valley there will likely be an increased demand for use of the valley for commuting or recreation. To preserve the sensitive environment, increased pressure from recreational use of the valley is directed to less sensitive parts of the valley and routes and existing habitats enhanced to ensure resilience to increased pressure. The application provides funding by way of S106 to support measures, such as providing new dedicated footpaths of improving existing routes like the towpath to direct users to defined routes away from ecologically sensitive areas; and through the creation of new wetland and enhancement of under-performing habitats to provide new habitats for more sensitive species away from routes used for recreation. The Council will receive the fund and will work with statutory bodies with an interest in the valley, to ensure the delivery of projects that mitigate the potential harm arising from increased recreational demand. The Council will liaise with the Herts and Middlesex Wildlife Trust who co-ordinate activities of the Stort Valley Partnership (SVP). The SVP is a grouping of landowners, statutory bodies including Natural England and the Canal and River Trust as well as formal and volunteer organisations with interests in the ecology of the valley and its waterways.
- 13.11.11 An Outline Ecological Management Plan accompanies the Environmental Statement providing an overarching framework for the creation and retention of

habitats and how these will be enhanced and managed sensitively in the long-term. Detailed ecological management plans are secured by way of condition and will address matters of design such as lighting and drainage to ensure that there are no significant impacts on designated sites and important habitats within or immediately adjacent to the Site.

- 13.11.12 During construction appropriate measures will be implemented to protect retained habitats and ensure protected species are not killed or injured, as well as to avoid impacts on designated sites such as the Hunsdon Mead SSSI and Lord's Wood LWS. These measures will be secured through the detailed Construction Traffic Environmental Management Plan (CTEMP) and the village Ecological Strategy. The CTEMP is required by way of condition, which will seek to protect the natural environment during Site clearance and construction activities, which many include enforcing pollution prevention methods and ways for avoiding or reducing damage and/or disturbance.
- 13.11.13 The only identified cumulative impact is on farmland birds through loss of arable habitat for wintering birds and predation. The measures outlined above ensure negative ecological effects are minimised, protects designated sites and provides enhancements for biodiversity such that there will be a biodiversity net gain. It is identified that the overall biodiversity net gain will be in the region of 30% for habitats and 19.52% for hedgerows, significantly higher than nationally set standards.
- 13.11.14 There are no statutory designated sites within the Site. To the south-west and west of the Site are two sites that make up part of the Lee Valley SPA and Ramsar site, that is of International conservation importance. The two sites are Rye Meads SSSI that lies approximately 2.5km south-west, where 39.95% of the SSSI units are in favourable condition, and Amwell Quarry SSSI that lies approximately 3.1km west, where 100% of the SSSI units are in favourable condition. Further south in the Lee Valley is Turnford and Chestnut Pits SSSI and Walthamstow Reservoirs SSSI, which are also components of the Lee Valley SPA and Ramsar site. All of the units for Turnford and Chestnut Pits SSSI are in favourable condition. For Walthamstow Reservoirs SSSI 100% of the SSSI units are in unfavourable, recovering condition.
- 13.11.15 Wormley-Hoddesdonpark Woods SAC and Epping Forest SAC are within approximately 6.4km and 10.8km respectively of the Project. The closest SSSI unit within the SACs are Wormley-Hoddesdonpark Woods North SSSI to the south-west, where 88.58% of the SSSI units are in favourable condition and Epping Forest SSSI (only component SSSI for Epping Forest SAC) to the south, where 35.48% of the SSSI units are in favourable condition. Wormley-Hoddesdonpark Wood South SSSI is the other component SSSI of Wormley-Hoddesdonpark Woods SAC that lies further to the south-west of the Project,

where all SSSI units are in favourable condition. The SACs are of International conservation importance.

- 13.11.16 Hunsdon Mead SSSI is approximately 210m from the southern boundary of the Site and is an area of unimproved grassland, which supports a wide range of grassland species. The SSSI is traditionally managed as a hay meadow with winter flooding. The SSSI is in unfavourable condition. There is another SSSI within 5km of the Site: Harlow Woods SSSI, where 46.05% of the SSSI units are in favourable condition. The SSSI sites are of National conservation importance.
- 13.11.17 There are three Local Nature Reserves (LNR) within 5km of the Site: Harlow Marsh LNR which is the closest at approximately 1.5km to the south-east, Hawkenbury Meadow LNR and Nazeing Triangle LNR. The LNR sites are of County conservation importance.
- 13.11.18 Lee Valley SPA (and its component Amwell Quarry SSSI and Rye Meads SSSI) and Ramsar site, Wormley-Hoddesdonpark Woods SAC (and its component Wormley-Hoddesdonpark Woods North SSSI), Epping Forest SAC (and its component Epping Forest SSSI) and Hunsdon Mead SSSI are the statutory designated sites within the Zone of Influence for the ES. Hatfield Forest SSSI is susceptible to visitor pressure from within a Zone of Influence of 14.6km. Hatfield Forest SSSI, which is approximately 10.7km north-east of the Site, is the last small medieval Royal Forest to remain virtually intact in character and composition. The SSSI is owned and managed by the National Trust. While Hatfield Forest can be accessed by foot, due to its location most visitors are expected to travel by car. Visitor access numbers is limited by the amount of car parking space available (a grass parking area is open to visitor vehicles only when weather conditions are suitable). In the winter, to reduce damage to Hatfield Forest, car parking is limited to the hard standing area only.
- 13.11.19 A range of supporting information is submitted as part of the application. The most recent submission includes updated ecological surveys. These have been updated to ensure they are still accurate given the time passed. The amended surveys do not result in any material changes to the application. The revised surveys also respond to the updated DEFRA Biodiversity Impact Calculator (DEFRA 3).
- 13.11.20 The predominant use of the site is arable agricultural use and offers limited opportunities for wildlife. There are some grassland and woodland habitats within the site which offer limited conservation status, due to current management. There are scattered trees and some hedgerows within the site. The hedgerows are in decline as a result of their current management. There is limited scrub land at the boundaries of the site and some wet areas in the form

of ditches and ponds. There is a hardstanding and barn associated with Brick House Farm which falls within the site.

- 13.11.21 The habitats provide suitability for bats. Most of the bats identified are common or frequently found. Barbastelle Bats are considered rare and of district importance. The site is suitable for Hazel Dormouse, however Nest Tube surveys revealed no dormice. Badgers have been identified within the vicinity of the site, but no setts have been found within the site itself. There are records of otters and water voles to the south of the site, but not within the site itself. The onsite pond was surveyed for Great Crested Newts. None were found and there are no records within 5km. A reptile survey identified Slow Worms and Grass Snakes within the site. A total of 25 bird species were identified during surveys including species of conservation importance, including breeding and wintering birds.
- 13.11.22 Woodland and hedgerows are proposed to be retained and protected through the creation of buffers as shown on Parameter Plan 2. Proposals have been designed to keep any loss to a minimum. Parameter Plan 2 demonstrates that retained and adjacent habitats would be protected through the creation of buffer zones (20m to Existing Ancient Woodland, 10m to Existing Woodlands, 5m to Existing Hedgerow/Tree Line/Bramble). Existing habitats would be integrated within the green infrastructure of the Project as shown in the Parameter Plan 2 and Parameter Plan 3: Green Infrastructure and Open Space. These will include landscape areas which are not built development and the creation of new open space areas for biodiversity and recreation. The open space areas will ensure the maintenance of connectivity across the Site which is beneficial to species such as bat and reptiles which rely on the connectivity of habitat to move from one area of habitat to another.
- 13.11.23 The development would result in a loss of potential habitat for fauna species; however, the developable area is confined to the central part of the site which is primarily within arable use and of low value to most of the species found. Ensuring appropriate mitigation in the form of biodiversity net gain and ensuring connectivity, particularly through existing woodlands and hedgerows will mitigate potential loss.
- 13.11.24 The existing tree species are generally located within existing hedgerows, woodlands, and a few scattered trees. There are veteran and notable trees on site. The tree survey identifies 82 groups of or individual trees and assesses their species, size, characteristics, and condition. The survey identifies a range of broadleaved, native trees, hedgerows, and mixed woodland. Two individual veteran trees are noted, located north of Brick House Farm and on Church Lane. Veteran trees are afforded buffers by way of Natural England guidance which will need to be respected in future stages. There is a block of ancient woodland beyond the western boundary of the site. Ancient Woodland is similarly required

to be buffered from new development, which is reflected in the parameters plans.

- 13.11.25 Several notable trees are identified, including within the hedgerow to the north of the site, along Church Lane and in existing hedgerow boundaries across the rest of the site. Most hedgerows and notable trees are to be retained.
- 13.11.26 There will be some hedgerow loss required to achieve suitable visibility splays for the A414 access proposals. These sections will be replaced with new planting in an appropriate location to achieve suitable and safe access.
- 13.11.27 Short sections of hedgerows H38, H58 and H59 are of low intrinsic biodiversity value by virtue of being in poor quality, sparse and poorly composed. Replacement hedgerow planting will be provided to enhance the value to biodiversity of these areas.
- 13.11.28 Retaining existing tree stock will support the biodiversity gains proposed and provide value in respect of visual amenity and landscape character, as well as providing value in respect of climatic regulation, minimising solar gain.
- 13.11.29 New trees will be provided as part of the development proposals and this will be secured in future stages, not least through the preparation of the Strategic Landscape masterplan, which is required by way of condition.
- 13.11.30 Significant net gain is proposed. The proposals have the potential to deliver in the region of a 30% biodiversity net gain for habitats and a 21.52% net gain for hedgerows. This is significantly more than the Government's target of 10%. The loss of farmland habitats that supports ground nesting and wintering birds and provides foraging land for mammals, birds and bats is a significant adverse harm that cannot be fully mitigated. The proposal does however provide some mitigation through the improvement of remaining habitats including through managing woodland and farmland using conservation-led practices, providing additional woodland and hedgerow planting to provide resilience to these habitats, and through the creation of species-rich buffers and borders to new and existing green infrastructure assets.
- 13.11.31 The loss of habitats must be weighed against the public benefit arising from the development, and Officers consider that the identified harms will be outweighed by the benefits arising from the proposed village development. The HRA concludes that there will be no adverse effects on the integrity of any National Network Sites or conflict with the Conservation Objectives of these sites.

13.12 Historic Environment

- 13.12.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets duties for decision makers in relation to assessing the impacts of proposals on listed buildings and conservation areas. Section 66(1) states that in considering whether to grant planning permission which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The effect of this duty is that any harm to a listed building or its setting through a development proposal should be given substantial weight and importance in the planning balance.
- 13.12.2 Section 72(1) states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. However, Section 72(1) does not apply to setting. Similarly, to the statutory requirements as they apply to listed buildings, harm to the character and appearance of a conservation area should be given substantial weight and importance on the planning balance.
- 13.12.3 The Ancient Monuments and Archaeological Areas Act 1977 gives statutory protection to any structure, building or area of archaeological remains that is of particular historic and/or archaeological interest. The Act covers scheduled monuments which are located within the development.
- 13.12.4 Policy HA1 (Designated Heritage Assets) of the EHDP states that development proposals should preserve and where appropriate enhance the historic environment of East Herts. Proposals that would lead to substantial harm to the significance of a designated heritage asset will not be permitted unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Less than substantial harm should be weighed against the public benefit of the proposal. Part IV of the policy states that the Council will pursue opportunities for the conservation and enjoyment of the historic environment, recognising its role and contribution in achieving sustainable development.
- 13.12.5 Policy HA2 (Non-Designated Heritage Assets) states that where a proposal would adversely affect a non-designated heritage asset, regard will be had to the scale of any harm and the significance of the heritage asset. Policy HA3 (Archaeology) requires the evaluation of archaeological interest through appropriate forms of assessment. Policy HA4 (Conservation Areas) requires proposals to preserve or enhance the special interest, character and appearance of conservation areas. Policy HA7 (Listed Buildings) (I) encourages proposals to actively seek opportunities to sustain and enhance the significance of listed buildings to ensure they are in viable use consistent with their conservation. Policy HA7 (III) requires that proposals that affect the setting of a listed building will only be

permitted where the setting is preserved. Policy HA8 (Historic Parks and Gardens) states that proposals should protect the special historic character, appearance or setting of registered historic parks and gardens, applying the same level of protection to locally important sites.

- 13.12.6 Policy AG1 (Promoting Sustainable Development in the Gilston Area) of the GANP states that development will be supported where proposals have positively considered the existing settlements of Gilston, Eastwick and Hunsdon with respect to their character, heritage, environment and landscape setting, adopting an integrated approach which considers the protection and where possible, enhancement of heritage assets. Policy H1 (Celebrating Existing Heritage Assets) requires proposals to undertake an assessment of historic assets and set out a clear approach to their protection, and where possible their enhancement. The assessment should consider the significance and historic role of heritage assets to avoid or minimise any conflict between their conservation and the proposal. The policy sets out a list of design and layout criteria that a proposal must meet to be supported, including measures to celebrate and give prominence to heritage assets. Long term heritage, conservation and management plans should be developed in consultation with the community.
- 13.12.7 It is noted that the preamble to Policy AG5 (Respecting Areas of Local Significance) of the GANP states that the purpose of the policy seeks to protect the integrity of the setting of existing settlements, heritage assets and landscape features, and is therefore considered in this heritage section in this spirit. While Policy AG5 itself does not specifically refer to heritage, it designates several sites that are within the setting and curtilage of heritage assets as Local Green Space, within which development is subject to strict criteria. The policy defines community boundary designations around existing settlements and requires the preparation of masterplans to involve community consultation on locally cherished views.
- 13.12.8 Paragraphs 194 to 208 of the NPPF 2021 relate to the consideration of development proposals in the context of conserving and enhancing the historic environment. LPAs are required to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset¹³) taking account of available evidence and any necessary expertise (paragraph 195 NPPF). They should take this into account when considering the impact of a proposal on a heritage asset, in order to avoid or minimise any conflict between the heritage asset's conservation¹⁴ and any aspect of the proposal. Thus, the NPPF requires that *"when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)"* (paragraph 199, NPPF). This requirement to give great weight to the asset's conservation

applies irrespective of the degree of harm whether it is substantial, total or less than substantial harm.

- 13.12.9 Significance is defined in Annex 2 of the NPPF as “The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.” Setting of a heritage asset is defined in Annex 2 of the NPPF as “The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.” Conservation is defined in Annex 2 of the NPPF as “The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.”
- 13.12.10 Key principles of the NPPF relevant to the outline application include the requirement to assess the significance of any heritage assets affected (including through development in their setting), any harm to the significance of those assets, and whether those harms are substantial or less than substantial. Any harm to the significance of heritage assets from alteration or destruction or development within its setting requires clear and convincing justification (paragraph 200). Where development leads to harm to the significance of a heritage asset that is less than substantial, this harm should be weighed against the public benefits of the proposals (paragraph 202, NPPF). Harm that is substantial or leads to total loss must be outweighed by public benefits and the harm must be necessary to achieve the public benefits in order to justify the grant of planning permission (paragraph 201, NPPF).
- 13.12.11 Given the scale of the development there will be a range of impacts on heritage assets, both within the site boundary and nearby. It should be noted however that the site allocation, through Policies GA1 and GA2 of the East Herts District Plan, has accepted the principle that there will be a change to the setting of heritage assets by virtue of the allocation. As such, the allocation anticipates and deems acceptable in principle of some level of impact, including adverse impact. Indeed, such impact was recognised at the time the site was allocated and was addressed in the Heritage Impact Assessment and the proposed mitigation contained in that assessment which was considered during the Examination in Public and which has now been included as mitigation in this application. Policy GA1(o) sets out the criteria for considering heritage aspects and that the development will be expected to address the following, having regard to the Heritage Impact Assessment:
- i. *“the protection and enhancement of heritage assets and their settings, both on-site and in the wider area through appropriate mitigation measures, having*

regard to the Heritage Impact Assessment. Gilston Church and the Johnston Monument (both grade I listed), the moated site Scheduled Monuments at Eastwick, the Mount Scheduled Monument, and Gilston Park house (grade II) are of particular significance and sensitivity and any planning application should seek to ensure that these assets and their settings are conserved and, where appropriate, enhanced, through careful design; landscaping; open space; buffer zones; protection of key views; and, better management and interpretation of assets, where appropriate,"*

- 13.12.12 The applicant has consulted with Historic England and the Council's Conservation and Urban Design Team through each stage of the application process including in the preparation of the Heritage Impact Assessment carried out at Plan-making stage which has underpinned the heritage principles set out in the Development Specification. As a result of this engagement several amendments were made to the proposal. The Parameter Plans include Sensitive Development Areas which have the result of restricting the height and form of development within the vicinity of certain heritage assets. Through consultation the Sensitive Development Areas around heritage assets were significantly enlarged, and updated heritage design principles are set out in the Development Specification.
- 13.12.13 This report describes the heritage assets and considers the potential impact of the development as described by the ES and as referred to by the Council's Conservation and Urban Design Officer. Potential heritage impacts can include direct effects on assets such as through physical changes to listed buildings or below ground archaeology. Indirect impacts may result from changes to an asset's setting and significance.
- 13.12.14 The Hunsdon Brook Fishponds and moated sites are a scheduled monument which are located adjacent to the Site boundary. Scheduled monuments are nationally important heritage sites (both above and below-ground remains) that are protected under the 'Ancient Monuments and Archaeological Areas Act 1979'. An application to the Secretary of State is required for any works affecting a scheduled monument. Prior written permission, known as Scheduled Monument Consent (SMC) is required from the Secretary of State for works physically affecting a scheduled monument. SMC is separate from the statutory planning process. Development affecting the setting of a scheduled monument is dealt with wholly under the planning system and does not require SMC, as is the case with the Hunsdon Brook Fishponds and the moated sites. The proposals include for a landscaped buffer between the scheduled monument and residential development.
- 13.12.15 There are nine listed buildings within 1km of the Site whose settings and therefore significance could potentially be impacted by the Project, as well as one listed building within the Site (Stable and Cattleshed at Brickhouse Farm).

Consequently, future development of the Site has the potential to impact upon the setting and significance of these designated heritage assets.

- 13.12.16 The ES describes how the significance of effect is determined. It considers the magnitude of change based on the sensitivity of the affected asset, followed by an assessment according to the heritage value of the asset in terms of its significance. Where a proposal may affect the surroundings or setting within which an asset is experienced, an assessment is also made of whether, how and to what degree the setting contributes to the overall significance and value of a heritage asset. Heritage receptor values range from 'Exceptional' to 'Very Low'. Magnitudes of impact/ change range from Large to no change. The significance of the effect is then assessed rating from Major to Negligible. Major and Moderate effects are considered significant and to warrant mitigation. Effects are assessed within 1km of the site. Given the topography this is considered an appropriate geographical scope for assessment. The effects are assessed for construction and operational phases.
- 13.12.17 The ES was independently assessed on behalf of the council by Barton Willmore, including the heritage chapters. The following built heritage is located within 1km of the site:
- 13.12.18 Hunsdon House (Grade I) and the adjacent Parish Church of St Dunstan (Grade I). Within the churchyard are four listed monuments (each Grade II). At the western edge of the Site are the Hunsdon Brook Fishponds, which are a Scheduled Monument (ref: 1457907). Located c. 250m east of the Site boundary are the well-preserved remains of two medieval moated enclosures which have also been designated as Scheduled Monuments (ref: 1012184 and 1013025).
- 13.12.19 To the west of the Site, beyond Lords Wood and the Hunsdon Brook Fishponds lies Olives Farm House (Grade II*), and associated listed buildings, including the stables, attached granary, barn, and the Old Bungalow (all Grade II). Historically these buildings are linked to Waltham Abbey and Bonningtons Hall, Stanstead Abbots. This group of assets, and therefore were scoped out of this assessment due to topography and lack of intervisibility which is accepted by officers.
- 13.12.20 South of the Site, beyond the A414 dual carriageway, lies a group of buildings located within Briggens Park, a Registered Park and Garden including the Briggens House Hotel (Grade II), and ancillary Grade II listed buildings. There are wider views from the park itself towards the Site, albeit the dual carriageway and tree coverage obscures most of the views.
- 13.12.21 South of the Site, beyond the A414 dual carriageway, are Hunsdon Mill House, Pound House (Grade II), bridge and abutments and base of the former watermill (Grade II), which form a picturesque group along the River Stort. Opposite are Mead

Lodge (Grade II) and coach house block at Mead Lodge (Grade II). While the Mill and Pound House have an historical association with Hunsdon Village and House, this has been significantly degraded over time through development, such as the dual carriageway.

13.12.22 There are several heritage assets to the east of the Site at Eastwick comprising St Boltoph's Church (Grade II*), six Grade II listed assets within Eastwick, as well as Eastwick Manor (Grade II), with separately listed stables and coach house (Grade II) to the immediate east of the village. There are two scheduled monuments at Eastwick: the moated site south of Eastwick Hall Farm, and the moated site and associated earthworks south-west of Home Wood. These heritage assets they were not included within the assessment due to the topography and lack of visual connection with the site such that these would not be affected by the proposals.

13.12.23 The following assets were considered of significance:

Table 7: Heritage Asset Significance

Significance	Asset	Designation
Very High	Hunsdon Brook Fishponds	Scheduled Monument
	Moated Site south of Eastwick Farm	Scheduled Monument
	Hunsdon House	Grade I Listed
	St. Dunstans Church	Grade I Listed
High	Brickhouse Farmhouse	Grade II Listed
	Brickhouse Farm Barns	Grade II Listed
	Briggens Park	Registered Park and Garden
	Hunsdon Mill House	Grade II Listed

13.12.24 Hunsdon Brook Fishponds - The heritage significance and sensitivity to change of the receptor is 'very high' and, given the above proposed mitigation measures, the magnitude of change (impact) would be 'negligible'. There will be change to the rural setting and therefore the character of the asset with the introduction of residential built form into the wider environs (southeast of the asset). Therefore, there is likely to be a permanent, long-term effect on the Hunsdon Brook Fishponds of minor significance.

13.12.25 The potential for future improved management, access, and interpretation to the fishponds in relation to the Project is an additional potential substantial benefit. The Sensitive Development Area ensures the details of development are assessed against set considerations to ensure these are appropriately considered with regard to the setting of the fishponds. Hydrological impacts

upon the Scheduled Monument were also considered and addressed with Historic England in agreeing that no material impacts will arise.

- 13.12.26 Moated site south of Eastwick Farm - The heritage significance and sensitivity to change of the receptor is 'very high' and, given the above proposed mitigation measures, the magnitude of change (impact) would be 'negligible'. There will be change to the rural setting and therefore the character of the asset with the introduction of residential built form into the wider environs (southwest of the asset). Therefore, there is likely to be a permanent minor long-term effect on the Moated site south of Eastwick Farm. As the effect is minor the nature of the effect is considered to be neutral and there is not considered to be any material harm to the significance as a result.
- 13.12.27 Hunsdon House - The heritage significance of Hunsdon House, and its sensitivity, is 'very high' and the magnitude of change (impact) would be 'negligible'. There will be change to the rural setting and therefore the character of the asset with the introduction of residential built form into the wider environs (south of the asset). Therefore, there is likely to be a permanent, long-term effect on Hunsdon House that is of minor significance and adverse nature following inherent design mitigation (at the moderate to high end of the spectrum of 'less than substantial harm' to the heritage significance of the asset in NPPF terms), owing to changes to its setting. The design mitigation includes restrictions to building locations and heights and controlling the form and quantity of floodlighting in the Football Hub at the detailed design stages.
- 13.12.28 Parish Church of St Dunstan - The heritage significance of Parish Church of St Dunstan, and its sensitivity to change, is 'very high' and the magnitude of change (impact) would be 'negligible'. There will be change to the rural setting and therefore the character of the asset with the introduction of residential built form into the wider environs (south of the asset). Therefore, there is likely to be a permanent, long-term effect on Parish Church of St Dunstan of minor significance and adverse nature following mitigation in the form of sensitive development areas, landscape buffers, additional planting and controls to building location, densities and heights (equivalent to a low degree of 'less than substantial harm' to the heritage significance of the asset in NPPF terms), owing to changes to its setting.
- 13.12.29 Brickhouse Farm House - Brickhouse Farm (Grade II) is located, outside the Site boundary but at the southern end of the proposed new village centre. The adjacent trees and historic farm buildings would be retained, as well as the southern walled garden, all of which would seek to maintain its group value and historic character. Furthermore, this area has been identified as a SDA and therefore requires a high degree of consideration at the detailed design stages.

- 13.12.30 The heritage significance and sensitivity to change of Brickhouse Farm is 'high' and the magnitude of change (impact) would be 'small' to 'medium', as it has been possible to minimise the impact on the listed farmhouse through careful design and planning. There will be change to the surrounding agricultural land and therefore the character and setting of the asset with the introduction of built form and residential nature of the Project. As such there is likely to be a permanent, long-term effect on the receptor that is of moderate significance and adverse nature (equivalent to 'less than substantial harm' to the heritage significance of the asset in NPPF terms), owing to changes to its setting from rural to a village centre.
- 13.12.31 Brickhouse Farm barn and attached stable and cattleshed - Brickhouse Farm barn and cattleshed are located within the Site and derive their significance from the architectural and historical associations with the immediate setting including the surrounding agricultural land and the farmhouse itself. The Project would result in a change in character to the buildings' setting and would have an adverse impact on their significance. However, the design of the Project would take account of the most significant attributes, providing the building an appropriate space and high quality immediate setting. The historic barn and cattleshed would be retained and sensitively restored at the heart of the village where they would form valuable place-making landmarks (based on an already granted Listed Building Consent, see para 11.6.4). New development in the vicinity of the farm would be appropriately sited, scaled and detailed to ensure a positive relationship with the historic building. The SDA for the farmhouse also relates to the barns.
- 13.12.32 Two concrete-framed agricultural buildings are sited immediately to the south of the main Grade II Listed Brickhouse Farm Barn and directly between the cattle shed and stable ranges. These buildings have no inherent special architectural or historic interest or contribute to the special interest of the listed buildings and it is considered these do not form part of the curtilage listing of the Brickhouse Farm barn and attached stable and cattleshed. It is proposed that these two buildings along with later adjoining canopies attached to the cattle shed are demolished. The demolition of these buildings (along with the subsequent re-use and conversion of the Brickhouse Farm Barn) would better reveal the significance of the asset by returning it to a more intended form and removing the dominating features of the modern agricultural buildings which restrict visual connection and undermine setting of the listed assets (and also the Brickhouse Farm House by way of historic group value).
- 13.12.33 The heritage significance and sensitivity to change of the listed buildings is 'high' (and has been identified as a SDA) and the magnitude of change (impact) owing to changes to the receptor's setting would be 'small' to 'medium', as it has been possible to minimise the impact on the listed barn and cattleshed through

careful design and planning, including preserving its group value alongside the farmhouse. Therefore, there is likely to be a permanent, long-term effect on the receptor of moderate significance and adverse nature (equivalent to 'less than substantial harm' to the heritage significance of the asset in NPPF terms), owing to changes to its setting.

- 13.12.34 The sensitive re-use and conversion of the barn and cattleshed, as already consented in 2017 through a separate planning and Listed Building Consent application, is a heritage benefit which has the potential to be weighed against any adverse effects arising from the Project. A further heritage benefit would be the demolition of the concrete-framed agricultural buildings which currently obstruct the view towards the Brickhouse Farm Barn from the south. The demolition of these non-curtilage buildings would better reveal the significance of the designated asset and therefore would constitute a heritage benefit.
- 13.12.35 Briggens Park and associated buildings - Briggens Park, the northern tip of which is located to the south of the Site on the other side of the A414 dual carriageway, derives an element of its significance from its aesthetic value. The Park's primary relationship is with its immediate setting and the group of Grade II listed buildings within it. While the Park has historic associations with the Site, there are limited clear sightlines due to the sloping topography between the high point within the Park and the high point within the Site. There will be a change to the rural setting north of the A414 which may change longer distance views looking north and north east from within the Park.
- 13.12.36 The sensitivity to change of the receptor is 'high' and the magnitude of change (impact) would be 'negligible', as the Project will feature extensive landscaping and a sympathetic built form to minimise any potential visibility from Briggens Park. For this reason, the permanent, long-term effect of the Project would be of negligible significance and neutral in nature, with no harm being caused to the receptor's heritage significance in NPPF terms.
- 13.12.37 Hunsdon Mill House and associated buildings - Hunsdon Mill House and the associated buildings and structures have a historical relationship with the Site through their shared historical links with the Manor of Hunsdon. There will be change to the rural setting north of the A414 which may change longer distance views. However, this connection has been diminished over time, particularly due to the creation of the A414 dual carriageway, which largely severs the present-day relationship between the Site and these heritage assets. Furthermore, due to the topography and dense tree cover, there is reduced inter-visibility between these assets and the Site. The Project has, however, the potential to impact upon the significance of the three Grade II Listed Buildings (Brook Farmhouse, Barn Farmhouse and Barn Cottage) via a change in their setting. To mitigate this

impact, a landscape buffer will be incorporated around the perimeter of the Site, which will filter views to and from the receptors.

- 13.12.38 The receptor's sensitivity to change is 'high' and the magnitude of change (impact) would be 'small' to 'negligible', considering the above-mentioned mitigation measures. The expected permanent, long-term effect would therefore be of negligible significance and neutral in nature, causing no harm to the asset's heritage significance in NPPF terms.
- 13.12.39 Cumulative impacts may occur to the setting of built heritage assets. In respect of cumulative impacts in relation to villages 1-6. It is identified that the landscape character will change. Careful mitigation includes the Sensitive Development Areas and location of buffer zones, landscaping, and the highway network.
- 13.12.40 It is identified that there will be a minor effect on the Hunsdon Brook Fishponds and Hunsdon Mill House group of buildings. The benefits of the scheme are considered to outweigh the minor impacts for these assets. Briggens Park and associated buildings are separated from the site by the A414. Cumulative impacts on these assets are assessed as small.
- 13.12.41 Moderate significant effects are identified for Brickhouse Farm, the moated site at Eastwick Farm and Hunsdon House and St. Dunstan Parish Church. Although the development boundary abuts the edge of Hunsdon House's boundary to the north and northwest of the house, the built development as set out in the Parameter Plans is much further away approximately 1km to the south east of the House beyond the buffer around the power lines. This open space will provide good buffers between the development and the group of assets around the House. Furthermore, the Development Specification contains inherent mitigation measures to help reduce the impacts on Hunsdon House, such as restricting building height and consideration of visibility from any status rooms within Hunsdon House.
- 13.12.42 Archaeology - 3 areas of significance are identified in the north west area of the site. A geophysical survey and archaeological trenching have been undertaken. The existing use of the site is likely to have undermined upper-level archaeological deposits. The construction of modern farm buildings and utilities apparatus, as well as roads through the site will have had impacts on the archaeology. There is moderate to high potential for Neolithic to Roman and Post medieval to modern deposits. The application proposes a condition requiring a written scheme of investigation, further trenching, and reporting ahead of development. Further conditions will control any future finds.
- 13.12.43 Conclusion - The proposal will not lead to substantial harm to (or total loss of significance of) a designated heritage asset, therefore Paragraph 201 is not

invoked. Paragraph 202 of the NPPF requires that *“where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use.”* Paragraph 203 states that *“the effect of a development on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated assets a balanced judgement will be required having regard to the scale of any harm or loss.”*

- 13.12.44 The Heritage Impact assessment considered through the Plan-making process, which informed the GA1 site allocation assessed the likely effects of the allocation on the historic landscape, on designated and undesignated historic assets. The Plan acknowledges that there will be some harm to the wider landscape character and to the setting of heritage assets because of the development leading to a less than substantial harm to the significance of heritage assets. The assessment in this report confirms that less than substantial harm will occur to heritage assets. This harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Special regard should be given to the desirability of preserving buildings or settings or features of special architectural or historic interest which an asset possesses¹.
- 13.12.45 Officers consider that the less than substantial harm to individual assets and overall is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.
- 13.12.46 The application proposes the delivery of 1,500 homes including affordable homes and other forms of accommodation including Gypsies and Travellers and Travelling Showpeople, it proposes a primary school, provides a range of community facilities, including community building, playing field and sports hub and supporting physical infrastructure through the creation of new roads, and utilities, and will enable the ability to make off-site transport improvements for the benefit of the wider community. It is therefore considered that the wider public benefits proposed by the application outweigh the less than substantial harm to the setting and significance of designated and non-designated heritage assets.

¹ S.66 of The Planning (Listed Buildings and Conservation Areas) Act 1990

- 13.12.47 Officers consider that suitable safeguards are in place at this outline stage for the protection and enhancement of these assets at the Strategic Landscaping Masterplan, Village Masterplan and Reserved Matter stages, to ensure that the proposal is in accordance with Policy GA1 (The Gilston area), HA1 (Designated Heritage Assets), HA2 (Non-Designated Heritage Assets), HA3 (Archaeology), HA4 (Conservation Areas), HA7 (Listed Buildings) and HA8 (Historic Parks and Gardens) of the EHDP.
- 13.12.48 Officers also consider that the proposal has positively considered the protection and enhancement where necessary and appropriate of heritage assets in existing settlements of Gilston, Eastwick and Hunsdon, has carried out a comprehensive assessment of the significance and role of historic assets and through the Development Specification and measures proposed in the Heritage Statement sets a clear approach to the protection and enhancement where possible of heritage assets using measures that reflect and go beyond the criteria of considerations set out in the GANP. The masterplanning process is a collaborative endeavour involving the community enabling the consideration of management plans where necessary.
- 13.12.49 The Parameter Plans and Development Specification contain measures to prevent development on the Local Green Spaces set out in Policy AG5 of the GANP and to protect the integrity of existing communities through locating the Village Developable Areas outside the Community Boundaries identified in Figure 12 of the GANP, containing these areas within the strategic green corridors and buffers between villages. While the Development Specification and heritage assessments, including this report have considered the cherished views within the GANP, it will be impossible to deliver the allocation if one takes cherished views to mean that these views must remain free of development. This would contradict the District Plan, and as the GANP is prepared in accordance with the District Plan, this cannot be a correct interpretation of this policy.
- 13.12.50 The ES considered key views in the context of the setting and significance of heritage assets and the Development Specification prescribes a number of measures to protect and where possible enhance those key views through the masterplanning process. As above, the masterplanning process is a collaborative exercise and therefore the community will be engaged thus discharging the requirement to consult with the community on locally cherished views. The application is therefore considered to be in accordance with the provisions of Policies AG1 (Promoting Sustainable Development in the Gilston Area) and H1 (Celebrating Existing Heritage Assets) of the GANP.

13.13 Ground and Contamination

- 13.13.1 Policies WAT2 (Source Protection Zones), EQ1 (Contaminated Land and Land Instability), EQ2 (Noise Pollution), EQ3 (Light Pollution) and EQ4 (Air Quality) of the East Herts District Plan 2018 require developments to prevent and where necessary to mitigate impacts arising from development from contaminated land and land stability issues, noise and light pollution and air quality related impacts.
- 13.13.2 Policies AG3 (Protecting and Enhancing the Countryside Setting of New and Existing Villages) and AG8 (Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities) of the Gilston Area Neighbourhood Plan require effects on existing communities to be minimised, including impacts of development proposals on the Stort Valley, particularly noise and light pollution, particularly arising from traffic and transport infrastructure. Policy AG8 refers to management of construction traffic and monitoring to deal issues which could arise during construction.
- 13.13.3 The National Planning Policy for Waste 2014, to be read alongside the NPPF, states that when determining non-waste applications consideration should be given to the likely impact on existing waste management facilities and the waste hierarchy, ensuring that the handling of waste arising from the construction and operation of development maximises re-use and recovery operations and minimises off-site disposal.
- 13.13.4 Paragraphs 183 to 188 (section 15) of the NPPF 2021 relate to the consideration of development proposals in the context of ground conditions and pollution. Key principles include ensuring adequate assessments inform proposals to ensure land is suitable for the development and that development minimises potential adverse impacts arising from noise and light pollution, and that proposals contribute towards compliance with relevant air quality limits and objectives. Paragraph 174 of the NPPF relates to consideration conserving and enhancing the natural environment in new development. including recognising the benefits of the best and most versatile agricultural land.
- 13.13.5 An assessment of the effects of the development in respect of land, agricultural land quality, soil resources and agricultural holding is included in the ES. National planning policy requires decisions to recognise the economic and other benefits of the best and most versatile agricultural land (BMV). This is defined as land in excellent agricultural quality (Grade 1), very good quality (Grade 2) and good quality (Subgrade 3a) of the Agricultural Land Classification (ALC). Moderate, poor and very poor-quality land comprise ALC subgrade 3b, grade 4 and 5 respectively.

- 13.13.6 The ES assessment indicates that the application site comprises of Grades 2, 3a and 3b agricultural land. The development would therefore have an impact on BMV agricultural land. There is no direct mitigation for the permanent loss of BMV agricultural land as there would be a permanent land use change. The design of the development means that a large proportion of the site lies outside the developable areas. The considerable benefits of the scheme in respect of the delivery of homes, infrastructure, economic gain and biodiversity net gain as a result of the loss of BMV agricultural land outweigh the loss. East Hertfordshire is a largely rural district and proportionately has a greater proportion of BMV agricultural land than other areas. Cumulatively, the ES assessment considers the effect of the adjacent proposed villages and concludes that the loss of BMV agricultural land in villages 1-6 would have a significant effect, albeit that some BMV agricultural land will be retained within that site.
- 13.13.7 The application proposes the retention of the soils from the development area, storing and repurposing for use across the site e.g., for the noise bund, residential gardens and parklands. The embodied carbon and the enrichments that have developed over many years captured within the soil is not lost. In line with industry good practice and to accord with the County Council's minerals and waste development plans a Soil Resource Plan will be submitted, which will be secured by condition. Where soil resources are safeguarded and reused on site, the significance of the residual effects on soil (topsoil and subsoil) is assessed in the ES as being not significant.
- 13.13.8 The loss of BMV agricultural land was considered as part of the site allocation process, where it was considered that the benefits arising from the planned development would outweigh the loss of BMV agricultural land in the context of recognising the economic and other benefits of the development against the economic and other benefits of retaining the land for agricultural purposes. The application is therefore in general accordance with the NPPF when read as a whole and is in accordance with Policy GA1 of the EHDP.
- 13.13.9 Ground conditions and potential contamination risks have been assessed. The site does not include or lie within the immediate vicinity of any sites of geology or geomorphology interest. It is likely most of the site comprises Lowestoft Formation, with Glaciofluvial Deposits in the South Eastern area. There is a wetland area in the south eastern part of the site which has some potential for ground gas. The existing agricultural uses on site are identified as potentially giving rise to isolated areas of contamination e.g., agricultural storage and historic quarry pit. A condition will be imposed to secure further detail in respect of potential effects and to cover unexpected contamination. No obvious sources of significant contamination have been identified as likely to arise from the proposed range of land uses on the village development site.

- 13.13.10 The Hertfordshire Minerals Local Plan encourages the opportunistic extraction of minerals for use on site to reduce the need to transport sand and gravel to the site and to make sustainable use of these resources (Policy 5: Mineral Sterilisation and Policy 8: Mineral Safeguarding). The development therefore needs to demonstrate how a sustainable approach has been taken to mineral sourcing, construction techniques and waste minimisation, and how impacts on proximal authorities are minimised.
- 13.13.11 The application material indicates that the potential for opportunistic extraction is limited and as such there is no requirement for extraction proposed. This will make sustainable use of these valuable resources, reducing the need to export or import materials.
- 13.13.12 The BGS hazard ratings for ground stability have been defined as high to moderate for shrinking/swelling clays, compressible grounds, with very low ratings for landslides and potential for running sands. Due to the Site's naturally gentle-sloping nature, the Proposed Development is not anticipated to cause slope instability. The assessment provides recommendations for the design of foundations considering the identified ground conditions and will inform details post-planning.
- 13.13.13 The site is within the Source protection Zone associated with Roydon Pump Station. To protect drinking water resources, it is important to ensure no contamination pathways are created, either through construction or operation. Informatives and conditions are proposed to ensure appropriate construction methods and approvals are sought. The proposed preliminary drainage strategy makes provision for this in the assessments of surface water flow and attenuation volumes necessary to account for the parts of the site where infiltration is not a suitable means of managing surface water.
- 13.13.14 The site is covered by a Nitrate Vulnerable Zone designation due to the risks associated with agricultural nitrate pollution in proximity of the sites of ecological interest in the Stort Valley downstream of the site. The change from agricultural practices will significantly reduce such risks. Where land uses such as orchards and allotments come forward through the reserved matters stages, it is anticipated that the relative scale of these land uses will result in minimal risk as agricultural grade fertilisers would not be used.
- 13.13.15 Construction operations will be undertaken following all relevant codes of practice, which require frequent monitoring of ground stability, contaminant exposure and groundwater monitoring where necessary. This monitoring enables rapid detection, mitigation, and remediation to occur, which is vital given that the village development will ultimately drain to the Stort Valley upstream of SSSIs and the Lee Valley SPA/Ramsar National Network Site. A comprehensive

Construction Traffic and Environment Management Plan and Code of Construction Practice will provide control, and as such no adverse effects are considered likely during construction because of the proposal. This is in line with the provisions of Policy EQ1 (Contaminated Land and Land Instability) of the EHDP, Policy PL10 (Pollution and Contamination) of the HLDP and Policy AG8 (Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities) of the GANP.

13.14 Noise, Air Quality, Lighting, Waste and Utilities

13.14.1 The ES includes chapters relating to Air Quality, and Noise and Vibration. These set out details on the effects of the development and how any adverse impacts will be mitigated in accordance with national and local planning policy.

Air Quality

13.14.2 The Air Quality Chapter and supporting assessment demonstrates that the impacts of the both the construction and operation of the development will not be significant. The assessment identifies mitigation measures required to be incorporated during the construction phase. A condition will be imposed to require a CTEMP, including a dust management plan.

13.14.3 No mitigation is identified for the operational phase of development. The future stages will assess the detailed design impacts of the proposal and ensure the proposals minimise air quality impacts through the lifetime of the scheme. These will come forward as part of future reserved matters applications in accordance with Policy EQ4 and the Council's Validation requirements.

13.14.4 Air quality impacts on the Lee Valley SPA and the Wormley- Hoddenspark Woods SAC and Epping Forest SAC are considered in response to the potential for increased recreational pressure. Traffic flow modelling identifies predicted usage. Nitrogen deposition and ammonia emission modelling is calculated.

13.14.5 For the Lee Valley Spa and Ramsar Neither the non-specific critical level for NO_x nor the critical level for ammonia are exceeded. The 'fen, marsh and swamp' lower critical load for nitrogen deposition is exceeded - albeit marginally - at all points. For Epping Forest SAC The non-specific NO_x critical level is marginally exceeded up to 111m from the road or 70m into the SAC. The 10 kg/ha/year lower critical load for nitrogen deposition is exceeded at all distances. Although APIS posits no specific critical level for ammonia for 'Atlantic acidophilous Beech forests', baseline deposition exceeds the generic critical level of 1 µg/m³ for lichens and bryophytes, but falls short of the generic critical load of 3 µg/m³ for higher plants.

- 13.14.6 In respect of nitrogen deposition, no exceedance is predicted in air quality thresholds in the immediate or post development scenario. It is unlikely the project alone – or in combination will have significant air quality effects on the Lee Valley RAMSAR.
- 13.14.7 In respect of Epping SAC, given that traffic emissions only have the potential to affect a miniscule area of the SAC - much of which comprises an access track - and that, within this area, such effects will be virtually indistinguishable from background levels, no viable pathway to a significant effect is considered to exist.
- 13.14.8 The area of the Epping Forest SSSI (that is not part of Epping Forest SAC) lies adjacent to the M11 the proposed traffic flows do not meet the threshold. A significant negative effect on air quality is therefore unlikely. There are unlikely to be any in-combination effects. It is not considered that there would be a material impact on Amwell Quarry or Hatfield Forest SSSI's.
- 13.14.9 It is acknowledged that the change in land use and form of development could result in air quality impacts to Brickhouse Farm, particularly during construction. The build out rate of the site will mean that there will be residents living on site for a significant amount of the construction periods who could also be subject to impacts from construction in respect of air quality. A condition is included to require a Construction Environmental Management Plan which is required to consider air quality impacts during construction and set out adequate measures to address potential impacts in line with best practice guidance.

Noise

- 13.14.10 The Noise and Vibration Assessment measures the impact of the scheme and its relationship to existing noise sources. The A414 borders the Site to the south, is identified as the predominant noise source within the area.
- 13.14.11 Most construction activity will result in a negligible to low impact. There will be some construction activities where a moderate or major adverse effect has been predicted. This typically occurs during the groundworks phase, when the distances between construction activity and receptors is at a minimum. Best practice methods of construction and mitigation to control the levels of noise will be secured through a CTEMP.
- 13.14.12 The construction vibration and construction road traffic assessments do not highlight any likely significant effects and, therefore, specific mitigation measures are not necessary.
- 13.14.13 The assessment demonstrates that noise levels from the A414 across the existing topography, exceed the recommended external levels of 55.00dB in a significant area at the south of the site. A landscaped noise barrier/ bund is

proposed along the southern boundary of the Site to mitigate noise related impacts for future residents. This is designed to ensure external noise levels adjacent to the A414 remain at or below 55dB.

- 13.14.14 The noise bund will result in:
- a. Reductions of up to 10dB for certain areas closest to the A414, and reductions of 1 to 5 dB for most of the development area.
 - b. Day-time traffic noise levels to be below a predicted daytime noise level of 56dB Equivalent Continuous Sound Pressure Level (LAeq) for approximately 95% of the area for potential residential development.
 - c. Predicted night-time noise levels to be below a predicted night day-time noise level of 46dB Equivalent Continuous Sound Pressure Level (LAeq) for approximately 75% of the area for potential residential development.
- 13.14.15 The raised landform will reflect noise back towards the A414 and mitigate the impact of the road on the Proposed Development. The bund will also provide enhanced opportunities for greenspace, SUDS infrastructure and pedestrian and cycle routes. The elevated location will provide additional opportunities for views over the Stort Valley from the foot and cycle way.
- 13.14.16 To achieve a successful noise barrier, the existing Site levels are proposed to be raised along the southern boundary by between 7 metres and 12 metres. The bund will have a 1:2 slope facing the A414 with appropriate landscaping and slopes of between 1:3 and 1:7 facing the development to provide an undulating landscape with visual interest and opportunities for a range of landscaping.
- 13.14.17 The extent of the landscaped noise barrier and supplementary functions have been discussed with Environmental Health and HCC Landscape and refined accordingly to ensure the affected areas of the Site as well as existing properties adjoining the A414 to the south of the Site boundary fully benefit from proposed mitigation.
- 13.14.18 Testing of the existing topography has taken place to explore how the bund will relate to surrounding open spaces, cycle, pedestrian and access routes, its presence within natural desire lines which predominantly run horizontally across Village 7, as well as opportunities for incorporating SuDS. This is with the purpose of ensuring that it is both natural and functional. The proposed design and layout are considered to provide an acceptable balance between noise, design and landscape matters.
- 13.14.19 Overall, the assessment demonstrates that most development will meet the required residential noise criteria and where development is more exposed to the identified noise source of the A414 appropriate mitigation has been designed to ensure that acceptable noise levels can be secured. The Proposed

Development is therefore acceptable in accordance with national and local planning policy.

Lighting

13.14.20 A lighting survey was carried out which identified sensitive receptors within and around the site. 21 receptors have been located. Dark Skies have been considered, particularly in relation to any sky glow from the nearby urban area of Harlow. The new development gives rise to the potential for light trespass, particularly in relation to artificial lighting in respect of construction activities and operational activities such as sports pitches and roads.

13.14.21 Design mitigations are proposed to ensure any impact of new lighting is minimised. During the construction phases, the mitigation measures may include:

- Site lighting will primarily be provided to ensure safe working conditions and to maintain security, while having regard to sensitive ecological receptors and occupied residential properties;
- Lighting would be positioned and directed so as avoid unnecessary light spill outside of construction areas and to ensure that the light distribution is toward the task area;
- Illuminance levels will be designed in accordance with BS EN 12464-2: 2014 and CIE 129;
- Lighting would be switched off when not required for safe working conditions and site security;
- Low-level lighting would be used in ecologically sensitive areas, where possible;
- All construction site lighting will, as far as practicable, be designed to ensure that artificial light emitted from works does not prejudice health, create a nuisance or lead to significant ecological disturbance impacts;
- Light shields/baffles will be used to control upward light to within the maximum 2.5% set out in the ILP Guidance Note, where possible;
- Lighting would be kept at 0° tilt to avoid sky glow, where practicable;
- Light dimming and automatic switch off would be used (where appropriate); and
- Warm/neutral white light would be used in proximity to railway corridors to avoid conflict with rail signal lights (being green, yellow, and red).

13.14.22 A condition will be imposed to ensure the future stages, including the assessment of reserved matters will assess lighting design in detail.

Waste

13.14.23 Policy 12 of the Hertfordshire Waste Local Plan requires that a Site Waste Management Plan (SWMP) be submitted and kept up to date as a live document.

The SWMP will record the actual waste to arise from demolition and construction phases, waste management actions for each type of waste including whether it is re-used, recycled, recovered or disposed of, and where disposal will occur and how. It should be noted that Hertfordshire does not accept hazardous waste so alternative provisions must be made for the safe recovery and disposal of hazardous waste. Officers therefore recommend conditions that requires the submission of a Site Waste Management Plan for each phase of the development and a financial contribution towards the provision of waste management infrastructure, which will be secured in the S.106 Agreement.

- 13.14.24 The intention of the proposal is to re-purpose existing buildings where possible. Where existing buildings are to be demolished there is potential to contain asbestos or other hazardous materials. Therefore, this should be investigated, and the necessary steps taken to ensure the safety of workers on site and the proper management of waste material. In line with the County Council's Waste Core Strategy and Development Management Policies Document, waste should be sent to an appropriate waste management facility. Officers recommend conditions requiring the submission of a Site Waste Management Plan in line with the provisions of the Hertfordshire Waste Local Plan.

Utilities

- 13.14.25 Outline permission is sought for utility and energy facilities and infrastructure. These works often do not require planning permission of themselves as they are afforded rights under the General Permitted Development Order when undertaken by statutory undertakers. Where works are not covered by permitted development, they will be proposed through separate planning applications or as part of Reserved Matters Applications.
- 13.14.26 There are existing electricity pylons running along the northern part of the site that will be retained in situ. The parameter plans identify that the overhead lines will remain outside of the developable area and therefore there will be no conflict with future residential or built development. The overhead lines require careful treatment to ensure construction or operational development do not conflict with the supply and/ or create risk to users.
- 13.14.27 There is existing gas infrastructure in the vicinity of the site, however, in accordance with anticipated national regulatory changes it is proposed that no new gas supply will be provided to the site.
- 13.14.28 Fibre to the premises will be provided to every property, providing high-speed broadband connections.

Conclusion

13.14.29 The key technical impacts of the application have been assessed. In respect of noise, suitable mitigation is proposed by way of a landscaped noise bund which in addition will provide opportunities for landscaping and biodiversity, support the SUDS infrastructure for the development and provide opportunities for recreation. The air quality impacts are not considered to be significant and mitigation is controlled through the construction management plans. Lighting is a matter of detail but the parameter plans constrain the developable areas and provide sensitive development areas, as well as areas for enhanced planting to minimise future lighting impacts, which will be assessed in detail at the future stages. Utilities have been considered and appropriate mechanisms are in place to ensure utilities can be delivered to the site including high speed broadband. The application is therefore considered to be in accordance with the provisions of EQ2 (Noise) and EQ3 (Air Quality) of the EHDC Local Plan and policies AG3 and AG8 of the GANP.

13.15 Flooding, Surface Water & climate Change

13.15.1 Policies WAT1 (Flood Risk Management), WAT3 (Water Quality and the Water Environment) and WAT5 (Sustainable Drainage) of the of the East Herts District Plan 2018 require that development proposals should neither increase the likelihood or intensity of any form of flooding, nor the risk to people property, crops or livestock, both on site and to neighbouring land or further downstream. Furthermore, development should account for impacts of climate change and should build in long term resilience against increased water levels. Additionally, development proposals are required to preserve or enhance the water environment by ensuring improvements in surface water quality and the ecological value of watercourses. Opportunities for the removal of culverts, river restoration and naturalisation should be considered as part of any development adjacent to a watercourse.

13.15.2 EHDP Policies CC1 (Climate Change Adaptation) and CC2 (Climate Change Mitigation) require development to make provision for climate change, integrating green infrastructure into the design, demonstrating how carbon dioxide emissions will be minimised through design, and that the energy embodied in construction materials should be reduced through re-use and recycling, where possible of existing materials and the use of sustainable materials and local sourcing. Policy DES4 states that all developments should incorporate high quality innovative design, new technologies and construction techniques, including zero or low carbon energy and water efficient, design and sustainable construction methods.

13.15.3 In addition, the Council's Sustainability SPD suggest carbon reduction benchmarks and encourages development to demonstrate excellence in

sustainable development by taking innovative approaches to net zero carbon design and minimising overheating. The Council has also endorsed the HGGT Sustainability Guidance and Checklist as a material consideration for the determination of applications.

- 13.15.4 Policy AG1 (Promoting Sustainable Development in the Gilston Area) of the GANP states that development should incorporate measures to conserve water resources, protect existing communities from the impacts of flood risk and climate change, maximise energy and water efficiency, and deliver high-quality low carbon homes, utilising wood or recycled material in construction. Policy AG2 (Creating a Connected Green Infrastructure Network) states that land should be provided for an effective drainage system that is designed to take into account historic flooding; to protect the Stort water systems and take inspiration from traditional ditch and pond features.
- 13.15.5 Paragraphs 152 to 158 (section 14) of the NPPF relate to the consideration of development proposals in the context of planning for climate change. Key principles include ensuring that development is designed to be resilient to changes and risks associated with climate change and that the planning system should support the transition to a low carbon future. Paragraphs 159 to 169 relate to planning for flood risk, directing development away from locations that are at highest risk of flooding, ensuring that proposals do not cause risks from flooding.
- 13.15.6 Paragraph 159 of the NPPF 2021 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk and where development is necessary, the development should be made safe for its lifetime without increasing the risk of flooding elsewhere. To determine this, Paragraph 161 states that a sequential test should be applied and then, if necessary, an exception test should be carried out. At the Plan-making stage a Strategic Flood Risk Assessment (SFRA) was undertaken to inform the location of development options. The SFRA determined the location of the allocation outside the flood zones and identified a need for detailed site-specific Flood Risk Assessments to be undertaken in support of development proposals.
- 13.15.7 The proposed village developable area is located within Flood Zone 1, meaning that the site is at low risk of flooding from pluvial, existing drains, sewers and water mains and artificial sources (such as Gilston Park Lake), and is not at risk from tidal or groundwater flooding (Figure 19 below). The site is within the catchment of the River Stort and Stort Navigation, which is designated under the Water Framework Directive as a Main River. Groundwater Source Protection Zones underlie a proportion of the site which are sensitive receptors to any potential land contamination from previous or future land uses.

- 13.15.8 The development will result in a fundamental change to the surface water environment. Currently the land is used for intensive arable agriculture in large open fields with minimal vegetation cover outside of field boundaries and retained woodland/ hedgerows. While approximately half the site will remain undeveloped the proposals introduce built development, which must be designed to prevent flooding as a result of surface water entering the natural water network too quickly during a storm event. An assessment of the potential effects of the development on the surface water environment has been submitted as part of the ES. The assessment considered flood risk and vulnerability, flood zones, sequential and exception test, climate change allowances, sources of potential flooding, flooding from drains and sewers, flooding from water mains and artificial sources.
- 13.15.9 Following extensive engagement with the Lead Local Flood Authorities of Hertfordshire and Essex County Councils, the Environment Agency and Thames Water, a Flood Risk Assessment, a Surface Water Drainage Strategy and a Sewage Treatment and Foul Drainage Strategy have been prepared. These strategies describe how surface water and foul water will be managed to ensure water quality is maintained, that flood risk is managed in accordance with policy, and that sewerage infrastructure can be provided to support the development.
- 13.15.10 To consider the worst-case scenario, drainage attenuation volumes have been calculated using the 1 in 100-year storm event with a 40% uplift to account for climate change. The modelling uses the greenfield run off rate of 6 litres per second per hectare (6l/s/ha) for the worst case 1 in 100-year storm event and the drainage strategy indicates a range of measures to be used to ensure surface water runoff from the development maintains that level of flow. One of the main tools is through the creation of landscape features that intercept surface water flow such as ponds and attenuation basins designed to accommodate water during heavy rainfall events along with planting of trees and other vegetation, not only in open spaces or green corridors, but incorporated into urban landscapes such as street trees, rain gardens and public realms. Water can also become a deliberate design feature within the urban realm, which not only provides attenuation, but has cooling properties as well as providing educational opportunities. The masterplan is required to incorporate water into the village design.
- 13.15.11 The application information sets out a vision for a considerable amount of woodland, natural and semi natural planting and landscaping across the site to improve the functionality of green corridors as well as providing habitats for wildlife. The also has a function as a natural flood management tool. Such planting improves water quality, increases biodiversity, improves amenity and wellbeing, improves carbon sequestration and climate resilience, and improves air quality.

- 13.15.12 Residual surface water still needs to be managed using Sustainable Drainage Systems (SuDS). Measures proposed include the use of swales and attenuation basins, creation of ponds and as a last resort, on-site storage. As all surface water will be designed to flow into the natural watercourse of the River Stort, appropriate levels of treatment will be required on-site prior to discharging into the river. The design of SuDS will be considered as part of the Strategic Landscape Masterplanning and Village Masterplanning stages.
- 13.15.13 As the application is in outline, the development parameters are assessed at this stage. The construction of the development will change the current topography of the land in some locations which may change surface water drainage patterns as will different land uses such as hard standing or open spaces. During the master planning process further drainage modelling will be required to iteratively test the emerging layout and built form. A Drainage Strategy, alongside the Strategic Landscape Masterplan will form part of the Village Masterplan and Design Code which will include measures such as water attenuation at the plot level (grey water recycling) and the integration of SuDS into the built fabric of the village development such as through rain gardens and open water channels within the public realm, not just within green spaces. Not only does open water have cooling properties, reducing urban heat island effects, but it also acts as a carbon sink and fosters an understanding of the use of water and the need for water conservation. Such details will be resolved at the Village Masterplanning stage and as such are included in the required scope of masterplans in the recommended conditions.
- 13.15.14 Changes to land levels and surfaces as a result of the development will influence surface water drainage patterns. These effects will be temporary and transient as construction moves around the site. As part of the management of construction practices a Water Management Plan would be implemented by the contractor on site which would require water quality monitoring and a programme of suitable mitigation measures. No significant adverse effects on the surface water environment are predicted. Officers consider the information provided is sufficient to conclude that the development will have an acceptable impact on surface water drainage and appropriate details can be secured at RM stage.
- 13.15.15 Foul water will be discharged into the proposed foul water system comprising gravity sewers or where not possible, through pumping stations to reconnect to the gravity system. Connections to the existing Thames Water Stort Valley Trunk Sewer will be required. Thames Water have confirmed that there is capacity at the Rye Meads Sewage Treatment Works to take foul drainage and provide treatment up until 2036, after which capacity will need to be increased, which provides a reasonable contingency to serve the development in its entirety.

- 13.15.16 The Environment Agency cite that they have no concerns on the understanding that planned improvements to Rye Meads will occur and that Thames Water can take the increased foul water without deterioration to water courses receiving discharges from the treatment works.
- 13.15.17 Whilst the application is in outline, sustainability, including responses to climate change have been carefully considered. The viability appraisal has been based on all homes responding to the future homes standards and delivering a circa. 75% improvement on Carbon Emissions against current building regulations.
- 13.15.18 Measures such as community heating, solar thermal and photovoltaic panels and wastewater heat recovery have been suggested to meet future standards. The applicants intend to take a fabric first approach which could include increased cavity widths, triple glazing, and thermal lintels. Features such as convenient and integrated recycling storage, rainwater harvesting, energy efficient appliances and opportunities for individual and community food growing, including allotments and orchards would support the sustainable aims of Gilston. The first homes are intended to be delivered during 2025 and therefore would be subject to the future homes standards in respect of building regulations.
- 13.15.19 The developments aspiration mode share targets and significant proportion of services and facilities within walkable neighbourhoods would reduce reliance on the private car and support health and sustainability aims.
- 13.15.20 The application proposes significant steps toward achieving a high level of sustainability for the development and sustainable drainage to minimise flooding and support water quality, as well as to provide opportunities for landscaping, amenity, and biodiversity. The application is therefore considered to comply with policies GA1, WAAT1, WAT 2, WAT 5 and CC1 and CC2 of the Local Plan and policies AG1, 2 and 8 and policy LA1 of the GANP.

13.16 Stewardship

- 13.16.1 A key tenet of the Policy GA1 allocation is the community ownership and long-term stewardship of community assets. Part v.(h) requires the provision of significant managed open space and parklands, and a limited number of buildings associated with that use, within the village centre, the ownership of which will be transferred to a community trust or other mechanism that ensures long term stewardship and governance for the benefit of the community. Part vii. states that the delivery of the Gilston Area is to include a mechanism for securing the long-term stewardship, protection, and maintenance; and encouraging a successful and active community, including an innovative approach to create the

conditions for local resident participation in the design and stewardship of their new communities.

- 13.16.2 Policy D2 of the GANP also requires arrangements for future governance and stewardship of the Gilston Area, further requiring that an agreed governance structure be in place at the outset of development to ensure the delivery and management of community assets is undertaken in a timely manner. Policy C1 states that where appropriate measures should be in place for the transfer of key community facilities into the ownership and stewardship of the local community as part of the above governance arrangement.
- 13.16.3 The applicant has worked with the Council, HGGT partners and community representatives to develop a Gilston Area Governance and Stewardship Strategy (November 2022), which builds upon and replaces the Governance Strategy previously submitted. The strategy supports the Gilston Area Concept framework. The vision of the strategy is *“for high quality stewardship and resident wellbeing covering the community ownership, management and planned use of the public open spaces and community assets will be a key requirement to achieve this goal. This will not just be to benefit the new residents but will also support integration of these seven new neighbourhoods and associated amenities with the surrounding established communities.”* Engagement on the strategy identified six key criteria that the strategy needs to address:
- a. *All community assets will require long term stewardship, including public open space, village greens, allotments and orchards, sports facilities, children’s play areas, community buildings and public art.*
 - b. *The farmland, parks and green infrastructure need to be managed as a coherent whole to ensure consistency of standards throughout, to maximise the ecological enhancement, and to achieve economies of scale for effective hard and soft landscape management.*
 - c. *These open spaces and community assets are for public benefit for all those who live, work or visit the Gilston Area, including existing residents in surrounding parishes.*
 - iv. *A sense of community, both within the Gilston Area and between the surrounding settlements, is to be developed through effective communication and community development from the outset.*
 - d. *The governance structure must enable and actively encourage strong resident participation and facilitate special interest contributions from key stakeholders.*
 - e. *A resident and commercial levy will be required to support the costs of maintaining the open spaces and community assets, but this should be collected locally, spent locally, and not for commercial gain to private companies.*
- 13.16.4 The strategy seeks to address the policy requirements and the objectives above by setting out a framework for the stewardship of the development which will

evolve through the next planning stages, as the development itself progresses and the new community grows. Stewardship seeks to enable community participation in decision making. As such, the strategy proposes that a Gilston Area Community Management Trust ("GACMT") is established with clearly defined core responsibilities related to the management and guardianship of spaces and community and cultural development; and potential community service responsibilities, such as training, education, and providing local services for example.

- 13.16.5 The full detail of the community assets to be endowed to GACMT is still to be determined but is intended to include a range of assets (i.e. more than more than the greenspaces), including some income generating and/ or self-sustaining assets, such as the Football Hub and/ or Community Building. The intention is to offer the more local parks, green spaces, playgrounds, allotments, orchards and productive gardens to the GACMT. Ownership of these assets, which will include elements of the strategic and village drainage network, will require GACMT to procure and carry out certain maintenance and management functions. The S.106 Agreement will define the scope, plans and delivery triggers for each of the assets (including land) that the applicant intends to offer the community/trust.
- 13.16.6 At this outline stage it is not possible to know exactly precise details and timings of the assets to be delivered and offered to the community. Building on from what was agreed as part of the strategy, the next step for the applicant is to establish a Business Plan which will include the framework and milestones for how the community infrastructure will delivered as the development plans evolve over the next twenty years. The requirement for a Business Plan will be enshrined in the S.106 Agreement and will set out the mechanism for transferring or leasing land to the GACMT once assets have been created and certified as being fit for purpose with an agreed management plan. Because there will be a need for different types of management depending upon the role and function of the infrastructure, the GACMT will have to have sufficient experience and expertise, and as such will be underpinned by representation on the Trust by the developers and local authorities alongside the new community until such time that the Trust is fully able to take responsibility.
- 13.16.7 An Outline Business Plan will also be developed, in tandem with the village masterplan and strategic landscape masterplan, to build on the strategy as the designs the community infrastructure develop. This will provide further details on the implementation process; phasing and further details for the community infrastructure coming forward in the first village and landscape areas; a draft financial model for whole scheme; details on establishment of GACMT and associated bodies; and, a clear delivery programme. Prior to delivery of the first community infrastructure a Detailed Business Plan will be produced, and this will evolve and be kept updated as the development plans evolve.

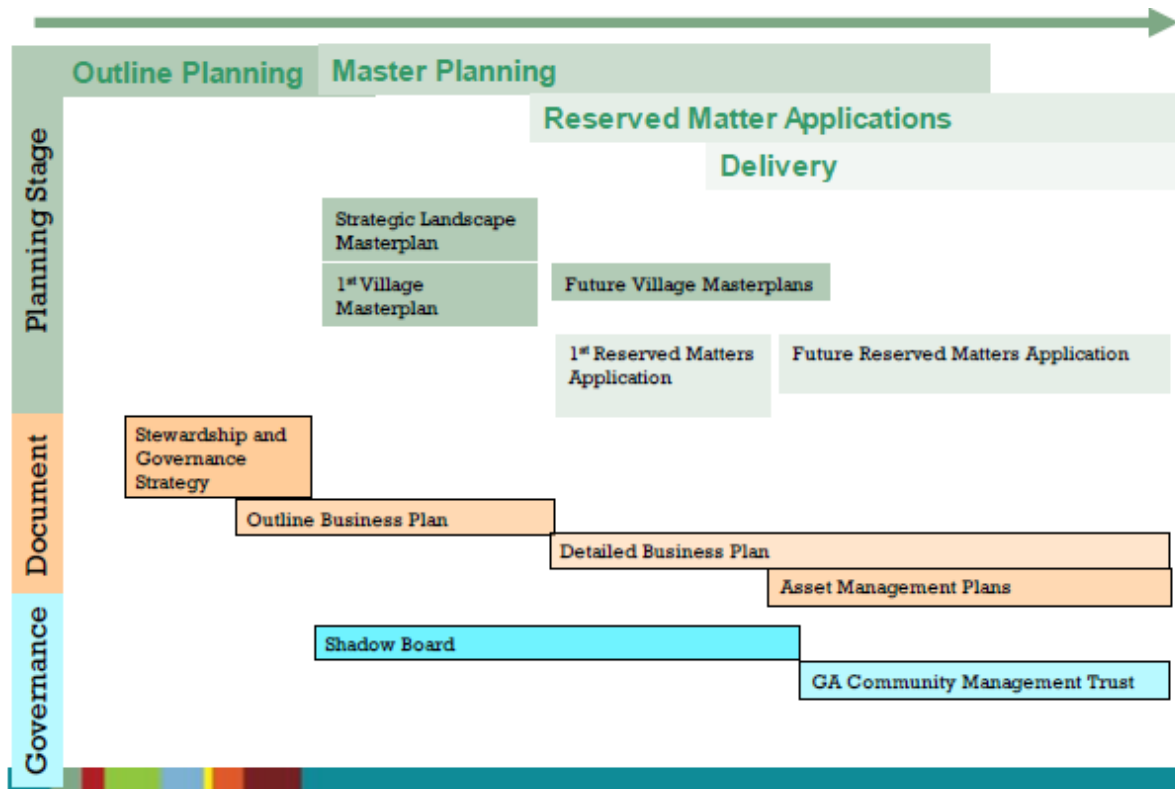
- 13.16.8 Alongside the stewardship and management of physical assets, the GACMT will be responsible for outreach into and engagement with the community to create a sense of ownership, belonging and well-being. This has already started, by way of the applicant's engagement with current community representatives and will continue to evolve so that the new residents of Gilston are informed and engaged as the new community grows. The GAMCT will therefore be required to carry out community development activities that engage residents, empower and include them in decision-making about the place that they live in. At the early stage of the development much of this activity will be carried out by the developers and local authorities (which includes parishes) guided by agreed community engagement plans, the first ones relating to the masterplanning then reserved matters planning processes.
- 13.16.9 Community engagement activities will also evolve over time as the community grows. For example, it could be that the Trust facilitates membership of existing local community groups, which over time expand into new groups or clubs depending upon resident's interests. This will assist in fostering relationships between existing and new residents and in creating a community identity. Such community spirit has been recognised as being a key part to residents' sense of well-being. The GACMT will also be required to maximise opportunities to achieve economic benefit from its expenditure and income where possible (so reduce its dependence on service charges), supporting local empowerment in the procurement of services from the local area where possible.
- 13.16.10 To achieve all these things the GAMCT requires a robust governance structure with the necessary legal framework for the ownership of asset and responsibility for resources. The Strategy describes that the Trust will need to ensure strong management and accountability for service delivery, demonstrable public benefit, and inclusive community participation. There will therefore be:
- *one overarching **Gilston Area Community Management Trust** (a charitable organisation at its core) which will own and have the responsibility for all the endowed community assets and will be the beneficiary of the endowment (from the developers) and service charge income (from new households). The Trust will comprise a board of trustees appointed to manage the work of the charity. The membership structure will enable residents to fill membership roles on the board, evolving over time to have less developer representation and more community members.*
 - *A **Gilston Area Community Interest Company (GACIC)**, which is a commercial trading subsidiary (VAT registered) that will manage income for the benefit of the Trust acting as estate manager for the Trust. The GACIC could have its own board appointed for its commercial and business expertise.*

- A **Gilston Area Community Forum (GACF)** which will be a wide and inclusive consultative group having input into the Trust's strategy, made of village and other representatives, being focussed on strategic, Gilston Area wide matters.
- Seven **Village Advisory Groups** which will be formed after first occupations in each new village. Each group will have formal input into the Trust's strategy including through the GACF, but will be focussed on local, village-specific matters, including the use and application of the service charge income, allowing a localised direction to the Trust's activities.

- 13.16.11 The strategy recommends establishing a Shadow Advisory Board to be formed shortly after the signing of the S.106 Agreement and grant of outline consent to help inform and shape the development of the emerging Trust. The Shadow Advisory Board will comprise representatives from the developers, the HGGT, East Herts Council and Neighbourhood Planning Group, who will approve the creation for the GACMT and form the charity, ensuring that relevant consultation is undertaken as necessary. The shadow board will then transition after the initial development period, with most members of the shadow board expected to become directors of the Trust to provide continuity.
- 13.16.12 While the governance structure is important, there is a lot of reliance upon the ability for the stewardship body to maintain assets in the longer term, so quality provision is retained. As mentioned, above, to run a community centre or manage a green space with a conservation-led maintenance regime, or to maintain a strategic drainage network will require financial investment and stability. The strategy therefore describes that the applicants (and future housebuilders) will retain relevant responsibility for the management and funding of community assets until the asset is transferred under agreed terms to the GAMCT. The applicants have made allowances for endowment and financial support within the viability appraisal and the Outline Business Plan will set the framework and timing for how anticipated costs will be calculated and resources available, which will be refined as assets are developed through the design and planning process. As indicated above, some assets will provide income generating opportunities, such as the charged hiring of facilities for example. However, it is proposed that a stewardship charge will be made on households to ensure there is a steady income that can be applied to maintenance of community assets and community activities. The Outline Business Plan will set out the financial model that will be used to calculate the level of charge.,
- 13.16.13 The proposed approach has been developed through close dialogue with the Council, the HGGT partners and most importantly with the community. It is considered reasonable and sensible that details continue to evolve over the course of the planning of this scheme. The outline application will be followed by masterplans and reserved matters, with each stage building up layers of detail and certainty; likewise, the Stewardship Strategy will go through a series of

iterations and steps to refine the details ready for new residents as illustrated in Figure 5 below.

Figure 5: The Stewardship Planning Approval Process Detail



13.16.14 It is considered that the Stewardship Strategy contains a sound approach to securing the long-term stewardship of the Gilston Area and the inclusion and empowerment of the community in shaping and managing their new community into the future, underpinned by financial endowment and expert resource and as such is considered to positively address the requirements of Policy GA1 (The Gilston Area) parts v.(h) and vii. of the EHDP and Policy D2 (Community Ownership and Stewardship) of the GANP.

13.17 Infrastructure Delivery

13.17.1 As indicated in Figure 5 in section 13.2 above, the delivery of the Gilston allocation - including development outside of the scope of this application - could come forward in the following order: Village 1, Village 7, Village 2, Village 5, Village 3, Village 6 and Village 4. However, as this information is indicative, it is important that there are agreed milestones for the delivery of key pieces of infrastructure required to support the delivery of the homes.

13.17.2 Indicative phasing plans were provided which show the anticipated order in which the crossings and associated works are expected to be carried out. These plans are currently in refinement and at the discharge of planning conditions

stage. The first part of the CSC works will also enable the earlier commencement of the ESC. Detailed Highway approval processes will be undertaken, as will work relating to the compulsory purchase of land required to enable the delivery of the ESC.

- 13.17.3 For items of infrastructure that require long planning time such as schools, it is necessary to ensure there are mechanisms in place for the transfer of land, servicing and delivery of school land. As such, the S.106 Agreement will set out these mechanisms in detail. Likewise, the delivery of on-site infrastructure will be phased to ensure as early a delivery as possible, acknowledging that it is not physically possible to bring all infrastructure forward at once. There will therefore need to be a programme of delivery submitted that will be refined over time. A condition is imposed that requires the submission of a strategic Landscape Infrastructure Delivery Plan and Village Infrastructure delivery Plans to set out the anticipated phasing of key infrastructure within the SLMP area for the village.

13.18 Movement and highway considerations

- 13.18.1 National and local policies and guidance seek a reduction in the growth of car usage and the greater use of more sustainable modes of transport. This is also a key objective of the HGGT which sets out an aspiration that 60% of all journeys within the Gilston Area will be by sustainable modes.
- 13.18.2 Hertfordshire's Local Transport Plan 2018 -2031 (LTP3). The Plan sets out the objectives, policies, and key schemes that will encourage a switch from private car journeys to sustainable transport (e.g. walking, cycling and passenger transport) wherever possible. Local Plan Policy GA1 requires development to provide for integrated and accessible sustainable transport systems, with walking, cycling and public transport designed to be the most attractive forms of local transport for new residents to travel within the Gilston Area and to key destinations. This supports Local Plan policy TAR1 which requires development in the district to achieve accessibility improvements and promote sustainable transport.
- 13.18.3 TRA1 of the GANP states that development should be designed to achieve the sustainable mobility targets set by the Harlow and Gilston Garden Town Transport Strategy, through measures to prioritise and enable active and sustainable modes of travel within the site and connecting beyond the site to existing settlements as well as to key destinations within Harlow.
- 13.18.4 Transport Assessment (TA) has been submitted in support of the application. The TA considers the impact of the proposals on the highway network, having regard to the likely impacts if Village 7 were to come forward on its own as a standalone

development, and also if were to come forward cumulatively alongside the Villages 1 to 6 proposals and other locally committed development. The TA also sets out strategies for sustainable modes of transport and associated approaches to Travel Planning which seek to minimise journeys by private vehicles in favour of sustainable modes of transport.

- 13.18.5 The proposals have been the subject of significant scrutiny by Hertfordshire County Council as Highway Authority (and Essex Highway Authority given the site's proximity to Essex). Since their original submission in 2019, there have been several revisions to the Parameter Plans, Development Specification and the TA which informs their content, in order to address comments raised by the Highway Authorities.
- 13.18.6 The purpose of Parameter Plan 4 (Vehicular Access and Movement) is to show the means of access to the site as well as how all modes movement will be accommodated. The location and network of primary streets and where they can accommodate private vehicles has been carefully considered. A framework travel plan has been submitted.
- 13.18.7 Policy TRA2 of the GANP seeks to ensure that PRoW networks are enhanced where possible and that new pedestrian routes be provided to the Stort towpath. TRA2 also states that 'routes' should consider the tranquillity of the Green Infrastructure Network and other natural greenspaces and the need to minimise environmental impacts such as noise and light pollution.
- 13.18.8 The means of access - in this case includes the Sustainable Transport Corridor (STC), a network of strategic primary foot/cycle paths, the interconnection of these with existing routes through and adjoining the site, a proposed supplemental (indicative) STC bus route and indicative secondary bus route. The key transport items are defined on Parameter Plan 4. Village 7 will comprise an existing means of access to the north, a primary access point connecting to Village 6 and an improved means of access from the A414. The A414 access is considered for detailed approval as part of this Application. Drawing 110042/A/130 rev A details the improved means of access from the A414 and shows the proposed signalisation of the existing junction.
- 13.18.9 Internal movement is proposed as a hierarchy of routes prioritising travel by sustainable modes through the Sustainable Transport Corridor (STC) to include bus, walking and cycling. Parameter Plan 4 identifies the location of the STC, inclusive of an indicate Primary Vehicular Route. To ensure the STC does not prejudice future deign detail and place making quality, the parameter plan identifies a +/- 50 metres horizontal limit of deviation ("LOD") as shown by the Deviation Zone. The STC will link the primary access point into the site from the A414 through to the adjoining development taking place within Village 6 of the

Gilston Area. A realigned Church Lane will provide an existing local vehicular link from the A414, connecting to the existing route of Church Lane within the northern extent of the Site and leading onto Hunsdon.

- 13.18.10 Internal vehicular movements will be served by a network of primary, secondary and tertiary streets which will be defined at the future stages. The Illustrative masterplan identifies Secondary and Tertiary Routes, Pedestrian and Cycle Links Plan showing one way they could be delivered to achieve sufficient connectivity within and beyond the site.
- 13.18.11 It is anticipated that a bus route will extend from the Village Centre along the vehicle through-route which runs north towards Hunsdon as part of the realigned Church Lane. A strategic network of primary off-road foot/cycle paths is proposed to extend across the V7 Developable Area and provide connections to the wider Gilston Area network. Indicative routes are shown on Parameter Plan 4 and informed by the principles set out in the submitted Development Specification Statement.
- 13.18.12 The objective, to encourage the use of sustainable modes of transport, prioritising pedestrian and cycle movements through a network of routes, will ensure Village 7 is highly permeable and accessible from east to west and north to south. As such, the existing public rights of way will be retained and enhanced through improved and new connections as required by Policy CFLR3 and Policy TRA1 (f) and is shown on Parameter Plan 4.
- 13.18.13 The Village Centre will bring together the various movement networks that provide transport and comprise a Sustainable Transport Hub which will act as an interchange, integrating bus facilities, a cycle hire scheme with electric bikes, electric vehicle charging points for vehicles and bicycles and cycle parking. It will provide fast connection to Harlow Train Station and Harlow Town Centre and incorporate high quality facilities in the form of real-time departure boards, the potential for smart ticketing and sheltered seating.
- 13.18.14 The developable area shown on the Parameter Plans has been designed to the proposed homes are within a 400 metres radius (5 minutes' walk) of a bus stop with a frequent bus service and 800 metres radius (10 minutes' walk, 5 minutes cycle) of the Village Centre and Sustainable Transport Hub. In accordance with Policy TRA1 (d) this will ensure that residents have easy and direct access to key services and facilities and support the use of sustainable modes in the interests of delivering a sustainable and healthy community.

Primary Access – Detailed Proposals

- 13.18.15 The existing A414/Church Lane junction will form the western end of the Sustainable Transport Corridor (STC) connecting Village 7 to Village 1 and across

the Central Crossing into Harlow. Plans showing the proposed general arrangement and vehicle tracking are provided. This will form the primary access to and from the development site and is applied for in detail.

- 13.18.16 The junction will be signalised to accommodate new dedicated turning lanes into and out of the Site via Church Lane and to provide formal at-grade pedestrian and cycle crossing facilities over the A414, which will improve pedestrian and cyclist connectivity between the Site and the Stort Valley notably.
- 13.18.17 The junction will allow for all vehicular movements and will also accommodate bus priority measures in the form of bus lanes, and signal controls. The proposed access is envisaged to have a gateway treatment on Church Lane to slow northbound traffic before connecting into the Village 7 street network.
- 13.18.18 The signalisation of this junction will also help manage vehicle speeds on the A414 eastbound direction, in anticipation of the proposed signalised A414/Fifth Avenue/Eastwick Road junction. Church Lane will accommodate footways and cycleways linking this junction with the Site's walking and cycling network.
- 13.18.19 Landscaped areas along the southern edge of the Site will help mitigate the A414's noise and air quality impacts on the proposed residential areas, as well as functioning as an attractive amenity space with dedicated pedestrian and cyclist routes.

Transport Mitigation and Enhancement

- 13.18.20 The transport assessment sets out transport impact and suggested mitigation. The proposed highway mitigation incorporates a range of on and off-Site, new and improved highway and sustainable transport measures.
- 13.18.21 The primary on and off-Site highway improvements include:
 - On-site:
 - a. *Improved vehicular primary means of access from A414.*
 - b. *Access/connection zone from Village 7 to Village 6.*
 - c. *Realignment of Church Lane, leading to Hunsdon.*
 - d. *Sustainable Transport Corridor.*
 - e. *Supplemental Sustainable Transport Corridor (indicative) bus route, inclusive of a bus gate.*
 - f. *Secondary vehicular routes, including bus routes.*
 - g. *A Sustainable Transport Hub within the Village Centre*
 - h. *A network of pedestrian and cycle routes.*

Off-Site

- I. *V7 – V1 The Eastwick Link. A pedestrian and cycle link between Village 7 and Village 1 prior to the completion of the V1-V7 Sustainable Transport Corridor (STC) and Central Crossing, identified indicatively at this stage.*
- II. *A414/Fifth Avenue improvements. Creation of a signalised junction arrangement.*
- III. *Off-road cycle and walking network from Village 7 to Roydon Station – route tbc.*
- IV. *Off-road cycle and walking network from Village 7 to Roydon Station via canal towpath. including upgrading and widening the existing towpath along the Stort Canal between Hunsdon Lock and Roydon Station (in the form of proportional financial contributions).*
- V. *Roydon station improvements. Including improved cycle facilities, improved public realm and a raised carriageway to assist cyclists and pedestrian crossing between the station and the cycle route. This will be provided for via proportional financial contributions.*
- VI. *Off-road cycle and walking network from Village 7 to Harlow Town Station via canal towpath. Including proportional financial contributions towards upgrading and widening the existing towpath along the Stort Canal between Hunsdon Lock and Harlow Town Station.*
- VII. *New access to Harlow Town Station from the north.*

Sustainable Transport Improvements

13.18.22 The following improvements are proposed in order to achieve mode share targets:

- a. *Pump-priming of new bus services to Village 7. This could involve pump-priming of a range of new/improved services to connect Village 7 to Harlow Train Station and Harlow Town Centre as well as other local destinations such as the Pinnacle and Temple Fields employment areas and will be explored in detail with HCC Transport and other relevant stakeholders such as bus operators at the Village Masterplan and reserved matters stage and as part of the Gilston wide bus strategy*
- b. *All homes to be within 800 metres (10-minute walk) of a Sustainable Transport Hub and within 400 metres (or a 5-minute walk) of a bus stop with a frequent bus service.*
- c. *High-quality network of walking and cycling routes across the site, connected to new and improved offsite commuter and leisure routes, including routes to Village 1, Harlow Town Station and Roydon Station.*
- d. *A defined Sustainable Transport Corridor (V1-V7) which will encourage travel by sustainable modes, to include bus prioritisation and dedicated facilities for walking and cycling to provide quick, efficient and direct connections between the Transport Hubs of each Village.*
- e. *Public and active transport support. This includes funding for Travel Plan coordinators and promotion and marketing of sustainable travel among new*

residents and businesses as well as commitment to prepare a Car Parking Strategy at masterplan stage to establish principles that encourage sustainable travel behaviour.

- f. *In supporting the above, the Travel Plan will be used to implement a number of "smarter travel" measures, such as personal travel planning, discounted bus passes, a cycling workshop, car-sharing scheme, car club spaces and electric bicycle charging points. Vehicle charging points will be also provided across the Proposed Development to encourage the uptake of electric vehicles and help offset carbon emissions. These "smarter travel" measures will be made available for external school trips to and from Village 7 to seek to achieve the 60/40 mode split target.*

13.18.23 The funding, timing and delivery of infrastructure will be secured by way of S106 agreement which officers consider is acceptable to manage impacts in isolation and cumulatively.

Vehicle and Cycle Parking

13.18.24 Parking is a matter of detailed design that will come forward in the future stages. The level of car and cycle parking associated with the Proposed Development will be informed by a parking strategy derived from accessibility zones considered in the context of supporting the modal shift towards sustainable travel required across the Garden Town and the creation of walkable neighbourhoods and healthy streets that are safe, vibrant public spaces that connect people to the places where they live, work, and play.

13.18.25 A Car Parking Strategy for Village 7 will be prepared at the masterplan stage which will seek to address the above, establishing principles for how parking will be designed, located and managed to encourage trips that are easier, safer and more convenient by walking, cycling and public transport as opposed to private car journeys. These principles will inform the approach to parking provision within each development plot at the Reserved Matters stage.

13.18.26 The Illustrative Masterplan has accommodated for a total 2,377 residential and 232 non-residential car parking spaces in the form of on-street, on-plot and communal parking squares. In terms of cycle parking, total of 3,319 residential and 325 non-residential cycle parking spaces are proposed in the form of on-plot, secure cycle stores and on-street cycle parking. This is set out in detail within the supporting Transport Assessment. This provision is in accordance with maximum standards set out within EHDC's SPD 'Vehicle Parking Provision at New Development 2008' and the District Plan (2018) and therefore demonstrates that a policy compliant level of parking can be delivered within the developable area.

- 13.18.27 In relation to electric car charging provision, it is proposed to comply with the new emerging London Plan standards (2019 Draft Consolidated Changes version), which are more specific and ambitious than those set out in EHDC's Parking Standards. In broad terms, a minimum of 20% of all residential parking spaces will have active charging points, with passive provision for all remaining residential spaces.
- 13.18.28 All houses on the Site will feature electric active charging points (on-plot), 20% of the total resident parking associated with flats will feature active charging points with passive provision for all remaining residential spaces (excluding visitor parking) and a minimum of 20% of visitor parking provided within the village centre will feature active charging points.

Transport Summary

- 13.18.29 The proposals have been subject to extensive discussions with HCC, EHDC, and the other local planning authorities that form part of the Harlow and Gilston Garden Town in the interest of a comprehensive approach to the delivery of the Gilston Area. The TA demonstrates that the impacts of the Proposed Development with the identified on-Site and off-Site transport improvements are acceptable in highways terms and will not materially impact on the wider highway network with such mitigations and enhancements in place. The information provided within the TA and wider submitted information, together with the assessment of consultees, is considered sufficient to allow an assessment to be made of the acceptability of the development in highways and transport terms. Overall, the Village 7 proposals will positively contribute to achieving the HGGT mode share target as well as wider sustainability objectives for the Area.

14. Planning Balance and Conclusion

- 14.1.1 *Principle of Development* - This proposal is for the delivery of a significant proportion of the GA1 site allocation, including approximately 15% of the homes required by Policy GA1 (The Gilston Area) of the East Herts District Plan 2018 which allocates the Gilston Area for 10,000 new houses. This allocation forms part of the development strategy in the District Plan as detailed in Policies DPS1 (Housing, Employment and Retail Growth), DPS2 (The Development Strategy 2011-2033) and DPS3 (Housing Supply 2011-2033). This application forms 15% of the overall housing allocation but has been planned comprehensively with the adjacent site promoter to ensure that site-wide considerations have been undertaken. The delivery of the strategic site allocation and the provision of the residential and community infrastructure to meet identified needs carries significant positive weight and the development is acceptable in principle.

- 14.1.2 *Design Parameters and Principles* - The outline application is supported by a comprehensive suite of documents that together provide a clear understanding of the parameters of the proposals. The Strategic Design Guide, Parameter Plans and the detailed Development Specification contain principles and commitments to quality place-making principles; identify the constraints to development; and define areas within which particular design and layout measures are required to ensure that future masterplans and detailed Reserved Matters Applications avoid adverse impacts on heritage and ecological features. These measures address the requirements set out in national and local policy and should be given positive weight.
- 14.1.3 Notwithstanding this, the delivery of a development at this scale will result in a fundamental change to the nature of the locality. Rural villages will be surrounded by or will be adjacent to a new urban environment, with its visual impacts and intensity of activity currently not experienced in a landscape that is largely agricultural in nature. These potential harms were acknowledged in the allocation of the site and Officers consider that the benefits of the new development outweigh the visual and landscape harm that will arise from the delivery of the proposals.
- 14.1.4 *Supporting Economic Growth* - The application proposes a village centre designed to provide for day to day commercial, retail and business needs. New commercial uses and education facilities will generate a significant number of on-site jobs and new employment floorspace will provide opportunities for new and existing businesses. In addition, there will be over ten years of construction-related jobs and ancillary jobs created. The application also makes provision for assisting residents to being able to access jobs through a commitment to skills and training activities.
- 14.1.5 Indirectly, the creation of new homes and communities in proximity to Harlow will bring economic benefits to a wider area, supporting the regeneration of Harlow by helping to draw investment into the town. This is in line with national and local policy and HGGT objectives and is given positive weight.
- 14.1.6 *Delivery of Community Infrastructure* - The village development proposal makes provision for considerable quantum of community floorspace, education facilities, parks and open spaces for sport and recreation, a range of built sports facilities, health care, nursery and retail and commercial opportunities designed to be located within walking distance of new homes, accessed by active and sustainable travel routes. The provision of facilities on-site to meet daily needs, will reduce the need to travel and inequalities related to lack of access to services. This is in line with national and local policies and is given positive weight.

- 14.1.7 *Protecting and Enhancing the Natural Environment* - The application Parameters seek to avoid harm to features of nature conservation interest, locating the Village Developable Area away from sensitive natural assets like ancient woodland. The proposed biodiversity strategy and ecological management plan which will be secured via condition provide clear principles and measures to reduce impacts through design and construction activities. There will be no adverse effects on SSSIs or irreplaceable habitats through the development. However, there will be a fundamental change to the environment from the conversion of agricultural habitats to built development. And there will be some residual harm arising from the introduction of artificial lighting into an area otherwise devoid of light, albeit minimised through appropriate siting of development areas.
- 14.1.8 The loss of farmland habitats that supports ground nesting and wintering birds and provides foraging land for mammals, birds and bats is a creates some adverse harm. The proposal does however provide some mitigation through the improvement of remaining habitats including through managing woodland and farmland using conservation-led practices, providing additional woodland and hedgerow planting to provide resilience to these habitats, and through the creation of species-rich buffers and borders to new and existing green infrastructure assets. Through various mitigative measures the scheme will have the potential to deliver a 19.52% net gain to hedgerow units, 30% for habitat units. The loss of habitats must be weighed against the public benefit arising from the development, and Officers consider that the identified harms will be outweighed by the benefits arising from the proposed village development. The HRA concludes that there will be no adverse effects on the integrity of any National Network Sites or conflict with the Conservation Objectives of these sites.
- 14.1.9 *Climate Change, Flood Risk and Sustainable Drainage* - The application has assessed the impacts of the development in terms of flood risk, undertaking appropriate surveys and calculations commensurate to the outline application stage. The LLFA and EA have been engaged throughout the consideration of the application and are satisfied that through a stepped approach to refining the drainage strategy information at master planning and Reserved Matters Application stages, risks associated with flooding will be satisfactorily avoided and mitigated through the implementation of appropriate, agreed attenuation solutions.
- 14.1.10 The water supply and wastewater companies have plans and programmes in place to ensure adequate supply of water and treatment of wastewater demands arising from the development. And the application has considered the carbon impacts of the proposed development parameters and has devised an energy strategy for the creation of renewable sources of energy to serve all

buildings. No gas supply will be provided. Through the implementation of integrated drainage networks, a fabric-first approach to design supplemented by renewable sources of energy the proposal takes account of climate change impacts in line with national and local policy objectives. Furthermore, incorporating renewable energy sources into new homes will provide residents with energy resilience into the future, and the approach to be secured by condition whereby energy statements are to be provided with each Reserved Matters Application will ensure that changing standards and best practice solutions will be captured as the development progresses. This is considered to have positive weight above simply meeting policy requirements.

- 14.1.11 *Transport Considerations* - Extensive transport assessments have been undertaken working collaboratively with the highway authority and with input from neighbouring authority, Essex county Council. Several direct and indirect mitigation measures are proposed, the most significant is the delivery of the two river crossings, providing new active and sustainable routes to serve the village development itself, but also enable the delivery of a wider STC network within Harlow. The benefits of the two crossings were considered in the relevant reports and the applications have already been approved. The Transport Assessment indicates that overall, there will be no significant (severe) residual impacts on the highway network following the implementation of agreed mitigation measures. In addition to the physical delivery of transport infrastructure and junction improvements, the application makes provision for the ongoing monitoring of impacts and a Travel Plan that includes measures to encourage active and sustainable travel by new residents and businesses within the site. The assessments indicate that using conservative assumptions, the proposed development should achieve the 60% mode share target contained in the HGGT Transport Strategy. This is considered to have positive weight.
- 14.1.12 *Protection and Enhancement of the Historic Environment* - The application has been designed to avoid as far as possible adverse effects on heritage assets, both above and under the ground. There will however be a fundamental change to the rural landscape which will have adverse effects on the setting of many of the listed buildings and scheduled monuments located within the site, and those outside but surrounded by the site area. This will result in a less than substantial harm to the significance of the heritage assets.
- 14.1.13 This harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Special regard should be given to the desirability of preserving buildings or settings or features of special architectural or historic interest which an asset possesses. Officers consider that the less than substantial harm is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the

delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

- 14.1.14 *Contamination and Pollution* - Detailed assessments have been undertaken in relation to potential sources of pollution including noise, air and lighting and through ground works and the conversion of agricultural land to built development. The implementation of standard methods of construction will help to minimise the impacts associated with the construction of the development. The Development Specification contains principles relating to noise and light to inform master planning and detailed Reserved Matters stages that will ensure good acoustic conditions are created for the purpose of residential amenity; and to minimise the effects of lighting, particularly for the purpose of preventing ecological impacts. However, notwithstanding the proposed mitigation measures, the introduction of an urban form of development into an area currently devoid of light, noise and general disturbance will result in adverse effects that cannot be fully mitigated. It is however, acknowledged that these impacts were considered at the Plan making stage and therefore the allocation of the GA1 has accepted a degree of harm in this regard.
- 14.1.15 *Long Term Stewardship* - The application includes a Stewardship Strategy that sets out the mechanisms for establishing a governance structure which includes representatives of the community that will be tasked with the long-term stewardship of community assets that are transferred into the ownership of the stewardship body. Given the outline application these arrangements will evolve through each stage of the application process. In addition to the management and maintenance of physical assets, the stewardship body will undertake community development activities including establishing forums whereby new residents can engage with and influence decisions relating to their community. This is considered to have significant positive weight.
- 14.1.16 *Delivery of Infrastructure* - Officers are satisfied that the Heads of Terms for the s.106 obligations and ensure sufficient certainty to ensure the obligation will secure the delivery of all infrastructure and facilities necessary to make the development acceptable and to which regard has been had in the assessment of the proposal in this report. Further, officers are also satisfied that appropriate mechanisms can and will be provided in the S.106 obligation (combined with the proposed planning conditions) to ensure necessary infrastructure is available and delivered at the point in time when it is required.
- 14.1.17 *Delivery of the District Plan Housing Strategy* - This proposal is for the delivery of a substantial scale of development submitted in response to an allocation for the delivery of 10,000 homes in the East Herts District Plan. This scheme will deliver

15% of the total allocation (1,500 homes), which represents a significant proportion of the Council's identified housing need within the Plan period, but also provides for continuity of delivery beyond the current Plan period. This scheme is therefore vital to the Council's five-year supply of housing.

- 14.1.18 A recent appeal decision concluded that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. The consequence of not having a five year supply is that the 'tilted balance' is engaged in the decision-making process. The tilted balance refers to paragraphs 11(c) and 11(d) of the NPPF which states that if the most relevant Local Plan policies for determining a planning application are out of date (such as when a five year supply cannot be demonstrated), the application should be approved unless the application of NPPF policies that protect areas or assets of particular importance (as defined by the NPPF) provide a clear reason for refusing permission or the harms caused by the application significantly and demonstrably outweigh its benefits, when assessed against policies of the NPPF as a whole. In this context, the policies considered to be out of date include those relating to the development strategy and delivery of housing which have been referred to earlier in this report. This gives significant additional weight to the approval of and delivery of housing from this site, to support the continued delivery of homes within East Hertfordshire in a timely manner.
- 14.1.19 'Areas or assets of particular importance' relevant to this application includes designated heritage assets and SSSI and other irreplaceable habitat sites. In this case, the application will result in less than substantial harm to a range of heritage assets; likely significant effects on SSSIs beyond the site have been assessed through an Appropriate Assessment, which concluded that the development on its own and in-combination with other plans and projects, would not lead to any adverse effects on the integrity of any National Network Site; and would not lead to the loss of any irreplaceable habitat. It is considered that the heritage harm and loss of habitats are outweighed by the public benefits associated with the development and as such, no conflict with NPPF heritage or natural environment policies arises.
- 14.1.20 For the purposes of NPPF para.11(d)(ii), officers have identified the benefits of the proposal above, including the delivery of new market and affordable homes and other development for which there is a clear need. Officers consider that there are no adverse impacts arising from the development that would significantly and demonstrably outweigh the benefits. Therefore, in line with the provisions of Paragraph 11(d) ii of the NPPF 2021 and overall Officers recommend that the application should be approved.
- 14.1.21 The starting point for decision-taking is the development plan (see, for example, para 12 of the NPPF). The proposal accords with the development plan when

read as a whole and thus benefits from the statutory presumption set out in section 38(6) it also accords with the NPPF – being an ‘other material consideration’ under section 38(6) – to which significant weight should be attached, which reinforces the policy support for the proposal planning permission should, therefore, be granted even without application of the tilted balance in para 11.

- 14.1.22 In addition, however, and applying para 11d) of the NPPF (because the Council's housing policies could be considered out-of-date), then this also strongly supports the grant of planning permission because: (i) the application of policies in the NPPF of particular importance do not provide a clear reason for refusal (to the contrary, they lend substantial support to the proposal, as set out in the report above): and (ii) any adverse effects of the proposal are significantly and demonstrably outweighed by the benefits arising from the proposal when assessed against the NPPF as a whole, all for the reasons set out in this report.
- 14.1.23 Officers consider that the application accords with the development plan and other material considerations.

15. RECOMMENDATION

- 15.1.1 That planning permission be **GRANTED**, subject to a legal agreement and the draft conditions set out at the end of this report.
- 15.1.2 That delegated authority be granted to the Head of Planning and Building Control to finalise the detail of the Legal Agreement, the contributions to be contained therein and the conditions.

16. Draft Legal Agreement Heads of Terms

- 16.1.1 Note: All figures quoted above are subject to indexation (unless otherwise specifically referenced in the Heads of Terms included at Appendix B and the identification of CIL Regulation-compliant projects. As such, Officers request delegated authority in consultation with the Head of Planning and Building Control, to agree and finalise the precise planning obligation package to ensure that all contributions meet the legal and policy tests.

17. Summary of Reasons for Decision

- 17.1.1 East Herts Council has considered the applicant's proposal in a positive and proactive manner about the policies of the Development Plan and any relevant material considerations. The proposal complies with the development plan and national policy and it is considered that permission should be granted for the reasons given in this report.