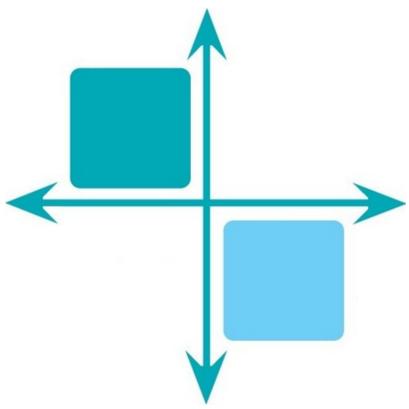


## Respondent List

. Pauline Black [8430]  
Anglican Deanery of Harlow (Revd Martin Harris) [8345]  
Barton Willmore (Miss Emma Gladwin) [8399]  
Countryside Properties Plc [70] represented by Barker Parry Town Planning Ltd. (Ms Elizabeth Fitzgerald) [8451]  
Dr Roger Bamford [8442]  
EFA (Dr Douglas McNab) [8404]  
Elaine Allen [6031]  
Environment Agency (Miss Lisa Mills) [8443]  
Essex Bridleways Association (Mrs Sue Dobson) [7887]  
Essex County Council (Mr Rich Cooke) [8452]  
Harlow Civic Society (Mr John Curry) [5318]  
Highways England (Mr Mark Norman) [7939]  
Historic England (Ms Katie Parsons) [8441]  
Home Builders Federation (Mr Mark Behrendt) [8450]  
Home Group (Jessica Watts) [8445]  
Janet Watkins [6004]  
Jean Wright [5878]  
Lichfields (Mr Harry Bennett) [8454]  
Miller Homes [8449] represented by Andrew Martin - Planning (Mr Olivier Spencer) [8448]  
Miss Sally SallyAnn Simpson [8418]  
Morley Grove Residents Association (Sheila Sullivan) [5043]  
Mr & Mrs Andy & Janice Gee [8438]  
Mr Andrew Whybrow [8423]  
Mr Gary Roberts [8432]  
Mr Simon Burton [8439]  
Mrs Giulia Festa-Burton [8436]  
Ms Sue McDonald [8446]  
Natural England (Mr Jamie Melvin) [8440]  
Persimmon Homes (Mr David Moseley) [8437]  
Quod Planning (Mr Philip Murphy) [7958]  
Roydon Parish Council (Janet Ballard) [5434]  
Sport England (. Laura Hutson) [8431]  
Thames Water (Savills) (Mr Chris Colloff) [8433]  
The Roydon Society (Miss Nicola Wilkinson) [27]  
The Theatres Trust (Tom Clarke) [216]



# Harlow Local Plan

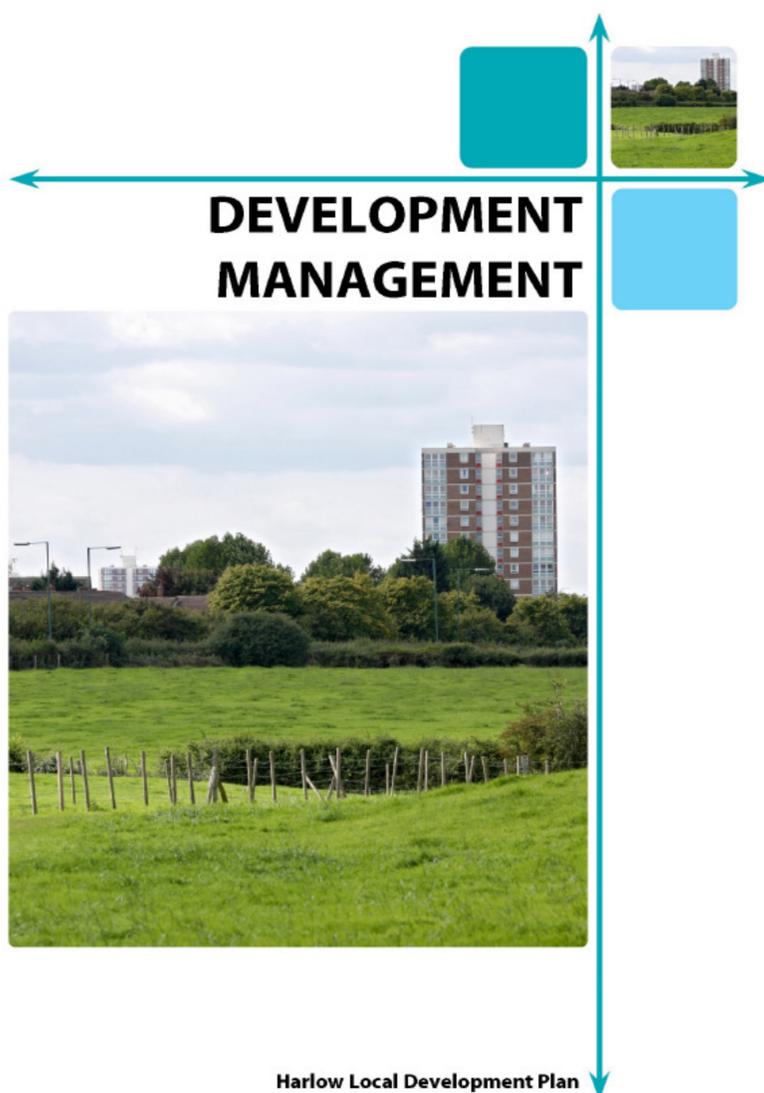
## CONSULTATION

### Development Management Policies

The new Local Development Plan for Harlow will contain Strategic Policies which provide an overarching development framework for the town, supported by Development Management Policies which provide more detailed planning guidance.



These policies will be accompanied by a Policies Map.

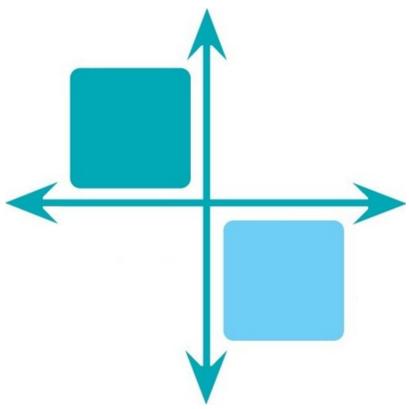


We are now consulting on the **Development Management Policies** that will help deliver the Plan's Strategic Objectives, which are split into five themes:

- Placeshaping
- Housing
- Prosperity
- Lifestyles
- Infrastructure

**Please respond by 7 September 2017**

[www.harlow.gov.uk/local-plan](http://www.harlow.gov.uk/local-plan)



# Harlow Local Plan

## CONSULTATION

### Development Management Policies

## Local Plan Strategic Objectives

### PLACESHAPING

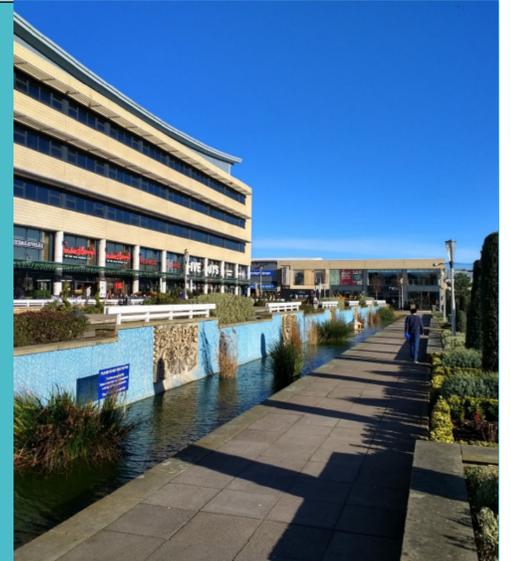
- Establish quality streets which connect to revitalised green spaces
- Deliver high quality design through new development whilst protecting the district's heritage
- Adapt to and mitigate the impacts of climate change

### HOUSING

- Identify sites to meet local housing needs both now and in the future
- Provide a range of suitable housing for the community including a range of tenures and types

### PROSPERITY

- Improve the quality of homes in the district through new developments, regenerated neighbourhoods and priority estates
- Meet the employment needs of the district by diversifying and investing in the district's employment base
- Secure economic revitalisation and reinforce Harlow's reputation as a key centre for Research and Development
- Improve educational opportunities & the skills base of locals
- Provide a range of shopping needs for local residents and wider sub-region by regenerating the town centre and protecting and enhancing neighbourhood centres and hatches



### LIFESTYLES

- Provide & enhance sporting, leisure, recreational facilities & cultural opportunities

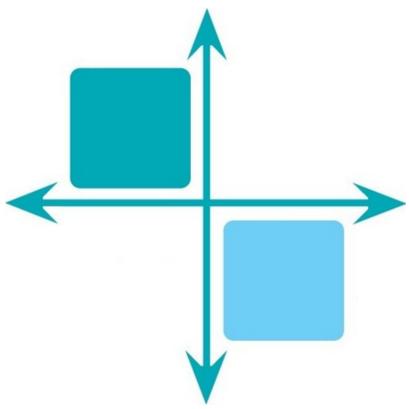
### INFRASTRUCTURE

- Ensure development is fully supported by providing necessary infrastructure including education, healthcare & other community facilities
- Reduce the need to travel by car by ensuring new development is sustainably located
- Improve transport links, for all modes of transport, to community facilities
- Enhance & promote the role of Harlow as a transport interchange along the M11



**Please respond by 7 September 2017**

[www.harlow.gov.uk/local-plan](http://www.harlow.gov.uk/local-plan)



# Harlow Local Plan

## CONSULTATION

### Development Management Policies

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**The Council is now consulting on the Development Management Policies document and wants to hear your views.**

The document can be viewed and comments submitted at **[www.harlow.gov.uk/local-plan](http://www.harlow.gov.uk/local-plan)**

**Please ensure you submit comments by 5pm on 7 September 2017.**

The document can also be viewed at the Civic Centre Reception, Harlow Central Library and Old Harlow Library. Comments can alternatively be posted to Forward Planning, Harlow Council, Water Gardens, Harlow, Essex, CM20 1WG, or emailed to [myHarlow@harlow.gov.uk](mailto:myHarlow@harlow.gov.uk).

**Please ensure you include your name and address when responding, as we cannot accept anonymous comments.**

By responding, you are giving your consent to the Council to hold and process your personal data in accordance with the requirements of the Data Protection Act 1998. Your name, organisation and comments may be available for others to view at the Council's offices and on the Council's website, but confidential information such as your address will remain confidential. The data gathered through this consultation will be held for the duration of the Local Plan, up to and probably beyond 2033. When you respond, we will add you to the Local Plan Database, so you can be kept informed of consultations on the Local Plan and other Planning Policy documents. You will be emailed rather than being contacted by post, unless you tell us otherwise or do not provide an email address. If you are already on the database, your details will not be duplicated. If you do not want to be added to the database, or are already on it and want to be removed, please tell us when you respond to the consultation.

---

### Harlow Local Plan CONSULTATION

Development Management Policies

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- Lifestyles
- Infrastructure

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### Harlow Local Plan CONSULTATION

Development Management Policies

#### Local Plan Strategic Objectives

**PLACESHAPING**

- Create high quality streets which connect residential areas
- Create high quality streets through new development while protecting the district's heritage
- Make the most of the district's natural beauty

**HOUSING**

- Identify sites to meet local housing needs both now and in the future
- Provide a range of suitable housing for the community including a range of tenured types

**PROSPERITY**

- Improve the quality of life in the district through new developments, improved roads, parks and public spaces
- Make the most of the district's heritage and history
- Create a vibrant and diverse district with a mix of uses and activities
- Provide a range of shops and services to meet the needs of the community

**LIFESTYLES**

- Provide a vibrant and diverse district with a mix of uses and activities

**INFRASTRUCTURE**

- Create a vibrant and diverse district with a mix of uses and activities

Please respond by 7 September 2017  
[www.harlow.gov.uk/local-plan](http://www.harlow.gov.uk/local-plan)



### Harlow Local Plan CONSULTATION

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## Robbers threaten shop staff

THREE men stole mobile phones and a five-figure sum of cash after threatening shop staff.

The men, wearing balaclavas, went into EE, in Edinburgh Way, Harlow, at about 4pm on Tuesday afternoon (July 25) and ordered workers to the shop's rear.

They then took phones, money and electrical appliances before driving away in a Volkswagen Golf. No one was injured.

Essex Police are appealing for information after the robbery.

One suspect is described as being white, about 6ft 2 ins with facial hair and wore a black and white striped hoodie.

The other suspects have been described as being black men, aged in their 20s and about 5ft 5ins tall.

They both wore black hoodies while all three wore gloves.

Anyone with information is asked to call Harlow Police Station on 101 or Crimestoppers, anonymously, on 0800 555 111.

## Delays on M11 after blowout

MOTORISTS faced delays on the M11 southbound from junction at 8 Bishop's Stortford to junction 7 for Harlow.

Slight disruption was caused after a vehicle's part-worn tyres blew out on Saturday (July 22).

Essex Police sergeant Colin Shead posted pictures of the tyres on Twitter which were taken by PC Michelle Lockyer.

He wrote that a female driver has been reported to court as she already had 14 points on her licence.

The car passed its MOT in May but the driver purchased part-worn tyres as a replacement.

Drivers using the section faced delays of no more than five minutes.

# Chance to have your say on council's master plan

## Consultation on future planning guidelines which will shape area

By William Mata

william.mata@hertsexnews.co.uk

HARLOW Council is inviting residents and businesses to have their say on how planning applications are considered.

The consultation is a precursor to the authority's local plan, planning guidelines that will shape the town's development up to 2033 and include policy on housing, infrastructure, the environment, services and support.

A replacement for Princess Alexandra Hospital could be on the cards while Harlow Council must fulfil a requirement to build 9,200 homes.

Councillor Danny Purton said: "This consultation is an important part of the local development plan.

### Aspirations

"If we want to continue improving Harlow, providing much-needed housing and employment and creating new opportunities for local people and businesses, then we need a local development plan which supports Harlow's development, aspirations and growth for the future."

As neighbouring councils have already submitted a local plan, the announcement is a step forward for the local authority.

Policy is also expected to be shaped around major projects such as Harlow Enterprise Zone and Public Health England's campus in the town.

Mr Purton added: "As we plan



Residents can read the proposals at a number of sites around town, including Harlow Civic Centre. Inset, Councillor Danny Purton

Harlow's future, the council will be making sure that Harlow has the right mix of new homes, business spaces, shops, education, health and leisure facilities to meet the needs of residents and businesses.

"We will also provide protection for the green spaces and the environment by making sure that

new buildings respect Harlow's new town heritage and any traffic implications are minimised.

"The development management policies support all these things by providing guidance on how planning applications will be assessed."

Consultation on the proposed policies runs until 5pm on

Thursday, September 7.

The complete local plan will be published for further consultation and submitted to the secretary of state for examination in 2018.

To comment visit [www.harlow.gov.uk/local-plan](http://www.harlow.gov.uk/local-plan) email comments to [myharlow@harlow.gov.uk](mailto:myharlow@harlow.gov.uk) or post comments

to The Forward Planning Team, Harlow Council, Water Gardens, Harlow, Essex, CM20 1WG.

The proposed policies can be read at [www.harlow.gov.uk/local-plan](http://www.harlow.gov.uk/local-plan). Or they can be viewed, during normal opening hours, at the Harlow Civic Centre, the Harlow Central Library and Old Harlow Library.

**BREAKING NEWS ON OUR WEBSITE**

For breaking news from across the area

[harlowstar.co.uk](http://harlowstar.co.uk)

## Consultation over plan for new garden town

PROPOSALS to build a new garden town called Gilston Park, also colloquially known as Harlow North, will be put to consultation by East Hertfordshire District Council (EHDC).

The consultation, which started on Monday (July 24), will run until September 1.

Residents are being asked to give their views on plans for a new town being

proposed for Gilston.

The town, which is part of the East Hertfordshire District Plan, would include 10,000 homes, provision for schools, health care, parks, and transport links.

The consultation, which is taking place after the publication of the concept framework document, gives the public the chance to look at the first detailed plans

for the settlement.

To view the documents and to give feedback visit [www.eastherts.gov.uk/gilstonconsultation](http://www.eastherts.gov.uk/gilstonconsultation)

Developers will also be holding a drop-in session on August 5, from 10am until 3pm, at Manor of Groves Hotel in Sawbridgeworth, CM21 0JU for people to see plans and to give their opinions in person.

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## Development Management Policies Consultation Draft

CHAPTER: Development Management in Harlow      Development Management in Harlow  
Harlow

**6219 Comment**      **Respondent: Thames Water (Savills) (Mr Chris Colloff) [8433]**      **Agent: N/A**

Summary:

General Comments

Thames Water are in discussion with Harlow and neighbouring authorities with regard to long term growth and infrastructure issues with the Rye Meads Sewage Treatment Works catchment and these discussions are ongoing. Hydraulic modelling is currently taking place of the sewer network and a position statement was issued in June 2017 in relation to the position with regard to the sewer network and sewage treatment.

Change To Plan:

Full Reference: C - 6219 - 8433 - Development Management in Harlow - None

**6265 Comment**      **Respondent: Natural England (Mr Jamie Melvin) [8440]**      **Agent: N/A**

Summary: Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

In general, Natural England considers the development management policies provided to be relatively comprehensive. Your authority is aware that the West Essex/East Hertfordshire Housing Market Area Local Planning Authorities including yourselves, along with Essex County Council, Natural England and the Conservators of Epping Forest are all signatories to a Memorandum of Understanding relating to Epping Forest Special Area of Conservation (SAC). As that project progresses and following the undertaking of Habitat Regulations Assessment (as required under section 102 of the Conservation of Habitats and Species Regulations 2010) further amendments to the policies may be necessary.

Change To Plan:

Full Reference: C - 6265 - 8440 - Development Management in Harlow - None

**6271 Comment****Respondent: Barton Willmore (Miss Emma Gladwin) [8399]****Agent: N/A**

## Summary: 1.0 INTRODUCTION

1.1 These representations have been prepared on behalf of De Merke Estates in response to Harlow District Council's (HDC's) Regulation 18 consultation on its Draft Development Management (DM) Policies.

1.2 HDC is in the process of producing a new Local Plan, which will contain Strategic Policies to provide an overarching development framework for the town, supported by DM Policies which contain more detailed planning guidance. These policies will be accompanied by a Proposals Map.

1.3 An initial Issues and Options consultation was undertaken between 22 November 2010 and 28 January 2011, followed by an Emerging Strategy and Further Options consultation between 14 April and 30 May 2014.

1.4 This has been followed by the current DM Policies consultation. HDC's timetable for the remainder of the Local Plan is as follows:

\* Regulation 19 Consultation: January-February 2018

\* Submission: April 2018

\* Examination: Summer 2018

\* Inspector's Report: August 2018

\* Adoption: September 2018

1.5 These representations will highlight concerns with HDC's process of adopting the new Local Plan, concerns with specific policies and seek to promote our Client's Site for development.

Change To Plan:

Full Reference: C - 6271 - 8399 - Development Management in Harlow - None

## Summary:

## 2.0 LOCAL PLAN PROCESS

2.1 Firstly, on behalf of our Client we wish to raise concerns regarding the Local Plan process that HDC is following.

i) Separation of Strategic and DM Policies

2.2 The process for producing a new Local Plan is detailed in The Town and Country Planning (Local Planning) (England) Regulations 2012, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

2.3 All three of these documents detail that the plan making process is a collaborative one that requires engagement with statutory consultees, local residents, local businesses and all other parties that have an interest in the Local Plan.

2.4 This engagement must start at an early stage, as identified in Paragraph 155 of the NPPF which states that 'early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential'. It continues to state that Local Plans should 'reflect a collective vision and a set of agreed priorities for the sustainable development of the area'.

2.5 This is reiterated in the PPG, stating that Local Authorities must identify and engage at an early stage with all those who may be interested in the Local Plan, and must take into account all representations made and will need to set out how these have been taken into account (Reference ID: 12-010-20140306).

2.6 HDC first engaged with the local community and statutory consultees in 2010 with the Issues and Options consultation, starting engagement at an early stage. This was followed in 2014 by the Emerging Strategy and Further Options consultation.

2.7 Whilst these consultations did allow HDC to engage with the local community and consultees, these documents asked for their opinion on issues within the Harlow area and on a number of different options on various issues, including how development could be allocated.

2.8 These previous consultations did not provide any specific policies or incorporate any decision over the scale and distribution of development across Harlow and did not include a proposals map.

2.9 The Emerging Strategy and Further Options consultation itself stated 'the preferred option will be presented later this year / early next year before the plan undergoes public examination'.

2.10 However, no preferred options for the scale and distribution of development or draft proposals map have been presented.

2.11 The current consultation comprises the DM Policies only, which provide a detailed planning framework to be used in determining planning applications. These policies have been developed to help deliver the Local Plan's strategic objectives, which have been grouped into 5 No. themes and comprise 14 No. specific objectives.

2.12 However, these strategic objectives form part of the Strategic Policies aspect of the new Local Plan, and whilst these are listed within the current consultation there is no further detail given and limited opportunity to comment as a result.

2.13 Furthermore, the DM Policies refer to the strategic policies in some instances, particularly in relation to housing need and the distribution of development. No detail regarding this is given, with Policy H1 stating 'development of the Strategic Housing Site and other sites for housing (allocated in the Strategic Policies) will be supported. Development of the Strategic Housing Site will require a Master Plan to be submitted which takes into consideration the relevant policies in the Local Plan'.

2.14 The justification for Policy H1 states the housing requirement is set out in the Strategic Policies, with no other detail given.

2.15 To date there have been no documents published that identify HDC's preferred option for the scale and distribution of development. Various options have been published for consultation, but no details of any assessment or decisions that have been made.

2.16 The DM Policies suggest that decisions in this regard have been made, referring to 'the Strategic Housing Site'. However, any indication of where this will be and what this development will comprise is not available.

2.17 As detailed above, HDC is intending to publish only the DM Policies as the Regulation 18 Plan, with a full Local Plan comprising both the Strategic and DM Policies published as a Regulation

19 Plan in January 2018.

2.18 The remit to respond to a Regulation 19 Plan is quite limited, concentrating on the four Tests of Soundness and whether the Local Plan is compliant with relevant legislation.

2.19 As such, the PPG is clear that the Regulation 19 Plan 'should be the document that the Local Authority considers ready for examination' (Reference ID: 12-020-20140306). The content of the document should have already been consulted upon, with changes made as necessary.

2.20 There are substantial concerns that following the approach of only publishing the Strategic Policies and proposed development strategy as a Regulation 19 consultation will result in a Local Plan that fails to meet the legal requirement of having undertaken the necessary consultation and adequately considered the representations.

2.21 Furthermore, HDC is anticipating submitting the Local Plan for examination in April 2018, which does not provide any time to make amendments to the Local Plan and re-consult between the Regulation 19 consultation and submission.

2.22 Given that the Regulation 19 consultation will be the first publication of HDC's preferred strategy and strategic policies, it is highly likely that a considerable number of representations will be made. HDC has a statutory duty to consider these and, when submitting the Local Plan for examination, must identify how they have considered them and amended the Plan where necessary.

2.23 The current timetable and approach of HDC suggests that HDC is not anticipating amending the Plan following the Regulation 19 consultation. The more common approach is to undertake a Regulation 18 consultation on the whole draft Local Plan including the preferred strategy for development, making the necessary amendments, publishing the Regulation 19 Local Plan and then submitting to the Planning Inspectorate. This process adequately allows for genuine consultation on the Plan and preferred strategy, providing the collaborative approach required.

ii) Evidence Base

2.24 A Local Plan must be based on 'adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area' (NPPF Paragraph 158).

2.25 The PPG further states that an appropriate and proportionate evidence base is essential for producing a sound Local Plan and 'the evidence needs to inform what is in the plan and shape its development rather than being collected retrospectively' (Reference ID: 12-014-20140306). The PPG continues to state if approaching submission and key studies are reliant on information that is a few years old, they should be updated.

2.26 As HDC has been in the process of producing the new Local Plan for over 10 years, the age of the evidence base documents varies, with some having been published prior to 2010.

2.27 The most recent Infrastructure Study was published in 2009, the SHLAA was undertaken in 2014 and the Employment Land Review was undertaken in 2013.

2.28 Furthermore, the SHMA was published in 2013 considering the 2012-based household projections and those from preceding years. The 2014-based household projections were published last year and it is unclear whether HDC has considered these.

2.29 There are concerns over the robustness of the evidence base for the new Local Plan, with some documents being out-of-date and others not having been published.

iii) Sustainability Appraisal

2.30 The PPG details that every Local Plan must be informed and accompanied by a Sustainability Appraisal (SA) to allow 'the potential environmental, economic and social impacts of the proposals to be systematically taken into account, and should play a key role throughout the plan-making process. The Sustainability Appraisal plays an important part in demonstrating that the Local Plan reflects sustainability objectives and has considered reasonable alternatives.' (Reference ID: 12-016-20140306).

2.31 HDC produced and consulted on a SA Scoping Report, with the final version published in February 2010.

2.32 The SA Scoping Report sets out that 'crucially, the appraisal should be undertaken in parallel with development of the plan and the appraisal findings should be fed into the emerging plan. In practice, this means undertaking several rounds - or iterations - of appraisal at different stages in the plan-making process' (Paragraph 2.2.3).

2.33 The options presented in the Issues and Options consultation document were considered against the SA criteria, with a SA published alongside the consultation in November 2010.

2.34 The Issues and Options SA set out the assumptions and difficulties in undertaking certain parts of the appraisal at that stage, including that there were no specific details on the suggested approach to the overarching principles directing new development and the exact level and type of employment to be provided was unclear.

2.35 Furthermore, there were no details on the locations where densities could be increased, whether undeveloped and underused open spaces should be used for development before the Green Belt, and what role Green Wedges should play in the future development of Harlow.

2.36 The SA Scoping Report sets out that as such, the likely significant effects of these options could not be appraised at that stage, which is not uncommon for an Issues and Options paper. It continues to state that 'however, it is important that future iterations of the Core Strategy are clearer on the approach so to allow the Sustainability Appraisal to appraise their impact' (paragraph 2.3.18).

2.37 Further uncertainties were identified regarding the impact of the spatial options against the SA framework, mainly due to a lack of detail regarding the nature of the development for each option. Greater detail on the exact nature and geographical steer in terms of infilling within existing development would be required to enable a full assessment of the spatial options against the SA framework. Although proposed policy areas were identified, details were not provided at that stage, with these details highlighted as 'instrumental in the determination and identification of sustainability impacts'.

2.38 A SA is a statutory requirement to accompany a Local Plan which should be used throughout its development to ensure the Local Plan reflects the sustainability objectives and promotes sustainable development in accordance with the NPPF.

2.39 Whilst HDC produced a SA Scoping Report and a SA to accompany the Issues and Options consultation, there has been nothing further published since 2010 in this regard.

2.40 As detailed above, if HDC had published the full Local Plan as part of the Regulation 18 consultation, a SA report could have been published alongside. Instead, the first full SA report will have to be published alongside the Regulation 19 consultation, allowing limited opportunity for comments and amendments.

Change To Plan:

Full Reference: C - 6272 - 8399 - Development Management in Harlow - None

**6273 Comment**

**Respondent: Barton Willmore (Miss Emma Gladwin) [8399]**

**Agent: N/A**

Summary: PROMOTION OF SITE

See attached file.

Change To Plan:

Full Reference: C - 6273 - 8399 - Development Management in Harlow - None

## 6274 Comment

Respondent: Historic England (Ms Katie Parsons) [8441]

Agent: N/A

Summary: As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. Therefore we welcome the opportunity to comment on the draft development management policies. We have now had the opportunity to review the documents and can provide the following substantive comments.

### General comments

Historic England has published a number of Good Practice Advice and Advice Notes which you may find useful in developing your local plan. In particular:

Good Practice Advice in Planning 1 - the historic environment in local plans:

<<https://historicengland.org.uk/images-books/publications/gpa1-historic-environmentlocal-plans/>>

Good Practice Advice in Planning 3 - the setting of heritage assets:

<<https://content.historicengland.org.uk/images-books/publications/gpa3-setting-ofheritage-assets/gpa3.pdf/>>

For the avoidance of doubt, we have not considered archaeological issues in this brief desk based assessment but would refer you to the HER who should be able to advise in this regard. We have also not identified non-designated assets.

Paragraph 126 of the NPPF requires Local Plans to set out a positive and clear strategy for the conservation, enjoyment and enhancement of the historic environment. Ideally the strategy should offer a strategic overview including overarching heritage policies to deliver the conservation and enhancement of the environment.

A good strategy will offer a positive holistic approach throughout the whole plan whereby the historic environment is considered not just as a stand-alone topic but as an integral part of every aspect of the plan, being interwoven within the entire document. So policies for housing, retail, and transport for example may need to be tailored to achieve the positive improvements that paragraph 8 of the NPPF demands. Site allocations may need to refer to the historic environment, identifying opportunities to conserve and enhance the historic environment, avoid harming heritage assets and their settings and may also be able to positively address heritage assets at risk. The plan may need to include areas identified as being inappropriate for certain types of development due to the impact they would have on the historic environment.

A good strategy will also be spatially specific, unique to the area, describing the local characteristics of the borough and responding accordingly with policies that address the local situation. We would expect references to the historic environment in the local plan vision, the inclusion of a policy/ies for the historic environment and character of the landscape and built environment, and various other references to the historic environment through the plan relating to the unique characteristics of the area.

Further opportunity should be sought to address the historic environment in every aspect of the Plan and to make the strategy more spatially specific and unique to Harlow.

Change To Plan:

Full Reference: C - 6274 - 8441 - Development Management in Harlow - None

**6291 Comment**      **Respondent: Historic England (Ms Katie Parsons) [8441]**      **Agent: N/A**

Summary: Please note that absence of a comment on an allocation or document in this letter does not mean that Historic England is content that the allocation or document forms part of a positive strategy for the conservation and enjoyment of the historic environment or is devoid of historic environment issues. Finally, we should like to stress that this opinion is based on the information provided by the Council in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, which may subsequently arise where we consider that these would have an adverse effect upon the historic environment. We hope that the above comments of assistance.

Change To Plan:

Full Reference: C - 6291 - 8441 - Development Management in Harlow - None

**6297 Comment**      **Respondent: Dr Roger Bamford [8442]**      **Agent: N/A**

Summary: The document is well laid-out, clear and professional. However it is very disappointing that the council has not yet published the strategic policies. It is most peculiar that the more detailed development management policies have been published first. The council is treading on dodgy ground by not having a 'preferred options' consultation. I, for one, will object to the soundness of the plan if we are not allowed to comment on preferred options.

Change To Plan:

Full Reference: C - 6297 - 8442 - Development Management in Harlow - None

**6303 Comment**      **Respondent: EFA (Dr Douglas McNab) [8404]**      **Agent: N/A**

Summary: Submission of the Education and Skills Funding Agency  
1. The Education and Skills Funding Agency (ESFA) welcomes the opportunity to contribute to the development of planning policy at the local level.  
2. The ESFA, launched on 1st April 2017, brings together the existing responsibilities of the Education Funding Agency (EFA) and the Skills Funding Agency (SFA) to create a single funding agency accountable for funding education and training for children, young people and adults. The ESFA are accountable for £61 billion of funding a year for the education and training sector, including support for all state-provided education for 8 million children aged 3 to 16, and 1.6 million young people aged 16 to 19.  
3. Under the provisions of the Education Act 2011 and the Academies Act 2010, all new state schools are now academies/free schools and the ESFA is the delivery body for many of these, rather than local education authorities. As such, we aim to work closely with local authority education departments and planning authorities to meet the demand for new school places and new schools. In this capacity, we would like to offer the following comments in response to the proposals outlined in the above consultation document.

Change To Plan:

Full Reference: C - 6303 - 8404 - Development Management in Harlow - None

**6307 Comment**      **Respondent: Miller Homes [8449]**      **Agent: Andrew Martin - Planning (Mr Olivier Spencer) [8448]**

Summary: In summary, our client requests that all future consultations present the Local Plan as a whole.

Change To Plan:

Full Reference: C - 6307 - 8449 - Development Management in Harlow - None

**6308 Comment Respondent: Jean Wright [5878]**

**Agent: N/A**

Summary: Having commented in previous years on the Local Plan I was left, after looking at the document, feeling disappointed as this is a policy document with no detail. It is the briefest of documents.  
As a resident I feel none the wiser about Harlow's future development.  
I feel unable to comment.

Change To Plan:

Full Reference: C - 6308 - 5878 - Development Management in Harlow - None

**6323 Comment Respondent: Quod Planning (Mr Philip Murphy) [7958]**

**Agent: N/A**

Summary: a) Gilston Area  
As the Council will be aware Places for People, alongside City & Provincial Properties, are working with East Herts District Council (EHDC) to secure an allocation for 10,000 homes at the Gilston Area. The Gilston Area is currently identified as a Site Allocation in the Pre-Submission draft of the East Herts District Plan (November 2016). This was submitted to the Secretary of State on 31 March 2017 and the independent examination is due to start on 3 October 2017.  
As recognised in the evidence base to the EHDC District Plan, the Gilston Area will provide a full range of residential properties, both private and affordable, to assist in meeting the housing needs of East Herts, and also contributes toward the economic regeneration of Harlow.  
Paragraph 11.1.3 of the draft EHDC District Plan states "As well as providing benefits to East Herts, the development will support the regeneration of Harlow by helping to draw investment to the town and enhance its economic performance."  
In delivering the Gilston Area development, Places for People are keen to support the regeneration of Harlow. This will include the indirect benefits of growth at the Gilston Area (e.g. investment and spending from the residents of the 10,000 homes being drawn into Harlow), and there will also be direct benefits in the form of highway improvements including the proposed Central and (likely Eastern) Stort Crossings.  
Detailed designs for the crossings are currently being prepared by Places for People in consultation with the two county highway authorities. These enhancements will deliver significant strategic improvements to the transport network across the greater Harlow area, and directly assist Harlow's wider aspirations for residential and economic growth.  
In order to correctly reflect the published evidence base, as well as have due regard to the advanced progress of the East Herts District Plan, the Development Management Policies document should specifically recognise the role and importance of the Gilston Area in supporting the Local Plan's strategic objectives, especially those set out in the Prosperity chapter.

Change To Plan:

Full Reference: C - 6323 - 7958 - Development Management in Harlow - None

**6329 Comment Respondent: Quod Planning (Mr Philip Murphy) [7958]**

**Agent: N/A**

Summary: Places for People welcome the opportunity to continue to engage with Harlow District Council on the evolution of Harlow's Local Development Plan, particularly as the detail on the proposals for the Gilston Area, and Central and Eastern Stort Crossings, continues to progress.

Change To Plan:

Full Reference: C - 6329 - 7958 - Development Management in Harlow - None

**6333 Comment Respondent: Countryside Properties Plc [70]**

**Agent: Barker Parry Town Planning Ltd. (Ms Elizabeth Fitzgerald) [8451]**

Summary: In reviewing the policies proposed there is some concern that the evidence base is now significantly dated and in many instances pre-dates the National Planning Policy Framework (NPPF), such that the position established lacks any clarity or weight to enable a developer to reasonably establish the policy requirements prior to the submission of a planning application.

Change To Plan:

Full Reference: C - 6333 - 70 - Development Management in Harlow - None

**6338 Comment****Respondent: Home Group (Jessica Watts) [8445]****Agent: N/A**

Summary: Home Group wishes to express support of the Draft Development Management Policies document Harlow has issued as part of the Local Plan. We believe the policies show a generally positive and practical attitude, and as a developer partner active in the district, we welcome any approach that encourages sustainable housing developments and promotes good design principles. We also advocate the focus on preserving heritage and the natural environment whilst being pragmatic about the potential for open space development where appropriate.

Change To Plan:

Full Reference: C - 6338 - 8445 - Development Management in Harlow - None

**6344 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: It is assumed that a statement will be inserted into the introduction of the final Plan clarifying that all development plan policies, including those found in the Essex Minerals Local Plan and Essex and Southend-on-Sea Waste Local Plan, will apply in the administrative area of Harlow, and that the Plans and their policies apply as a whole.

**Potential Policy Omission**

Reference is made to the NPPF as requiring developments to have a social role and support developing strong, vibrant and healthy communities. There is, however, no health and wellbeing policy within this document. This could possibly be included as part of Policy PL1, or it may be that such a policy would form part of the over-arching strategic Local Plan policies, that are yet to be published. If that is the case, ECC advises and reminds HDC not to overlook that consideration as key throughout the plan and its objectives. In the latter respect, it is noted that there is currently no Local Plan objective that specifically covers health and wellbeing.

In addition, ECC actively encourages the adoption of Health Impact Assessments in line with the existing Essex Planning Officers Association 2008 guidance, which will be updated. ECC also signposts to Public Health Guidance from colleagues at Herts County Council Public Health team, which can be found here- <https://www.hertfordshire.gov.uk/media-library/documents/public-health/hertfordshire-s-health-and-wellbeing-planning-guidance-may-2017.pdf>. The Harlow DM policies could usefully include a policy requirement for HIAs to be prepared for development proposals.

Change To Plan:

Full Reference: C - 6344 - 8452 - Development Management in Harlow - None

**6345 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: Paragraph 1.2  
The reference to 'national policies' could be made clearer by referring instead specifically to the National Planning Policy Framework.

**Paragraph 1.3**

This reference to 'strategic policies of the Local Plan could be made clearer by referring instead to the new Local Plan, in order to avoid any confusion with the old, previous Local Plan. NB This also applies to paragraph 2.5.

**Paragraph 1.4**

There is a lack of substantial references to Passenger Transport within the Policy Objectives and DM Policies. There are only two objectives which offer any suggestion of support for sustainable modes generally or Public Transport specifically. Neither of these however go into sufficient even high level detail to demonstrate that the HDC Plan is intent on encouraging and incentivising bus travel in particular. Objective 13 refers to "reducing the need to travel by vehicle, by locating new developments sustainably", whilst Objective 14 speaks of "improving transport links for all modes, to transport community facilities".

Change To Plan:

Full Reference: C - 6345 - 8452 - Development Management in Harlow - None

**6384 Comment**      **Respondent: Lichfields (Mr Harry Bennett) [8454]**      **Agent: N/A**

Summary: We write on behalf of our client, Mulberry Developments (Harlow) Ltd ("Mulberry Developments"), in relation to the above consultation.  
Mulberry Developments is grateful for the opportunity to comment and we provide our comments on the draft Development Management Policies document within this letter of representation.  
Mulberry Developments is the owner of the former GSK South Site, Third Avenue, Harlow. Mulberry Developments bought the site, located within the Pinnacles Industrial Estate, following its purchase from GSK in December 2016.  
The site is currently subject to an outline planning application (ref. HW/OUTAM/17/00246) seeking to erect up to 46,916 sq.m (GIA) of Class B8 floorspace.  
More generally, Mulberry Developments is a multidisciplinary development company based in Northamptonshire that specialises in both commercial and residential sectors. Since 2005, they have delivered over 2 million sq ft. of commercial development across the country.

Change To Plan:

Full Reference: C - 6384 - 8454 - Development Management in Harlow - None

**6389 Comment**      **Respondent: Roydon Parish Council (Janet Ballard) [5434]**      **Agent: N/A**

Summary: The Gibberd principles should continue to apply.

Change To Plan:

Full Reference: C - 6389 - 5434 - Development Management in Harlow - None

**6195 Comment****Respondent: Miss Sally SallyAnn Simpson [8418]****Agent: N/A**

Summary: Protection of already "in place" housing needs attention, not just for new developments; that is, the town needs new signage everywhere, not just for new developments like "Atelier" for instance. Street signage & housing designations all need to be consistent, in many instances they are damaged or displaced or have disappeared altogether. To maintain & protect Gibberd's vision, the town needs an upgrade in all signage, not just for traffic flow/directions, but more importantly for the various housing areas, eg Peterswood, Long Banks, St Katherines, Latton Bush, just about everywhere. At present, it is an inconsistent mess - this is not being addressed.

Change To Plan:

Full Reference: C - 6195 - 8418 - Placeshaping - None

**6214 Comment****Respondent: The Roydon Society (Miss Nicola Wilkinson) [27]****Agent: N/A**

Summary: Agree with protection of green areas including the Green Belt and maintaining the trees and hedges.

Support the continued protection and enhancement of biodiversity and geodiversity.  
Supportive of the Gibberd Masterplan to improve the natural environment, creating additional wildlife habitats and reinforce existing green links.

We expect any new green infrastructure to be well planned and effectively managed in the future, especially in times of reduced budgets.

In view of additional vehicles - minimize and reduce all forms of pollution and contamination.

All new dwellings to be water efficient and have the facility for rainwater harvesting. Using no more than 110 litres/day is optimistic.

Maintain all heritage assets and their environs.

Change To Plan:

Full Reference: C - 6214 - 27 - Placeshaping - None

**6224 Comment****Respondent: Essex Bridleways Association (Mrs Sue Dobson) [7887]****Agent: N/A**

Summary: 6 Local Plan Strategic Objectives: Objective 1 is to 'Create and enhance high quality built environments which are well connected to revitalised green spaces'. This we do not object to, but we feel that recreational access to all green spaces for all user groups is important and should be reflected within Harlow's key objectives. We therefore suggest that the wording should be amended to read 'Create and enhance high quality built environments which are well connected to revitalised fully accessible green spaces'.

Change To Plan:

Full Reference: C - 6224 - 7887 - Placeshaping - None

**6283 Comment****Respondent: Historic England (Ms Katie Parsons) [8441]****Agent: N/A**

Summary: We welcome the reference to the historic environment in paragraph 2.1 of the supporting text. Paragraphs 2.2 and 2.3 helpfully go on to concisely explain the character and nature of Harlow's New Town heritage, and highlight the importance of non-designated buildings and structures which are of local interest which contribute to the distinct character and heritage of the area.

It is recommended that the word "heritage" is replaced with the term "historic environment" in objective 2 of the Local Plan Strategic Objectives in paragraph 2.5. The term "historic environment" is a more all-encompassing term which demonstrates consideration of non-designated heritage assets and intangible cultural heritage. This applies throughout the Plan policies.

Change To Plan:

Full Reference: C - 6283 - 8441 - Placeshaping - None

**6212 Comment****Respondent: Sport England (. Laura Hutson) [8431]****Agent: N/A**

Summary: PL1 - Design Principles for Development - Active Design

It is stated that a high standard of urban and architectural design is expected within all developments. It is also noted that there is a focus within the Local Plan on residents' health and wellbeing more generally.

Sport England welcomes this approach and believes it would be strengthened with reference to Sport England Active Design guidance, which goes far beyond sport and recreation and aims to build physical activity into everyday life.

Sport England and Public Health England have recently refreshed our 'Active Design' guide which provides some really useful advice and case studies with clear reference to the NPPF to maximise the opportunities for design in physical activity. Sport England would commend this to you and suggest the concept of 'Active Design' be incorporated into policy - please see website extract and link below:

We believe that being active should be an intrinsic part of everyone's daily life - and the design of where we live and work plays a vital role in keeping us active. Good design should contribute positively to making places better for people and create environments that make the active choice the easy choice for people and communities.

That's why Sport England, in partnership with Public Health England, has produced the Active Design Guidance. This guidance builds on the original Active Design (2007) objectives of improving accessibility, enhancing amenity and increasing awareness, and sets out the Ten Principles of Active Design.

The ten principles have been developed to inspire and inform the layout of cities, towns, villages, neighbourhoods, buildings, streets and open spaces, to promote sport and active lifestyles.

The guide features an innovative set of guidelines to get more people moving through suitable design and layout. It includes a series of case studies setting out practical real-life examples of the principles in action to encourage planners, urban designers, developers and health professionals to create the right environment to help people get more active, more often.

The Active Design Principles are aimed at contributing towards the Governments desire for the planning system to promote healthy communities through good urban design.

Active Design has been produced in partnership with David Lock Associates, specialists in town planning and urban design.

<https://www.sportengland.org/facilities-planning/active-design/>

Or watch our short video here <https://www.youtube.com/watch?v=mDaVBh1Bs7Y>

Change To Plan:

Full Reference: C - 6212 - 8431 - PL1 Design Principles for Development - None

**6225 Comment****Respondent: Essex Bridleways Association (Mrs Sue Dobson) [7887]****Agent: N/A**

Summary: Policy PL1 Design Principles for Development: there is no mention of the provision of green infrastructure as part of new development which should be addressed, together with the aims to link in with the existing green infrastructure. Any new green infrastructure should also be accessible to all users, including equestrians.

Change To Plan:

Full Reference: C - 6225 - 7887 - PL1 Design Principles for Development - None

**6275 Comment****Respondent: Historic England (Ms Katie Parsons) [8441]****Agent: N/A**

Summary: Policy PL1: Design Principles for Development  
We support the inclusion of an overarching design principles policy. The need for development to protect or enhance local distinctiveness and to have regard for historic significance is welcomed. It is however recommended that the part b is amended to refer simply to the "historic environment" rather than to "features of local and historic significance". The acknowledgement in the policy to locally listed or significant building is supported but this would also be captured under the wider umbrella term "historic environment".

Change To Plan:

Full Reference: C - 6275 - 8441 - PL1 Design Principles for Development - None

**6346 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: ECC recommends that flood mitigation should also be mentioned in the design principles. ECC Public Health promotes the 10 Active Design principles. These could be incorporated within this policy. The reference to a high standard of urban and architectural design could be improved by adding 'landscape' as well in the design context. The policy refers to an adopted SPD (on design). This SPD (and others) will need to be linked specifically to the new Local Plan policies and that will need to be made clear in the adopted SPD by revising it. Consideration could also be given to whether there is a need to otherwise review and update or revise the SPDs. Policy PL1 requires a high standard of urban and architectural design for all development. Consideration needs to be given to the skills infrastructure to support criterion (g) - in particular technological changes (Digital Construction / Modern Methods). Paragraph 1.2 references that the purpose of the planning system is to contribute to the achievement of sustainable development, which has three roles:

- \* An economic role by contributing to a strong, responsive and competitive economy
- \* A social role by supporting strong, vibrant and healthy communities
- \* An environmental role by contributing to the protection and enhancement of the environment

This indicates that support should be sought from developers in major developments to support the Skills Infrastructure required. There is also a need to support the delivery of training / education courses in urban design / regeneration / house design. There is no mention of Skills in the infrastructure section (see ECC comments on Policy PR4 and its supporting text).

Change To Plan:

Full Reference: C - 6346 - 8452 - PL1 Design Principles for Development - None

**6196 Comment** Respondent: Miss Sally SallyAnn Simpson [8418]

Agent: N/A

Summary: These design principles have not been adhered to, you only have to look at the state of the Bus Stops on Parnall Road, vandalised & dirty, which are going to suggest to any homebuyer that there is crime in the neighbourhood. Also rusty railings all bent over & rotting suggest that design principles for local features are being ignored.

Change To Plan:

Full Reference: C - 6196 - 8418 - PL1 Justification - None

**6201 Comment** Respondent: Mr Andrew Whybrow [8423]

Agent: N/A

Summary: Whilst the concept of Gibberd was laudable the actual design and materials used in the Town Centre & the "original" Staple Tye have proved to be a total disaster. This comment can also be made of the experimental materials & designs of Berecroft, Bishopsfield & the now demolished Honey Hill development. Consequently any new building must not be of an experimental nature or some pet project by a trendy architect. Always ask the question what will the Building be like in 50/100 years in the future.

Change To Plan:

Full Reference: C - 6201 - 8423 - PL1 Justification - None

**6348 Comment** Respondent: Essex County Council (Mr Rich Cooke) [8452]

Agent: N/A

Summary: It is usual for full planning applications to be accompanied by BOTH a planning statement and a Design and Access Statement. These are normally two different documents.  
ECC recommends that the wording should be amended to:  
2.8 A Supplementary Planning Statement and Design and Access Statement will be required for major developments and may be required for other developments. They should demonstrate how the criteria in this policy and relevant national policies and guidance have been complied with.

Change To Plan:

Full Reference: C - 6348 - 8452 - PL1 Implementation - None

**6347 Comment** Respondent: Essex County Council (Mr Rich Cooke) [8452]

Agent: N/A

Summary: More detail should be inserted into clause (f) or the supporting text should be expanded to state that a role of the policy is to ensure that new development would not compromise the current or future operation of safeguarded minerals and waste infrastructure which are either developed or allocated. This is to the benefit of both the operators of the existing or allocated mineral or waste development, and potential users of any new development.

Please also note that any site allocations made within the sand and gravel MSA should make reference to the need for a mineral resource assessment to be carried out either as part of or prior to any planning application being made. ECC can assist in screening proposed site / growth allocations for mineral and waste implications.

Change To Plan:

Full Reference: C - 6347 - 8452 - PL2 Amenity Principles for Development - None

**6232 Comment****Respondent: Persimmon Homes (Mr David Moseley) [8437]****Agent: N/A**

Summary: Persimmon Homes support sustainable development and the significant energy savings that can be made through the design and specification of the fabric of new homes.

The Government have been clear as to the extent the planning system should have in the delivery of additional technical building standards. Both the ministerial statement from July 2015 and paragraphs 56-001 to 56-023 in the PPG show that it is the Government's intention to deliver the vast majority of improvements in technical building standards through Building Regulations. As such there should be no requirement for applicants to demonstrate how they will meet Building Regulations or provide an Energy Assessment detailing the energy demands and carbon dioxide emissions as required by Part L of the Building Regulations. These regulations are legal standards to which all developers must accord and as such it is inappropriate and unnecessary to require any evidence on these matters when applying for planning permission. It is also unreasonable to expect exceedance of these standards.

Change To Plan:

Full Reference: C - 6232 - 8437 - PL3 Sustainable Design, Construction and Energy Usage - None

**6276 Comment****Respondent: Historic England (Ms Katie Parsons) [8441]****Agent: N/A**

Summary: Policy PL3: Sustainable Design, Construction and Energy Use

We welcome the inclusion of a policy for sustainable construction, design and energy use. However, as currently drafted the policy makes no specific reference to the historic environment or to visual impact and setting. This policy is likely to refer to new build developments only, but that is not clear and could be interpreted as applying to all developments of all scales. The use of modern construction techniques on a listed building, for example, may detrimentally affect existing historic fabric elsewhere in the building therefore risking damage to the heritage asset contrary to the objective of the NPPF to conserve and enhance the historic environment. Listed buildings, buildings in conservation areas and scheduled monuments are exempted from the need to comply with energy efficiency requirements of the Building Regulations where compliance would unacceptably alter their character or appearance. Special considerations under Part L of the Building Regulations are also given to locally listed buildings, buildings of architectural or historic interest within registered parks and gardens and the curtilages of scheduled monuments, and buildings of traditional construction with permeable fabric that both absorbs and readily allows the evaporation of moisture. It is recommended that the policy is clarified as at this stage as it's remit is unclear to prospective applicants and decision makers.

Change To Plan:

Full Reference: C - 6276 - 8441 - PL3 Sustainable Design, Construction and Energy Usage - None

**6349 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: ECC suggests that this should refer to the new EA climate change allowances - <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>  
In regard to surface water drainage, when designing new development it should be demonstrated that the upper end allowance for climate change is designed for whenever possible. Should it prove impossible to accommodate these additional volumes within the formal drainage design it should be demonstrated that the additional volumes could be accommodated elsewhere on the site in the form of managed exceedance flows.

Change To Plan:

Full Reference: C - 6349 - 8452 - PL3 Sustainable Design, Construction and Energy Usage - None

CHAPTER: PLACESHAPING

PL3 Justification

**6247 Comment****Respondent: Mrs Giulia Festa-Burton [8436]****Agent: N/A**

Summary: 2.17 - My concern is that for the sake of creating affordable housing and new Council development, green areas may be 'eaten away' to the detriment of currently existing Harlow residents who would have chosen their home next to green areas to enjoy the amenities. More housing development yes, but certainly not to the expenses of existing residents.

Change To Plan:

Full Reference: C - 6247 - 8436 - PL3 Justification - None

CHAPTER: PLACESHAPING

PL3 Implementation

**6350 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: This states that a sustainability statement may be required for new developments. It is suggested that this should be made a requirement for major developments, albeit in a proportional way.  
This paragraph also states that the energy hierarchy set out in the Strategic Policies should be considered within the Sustainability Statement. However, the strategic policies have not been published and are not yet available for this purpose.

Change To Plan:

Full Reference: C - 6350 - 8452 - PL3 Implementation - None

**6221 Comment**

**Respondent: Janet Watkins [6004]**

**Agent: N/A**

Summary: 2.22 - ".....continue to protect green wedges and green fingers from encroachment....."

Therefore, I trust the following will be protected:

(a) land between High House Estate and Moor Hall Road (green belt, formerly a tree nursery, HDC owned), now overgrown and wildlife haven/sanctuary for deer, foxes, pheasants, squirrels and many birds etc.

(b) playing field next to Gilden Way, used by footballers, walkers and residents alike. A recreational and visual asset to the local community and town.

(c) small woodland next to Gilden Way/above playing field, which is regularly used by locals, and shelters birds and wildlife alike. Believe this is part of an ancient woodland, which should have protection.

Change To Plan:

Full Reference: C - 6221 - 6004 - PL4 Green Wedges and Green Fingers - None

## Summary:

i) Policy PL4 Green Wedges and Green Fingers

3.2 In total 54% of Harlow comprises open space, being 21% Green Belt, 23% Green Wedge and 10% other open spaces (excluding residential gardens). The administrative boundary of Harlow is drawn tightly around the developed area, with there clearly being considerable pressure on land for new development to meet the objectively assessed need.

3.3 Policy PL4 considers Green Wedges and Green Fingers, stating development on such land will only be supported where it is for small-scale development (defined as householder applications, school or sports related development, recreation and community uses), essential infrastructure, replacement buildings, or it constitutes strategic infrastructure which is of benefit to the wider community.

3.4 Additionally, development must demonstrate that the roles and functions of the Green Wedges and Green Fingers are not adversely affected and it enhances the landscape, promotes biodiversity and integrates with existing green infrastructure.

3.5 The justification for Policy PL4 states that Green Wedges and Green Fingers are fundamental to the character of Harlow, with the purpose of the policy being to continue to protect these areas whilst recognising there may be opportunities for some development within them.

3.6 However, Policy PL4 is overly restrictive for the whole of the Green Wedge and does not recognise that there are some areas that do not contribute towards the roles and functions of the Green Wedge.

3.7 Given that 54% of the total Harlow area comprises open space, releasing land within the Green Wedge that does not contribute towards its roles and functions would assist HDC in meeting the housing need whilst retaining the functioning areas of open space.

3.8 HDC undertook a Green Wedge Review in 2014, which identified the predominant land uses within the Green Wedge as being park and other grassland, park and other woodland, recreation and education. A small number of other uses are found, including residential, although the proportion of these other uses is low overall.

3.9 The Green Wedge Review considered the Green Wedges and Green Fingers within Harlow, relevant national and local policy and consultation responses. This identified 7 No. key roles that the Green Wedge network in Harlow fulfils, as follows:

1. Separation between neighbourhoods;
2. Preservation of original natural, physical and landscape features;
3. Preservation and enhancement of the setting and character of historic/cultural sites and areas;
4. Bringing a sense of the countryside into urban areas;
5. Provision of informal and formal sport and recreation facilities;
6. Provision of transport and wildlife corridors which link the Green Wedges with residential areas and the surrounding countryside;
7. Protection for undeveloped corridors of open land.

3.10 The Green Wedge Review refers to the Strategic Gaps and Green Wedge Policies in Structure Plans Report produced by the Office of the Deputy Prime Minister in 2002, which identified that Green Wedges 'serve a more specific purpose than rural buffers and strategic gaps, as Green Wedges are more related to providing access to open space from urban areas' (Paragraph 4.5).

3.11 The Harlow Design Guide SPD (October 2011) defines Green Wedges as large areas of strategic open space which help define neighbourhoods from each other, bring the countryside into the urban area and are more than movement corridors for vehicles or simply landscape buffers, and are an enduring legacy of Gibberd's masterplan.

3.12 Whilst it is clear the Green Wedges perform various roles and functions, their key purpose is to provide landscape features, open spaces and recreational facilities.

3.13 The Green Wedge Review undertook the first detailed assessment of the Green Wedge network in Harlow, dividing the network into 18 wedges to assess each part independently. However, in some instances these wedges were of a substantial size, with a limited number of viewpoints chosen within these.

3.14 Some specific sites were then chosen for assessment of removal, although it is not clear how these were chosen and only a limited number were assessed.

3.15 Overall it is considered that there is a greater potential for the removal of sites within the Green Wedge than considered in the Green Wedge Review. As no policies map has been published to date it is unclear whether HDC is taking forward the removal of sites within the Green Wedge as identified within the Review or whether additional or alternative sites are proposed for removal.

3.16 In the absence of this information, these representations have been formulated on the basis that those sites identified for removal in the Green Wedge Review are the only sites that have been considered for removal in the Local Plan.

3.17 HDC has not considered the removal of all potential sites from the Green Wedge and the currently wording of Policy PL4 does not allow for any further consideration, restricting development to a very small scale and for a limited number of uses.

3.18 As detailed in Section 4 below, our Client's Site is currently located within the Green Wedge and was not specifically assessed or identified for removal within the Green Wedge Review. In the absence of any site specific assessment undertaken by HDC, these representations seek to provide such an assessment against the roles and functions of the Green Wedge, demonstrating that the Site does not contribute towards these.

3.19 The current wording of Policy PL4 is overly restrictive and does not allow for any consideration of whether a site contributes towards the roles and functions of the Green Wedge on a site-by-site basis, unduly giving a high level of protection to all land contained within the Green Wedge.

Change To Plan:

Full Reference: C - 6266 - 8399 - PL4 Green Wedges and Green Fingers - None

**6309 Comment**

**Respondent: Miller Homes [8449]**

**Agent: Andrew Martin - Planning (Mr Olivier Spencer) [8448]**

Summary: Our client requests that Policy PL4 is relaxed to specifically allow the following uses, where their provision does not adversely affect the role and function of the Town's Green Wedges and Green Fingers:

- (i) social clubs;
- (ii) sports clubs;
- (iii) schools including their playing fields;
- (iv) allotments; and
- (v) public open spaces.

Change To Plan:

Full Reference: C - 6309 - 8449 - PL4 Green Wedges and Green Fingers - None

**6324 Comment**

**Respondent: Quod Planning (Mr Philip Murphy) [7958]**

**Agent: N/A**

Summary: The Central and Eastern Stort Crossings will play an important role in facilitating Harlow's growth and it is important that the Development Management document supports their delivery.

Policy PL4 should be re-worded to recognise and support the delivery of the crossings within a specific part of the Stort Valley green wedge. This would be consistent with EHDC's draft Policy GA2 (The River Stort Crossings) which states that "The Council will work with key stakeholders including Hertfordshire County Council, Essex County Council, Harlow Council, Hertfordshire LEP, and others as appropriate, to facilitate the delivery of the following transport improvements to crossings of the River Stort...".

The policy should also recognise that the introduction of improved public transport corridors may require a balance to be drawn between the benefits of changing modes of travel and existing green spaces and landscaping.

Change To Plan:

Full Reference: C - 6324 - 7958 - PL4 Green Wedges and Green Fingers - None

**6337 Comment****Respondent: Harlow Civic Society (Mr John Curry) [5318]****Agent: N/A**

Summary: On behalf of Harlow Civic Society:

We are generally in favour of the draft document, but would comment as follows in respect of Section PL4 - Green Wedges & Green Fingers.

Given recent developments on Green Wedges, we believe that the protection measures for these vital areas of Harlow are not strong enough, nor sufficiently specific. We think that the document should say that " development on land designated as Green Wedge or Green Finger will not be supported except in exceptional circumstances".

The conditions that we would apply would be for example: A direct replacement for an existing building, or, minor modifications and additions to existing buildings; but excluding creeping addition over long periods.

We have come to this opinion because, in recent years the Green Wedges have been built on in a way that can be considered to be cynical - involving land swap deals. We are equally concerned that authorities and organisations - other than Harlow Council - that have "ownership" or administrative rights over our priceless Green Wedges & Fingers, such as Essex County Council, The Homes & Community Agency and Harlow College, could be encouraged by the use of the positive phrase "will be supported".

We recommend a change in the wording that will imply that within the Green Wedges & Fingers is discouraged.

Change To Plan:

Full Reference: C - 6337 - 5318 - PL4 Green Wedges and Green Fingers - None

**6351 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: Criterion (a) refers to 'small scale development' but this is not clear as to how this will be defined.

It is noted that this policy states that

"Additionally, development must meet both the criteria below:

(e) it demonstrates that the roles and functions of the Green Wedges and Green Fingers are not adversely affected; and

(f) it enhances the landscape, it promotes biodiversity and integrates with existing Green Infrastructure."

As Green Wedges and Green Fingers should promote biodiversity, ECC points out that they should be seen as making an important contribution towards the strategic green infrastructure around Harlow to avoid recreational impacts on Harlow Woods SSSI.

Paragraph 2.22 would benefit from reference to Green Wedges and Green Fingers as contributing to strategic green infrastructure as a strategic solution to avoiding recreational impacts on Harlow Woods SSSI and improve biodiversity of this designated site.

Whilst it is recognised that there may be potential for development with some of the green wedges, fingers and other open spaces it is also suggested that the two policies need to read more strongly in favour of protecting the spaces unless it can be seen that the development provides much needed community facilities or enhances the use and appearance of the space. ECC welcomes the wording in the text that appears to set that out e.g. paragraph 2.21 and 2.22. Any possible conflict with policy PL7, stating that green infrastructure and landscaping must be protected needs to be avoided.

ECC is unclear as to paragraph 2.24 where reference to householder applications is set out; this implies that residents are able to purchase/use land for their own benefit and could lead to piecemeal extension of buildings and garden curtilage into the green space/s.

The text in paragraphs 2.26 - 2.28 is good but the wording of the two policies is less positive in terms of the objective of protecting the spaces which make a positive contribution. The open spaces are not mapped but green wedges and fingers are. Noted the text in paragraph 2.29 the woodland and landscape belts should perhaps be classified as green fingers.

Small scale development should be strictly defined.

ECC advises that both policies PL4 and PL5 are strengthened so that protection is the stronger objective. For example the wording could read along the following lines; 'Development on land designated as green wedges/finger or other open space will be refused/resisted unless it can be shown that': then the criteria are listed out.

Policy PL4 green fingers and green wedges; reads as below, we suggest adding in some extra wording (red and underline):

Policy PL4 Green Wedges and Green Fingers

Development on land designated as Green Wedge or Green Finger will be supported where it meets one or more of the criteria below:

(a) it is for small-scale development;

(b) it is for essential infrastructure and local transport infrastructure which must demonstrate a requirement for a Green Wedge or Green Finger location;

(c) it is for the replacement of buildings, provided that the new building/buildings are in the same use and not more harmful than the one it replaces;

(d) it constitutes strategic infrastructure development which can demonstrate that it is of benefit to the wider community.

Additionally, development must meet both the criteria below:

(e) it demonstrates that the roles and functions of the Green Wedges and Green Fingers are enhanced and not adversely affected; and

(f) it demonstrates that the wider landscape and setting is enhanced, it promotes biodiversity and integrates with existing Green Infrastructure.

Change To Plan:

Full Reference: C - 6351 - 8452 - PL4 Green Wedges and Green Fingers - None

**6385 Comment****Respondent: Roydon Parish Council (Janet Ballard) [5434]****Agent: N/A**

Summary: Note: The following also applies to policies PL5 - PL7.

The retention of hedgerows and trees should be a priority to maintain the town's 'green' credentials and new developments should provide green wedges and amenity space - these should not be allowed to be developed at a later date as they also provide wildlife habitats.

Change To Plan:

Full Reference: C - 6385 - 5434 - PL4 Green Wedges and Green Fingers - None

**6202 Comment** Respondent: Mr Andrew Whybrow [8423]

Agent: N/A

Summary: There must be no development of these Green Wedges they are fundamental in ability of Wildlife to survive in all ready over developed area.

Change To Plan:

Full Reference: C - 6202 - 8423 - PL4 Justification - None

**6293 Comment** Respondent: Dr Roger Bamford [8442]

Agent: N/A

Summary: It is good to see continued protection of the Green Wedges and the introduction of Green Fingers. In many ways these open spaces are more important than the Green Belt in Harlow.

The Green Wedge Review provides clear evidence for the continued protection of the Green Wedge and the release of areas not functioning as such.

Change To Plan:

Full Reference: C - 6293 - 8442 - PL4 Justification - None

**6277 Comment** Respondent: Historic England (Ms Katie Parsons) [8441]

Agent: N/A

Summary: Policy PL5: Other Open Spaces  
We welcome the reference to the urban design principles of the town.

Change To Plan:

Full Reference: C - 6277 - 8441 - PL5 Other Open Spaces - None

**6352 Comment** Respondent: Essex County Council (Mr Rich Cooke) [8452]

Agent: N/A

Summary: ECC would advise that both policies PL4 and PL5 are strengthened so that protection is the stronger objective.

PL5 other open spaces; reads as below. ECC is unclear as to the intent of the policy. Surely development on open spaces would only be supported where strict criteria are met? Is it meant to read that development will be supported only where certain criteria are met, as in the case of the PL4? The a), b), c) text below in the policy are not criteria. They are aspects which would create unacceptable impacts and should therefore not be supported?

PL5 Other Open Spaces Development on Other Open Spaces will be supported unless one or more of the following criteria are met:

- (a) the development would compromise the landscape character, openness, biodiversity or urban design principles of the town and/or the surrounding area;
- (b) the development would remove access to an open space which, in accordance with the current evidence, is of high quality and/or high public value in providing opportunities for sport and recreation;
- (c) the development would prejudice the potential for comprehensive development of adjacent land.

The policy wording could read more strongly if it said: Development on other open spaces will only be supported in exceptional circumstances (set these out). Where the following impacts will result then development will normally be refused: a) b) and c) could then be added.

Also, refer to ECC comments above (on Policy PL4) regarding recreational impacts on designated sites for biodiversity - Other Open Spaces are valuable for providing local opportunities for recreation as part of a strategic solution to avoid impacts on Harlow Woods SSSI, so the above paragraphs would benefit from amendment.

Change To Plan:

Full Reference: C - 6352 - 8452 - PL5 Other Open Spaces - None

**6248 Comment**

**Respondent: Mrs Giulia Festa-Burton [8436]**

**Agent: N/A**

Summary: I refer to my comments on PL3 2.17. How is the Council planning to monitor and ensure Sir Gibberd's plans to create a green amenities rich town will be maintained, when every green area seems to be put at risk of housing development? It shows no respect for the original New Town and no consideration for Harlow existing residents who enjoy such green amenities.

Change To Plan:

Full Reference: C - 6248 - 8436 - PL5 Justification - None

**6353 Comment**

**Respondent: Essex County Council (Mr Rich Cooke) [8452]**

**Agent: N/A**

Summary: ECC supports the main intentions of this policy and supporting text relating to trees and hedgerows. The reference to veteran and ancient trees in paragraph 2.33 is welcomed although the text in paragraph 2.34 would be more robust in defending hedgerows from inappropriate development if this was amended to also refer to assessment for biodiversity, eg bat foraging or commuting habitat, not just Arboricultural Impact Assessments. Hedgerows are listed as Priority s41 Habitats so this should be added to the justification in paragraph 2.33.

Change To Plan:

Full Reference: C - 6353 - 8452 - PL6 Trees and Hedgerows - None

**6354 Comment**

**Respondent: Essex County Council (Mr Rich Cooke) [8452]**

**Agent: N/A**

Summary: This should read with red text below added:

Existing specific protections that trees and/or hedges may have include Tree Preservation Orders and other protections offered by Conservation Areas and the 1997 Hedgerows Regulations.

Change To Plan:

Full Reference: C - 6354 - 8452 - PL6 Implementation - None

**6203 Comment****Respondent: Mr Andrew Whybrow [8423]****Agent: N/A**

Summary: The Council should work in conjunction with outside Agencies such as Essex Wildlife Trust to ensure that any development has a minimal effect of the Natural Environment. Any tree/hedgerow removed should be replaced on a 3 to 1 basis to ensure future sustainability.

Change To Plan:

Full Reference: C - 6203 - 8423 - PL7 Green Infrastructure and Landscaping - None

**6226 Comment****Respondent: Essex Bridleways Association (Mrs Sue Dobson) [7887]****Agent: N/A**

Summary: Policy PL7 Green Infrastructure and Landscaping: this Policy should aim to ensure that any green infrastructure is accessible to all users, including equestrians.

Change To Plan:

Full Reference: C - 6226 - 7887 - PL7 Green Infrastructure and Landscaping - None

**6278 Comment****Respondent: Historic England (Ms Katie Parsons) [8441]****Agent: N/A**

Summary: Policy PL7: Green Infrastructure and Landscaping

We would recommend that the policy is amended to refer to the function that Green Infrastructure can have in enhancing and conserving the historic environment. The policy in its current draft only refers to the enhancement of landscape character, it is suggested that the historic environment is also considered here. Green Infrastructure can be used to improve the setting of heritage assets and to improve access to it, likewise heritage assets can help contribute to the quality of green spaces by helping to create a sense of place and tangible link with history.

Change To Plan:

Full Reference: C - 6278 - 8441 - PL7 Green Infrastructure and Landscaping - None

**6355 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: ECC welcomes and supports this policy relating to green infrastructure and landscape. That said, there is an identified wording improvement as an addition to suggest.

Current text reads: "(a) new Green Infrastructure and landscaping are well planned, taking into consideration the practicalities and requirements of future management and maintenance;"

Suggested wording: new Green Infrastructure and landscaping are well planned and integrated as part of the development layout, taking into consideration the practicalities and requirements of future management and maintenance;

Paragraphs 2.42 and 2.43: Green infrastructure should be viewed as flood risk reduction and mitigation infrastructure. This is in line with the NPPF, which clearly promotes the use of mixed developments to encourage multiple benefits from the use of urban and rural land. Some open land can perform many functions such as for wildlife habitats, recreation, flood risk mitigation, carbon storage, or food production.

Also on paragraphs 2.42 and 2.43, see ECC comments above regarding a suggested strategic solution with green infrastructure playing an important role in avoiding recreational impacts on designated sites such as Harlow Woods SSSI and it is recommended that this should be added to the justification in paragraph 2.40. Creating functional greenspace within new developments is important to provide a daily walking route of 2.6km for new residents and ECC suggests that paragraph 2.42 refers to this benefit to improving the natural environment within the Impact Risk Zone of designated sites.

Change To Plan:

Full Reference: C - 6355 - 8452 - PL7 Green Infrastructure and Landscaping - None

**6264 Comment****Respondent: Natural England (Mr Jamie Melvin) [8440]****Agent: N/A**

Summary: Natural England notes that paragraph 2.48 recognises the hierarchy of sites. This however needs to be incorporated into the policy itself to satisfy paragraph 113 of the National Planning Policy Framework. Note that 113 further requires that criteria based policies are set and that distinctions should be drawn between international, national and locally designated sites. Whilst the document correctly recognises that Sites of Special Scientific Interest are the highest order of site within Harlow your authority should afford sites outside of the authority boundary the same level of protection.

Change To Plan:

Full Reference: C - 6264 - 8440 - PL8 Biodiversity and Geodiversity Assets - None

**6298 Comment****Respondent: Environment Agency (Miss Lisa Mills) [8443]****Agent: N/A**

Summary: Policy PL8 Biodiversity and Geodiversity Assets

We support the inclusion of this policy. However, it should also make reference to invasive non-native species and their management, including biosecurity measures. Invasive species are a growing issue and must be addressed to stop the spread, particularly Japanese Knotweed. Development sites should be checked for invasive species and measures should be put in place to follow biosecurity and eradicate the invasive species on site.

Change To Plan:

Full Reference: C - 6298 - 8443 - PL8 Biodiversity and Geodiversity Assets - None

**6356 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: Policy PL8 would benefit from re-structure to follow the mitigation hierarchy and Government's Natural Environment White Paper. Therefore ECC recommends the following order of requirements:

- a) Conserve/protect biodiversity and geodiversity assets
- b) Where this is not possible, mitigation measures will be required
- c) Where there is a residual impact, compensatory measures will need to be secured offsite.
- d) Reasonable enhancement of existing assets and creation of new biodiversity to improve connectivity and contribute towards improving ecological networks, particularly in the Living Landscape areas and Greater Thames Marshes NIA to deliver net gain for biodiversity.

Paragraph 2.47 refers to no net loss of biodiversity but Policy PL8 does not contain any reference to compensatory measures. In addition, this policy has the opportunity to ensure development delivers a net gain for biodiversity - see d) above.

Paragraph 2.49 would benefit from adding a references to:

- a) Non-statutory Local Sites (for both biodiversity and geodiversity) which are part of the evidence base for the Local Plan, as referenced in the NPPF
- b) Reporting of condition monitoring for Local Sites (for both biodiversity and geodiversity) to Government (Single Data List 160-00 re Positive Conservation Management) and
- c) A commitment to declaration of Local Nature Reserves to provide opportunities for people to enjoy nature

Best practice for implementation of Policy PL8 includes a validation checklist for developments likely to affect biodiversity and geodiversity. Reference to the Essex Biodiversity Validation Checklist in paragraph 2.50 would enable biodiversity to be considered at the earliest stage in planning a development which de-risks it and avoids delays. Paragraph 2.51 would benefit from re-wording to follow the mitigation hierarchy too (ie protect, mitigate, compensate, enhance) and list planning conditions first, then obligations and finally management agreements.

Change To Plan:

Full Reference: C - 6356 - 8452 - PL8 Biodiversity and Geodiversity Assets - None

**6249 Comment****Respondent: Mrs Giulia Festa-Burton [8436]****Agent: N/A**

Summary: Regarding noise pollution, Harlow has become regular target by airplanes which fly from and to Stansted airport at lower levels. The low height from ground means that Harlow residents are currently affected by noisy airplanes flying over our heads at a frequency of only every 5 minutes from one another, and on a 24 hour cycle. How is Harlow Council planning to resolve this?

Change To Plan:

Full Reference: C - 6249 - 8436 - PL9 Pollution and Contamination - None

**6299 Comment****Respondent: Environment Agency (Miss Lisa Mills) [8443]****Agent: N/A**

Summary: Policy PL9 Pollution and Contamination

We strongly support the inclusion of this policy within the plan. A robust policy must be in place to ensure that risks to groundwater are minimised as much as possible. The policy must ensure that no development will negatively impact upon water quality or waterbodies, whilst specifically focusing upon the prevention and remediation of land contamination within the borough. Contaminated sites have the potential to mobilise contaminants and consequently cause pollution.

The policy should help to ensure that developing land affected by contamination won't create unacceptable risks, or allow existing ones to continue. It should require developers to ensure sites are suitable or made suitable for the intended use, whilst ensuring that future developments are in appropriate locations where pollution and other adverse effects on the local environmental or amenity value are minimised.

The policy should state that all land which is considered to be contaminated will require a Preliminary Risk Assessment (PRA) to be submitted as part of the planning application, and that where necessary further site investigations, detailed risk assessments, remediation strategies, long term maintenance regimes, and validation reports may be required if contamination is found. It should be explicit that planning permission will not be granted for development that poses a threat to the quality of surface and/or groundwater, and should specifically reference the importance for all development to not detrimentally impact upon Source Protection Zones (SPZ) in particular, which are areas designated for the abstraction of clean drinking water.

The policy should be explicit in avoiding high risk development proposals within vulnerable groundwater areas, specifically petrol stations and cemeteries.

Change To Plan:

Full Reference: C - 6299 - 8443 - PL9 Pollution and Contamination - None

**6357 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: ECC suggests that this should mention that the Essex SuDS Design Guide provides guidance on how to mitigate against surface water pollution. See: <http://flood.essex.gov.uk/new-development-advice/how-to-design-suds-in-essex>

Change To Plan:

Full Reference: C - 6357 - 8452 - PL9 Pollution and Contamination - None

**6251 Comment****Respondent: Mrs Giulia Festa-Burton [8436]****Agent: N/A**

Summary: Re 2.54, my concern is that again, for the sake of bringing in more employment and industries to Harlow, Harlow Council does not respect existing green fields next to existing residential estates, which contribute to retain the amenity character of this town.

Change To Plan:

Full Reference: C - 6251 - 8436 - PL9 Justification - None



## Summary: Policy Comments

Thames Water support the proposed policy on SuDS under Policy PL10. With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground or watercourse. It is only when all options have been exhausted and there is not practical reason for using sustainable drainage, that developers should seek connection to the public network. It is important to minimise the quantity of surface water entering the wastewater system in order to maximise the capacity for foul sewage conveyance and to reduce the risk of sewer flooding.

## Need for a policy on wastewater infrastructure

With regard to the proposed Development Management Policies consultation it will be important to ensure that any development proposals coming forward are aligned with any necessary upgrades to the sewerage network. Developers should be required to demonstrate that there is adequate capacity both on and off the site to serve the development and that it would not lead to adverse amenity impacts for existing or future users in the form of internal and external sewer flooding, or pollution of land and water courses.

In order to address this issue Thames Water request that the following policy and supporting text is included in the Local Plan. Alternatively similar wording could be incorporated into the proposed policies such as Policy PL10, which should address all forms of flood risk including sewer flooding.

## Proposed Policy:

Planning permission will only be granted for developments which increase the demand for off-site wastewater infrastructure where:\*

- 1) Sufficient capacity already exists; or
- 2) Extra capacity can be provided in time to serve the development that will ensure that the environment and the amenities of other users are not adversely affected.

In accordance with the Planning Policy Guidance, when there is a capacity constraint and improvements in off-site infrastructure are not programmed, planning permission will only be granted where the appropriate infrastructure improvements will be completed prior to occupation of the development.

## Proposed Supporting Text:

The Local Planning Authority will seek to ensure that there is adequate wastewater infrastructure to serve all new developments. Developers will be required to demonstrate that there is adequate capacity both on and off the site to serve the development and that it would not lead to adverse amenity impacts for existing or future users in the form of internal and external sewer flooding, pollution of land and water courses.

In some circumstances this may make it necessary for developers to carry out appropriate appraisals and reports to ascertain whether the proposed development will lead to overloading of existing waste water infrastructure. Where there is a capacity constraint the Local Planning Authority should require the developer to provide a detailed drainage strategy informing what infrastructure is required, where, when and how it will be delivered.

Where there are infrastructure constraints, it is important not to under estimate the time required to deliver necessary infrastructure. For example: local network upgrades take around 18 months and Sewage Treatment & Water Treatment Works upgrades can take 3-5 years. Implementing new technologies and the construction of a major treatment works extension or new treatment works could take up to 10 years.

Thames Water has limited powers under the Water Industry Act 1991 to prevent connection to its network ahead of infrastructure upgrades. Thames Water relies heavily on the planning system to ensure infrastructure upgrades are provided ahead of development either through Local Plan Policies or the use of appropriately worded 'Grampian style' planning conditions.

In order to ensure that the water supply and drainage requirements of development proposals are understood and that any upgrade requirements are identified, all developers should be encouraged to contact Thames

Water Developer Services in advance of the submission of planning applications.

Thames Water recommend that developers engage with them at the earliest opportunity to establish the following:

- \* The developments demand for wastewater infrastructure both on and off site and can it be met; and
- \* The surface water drainage requirements and flood risk of the development both on and off site and can it be met.

Information for Developers on water/wastewater infrastructure can be found on Thames Water's website at: <http://www.thameswater.co.uk/developers/1319.htm>

Change To Plan:

**6233 Comment** Full Reference: C - 6220 - 8433 - PL10 Water Quality, Water Management, Flooding and Sustainable Drainage Systems - None  
**Respondent: Persimmon Homes (Mr David Moseley) [8437]** **Agent: N/A**

Summary: Policy PL10 requires all new residential development to achieve a water efficiency target of 110 litres per person per day and development should also make adequate and appropriate provision for water recycling.  
Changes to Building Regulations in 2010 require that the potential consumption of someone occupying a new home must not exceed 125 l/p/d and it is through the building regulations rather than planning, that this consumption should be addressed.  
Any additional requirements need to be fully evidenced and the Local Planning Authority should consider the impact of using these standards as part of their Local Plan viability assessment.

Change To Plan:

**6252 Comment** Full Reference: C - 6233 - 8437 - PL10 Water Quality, Water Management, Flooding and Sustainable Drainage Systems - None  
**Respondent: Mrs Giulia Festa-Burton [8436]** **Agent: N/A**

Summary: You refer to European directives regarding 3. Flooding. How is Brexit going to affect new policies regarding prevention and solution to floods in Harlow?

Change To Plan:

Full Reference: C - 6252 - 8436 - PL10 Water Quality, Water Management, Flooding and Sustainable Drainage Systems - None

**6300 Comment****Respondent: Environment Agency (Miss Lisa Mills) [8443]****Agent: N/A**

Summary: Policy PL10 Water Quality, Water Management, Flooding and Sustainable Drainage Systems

**1. Water Quality**

We are pleased to see that the deculverting of watercourses will be required where appropriate. All relevant proposals should investigate and secure the implementation for restoring culverted sections of watercourses to a naturalised state. This is in line with the requirements of the Water Framework Directive (WFD) and the Thames River Basin Management Plan (TRBMP). We would object to any planning application that we are consulted upon which does not do so. The policy should also specifically state that where deculverting or other river enhancements are shown to be unfeasible, the council will seek a financial contribution to restore another section of the same watercourse.

In addition to deculverting, you should also include the requirement for all new development adjacent to designated main rivers to provide and maintain a minimum undeveloped 8 metre buffer zone to the watercourse. This is to enhance and protect local biodiversity and wildlife corridors, provide space for flood waters, and provide access for maintenance works. This distance is in line with our Flood Risk Activity Permit, which is legally required for certain works within 8 metres of a main river. The buffer zone will provide a naturalised buffer free of built development, be designed for the benefit of biodiversity (including the planting of locally appropriate, UK native species) and be 'undisturbed' by development (i.e. no fencing, footpaths, lighting or other development). Such proposals must also include a long term scheme put in place to protect and enhance the conservation value of the watercourse, in line with the requirements of the WFD and the TRBMP.

Under the WFD, waterbodies must be at 'good' ecological status/potential (i.e. clean and healthy) by 2027. The UK has a legal obligation to meet this target and you as a local authority have a duty to work to achieve this, including through your Local Plan policies. None of your watercourses are currently achieving 'good' ecological status/potential, and therefore it is essential that you should be seeking to improve the quality of your watercourses to comply with your requirements under the TRBMP.

**2. Water Management**

We are pleased to see that water efficiency has been considered within this policy, with a commitment that all new dwellings should achieve water efficiency standards of no more than 110 litres per day. However, you should also set a target for commercial properties. This is necessary to ensure new development appropriately considers water consumption, in this area of the country which is under extreme water stress.

**3. Flooding**

We are pleased to see that flood risk has been considered within this policy, as Harlow contains areas of Flood Zone 2, 3a and 3b. It is therefore essential that you consider the risks associated with flooding in order to protect new developments against flood risk. However, there are a few aspects of the policy which should be amended in order to strengthen the policy.

In particular, specific reference within the policy should be made to the fact that a Flood Risk Assessment (FRA) must be submitted for all proposed developments within areas at risk of flooding. Planning applications within Flood Zones 2 and 3 that are without an FRA should be refused.

The policy must also state that no inappropriate development will be permitted within Flood Zone 3b, defined by your own Strategic Flood Risk Assessment (SFRA) as the functional floodplain where flood water is to be stored in times of flooding. The only development types that are considered compatible with Flood Zone 3b are 'water compatible' and 'essential' development, as defined within Tables 2 and 3 of the Planning Practice Guidance Flood Risk and Coastal Change section. The policy should also state that the functional floodplain should be restored wherever possible through a reduction of footprint within Flood Zone 3b as a result of development proposals. Additionally, whilst it is good that the policy ensures that 'there should be no net loss in flood storage on site', it should also encourage an increase in flood storage wherever possible.

It would also be good for the policy to have more emphasis on the climate change allowances which all development proposals within flood risk areas must consider. The climate change allowances must be used to determine the existing flood risk on the site, and the proposed mitigation measures such as finished floor levels, floodplain compensation, and routes of safe access and egress.

Finally, the beginning of point 'C' should read 'floor levels', not 'flood levels'.

Change To Plan:

Full Reference: C - 6300 - 8443 - PL10 Water Quality, Water Management, Flooding and Sustainable Drainage Systems - None

**6310 Comment****Respondent: Miller Homes [8449]****Agent: Andrew Martin - Planning (Mr Olivier Spencer) [8448]**

Summary: Policy PL10 currently directs that all dwellings should achieve the Optional Technical Housing Standard for water efficiency of no more than 110 litres per day. The actual standard is no more than 110 litres per day &amp;quot;per person&amp;quot;, not per dwelling as the policy currently implies.

Policy PL10 should be amended accordingly to avoid any ambiguity.

Change To Plan:

Full Reference: C - 6310 - 8449 - PL10 Water Quality, Water Management, Flooding and Sustainable Drainage Systems - None

**6325 Comment**

**Respondent: Quod Planning (Mr Philip Murphy) [7958]**

**Agent: N/A**

Summary: Places for People would like to work closely with Harlow Council on the final content of this policy to ensure its criteria do not inadvertently prejudice the delivery of the two proposed crossings across the Stort Valley.

Change To Plan:

Full Reference: C - 6325 - 7958 - PL10 Water Quality, Water Management, Flooding and Sustainable Drainage Systems - None

**6358 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: SuDS can be designed and incorporated to the development layout to contribute towards Green Infrastructure and Landscaping policy (PL7) and Biodiversity (PL8).

Policy text says "4. Sustainable Drainage Systems. Where a sustainable drainage system (SuDS) is required,..." ECC as Lead Local Flood Authority recommends SuDS to be an integral part of any and all developments.

Developments located in Critical Drainage Areas, as outlined in the Harlow Surface Water Management Plan, must take the evidence of surface water flood risk into consideration in the process of preparing site flood risk assessments.

1. Water quality - Comment: The Essex SuDS Design Guide provide guidance on how to mitigate against surface water pollution

### 3. Flooding

All development proposals will be considered against the NPPF (including application of the sequential test and, if necessary, the exception test) and against the European Water Framework Directive (or any subsequent equivalent).

Development must follow a risk-based and sequential approach, so that it is located in areas at low risk of flooding from all forms of flood risk. If this cannot be achieved, the exception test must be applied and the appropriate mitigation measures must be undertaken.

Development must meet all the following criteria:

(a) it must not increase the risk of flooding elsewhere. Comment: On brownfield sites, run-off rates should be restricted back to the 1 in1 greenfield rate and if this is demonstrated not be achievable, a minimum of 50% betterment on existing run-off rates should be sought - this is in line with the Essex SuDS Design Guide.

(b) within sites at risk of flooding, the most vulnerable parts of the proposed development must be located in areas at lowest risk of flooding from all forms of flood risk.

(c) flood levels of development in Flood Zones 2 and 3 should be situated above the 1% (1 in 100 years) plus climate change predicted maximum water level, plus a minimum watertight depth of 300mm above the normal water level; comment: development should also be situated above any 1 in 100 plus climate change maximum surface water flood levels .

(d) development must be flood resilient and resistant, with safe access and escape routes, and it should also be demonstrated that residual risks can be safely managed;

(e) any necessary flood protection or mitigation measures should not have an undue impact on nature conservation, landscape character, recreation or other important matters; - remove point. This suggests that flood protection is a lower priority when it should have equal weighting to other considerations when designing a site.

(f) there should be no net loss in flood storage on site;

(g) flood flow routes should be preserved; and

(h) where necessary (add) through the use of CILs and s106 Agreements, planning permission will be conditional upon flood protection and/or runoff control measures, (add) provided by the appropriate Risk Management Authorities, being operative before other site works.

### 4. Sustainable Drainage Systems

A surface water drainage scheme must meet all the following criteria:

(a) provide the most sustainable option from the SuDS hierarchy;

(b) achieve multiple benefits including management of flood risk and surface water pollution, amenity and biodiversity;

(c) achieve the greenfield runoff rate. Where greenfield run-off rate is demonstrated not to be viable on brownfield sites, a minimum of 50% betterment on run off rates should be demonstrated;

(d) provide appropriate attenuation taking into account climate change;

(e) provide arrangements for future maintenance and management; and

(f) major proposals should also comply with the principles and standards set out by the Lead Local Flood Authority for SuDS.

### Other comments

It should be made clear that in line with Paragraph 103 of the NPPF priority should be given to SuDS.

Reference should be made to the Harlow Surface Water Management Plan and the Essex SuDS Design Guide. The Essex SuDS Design Guide provide guidance on local standards for water quality and water quantity from developments and guidance on SuDS design.

Change To Plan:

Full Reference: C - 6358 - 8452 - PL10 Water Quality, Water Management, Flooding and Sustainable Drainage Systems - None

**6204 Comment**

**Respondent: Mr Andrew Whybrow [8423]**

**Agent: N/A**

Summary: You state that Harlow is in an area where the Water availability is under stress. However the increased development will only increase that further, consequently any excessive development is totally unjustified.

Change To Plan:

Full Reference: C - 6204 - 8423 - PL10 Justification - None

**6359 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: ECC suggests adding the following wording to the end of paragraph 2.65:

National policies and guidance defines flood zones and the types of development which are considered appropriate and inappropriate. It also provides information on the sequential test for Flood Risk Zones and how to then apply an exception test. The sequential test and exception test should be applied to all forms of flood risk.

This is line with national guidance which states:

In plan-making, local planning authorities apply a sequential approach to site selection so that development is, as far as reasonably possible, located where the risk of flooding (from all sources) is lowest, taking account of climate change and the vulnerability of future uses to flood risk. (<https://www.gov.uk/guidance/flood-risk-and-coastal-change> )

ECC suggests adding the following advice and requirements to paragraph 2.66:

Any major development should include a drainage strategy which should be submitted for the Lead Local Flood Authority (LLFA) to review, a stipulation which is in line with their requirements as outlined in the Essex SuDS Design Guide.

The Essex SuDS Design Guide provides guidance on local standards for water quality and water quantity from developments and guidance on SuDS design. This could be referenced in paragraph 2.69

ECC suggests adding the following advice and requirements to paragraph

The risk of flooding can be avoided and reduced by:

- \* locating new development within areas of lower flood risk through the application of the sequential test for Flood Risk and then applying an exception test in accordance with the NPPF;
- \* ensuring that development proposals in flood risk areas actively manage and reduce flood risk from all sources by applying the sequential approach at site level;
- \* where possible, the footprint of existing buildings should be reduced. On Brownfield sites, run-off should be restricted back to greenfield. Where this is demonstrated not to be viable, a minimum of 50% betterment on existing run off rates should be demonstrated;
- \* Flood storage should be maximised through the use of Green Infrastructure unless it is clearly demonstrated, with the support of calculations, that above ground green infrastructure is not viable economically. Where the use of green infrastructure is not viable, alternative principles which meet national and local standards on water quantity and water quality should be used.

This states:

When considering whether a drainage system is appropriate for a development, the Council will consider the technical standards produced by DEFRA, design and construction costs and advice from the relevant flood risk management bodies. When planning a sustainable drainage system, developers need to ensure their design takes account of the construction, operation and maintenance requirements of both surface and subsurface components, allowing for any personnel, vehicle or machinery access required to undertake this work.

Comment:

Reference in the above should also be made to the Essex SuDS Design Guide.

It should be made clear that, in line with paragraph 103 of the NPPF, priority should be given to the use of Sustainable Drainage Systems.

Change To Plan:

Full Reference: C - 6359 - 8452 - PL10 Implementation - None

**6279 Comment****Respondent: Historic England (Ms Katie Parsons) [8441]****Agent: N/A**

Summary: Policy PL11: Heritage Assets and their Settings

Reference to the setting of heritage assets within the headline of the policy and within the body of the policy itself is welcomed. Reference to the irreplaceable nature of heritage assets in the supporting text is also welcomed. The policy however, provides no recognition of the potential for development to enhance or better reveal the significance of heritage assets.

The supporting text in paragraph 2.83 should be expanded upon to refer to the need to consult Historic England on proposals which affect grade II\* or grade I listed buildings or their setting, as well as other developments outlined within tables 1 and 2 (requirement to notify or consult with Historic England) within paragraphs 57 and 58 of the National Planning Policy Guidance (NPPG).

There is concern regarding the supporting text in paragraph 2.74 which states that, "The purpose of this policy is to protect the features and characteristics for which designated and non-designated heritage assets were selected". It would be more appropriate to state that, "The purpose of this policy is to protect the significance of heritage assets". The wording in its current form could be misleading and imply that only aspects of the heritage assets noted in list descriptions are worthy of conservation. The list descriptions are for identification purposes only and the designation generally covers all aspects of the heritage asset and whilst the reasons why a heritage asset was designated can be a useful starting point for defining significance it is not all that is considered. For the purposes of decision making, paragraph 128 of the NPPF states that local authorities should require applicant to provide a statement of significance. Paragraph 129 states that local authorities should then identify and assess the particular significance of any heritage asset that may be affected by a particular proposal. The assessment of significance happened during the assessment of a site specific application.

Paragraph 2.83 of the supporting text states that a heritage statement should be submitted where planning permission is required for alterations or additions to listed and locally listed buildings. It should be noted that a heritage statement should be provided stand-alone listed building consent application as well. The need for a heritage statement should be mentioned as a criterion in the policy itself and not only in the supporting text.

Paragraph 2.88 relates to archaeology and outlines the need for a desk based assessment or field evaluation to be submitted where proposals affect sites or are adjacent to sites of known archaeological interest or sites where there is reason to suggest there is archaeological interest. This is welcomed but is not included in the policy itself. It recommended that the policy is amended to secure this requirement.

Change To Plan:

Full Reference: C - 6279 - 8441 - PL11 Heritage Assets and their Settings - None

**6316 Comment****Respondent: Anglican Deanery of Harlow (Revd Martin Harris) [8345]****Agent: N/A**

Summary: I would like to suggest a further item to this effect here or elsewhere:

"In assessing the desirability of conservation, account will be taken of the need to encourage ongoing use of the building so that it continues to make a positive contribution to the community (not only as a physical asset but) through its use for and by the community".

I would propose a positive statements to the effect:

"In assessing planning applications, the provision or local availability of good and accessible (where possible shared) community facilities, including places of worship, will be a requirement"; and

"The provision of good infrastructure including schooling and adequate parking for local facilities will be a requirement in all housing developments"

Change To Plan:

Full Reference: C - 6316 - 8345 - PL11 Heritage Assets and their Settings - None

## 6360 Comment

Respondent: Essex County Council (Mr Rich Cooke) [8452]

Agent: N/A

Summary: Policy P11 should be rephrased to ensure that it encompasses all of the heritage assets both above and below ground.

Under paragraph 2.76 there should be reference to the Essex Historic Environment Record containing all data on designated and non-designated heritage assets.

Archaeology is identified under paragraphs 2.88 and 2.89, however, there is no mention of enhancement of the heritage assets within development proposals which should be the starting position. This should also be reflected within the policy which at present seems targeted at the built heritage. It is recommended that the policy is reworded to encompass the whole of the historic environment.

Under paragraph 2.89 it is recommended that in the second line the word 'may' should be changed to 'will' to ensure compliance with the NPPF.

In addition:

\* The majority of LPAs have sought to phrase new policies in a positive manner in accordance with the presumption in favour of sustainable development. Usually policies are now phrased "Harlow Council will support development which...." Rather than "Development that affects a heritage asset or its setting will be assessed based on the harm caused by the development..." which infers that all development will cause harm to a degree.

\* PL11(a) - missed off 'and' at the end, leading onto (b)

\* PL11(a) - missed off 'the' - 'of the significance'

\* PL11(b) - 'harmonising' is perhaps not quite the right word as it could be construed as being conservative in your approach.

Justification

\* 2.74 - 'special interest' rather than features and characteristics as some are less tangible than these.

Implementation

\* 2.78 - This statement should be reworded. What it is trying to convey is to list the types of assets the policy relates to, and this should be the emphasis.

\* 2.80 - In Para.2.83 it states "For proposals which affect a Grade I or II\* listed building or structure, the council will also seek advice from Historic England" which is a repetition of 2.8. In addition, if providing this detail Harlow must also state all circumstances which amenity societies are notified and other types of application such as Grade I and II\* Registered Parks and Gardens.

\* 2.81 - This section is needs clarity with regards to Locally Listed Buildings and Non-Designated Heritage Assets. A separate section entitled Non-Designated Heritage Assets (of which Local Heritage Assets form a sub-section) would be beneficial. At present Non-Designated Heritage Assets are barely covered in comparison with the Local List which currently only has 21 entries and so are a minority of NDHAs.

\* 2.82 - Harlow could be making work for itself and making itself liable in the case of discrepancies and errors. This would be solved by referencing the National List for England maintained by Historic England which is available online and also more easily accessed by the public.

\* 2.83 - Need to provide clarity as there are no specific permissions required to alter or extend Locally Listed Buildings compared to Listed Buildings. Also, see above reference discussing overlap of this paragraph with 2.80.

\* 2.83 - Sentence should be reworded "...how the proposal compliments or mitigates any harm towards a building's historic...."

\* 2.85 - Assessing cumulative change and economic viability are overlapping but separate consideration. This paragraph merges the two concepts together uncomfortably. Suggest review.

\* 2.86 - Whilst CA's were traditionally designated because of their special architectural or historic interest modern good practice takes into account other qualities (even though this is not reflected in the 1990 Act). Leave out Architectural and Historic.

\* 2.87 - Suggest no need to name the Article 4 Direction Areas as Harlow may add others in time.

\* 2.88/89 - There is no mention of development responding to archaeology of the site which implies two options - archaeology halts development or archaeology is lost.

Change To Plan:

Full Reference: C - 6360 - 8452 - PL11 Heritage Assets and their Settings - None

**6383 Comment****Respondent: Lichfields (Mr Harry Bennett) [8454]****Agent: N/A**

Summary: Our Heritage Team has identified a number of concerns with this policy as currently drafted as follows:  
1 There is nothing in the policy text regarding weighing any harm against the public benefits. This makes it inconsistent with the NPPF (paras 133 to 134). Additional text should be accordingly added;  
2 Paragraph. 2.74- This second sentence as drafted is too expansive and vague. This policy is intended to also protect a building/structure within the wider setting of a heritage asset that contributes towards its significance. However, this could encompass a significant number of buildings where only designated and non-designated heritage assets are relevant. The paragraph should be amended to clarify this;  
3 Paragraph. 2.78- Designated heritage assets do not always include their curtilage; for Listed Buildings only curtilage structures if pre-1948 and potentially if building was listed after 1969. Also, settings aren't designated. Again we would suggest that this paragraph is amended to make this clear.

Change To Plan:

Full Reference: C - 6383 - 8454 - PL11 Heritage Assets and their Settings - None

**6386 Comment****Respondent: Roydon Parish Council (Janet Ballard) [5434]****Agent: N/A**

Summary: Note: The following also applies to policy PL12.

As a relatively new town, heritage assets should be protected from development in order to preserve the town's character.

Change To Plan:

Full Reference: C - 6386 - 5434 - PL11 Heritage Assets and their Settings - None

CHAPTER: PLACESHAPING

PL11 Justification

**6361 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: ECC advises an addition and clarification, so that this should read as follows (or similarly) to avoid any confusion with other older gardens and parks which exist and which also will be important in their own right:

2.77 Harlow contains one Historic Park and Garden recorded on the Historic England register of Historic parks and gardens. This is to the east of the district which was previously owned, developed and maintained by Sir Frederick Gibberd. The gardens and the house are located within the Stort Valley to the east of the town.

Change To Plan:

Full Reference: C - 6361 - 8452 - PL11 Justification - None

**6280 Comment**      **Respondent: Historic England (Ms Katie Parsons) [8441]**      **Agent: N/A**

Summary: Policy PL12: Enabling development of Heritage Assets and their Settings  
 A policy which seeks to address heritage at risk is welcomed, however this policy on enabling development is not the best way to achieve this. The policy reflects paragraph 140 of the NPPF but is written to apply to only heritage at risk which is more restrictive than the NPPF. By definition in the NPPF, enabling development is development that is not otherwise in accordance with adopted policy and is therefore not a necessary component of a local plan document. A stand-alone policy on enabling development is not necessary as it covered entirely by the NPPF and should be applied on a case by case basis depending on the merits of a particular proposal rather than as part of the Plan. A local plan should adequately set out a positive strategy for the historic environment without the need to include such a policy. It is advised that a policy on heritage at risk rather than enabling development would better achieve the desired outcome.

Change To Plan:

Full Reference: C - 6280 - 8441 - PL12 Enabling Development of Heritage Assets and their Settings - None

**6362 Comment**      **Respondent: Essex County Council (Mr Rich Cooke) [8452]**      **Agent: N/A**

Summary: ECC advises that Historic England is publishing new guidance imminently on Enabling Development (ED) which is likely to raise the required evidence base to justify ED. Accordingly when this is published this needs to be accommodated and reflected in Policy PL12, to ensure the Policy is in line with the most up to date good practice.

Change To Plan:

Full Reference: C - 6362 - 8452 - PL12 Enabling Development of Heritage Assets and their Settings - None

**6281 Comment**      **Respondent: Historic England (Ms Katie Parsons) [8441]**      **Agent: N/A**

Summary: PL13: Advertisements  
 It is recommended that the "historic environment" is used rather than "heritage assets" in part (a) of the policy. It is recommended that part (d) is expanded upon to include reference to lighting and the effect that illuminated advertisements can have on the character of the surrounding area. It would also be useful if the policy included a provision which addressed the removal of redundant advertisements in order to reduce visual clutter and improve the quality of the surrounding visual environment. The draft Plan does not contain a policy which relates to shopfronts. The retention of significant shopfront elements is often integral to the character of retail frontages and that of the wider street scene, especially where they are characteristic of Harlow's particular architectural style. It is noted that the Harlow Design Guide SPD (Oct 2011) contains design principles regarding shopfronts but the SPD's objectives would be strengthened if there was a Local Plan policy in place in order to manage their change successfully.

Change To Plan:

Full Reference: C - 6281 - 8441 - PL13 Advertisements - None

**6253 Comment**

**Respondent: Mrs Giulia Festa-Burton [8436]**

**Agent: N/A**

Summary: My concern is that Harlow Council again may show leniency in apply tighter policies when it comes to allowing A boards in areas of high amenity and character, such as Old Harlow High Street or even Broad Walk in Town Centre.

Change To Plan:

Full Reference: C - 6253 - 8436 - PL13 Justification - None

**6209 Comment****Respondent:** . Pauline Black [8430]**Agent:** N/A

Summary: Hi

Please can the Harlow Council planning consultation take in to account we need at least 4000 life time tenancies council homes built for the future of Harlows next generations.

Regards

Pauline Black

Change To Plan:

Full Reference: C - 6209 - 8430 - Housing - None

**6215 Comment****Respondent:** The Roydon Society (Miss Nicola Wilkinson) [27]**Agent:** N/A

Summary: Taking into account the problems have had in the past with travelers - restrictions on their locality must be observed and adhered to .

Change To Plan:

Full Reference: C - 6215 - 27 - Housing - None

**6222 Comment****Respondent:** Janet Watkins [6004]**Agent:** N/A

Summary: Objective 5 - "Provide a range of suitable housing for the community....."

There is no mention of building bungalow for the numerous single elderly people in 3/4 bedroom houses in the town. Many of these people would gladly downsize (myself included) if some affordable bungalows were available in the town. This would free up properties for families and allow the elderly to buy/move to a more suitable property.

Change To Plan:

Full Reference: C - 6222 - 6004 - Housing - None

**6282 Comment****Respondent:** Historic England (Ms Katie Parsons) [8441]**Agent:** N/A

Summary: The capacity for the area to accommodate new housing development whilst maintaining its historic environment should be a key consideration, so that the quality and character of neighbourhoods, towns and villages is conserved. Integrating consideration of the historic environment into plan making alongside other considerations is a key principle of sustainable development. Where less successful neighbourhoods are proposed for redevelopment opportunities for enhancement should be a priority.

Change To Plan:

Full Reference: C - 6282 - 8441 - Housing - None

**6318 Comment**      **Respondent: Home Builders Federation (Mr Mark Behrendt) [8450]**      **Agent: N/A**

Summary: Thank you for consulting the Home Builders Federation (HBF) on these development management policies. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year. We have commented in the past on the more strategic elements of the Harlow Local Plan and we hope to see these progressed as soon as possible. It is important that the Council moves forward with its Local Plan to ensure sufficient sites are allocated to meet Harlow's housing needs. The Council has consistently under delivered against its planned targets and having an adopted plan will secure the necessary allocations to meet its housing needs. However, as this consultation is purely on proposed development management policies we will not comment further on the strategic concerns relating to housing needs and supply.

Change To Plan:

Full Reference: C - 6318 - 8450 - Housing - None

**6319 Comment**      **Respondent: Home Builders Federation (Mr Mark Behrendt) [8450]**      **Agent: N/A**

Summary: Viability evidence  
Our principal concern is that the Council does not appear to have undertaken any assessment as to the viability of the policies it is proposing in this consultation. The most recent evidence on the Council's website is the 2010 study prepared by Levvel for the London Commuter Belt (East)/M11 Sub Region. This study cannot be considered an appropriate evidence base to support the preparation of a local plan and the we would expect the Council to undertaken a full assessment of whole plan viability prior to any further consultation. Without this evidence the Council cannot support any of the policies in the consultation document which will place additional costs on the development industry in the Borough. As such the H5 Accessible and Adaptable Housing, H8 Affordable Housing and H9 Self and Custom Build Housing are not justified and cannot be considered to be sound.  
In addition to concerns with regard to the lack of an up to date viability assessment supporting these polices, and in fact the whole plan, we also have concerns regarding the approach taken to each of these polices.

Change To Plan:

Full Reference: C - 6319 - 8450 - Housing - None

**6326 Comment**      **Respondent: Quod Planning (Mr Philip Murphy) [7958]**      **Agent: N/A**

Summary: The development of 10,000 homes at the Gilston Area will support the housing and economic needs of Harlow. By providing a wide range of private and affordable homes to rent or buy, the Gilston Area will help attract and retain skilled workers. Many of these will work in Harlow and provide the more diverse local workforce which has been identified as critical to developing the Harlow economy. The contribution that this will make should be recognised in the opening paragraphs of Chapter 3 which focus solely on the 9,200 homes to be delivered in Harlow.  
Homes at the Gilston Area will also help rebalance the local housing mix. This is particularly true for the Harlow wards adjacent to East Herts which, whilst having high levels of social rented provision, offer very few intermediate options and limited professionally managed private rented homes.

Change To Plan:

Full Reference: C - 6326 - 7958 - Housing - None

**6227 Comment****Respondent: Essex Bridleways Association (Mrs Sue Dobson) [7887]****Agent: N/A**

Summary: Policy H1 Housing Allocations: this Policy should also mention the need for connectivity of open space and green infrastructure, together with its accessibility to all users.

Change To Plan:

Full Reference: C - 6227 - 7887 - H1 Housing Allocations - None

**6267 Comment****Respondent: Barton Willmore (Miss Emma Gladwin) [8399]****Agent: N/A**

Summary: ii) Policy H1 Housing Allocations

3.20 As detailed in Section 2 above, Policy H1 states that development of the Strategic Housing Site and other sites for housing, as allocated in the Strategic Policies, will be supported. A Master Plan is required to be submitted for development of the Strategic Housing Site.

3.21 As outlined within Section 2, we raise an objection to Policy H1 as currently drafted as no other information is provided. As the Strategic Policies and the Proposals Map have not been published, there is no indication of where the Strategic Housing Site or other site allocations are.

3.22 There is also no detail regarding what form development will take on these sites and whether they are allocated for residential, retail, employment, recreation, or a combination of uses.

3.23 As currently drafted, Policy H1 has no substance and cannot be adequately considered or assessed.

Change To Plan:

Full Reference: C - 6267 - 8399 - H1 Housing Allocations - None

**6295 Comment****Respondent: Dr Roger Bamford [8442]****Agent: N/A**

Summary: This is a rather pointless policy as it stands as details of the strategic housing site are currently unknown. I assume this is because the development management policies have peculiarly been published ahead of the strategic ones.

Change To Plan:

Full Reference: C - 6295 - 8442 - H1 Housing Allocations - None

**6268 Comment**      **Respondent: Barton Willmore (Miss Emma Gladwin) [8399]**      **Agent: N/A**

Summary: iii) Policy H2 Residential Development  
 3.24 Policy H2 recognises that there has been a small but constant supply of new housing on infill sites and garden plots, which can contribute to meeting local housing need, supporting such development subject to various criteria being met.  
 3.25 Policy H2 recognises the constraints of the District and seeks to support residential development where it would be appropriate, in accordance with the NPPF. As such we support the aims of Policy H2 in encouraging residential development on suitable infill sites, garden plots, minor residential schemes and vacant plots.

Change To Plan:

Full Reference: C - 6268 - 8399 - H2 Residential Development - None

**6284 Comment**      **Respondent: Historic England (Ms Katie Parsons) [8441]**      **Agent: N/A**

Summary: Policy H2: Residential Development  
 It is recommended that the historic environment is listed as an aspect for consideration in part (a). It is recommended that the supporting makes reference to the positive contribution open spaces and gardens can make a positive contribution to the character of an area and to the its distinctive townscape.

Change To Plan:

Full Reference: C - 6284 - 8441 - H2 Residential Development - None

**6363 Comment**      **Respondent: Essex County Council (Mr Rich Cooke) [8452]**      **Agent: N/A**

Summary: Criterion (b) refers to 'adopted vehicle parking standards' but does not make clear whether this means the Essex County Council parking standards (or others). This also applies to Policy H7.

Change To Plan:

Full Reference: C - 6363 - 8452 - H2 Residential Development - None

**6254 Comment**      **Respondent: Mrs Giulia Festa-Burton [8436]**      **Agent: N/A**

Summary: I am sorry, but this utter rubbish. If there is only a garden or field between estates, surely this would enrich the character of a residential area, hence creating a break to overcrowding. Instead, you state that where only one green area is still standing between estates or building, that area is very likely to be considered for development, hence allowing that overcrowding of building all crunched up and next to each other. This is unacceptable!

Change To Plan:

Full Reference: C - 6254 - 8436 - H2 Implementation - None



**6208 Comment****Respondent: Morley Grove Residents Association (Sheila Sullivan) [5043]****Agent: N/A**

Summary: Note: This is a transcript of a scanned letter. See attachment for original letter.

I would like to make the following comments and contribution to your document. My particular concern has long been the issue of Houses in Multiple Occupation in Harlow (section H3 in your document). From personal experience in Morley Grove I know what a disastrous effect they can have on a neighbourhood in our town. Eventually, Harlow Council successfully took planning enforcement action and then established an Article 4 Direction withdrawing permitted development rights for HMOs in Morley Grove.

I, and many others, had hoped that the same protection would be established for the whole of the town, so that no property could be converted into an HMO without prior planning consent. However, despite the government's loosening of the rules on A4D in 2010 to facilitate such decisions, Harlow Council has not taken up that option.

I am therefore asking that your Development Plan includes the adoption of an Article 4 Direction withdrawing the permitted development rights of conversion from a house/flat into an HMO anywhere in Harlow. An A4D is essential to control the development of HMOs. It means that developers would need to apply for prior planning consent and the Planning Committee could make their decision based on the Council's policy. It would replace random development with development in appropriate locations and to the Council's requirements.

My justification for applying an A4D across the whole of Harlow is as follows. There is heavy pressure on existing housing in Harlow and, as your document confirms, this is a particularly true for large family homes (the very properties targeted by HMO developers). The town was originally designed to accommodate people in groups of properties and close communities. These were high density areas focussed on single families. Most of the housing was designed and built for single families and this is reflected in the covenants the properties carry which restrict use to single families only. Parking is a major problem in the town. Parking on pavements is a common sight in some areas and emergency services are challenged by blocked access. Noise transference between terraced properties is common and cannot be reduced easily. Housing in Harlow is largely in terraces.

Your document does not give enough weight to the importance of community cohesion. The dispersal of HMO properties around the town is uneven at present with some areas having runs of them. (I enclose a document which demonstrates the locations of currently licensed HMOs ). Your threshold policy of 1 HMO in 5 is too high a proportion. I believe that only 1 in 10 in a street, as well as area, should be allowed to be converted into an HMO. Nationally this 10% threshold is the one most commonly adopted by local authorities. Harlow has special characteristics of design which mean 10% of properties converted to HMOs would be the most it could accommodate without adverse effects for the neighbours, neighbourhood and community cohesion.

**Section H3**

I would change your section H3 to read

The creation or conversion of a dwelling to a House in Multiple Occupation(HMO) will be supported where it meets all the criteria below:

- (a) the number of HMOs would not exceed one out of a row of 10 units.
- (b) it is supported by a design rationale based on an understanding and

analysis of local context and character taking into consideration the Adopted Harlow Design Guide Supplementary Planning Document (SPD).

(c) the development makes adequate provision for refuse storage in an enclosed /covered storage area and collection from it.

(d) parking is provided at a level of one space per bedroom, plus one secure covered cycle space per bedroom, and one car parking space for visitors and management use.

(e) effective measures are proposed to minimise the effects of noise and disturbance.

(f) property complies with Building Regulations.

In addition to changing the threshold (a) above, I have made two other changes to your list and added a sixth.

The unpleasant effects of careless handling and storage of refuse at HMOs are well known around the town (c). Requiring storage areas to be covered/enclosed would fit better with the Council's design requirements.

HMO tenants parking vehicles on the street and blocking access for others can be a major cause of concern and conflict. I am therefore pleased to see the Council is specifying a parking space for each bedroom. However, one additional parking space is needed for visitors and management use (d).

Minimising the effects of noise and disturbance (e) is more easily said than done in terrace houses in Harlow. The Planning Inspector's decision in the case of Morley Grove was that it was not possible, bearing in mind the noise transmission between houses.

For the safety of tenants, the property needs to comply with Building Regulations (f). This has been highlighted by the terrible tragedy of Grenfell Tower.

#### Implementation

Your implementation section acknowledges that current permitted development rights exempt conversion to small HMOs (3 to 6 unrelated persons) from requiring planning consent.

This means that none of this policy will apply to HMOs claiming to have only that number of unrelated occupiers. Experience has taught us that landlords easily move their tenants from one HMO to another to deal with inspections carried out to check on the number of people living in a property.

This policy will therefore only have any power of enforcement over small HMOs when an Article 4 Direction removing permitted development rights is established across the town.

In paragraph 3.18 the document makes reference to HMO Licensing which is carried out by Environmental Health. At present Harlow has established an Additional Licensing Scheme which licenses all HMOs not subject to the Mandatory Licensing Scheme. The Additional Licensing Scheme is time limited and due to finish in April 2020. If that scheme does not continue the Council will lose data about where HMOs are and so undermine the threshold policy.

Establishing the Article 4 Direction and withdrawing permitted development rights is the only way to ensure the Council can manage the growth of HMOs.

(See attachment for original letter and attached appendix.)

Change To Plan:

Full Reference: C - 6208 - 5043 - H3 Houses in Multiple Occupation - None

**6239 Comment**

**Respondent: Mr & Mrs Andy & Janice Gee [8438]**

**Agent: N/A**

Summary: I have lived in Harlow since 1955 and my Wife was born in the town a few years later. We have the upmost respect and regard for Sir Frederick Gibberd who's Master Plan has passed the test of time, proving Harlow with great living space with the green wedges and fingers. How much better Harlow would have been if his plan had been implemented for connecting the roads to the M11 north of the River Stort.

Our main comments to the Consultation Draft is with regard to Section H3 Houses with Multiple Occupancy. The initial comment we would like to make is that when our house in Collins Meadow was built in the nineteen fifties by the Harlow Development Corporation, a Covenant on the land states "Not to use any dwelling erected on the hereby transferred for purposes other than that of a single private dwelling-house in one occupation.....". The Covenant is transferred when the house is sold and still valid to the new owners. We also believe that this is the same for a lot of the properties built in Harlow at that time. Harlow Council took over from the Development Corporation and inherited their obligations with regards to Harlow's housing stock. We have an HMO on the opposite side of the road to us in Collins Meadow and we cannot understand how Harlow Council issued a licence some eighteen months ago, as an HMO for Six rooms, Six Occupancies with these Covenants we believe still in force. The reason we have been given for this is that as 'Harlow Council do not own this land then they cannot enforce this Covenant'. Our stance is that the protections put in by Harlow Development Corporation to protect our 'way of life' are not being honoured.

The next door neighbours to this HMO have suffered noise and disturbance due to open windows and more conversations and shouting in the rear gardens. Over occupancy on a regular basis, which has substantially increased the 'comings and going' to the property. The fire doors are slam shut and noisy and have been fitted to a house that was not designed for their use. We believe this could be a 'statutory nuisance' particularly at night. Any visit to the bathroom at night will result in the fire doors slamming shut four times. We have been more fortunate living opposite this HMO, than the next door neighbours, but we have still suffered with the non emptying of bins at times and the eye sore of six bins instead of two, and parking issues. We have had two major incidents where the police have been involved, the first a fight in the HMO with the loser being left for dead, and more recently an alleged knife threat! Cannabis smoking has been regularly occurring and the police have been taking action.

The Development Plan H3 mentions HMO's allowable (a) 'One in Five units', this would mean another three in our cul-de-sac, which would completely ruin life in this community. We welcome (d) 'parking is provided for one space per bedroom' as this should protect Collins Meadow, and we would think most areas of the town, from HMO's as most suffer a severe lack of parking.

The Councils own multi dwelling houses are generally detached properties, this keeps some of the noise from becoming a problem, as there are no next door neighbours. Our recommendation for HMO's is that Harlow Council do not issue licences for HMO's within a terrace. But we feel we have far too many already as we've noticed on the HMO Public Register there's over 200 at the moment and they are spoiling our town!

Finally we wish you good luck with the future development of Harlow, Sir Frederick Gibberd has set some very high standards.

Change To Plan:

Full Reference: C - 6239 - 8438 - H3 Houses in Multiple Occupation - None

**6241 Comment**

**Respondent: Mrs Giulia Festa-Burton [8436]**

**Agent: N/A**

Summary: I strongly believe point d) is never met at present when landlords apply for HMO licence. Likewise on point a) the ratio should be increased to 1:10 in order to avoid overcrowding and in respect of local character of Harlow estates and areas.

Change To Plan:

Full Reference: C - 6241 - 8436 - H3 Houses in Multiple Occupation - None

**6246 Comment****Respondent: Mrs Giulia Festa-Burton [8436]****Agent: N/A**

Summary: (h). By encouraging investors to apply for HMO licences, Harlow Council encourages an influx of transient tenant base in residential areas already family oriented. The transient nature of HMO tenants often encourages crime and higher levels of anti social behaviour, often due to the fact that landlords are not obliged to seek references for potential tenants.  
(f) I have concerns that currently Harlow has very inadequate transport solutions in place both by rail and bus - already insufficient now, let alone with the increment of commuters to Harlow following regeneration.

Change To Plan:

Full Reference: C - 6246 - 8436 - H3 Houses in Multiple Occupation - None

**6250 Comment****Respondent: Mrs Giulia Festa-Burton [8436]****Agent: N/A**

Summary: By allowing HMOs in existing residential areas, effectively Harlow Council allows a business to run next to residential properties, without even demanding for planning applications for change of use. This is unacceptable as HMOs are only detrimental to residents and residential areas.

Change To Plan:

Full Reference: C - 6250 - 8436 - H3 Houses in Multiple Occupation - None

**6294 Comment****Respondent: Dr Roger Bamford [8442]****Agent: N/A**

Summary: Unfortunately this policy is rather weak compared to other councils who have much more detailed HMO policies and criteria for assessment. It would be appropriate therefore to revisit this policy and strengthen it.

Change To Plan:

Full Reference: C - 6294 - 8442 - H3 Houses in Multiple Occupation - None

**6205 Comment** Respondent: Mr Andrew Whybrow [8423]

Agent: N/A

Summary: Houses with multiple occupations tend to be owned by "dubious" landlords. There should be NO increase of that type of property. With the vast increase in building the need for HMO should be reduced & therefore the aim should be to reduce rather than increase numbers.

Change To Plan:

Full Reference: C - 6205 - 8423 - H3 Justification - None

**6242 Comment** Respondent: Mrs Giulia Festa-Burton [8436]

Agent: N/A

Summary: I firmly believe the use of HMO to alleviate the housing register overcrowded subscription as well as homelessness is only a palliative. HMO landlords are allowed to charge rent which is nearly double the Local Housing Allowance paid through Housing Benefits. Therefore, when tenants become unemployed, or if already unemployed at the point of renting an HMO room, they have no choice but to apply for Discretionary Housing Payments from their Housing Benefits entitlement - if this additional payment is not granted by Housing Benefits of Harlow Council, they then fall in arrears to then become homeless again.

Change To Plan:

Full Reference: C - 6242 - 8436 - H3 Justification - None

**6243 Comment** Respondent: Mrs Giulia Festa-Burton [8436]

Agent: N/A

Summary: The current policy of granting HMO licences does not look at the currently existing local amenities and characters of the surrounding houses within an estate. No consideration is paid to whether there is additional parking space for a potential minimum of 6 extra households in a street. And this can only bring further upset to the local residents.

Change To Plan:

Full Reference: C - 6243 - 8436 - H3 Justification - None

**6262 Comment** Respondent: Mr Simon Burton [8439]

Agent: N/A

Summary: In principle I can see the use of HMOs as part of the solution to decrease the number of applicants to the Housing Register or of homeless applicants. However criteria should be changed to include a ratio of 1 HMO property for every 20 single dwelling properties. This draft very much focuses on respecting the original plans set out by Sir Gibberd in designing this Town. As such, HMOs should not be allowed in properties that were purpose built for single dwelling, but new purpose built properties should be solely used for the purpose of multiple occupancy.

Change To Plan:

Full Reference: C - 6262 - 8439 - H3 Justification - None

**6244 Comment****Respondent: Mrs Giulia Festa-Burton [8436]****Agent: N/A**

Summary: It is appalling that this Council will only enable Environmental Health to deal with the matter of granting HMO licences. All the above mentioned issues, including ensuring respect of local amenities and that not too many family homes are lost to what essentially is a business, should be overseen by Planning, and the two services should work alongside to ensure all these issues are avoided when issuing an HMO licence. I believe HMOs should all go through a planning applications, irrespective of the size and number of tenants.

Change To Plan:

Full Reference: C - 6244 - 8436 - H3 Implementation - None

**6245 Comment****Respondent: Mrs Giulia Festa-Burton [8436]****Agent: N/A**

Summary: With the overall regeneration of Harlow and the introduction of new employment opportunities with the redevelopment of the former Nortel site and with PHE move to Pinnacles in a few years time, I can see how new housing formulae and opportunities may be needed. However I do not believe HMOs are the answer, as for the sake of encouraging business coming to Harlow from investors, existing residents are penalised. This is not acceptable, and the influx of leisurely granted HMO licences has to stop. Harlow is already overcrowded with HMOs, which bring only but disruption to residential areas.

Change To Plan:

Full Reference: C - 6245 - 8436 - H3 Implementation - None

**6260 Comment****Respondent: Mrs Giulia Festa-Burton [8436]****Agent: N/A**

Summary: I see a neat discrepancy between the policy adopted by Housing to use detached properties for TA purposes when the houses are Council owned as there is an acknowledgement that TA properties can cause disruption to a neighbourhood, and the policy adopted by the Council in granting HMO licences to landlords who purchase terraced or semi detached properties for this purpose. It proves that Planning needs to be involved in the decision making and in the process to grant HMO licences in order to monitor the detrimental impact to the local community.

Change To Plan:

Full Reference: C - 6260 - 8436 - H3 Implementation - None

**6261 Comment****Respondent: Mrs Giulia Festa-Burton [8436]****Agent: N/A**

Summary: HMOs are encouraged and facilitated at such an extent at the expenses to the well being of current local communities, that Planning do not even get involved when it comes to enforcing Restrictive Covenants for change of use from single to multiple dwelling.

Change To Plan:

Full Reference: C - 6261 - 8436 - H3 Implementation - None

**6234 Comment****Respondent: Persimmon Homes (Mr David Moseley) [8437]****Agent: N/A**

Summary: H5 Accessible and Adaptable Housing states that;

- All new dwellings must be at least Building Control Part M4(2) standard for accessible and adaptable homes to meet the occupiers' future needs.
- In addition, major residential development must provide a proportion of Building Control Part M4(3) standard dwellings for wheelchair users.

The need for such housing requirements is not evidenced. In the absence of supporting evidence the use of the optional standards on accessibility cannot be justified. As such the requirements relating to these standards in this policy should be deleted. Notwithstanding this, the proportion of M4(3) units sought is not clear. There is a need for a viability assessment to support the local plan and it should consider the implication of policy H5 on Accessible Housing. This optional standard will increase the cost of providing each dwelling. In particular the highest standard, M4(3), will add a substantial additional cost that must be assessed as part of the viability study. As such we do not consider either policy H5 to be adequately justified.

Change To Plan:

Full Reference: C - 6234 - 8437 - H5 Accessible and Adaptable Housing - None

**6311 Comment****Respondent: Miller Homes [8449]****Agent: Andrew Martin - Planning (Mr Olivier Spencer) [8448]**

Summary: In order to address these concerns, our client recommends that Policy H5 is amended to read:

"All new affordable dwellings must be at least Building Control Part M4(2) standard for accessible and adaptable homes to meet the occupiers' future needs. In addition, for major residential development, 10% of new affordable dwellings must be Building Control Part M4(3) standard (i.e. wheelchair user dwellings)."

Change To Plan:

Full Reference: C - 6311 - 8449 - H5 Accessible and Adaptable Housing - None

**6320 Comment****Respondent: Home Builders Federation (Mr Mark Behrendt) [8450]****Agent: N/A**

Summary: The Council must provide more detailed evidence relating to the need for these optional standards. Planning Practice Guidance (PPG) sets out the evidence required to support the introduction of such policies and this must be considered by the Council if it is to justify this policy. The policy is also vague and does not provide the required certainty that will allow the development industry to consider the implications of this policy on development viability. If the Council can justify the need for this policy then it must set out the proportion of homes to the higher optional standard are required on major sites. At present this policy is not consistent with the NPPF which sets out in paragraph 17 the need for plans to provide a practical framework within which decision can be made with a high degree of predictability.

Change To Plan:

Full Reference: C - 6320 - 8450 - H5 Accessible and Adaptable Housing - None

Summary: Policy H5 relates to accessible and adaptable housing and would replace policies H7 & H8 of the Local Plan 2006.

The extant policy base (Policy H7) allowed for a negotiation to take place regarding the extent of accessible and adoptable housing to be provided on any specific site, enabling a mixed community to be created on any site, allowing for viability issues and ensuring accessibility to community facilities and shops. Policy H8 sought to allocate sites that would provide for such provision.

The emerging policy takes this policy position much further stating that all new dwellings must be accessible and adaptable dwellings, in accordance with Part M4(2) of the Building Regulations.

There is a requirement under Building Regulations for all properties to meet Part M4(1), with Part M4(2) being an optional requirement. The policy requirement for all dwellings to comply with an optional Building Regulation requirement is not therefore justified.

The Strategic Housing Market Assessment (SHMA) 2015 acknowledges that the increase in people over 65 equates to three-quarters of the growth identified within the Housing Market Area. It also Page 2 of 4

states that "most of these older people will already live in the area and many will not move from their current homes". On this basis, to require all new homes to comply with Part M4(2) is disproportionate to the likely need within the plan period.

Furthermore, the application of this requirement across all dwellings, within all developments will undermine the principles of high quality design required by the NPPF and the adopted Harlow Design Guide.

Looking at the parking requirements associated with Part M4(2), each standard parking space associated with each Part M4(2) compliant property needs to be widened from the Essex Parking Standard requirement of 2.9m to 3.3m. The parking sizes are already considered to be land hungry, with any further increases in size further eroding the ability to deliver developments that do not appear overly car dominant. To quantify the impact of this element of the policy proposed, for a residential development constructed at an average density of 35dph, the increased parking space size will result in the loss of 1 dwelling per hectare of development.

The additional requirement of full step free access to entrances and shallow gradients being applied creates a flat, lifeless environment with no articulation.

The need to introduce ramps and lift shafts to developments further increases the amount of land required per dwelling and erodes flexibility in design.

The SHMA acknowledges that the application of Part M4(2) should only occur where viability is not compromised. This position is not reflected in the proposed policy wording, which makes no allowance for viability to be discussed.

By way of example, Part M4(2) requires a step-free access to be created for each dwelling, irrespective of the storey upon which it is located. If this is applied to a flatted development, each and every flat block would require an lift to be installed, regardless of height. Similarly in instances where the sub-division of an existing dwelling is proposed, forming 1 no ground floor flat and 1 no first floor flat, a lift would be required.

The increase in cost associated with the installation of a lift will no doubt dissuade people from subdividing their properties, and will challenge the viability of many mid-scale developments within the District. Or lead to a reduction in the mix of housing being offered on each site to maximise viability.

The requirements of Part M4(2), when applied across an entire development site, result in a significant loss of development land, such that meeting these standards will result in either a reduction in the number of dwellings being delivered per hectare, an increase in height of development or, worse case scenario, a reduction in the number of developers wishing to develop in the District due to the policy requirements being overly onerous. Of course the latter will raise significant issues in obtaining a consistent 5 year land supply and potentially even being able to demonstrate that future sites are deliverable.

Given the level of growth required in Harlow, along with the boundary constraints associated with the New Town, this extent of loss on all development sites will significantly reduce the ability to meet the OAHN and in turn place additional pressure on less suitable sites.

Emerging Policy H5 goes on to state that the even more onerous requirement of Part M4(3) should be achieved across 10% of market housing and 15% of affordable housing. Again this is based on information within the SHMA 2015, in which it states: "the evidence therefore supports the need for 10% of market housing and 15% of affordable housing to meet Category 3 requirements".

The SHMA seemingly fails to provide the stated evidence to support this position. There is no localised information available in respect of disability data, however, the national figures for England show that around 1 in 30 households (3.3%) have at least one wheelchair user, with this being significantly higher for affordable housing at 7.1%. The SHMA fails to provide any indication as to how this trend has changed over recent years, that would in turn enable an assessment, as to likely increase, to be made over the plan period. The SHMA merely concludes that the existing 3.3% should increase by a huge 6.7% and the affordable housing requirement by 7.9%.

When based on an average development size of 100 residential units with 30% affordable housing, this would equate to a 330% increase in provision over the existing 1 in 30 dwelling identified within England to date.

Whilst the provision of clear guidance in a policy is welcomed, it does need to be reasonable, substantiated and not result in development being unviable.

It is noted that Harlow District Council has yet to undertake (or publish) a viability assessment in respect of the overall emerging Plan, presumably as a result of the Plan still being formulated. It is therefore considered that this policy is premature and its impact cannot be fully understood without a complete picture of viability being ascertained in the first instance.

It is noted that the equivalent policy within the, now submitted, East Hertfordshire District Plan (Policy HOU7) contains a viability clause as recommended by the SHMA, it states: "II. Only where circumstances exist where it can be demonstrated by the applicant that it is not practically achievable or financially viable to deliver this policy, will new development be exempt from the requirement." If this emerging policy is to be retained, a viability clause should be included.

Lastly, Government Policy specifically warns against reference to non-planning legislation, as other legislation/standards are subject to regular change and results in planning policy becoming out of date quickly. This was seen with the changes to the Code for Sustainable Homes and Authorities with specific policies found themselves with unenforceable policies, conditions and legal agreements.

Certainly in respect of Part M, changes were introduced in 2015 which incorporated the accessibility requirements M4 (1) (2) & (3). These changes superseded the Code

for Sustainable Homes and the Design and Quality Standards, amongst other technical standards. The Code for Sustainable Homes was adopted in 2006, lasting only 9 years before it was replaced with the revised Part M requirements. The revised document incorporates some elements of the standards it replaced but is not readily transferable and as such many Local Plan Policies were rendered out of date and unenforceable.

It is considered highly likely that this policy will result in a significant amount of viability questions in respect of future development and without some form of amendment to enable a discussion on this point to be had, may lead to a shortfall in housing development, or an increase in appeals.

Furthermore, the regular change in building regulations is likely to result in the policy being defunct within the early stages of the plan period.

This policy is considered to be flawed, it is therefore recommended that it be deleted to ensure housing development can be readily delivered.

Change To Plan:

Full Reference: C - 6334 - 70 - H5 Accessible and Adaptable Housing - None

CHAPTER: HOUSING

H5 Implementation

### 6339 Comment

Respondent: Home Group (Jessica Watts) [8445]

Agent: N/A

Summary: Home Group supports the Council's intention to ensure new properties are accessible for all future occupiers. We presume the Council will specify on a site by site basis whether the proportion of homes to the Part M4(3) standard are to be adaptable or adapted as per the Regulations, based on known housing needs at that time? Establishing specific users during the planning process is key to optimising occupation.

Change To Plan:

Full Reference: C - 6339 - 8445 - H5 Implementation - None

CHAPTER: HOUSING

H6 Housing Mix

### 6364 Comment

Respondent: Essex County Council (Mr Rich Cooke) [8452]

Agent: N/A

Summary: This policy, which is important to ensure a balanced housing stock and market, is very brief and light on detail. Clearer references for developers on what types / sizes of homes are required would be beneficial and a specific reference within the policy to the relevant evidence base (SHMA / housing needs survey) would be beneficial. It also does not mention specialist housing requirements or independent living (refer to ECC Independent Living programme).

Change To Plan:

Full Reference: C - 6364 - 8452 - H6 Housing Mix - None

CHAPTER: HOUSING

H6 Justification

### 6255 Comment

Respondent: Mrs Giulia Festa-Burton [8436]

Agent: N/A

Summary: Private developments focus on 2 bedroom or bigger properties, whereas there still seem to be a need for 1 bed self contained flats or studio flats, for that group of single adults towards whom the Council does not have duty of care for homelessness, but who have no alternative but to rent HMO rooms. This gives way to an increased demand for rooms, when in fact HMOs bring only disruption and anti social behaviour. Once again the Council does not think of the long term consequences of immediate solutions, at the detriment of existing residents.

Change To Plan:

Full Reference: C - 6255 - 8436 - H6 Justification - None

**6206 Comment**

**Respondent: Mr Andrew Whybrow [8423]**

**Agent: N/A**

Summary: No planning permissions should be granted where a developer intends to sell a house subject to an increasing Ground Rent. That type of development should not be welcome in the Town.

Change To Plan:

Full Reference: C - 6206 - 8423 - H6 Implementation - None

**6365 Comment**

**Respondent: Essex County Council (Mr Rich Cooke) [8452]**

**Agent: N/A**

Summary: This reference is very brief and light on detail. Clearer references for developers on what types / sizes of homes are required would be beneficial and a specific reference within the policy to the relevant evidence base (SHMA / housing needs survey) would be beneficial. It also does not mention specialist housing requirements or independent living (refer to ECC Independent Living programme)

Change To Plan:

Full Reference: C - 6365 - 8452 - H6 Implementation - None

**6285 Comment**

**Respondent: Historic England (Ms Katie Parsons) [8441]**

**Agent: N/A**

Summary: Policy H7: Residential Annexes  
It is recommended that this policy requires development to have regard to the character of the surrounding area, it is noted that this is referred to in the supporting text but only in the context of intensification of use and not in the implications for the physical environment.

Change To Plan:

Full Reference: C - 6285 - 8441 - H7 Residential Annexes - None

**6213 Comment****Respondent: Mr Gary Roberts [8432]****Agent: N/A**

Summary: I have just read the proposed Local Development Plan for Harlow and in particular section H8 on Housing.

Having been a Harlow Council tenant for some 33 years and involved in tenant issues for at least 27 of those years I would make the following points on the housing plan:

The right to buy council homes should be stopped immediately or failing that the period of right to buy Harlow Council homes be increased to at least 20 years,

Harlow Council should receive 50% of all "affordable" housing built by private construction developers in Harlow and not 30%,

The proportion of "affordable" homes built for council rent should be increased from the stated 3,400 to at least 4,200,

The infrastructure to deal with this increase in housing should be professionally assessed and implemented before any housing development is approved.

I hope these views will be included in the final consultation document and a copy of that document forwarded to me when complete.

Change To Plan:

Full Reference: C - 6213 - 8432 - H8 Affordable Housing - None

**6235 Comment****Respondent: Persimmon Homes (Mr David Moseley) [8437]****Agent: N/A**

Summary: H8 - Affordable Housing.

The Policy states 'Major residential development will be supported where affordable housing is provided at a rate of at least 30%'. This policy is too imprecise as to the level of affordable housing sought. At present this policy is not consistent with the NPPF which sets out in paragraph 17 the need for plans to provide a practical framework within which decision can be made with a high degree of predictability.

Change To Plan:

Full Reference: C - 6235 - 8437 - H8 Affordable Housing - None

**6269 Comment****Respondent: Barton Willmore (Miss Emma Gladwin) [8399]****Agent: N/A**

Summary: iv) Policy H8 Affordable Housing

3.26 Whilst the aims of Policy H8 of providing needed affordable housing across the District are supported, the policy states 85% should be affordable rent and the remaining 15% should be intermediate affordable housing.

3.27 No reference is made to 'starter homes' and whether HDC will be including these within the 15% intermediate affordable housing, with starter homes not referenced throughout the DM Policies document.

3.28 The Housing White Paper published earlier this year was clear that Local Authorities are expected to deliver starter homes as a mixed package of affordable housing. Rather than set a threshold, the Government announced Local Authorities will be required to promote starter homes and work with developers for their provision.

3.29 These aims should be reflected within Policy H8, clearly identifying what HDC will be expecting from developers in terms of affordable housing.

Change To Plan:

Full Reference: C - 6269 - 8399 - H8 Affordable Housing - None

**6312 Comment**      **Respondent: Miller Homes [8449]**      **Agent: Andrew Martin - Planning (Mr Olivier Spencer) [8448]**  
Summary: Our client submits that until such time that HDC is able to publish the Local Plan in its entirety, including supporting evidence to demonstrate viability (both in terms of overall affordable provision and any preferred affordable split), Policy H8 should only seek "up to" 30% affordable housing, rather than "at least" 30%.  
Change To Plan:

Full Reference: C - 6312 - 8449 - H8 Affordable Housing - None

**6321 Comment**      **Respondent: Home Builders Federation (Mr Mark Behrendt) [8450]**      **Agent: N/A**  
Summary: Similarly the policy on affordable housing must also send out clear signals to the market about the Council's intentions. By stating that the Council will require "at least 30%" of major residential development to be affordable homes suggests that in some circumstances a higher proportion may be required. This does not meet the principles set out in paragraph 17 as highlighted above and makes it difficult for the development industry to be sure as to the actual costs of bringing a site forward in Harlow. We would also suggest that the Council ensures that this policy reflects national guidance on planning contributions for affordable housing to ensure clarity and support predictable decision making.  
Change To Plan:

Full Reference: C - 6321 - 8450 - H8 Affordable Housing - None

**6327 Comment**      **Respondent: Quod Planning (Mr Philip Murphy) [7958]**      **Agent: N/A**  
Summary: We suggest that an additional paragraph is added under the Implementation text of policy H8 (affordable housing) stating that:  
"Major sites outside the district, including the Gilston Area in East Herts, also have an important role in diversifying the existing housing market and supporting economic aims. These sites could provide a wide range of types and tenures of home, informed by site-specific evidence and ensuring that there is a balanced mix of sustainable and high-quality homes across the West Essex and Hertfordshire HMA".  
Change To Plan:

Full Reference: C - 6327 - 7958 - H8 Affordable Housing - None

**6335 Comment**      **Respondent: Countryside Properties Plc [70]**      **Agent: Barker Parry Town Planning Ltd. (Ms Elizabeth Fitzgerald) [8451]**  
Summary: Policy H8 sets out the Council's affordable housing requirement of 30%, which is not objectionable and is supported by the SHMA. The need for 30% affordable housing to be provided on all major residential sites is however contrary to National Planning Policy Guidance. For the purposes of affordable housing provision, there is a distinct difference drawn between the Town and Country Planning (Development Management Procedure)(England) Order 2015 definition of major development and Government guidance on the 10-unit threshold, which requires affordable housing only to be provided on schemes of 11 units or more. The policy should be amended to reflect the NPPG.  
Change To Plan:

Full Reference: C - 6335 - 70 - H8 Affordable Housing - None

**6340 Comment**      **Respondent: Home Group (Jessica Watts) [8445]**      **Agent: N/A**  
Summary: Home Group supports the Council's policy to require this level of affordable housing in the borough as we recognise the housing need for lower cost homes in the area. We also support the provision of these homes on site where possible as it helps create a mixed and sustainable community.  
Change To Plan:

Full Reference: C - 6340 - 8445 - H8 Affordable Housing - None

**6236 Comment****Respondent: Persimmon Homes (Mr David Moseley) [8437]****Agent: N/A**

Summary: H9 Self-build and Custom-build Housing  
 This policy sets out that all allocated sites must include an element of serviced plots for self-build housing. The policy provides no indication as to the amount of self-build plots that will be required from allocated sites. This makes it impossible to assess the impact on viability of this policy. We would suggest that the Council first considers the evidence of the need for self-build plots using its statutory register as this would give an indication as to the number of self-build plots required. From this starting point an appropriate evidence based strategy for supporting self and custom-build housing could be developed.  
 We consider the two year time frame for commencement before the plots revert to conventional development to be too long. If there is a demand for such units as evidenced by the Council's self-build register there should be very little delay in the plots being acquired a development commenced. We would suggest that the time frame is reduced to 12 months.

Change To Plan:

Full Reference: C - 6236 - 8437 - H9 Self-build and Custom-build Housing - None

**6270 Comment****Respondent: Barton Willmore (Miss Emma Gladwin) [8399]****Agent: N/A**

Summary: v) Policy H9 Self-Build and Custom-Build Housing  
 3.30 Policy H9 requires an element of serviced plots for self-build housing to be included within the development of allocated sites. Development of the self-build plots must commence within 2 years of completion of the related phase of the allocate site, otherwise they may revert to conventional development and marketing.  
 3.31 Policy H9 does not currently provide any clarity regarding the level of self-build housing that will be required on allocated sites, only stating an 'element' will be required. It is not clear if the level of self-build housing will be identified on a site-by-site basis when further detail is given on the site allocations, but at present Policy H9 requires considerable negotiation and no indication of what HDC would expect.  
 3.32 Furthermore, whilst the principle of allowing self-build plots to revert to conventional development and marketing if they are not commenced within 2 years is supported, Policy H9 does not currently contain any requirements for developers to have adequately marketed the plots in the intervening period. This could result in plots being left for 2 years then automatically becoming conventional development plots, restricting the delivery of self-build housing within the District.

Change To Plan:

Full Reference: C - 6270 - 8399 - H9 Self-build and Custom-build Housing - None

**6313 Comment**      **Respondent: Miller Homes [8449]**      **Agent: Andrew Martin - Planning (Mr Olivier Spencer) [8448]**

Summary: Policy H9 directs that allocated sites must include "an element" of serviced plots for self-build, unless this would render the development unviable. Where serviced plots have not commenced within two years of the relevant phase of the site, they may revert to conventional housing.

Our client submits that until such time that HDC is able to publish the Local Plan in its entirety, including supporting evidence to demonstrate viability (both in terms of overall affordable provision and any preferred affordable split), Policy H8 should only seek "up to" 30% affordable housing, rather than "at least" 30%.

Change To Plan:

Full Reference: C - 6313 - 8449 - H9 Self-build and Custom-build Housing - None

**6322 Comment**      **Respondent: Home Builders Federation (Mr Mark Behrendt) [8450]**      **Agent: N/A**

Summary: This policy sets out that all allocated sites must include an element of serviced plots for self-build housing. Such an approach is ineffective and unjustified. Firstly, the Council does not appear to have considered that some allocated sites may well be a purely flatted development. On such sites it would not be possible to deliver any self-build units and the Council should ensure such sites are not required to include an element of self-build plots. Secondly, the policy provides no indication as to the amount of self-build plots that will be required from allocated sites. This makes it impossible to assess the impact on viability of this policy. We would suggest that the Council first considers the evidence of the need for self-build plots using its statutory register. This would then give an indication as to the number of self-build plots required. From this starting point an appropriate evidence based strategy for supporting self and custom-build housing could be developed.

We also consider the two year time frame for commencement before the plots revert to conventional development to be too long. If there is a demand for such units as evidenced by the Council's self-build register there should be very little delay in the plots being acquired a development commenced. We would suggest that the time frame is reduced to 12 months.

Change To Plan:

Full Reference: C - 6322 - 8450 - H9 Self-build and Custom-build Housing - None

CHAPTER: HOUSING      H10 Travellers' Pitches and Plots

**6286 Comment**      **Respondent: Historic England (Ms Katie Parsons) [8441]**      **Agent: N/A**

Summary: Policy H10: Traveller's Pitches and Plots  
We welcome the policy provision which requires development consider that the character of the locality but recommend that the historic environment is also listed as a consideration in part (a).

Change To Plan:

Full Reference: C - 6286 - 8441 - H10 Travellers' Pitches and Plots - None

CHAPTER: HOUSING      H10 Justification

**6194 Comment**      **Respondent: Miss Sally SallyAnn Simpson [8418]**      **Agent: N/A**

Summary: Re Travellers Pitches at Fern Hill Caravan site-that users of the pitch pay to use it in regards to rubbish pick up & any supplies of lighting & any water & electrical usages including sewage, & for general maintenance to keep it clean. As best I know, travellers don't pay Council Taxes but they should be made to pay a sum,however nominal, to use the facility. People generally don't appreciate stuff they get for free & then take it for granted; even if they paid a nominal sum, it would help stop deterioration.

Change To Plan:

Full Reference: C - 6194 - 8418 - H10 Justification - None

**6211 Comment****Respondent: Sport England (. Laura Hutson) [8431]****Agent: N/A**

Summary: Prosperity policies - Economic development

Sport England wishes to highlight the fact that sport makes a very substantial contribution to the economy and to the welfare of individuals and society. It is an important part of the national economy, contributing significantly in terms of spending, economic activity (measured using Gross Value Added) and employment. For those who participate there are health and well-being (or happiness) impacts. Its economic impact places it within the top 15 sectors in England and its wider economic benefits mean that it is a key part of society, which results in huge benefits to individuals and communities. Sport England would therefore request that the value of sport to the economy is reflected within the Local Plan.

Change To Plan:

Full Reference: C - 6211 - 8431 - Prosperity - None

**6216 Comment****Respondent: The Roydon Society (Miss Nicola Wilkinson) [27]****Agent: N/A**

Summary: Starter units for small business must be included and encouraged.

Job opportunities must be encouraged and a wide range of opportunities not just jobs for retail, cleaning and low skilled posts.

Change To Plan:

Full Reference: C - 6216 - 27 - Prosperity - None

**6371 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: From a Public Health and other perspectives, ECC would encourage Harlow, due to the current local Health profile in relation to obesity in both adults and children, to consider how best to plan to support reducing the obesogenic environment. This could be through design or policy implementation i.e. via an A5 uses restriction policy (or incorporation of such restrictions within the appropriate shop units regulation policies

Change To Plan:

Full Reference: C - 6371 - 8452 - Prosperity - None

**6287 Comment**      **Respondent: Historic England (Ms Katie Parsons) [8441]**      **Agent: N/A**

Summary: Policy PR1: Development within Employment Areas  
This policy is based on Sir Fredrick Gibberd's design for Harlow Town which separated land uses. Consideration of the designed town and its distinct plan should help preserve its historic interest.

Change To Plan:

Full Reference: C - 6287 - 8441 - PR1 Development within Employment Areas - None

**6366 Comment**      **Respondent: Essex County Council (Mr Rich Cooke) [8452]**      **Agent: N/A**

Summary: Appropriate 'sui generis' uses which share characteristics of light or general industrial development including the use of warehousing should be included in the list of appropriate use classes contained within clause a) of this policy (B1, B2, B8). It is not considered appropriate to include 'sui generis' uses within clause b) which would be the outcome of omitting them from clause a).

ECC is broadly supportive (from an Economic Growth and Regeneration perspective) of the PR1 policy to protect development within designated employment areas and supportive of the variety of information that would be required to support the development of non-B-Class uses. However we believe, in conjunction with colleagues from INVEST Essex, that the requirement to market the site for a minimum of 1 year is not enough to demonstrate that site has been marketed sufficiently for B-Class use as this does not account for variances in market performance and during potential downturns in the market it may take more than 1 year to adequately market the property. In addition we have noted that Local Authorities such as Basildon Borough Council have stipulated a minimum requirement for marketing vacant B-Class premises for a minimum period of 2 years. We therefore believe that Harlow's policy could be increased to require a minimum period of marketing a vacant B-Class property for a period of no less than 2 years.

ECC has developed robust evidence around the need for 'Grow On Employment space'. Neither of these policies (or others) refer to this requirement, which is identified in the interests of sustaining and growing the economy. ECC can provide standard text for this section, which has been adopted by other Essex authorities.

Change To Plan:

Full Reference: C - 6366 - 8452 - PR1 Development within Employment Areas - None

**6381 Comment****Respondent: Lichfields (Mr Harry Bennett) [8454]****Agent: N/A**

Summary: We are generally supportive of this draft policy but have a number of concerns as outlined below.  
Policy PR1 states that development in employment areas for uses other than B1, B2 and B8 will be supported if it meets a number of criteria, including B(ii). This states that:  
"The development will increase the number of jobs for local residents" (Our emphasis)  
We are concerned with B(ii) as drafted as there is not clear what is meant by 'local residents'. Does this mean that only jobs created for the residents of Harlow District will be relevant?  
The reality is that Harlow sits within a wider labour catchment area and attracts employees from within this area which will extend beyond the district boundary. Does this mean that any jobs filled by staff not resident in the District will not be taken into account? How will this be assessed? How will an employer know at the outset where his staff will live? Our client's site sits adjacent to the boundary with East Herts DC- some employees might be expected to travel from this District into Harlow to our client's proposed development. Should these jobs be ignored when assessing this policy?  
We would suggest that this criteria be reworded to read  
"The development will increase the number of jobs"  
In addition, the adopted Harlow Design Guide SPD (Oct, 2011) states at paragraph 4.6.2 the following:  
"The Local Plan also encourages the regeneration, modernisation and intensification of existing employment sites ... "  
This support for the intensification of existing employment sites should be reiterated in Policy PR1 for the avoidance of doubt.  
We suggest that an additional criteria (c) be added as follows:  
"where it involves the regeneration, modernisation and intensification of existing employment sites subject to a consideration of other policies in the Local Plan"

Change To Plan:

Full Reference: C - 6381 - 8454 - PR1 Development within Employment Areas - None

CHAPTER: PROSPERITY

PR2 Development within Neighbourhood Service Areas

**6368 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: In line with the comments with regard to policy PR1, we suggest that the minimum period for marketing of vacant units could be increased to 2 years.

Change To Plan:

Full Reference: C - 6368 - 8452 - PR2 Development within Neighbourhood Service Areas - None

**6367 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: ECC has developed robust evidence around the need for 'Grow On Employment space'. Neither of these policies (or others) refer to this requirement, which is identified in the interests of sustaining and growing the economy. ECC can provide standard text for this section, which has been adopted by other Essex authorities.

ECC supports this policy.

Policy PR3 sets out a range of criteria to prevent the loss of waste uses (amongst others) outside of employment areas. Waste uses are safeguarded through Policy 2 of the adopted Essex and Southend-on-Sea Waste Local Plan 2017, which forms part of the Development Plan of Harlow. Policy 2 of the Waste Local Plan sets out different criteria to those in Policy PR3 and therefore references to waste uses within Policy PR3 must be removed. It would be helpful to amend the supporting text to this policy to clarify that redevelopment proposals that would result in the loss of waste uses or infrastructure would be covered by Policy 2 of the Essex and Southend-on-Sea Waste Local Plan 2017.

In line with comments in relation to PR1 and PR2 above, we suggest that the minimum period for marketing of vacant units could be increased to 2 years to ensure units have been adequately marketed.

Change To Plan:

Full Reference: C - 6367 - 8452 - PR3 Employment Development outside Employment Areas and Neighbourhood Service Areas - None

**6314 Comment****Respondent: Miller Homes [8449]****Agent: Andrew Martin - Planning (Mr Olivier Spencer) [8448]**

Summary: Although our client supports the principle behind this policy, i.e. to get local residents back into work and to improve their skills level, additional information is required to explain how these obligations could work in reality and the level of obligation likely to be sought. Furthermore, while our client is keen to encourage the "employment of local people", it is debatable whether they (or their contractors or subcontractors) could solely select employees from a particular geographical area, without being deemed to discriminate unlawfully against those living further afield.

Change To Plan:

Full Reference: C - 6314 - 8449 - PR4 Improving Job Access and Training - None

**6369 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: ECC supports this policy and the approach set out in the supporting text. This applies particularly for the construction sector, given its importance and for effective growth delivery. There will be a need to develop and improve both capacity and skills in this sector. Accordingly, ECC would support reference to the use of the authority placing enforceable developer responsibilities on Skills in the construction sector.

Change To Plan:

Full Reference: C - 6369 - 8452 - PR4 Improving Job Access and Training - None

**6382 Comment****Respondent: Lichfields (Mr Harry Bennett) [8454]****Agent: N/A**

Summary: Paragraph 4.23 relating to the implementation of Policy PR4 states that:  
 "The policy will be applied to major development and secured through a planning obligation, tailored to individual schemes. Applicants should prepare an action plan setting out a schedule of new job opportunities to be created through the proposed development..." (Our emphasis)  
 We submit that the wording be changed as follows:  
 "The policy will be applied to major development and secured through a planning obligation, tailored to individual schemes. Where possible, applicants should prepare an action plan setting out a schedule of new job opportunities to be created through the proposed development..." (addition in bold)  
 Our concern is that particularly in relation to outline applications the applicant will not know what the exact job opportunities will be as this will be subject to the occupier.

Change To Plan:

Full Reference: C - 6382 - 8454 - PR4 Improving Job Access and Training - None

**6292 Comment****Respondent: Anglican Deanery of Harlow (Revd Martin Harris) [8345]****Agent: N/A**

Summary: I would especially like to commend the following paragraph:

"The vitality and viability of the Town Centre is important to the local economy and to ensure it is an attractive place for residents, employees and visitors. This is particularly pertinent as the services and facilities available also serve a catchment area that extends beyond the district boundary. The Town Centre is a sustainable transport hub, well-served by public transport, which has good connectivity with key locations along the London Stansted Cambridge corridor. This policy directs Main Town Centre Uses towards the Town Centre in order to preserve and/or enhance its position."

Indeed, I affirm the policy of where possible directing business etc towards the town centre rather than out of town. This is important for

- developing community
- encouraging healthy life style (easier to walk)
- a greener economy - less driving required

I appreciate that it is not always possible to achieve these aims alongside the need to attract business. However, positive incentives / disincentives in this direction are ways to help this take place.

If possible, more 'joined up thinking' for town centre parking and business would be helpful. Eg Harvey Centre parking with discounts for shoppers. I believe this exists in measure but it is not well advertised eg for cinema goers

Thank you for your consideration

Change To Plan:

Full Reference: C - 6292 - 8345 - PR5 The Sequential Test and Principles for Main Town Centre Uses - None

**6302 Comment****Respondent: Ms Sue McDonald [8446]****Agent: N/A**

Summary: MY comments on this consultation Document focus on Harlow's Town Centre because the English Heritage and CABE Urban Panel's report following their 2006 visit strongly emphasised that "the defects in the town centre must be corrected first before development outside it is encouraged".

Nevertheless the Council this March agreed a massive increase in population in and around Harlow without any proposals for a strategy to improve the town centre which has continued to decline since the Urban Panel's visit eleven years ago.

After the Government stopped further development by the HDC in 1980, dissolved the Corporation, sold off the land, stripped the town of its lucrative assets, leaving the Council with the housing and pavements, the Council's spending has been kept to a minimum.

In its present condition there is plentiful evidence in the Press and Social Media that many citizens of Harlow regard their town centre as without attraction and it is not likely to attract a new population around who will simply use the new infrastructure to drive elsewhere with no benefit to Harlow.

Recent developments have shown that Harlow is at present unable to attract high class retail units and the retail marketing world is changing. Consumers are increasingly looking to spend their money on experiences rather than things. A radically different solution is needed to give Harlow Town Centre the attraction it needs.

The Council does own the last significant public space since the Civic Square disappeared - the Market Square and adjoining paved areas. Over these a Crystal Palace / Winter Garden pavilion could arise containing, for example, quality restaurants, art and handicraft shops, designer clothes boutiques (a specialist market providing a quality shopping experience) exhibition space for Enterprise Zone products or activities, space for musical events, together with exotic planting areas. Such an ever changing, transparent, sparkling yet protected environment at all times of the year would have special attraction.

The last scheme designed by Sir Frederick Gibberd in 1978/9 was a glass-walled Winter Garden in West Square to which the Council "made no objection but decided not to support it financially" (see page 147 of A Civic History of Harlow Council by Ron Bill). Naturally without financial support it came to nothing.

The type of Pavilion I have described could be quickly constructed and relatively light but the cost of commissioning the design and constructing such a building, which needs to be of the highest quality, would be considerable. If, the Government really regards Harlow as acting as the centre of the expansion it now requires, having recently designated it a "Garden Town" and referred to its "new elevated position", if these are not merely words, should it not be prepared to help Harlow meet this challenge of making the Town Centre attractive by providing the financial means?

No developer will do this; the initiative needs to come from the Council under its new executive. Many in the town are already longing for the Council to embrace a new vision and will work with them to achieve it.

"The unique artistic inheritance which Harlow has should not be underplayed". This final quote from the Urban Panels report is relevant because this aspect of Harlow's life has continued to flourish throughout its seventy years. Since the Development Corporation's work was stopped the Arts Trust has continued to place sculpture throughout the town; I took over the lease of the Gibberd Office and ran it as a town centre gallery for three years; the Playhouse had exhibitions; the Gibberd Gallery opened in 2004 and the art community at Parndon Mill has thrived, as have the Gibberd Garden and the ARC in Old Harlow. Clearly there is abundant creative talent in the town to underpin such development as I have described.

Harlow needs a rebirth if it is not to become a dormitory town. I hope the Council will rise to the challenge.

Change To Plan:

Full Reference: C - 6302 - 8446 - PR5 The Sequential Test and Principles for Main Town Centre Uses - None

**6370 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: ECC supports this policy.

Change To Plan:

Full Reference: C - 6370 - 8452 - PR5 The Sequential Test and Principles for Main Town Centre Uses - None

**6197 Comment** Respondent: Miss Sally SallyAnn Simpson [8418]

Agent: N/A

Summary: This is a self-justification based on the balls-up of the loss of the M&S store & subsequently also applies to Monsoon & lack of any other slightly more upmarket shops. Turning these large store spaces into smaller units is a piece-meal approach. What is needed is to attract larger shopping "outlets" into the town centre; with current growth in population in the area, the argument to would-be retailers is already extant; many people come from Hertford & Sawbridgeworth etc to shop in Harlow rather than go to over-crowded Brookfield in Cheshunt & this shopping footfall is lost in Harlow at present.

Change To Plan:

Full Reference: C - 6197 - 8418 - PR7 Justification - None

**6343 Comment** Respondent: Home Group (Jessica Watts) [8445]

Agent: N/A

Summary: Home Group are in support of the Council's drive to keep street frontage in town centres to primarily A1 uses. However it is encouraging to see that a pragmatic approach is being taken to the inclusion of other use classes, including C3, on upper floors in these areas as we believe it there is potential to create vibrant and active neighbourhoods by cleverly combining uses in this way.

Change To Plan:

Full Reference: C - 6343 - 8445 - PR8 Primary and Secondary Frontages in Neighbourhood Centres - None

**6256 Comment** Respondent: Mrs Giulia Festa-Burton [8436]

Agent: N/A

Summary: All hatches, bar Clifton Hatch which has recently been regenerated, need remodernising and attract viable and needed business. The current state of disrepair of certain hatches, like Slacksbury Hatch, only attracts anti social behaviour through the state of abandonment of some units and through the use of other units for businesses not needed, at the detriment of other retail or business projects that may be more justified in respect of the needs of the local community to the actual individual hatch.

Change To Plan:

Full Reference: C - 6256 - 8436 - PR9 Development in Hatches - None

**6372 Comment** Respondent: Essex County Council (Mr Rich Cooke) [8452]

Agent: N/A

Summary: ECC supports in general terms the intentions of this policy. However, ECC would also raise an issue for 'Hatches' in terms of A5 uses (takeaway food) being within close proximity (400m) of schools. This conflicts with ECC Public Health current advice and that of some Public Health national policies.

Change To Plan:

Full Reference: C - 6372 - 8452 - PR9 Development in Hatches - None

**6199 Comment** Respondent: Miss Sally SallyAnn Simpson [8418]

Agent: N/A

Summary: Thinking "outside the box" might be appropriate here-by asking retailers in the Retail Parks to also have a small store in the Town Centre, eg Argos already has a small outlet in the Harvey Centre & well as being in one of the retail parks.This would re-focus shoppers & those unable to get to retail parks without cars & there are certainly no busses! This would help everybody,retailers picking up footfall in the shopping centre & pedestrian shoppers being able to access these retailers, also alleviating parking & traffic problems at retail parks.

Change To Plan:

Full Reference: C - 6199 - 8418 - PR10 Implementation - None

**6198 Comment** Respondent: Miss Sally SallyAnn Simpson [8418]

Agent: N/A

Summary: The Council over-stepped its mark on helping young people at present with the obvious disappearance of "The Square" & no replacement viable or permanent musical facility/ies provided.Harlow used to be known as a music centre in the 1970s,people would come on coaches to attend concerts & musical events.Music clubs & venues are a viable evening activity for young & old alike & should be seen as a significant cultural contribution to the town's image, this has been destroyed by present 'implementation'. The Town Centre is NOT RESIDENTIAL so any noise from musical establishments is not a significant concern.

Change To Plan:

Full Reference: C - 6198 - 8418 - PR11 Implementation - None

**6217 Comment** Respondent: The Roydon Society (Miss Nicola Wilkinson) [27]

Agent: N/A

Summary: Encouragement of differing lifestyles must be enhanced as the town develops. Seeing recreation land listed within the Local Plan details is seriously concerning that, like the rugby club, land is proposed for development.

Change To Plan:

Full Reference: C - 6217 - 27 - Lifestyles - None

**6373 Comment** Respondent: Essex County Council (Mr Rich Cooke) [8452]

Agent: N/A

Summary: Section 5 for lifestyles makes very little reference to health with the exception being related to green space access. Healthy environments go very much beyond this scope and in its current form, ECC Public Health would not support this plan.

Change To Plan:

Full Reference: C - 6373 - 8452 - Lifestyles - None

**6336 Comment****Respondent: Countryside Properties Plc [70]****Agent: Barker Parry Town Planning Ltd. (Ms Elizabeth Fitzgerald) [8451]**

Summary: Policy L1 is supported by the Harlow Design Guide, which assists in layout and design of facilities to be provided, alongside the Open Space, Sport and Recreation SPD 2007 and the Playing Pitch Strategy 2009, the latter of which forms part of the Local Plan evidence base.

Both the SPD and Playing Pitch Strategy are significantly out of date, they pre-date the NPPF and do not reflect recent developments within the District including, new sports pitches, the re-location of Harlow Rugby Club, planning approvals for new pitches and associated pavilions/changing facilities, or potentially a shift in the sports clubs currently operating.

Without an up to date evidence base supporting this proposed policy, there is little scope for ensuring that appropriate or adequate provision can be made, or more importantly if there is a demonstrable need for further provision. For example, it is understood that there is current vacancies within the allotments within Harlow, should additional provision be made, if there is a lack of need within the District generally.

Similarly, given the need to upgrade existing provision within the District, would it be more preferable for contributions to be made to allow for these facilities to be upgraded and therefore of greater benefit to the wider community, than providing additional facilities that may not be required.

It is considered that this policy is premature and lacks a robust evidence base to ensure developments deliver facilities that meet a demonstrable need. The content of the policy should be revisited to enable a more appropriate and flexible approach to be taken to provision of open space and sports facilities etc, to enable improved facilities to be provided, as well as meeting a demonstrable need.

Taking such an approach could maximise the amount of development that could be accommodated on any one site, where off site contributions are considered more preferable, over on site provision.

Change To Plan:

Full Reference: C - 6336 - 70 - L1 Open Spaces, Play Areas and Sporting Provision and Facilities in Major Development - None

**6210 Comment****Respondent: Sport England (. Laura Hutson) [8431]****Agent: N/A**

Summary: L2 The Provision and Loss of Recreational, Sporting, Cultural and Community Facilities

Sport England welcomes the general aim of this policy, however would suggest some changes are made to the wording of this policy in order to ensure full compliance with the NPPF

In terms of the first part of the policy, 'evidence of a demonstrable need' must refer to the new Playing Pitch Strategy (PPS) and Built Facilities Strategy (BFS), in order to avoid less robust and up to date evidence being provided.

In terms of the second part of the policy, the PPS and BFS should once again be referred to as suitable evidence that the use and/or facility is surplus to requirements and an alternative replacement is not required, in order to avoid other less robust forms of evidence being put forward.

The NPPF (para 74) is clear on the need for such an assessment.

Point 2c should also read 'such a development is ancillary AND will support and enhance the existing use and/or facility'.

The final point (2d) should be reworded in order to clarify that the development is for alternative sports provision where the loss of a sporting facility is proposed, the needs for which clearly outweigh the loss, as per NPPF paragraph 74.

Sport England therefore objects to the Local Plan with its current wording as it considers it to be unsound due to the fact that currently it does not fully comply with the NPPF.

Change To Plan:

Full Reference: C - 6210 - 8431 - L2 The Provision and Loss of Recreational, Sporting, Cultural and Community Facilities - None

**6223 Comment****Respondent: The Theatres Trust (Tom Clarke) [216]****Agent: N/A**

Summary: The Theatres Trust supports proposed Policy L2. It reflects clear guidance in para. 70 of the NPPF regarding the promotion and protection of community and cultural facilities.

Change To Plan:

Full Reference: C - 6223 - 216 - L2 The Provision and Loss of Recreational, Sporting, Cultural and Community Facilities - None

**6228 Comment****Respondent: Essex Bridleways Association (Mrs Sue Dobson) [7887]****Agent: N/A**

Summary: Policy L2: Public Rights of Way and other green infrastructure should also be considered within this policy, together with an aspiration to enhance and increase the existing provision where possible.

Change To Plan:

Full Reference: C - 6228 - 7887 - L2 The Provision and Loss of Recreational, Sporting, Cultural and Community Facilities - None

**6257 Comment****Respondent: Mrs Giulia Festa-Burton [8436]****Agent: N/A**

Summary: There are a lot of open spaces and fields interposed in between groups of properties or buildings, which help retain the open space character as per original plans by Sir Gibberd. However at the same time there are not provisions in place to protect these individual areas and fields from future further housing development.

Change To Plan:

Full Reference: C - 6257 - 8436 - L2 The Provision and Loss of Recreational, Sporting, Cultural and Community Facilities - None

**6258 Comment****Respondent: Mrs Giulia Festa-Burton [8436]****Agent: N/A**

Summary: More bus routes, more frequent runs and higher number of buses for each route are needed in this town to reduce a progressive increase in number of cars clogging our roads. But at the same time, bus fares need to be reduced, as at current levels they are unaffordable and unjustified.

Change To Plan:

Full Reference: C - 6258 - 8436 - L2 Justification - None

**6237 Comment****Respondent: Persimmon Homes (Mr David Moseley) [8437]****Agent: N/A**

Summary: L3 Development Involving the Provision or Relocation or Loss of Public Art  
The viability of this Policy will need to be assessed alongside the other policy requirements of the local plan to ensure development viability is not threatened.

Change To Plan:

Full Reference: C - 6237 - 8437 - L3 Development Involving the Provision or Relocation or Loss of Public Art - None

**6315 Comment****Respondent: Miller Homes [8449]****Agent: Andrew Martin - Planning (Mr Olivier Spencer) [8448]**

Summary: f HDC is minded to retain Policy L3 in its emerging Local Plan, it should prepare and present evidence to demonstrate where there are public art deficiencies in the Town, how those deficiencies should be addressed and the level of contribution / obligation likely to be necessary to do so. This will ensure that Policy L3 complies with the tests of soundness at paragraph 182 of the NPPF and will help inform HDC's forthcoming Delivery Study in respect of viability.

Change To Plan:

Full Reference: C - 6315 - 8449 - L3 Development Involving the Provision or Relocation or Loss of Public Art - None

**6341 Comment****Respondent: Home Group (Jessica Watts) [8445]****Agent: N/A**

Summary: Home Group are in support of this policy, which sets Harlow apart as a cultural centre, supports the creative arts and gives added value to developments.

Change To Plan:

Full Reference: C - 6341 - 8445 - L3 Development Involving the Provision or Relocation or Loss of Public Art - None

**6218 Comment** Respondent: **The Roydon Society (Miss Nicola Wilkinson) [27]**Agent: **N/A**

Summary: Additional traffic is a major concern for Roydon with those working in Harlow from the adjacent authority using the B181 as a rat run causing major congestion and pollution in the main village.

Change To Plan:

Full Reference: C - 6218 - 27 - Infrastructure - None

**6229 Comment** Respondent: **Essex Bridleways Association (Mrs Sue Dobson) [7887]**Agent: **N/A**

Summary: Paragraph 6.1 refers to vehicle, pedestrian and cycle access, however all non-motorised users should be included within Harlow's policies. Whilst paragraph 6.3 refers to the maintenance and repair of public rights of way as a responsibility of the Local Highway Authority, this document omits any aim or aspiration to improve the rights of way network within Harlow and this should be amended. Harlow is poorly-served with bridleway access and the Plan should ensure that every opportunity is taken to improve the network and ensure that as much as possible is accessible to as many users as practicable.

Change To Plan:

Full Reference: C - 6229 - 7887 - Infrastructure - None

**6240 Comment** Respondent: **Highways England (Mr Mark Norman) [7939]**Agent: **N/A**

Summary: We have been talking to the District for a long time about aspirations for growth, it is recognised that large parts of the district are not served well by public transport. Parts of the strategic road network (SRN) running through the districts are already close to capacity and cannot reasonably cope with large amounts of additional development without significant improvement and it recognised that Essex CC have proposals for a new junction on the M11 and this will provide some relief to both junctions 7 and 8. Until housing and employment is committed, schemes can really only deal with existing challenges allowing for a limited amount of growth as the designs are based on previously envisaged growth rates rather the much more ambitious level proposed in the fourth coming local plan. This means the need for careful planning to ensure proposed development is in the most appropriate place with the necessary facilities and infrastructure available at the right time and a steep change both in the provision and take up of public transport, if this level of development is to be sustainable.

We support the policies in the document aimed at reducing the need to travel by private car, such as improved walking, cycling and public transport infrastructure, and the provision of high speed broadband allowing people to more easily communicate and work remotely reducing the demand for travel.

Change To Plan:

Full Reference: C - 6240 - 7939 - Infrastructure - None

**6263 Comment****Respondent: Elaine Allen [6031]****Agent: N/A**

Summary: (Note: This is a transcript of a scanned letter. See attachment for original letter.)

I have made several visits to the Old Harlow Library to read the above book. I found it a very bland book and difficult to relate all it said to our local area. I would like to point out some of the problems it failed to take into account.

I live in Churchgate Street and am very aware that we will be cut off from Old Harlow and the rest of the town. We are an older population than the rest of Harlow, a number of the people living there are widowed and living on their own, mostly women, many of them unable to drive often due to poor health. They/we will be cut off from the Old town's Doctors, the Library, and also the (food) shops.

The local bus only runs hourly if you are lucky, I have on several occasions picked up a friend who has been waiting for a bus home for over an hour (she is nearly 90) and now house bound. She is not an isolated case.

I have friends in Old Road, and Little Hailing bury plus several other local areas. To reach them I would have to travel to Mark Hall and return almost to where I had started. An absolute waste of fuel, time and unnecessary pollution to visit them as you are intending stopping us using our present routes.

In the morning rush hour there is gross queuing the get into Harlow from Heriford on the A414 and also on the A1184 from Bishop Stortford, north of Sawbridgeworth into Harlow. This is not a very attractive situation for the people you are hoping to recruit into the new research centres you are building/planning. Surely it would, long term, be more economic/sensible to build a road from the Highwyh round-a-bout now rather than a second road to the motorway in 2030ish. Are you going the dual Fifth Avenue over the marsh/and, River Start and railway to alleviate the current traffic problems that exist there? A very expensive solution which would not be needed if the northerly route where built.

Change To Plan:

Full Reference: C - 6263 - 6031 - Infrastructure - None

**6288 Comment****Respondent: Historic England (Ms Katie Parsons) [8441]****Agent: N/A**

Summary: All proposed infrastructure schemes should take into consideration their impacts on heritage assets and their setting alongside archaeological potential.

Change To Plan:

Full Reference: C - 6288 - 8441 - Infrastructure - None

**6301 Comment****Respondent: Environment Agency (Miss Lisa Mills) [8443]****Agent: N/A**

Summary: There is currently no policy focused on ensuring necessary sewage capacity is in place to support proposed developments. This is crucial in order for the impact of proposals on the waste water network to be appropriately considered, and in order to prevent development being approved which is then found to be unviable for this reason. It must also be stated that all new development should be connected to mains, unless this is proven unfeasible. Confirmation from the relevant water utility company should be required before granting permission to planning applications in order to ensure that there will be no detrimental impact as a result.

Change To Plan:

Full Reference: C - 6301 - 8443 - Infrastructure - None

**6304 Comment****Respondent: EFA (Dr Douglas McNab) [8404]****Agent: N/A**

Summary: General Comments on the Local Plan Approach to New Schools

4. The draft Development Management Policies includes limited content relating to the provision of schools. However, this is to be expected as this issue is generally addressed in strategic policies and site allocations, which the ESFA understands will be included in the next round of Local Plan consultation early in 2018.
5. Essex County Council's recently published 10 year plan for meeting the demand for school places indicates that, based on existing plans for growth, there will be a need for 1078 additional primary school places and 1635 secondary school places over the next ten years. However, there are already plans in place to help to address this need, including a new 8FE secondary free school (Sir Frederick Gibberd College, Burnt Mill Academy Trust) and a new 2FE primary school (Essex Newhall school, Reach2 Academy Trust). The requirement for school places may increase once the latest housing target for Harlow is confirmed. The Local Plan will need to be 'positively prepared' to meet the objectively assessed development needs and infrastructure requirements.
6. In light of the above and the Duty to Cooperate on strategic priorities such as community infrastructure (NPPF para 156) , the ESFA encourages close working with local authorities during all stages of planning policy development to help guide the development of new school infrastructure and to meet the predicted demand for primary and secondary school places. Please add the ESFA to your list of relevant organisations with which you engage in preparation of the plan.
7. With regard to planning positively for new schools, the ESFA commends, for example, the approach taken by the London Borough of Ealing in producing a Planning for Schools Development Plan Document (DPD) . The DPD provides policy direction and establishes the Council's approach to providing primary and secondary school places and helps to identify sites which may be suitable for providing them (including, where necessary and justified, on Green Belt/MOL), whether by extension to existing schools or on new sites. The DPD includes site allocations as well as policies to safeguard the sites and assist implementation and was adopted in May 2016 as part of the Local Plan. The DPD may provide useful guidance with respect to an evidence based approach to planning for new schools in the emerging Harlow Local Plan, securing site allocations for schools as well as providing example policies to aid delivery through Development Management policies.
8. A strategic infrastructure policy within the Local Plan could usefully highlight some wider infrastructure planning principles, including:
  - A commitment to work with infrastructure providers to ensure the necessary infrastructure is provided to support development and meet need;
  - The need to coordinate development and infrastructure provision to ensure development is supported by the timely provision of adequate infrastructure;
  - A requirement for all development to safeguard the requirements of infrastructure providers, including education facilities.
9. Ensuring there is an adequate supply of sites for schools is essential and will ensure that Harlow can swiftly and flexibly respond to the existing and future need for school places to meet the needs of the district over the plan period.

Change To Plan:

Full Reference: C - 6304 - 8404 - Infrastructure - None

**6306 Comment****Respondent: EFA (Dr Douglas McNab) [8404]****Agent: N/A**

Summary: Evidence Base

17. An up to date Infrastructure Delivery Plan that draws on the Harlow Infrastructure Study (2010) and provides clarity about what infrastructure will be required when and how it will be funded will clearly be an important evidence base document for the Local Plan. As part of the development of a complete draft of the Local Plan it would be useful if a background/topic paper could also be developed setting out clearly how the forecast housing growth at allocated sites has been translated (via an evidence based pupil yield calculation) into an identified need for specific numbers of school places and new schools at different times, expanding on the information in an Infrastructure Delivery Plan and site specific policies. This could also reference Essex County Council's recently published 10 year plan for meeting the demand for school places. This would help to demonstrate clearly that the approach to the planning and delivery of education infrastructure is justified based on proportionate evidence. If required, the ESFA can assist in providing good practice examples of background documents relevant to this stage of your emerging Plan.

Conclusion

18. Finally, I hope the above comments are helpful in shaping Harlow's Local Plan, with specific regard to the provision of land for new schools. Please advise the ESFA of any proposed changes to the emerging Local Plan policies, supporting text and/or evidence base arising from these comments.
19. Please do not hesitate to contact me if you have any queries regarding this response. The ESFA looks forward to continuing to work with Harlow Council to aid in the preparation of the Local Plan.

Change To Plan:

Full Reference: C - 6306 - 8404 - Infrastructure - None

**6328 Comment**      **Respondent: Quod Planning (Mr Philip Murphy) [7958]**      **Agent: N/A**

Summary: Places for People will be sponsoring the applications for the Central and Eastern Crossings, and will if necessary be providing the forward funding to ensure their delivery. However, the Crossings are required to meet existing demand and to accommodate the planned growth of Harlow and the wider area. The Infrastructure Chapter should include a policy that makes it clear that development that benefits from the Crossings and other strategic infrastructure should make appropriate contributions either by way of planning obligations or Community Infrastructure Levy payments.

Change To Plan:

Full Reference: C - 6328 - 7958 - Infrastructure - None

**6330 Comment**      **Respondent: Quod Planning (Mr Philip Murphy) [7958]**      **Agent: N/A**

Summary: Para 6.1 - This should refer to "local transport infrastructure" rather than highway infrastructure;  
\* Para 6.3 - Consultation with Highways England should only take place where the proposals affect a Highways England road;  
\* Objective 13 - We suggest this is re-worded as follows: "Reduce the need to travel, in particular by single occupancy vehicles, by ensuring new development is located where it is, or can be, well served by sustainable modes of transport";  
\* Objective 14 - We suggest the insertion of the words "where necessary" after "Improve transport links";

Change To Plan:

Full Reference: C - 6330 - 7958 - Infrastructure - None

**6374 Comment**      **Respondent: Essex County Council (Mr Rich Cooke) [8452]**      **Agent: N/A**

Summary: Consider removing the word 'walkways' and adding footways and referring to the public rights of way network including footpaths, bridleways and byways.

Change To Plan:

Full Reference: C - 6374 - 8452 - Infrastructure - None

**6230 Comment**      **Respondent: Essex Bridleways Association (Mrs Sue Dobson) [7887]**      **Agent: N/A**

Summary: This Policy omits any reference to other users within any new developments, stating that consideration will be given to only pedestrians and cyclists. This Policy should be amended to ensure that multi-user routes are created, accessible to all non-motorised road users. As the Policy stands it is discriminatory against a significant user group and this should be rectified. It is interesting to note that in another Local Plan in Essex which had little mention of equestrian access, at the public inquiry, the Inspector specifically requested the Plan was changed to incorporate equestrian access within it.

Change To Plan:

Full Reference: C - 6230 - 7887 - IN1 Development and Sustainable Modes of Travel - None

**6238 Comment**      **Respondent: Persimmon Homes (Mr David Moseley) [8437]**      **Agent: N/A**

Summary: IN1 Development and Sustainable Modes of Travel  
Policy IN1 requires charging points for vehicles and infrastructure for the future operation and maintenance of the facility.  
In considering development plan policies, Para 173 of the NPPF stresses the importance of ensuring viability, including having regard to the costs of any requirements likely to be applied to development. According to the Energy Savings Trust the typical cost for a home charge point and installation is approximately £1,400. It is unclear whether such an assessment has been undertaken in relation to the proposed policy and its impact upon development viability.  
Notwithstanding the above, the NPPF contains a clear requirement that such facilities should only be required 'where practical'. It is considered that the practicality of delivery should be a factor when it comes to incorporating charging plug-in. For instance, it may not be practical to make provision where parking is provided off-plot (such as in a parking court or within a communal area).  
It is also considered that the policy should consider the practicality of delivery. There are a range of different technologies for charging. It would be more practicable if the requirement related to on-plot parking adjacent to the property it serves.  
Furthermore, that the requirement relates to the ability to make a connection (i.e. the development delivers a suitably sited separate electrical spur) which would allow for a charging unit for an electric vehicle to be installed by the householder (should they choose to do so).

Change To Plan:

Full Reference: C - 6238 - 8437 - IN1 Development and Sustainable Modes of Travel - None

**6296 Comment**      **Respondent: Dr Roger Bamford [8442]**      **Agent: N/A**

Summary: Fingers crossed Harlow, unlike other councils, will accept the need for future road improvements and accept that not everyone will be able or willing to travel by bicycle or public transport (unless there are major improvements to these more sustainable methods!).

Change To Plan:

Full Reference: C - 6296 - 8442 - IN1 Development and Sustainable Modes of Travel - None

**6331 Comment Respondent: Quod Planning (Mr Philip Murphy) [7958]**

**Agent: N/A**

Summary: \* Policy IN1 - We suggest that "where appropriate" should be inserted at the beginning of clause (a). We suggest that clause 2 is amended to include the option of passive provision as well as active provision. In addition, the text following the policy (e.g. 6.10) refers to sustainable modes i.e. bus and rail but the policy wording only refers to walking and cycling. Therefore, the policy wording should be expanded to include these other modes;  
\* Para 6.13 - As noted above, the aim is to reduce single occupancy car journeys since car sharing can, in the right circumstances, be beneficial and sustainable. The reference to car sharing should apply to all forms of development, not just residential;

Change To Plan:

Full Reference: C - 6331 - 7958 - IN1 Development and Sustainable Modes of Travel - None

**6375 Comment Respondent: Essex County Council (Mr Rich Cooke) [8452]**

**Agent: N/A**

Summary: There are no references within the DM document to the Harlow and Gilston Garden Town, nor any of its key elements, i.e. the sustainable travel corridors connecting the strategic sites  
a. Consider adding 'footways' so it reads footways/cycleways, footpaths can remain but generally is used in the context 'public' footpath, i.e. a public right of way.  
b. Consider adding 'footways' so it reads footways/cycleways and changing 'footpaths' to public rights of way serving the development.  
c. Consider adding 'footway' so it reads footway/cycleway and public rights of way network.

Generally there is no reference here to public transport/buses and it is considered essential that there should be. It should include references to the following:

\* Residential development being well located within 400m of a bus stop

\* New development providing new bus stop infrastructure or upgrading existing infrastructure to include, signage, shelters, timetables or real time passenger information

\* New development to provide new/enhanced bus services.

Policy IN1 refers to modal hierarchy as set out in the Strategic Policies although these are not yet available to review. There is no reference to public transport (rail or bus) in the policy (although it is mentioned in the supporting text). This policy and the accompanying text does not appear to give sufficient weight to the need to deliver a step-change in travel behaviour in the district (and beyond). Greater emphasis could be given to Travel Plans in this document, and their long term role in monitoring and delivering modal switch. For example, Travel Plan co-ordination across smaller sites and/or Travel Plan Co-ordinators, and their requirement for the larger strategic sites are worth considering. Use of planning obligations to employ a Travel Plan co-ordinator is suggested, particularly for the larger sites, but may be appropriate for a wider Harlow and Gilston Garden Town Travel Plan Co-ordinator to deliver the wider area initiatives which could include smaller sites/existing development  
This policy / group of Development Management policies could include reference to the need to support the Harlow and Gilston Garden Town and any of its future initiatives which would actively encourage sustainable travel/reduce the need to travel, and any associated infrastructure

Change To Plan:

Full Reference: C - 6375 - 8452 - IN1 Development and Sustainable Modes of Travel - None

**CHAPTER: INFRASTRUCTURE**

**IN1 Implementation**

**6376 Comment Respondent: Essex County Council (Mr Rich Cooke) [8452]**

**Agent: N/A**

Summary: Consider including reference to the Essex Rights of Way Improvement Plan and Essex Development and Public Rights of Way advice note.

There is mention in 6.14 that employment developments should 'investigate' the potential for shuttle buses. There is also mention of a potential need for Transport Assessments or Transport Statements to be prepared. Neither of these explicitly state that developers will be expected to provide suitable levels of bus service, where these do not already exist. A good example is the planned future increase of healthcare jobs to the (broadly) Pinnacles area - these collective organisations could end up with shifts starting and finishing at all times throughout the day, making it a 24/7 operation - 'shuttle buses' would not be sufficient to cater for this need.

Change To Plan:

Full Reference: C - 6376 - 8452 - IN1 Implementation - None

- 6231 Comment**      **Respondent: Essex Bridleways Association (Mrs Sue Dobson) [7887]**      **Agent: N/A**  
 Summary: Policy IN2: Point (b) again only caters for pedestrians, cyclists and powered two-wheelers and omits equestrians. This should be rectified as per our comments on Policy IN1 above.  
 Change To Plan:  
 Full Reference: C - 6231 - 7887 - IN2 Impact of Development on the Highways Network including Access and Servicing - None
- 6317 Comment**      **Respondent: Miller Homes [8449]**      **Agent: Andrew Martin - Planning (Mr Olivier Spencer) [8448]**  
 Summary: Policy IN2 confirms that development will be supported where it meets a number of highway network related criteria, including that it should not cause a "significant" detrimental impact on road congestion and movement.  
 However, the corresponding test at paragraph 32 of the NPPF states that development should only be refused on transport grounds where the residual cumulative impacts of development are "severe".  
 Therefore to be consistent with national policy, Policy IN2(a) should be amended to read "it would not cause a severe detrimental impact on road congestion and movement".  
 Change To Plan:  
 Full Reference: C - 6317 - 8449 - IN2 Impact of Development on the Highways Network including Access and Servicing - None
- 6332 Comment**      **Respondent: Quod Planning (Mr Philip Murphy) [7958]**      **Agent: N/A**  
 Summary: \* Policy IN2 - In relation to clauses (a) and (b), we consider that the wording of this policy should be amended to make it consistent with NPPF and in particular paragraph 32 i.e. development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe;  
 \* Para 6.20 - We consider this should refer to the tests set out in NPPF; and  
 \* Para 6.21 - We suggest this is amended so that the scope of the studies is agreed prior to submission rather than the studies themselves. The reference to Highways Agency should be Highways England.  
 Change To Plan:  
 Full Reference: C - 6332 - 7958 - IN2 Impact of Development on the Highways Network including Access and Servicing - None
- 6377 Comment**      **Respondent: Essex County Council (Mr Rich Cooke) [8452]**      **Agent: N/A**  
 Summary: b. ECC suggests consideration of whether powered two wheelers require a specific reference given that they are road users.  
 Change To Plan:  
 Full Reference: C - 6377 - 8452 - IN2 Impact of Development on the Highways Network including Access and Servicing - None
- 6387 Comment**      **Respondent: Roydon Parish Council (Janet Ballard) [5434]**      **Agent: N/A**  
 Summary: Impact of development on the Highways Network - It is important that development does not impact negatively on communities bordering Harlow such as Roydon. Congestion here is already severe and more traffic generated from new development should not make the current situation even more difficult.  
 Change To Plan:  
 Full Reference: C - 6387 - 5434 - IN2 Impact of Development on the Highways Network including Access and Servicing - None

**6200 Comment** Respondent: Miss Sally SallyAnn Simpson [8418]

Agent: N/A

Summary: Sadly, traffic flow is not being managed well by Ringway Jacobs & others whose responsibility it is. They seem unable to come up with significant improvements. EG the Burnt Mill roundabout improvement is only marginally successful, at peak times, it is still a nightmare & impacts all the way back to Third Avenue. Also the roundabout at Sainsburys is a mess along with unclear footways which create a hazard to pedestrians near their petrol station & near the Fire Station. I am sure there are many other instances around The Town as well. Clearly, 'implementing' has gone wrong here.

Change To Plan:

Full Reference: C - 6200 - 8418 - IN2 Implementation - None

**6378 Comment** Respondent: Essex County Council (Mr Rich Cooke) [8452]

Agent: N/A

Summary: This sets out the Local Plan strategic objectives - consideration is suggested as to whether these should include ref to Harlow and Gilston Garden Town, and its aims. "Objective 13 - reduce the need to travel by vehicle by ensuring new development is sustainably located; Objective 14 - Improve transport links for all modes of transport, to community facilities" (my italics) - consideration is suggested as to whether this address the need for/emphasis on sustainable travel as a priority. It cannot be assumed that just because a development is located sustainably, that it would be accessed sustainably.

It is recommended that this paragraph is rewritten to avoid use of the expression 'negative'.  
Reference should be added at the end of the paragraph to 'Essex County Council Development Management Policies'

'Highways Agency' should now read 'Highways England'.

Change To Plan:

Full Reference: C - 6378 - 8452 - IN2 Implementation - None

**6259 Comment** Respondent: Mrs Giulia Festa-Burton [8436]

Agent: N/A

Summary: The Council needs to create more parking spaces for the already existing residential areas where, it is true, the reality is that often enough each household has an average of 2 vehicles per household or property. Housing have already started creating open free parking areas where they have demolished garage block not to replace them. The Council should create more of these free parking areas, where there are buildings that have been left empty for many years (both of Harlow Council or Essex County Council ownership).

Change To Plan:

Full Reference: C - 6259 - 8436 - IN3 Parking Standards - None

**6388 Comment** Respondent: Roydon Parish Council (Janet Ballard) [5434]

Agent: N/A

Summary: Parking - Whilst Harlow Council may wish to promote alternative transport methods, the reliance on the car must not be underestimated and parking provided accordingly. New Hall already has parking problems, which require a resolution from a private parking company, so this needs to be addressed.

Change To Plan:

Full Reference: C - 6388 - 5434 - IN3 Parking Standards - None

**6342 Comment****Respondent: Home Group (Jessica Watts) [8445]****Agent: N/A**

Summary: Home Group understands the need to acknowledge and provide for the local demand for parking, but are in support of reducing this where appropriate to help achieve sustainability aspirations and unlock constrained sites. This is particularly important on sites with limited footprints but with good links to transportation where the use of other methods of travel can be encouraged in order to create viable and vibrant schemes.

Change To Plan:

Full Reference: C - 6342 - 8445 - IN3 Implementation - None

**6289 Comment****Respondent: Historic England (Ms Katie Parsons) [8441]****Agent: N/A**

Summary: Policy IN4: Broadband and Development  
It is recommended that part (a) is amended to refer to both the natural and built environment rather than simply "environment".

Change To Plan:

Full Reference: C - 6289 - 8441 - IN4 Broadband and Development - None

**6379 Comment****Respondent: Essex County Council (Mr Rich Cooke) [8452]****Agent: N/A**

Summary: Add the word 'Superfast' to this paragraph. This would accordingly read:  
'Superfast Essex' does not cover new build properties and therefore Harlow DC needs to ensure that Superfast broadband in new developments is considered at the outset along with other important utility infrastructure provision such as water pipes and gas mains. This is easier to implement during the construction phase rather than retrospectively. The purpose of this policy is to secure the delivery of fibre broadband as part of new developments.

Change To Plan:

Full Reference: C - 6379 - 8452 - IN4 Justification - None

**6290 Comment****Respondent: Historic England (Ms Katie Parsons) [8441]****Agent: N/A**

Summary: Policy IN5: Telecommunications Equipment  
We would request that this policy is amended have regard to the wider townscape and historic environment. The siting and location of telecommunications equipment can affect the appearance of the public realm and wider streetscene, the consideration of their positioning is therefore important, particularly in conservation areas.

Change To Plan:

Full Reference: C - 6290 - 8441 - IN5 Telecommunications Equipment - None

**6305 Comment****Respondent: EFA (Dr Douglas McNab) [8404]****Agent: N/A**

Summary: Developer contributions

10. The key policy included in the document relating to planning for schools is policy IN6 Planning obligations. The establishment of the central principle that "Planning permission will only be granted for development if the provision is secured for related infrastructure, affordable housing, services, facilities...which are necessary to make the development acceptable in planning terms..." is supported. The ESFA requests that this policy explicitly refers to schools here as a key type of infrastructure that tends to be secured via s106, especially where new schools are required to support housing growth.

11. The explanation of onsite and offsite contributions is also useful: "Where it can be demonstrated that provision on site is not feasible then provision elsewhere, or a contribution towards this provision, will be required."

12. The ESFA is aware that Essex County Council has a model infrastructure policy that they are encouraging all Essex local planning authorities to adopt. Harlow Council should have regard to this in developing the next version of policy IN6.

13. One of the tests of soundness is that a Local Plan is 'effective' i.e. the plan should be deliverable over its period. In this context and with specific regard to planning for schools, there is a need to ensure that education contributions made by developers are sufficient to deliver the additional school places required to meet the increase in demand generated by new developments. The ESFA note that Essex County Council has produced a Developers' Guide to Infrastructure Contributions (revised 2016) that includes an explanation of contributions towards expanding existing schools and creating new schools. It would be helpful and relevant for this document to be referenced within the Local Plan in the section alongside policy IN6.

14. The explicit recognition of education facilities alongside other types of infrastructure and services that development can create a need for is welcomed (para 6.3).

15. Paragraph 6.4 states that "Requirements for individual developments will depend on the nature of the proposals, specific site circumstances and on the requirements laid out in any adopted SPDs". The ESFA notes that further guidance will be set out in a Planning Obligations Supplementary Planning Document. The ESFA request that this document clearly sets out how contributions towards expanding existing schools and developing new schools will be calculated, using an evidence based child yield figure for new developments and up to date information on costs (with clearly identified evidence sources).

16. The ESFA would be interested in responding to any draft Planning Obligations SPD, review of infrastructure requirements or proposed CIL. As such, please add the ESFA to the database for future CIL/infrastructure consultations.

Change To Plan:

Full Reference: C - 6305 - 8404 - IN6 Planning Obligations - None

## 6380 Comment

Respondent: Essex County Council (Mr Rich Cooke) [8452]

Agent: N/A

Summary: ECC supports the inclusion of policies covering strategic infrastructure, and developer contributions and Community Infrastructure Levy. ECC suggests replacing this policy, which is currently relatively light on content and detail with ECC's standard best practice wording

A revised policy should consider covering the following:

- \* Specify when developers are required to either make direct provision or to contribute towards development for the provision of local and strategic infrastructure required by the development (including land for new schools);
- \* Requirements for all new development to be supported by, and have good access to all necessary infrastructure;
- \* Requirement to demonstrate that there is or will be sufficient infrastructure capacity to support and meet all the necessary requirements arising from the proposed implications of a scheme (i.e. not just those on the site or its immediate vicinity) and regardless of whether the proposal is a local plan allocation or a windfall site;
- \* When conditions or planning obligations will be appropriate - as part of a package or combination of infrastructure delivery measures - likely to be required to ensure new developments meets this principle; and
- \* Consideration of likely timing of infrastructure provision - phased spatially or to ensure provision of infrastructure in a timely manner.

Recommended wording for such an 'Infrastructure delivery and impact mitigation' policy is provided within the ECC Exemplar Infrastructure delivery and impact mitigation Policy as below:

"Policy IN6:Planning Obligations, Infrastructure delivery and impact mitigation

Permission will only be granted if it can be demonstrated that there is sufficient appropriate infrastructure capacity to support the development or that such capacity will be delivered by the proposal. It must further be demonstrated that such capacity as is required will prove sustainable over time both in physical and financial terms.

Where a development proposal requires additional infrastructure capacity, to be deemed acceptable, mitigation measures must be agreed with the Council and the appropriate infrastructure provider. Such measures may include (not exclusively):

- \* financial contributions towards new or expanded facilities and the maintenance thereof;
- \* on-site construction of new provision;
- \* off-site capacity improvement works; and/or
- \* the provision of land.

Developers and land owners must work positively with the Council, neighbouring authorities and other infrastructure providers throughout the planning process to ensure that the cumulative impact of development is considered and then mitigated, at the appropriate time, in line with their published policies and guidance.

The Council will consider introducing a Community Infrastructure Levy (CIL) and will implement such for areas and/or development types where a viable charging schedule would best mitigate the impacts of growth. Section 106 will remain the appropriate mechanism for securing land and works along with financial contributions where a sum for the necessary infrastructure is not secured via CIL.

For the purposes of this policy the widest reasonable definition of infrastructure and infrastructure providers will be applied. Exemplar types of infrastructure are provided in the glossary appended to this plan.

Exceptions to this policy will only be considered whereby:

- \* it is proven that the benefit of the development proceeding without full mitigation outweighs the collective harm;
- \* a fully transparent open book viability assessment has proven that full mitigation cannot be afforded, allowing only for the minimum level of developer profit and land owner receipt necessary for the development to proceed;
- \* full and thorough investigation has been undertaken to find innovative solutions to issues and all possible steps have been taken to minimise the residual level of unmitigated impacts; and
- \* obligations are entered into by the developer that provide for appropriate additional mitigation in the event that viability improves prior to completion of the development."

Please note that the following glossary to support this policy could be included within the Draft Plan at Appendix 1 - Acronyms and Glossary.

"Glossary

Infrastructure means any structure, building, system facility and/or provision required by an area for its social and/or economic function and/or well-being including (but not exclusively):

- a. footways, cycleways and highways
- b. public transport

- c. drainage and flood protection
- d. waste recycling facilities
- e. education and childcare
- f. healthcare
- g. sports, leisure and recreation facilities
- h. community and social facilities
- i. cultural facilities, including public art
- j. emergency services
- k. green infrastructure
- l. open space
- m. affordable housing
- n. live/work units and lifetime homes
- o. broadband
- p. facilities for specific sections of the community such as youth or the elderly"

Change To Plan:

Full Reference: C - 6380 - 8452 - IN6 Planning Obligations - None