

Harlow Local Development Plan

Regulation 22 Consultation Statement

Prepared to meet the requirements of Regulations 18, 19 and 22 (1) Part (c) of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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1. Introduction

1.1 This Consultation Statement explains the stages and processes undertaken by Harlow Council during the preparation of the Harlow Local Development Plan (the Local Plan). In particular it explains how the Council engaged with the local community and other stakeholders within and beyond Harlow to ensure their views were taken into consideration, in order to help shape the Local Plan. It also indicates how the main issues raised through consultation have helped to shape the policies and proposals that are set out in the Local Plan.

1.2 Since the preparation of the Local Plan formally commenced in 2007 a number of consultation exercises were undertaken to help inform the Plan. Over time these were shaped by emerging technical evidence to ensure the socio-economic and environmental characteristics of Harlow were taken into consideration. These are outlined in more detail in subsequent sections of this statement.

1.3 This Regulation 22 Consultation Statement has been prepared to fulfil the requirements of Regulations 18, 19 and 22 (1) Part (c) of the Town and Country Planning (Local Planning) (England) Regulations 2012. It is intended that the Statement will demonstrate to the Inspector at the Examination in Public that the processes undertaken by the Council, leading to Submission of the Local Plan, had regard to Government guidance and the requirements set out in the relevant legislation in respect of public consultation.

1.4 Regulation 22 (1) Part (c) of the above Regulations outlines the scope of the Statement which sets out the following:

- i. which bodies and persons were invited to make representations under Regulation 18 of the Local Planning Regulations;
- ii. how those bodies were invited to make representations;
- iii. a summary of the main issues raised in those representations;
- iv. how those main issues have been taken into account;
- v. if there are representations made under Regulation 20, the number made and a summary of the main issues made in those representations; and
- vi. if there are no representations made under Regulation 20, that no such representations were made.

1.5 All key stages of the consultations undertaken by the Council during the preparation of the Local Plan are set out below:

- Initial frontloading undertaken by the Council between 2007 and 2009 in order to raise awareness about the new Local Development Plan, to scope issues and to explain the plan making process.

- The Core Strategy Issues and Options consultation document, undertaken between 22 November 2010 and 28 January 2011, which set out the key issues affecting Harlow together with potential options for planning the town's future, and a series of policy themes and approaches.
- The Emerging Strategy and Further Options consultation, undertaken between 14 April 2014 and 30 May 2014, considered further the matters in the previous consultation but in addition presented five spatial options of how the identified development needs could be accommodated within Harlow.
- The Development Management Policies document consultation was undertaken between 20 July 2017 and 7 September 2017. The policies set in this document underpinned the overarching policy themes considered previously and were developed to provide the detailed spatial expression of the Strategic Policies in the emerging Local Plan.
- In May 2018 the Council published the Pre-Submission Publication of the Local Plan. The period for the receipt of representations concluded 6 July 2018. This represents the complete Harlow Local Development Plan and it is considered, provides a strategy and spatial vision to deliver growth in Harlow up to 2033. This, therefore, was the final version of the Local Plan for consultation that the Council intends to submit for examination.

1.6 As well as having regard to the requirements of the Regulations referred to above, the Council has also undertaken public consultation and engagement in accordance with the provisions of the Council's adopted Statement of Community Involvement 2014. The Statement of Community Involvement (SCI) sets out how and when Harlow Council will consult with the local community regarding the preparation of planning policies and the determining of planning applications. Following national changes to the planning system, the Council reviewed the original SCI (adopted in 2007) and consulted on a draft SCI Review. The SCI Review was then finalised and subsequently adopted at Full Council on 18 September 2014.

1.7 The Council also considers that the necessary legal and procedural processes have been undertaken throughout the preparation of the Local Plan. A Legal Compliance Checklist is being published separately, as part of the Local Plan Submission.

1.8 All the comments received at each stage of consultation can be viewed in full on the Council's website at www.harlow.gov.uk/local-plan

1.9 Details of the documents to accompany the submission of the Local Plan are also available at the link above.

2. Who we consulted

2.1 The Council has consulted extensively at all stages of preparing the Local Plan, to encourage the maximum level of feedback from the public, key stakeholders and other organisations.

2.2 At each stage, the bodies the Council consulted has included:

- East Hertfordshire District Council
- Epping Forest District Council
- Uttlesford District Council
- Essex County Council (the Highway and Minerals and Waste Authority)
- Hertfordshire County Council
- Highways England
- Homes England (previously known as Homes and Communities Agency)
- NHS West Essex Clinical Commissioning Group
- The Environment Agency
- Historic England
- Natural England
- Princess Alexandra Hospital

2.3 To aid the consultation process, the Council maintains a consultee database (hosted by JDi) which is continuously updated. At the time of the consultation there were approximately 3,000 consultees on the database.

2.4 A list of the bodies who responded to the consultations is available in the Appendices.

3. How we consulted

3.1 The Council undertook extensive consultation on a range of documents throughout the preparation of the Harlow Local Development Plan (Local Plan). The consultation process and the relevant documents leading up to submission of the Local Plan are set out below.

3.2 Initial frontloading was undertaken by the Council between 2007 and 2009.

Initial frontloading

Harlow Council began its initial frontloading consultation work to inform the preparation of the Local Plan by holding an exhibition at the Harlow Town Show in September 2007. The objective was to raise awareness of the then Local Development Framework (LDF) process and questionnaires were distributed across the town to find out what Harlow residents wanted for the future of the town.

In 2008 Harlow Renaissance and Harlow 2020 organised a joint LDF workshop to provide input to Harlow Council in its development of its new development plan. From this some shared aspirations were identified to help shape the Core Strategy and the issues and options stage of the LDF.

Following on from this two workshop events were held by Harlow Council in June and July 2009 for Harlow Council Officers and Members respectively. The aim was to raise awareness of Harlow's LDF Core Strategy and to gather from members and officers information on existing and emerging issues to underpin the LDF.

Two subsequent informal workshops were held on 8 and 13 October 2009 for the benefit of 'community' and 'key sector' stakeholders to raise awareness about the emerging development plan. This was to ensure that stakeholders, including the public, were engaged in the process and that their views on the key issues affecting Harlow and potential options for addressing them were taken into consideration. This was followed by a presentation to the Harlow Youth Council in December 2009 to ensure young people played a part in shaping the future of the district.

The purpose of these activities was to help inform the development of a Core Strategy that would set out the strategic planning framework for Harlow that would replace the existing Adopted Replacement Harlow Local Plan 2006.

3.3 The Core Strategy Issues and Options consultation document, with consultation being undertaken between 22 November 2010 and 28 January 2011.

The Core Strategy Issues and Options consultation

This document was prepared against the backdrop to the changes being made to the plan making system by Government that saw the abolition of Regional Plans. Notwithstanding these changes and the resultant uncertainties that arose, Harlow Council wished to continue to make progress in preparing a new Local Plan for the district. This was in order to replace the Adopted Harlow Replacement Local Plan July 2006. Through the preparation of Community and Corporate Plans the Council recognised that there continued to be a need to provide new homes and employment opportunities in the district to meet community

aspirations and regenerate the town, together with the provision of key infrastructure, balanced against the need to protect environmental assets. During this consultation a number of themes, strategic objectives and policy approaches were developed and considered and issues arising from emerging evidence were identified for public comment. Emerging issues were articulated through a series of questions.

3.4 The Emerging Strategy and Further Options consultation was undertaken between 14 April 2014 and 30 May 2014.

Emerging Strategy and Further Options consultation

Based on the themes, strategic objectives and policy approaches already set out in the Issues and Options document, and the subsequent changes to the plan making system arising from the Localism Act 2011, this consultation set out options for growth based on the emerging technical evidence. This document explained how the emerging spatial strategy has been developed and how, in the light of the abolition of Regional Plans, the responsibility of identifying development needs rests with local planning authorities. It reflected on and quantified the amount of development required in Harlow, including the amount of housing and employment needed, emerging from a joint Strategic Housing Market Assessment and other related work being prepared under the new Duty to Co-operate. Arising from this work five alternative patterns of development to accommodate the level of growth needed were identified and consulted upon.

3.5 The Development Management Policies document consultation was undertaken between 20 July 2017 and 7 September 2017.

Development Management Policies consultation

This consultation presented a set of Development Management policies that would be set out in the Local Plan which would provide a more detailed planning framework that could be used to determine planning applications. They were informed by previous consultations and national policies and guidance that was set out the Government's planning policies for England and how it expects them to be applied. The Development Management policies have been developed to help achieve sustainable development and to provide the detailed spatial expression of the themes and strategic objectives that underpin the Local Plan.

3.6 Commencing in May 2018 the Council published the Pre-Submission Publication version of the Local Plan. The consultation period concluded 6 July 2018.

Pre-Submission Publication Harlow Local Development Plan

This is the final version of the Harlow Local Development Plan that the Council intends to submit for formal examination. This includes the Local Plan Document and the supporting Policies Map. The Local Plan sets out a long-term vision for Harlow, identifying land where development will be acceptable and where it will be unacceptable. It contains policies that ensure future development is sustainable by meeting the needs of residents, businesses and visitors, while providing the required infrastructure and protecting environmental assets.

Planning applications will be decided against the Local Plan policies.

The Policies Map, which maps the planning policies and proposals across Harlow, accompanies the Local Plan, along with other documents such as the Sustainability Appraisal and Infrastructure Delivery Plan. The policies in the Local Plan are justified by an Evidence Base, which includes studies such as the SHMA and the Green Belt Review and Green Wedge Review.

A separate Area Action Plan is being prepared for Harlow Town Centre in order to address specific regeneration issues and to enhance its retail function.

3.7 Copies of consultation material are included within the appendices and were supported by press notices, press releases and articles in the media and are summarised below:

- Statutory notices (list and dates)
- Articles in Harlow Star, Your Harlow (web based news) Harlow Times and Essex Life (web based Harlow Star)
- Press releases issued by the Council (list and dates)

3.8 In addition, Officers attended and gave presentations to a number of meetings with external bodies over the period the Plan has been in preparation, including:

- the Harlow Civic Society,
- Essex County Council managers group,
- the annual meeting of the Churchgate Residents Association ,
- the Harlow Youth Council

4. How we responded

4.1 The Council acknowledges that Government Guidance indicates that Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. Throughout the course of the preparation of the new Local Development Plan for Harlow, the Council has undertaken ongoing consultation and engagement with the local community, businesses and other organisations and bodies to underpin the themes, objectives and policy approaches that have been developed. This has been an iterative process, acknowledging that the need for growth, identified through objective technical evidence, can be challenging for communities to support. This is especially so as Harlow has tight administrative boundaries that have limited the spatial options available.

4.2 Matters raised throughout the various consultation stages during the preparation of the Local Plan have been considered by elected Councillors at a series of Local Development Plan Panel (formerly Local Development Framework Meetings) and Cabinet meetings, and where necessary meetings of the Full Council. This has included the consideration of a suite of technical evidence base documents prepared to identify the socio-economic and environmental conditions of Harlow in order to develop an appropriate strategic and policy approach supported by specific policy proposals.

4.3 In addition, and in accordance with the requirements of the Duty to Co-operate, Councillors and officers of the Council have worked closely with colleagues at East Hertfordshire, Epping Forest and Uttlesford District Council, together with Essex and Hertfordshire County Councils, through the Co-operation for Sustainable Development Board. This has provided a focused forum to ensure that cross boundary strategic issues were considered and that matters raised through the consultations on their respective Local Plans could be addressed. This has culminated in the signing of a series of joint Memos of Understanding and agreement on a joint policy framework to be included in their respective Local Plans for the strategic sites being promoted around Harlow.

Initial frontloading

4.4 Arising from the initial engagement exercises undertaken by the Council between 2007 and 2009 to scope out key planning issues, and which involved the participation of the public, community and key sector stakeholders, youth representatives and council members, a number of matters were identified. This included the need to

- protect and maintain Harlow's green spaces
- provide more affordable housing for key workers and vulnerable groups
- enhance education, training and skills for Harlow people
- enhance the retail mix in the town centre and shopping areas
- alleviate traffic congestion on A414 and on local roads
- provide adequate parking in housing areas
- provide more recreation facilities for young people

4.5 In addition to the above and having regard to the requirements set out in Government guidance the Council continued to update its technical evidence base in order to identify and consider the socio-economic and environmental characteristics of Harlow. These studies

identified the emerging housing, employment and infrastructure needs for Harlow and across the wider area. Some had been prepared jointly with adjoining local authorities reflecting the Harlow areas identification as a location for strategic growth in the East of England Plan.

4.6 Consequently all these elements helped to inform the initial stages of the preparation of new development plan for Harlow and provided the basis to identify a number of themes within which issues could be considered and appropriate policies developed.

The Core Strategy Issues and Options consultation

4.7 Following the initial frontloading exercises, and the emerging technical evidence, the Council prepared the Core Strategy Issues and Options consultation document. This was prepared against the backdrop of the changes being made by Government to the planning system but reflected the Council's desire to continue to make progress in the preparation of new local development plan. This set out a spatial portrait for Harlow, explained the relationship with other plans and strategies and identified the planning challenges. It also presented a spatial vision together with themes, objectives and policy approaches to address the emerging issues. Finally, and taking into account Harlow's tight administrative boundaries, a number of spatial options were proposed that could help meet emerging development needs. These were acknowledged as being based on the growth requirements set out in the former East of England Plan but which the Council considered as being relevant to test against the backdrop of the emerging technical evidence.

4.8 In response to this consultation 1,913 representations were received in total. The key matters raised are summarised as follows:

- there was general support for the themes set out in the document
- the objectives set out should be fully funded
- the level and validity of growth related to the East Of England Plan was challenged
- there was general support for the protection of the town's open spaces and natural landscapes, prioritising protection of the Green Wedges over that of the Green Belt
- a range of infrastructure improvements will be necessary before any further significant growth takes place in Harlow including improved access to the M11
- improvements required to the cycle network, bus links and Harlow bus and railway stations
- need for a Water Cycle Study and a Strategic Flood Risk Assessment
- incorporating SuDS in new development.
- existing traffic congestion and parking need to be addressed
- new development should conform to the Gibberd Masterplan
- overall support for meeting local housing needs, but not for the level of growth set out in the East of England Plan
- the link between growth securing regeneration had not been proven
- preference should be given to maximising the use of previously developed land
- the quality of the town's employment areas should be improved
- there was support from respondents for maintaining the existing shopping hierarchy in Harlow, with the Town Centre retained as the main focus for retail development and restricting any further expansion of the retail offer at Edinburgh Way

- there was concern about growth taking place to the north of Harlow and the effect this would have on Hunsdon and Gilston
- some challenged the methodology used by the consultants to identify the potential spatial options

4.9 More detail on the comments received is set out in the Core Strategy Issues and Options Summary Report (February 2012). The comments received at this time reflected some of the spatial planning challenges facing Harlow, such as the tight administrative boundaries, which effectively limited development options. Options for delivering the growth needed, as identified in the emerging evidence, was predicated by the need to secure positive outcomes through the emerging Duty to Cooperate, as set out in the Localism Act 2011.

4.10As the Local Plan progressed, the Council continued to work with key stakeholders and partners to develop policies and proposals that both reflected the emerging technical evidence and the observations of respondents to consultations. This assumed greater impetus through the obligations of the Duty to Cooperate that resulted in the commissioning of joint evidence base documents with other Councils, including joint demographic studies, a SHMA and FEMA as well as the consideration of transport issues. Other Harlow focused work included the Harlow Future Prospects Study (2013).

4.11 In addition the general issues raised were considered by the Council and against the findings of the emerging evidence to ensure that appropriate policies were developed and that these also had regard to the requirements set out in Government guidance and best practice.

Emerging Strategy and Further Options consultation

4.12 The Emerging Strategy and Further Options consultation, undertaken between 14 April 2014 and 30 May 2014, considered further the matters in the previous consultation but in addition presented five spatial options for comment on how the identified development needs could be accommodated within Harlow. This focused on the housing and employment requirements for Harlow and how this be accommodated based on the emerging joint evidence that was being prepared through the Duty to Cooperate including Essex wide work on demographics to assist in the preparation of SHMA's, and a joint SHMA prepared on behalf of Broxbourne, East Hertfordshire, Epping Forest, Uttlesford and Harlow Councils.

4.13 In response to this consultation 117 representations were received, including a petition containing 1,846 signatures from the STOP Harlow North campaign. The key matters raised are summarised as follows

- the levels of growth proposed are excessive and unsustainable
- there should be a higher target for housing and jobs
- more affordable housing is required to deliver regeneration
- there is a lack of infrastructure
- there were varying levels of support for the spatial options proposed
- development to the east of Harlow could deliver a new junction on the M11
- the town's distinctive character is not being protected
- enhancement of public transport and infrastructure is needed

- concern about the loss of Green Belt
- there would be increased traffic congestion and pollution in the south of the town
- new development should be actively and physically linked to Harlow
- development to the west of the town could aid regeneration of Pinnacles and Katherines
- high quality transport links will be required
- development north of Harlow would be close to Harlow rail station
- the technical and financial viability of the northern bypass was questioned
- a blend of options would be more sustainable
- preferred options will depend on the outcomes of the Duty to Cooperate

4.14 More detail on the comments received is set out in the Emerging Strategy and Further Options Consultation Summary Report (December 2014). Following this consultation the joint work being undertaken through the Duty to Cooperate intensified in order to confirm the development requirements for Harlow and the wider area and the most sustainable spatial options, through the preparation of the Harlow Strategic Site Assessment (2016), the Sustainability Appraisal of Strategic Spatial Options for the West Essex and East Hertfordshire HMA (2016), an updated SHMA (2017) and Affordable Housing Update (2017) and West Essex and East Hertfordshire Assessment of Employment Needs (2017). In addition an updated Gypsy and Traveller Study to acknowledge the new Traveller definition was prepared.

4.15 In addition, Harlow specific evidence, including the Open Space and Green Infrastructure Study (2013), the Employment Land Review (2013), the Green Wedge Review (2014) and the Green Belt Review (2016), was prepared.

4.16 As updated evidence emerged, the general issues raised during the consultation were considered by the Council to ensure that the emerging policies were reasonable, justified and appropriate and that these also had regard to the requirements set out in Government guidance and best practice.

Development Management Policies consultation

4.17 In order to ensure that a detailed planning framework was contained in the Local Plan to underpin the strategic policies, and which would be used to determine planning applications, the Council decided to undertake a consultation on a suite of Development Management Policies. This consultation was undertaken between 20 July 2017 and 7 September 2017.

4.18 In response to this consultation 195 representations were received. The policies set out in the document were generally supported and some suggested a number of minor amendments, but other matters raised are summarised below:

- there is a need for improvements to the highway network including passenger network as well as reference to the needs of equestrians
- some of the evidence base is out of date
- the Gibberd principles should continue to apply
- policies should refer to the need for compensatory measures where appropriate
- policies should not duplicate Building Regulations
- Green Wedge and Finger policies should be more flexible to allow specific uses

- policies should encourage the provision of bungalows
- the viability of the policies should be assessed
- a district wide Article 4 Direction is needed to address HMOs
- concern about the requirement for the provision of self-build plots
- A5 uses in retail areas close to schools could fuel childhood obesity
- contributions for strategic infrastructure should apply to all sites
- an updated Infrastructure Delivery Plan will need to be prepared

4.19 The comments made in respect of the consultation on the Development Management Policies document were considered by officers and members and, taking account of updated technical documents, work continued on the preparation of the Pre-Submission Publication version of the Harlow Local Development Plan. This also took into account the outcomes of the Duty to Cooperate and in particular the agreements reached at the Co-operation for Sustainable Development Board. This included the signing of a number of MOU's in respect of the Objectively Assessed Housing Need, employment provision and distribution, transport needs and need to mitigate the impact of growth on the Epping Forest SAC, which have also helped to shape policies in the emerging Local Plan.

4.20 In addition work was progressing on developing an approach to bring forward the Harlow and Gilston Garden Town, arising out of agreements reached at the recently constituted Garden Town Board. This included the agreement of joint strategic policies for inclusion in the emerging Local Plans in the area, in order to secure a co-ordinated approach, in the delivery of the agreed housing distribution.

Pre-Submission Publication Harlow Local Development Plan

4.21 All the comments received throughout the preparation of the Local Plan were taken into consideration by the Council during the preparation of the Pre-Submission Publication version of the Local Plan that the Council now intends to submit to the Secretary of State, for Examination. This document was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), on 24 May 2018 until 6 July 2018. This Publication period included an exercise to notify organisations and individuals on the Local Plan consultation database, reflecting the provisions of the Council's Adopted Statement of Community Involvement and national legislation.

4.22 In response to this 72 representations were received making 165 comments which are set out in the appendices. Arising, however, from observations made to the Publication version a Schedule of Minor Modifications has been prepared to submit with the Local Plan to provide the Inspector, if minded to accept, with the most up-to-date policy position. These will address minor issues that have been raised in the submitted representations, as well as the matters that will be agreed through emerging Statements of Common Ground, together with other minor changes to ensure clarity and consistency, and which will not affect the soundness of the Local Plan.