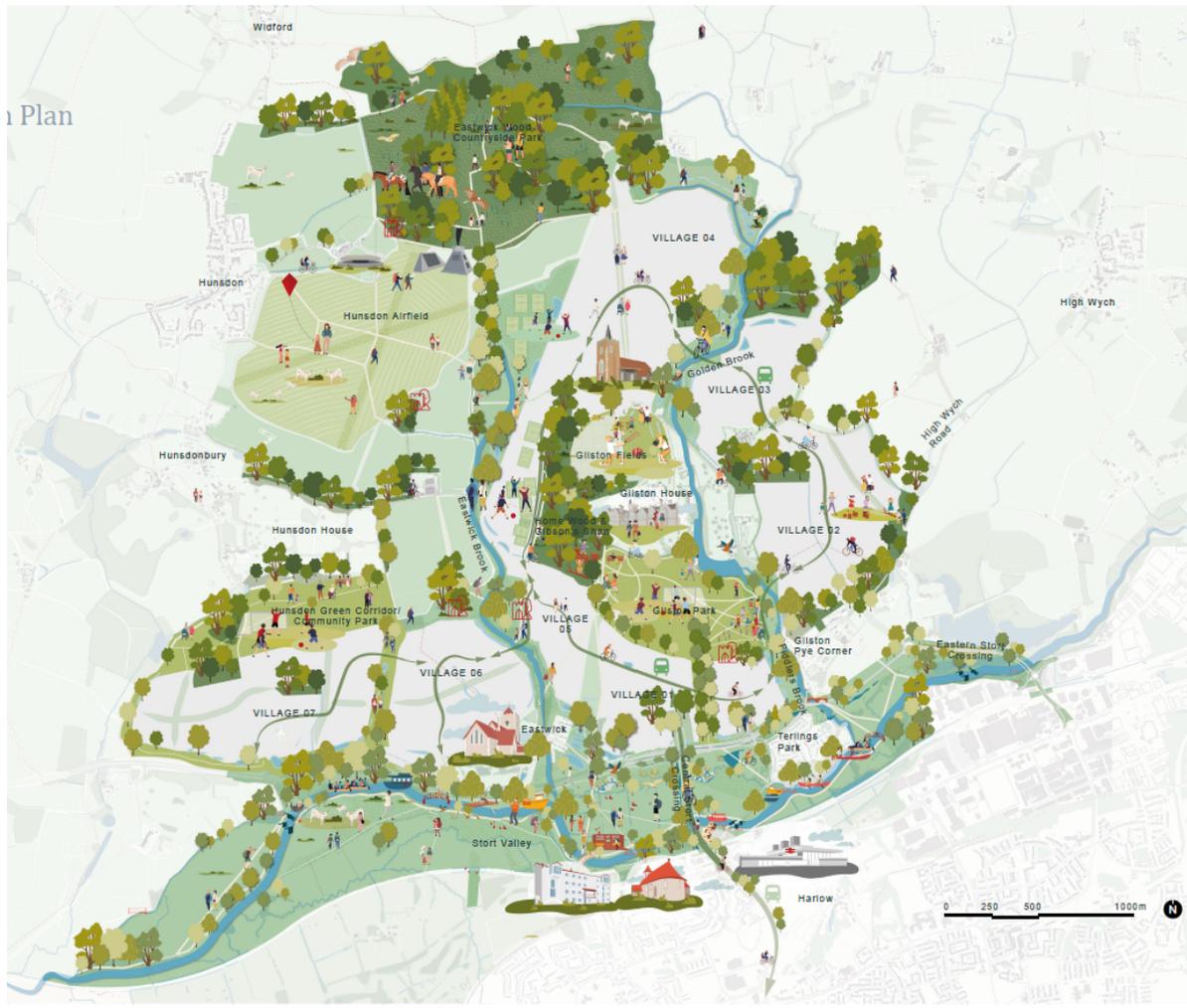


# Gilston Area Annual Monitoring Report

January 2026



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Version	Date	Author	Description of changes
1.0	8 December 2025	Jenny Pierce	First version published
2.0	5 January 2026	Jenny Pierce	Following feedback

## Executive Summary

Since planning permission was granted in January 2025 development activity has focussed on the finalisation of masterplans for the strategic landscape and first two villages (1 and 7). An Implementation Works Phase has been added to the Villages 1-6 permission through a non-material amendment and pre-commencement

conditions have been submitted and discharged relating to this implementation phase. The Implementation Works phase was undertaken in November 2025.

A Judicial Review request was submitted to the High Court challenging the grant of planning permission for both Villages 1-6 and Village 7. Two High Court judgements have been handed down refusing the request, despite this the objecting party applied to the Court of Appeal to overturn these judgements. The Court of Appeal dismissed the case on 20<sup>th</sup> November 2025.

Enabling works have taken place including archaeology investigations in Villages 1, 2, 5, 6 and 7, ecology verification updates, ground investigation verification updates, and tree and scrub clearance for the Central Stort Crossing. Several conditions have been discharged for the Central Stort Crossing and Eastern Stort Crossing.

No amendments to the Monitoring Framework are identified.

## Introduction

The Gilston Area development is of a scale and nature previously unseen in East Herts and the monitoring of this development is therefore important for many reasons. Planning permission was granted for the Gilston Area Outline applications by the Development Management Committee in February and March 2023 subject to the completion of a S106 legal agreement. In resolving to grant planning permission, members expressed a desire for the Council to have a responsibility in overseeing progress of the development and added to the resolutions that “Officers report back to the Committee in 12 months’ time in relation to the subsequent monitoring of the development unless there was a constitutional reason why this was not possible.” In February 2024 officers reported verbally to the committee advising that as preparation of the legal agreement was ongoing there was nothing to update on subsequent monitoring and reiterated the commitment to produce a Monitoring Framework in accordance with Policy DEL4 of the East Herts District Plan 2018, which requires that the Council produces an action plan in relation to the monitoring of the Gilston Area development, and to accord with the Council’s resolution.

Following the completion of a S106 legal agreement covering both planning applications in a single document, the Council granted planning permission on 9 January 2025 for the two planning applications comprising a total of 10,000 homes and supporting community infrastructure, which includes two major new roads and bridges.

Officers subsequently developed a Monitoring Framework to set out what will be monitored and how. The Framework was agreed by the Council in July 2025 and informs the content of this Annual Monitoring Report.

## Key Development Milestones

Outline planning permission was granted in January 2025. Since January one local household has challenged the grant of planning permission. Two High Court judgements have been handed down following a review on papers and an oral hearing in September refusing permission to proceed to judicial review citing the claim was “wholly without merit”. The claimant appealed to the Court of Appeal which dismissed the case on 20<sup>th</sup> November 2025. The outline planning permissions therefore remain extant, and we are moving forward with condition discharges, masterplanning and reserved matters applications, though some of these are not yet determined.

As a result of the legal challenge, there were delays to the commencement of the delivery as a whole and this has a direct impact on the ability to achieve early requirements in the S106 legal agreement, such as the submission of an Outline Business Plan for the stewardship strategy. See updates on S106 Milestones Schedule 7 section below.

### Implementation Works Phase

In October 2025 Places for People applied for a non-material amendment to several conditions to introduce an additional early phase of delivery known as an Implementation Works phase (planning reference 3/25/1615/NMA). This amendment was approved and in November 2025 Places for People carried out the Implementation Works on a section of the STC junction to Village 1, thereby implementing the Outline permission for Villages 1-6. For the avoidance of doubt this phase is not classed as Commencement of development.

A Certificate of Lawful Development application was submitted in mid-December to confirm that the Implementation Works Phase was completed in accordance with the approval granted under planning reference 3/25/1615/NMA.

### Masterplanning

The Village 7 Masterplan (V7MP) was submitted in February 2025 as a discharge of condition application. As village masterplans are required to accord with the Strategic Landscape Masterplan (SLMP) officers have been unable to discharge the V7MP until after the SLMP conditions have been discharged. Technical discussions were undertaken on highways and education related matters, and officers have requested amendments to the masterplan. Amendments to the V7MP were submitted in late December 2025 and are currently being reviewed by officers.

The SLMP was submitted by both developers in March 2025, as discharge of condition applications under both outline permissions. Consultation was undertaken,

along with technical discussions with stakeholders relating to heritage and drainage matters. Amendments were submitted in December 2025 and are currently being reviewed by officers.

A pre-submission draft of the Village 1 Masterplan (V1MP) was provided to the council and Community Working Group in June following several years of preparation and engagement in parallel with other planning workstreams. Detailed comments were provided and following resolution of the SLMP the V1MP will be formally submitted as a discharge of condition in January 2026.

Masterplanning activities have commenced on Villages 5 and 6 with the first Technical Working Group in December. A programme for masterplanning the two villages together has been agreed. The programme is ambitious but is necessary to ensure the internal Sustainable Transport Corridor connecting Villages 1 and 7 can be delivered in accordance with the S106 trigger. Community Working Group and public engagements events are being planned for spring and summer 2026.

### Reserved Matters

Two Reserved Matters applications (RMAs) have been submitted under the Village 7 outline permission. These include the main highway and utility infrastructure and the first residential parcel. Based on the process agreed in the Gilston Area Charter, RMAs are to be prepared in accordance with approved masterplans. As the V7MP has not yet been approved the RMAs have not yet been determined. Consultation has been carried out and officers have provided comments on the details proposed. Once the above masterplanning process is complete for the SLMP and V7MP then officers will consider the RMAs in detail, anticipating that amendments may be required to reflect the VMP. A ward member has requested one RMA to be determined by the Development Management Committee. A decision on whether the application meets the appropriate threshold for determination by the Committee will be undertaken in consultation with the Chair of the Committee when the application is ready to be determined.

### Archaeology Phase

Archaeology trenching has taken place on Villages 5 and 6 to inform the masterplans for these two villages. Previously agreed programmes of archaeological assessment for Villages 1, 7 and part of Village 2 have concluded, and further detailed analysis may be required at later delivery stages of these villages. Archaeology works have been undertaken in accordance with Written Schemes of Investigation approved by Hertfordshire County Council and through discharge of condition applications to the council.

### Central Stort Crossing

A non-material amendment was submitted and approved to introduce an Implementation Phase of works in February 2025, and this implementation phase was completed in early March 2025. The Central Stort Crossing (“CSC”) permission has therefore been implemented and remains extant.

Enabling Works progressed through Winter 2024/2025, with tree and scrub clearance undertaken outside of bird nesting season and with secondary pruning in October 2025. Conditions were discharged relating to investigations on boreholes and piling, drainage and Water Framework Directive obligations, contamination, energy and sustainability, employment and training, and species protection.

Land ownership consolidation is complete on the CSC and technical details are being agreed with Hertfordshire and Essex County Councils under Sections 38 and 278 of the Highways Act 1980 (as amended).

### Eastern Stort Crossing

Enabling Works for the first phase of works (comprising land that overlaps with the CSC permission) progressed through Winter 2024/2025, with tree and scrub clearance undertaken outside of bird nesting season with secondary pruning in October 2025. Conditions were discharged relating to investigations on boreholes and piling, drainage and Water Framework Directive obligations, contamination, and tree protection for this enabling works phase.

Conditions have been submitted for Phase 2 of the scheme (comprising land between the Eastwick junction and Pye Corner/ Terlings Park) and discharged relating to energy and sustainability and site waste management. Conditions relating to boreholes and piling, drainage and Water Framework Directive obligations, contamination, levels and lighting have been submitted but not yet discharged as they are linked to the technical approval from HCC under the Highways Act 1980 (as amended) and the approval of the drainage strategy for the wider development.

### North to Centre Sustainable Transport Corridor

Works have progressed through 2025 on the conversion of existing roads between Burnt Mill Roundabout and Harlow Town Centre to a Sustainable Transport Corridor with walking, cycling and bus priority measures. This scheme is the first piece of infrastructure delivered in the Harlow and Gilston Garden Town (HGGT) area funded through the Housing Investment Grant award (HIG) associated with the Gilston Area development administered by Hertfordshire County Council and Homes England. The scheme is being delivered by Essex County Council and unlocks the delivery of the CSC, the Gilston Area development and wider growth around Harlow. The scheme is due to be completed in early 2026.

## Updates on Conditions

Tables 1 and 2 in Appendix A contains a list of conditions that have been submitted and are awaiting determination, and those which have been discharged.

Conditions have been discharged for technical evaluations pertaining to the Central and Eastern Stort Crossings in preparation for implementing the first part of the infrastructure works in Spring 2026.

## Updates on S106 Milestones

Appendix B provides an overview of the different categories of the development that require monitoring broken down by theme, which body/ organisation is responsible for leading on monitoring, the requirements, triggers and targets and the strategic objectives, principles and policies against which they will be assessed in terms of outcomes. A summary is included below of milestones reached during 2025 relating to each schedule of the S106 agreement as necessary.

### Fees & Monitoring

The first instalment of the V1-6 District Monitoring Fee has been triggered for payment as per the requirements of clause 22.2.1 (i) of the Section 106 Agreement dated 09/01/2025 - £30,892 prior to the Implementation of the Development.

A Demand Notice has been issued for this triggered contribution with added indexation calculated in accordance with the requirements of 'Appendix 2 – Indexation and Repayments Table' of the legal agreement dated 09/01/2025, using the latest index figure available at the triggered payment date.

### Schedule 1 – Education

The first trigger relating to education is the establishment of the Education Review Group (paragraph 6.1) which has met three times as described below. Following the submission of the V7MP, the Village 7 School Site Plan (as required under paragraph 1.3) was submitted to the council and is with Hertfordshire County Council as Local Education Authority for consideration as part of the village masterplanning process.

### Schedule 2 – Affordable Housing

As required by Schedule 2, Part 2, paragraph 2.1, a Village Housing Scheme in respect of Village 7 has been submitted to the Council. This is being considered alongside the Village 7 Masterplan.

The first Residential Reserved Matters Application for Village 7 has been submitted for consideration (3/25/0876/REM) comprising 276 residential units. Of these, 26 homes are Intermediate tenure (40% of the affordable units) and 39 homes are Affordable Rented (60% of the affordable units). The 65 affordable units equate to 23.60% of the Sub-Phase 1B proposal.

This RMA also proposes 2 private wheelchair user units and 10 affordable wheelchair user units (Building Regulations Part M4(3)). All other houses and ground floor apartments comply with Part M4(2). This accords with Schedule 2, Part 2, paragraphs 1.5, 1.6 and 1.7.

No Self/Custom-Build homes are proposed in the first residential RMA.

#### Schedule 3 – Commercial Floorspace

No milestones in 2025

#### Schedule 4 – Community Facilities, Open Space and Biodiversity

No milestones in 2025

#### Schedule 5 – Gypsies and Travellers and Travelling Showpeople

Land is safeguarded in the submitted Strategic Landscape Masterplan for 7 Gypsy and Traveller pitches to the north of Village 3/ east of Village 4.

Land is safeguarded in the submitted Village 7 Masterplan for 8 Gypsy and Traveller pitches.

#### Schedule 6 – Local Labour and Business Obligations

Paragraphs 1.2 and 1.4 of Schedule 6 requires the submission of Site-Wide and Village Local Labour, Skills and Business Action Plans prior to any Material Operation as described in the Front End of the S106 Agreement. As described above, an Implementation Works Phase was approved and it is agreed that these Works comprise a Material Operation. However, given the scale and type of operation undertaken in the Implementation Phase were limited in terms of personnel and operational period, the council agreed that it would not be prudent or

necessary to require a Local Labour, Skills and Business Action Plan for the specific Implementation Works Phase, and agreed to exclude the Implementation Works Phase approved under reference 3/25/1615/NMA from triggering the requirements of Part 1, paragraphs 1.2 and 1.4 of the S106 Agreement. Furthermore, the council considers it would not be expedient to enforce that said Plans are required for the approved Implementation Works Phase. This specific agreement does not change the triggers in Part 1, paragraphs 1.2 and 1.4 for the rest of the development, which remain as prior to a Material Operation.

#### Schedule 7 – Community Governance and Stewardship

In May 2025 the Shadow Stewardship Body was established comprising the developments and representatives from the parishes of Hunsdon, Eastwick and Gilston plus East Herts Council and Hertfordshire County Council.

In July 2025 the developers' stewardship consultant Community Stewardship Solutions requested on behalf of the Shadow Stewardship Body an extension to the S106 trigger relating to the requirement to submit an Outline Business Plan for the Stewardship and Governance Strategy within six months of grant of planning permission, i.e. July 2025. The Outline Business Plan will describe projected costs of delivering assets that may be transferred to the Community Management Trust, and the sources of income these assets may generate. Delays to the commencement of the site borne from the ongoing litigation means that the developers cannot provide these details with the necessary level of certainty required.

The council agreed that given the ongoing litigation it was prudent to delay the provision of the full Outline Business Plan, but to ensure the S106 trigger was still met the council would accept an interim version of the Outline Business Plan be submitted in July 2025 with the requirement that the full plan is provided within a year of the permission i.e. 9 January 2026. Consequently, the Interim Outline Business Plan was submitted in July 2025 and officers agreed its acceptability on these terms. At the time of writing this report the Outline Business Plan is yet to be submitted.

#### Schedule 8 – Transport

No milestones in 2025

#### Schedule 9 – Viability Review Villages 1-6

No milestones in 2025

## Schedule 10 – Viability Review Village 7

No milestones in 2025

## Monitoring Review Groups

### Education Review Group

The Education Review Group (“ERG”) has been established and have met three times between July and December 2025. The ERG comprises representatives from Hertfordshire County Council, East Herts Council and the two developers. In addition, Essex County Council and HGGT are invited to observe the sessions. The group has reviewed emerging housing delivery trajectories and has advised Hertfordshire County Council (HCC) as the education authority that there is currently insufficient demand based upon the projected timing of first residential occupation to proceed with procuring the delivery of the first primary school.

HCC has continued to progress on the design of the Village 1 primary school. The design of the primary school has reached a final draft stage and has been subject to an independent peer review through the Harlow and Gilston Garden Town (HGGT) Quality Review Panel.

### Transport Review Group

No updates in 2025

### Commercial Delivery and Employment Review Group

No updates in 2025

### Monitoring and Delivery Review Group

East Herts and Hertfordshire officers continue to have regular engagement on all matters relating to the progress of the developments, in particular on items such as Planning Performance Agreements, masterplanning programmes, housing trajectories and condition discharges. Given the current stage of the development such meetings have been informal and unrecorded.

## Review of Monitoring Framework

At this very early stage it is considered that there is no requirement to review the Monitoring Framework. There have been no changes to national legislation and

policies relevant to the development in 2025. There have been no changes to Building Control, Planning or Environmental Health policies and work is ongoing on the review of the 2018 East Herts District Plan, as such there are no changes to local policy to report.

Likewise, given the early stage there are no issues arising from the development process identified by officers or developers.