

Harlow Local Development Plan 2018
Duty to Cooperate Compliance Statement

(Section 110 of the Localism Act 2011 (which added section 33A of the Planning and Compulsory Purchase Act 2004))

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1. Introduction

1.1 The Duty to Co-operate was introduced by the Localism Act 2011. Section 110 of the Localism Act 2011 (which added section 33A of the Planning and Compulsory Purchase Act 2004) requires local planning authorities to engage with other relevant local authorities and specified bodies on strategic matters through the preparation of development plan documents (DPDs) and other activities in connection with strategic matters which affect more than one area. This places a legal duty on local planning authorities to engage constructively with their neighbouring authorities and other bodies with regards to strategic cross boundary issues. National policy makes it clear that the Duty to Co-operate is not a 'duty to agree', but that every effort should be made to secure necessary cooperation before submission of a Local Plan to the Planning Inspectorate.

1.2 As part of a Local Plan examination, the Inspector will test whether a local planning authority has complied with the Duty to Co-operate. The Duty is separate from, but related to, the Local Plan tests of soundness. The tests of soundness, which are set out within the National Planning Policy Framework (paragraph35), assess whether a Local Plan is:

- Positively prepared
- Justified
- Effective; and
- Consistent with national policy.

1.3 In identifying whether a Local Plan is 'effective', the Inspector will assess whether effective joint working has taken place in order to address cross boundary issues.

1.4 This Duty to Co-operate Compliance Statement is intended to support the submission of the Harlow Local Development Plan (the Local Plan) by demonstrating that the requirements of the Duty have been met and that the Plan is consequently 'effective'.

2. Harlow Context

2.1 Harlow is a former Mark One New Town and a compact urban district with tight administrative boundaries, located within the west part of the County of Essex. It is adjoined by Epping Forest District to the east, south and west and by East Hertfordshire District to the north, which lies within the County of Hertfordshire (see map below).

2.2 Whilst a small district, and reflecting its evolution, it continues to fulfil an important sub regional role in the London Stansted Cambridge Corridor (LSCC), situated adjacent to the M11 and on the West Essex Mainline. It provides a range of activities and services for the wider area, including health, leisure and education facilities together with a strong employment base, reinforced by the designation of two Enterprise Zones and the recent decision taken by Public Health England to relocate to the town.

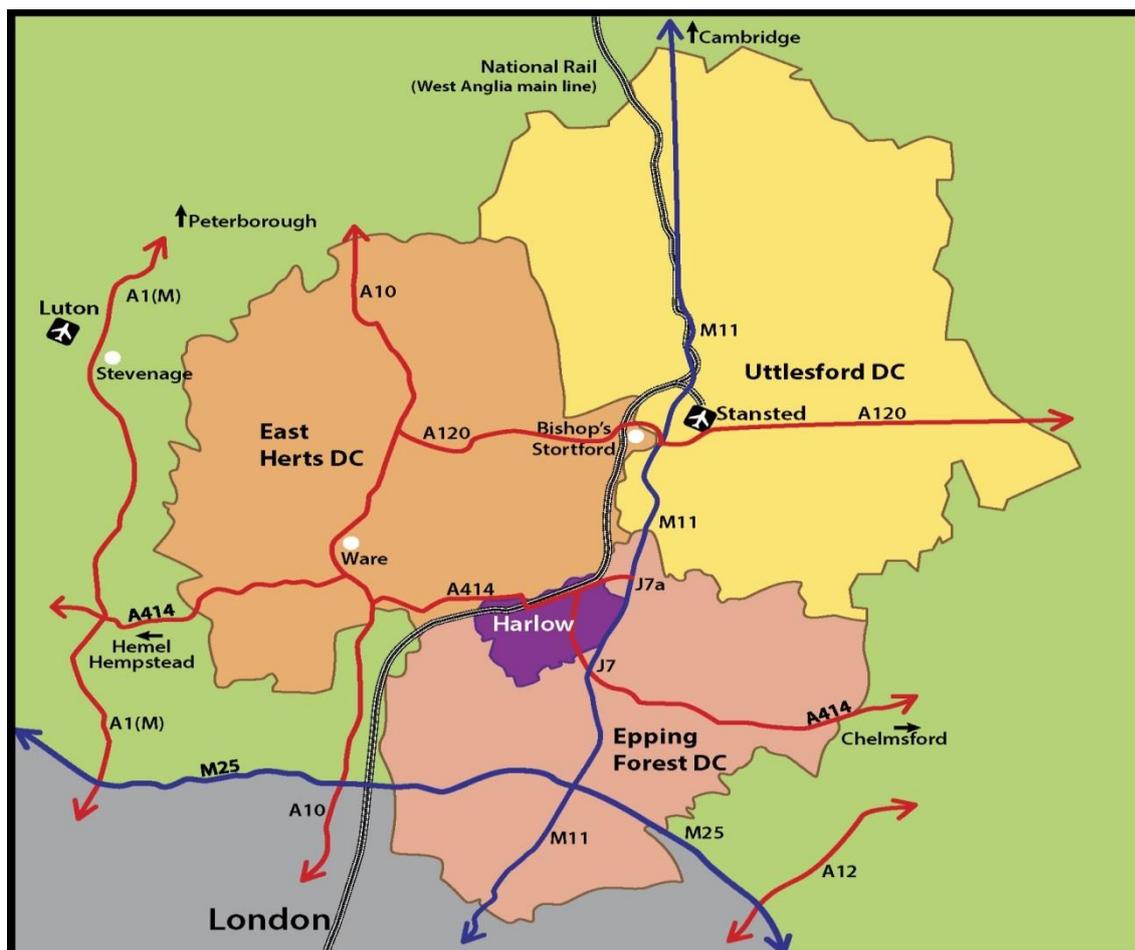
2.3 The town has had a strong legacy of partnership working with key bodies and organisations to support its growth and the development of its economic base and a wide range of community and other facilities. Its growth has, however, taken place within clear spatial planning principles established in the masterplan prepared by Sir Frederick Gibberd. This was influenced by the area's distinctive landscape character within which the town centre, residential neighbourhoods and

employment areas were accommodated, separated by Green Wedges and Green Fingers which provide a range of open spaces and habitats for nature.

2.4 Harlow is in need of regeneration in order to improve the quality and supply of housing, address ageing infrastructure and to create a thriving economy to reflect its key role and location in the LSCC. The Council is corporately committed to addressing these issues; however, the town district has tight administrative boundaries and is surrounded by Green Belt which historically has limited opportunities for growth.

2.5 During the preparation of the Local Plan it has been important, therefore, for Harlow to actively engage with all relevant bodies, including adjoining councils and other organisations in order to secure sustainable growth that will meet identified needs now and in the future. Ongoing joint working, which is described below, has culminated in Garden Town status being granted to Harlow and the surrounding area and it is anticipated that the principles being established through the Harlow and Gilston Garden Town work will provide a catalyst for long term and sustainable growth in the Harlow area.

2.6 Harlow Town Centre is being considered through the preparation of a separate development plan document, the Harlow Town Centre Area Action Plan (HTCAAP) Initial consultation has been undertaken on this document and the timetable is set out in the LDS.



3. The Duty to Co-operate

3.1 The Council has engaged throughout the plan making process with the relevant bodies and organisations including neighbouring planning authorities, during the course of the preparation of the Local Plan. This is based on the prescribed duty bodies are set out in Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Of the bodies listed, the following are considered relevant to Harlow Council, and how the Council has engaged with them is considered throughout this statement:

- The Environment Agency
- Historic England
- Natural England
- Homes and Communities Agency (known as Homes England from January 2018)
- Essex County Council (the Education Authority , Highway Authority , Minerals and Waste Authority, Lead Local Flood Authority with responsibilities for Public Health and Social Services)
- Hertfordshire County Council
- Highways England?
- NHS West Essex
- West Essex Clinical Commissioning Group and NHS East and North Hertfordshire CCG

3.2 Given Harlow's tight administrative boundaries, therefore, it has been particularly important to work closely with East Hertfordshire, Epping Forest and Uttlesford District Councils, together with Essex and Hertfordshire County Councils on a range of strategic socio-economic and environmental matters. This culminated in the establishment of the Cooperation for Sustainable Development Board in 2014 and more recently in the convening of the Harlow and Gilston Garden Town Board in 2015, described in more detail below. This Board oversees the scoping and delivery of the Garden Town project, which has been actively supported by Government. Details of the Member level Cooperation for Sustainable Board meetings with neighbouring authorities are available on the Council's website: www.harlow.gov.uk/

3.3 Having regard to the overarching vision and objectives of the Harlow and Gilston Garden Town and in accordance with the requirements of the Localism Act 2011, the Council will continue to pro-actively co-operate with relevant bodies, including Essex County Council, Hertfordshire County Council the Environment Agency and Natural England over the coming months prior to the Local Plan Examination, and subsequently through the implementation phase.

4 Governance

The Co-operation for Sustainable Development Board (the Co-op Board)

4.1 The Co-op Board was established in 2014 as a mechanism for discussing cross boundary issues with neighbouring authorities in the East Herts/West Essex housing market area and beyond. The constituent authorities of the Co-op Board are identified below:

- The East Herts/West Essex housing market area partners (East Hertfordshire, Harlow, Uttlesford and Epping Forest District Councils);
- Hertfordshire and Essex County Councils;
- Broxbourne Borough Council
- Brentwood Borough Council
- The London Borough of Redbridge;
- The London Borough of Enfield; and
- The London Borough of Waltham Forest;

4.2 The Greater London Authority (GLA) has 'observer status'. Other organisations have also been engaged through the Co-op Board, as appropriate, including the Corporation of London (Conservators of Epping Forest), Chelmsford City Council, the Lee Valley Regional Park Authority and the London Stansted Cambridge Consortium (LSCC), the Highways Agency, Natural England, the Environment Agency and the Princess Alexandra Hospital.

4.3 The Co-op Board is a Member level forum which is supported by a separate Officer group. The terms of reference for the Co-op Board are included within Appendix E. The Board has been meeting regularly since 2015 and the matters considered and discussed are consequently reported to the relevant member decision making bodies of the respective local planning authorities. In the case of Harlow that is Cabinet and Full Council. This has included seeking endorsement of strategic matters agreed at the Board, including the identification of housing and employment needs and key infrastructure requirements, together with agreement on the most sustainable approach to site selection and an agreed approach to mitigating the potential impact of growth on the Epping Forest SAC. Board meetings that have been held are identified in appendix F.

Harlow and Gilston Garden Town

4.4 In March 2016, the Government published a prospectus entitled 'Locally Led Garden Villages, Town and Cities'. It invited local planning authorities to submit bids for technical and financial support in order to help facilitate the delivery of strategic sized developments within their administrative areas.

4.5 In response to the prospectus, and arising from discussions at the Co-operation for Sustainable Development Board, East Herts, Epping Forest and Harlow Councils, with support from the Advisory Team for Large Applications (ATLAS), submitted a joint expression of interest in relation to growth in and around Harlow. In January 2017 the Government announced that the Garden Town bid had been successful and awarded the joint working authorities £500,000 to carry out further technical work.

Garden Town Board

4.6 Following the Government award and discussions at the Co-operation for Sustainable Development Board it was decided that a Garden Town Member Board be established comprising East Herts, Epping Forest and Harlow Councils, with proactive support from Essex and Hertfordshire County Councils, in order to drive forward the Harlow and Gilston Garden Town initiative. This initiative acknowledged the quantum of growth that had been agreed by the respective councils in and around Harlow, where it was considered advantageous that Garden Town status could assist in the delivery of the growth in a co-ordinated and sustainable manner. The Board is supported by various officer working groups covering a range of work streams. The Board meets on a regular basis and has become a key area of continuous collaboration now and over the coming years for the authorities involved to ensure that a co-ordinated approach is taken in the development of appropriate spatial strategies for the Harlow and Gilston Garden Town area. Similar to the Co-operation for Sustainable Development Board the matters considered at the Garden Town Board are consequently reported to the relevant member bodies of the respective local planning authorities for endorsement.

4.7 This ongoing work has culminated in the recognition of the need for the establishment of a Garden Town team, led by a director, to co-ordinate the delivery of the Garden Town, in conjunction with the relevant technical teams of the partner Local Planning Authorities. To date this has included work on the development of a joint Spatial Vision, Design Charter, Transport Strategy and Sustainable Transport Corridor, Infrastructure and Viability Studies. These studies and documents will be complete and available for the examination.

5.0 Memoranda of Understanding (MoUs)

5.1 Arising from the joint work undertaken to date between the bodies specified above, and in accordance with the spirit of the Duty to Cooperate, four Memoranda of Understanding have been agreed with neighbouring authorities. These were considered by the Co-operation for Sustainable Development Board and endorsed by the respective councils. The MoUs, which can be found within the appendices, are described and summarised below:

- 1. Co-operation for Sustainable Development Board – Distribution of Objectively Assessed Housing Need across the West Essex/East Hertfordshire Housing Market Area, March 2017¹ (Appendix A).** The purpose of this MoU is to ensure that the West Essex/East Hertfordshire Authorities (supported by Essex County Council, Hertfordshire County Council and Highways England), working together, fulfil the following requirements:
 - (i) to meet in full, the Objectively Assessed Housing Need of the West Essex/East Hertfordshire HMA, as assessed by the Joint SHMA (2015), within the HMA (taking account of availability, viability and deliverability);
 - (ii) to deliver the shared Strategic Vision for the LSCC 'Core Area', as set out in Appendix 5 and to include this Strategic Vision as part of the individual local plans;
 - (iii) to fulfil the commitment in the Joint Statements made by the Co-op Member Board in 2015, to "...work towards the production of a memorandum of understanding to support the joint working and meeting the duty to co-operate";
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- (iv) to achieve item (i) above through the most sustainable pattern of development which is feasible, achievable and deliverable as assessed by the Spatial Options Study and other relevant evidence, by including the 'Spatial Option' for OAHN within individual Local Plans;
- (v) to continue to engage with one another at an early stage, in detail, and on a continuing basis, with the intention of avoiding possible objections being made at consultation stages and/or at Independent Examination of the individual Local Plans;
- (vi) to continue to co-operate during the implementation and monitoring of individual Local Plans;
- (vii) to commission any future joint evidence work which may be required;
- (viii) to help demonstrate compliance with the Duty to Co-operate during the Independent Examination of Authorities' Local Plans;
- (ix) to assist in securing necessary enabling strategic infrastructure for the growth set out in this MoU; and
- (x) to inform and support the 'Highways and Transportation Infrastructure for the West Essex and East Hertfordshire Housing Market Area' MoU and the 'Managing the Impacts of Growth across the West Essex and East Hertfordshire Housing Market Area on Epping Forest Special Area of Conservation' MoU .

5.2 The outcome of this MOU is the agreement of the distribution of OAHN, as defined by the 2015 Strategic Housing Market Area assessment between East Hertfordshire, Epping Forest, Harlow and Uttlesford District Councils. This is fully in accordance with the spirit of the Duty to Co-operate, as set out in statute and Government guidance, in that it ensures that strategic priorities across local authority boundaries are properly coordinated, in this case the quantum and distribution of housing need.

2. Co-operation for Sustainable Development Board – Highways and Transportation Infrastructure, February 2017 (Appendix B) The purpose of this MoU is to ensure that Essex County Council, Hertfordshire County Council and Highways England (supported by the West Essex/East Hertfordshire authorities), together fulfil the following requirements:

1. to contribute to the delivery of the vision set out in section 3 of the MoU;
2. to seek/support/work towards addressing the strategic highway issues identified through modelling, and some of the emerging transport issues are outlined in section 4 of the MoU;
3. to work collaboratively to identify, develop and secure/deliver enabling highway infrastructure schemes supporting the 'Spatial Option' of the Objectively Assessed Housing Need within the West Essex/East Hertfordshire Housing Market Area, as set out above and within the overarching 'Distribution of Objectively Assessed Housing Need across the West Essex and East Hertfordshire Housing Market Area' MoU;
4. to continue to engage with the West Essex/East Hertfordshire Councils (primarily through the Co-operation for Sustainable Development Officer Group and the Co-operation for Sustainable Development Member Board) at an early stage, in detail, and on a continuing basis, with the intention of avoiding possible objections being

made at consultation stages and/or at Independent Examination of the individual Local Plans;

5. to continue to co-operate during the implementation and monitoring of the individual West Essex/East Hertfordshire Councils Local Plans;

6. to liaise with each other on any future joint evidence work which may be required to address the strategic highway issues;

7. To help demonstrate compliance with the Duty to CO-operate during the Independent Examination of the West Essex/East Hertfordshire authorities Local Plans.

5.2 This MoU specifically covers the area directly affected/impacted by the growth in and around Harlow and is NOT intended to cover the whole of the HMA, with specific district level interventions being identified by each district individually.

5.3 The outcome of this MoU is the identification of those major strategic highway schemes which would be required to meet the level of growth being proposed within and around the Harlow area. It does not include specific site level interventions, many of which may still be significant in themselves. Such matters will be considered through traffic impact assessments at the planning application stage.

3. Co-operation for Sustainable Development Board – Managing the impacts of growth within the West Essex/East Herts Housing Market Area on Epping Forest Special Area of Conservation, February 2017 (Appendix C)

The purpose of this MoU is to ensure that East Hertfordshire, Epping Forest, Harlow and Uttlesford District Councils, Essex and Hertfordshire County Councils, the City of London and Natural England, work in partnership to fulfil the following requirements:

- i. to collect and analyse data and evidence related to the impacts of proposed development and growth under the Local Plans to provide sufficient and robust evidence on which to base a strategy for the protection of Epping Forest SAC;
- ii. to commit to prepare a joint strategy, based on relevant available data and evidence and to an agreed timetable; and
- iii. to ensure that the joint strategy will address both the requirement to avoid, or effectively mitigate, adverse impacts on the integrity of the SAC from Local Plan-led development and the requirement to prevent deterioration of the SAC features.

5.4 The outcome of this MOU has been an agreement between the parties to work together to facilitate the collection of data and evidence in order to develop a Joint Strategy to address potential adverse impacts on the integrity of Epping Forest Special Area of Conservation (SAC), as required under the Habitats Regulations. Epping Forest District Council (EFDC) is acting as the coordinating competent authority in relation to Epping Forest SAC as defined by the Habitat Regulations 2010 and as described in the Defra Guidance (2012).

4. Co-operation for Sustainable Development Board – Functional Economic Market Area (Appendix D)

This MOU considers the distribution of employment land between East Hertfordshire, Epping Forest, Harlow District and Uttlesford Council's in collaboration with

Essex and Hertfordshire County Council's. The purpose of this MoU is to ensure that the West Essex-East Hertfordshire Authorities (supported by Essex County Council and Hertfordshire County Council), work together to fulfil the following requirements: To plan for meeting in full, the employment needs of the Functional Economic Market Area (FEMA), as assessed by the West Essex and East Hertfordshire Assessment of Employment Needs Report (October 2017) and ensure the delivery of these /the following ? i.e.

- i) 51,000 jobs
- ii) 10-24 hectares of employment land for office requirements
- iii) 68 hectares of employment land for industrial requirements
- iv) To achieve (i) above through formalising agreement of the employment growth distribution which is set out within the "Assessment of Employment Needs" FEMA report (Hardisty Jones Associates Ltd (HJA) - October 2017) at sustainable locations in the FEMA.
- v) To shape and deliver the shared Strategic Vision for the London Stansted Cambridge Corridor (LSCC) 'Core Area' which will include a focus on strategic and transformational growth at Harlow, to be developed through the Harlow and Gilston Garden Town Economic Growth Strategy.
- vi) To continue to engage with one another in detail, and on a continuing basis through the plan-making process, with the intention of ensuring the preparation and delivery of sound local plans of each respective LPA, together with supporting economic growth strategies wherever necessary.
- vii) To continue to co-operate during the implementation and monitoring of individual local plans in order to ensure their effectiveness, including ensuring flexibility and the ability to adapt and respond to changing circumstances as they emerge.
- viii) To develop an improved shared understanding around the economic growth of the FEMA, and specific future requirements of the Harlow and Gilston Garden Town, including the commissioning, interpretation and effective application of any future joint evidence work where required.
- ix) To meet the requirements of the Duty to Cooperate effectively and demonstrably and in particular, to focus on its strategic, cross-boundary considerations and to provide a clear framework for collaborative partnership working.

5.5 The outcome of this MOU is the agreement of the distribution of job growth between East Hertfordshire, Epping Forest, Harlow and Uttlesford District Councils to be set out in their respective Local Plans. This is also fully in accordance with the spirit of the Duty to Co-operate, as set out in statute and Government guidance, in that it ensures that strategic priorities across local authority boundaries are properly coordinated, in this case the quantum and distribution of jobs between the authorities across the FEMA.

5.6 A number of other MoUs and Statements of Common Ground (SoCG) are currently being drafted with other organisations. These will be agreed prior to the Examination Hearing sessions. The organisations are listed below.

- Essex County Council - in respect of education and, highway and transport planning, public health, skills strategy; flood alleviation;
- Environment Agency - in respect of water quality

- Natural England - in respect of recreation and air quality affecting Epping Forest SAC and Hatfield Forest SSSI
- Thames Water – in respect of sewage matters
- Affinity Water
- Princess Alexandra Hospital – in respect of the development of the existing site
- Epping Forest District Council – in respect of the strategic housing site to the east Harlow that extends into Epping Forest District

6.0 Strategic Matters considered through the Duty to Cooperate

6.1 The MOU's and SoCG referred to above have been and will be developed through the consideration of a range of strategic planning matters through collaboration with adjoining local planning authorities and other organisations and bodies. These matters are described in more detail under the headings below.

Strategic Housing matters

6.2 Joint working on strategic planning issues in the East Herts/West Essex area has been taking place for a number of years. In 2008, under the then Regional Planning regime, the Council joined with Brentwood, Broxbourne, Epping Forest, East Hertfordshire, and Uttlesford Council's to form the London Commuter Belt East/M11 Sub Region partnership. The group commissioned consultants Opinion Research Services (ORS) to prepare a Strategic Housing Market Assessment (SHMA) ²in order to assess housing needs across sub regional area. This study was published in January 2010, and was subsequently updated in March 2013. In 2013 Harlow Council also commissioned separate work, the Harlow Future Prospects Study, which examined the relationship between regeneration and growth in Harlow and to assess the town's prospects under different levels of future development. This outlined the regeneration benefits that would accrue with growth and highlighted the need to work with adjoining authorities through the Duty to Co-operate to achieve the levels of growth required.

6.3 Following the enactment of the Localism Act 2011 and the publication of national Planning Practice Guidance (PPG) in March 2014, East Herts, Epping Forest, Harlow and Uttlesford Councils commissioned the same consultants to prepare a revised SHMA. This study, which was published in September 2015, confirms that the most appropriate functional housing market area comprises the administrative areas of the four authorities. It also recommended that Broxbourne Borough was better aligned with Welwyn Hatfield having regard to its location.

6.4 In terms of housing need, the 2015 SHMA concluded (based on 2012 Household projections) that the combined level of housing need across the four local authority areas is 46,058 homes for the period 2011 - 2033. This figure was disaggregated amongst the four authorities but for Harlow District Council the level of need was identified as being 268 new homes per year, or 5,900 by 2033. Subsequently (July 2017), the SHMA was updated to take into account the CLG 2012-based household projections. The conclusion of this update was that to meet need 337 new homes a year or 7,409 would be required in Harlow district by 2033. As set out above a Memorandum of Understanding (MoU) has been prepared which commits all four Councils to meeting their individual housing needs within their own administrative boundaries, including those associated with Gypsies

and Travellers and Travelling Showpeople. Gypsy and Traveller and Travelling Showpeople needs have been considered through an Essex wide study. A full explanation of housing need is provided within the Housing Topic Paper).

6.5 Separate joint work was also commissioned by East Hertfordshire, Epping Forest, Harlow and Uttlesford District Council's to consider strategic spatial options for the SHMA. The Sustainability Appraisal of Strategic Spatial Options for the West Essex and East Hertfordshire Housing Market was published in 2016 and identified the most sustainable spatial development choice for the HMA.

6.6 This concluded that Harlow represented the most sustainable location within the HMA at which to concentrate development given its role as a sub-regional centre for employment (especially in technology); its Enterprise Zone status; the need to rejuvenate the town centre; the opportunity to capitalise on its transport connections (for example, good rail links to London, Stansted Airport and Cambridge) and deliver north-south and east-west sustainable transport corridors traversing the town; its important location on the London – Stansted – Cambridge corridor; and, above all, the wider economic growth aspirations for the town.

Strategic Economic Matters

6.7 East Hertfordshire, Epping Forest, Harlow District and Uttlesford Council's in collaboration with Essex and Hertfordshire County Councils also commissioned consultants to prepare joint economic evidence in order to inform the content of the SHMA. The purpose of this work was to identify the Functional Economic Market Area (FEMA) and to ensure that the assessment of housing need within the SHMA adequately addressed the requirement to match homes and jobs. The initial study, Economic Evidence to Support the Development of the OAHN for West Essex and East Herts (September 2015) was commissioned to help inform the calculation of the Objectively Assessed Housing Need (OAHN) for the SHMA. This considered historic job growth and projections of future jobs growth and how this should be distributed across the SHMA area and concluded that, for Harlow District Council, between 325 and 335 new jobs will be created each year. The result of this work has been reflected both within the SHMA and the Harlow Local Development Plan.

6.8 A further study the West Essex and East Hertfordshire Assessment of Employment Needs (October 2017) was undertaken in order to gain an up to date understanding of employment needs across the wider area, and how those needs should be disaggregated amongst the respective local authorities. This concluded that Harlow would need to provide between 2 and 4 ha of office floorspace and 16 ha of industrial floorspace. The outputs of this work was agreed through the joint MoU outlined above, signed by the four Housing Market Area authorities and has been set out in the Harlow Local Development Plan. Further work is ongoing to determine the distribution of the small residual amount of employment floorspace of 3-4 ha that that needs to be accommodated within the FEMA area. A full explanation of employment needs is provided within the Employment Topic Paper (TPA/).

Strategic Transportation Matters

6.9 The consideration of transport issues associated with the growth required across Harlow and the wider area has been a key aspect of ongoing joint working through the Co-operation for Sustainable Development Board. In order to assess the potential impacts transport modelling, known as VISUM,

has been led by Essex County Council to consider the impacts of planned growth arising from the respective local plans of the four core authorities (East Herts, Harlow, Uttlesford and Epping Forest).

6.10 To date, the modelling has demonstrated a need to deliver a range of strategic highways measures in order to provide for 14,000 – 16,000 new homes across the wider Harlow area within the Plan period. As well as considering the growth being brought forward in Harlow district it also has regard to the housing development being proposed on the edge of the town within the administrative areas of East Hertfordshire and Epping Forest District Councils. A number of Technical Notes have been prepared by ECC that sets out the outputs of this modelling work and other Transport related matters. Arising from this work a range of mitigation measures including improvements to the transport network have been identified.

6.11 As set out above a Transport Memorandum of Understanding has been signed by East Herts, Harlow, Epping Forest and Uttlesford District Councils, Hertfordshire and Essex County Councils and Highways England. The MoU identifies the required mitigation measures and commits the signatories to working together to deliver the schemes during the Plan period. It should be noted that some of the 'future actions' identified within the MoU have now been completed, particularly those that relate to the provision of Junction 7A on the M11. The MoU will be updated periodically to reflect further work undertaken including the outcomes of the Sustainable Transport Corridor Study that considers what additional improvements are needed to the transport network so that the Garden Communities that are being brought forward around Harlow, are integrated with the town in a sustainable manner. Additional transport modelling is being undertaken as work on the respective local plans being produced in the area has progressed.

Assessment of Strategic Sites around Harlow

6.12 The Harlow Strategic Sites Assessment (September 2016) was a study jointly commissioned by East Herts, Epping Forest and Harlow Councils in order to assess the potential suitability of sites on the edge of Harlow to deliver the housing need identified in the joint SHMA. The study was undertaken in recognition that Harlow is already a major urban area within the London Stansted Cambridge Corridor, providing homes and jobs (including two EZ's), health and education facilities, as well as a significant retail offer serving the wider area. It also has good connectivity to the West Essex mainline and the M11 as well as being close to Stansted Airport. Parts of the District are, however, in need of regeneration. Consequently it was considered that Harlow provides a sustainable opportunity to focus a significant proportion of the housing needs identified within the housing market area, and sufficient suitable sites were identified to accommodate 9,200 new homes over the Local Plan period, which is the housing figure set out in the Local Plan.

6.13 Based on the results of ongoing VISUM transport modelling work, the study concluded that between 14,000 and 16,000 homes (including 9,200 homes in Harlow) could be delivered within the wider Harlow area by 2033 subject to the successful delivery of the highways mitigation measures identified within the Memorandum of Understanding on Highways & Transportation Infrastructure. It also indicated that further development is likely to be deliverable in the area following the identification of additional mitigation measures through transport modelling.

Strategic Air Quality and Recreation Matters relating to Epping Forest SAC (a European Site)

6.14 Of particular importance within the housing market area, is the potential impact of growth on the Epping Forest Special Area of Conservation (SAC) which lies beyond the administrative boundaries of Harlow district. Following iterative discussions over a long period, a Memorandum of Understanding has been agreed by East Herts, Epping Forest, Harlow and Uttlesford District Councils, as well as Hertfordshire and Essex County Councils, Natural England and the Corporation of London. The MoU requires the authorities to monitor any impact on the environmental quality of the Forest, and to introduce mitigation measures where these are necessary. Arising from this the signatories, in conjunction with the relevant London Borough's, have been working together to develop an appropriate mitigation strategy that will be agreeable to all parties, and in particular to address outstanding matters raised by Natural England.

7.0 Other organisations and bodies engaged through the Duty to Cooperate

7.1 The Council has, therefore, worked collaboratively with a number of Local Authorities, organisations and bodies across a range of planning matters to ensure that these have been considered in the preparation of the Local Plan. These are described in more detail below.

London Stansted Cambridge Consortium (LSCC)

7.2 The London Stansted Cambridge Corridor Consortium is a partnership of public and private organisations covering the area north of Tech City, the City Fringe, Kings Cross, and the Olympic Park, up through the Lee Valley and M11/A10, and West Anglia Rail corridors to Harlow and Stansted, and through to Cambridge. The partnership was formed to organise and promote what is a clear economic area, with strong inter-connections, commuting to work and learn patterns, clusters of industries and supply chains. The consortium's focus is to promote the economic development of the area, unlocking the potential of this successful but under developed area, without compromising the existing quality of life.

7.3 The Councils of Broxbourne, East Herts, Epping Forest, Harlow and Uttlesford form the LSCC Core Area. This corridor has, over the past decade or more, been the engine of UK growth with its world class industries and businesses. In order to support the aims of the LSCC, the outcome of this joint working was the agreement of the four core Members of the Co-op Board to include the LSCC's Strategic Vision within their respective Local Plans, including the Harlow Local Development Plan. This ensures that a co-ordinated planning framework is in place to secure economic growth, linked to housing and infrastructure provision, to support the objectives of the LSCC.

Essex County Council (ECC)

7.4 The Council has engaged with Essex County Council on a number of issues in relation to the Local Development Plan including site specific transport issues as well as education and minerals and waste. Issues arising from these topic areas have been addressed through the Infrastructure Delivery Plan and reflected in the policy approach set out in the Local Plan.

7.5 In accordance with the Duty to Co-operate the Council, together with ECC, have been working with other local planning authorities in the area to demonstrate how strategic cross boundary issues have been considered. This includes transport modelling which has been led by Essex County Council, who used VISUM modelling to undertake assessments across the Harlow area. ECC have

also worked closely with HCC to ensure a consistent approach when undertaking modelling across the county boundaries.

7.6 The outcomes of the model runs undertaken have informed the content of the representations made by Essex County Council on the Local Development Plan for Harlow in respect of potential impact on the district. In addition ongoing joint working has resulted in the identification of a package of transport measures to support the growth identified in the Local Plan including a second Stort Crossing, the identification of Sustainable Transport Corridors and improvements to the existing highway network. ECC has supported the approach taken by Harlow, and indeed the adjoining districts, to identify sustainable locations for growth is, in transport terms, acceptable and, therefore, 'sound'.

7.7 In addition to transportation matters the Council has also worked collaboratively with ECC to ensure that education needs have been considered and reflected in the policies and proposals set out in the Local Plan. This has been also been reflected in the contribution that ECC made to the preparation of the Infrastructure Delivery Plan.

7.8 The Council has also worked with ECC to ensure that waste and mineral matters are acknowledged in the Local Plan. ECC is responsible for minerals and waste planning in Essex and the Local Plan acknowledges that the Minerals Local Plan and Waste Local Plan comprise part of the suite of Development Plan Documents for Harlow. This has included references to the appropriate policies in those Plans that relate to Harlow.

East Hertfordshire District Council (EHDC)

7.9 The Council has also been working collaboratively with East Hertfordshire District Council to consider mutual strategic planning matters through a continuous process since the East of England Plan and more recently through the Duty to Co-operate arising from the requirements of the Localism Act 2011. This has culminated in the preparation of a number of joint studies and signed MOU's in respect of housing, employment and infrastructure needs for Harlow and the wider area described above. Whilst the East Hertfordshire District Plan was submitted for Examination in 2016 East Hertfordshire and Harlow Council, together with Essex and Hertfordshire County Councils, have collaborated in the development of a joint masterplanning and policy approach, to ensure consistency in the consideration of strategic matters in their development plans.

7.10 This has continued through the workstreams being brought forward through the Garden Town Board including the joint Spatial Vision, Design Charter, Transport Study, the Sustainable Corridor Study and overarching Viability Study. The examination held to consider the East Hertfordshire District Plan has concluded and following receipt of the Inspector's Final Report it is anticipated that the Plan will be adopted in September 2018. This confirms that the housing strategy set out in the jointly agreed SHMA has been considered sound across the wider area.

Epping Forest District Council (EFDC)

7.11 The Council has been working collaboratively with Epping Forest District Council to consider mutual strategic planning matters through a continuous process since the East of England Plan and more recently through the Duty to Co-operate arising from the requirements of the Localism Act 2011. This has culminated in the preparation of a number of joint studies in respect of housing, employment and infrastructure needs for Harlow and the wider area and the development of a joint

masterplanning and policy approach for a large strategic housing site to the east of Harlow that extends into Epping Forest District. Epping Forest District Council also indicated that it would be unable to meet its identified housing needs, and as such, formally asked Harlow Council and other neighbouring authorities for assistance. Harlow Council responded by confirming that, due to the challenging level of housing need in Harlow including the Districts tight administrative boundaries, it would not be able to provide any additional housing, beyond that identified in the Harlow Local Development Plan, to meet Epping Forest District Councils housing residual needs.

Uttlesford District Council (UDC)

7.12 Whilst further to the north east of Harlow the Council has also worked closely with Uttlesford District Council in the preparation of a number of joint studies in respect of housing, transport and employment needs for Harlow and the wider area culminating in the joint endorsement of the MOU's described above. While both Harlow and Uttlesford Councils are fully engaged with the Co-op Board, the two districts do not share mutual boundaries. This means that it would be both impractical and indeed unsustainable to consider distributing housing provision related to Harlow at locations in Uttlesford remote from employment opportunities and other key facilities. In any event Harlow's specific housing need, as set out in the SHMA, can be accommodated within the district boundary.

Hertfordshire County Council (HCC)

7.13 In conjunction with East Hertfordshire, Epping Forest, and Uttlesford District and Essex County Council, Harlow has worked with Hertfordshire County Council to cross-border strategic issues, particularly in respect of transport matters. This has culminated in HCC submitting a bid on behalf of these council's to the Government Housing Infrastructure Fund to secure forward funding for the second Stort crossing and to assist in the delivery of the north-south Sustainable Transport Corridor.

Princess Alexandra Hospital (PAH)

7.14 The Co-op Board and Harlow Council have engaged with senior representatives from the Princess Alexandra Hospital in Harlow in respect of their future needs. The hospital, which is located on a highly constrained site near the town centre, faces a number of challenges in terms of ensuring that the buildings remain fit for purpose over the coming years.

7.15 The Hospital Trust is considering re-locating to a new site on the edge of Harlow and has commissioned consultants to assess the suitability of sites on the periphery of the town, subject to the necessary funding being available from Government to finance a the construction of new hospital. The Garden Town Board will continue to work jointly with the Trust on these matters to secure a satisfactory outcome that ensures the hospital remains in Harlow or near to Harlow.

NHS England and Clinical Commissioning Groups (CCGs)

7.16 The Council has engaged with the relevant health bodies for Harlow throughout the Plan making process, to ensure, where appropriate, health and related issues have been taken into consideration. This has meant working with West Essex Clinical Commission Group and Essex County Council, through workshops and meetings in the preparation of Harlow's Infrastructure Delivery Plan (IDP) to ensure health and related matters have need taken into consideration in the

preparation of the Local Plan. This has resulted in the identification of contributions needed to enhance health care provision in Harlow to support the proposed growth.

Broxbourne Council

7.17 Although not part of the SHMA the Council has engaged with Broxbourne Council in the preparation of their Local Plan. In respect of their identified housing need Harlow Council had been asked to accommodate some of their unmet need. Harlow was not able to accede to this request owing to the districts tight administrative boundaries and other physical and environmental constraints.

7.18 The National Planning Policy Framework identifies a number of other bodies that the Council should engage with through the Duty to Co-operate. These are identified below. Further discussions with these organisations will take place as necessary, both prior to the Local Plan Examination and subsequently through more detailed design work for specific sites.

Environment Agency (EA)

7.19 The Council has been working with the Environment Agency (EA) throughout the preparation of the Local Plan to ensure relevant issues have been considered in policies and the development of spatial options. This has informed the development of the policies in the Local Plan. In addition a Water Cycle Study has been commissioned to assess sites within Harlow District, and those within East Hertfordshire District Council (EHDC) and Epping Forest District Council (EFDC) which will form the proposed Harlow-Gilston Garden Town. This involves the participation of the following strategic partners: East Hertfordshire District Council, Epping Forest District Council, Harlow District Council, Uttlesford District Council, Essex County Council, Hertfordshire County Council, Thames Water, Affinity Water, and the Environment Agency.

7.20 This study will be complete before the examination commences and considers matters relating to the impact of future development within Harlow District and Harlow-Gilston Garden Town study area, including the impacts on water supply, wastewater collection and waste water treatment. Ongoing discussions between the statutory providers indicate that there are unlikely to be any significant barriers to the delivery of the growth set out in the Local Plan.

Historic England (HE)

7.21 Throughout the various stages of the preparation of the Local Plan the Council has collaborated and consulted with Historic England (previously English Heritage) to ensure the policies and proposals of the Plan have due regard to heritage matters. This is part of an iterative process that will continue during the Plans implementation. In response to some issues that were raised to the Pre-Submission consultation these form the basis of ongoing discussions and will be addressed through an MoU in due course.

Natural England (NE)

7.22 Natural England has been actively engaged in the development of the Local Plan and has been supportive of the proposals contained in the Plan, with outstanding matters being considered through the joint MoU outlined above. This has been signed by East Hertfordshire, Epping Forest,

Harlow and Uttlesford District Councils, Essex and Hertfordshire County Councils, the City of London and Natural England.

7.23 In this respect Natural England has been fully engaged with regards to the preparation of the MoU concerning air quality and potential impacts on Epping Forest SAC, including the preparation of an appropriate mitigation strategy by the commissioning bodies as well as the consideration of a Habitats Regulation Assessment which has been prepared in support of the Plan. In addition the policies and proposals in the Local Plan have been shaped by the comments made by NE throughout the consultations, including potential further minor changes that will be set out in the Schedule of minor modifications to be submitted with the Local Plan, if the Inspector is minded to accept.

Highways England (HE)

7.24 In order to ensure a co-ordinated approach to strategic highway matters the Council, together with Essex County Council, have worked closely with Highways England to ensure that the growth in and around Harlow can be accommodated on the highway network. This has culminated in Highways England being a co-signatory on the MOU in respect of highways and transportation infrastructure in the West Essex/East Hertfordshire Housing Market Area (described above).

7.25 In this regard the three highway authorities are committed to co-operating with the planning authorities for the West Essex/East Hertfordshire HMA to enable sustainable communities by providing a better understanding of key highways infrastructure, including public transport and sustainable modes, that will be required to support those developments.

7.26 They acknowledge their responsibility to support and develop a more coordinated approach to planning on the strategic and local highway networks to provide sustainable communities and are fully committed to jointly working together to resolve key highway and transportation issues, primarily those outlined in section 4 of the MoU, but also any further issues which come to light in the future.

7.27 A key outcome of this joint working has been support for the new junction 7a on the M11 that will help unlock growth across the wider Harlow area, for which planning permission has been granted, with enabling work now well underway.

Homes England (Formerly the Homes and Communities Agency (HCA))

7.28 Through the Duty to Cooperate the HCA Advisory Team for Large Applications (ATLAS) has provided support to Harlow Council, together with the adjoining LPA's, to assist with spatial plan making across the area. In particular, ATLAS has provided impartial advice from the earliest stages of plan making with regards to developing a framework to consider the most appropriate spatial development options in Harlow and the wider area, based upon the growth identified in the emerging SHMA's. This enabled mutual agreement to be reached between the East Hertfordshire, Epping Forest, Harlow and Uttlesford Councils in relation to the identification of strategic development sites around Harlow. This culminated in the provision of significant technical support in relation to the successful Harlow and Gilston Garden Town expression of interest including attendance at subsequent meetings of the Board and with officers. Homes England continues to provide support and advice in relation to the successful delivery of the Garden Town.

Transport for London (TfL)

7.29 The Council has actively engaged with both TfL and Network Rail in order to examine the opportunity to extend the proposed Crossrail 2 scheme beyond Broxbourne to Harlow. This would provide a key transport hub to support the other transport strategies and measures that are being put in place to deliver the Harlow and Gilston Garden Town.

Greater London Authority

7.30 Whilst not adjoining London the Council has been engaged through the Co-operation for Sustainable Development Board with the GLA in respect of the preparation of the London Plan and commented on appropriate matters in particular in relation to housing and transport. Whilst generally supportive of the Plan the Council wished that the economic importance of Harlow in the LSCC should be more fully recognised including the advantages of extending Crossrail 2 to Harlow, and that in order to increase housing supply a more open discussion should take place on the role of the Green Belt to ensure existing urban areas are not degraded by over intensive increases in housing density. In addition clearer guidance needs to be considered about the role of authorities outside of London in supporting delivery.

Enterprise Zone Board (EZB)

7.31 The Council is a member of the EZB and has regularly liaised with East Hertfordshire District Council, Epping Forest District Council, Essex and Hertfordshire County Council's to ensure the economic objectives and roles of the Enterprise Zones in Harlow are acknowledged in emerging Local Plans in the area.. The Board also includes representatives from the private sector who have interests in sites within the designated EZ's including Pearson's, Raytheon and Arrow.

Harlow & District Chamber of Commerce

7.32 Over the years the Council has been an active member of the committee of the local chamber of commerce. This includes businesses from key sectors across the town who have been provided with updates on the emerging Local Plan and the Harlow Town Centre Area Action Plan.

M11 Health Enterprise Forum

7.33 In partnership with the Life Science membership organisation One Nucleus, the Council has been working to bring together Life Sciences business and organisations in the M11 corridor to support sector innovation and growth. This underpins the objectives of the LSCC, referred to above, which have been reflected in the Local Plan.

Invest Essex

7.34 In order to support the delivery of the Enterprise Zone and to secure inward investment in Harlow the Council has worked closely with Invest Essex. This is a County wide initiative that aims to help companies identify suitable business locations and to grow. The initiative underpins the objectives of the Harlow Economic Development Strategy which is reflected in the policies and proposals contained in the Local Plan.

Major site promoters

7.35 In addition to the above bodies and organisations above the Council has been working with the developer of the only major strategic site being promoted in Harlow in the eastern part of the district. This is to ensure that the Council and the developer, Miller Homes, can work together to ensure the housing, and the necessary infrastructure provision, can be delivered in a timely manner. This site also extends into Epping Forest District. This means that Harlow Council, in conjunction with Epping Council and ECC, have been working together, including through participation in joint developer forums, to ensure a co-ordinated framework is in place to secure the delivery of the site. This has resulted in a joint strategic policy approach together with the preparation of a masterplanning framework and Planning Performance agreements (PPA's) to assist the Development Management process at the delivery and implementation stage.

8.0 Conclusion

8.1 The Harlow Local Development Plan has been prepared following extensive engagement with adjoining local planning authorities and relevant county councils and other specified bodies and organisations on strategic matters. Not only has this been entirely in accordance with the Duty to Cooperate but this has also secured positive outcomes with the relevant bodies and organisations to help underpin the vision and objectives of the new Local Plan to secure its delivery.