

# Adoption of East of Harlow Masterplanning Guidance Supplementary Planning Document



<b>Report to:</b>	Cabinet
<b>Date:</b>	12 September 2024
<b>Portfolio Holder:</b>	Councillor Gunn, Portfolio Holder for Garden Town and Planning
<b>Lead Officers:</b>	Tanusha Waters, Assistant Director - Planning & Environment (01279) 446595  Paul MacBride, Forward Planning Manager (01279) 446258
<b>Contributing Officers:</b>	David Watts, Senior Forward Planning Officer (01279) 446577  Vicky Forgione, Principal Forward Planning Officer (01279) 446878
<b>Key Decision:</b>	No
<b>Forward Plan:</b>	Forward Plan number I016272
<b>Call In:</b>	This item is subject to call in procedures
<b>Corporate Mission:</b>	Rebuild our town
<b>Wards Affected:</b>	Old Harlow

## Executive Summary

- A** The East of Harlow Garden Community is one of Harlow and Gilston Garden Town's strategic sites. It is mostly within the Harlow Council (HDC) area and partially within the Epping Forest District Council (EFDC) area. The Local Plans for the two districts have, respectively, allocated 2,600 homes within the Harlow portion, and 750 homes within the Epping Forest portion.
- B** The Epping portion also allocates land for a health and wellbeing campus, which would include the relocation of the Princess Alexandra Hospital. The programme for the delivery of the hospital is currently under review by central Government and this has introduced a degree of uncertainty on when the hospital will be delivered on site.

- C** As well as providing much needed housing including affordable housing for Harlow residents, the site will contribute towards improving infrastructure across the local area and wider town including the delivery of sustainable transport routes for buses, cyclists and pedestrians, delivery of new schools, improvements to drainage and flood mitigation, biodiversity gains, green links and spaces and other community buildings/facilities. Along with other development sites, it will support wider regeneration attracting investment into the area.
- D** The East of Harlow Masterplanning Guidance (EHMG) Supplementary Planning Document (SPD) builds on the related policies in the two districts' Local Plans, by providing guidance on high-level issues, such as Green Infrastructure, roads, sustainable transport and impact on existing settlements. The SPD, therefore, provides guidance for producing a masterplan for the whole site. This will ensure the masterplan and subsequent planning applications for development consider all issues relevant to the site and the wider area. The masterplan itself will be produced by the developer(s) and subject to separate public consultation.
- E** The public consultation period for the SPD started on Monday 31 July 2023 and closed on Monday 16 October 2023, having been extended by three weeks. The consultation was open, therefore, for a period of 11 weeks, and included two in-person public events with Council Officers and online Q&A sessions.
- F** Responses received related to traffic and travel, the relocation of Princess Alexandra Hospital, flood risk, infrastructure, Green Infrastructure and landscape, impact on existing settlements and the clarity of maps in the draft SPD. As a result, the SPD was amended to include additional references and improve understanding of issues. Some wording was also changed to ensure the SPD is not overly prescriptive.
- G** Once adopted, the SPD will become a material consideration when determining planning applications relating to the site. EFDC is due to adopt the SPD at their Cabinet meeting on 28 May 2024.

**Recommended that:**

- A** Cabinet notes the responses received to the consultation and the joint responses of Harlow Council and Epping Forest District Council, as set out at Appendix B to this report.
- B** Cabinet adopts the SPD as set out at Appendix A to this report.
- C** Cabinet delegates authority to the Assistant Director - Planning & Environment, in consultation with the relevant Portfolio Holder and equivalent Officer(s) and Member(s) at Epping Forest District Council, to make any minor or inconsequential amendments to the SPD arising from matters discussed and agreed at Cabinet or at Epping Forest District Council's Cabinet.

## **Reason for decision**

- A** To understand how the consultation has shaped the SPD.
- B** To ensure the SPD becomes a formal material consideration.
- C** To ensure an efficient process is in place to make minor/inconsequential amendments.

## **Other Options**

- A** Not adopting the SPD. This is not considered appropriate as the intention of the SPD is to bring together work and unify it, allowing for a streamlined masterplanning process for all parties. It will ensure key matters are taken into consideration in the detailed planning and future development of the site, including the preparation of a Strategic Masterplan, associated design codes and planning applications. Without it there is a risk that applications come forward outside of a comprehensive development of the site particularly as there are several different landowners at East of Harlow and two Local Plans that need to be adhered to.

## **Background**

1. The East of Harlow Garden Community is one of Harlow and Gilston Garden Town's strategic sites. It sits across the Harlow Council (HDC) and Epping Forest District Council (EFDC) border, with 2,600 homes proposed within Harlow and 750 homes within Epping Forest. It also includes an allocation for a health and wellbeing campus which is to accommodate a relocated Princess Alexandra Hospital, although the programme for the delivery of this is currently under review. The Garden Community is also covered by Essex County Council (ECC) as the Highways Authority.
2. The East of Harlow site in the Harlow Local Plan was allocated along with several other housing sites to help deliver a range of new homes including affordable homes to support the future needs of residents and the sustainability of the town. However, along with sites across the wider Garden Town, it will also support wider regeneration initiatives and infrastructure provision such as public realm improvements and redevelopment opportunities across the town centre, delivery of an enhanced public transport system, additional green infrastructure and accessibility, contributions towards/provision of community buildings, sports facilities, schools and healthcare and the potential relocation of the Princess Alexandra Hospital. This will be delivered through on-site services and facilities, Section 106 contributions towards projects across the wider Harlow area or through the additional Council tax revenue generated from new properties.
3. The decision was taken by the Harlow and Gilston Garden Town (HGGT) partners to produce the East of Harlow Masterplanning Guidance (EHMG) Supplementary Planning

Document (SPD). The aim is to provide guidance for a developer producing a masterplan for the site, to ensure the masterplan reflects the HGGT Vision.

4. Work on the document progressed during 2022, including regular workshops to consolidate existing information, develop a project proposal and produce a vision for the site. The draft document was reviewed by the HGGT Quality Review Panel in November 2022 and this informed subsequent versions of the EHMG.
5. EFDC, HDC and ECC have previously worked to develop guidance for the East of Harlow masterplan area, and this work has guided development of the document. The EHMG SPD builds on the existing policies/guidance for the site, including:
  - a) Epping Forest Local Plan (EFLP), Green Infrastructure (GI) Strategy, Sustainability Guide;
  - b) Harlow Local Development Plan (HLDP);
  - c) HGGT Vision, Design Guide, Transport Strategy, Sustainability Guidance and Checklist, GI Strategy Framework, Infrastructure Delivery Plan;
  - d) Essex County Council (ECC) Planning School Places, GI Strategy.
6. Adopting the EHMG as an SPD will ensure the guidance has as much planning weight as possible, as a material consideration, and will be robust to ensure the developer prepares a masterplan which reflects the visions for the site and the overall Garden Town.
7. As noted in national Planning Practice Guidance, SPDs should build upon and provide more detailed advice or guidance on existing policies in an adopted local plan. SPDs cannot introduce new policies as they are supplementary in nature and should not add unnecessarily to the financial burdens on development. Both HDC and EFDC officers are satisfied that these requirements are met.
8. Where an SPD is likely to have significant environmental effects that have not already have been assessed during the preparation of the relevant strategic policies, a Strategic Environmental Assessment (SEA) may be required. However, relevant significant environmental effects were previously assessed during the preparation of the policies in the Harlow Local Development Plan (HLDP) and Epping Forest District Local Plan (EFDLP), taking into account the criteria in the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) and Local Plan consultation responses received at the time.

## **Issues/Proposals**

### *Consultation*

9. The draft EHMG was produced by HDC and EFDC in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the Councils' adopted Statement of Community Involvements.
10. The consultation period started on Monday 31 July 2023 and was due to close on Sunday 24 September 2023, but was extended by three weeks and closed on Monday 16 October 2023. The consultation was open, therefore, for a period of 11 weeks.
11. The HGGT consultation platform website hosted the SPD and allowed people to navigate the document by chapter and leave comments online. If people preferred, they could also submit comments via email or post.
12. A summary of responses received and the HDC/EFDC joint responses to them can be found within this report and in the Consultation Statement at Appendix B.
13. The platform also hosted a survey about the SPD. There were 14 questions, 12 of which were multiple choice or similar, with two open-ended questions to allow comments. The survey results can be seen in the Consultation Statement.
14. On Tuesday 29 August 2023, a public drop-in event was held, in conjunction with Sheering Parish Council, at Sheering Village Hall. It ran from 10am to 12pm and included a one-hour question-and-answer session with officers from HDC, EFDC and ECC. The event was advertised by the Parish Council and was attended by approx. 60 people.
15. On Tuesday 10 October 2023, a public event was held, in conjunction with the Churchgate Street Residents Association, at St Mary's Church in Churchgate Street. It ran from 6pm to 7pm and comprised a question-and-answer session with officers from HDC, EFDC and ECC. The event was advertised by the Residents Association and was attended by over 100 people.
16. Additionally, three online drop-in sessions were held online on Microsoft Teams, with officers from HDC, EFDC and ECC in attendance to answer questions. These sessions were held on Wednesday 30 August 2023 from 6pm to 7pm, Thursday 31 August 2023 from 2pm to 3pm and Thursday 7 September 2023 from 10am to 11am.
17. The majority of issues raised at the above sessions were similar to the main issues raised in written responses to the consultation (see below).
18. As well as the above sessions, private meetings have also taken place between land owners, their agents and officers from HDC, EFDC and ECC. The purpose of these was to answer questions and queries they had prior to their formal written submissions to the consultation.
19. A total of 157 people, organisations or companies responded to the consultation, either by providing comments and/or completing a survey.

*Issues Raised*

20. Many respondents made similar points and the main ones are summarised in the table below, along with joint responses from HDC and EFDC.
21. Specific points made via submission of comments and completion of the open-ended questions in the survey, along with joint responses from HDC and EFDC, can be viewed in the Consultation Statement.
22. The table below summarises the main issues raised during the consultation, many of which required amendments to the draft SPD.

<b>Issue</b>	<b>HDC and EFDC Joint Response</b>
<p><b>General traffic and travel – e.g. increased congestion, bus services, etc.</b></p>	<p>The HGGT Transport Strategy, STC and associated modal shift/change are key strands of the HGGT vision to address potential increased vehicular movements arising from new development. The STC will provide fast, direct, safe walking, cycling and bus routes for residents across the town. For the eastern part of the STC it will provide sustainable travel opportunities for residents at East of Harlow, Newhall and First Avenue in particular.</p> <p>Buses on the STC would be funded by the development initially and it is expected they will become self-funding as the development grows. These buses would benefit the residents of Newhall (and other existing Harlow residents along the route) by providing a fast and reliable bus service to both the town centre and beyond and also the new health and wellbeing campus once relocated.</p> <p>Modal shift/change is about offering a choice for short car journeys to be completed using sustainable transport instead, thereby reducing the number of cars on the road overall. The intention is not to remove cars but provide worthwhile choice in how people travel so that sustainable and healthy choices can be made especially for those journeys where walking, cycling and using public transport is easier, cheaper and quicker than sitting in traffic in the car.</p> <p>The Garden Community is predicated on being a sustainable development and as such people will purchase properties in this knowledge and developers will be aware of this requirement. With multiple accesses onto Gilden Way, traffic will either be able to access towards the town centre and access the wider area or leave via J7a and then return. Since the development of Church Langley over 20 years ago, much has changed and this development as well as developments across the Garden Town will help deliver and fund a more cohesive sustainable transport system than what is currently available.</p> <p>The allocation of the site has been informed by transport assessment evidence as part of the Local Plan and further detailed transport</p>

	<p>assessments will be carried out by the developer.</p> <p>The HGGT IDP identifies what schemes and proposals are required from the development including those related to improving the highway network to accommodate growth.</p>
<b>M11 J7a</b>	<p>M11 J7a was designed to provide the second motorway access to Harlow and therefore helps to provide relief if either J7 gets blocked for any reason and vice versa.</p> <p>The road has been designed with enough capacity to deal with traffic associated with the new development and this is supported by modelling.</p>
<b>Traffic associated with hospital relocation</b>	<p>Although some traffic will be removed from the town as a result of the potential hospital relocation (closer to the new Junction 7a), further traffic modelling will be required to assess the full impacts of a relocated hospital. The scope of the SPD does not include traffic modelling and/or mitigation measures that may be required as the programming for its relocation is currently still being reviewed.</p>
<b>London Road closure</b>	<p>Comments and concerns regarding the closure of London Road have been noted by the Council. The issue and opposition around this proposal is being carefully considered outside of the SPD process in consultation with Essex County Council as local highway authority. The Council has provided some historical context in its response to these comments, but this particular issue does not affect the principles included in the SPD or delivery of the East of Harlow site.</p>
<b>Churchgate Street traffic</b>	<p>Development traffic would not be allowed to use routes through Churchgate Street and developers would be expected to prepare a construction plan to show how they would bring the site forward. Text in the SPD has been amended for clarification.</p> <p>Access to all the roads within Churchgate Street from routes travelling through the new development would only facilitate walking and cycling access, i.e. would be for walking and cycling only, enabling access to facilities, services and green spaces in the East of Harlow Garden Community to the benefit of existing residents in this area. Text in SPD amended for clarification.</p>
<b>Concerns of increased flood risk</b>	<p>SuDS, including new ponds and swales, are likely to help with any future flooding.</p> <p>Churchgate Street area flooding in 2023 was due to a very intense and short period of rain that impacted on the local brook within a known flood zone area (as per EA maps). This is with EA to decide whether further work/what work is required.. As part of the masterplan and eventual planning application, further flood risks will be required to be considered.</p>
<b>Provision of</b>	<p>The site will be supported by the right infrastructure in the right</p>

<p><b>suitable infrastructure</b></p>	<p>location including health, education, sustainable transport, access and highway improvements and all utility provision having considered any pressures in the local area. This is set out in the HGGT Infrastructure Delivery Plan.</p> <p>Infrastructure will have to be provided in a phased approach based on the construction/occupation of dwellings. However, it is not appropriate for the SPD to provide detail on phasing of housing and phasing of infrastructure provision - this will come at the masterplan stage in detailed discussion with infrastructure providers.</p> <p>The SPD will be amended to ensure there is specific reference to the need for Local Centres to include community infrastructure such as preschool provision, doctors, dentist, play areas, and community rooms for use for faith activities, toddler groups, support groups, etc. This will not only benefit new residents on the site but also provide facilities to support the potential needs of villages and residents around the site.</p> <p>The HGGT partners and developers will work with utility providers on water provision and are aware of the development sites in this area through the Local Plan process.</p>
<p><b>Locations of new schools</b></p>	<p>The exact locations of the schools have yet to be established and are indicative in the SPD. Essex County Council will be providing further evidence and justification for the best location. The SPD will therefore be amended to remove the school options and state that locations are to be decided.</p>
<p><b>Ensuring developers adhere to Section 106 agreements for infrastructure provision</b></p>	<p>The adherence to S106 agreements is not something for this SPD to address, but the Council's legal action against the developers at Gilden Park is likely to set an important precedent which will help to ensure developers adhere to planned delivery of infrastructure in the future.</p>
<p><b>Need for housing at this location</b></p>	<p>The East of Harlow site was allocated for housing and associated ancillary uses in the Harlow and Epping Local Plans, which went through rigorous rounds of consultation, public examination and inspection by government.</p> <p>The south-east of the UK has some of the highest house prices in the country due to high demand and lack of supply. Issues such as people living longer than previous generations, higher rates of divorce in older people (resulting in a divorced couple requiring two homes instead of one), and birth rates historically being higher than death rates, has increased demand.</p> <p>The need for housing - including much needed affordable housing - is detailed further in the evidence base supporting the Harlow and Epping Local Plans. The Harlow portion of the East of Harlow Garden</p>



	<p>Community will help deliver affordable homes for Harlow residents as well as a range of other benefits and opportunities. Lack of affordable housing is a great barrier in the UK Innovation Corridor which Harlow and the Garden Town forms a part of. The Strategy for this corridor includes collaborative work to support affordable housing initiatives across the area.</p>
<p><b>Landscape, biodiversity and farmland concerns</b></p>	<p>The SPD requires the masterplan to be landscape-led, ensuring that open spaces and Green infrastructure are provided, while respecting and preserving the original landscape as much as possible. This also includes a mandatory net increase in biodiversity and the delivery of a new Green Wedge through the development for new and existing residents to enjoy.</p> <p>Most of the farmland in question is Grade 3, meaning it is Good to Moderate and therefore not the best (which would be Grades 1 and 2). Around 70% of UK land is farmland. It was accepted at the examinations for the Harlow and Epping Local Plans, which allocated this site, that the loss of farmland is, on balance, acceptable in order for the districts to meet their identified housing targets.</p>
<p><b>Impact on existing communities, particularly Sheering</b></p>	<p>The SPD requires the masterplan to sensitively consider existing communities. In particular it states that the effects on existing settlements, such as the historic settlement of Churchgate Street, must be considered and any adverse impacts mitigated against, particularly regarding density and building heights.</p> <p>The SPD indicates that the masterplan will require a substantial buffer between the northern part of the site and Sheering to ensure coalescence is prevented and that Sheering retains its identity.</p> <p>It is possible that improvements to existing Sheering infrastructure will be part of the East of Harlow development, but this will be determined at the masterplanning and planning application stages.</p> <p>The addition of references to the need for design codes throughout the document means that specific design details can be carefully considered and agreed by the Councils, in consultation with stakeholders and the community, ensuring that the impact on areas such as Churchgate Street are minimised.</p>
<p><b>Clarity of maps</b></p>	<p>The maps have been significantly altered, including adding OS base maps and names of existing settlements and road names.</p>
<p><b>Online platform</b></p>	<p>The Councils were aware of some technical issues with the online platform and liaised directly with those affected to resolve the matters. Feedback has been passed to the platform supplier to avoid future issues.</p>

23. Additionally, a number of comments were received from statutory consultees and land owners (via their agents). Their details can be found in the Consultation Statement.

24. The table below details how the SPD has been amended as a result of comments from consultees:

<b>Topic</b>	<b>Amendment</b>
<b>Green &amp; Blue Infrastructure</b>	<p>Improved/additional references to role of GI in relation to climate change, blue infrastructure and the possibility for new water bodies, greening of local centres, SANG guidance, linkages with the surrounding landscape to improve and encourage access, consideration of “green” routes, guidance on provision of sports facilities, HGGT GI Framework action plans, wider uses of GI, tree and hedgerow retention, SFRAs and flooding strategies, and waterway restoration and enhancement.</p> <p>Maps amended so that the area in the north of the site is referred to as a green buffer rather than for a specific SANG/BNG use.</p>
<b>Infrastructure</b>	<p>Improved/additional references to utilities infrastructure, need for developers to engage with water/wastewater bodies to ensure requirements are met, effects of development on emergency services, and the need for local centres to include a wide range of facilities such as GP healthcare, dentist, play areas and community rooms for faith activities, fitness activities, toddler groups, support groups, etc.</p> <p>Clarification that road capacity on the local and strategic networks is not intended to be prioritised by health facilities uses over residential uses.</p>
<b>Sustainable Movement</b>	<p>Improved/additional references to possibility of a cycling route through the green buffer towards Sheering, interim measures for sustainable modes and in particular for PAH, connection of PAH with sustainable transport network as part of its relocation, establishing GI in sustainable transport and PRoW networks, effects on waterways/flooding arising from new roads or crossings</p> <p>Removal of reference to Champions roundabout regarding dwelling occupation.</p>
<b>Education</b>	<p>Improved/additional references to role of schools in meeting the community sports facility needs, primary school playing field being multi-purpose and opportunities for natural play.</p> <p>Removal of school options as these will need further consideration at the masterplanning stage.</p>
<b>General</b>	<p>Amendments to ensure the SPD is not overly prescriptive.</p> <p>Improved/additional references to Section 106 requirements, Essex Design Guide, climate change and stewardship.</p> <p>Amendments to maps to improve clarity and address points raised by consultees.</p>

*Adoption of the SPD*

25. At the HGGT Board meeting on 12 March 2024, it was recommended that the SPD should be adopted by both HDC and EFDC, subject to amendments being made to the SPD. These amendments required extra non-material wording to be added regarding stewardship and the forthcoming HGGT Stewardship Charter. This wording has been added to the SPD.
26. Following adoption, the SPD will become a material consideration in the determining of planning applications and production of a masterplan for the site, along with any design codes.
27. The timetable below indicates the process for the HGGT Board recommendation, and adoption of the SPD by HDC and EFDC:
- a) **HGGT Board** On 12 March 2024, recommended SPD be adopted
  - b) **EFDC Cabinet** SPD adoption due on 28 May 2024
  - c) **HDC Cabinet** SPD adoption due on 12 September 2024

## **Implications**

### **Equalities and Diversity**

See Equalities Impact Assessment, attached at Appendix C to this report.

### **Climate Change**

The SPD ensures that the masterplan which is produced for the site will take into account aspects which mitigate against climate change. These include the need for design of streets and housing to consider climate change through the provision of shading, limiting surface water run-off, reusing water and incorporating renewable energy technologies; provision of new Green Infrastructure; provision of sustainable modes of transport to reduce private car usage; and installation of Sustainable Drainage Systems.

### **Finance**

There are no direct financial implications arising from this report.

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### **Governance**

The Town and Country Planning (Local Planning) (England) Regulation 2012 consultation requirements have been completed and comments considered. As soon as reasonably practicable after the adoption of an SPC the Council must publish both the SPR and an adoption statement. A copy of the adoption statement must be sent to any person who

requested such notification. Should the SPD be adopted it will become a material consideration in the determination of proposals for development within the District.  
Author: Julie Galvin, Legal Services Manager and Monitoring Officer

## **Appendices**

Appendix A – EHMG SPD Adoption Version  
Appendix B – Consultation Statement  
Appendix C – Equality Impact Assessment

## **Background Papers**

[Epping Forest District Local Plan](#)  
[Epping Green Infrastructure \(GI\) Strategy](#)  
[Epping Sustainability Guidance](#)  
[Harlow Local Development Plan \(HLDP\)](#)  
[HGGT Vision](#)  
[HGGT Design Guide](#)  
[HGGT Transport Strategy](#)  
[HGGT Sustainability Guidance and Checklist](#)  
[HGGT GI Strategy Framework](#)  
[HGGT Infrastructure Delivery Plan](#)  
[ECC Planning School Places](#)  
[ECC GI Strategy](#)

## **Glossary of terms/abbreviations used**

BNG – Biodiversity Net Gain  
EA – Environment Agency  
ECC – Essex County Council  
EFDC – Epping Forest District Council  
EFDLP – Epping Forest District Local Plan  
EHMG – East of Harlow Masterplanning Guidance  
GI – Green Infrastructure  
HGGT – Harlow and Gilston Garden Town  
HLDP – Harlow Local Development Plan  
IDP – Infrastructure Delivery Plan  
OS – Ordnance Survey  
PAH – Princess Alexandra Hospital  
PRoW – Public Right of Way  
S106 – Section 106  
SEA – Strategic Environmental Assessment  
SFRA – Strategic Flood Risk Assessment  
SPD – Supplementary Planning Document

STC – Sustainable Transport Corridor  
SuDS – Sustainable Drainage System