

REPORT TO: CABINET

DATE: 24 MARCH 2022

TITLE: GREEN INFRASTRUCTURE AND PUBLIC OPEN SPACE SPD – FINAL FOR ADOPTION

PORTFOLIO HOLDER: COUNCILLOR MICHAEL HARDWARE, PORTFOLIO HOLDER FOR STRATEGIC GROWTH

LEAD OFFICER: ANDREW BRAMIDGE, DIRECTOR OF STRATEGIC GROWTH AND REGENERATION (01279) 446410

CONTRIBUTING OFFICERS: VICKY FORGIONE, PRINCIPAL PLANNING OFFICER (01279) 446878

This is a Key Decision.

It is on the Forward Plan as Decision Number I012714

Call In Procedures may apply.

This decision will affect all wards.

RECOMMENDED that Cabinet:

- A** Notes the responses received to the consultation and approves the consequential amendments made to the Green Infrastructure and Public Open Spaces Supplementary Planning Document (SPD).
- B** Formally adopts the SPD as set out in the Appendix A to this report.

REASON FOR DECISION

- A** To enable the SPD to be formally adopted under Regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- B** To meet the legal requirements of developing and adopting an SPD.

BACKGROUND

1. The Harlow Local Development Plan (HLDP) was adopted by the Council on 10 December 2020. The Local Plan sets out a long-term vision for Harlow, identifying land where development will be acceptable and where it will be unacceptable.
2. The HLDP contains policies which ensure that Green Infrastructure (GI) and

open spaces are protected and enhanced and sets out a number of policies to support this. It also includes policies on biodiversity and geodiversity, trees and hedgerows and delivering overall health and wellbeing benefits to Harlow.

3. Whilst the policies in the HLDP give significant detail of the Council's requirements, the additional guidance contained in an SPD expands on the HLDP, to give additional guidance to developers when making planning applications, to Officers when making recommendations, and to Councillors when making decisions.
4. The Council already has an Open Spaces, Sport and Recreation SPD which was adopted in 2007. The Green Infrastructure and Public Open Spaces SPD will replace the 2007 SPD in its entirety. It was prepared in order to amplify and aid the effective and consistent implementation of the open spaces, GI and landscaping, trees and hedgerows and biodiversity and geodiversity aspects of the HLDP, specifically Policies L1, PL7, PL8 and PL9.
5. The Green Infrastructure and Public Open Space SPD comprises seven sections, detailed below.
 - a) Section 1: Green and Blue Infrastructure Principles – This Chapter provides overarching principles on Blue and Green Infrastructure for developments in Harlow. It sets out the benefits of providing good GI in Harlow and how this can be implemented within new development proposals.
 - b) Section 2: Biodiversity in new developments including Net Gain – This Chapter provides information on how biodiversity can be delivered in new developments. It also sets out how the Council will calculate Biodiversity Net Gain (BNG) in new developments, this being a key component in the 2021 Environment Act.
 - c) Section 3: Trees, Woodland and Hedgerows – This Chapter set out further guidance in respect of trees, woodland and hedgerows including their protection and planting in new developments.
 - d) Section 4: Public Open Space Standards – This chapter sets out the different open space typologies in Harlow, their description and function. This includes equipped play areas. It also sets out the standards required in new developments, when on-site provision will be expected and the estimated contributions for off-site public open spaces. It provides information in respect of long-term management and maintenance of these spaces including likely contribution calculations if relevant. The standards set out within this chapter are for public open space. Private amenity space requirements such as

garden spaces, communal amenity areas and balconies, can be found in the Design Guide Addendum (adopted 2021).

- e) Section 5: Sporting Facilities – Sporting facilities also contribute towards healthy towns and neighbourhoods and this chapter aims to provide further details about how this can be implemented within new developments using the latest Sports Facilities and Playing Pitches Study.
- f) Sections 6 and 7: Design Guidance and Supporting Statement – The design standards set out in this Chapter refer specifically to the provision of open spaces, sport and recreation facilities including any ancillary buildings or facilities which support those uses. This chapter provides information as to what will be required with a supporting statement in respect of Green Infrastructure and public open space requirements.

6. It should be noted that an SPD cannot introduce new policy over and above that contained in the adopted local plan. The Green Infrastructure and Public Open Spaces SPD can, therefore, only relate to existing policies in the HLDP.

ISSUES/PROPOSALS

Consultation

7. In December 2021, Cabinet approved the SPD to enable it to be published for the purposes of consultation.
8. The consultation period started on Monday 6 December 2021 and closed on Friday 11 February 2022. This is a period of 10 weeks.
9. The Council complied with the legislative requirements for consulting on an SPD, as well as the requirements set out in the Council's adopted Statement of Community Involvement.
10. This included:
 - a) notifications being sent to people, organisations and businesses who have either recorded an interest in SPDs or are statutory consultees;
 - b) a notice being published in the local newspaper;
 - c) posts being made on the Council's social media channels to advertise the consultation;
 - d) hard copies of the SPD being available at the Civic Centre, Latton Bush Centre and libraries in Harlow; and
 - e) an online version being available on the Council's website.
11. In total, six people, organisations or companies responded to the

consultation. From these responses, 27 points were extracted which are detailed, along with a Council response to each, in the Consultation Statement as set out in Appendix B to the report.

12. The table below summarises the main issues raised during the consultation which required amendments to the draft SPD.

Issue	Amendment
The SPD does not include clear and consistent guidance for built sports facilities as already detailed in the Council's Sports Facilities Strategy (2017) Chapter 14 of the Council's Sports Facilities Study Part 2 Built Facilities Strategy provides guidance on the approach to securing provision for built sports facilities through new development which is endorsed by Sport England	The SPD has been updated to include an additional chapter on how to deal with the provision of built sports facilities including reference to the Sports Facilities Study where appropriate. This includes information on using the Sports Facilities Calculator to determine off-site costs and the provision of standards for certain built facilities.
Map 1 which includes the various open space typologies in the district is out of date	The Map has been updated and now moved to the appendix.
Table 13 proposes the use of quantity and accessibility standards for playing pitches and outdoor sports. The use of standards is contrary to the approach recommended in the Council's 2017 Sports Facilities Strategy which sets out detailed step by step guidance on how the additional needs for outdoor sports generated by developments should be assessed, calculated and secured in practice.	Standards for playing pitches have been removed and instead this will be determined using the information set out in the Sports Facilities Study and the Sport England's Playing Pitch Calculator. Reference to these tools and documents are now included.
Tables 15 and 16 include proposed off-site contributions and maintenance costs for playing pitches but the use of the Sport England Playing Pitch Calculator will automatically generate this cost as part of this process	Changes made to the document to remove Playing Pitches from Tables 15 and 16 and instead use the Sport England Playing Pitch Calculator to identify the suitable off-site costs and maintenance costs (as well as ancillary costs such as changing rooms) for playing pitches.
Fields in Trust guidance should not be used instead of Sport England in relation to built facilities and playing pitches. Sport England guidance is more up to date.	Fields in Trust Standards removed and replaced with references to Sport England guidance instead.
Reference should be made to the Essex GI Strategy and proposed Essex GI Standards	Added to chapter 4.
The document should include the provision of appropriate buffer strips around river courses and ponds as well as opportunities for development to restore and enhance rivers	Wording added to the Blue Infrastructure section on how buffers and opportunities for river restoration and enhancement can improve habitats and ecology.

13. Other issues were also raised which did not require an amendment to the

SPD. The full schedule of issues raised and the Council's responses can be seen in the Consultation Statement as set out in Appendix B to the report.

14. Changes have also been made to the title and structure of the document, bringing Green Infrastructure principles to the forefront as subsequent chapters all relate and contribute towards GI in some way. An additional chapter on trees, woodland and hedgerows has been added as has additional information relating to Blue Infrastructure and more local context on biodiversity and habitats found in Harlow.

Next Steps

15. The Green Infrastructure and Public Open Space SPD, once adopted, will replace the 2007 Open Space, Sport and Recreation SPD. It will be a material consideration in the determination of planning applications and will also inform pre-application discussions on relevant developments.
16. The adopted SPD will be hosted on the Council's website with a number of hard copies also being made available.

IMPLICATIONS

Strategic Growth and Regeneration

As set out in the report.

Author: Andrew Bramidge, Director of Strategic Growth and Regeneration

Finance

None specific.

Author: Simon Freeman, Deputy to the Chief Executive and Director of Finance

Housing

As outlined in the report.

Author: Andrew Murray, Director of Housing

Communities and Environment

As contained within the report.

Author: Jane Greer, Director of Communities and Environment

Governance (Includes HR)

Adoption of the report meets the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Author: Simon Hill, Director of Governance and Corporate Support

Appendices

Appendix A – Green Infrastructure and Public Open Space Supplementary Planning Document

Appendix B – Consultation Statement

Background Papers

Harlow Local Development Plan: Adopted December 2020

Harlow Design Guide: Adopted October 2011

Harlow Design Guide Addendum: Adopted December 2021

Open Space, Sport and Recreation SPD: Adopted 2007 but to be superseded
Sports Facilities and Playing Pitches Study.

Glossary of terms/abbreviations used

GI – Green Infrastructure

HLDP – Harlow Local Development Plan

HGGT – Harlow and Gilston Garden Town

SPD – Supplementary Planning Document

SCI – Statement of Community Involvement