

East Herts District Plan

Response to Questions raised by MHCLG



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Signposting references (shown in **bold**) are to either:

- *The Council's District Plan Evidence Library: www.eastherts.gov.uk/evidencelibrary or*
- *The List of Examination Documents: www.eastherts.gov.uk/examinationdocuments*

1. Duty to Cooperate

a) How has East Hertfordshire approached the Duty to Cooperate?

1. The Council has approached the Duty to Co-operate in a positive, proactive and constructive manner.
2. The approach taken to meeting the requirements of the Duty to Co-operate is documented within the Duty to Co-operate Compliance Statement **(SOC/001)**.
3. The Council has collaborated with the surrounding LPAs to establish the joint Housing Market Area (HMA) and Functional Employment Market Area (FEMA) of West Essex and East Hertfordshire. The joint market area authorities of East Hertfordshire, Harlow, Epping Forest and Uttlesford District have been extensively involved in the preparation of the Strategic Housing Market Assessment (SHMA) and employment market area assessments.
4. A Co-operation for Sustainable Development Member Board (Co-op Board) was established in 2014 comprising the West Essex/East Herts market area partners, Hertfordshire and Essex County Councils, Broxbourne and Brentwood Borough Councils, Chelmsford City Council and the London Boroughs of Redbridge, Enfield and Waltham Forest, with the Greater London Authority (GLA) having observer status.
5. The Council is also a member of the Hertfordshire Infrastructure and Planning Partnership (HIPP). The Duty to Co-operate statement sets out the comprehensive work undertaken by the Co-op Board and HIPP on strategic

issues, including housing, social and transport infrastructure, employment and environmental impact.

6. Regular and ongoing engagement with North Hertfordshire, Stevenage and Welwyn Hatfield Councils has taken place on strategic issues from an early stage in Plan preparation. Essex County Council and Hertfordshire County Council have worked with the Council on cross boundary transport modelling and infrastructure.
7. A number of Memoranda of Understanding (MoU) and Statements of Common Ground (SoCG) have been agreed with the HMA partners, surrounding authorities and other stakeholders on strategic issues. These are the result of extensive pre-submission co-operation, and are available to view online: <https://www.eastherts.gov.uk/MOU>
8. The Inspector in her report (paragraph 13) concluded that the Council *“has engaged comprehensively, constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.”*

2. Spatial strategy and Green Belt

a) How was the spatial strategy for the distribution of housing, employment, retail and gypsy and traveller related allocations reached and how will it be implemented through Green Belt reviews?

1. This is explained in the Development Strategy Topic Paper (**TPA/001**).
2. The principle of releasing land from the Green Belt, including the consideration of 'exceptional circumstances' is presented in the Green Belt Topic Paper (**TPA/003**).
3. Paragraph 83 of the NPPF allows for Green Belt boundaries to be altered in 'exceptional circumstances' as part of the preparation or review of a local plan. The focus is on promoting sustainable patterns of development: Paragraph 84 requires consideration of the consequences of channelling development towards non-Green Belt locations, while Paragraph 85 seeks (amongst other matters) consistency with the local plan strategy for meeting identified requirements for sustainable development.
4. The Government has also made it clear, both in the NPPF and in Ministerial Statements the urgent need to boost significantly the supply of housing and, as far as is consistent with other policies, to meet fully the needs of the relevant housing market area.

5. Set against this is the need to consider the great importance attached to the Green Belt by many of the District's residents. When dealing with individual planning applications, Ministers have frequently determined that housing does not, on its own, trump Green Belt policy. But the process of plan-making requires a more strategic and long term assessment to be made, as Paragraphs 83-85 of the Framework demonstrate.
6. In East Herts the Council is planning for a high level of housing need in the district – at least 18,458 new homes within the plan-period up to 2033. Brownfield sites are in short supply, and those that are available have been allocated, and so the only option available to meet the Council's significant housing need is on land that is currently greenfield and/or Green Belt.
7. When devising a sustainable local approach to Green Belt there are two questions that the Council has to be clear on –
 - Have all possible options for development outside of the Green Belt been exhausted; and
 - Would development on Green Belt land represent a significantly more sustainable option than development on non-Green Belt land?
8. East Herts is a large district, with a significant amount of land outside of the Green Belt. The Council could have chosen to locate all 18,458 homes in this area, for example, focussed on Buntingford as the only town outside of the Green Belt; or spread across our villages – however both of these approaches would have been unsustainable - and would therefore be contrary to the NPPF. The NPPF is clear - the purpose of planning is to help achieve *sustainable*

development. Similarly, because sustainable development lies at the heart of the District Plan, its promotion is implicit in the need to achieve the Plan's strategic objectives.

9. Another option could have been to locate a new settlement in the northern part of the District; however, we know that this is very unlikely to be deliverable within the plan-period. No sites have been identified that could be taken forward with appropriate funding, infrastructure and governance.

10. A more reasonable approach therefore, and one that is consistent with the NPPF, is to consider locations that promote more sustainable development patterns - i.e. those where infrastructure, services and facilities are available to support new communities, such as around existing settlements. In East Herts this means that the Council has had to widen its area of search to land within the Green Belt. An option to focus development in the Gilston Area, in order to minimise the loss of Green Belt was considered, however, this option would neither provide for short and medium term development needs, nor would it address the need to meet the requirements of different housing market areas within which the District functions.

11. The strategy in the District Plan takes all these matters into account seeking to ensure that the District's housing (including gypsy and traveller needs), employment and retail needs are not only met, taking into account all constraints including the Green Belt, but that this is done in such a way so as to promote sustainable patterns of development. The strategy reflects a balance of planning considerations which reflects the fact that the supply and suitability of land beyond the Green Belt is constrained. The Council has sought to

minimise the amount of land being taken out of the Green Belt, and the planning merits of all the Green Belt allocations were thoroughly explored at the Examination and found, in principle, to outweigh the loss of Green Belt.

12. The Inspector notes at paragraph 61 of her report that *'All options have been explored: brownfield land has been assessed and prioritised; significantly higher densities in urban areas have been discounted because of the harm to local character, and a much larger range of smaller sites in the GB has been discounted because they could not bring forward the infrastructure necessary to support the quality of development needed in the District. Additionally, neighbouring authorities are also reviewing their GB boundaries to meet their own needs. The studies are comprehensive and demonstrate that in the absence of any reasonable alternative, the release of GB land for development is needed for the Plan period and beyond to provide land for homes.'*

13. The following table sets out the sources of housing supply, showing the split between the level of development in the Green Belt, the urban areas and the rural area.

Supply Source	Policy Ref	Housing Supply 2011-2033	Housing Supply beyond 2033
Windfall	-	1,125	
Rural Area			
Completions	-	1,311	
Commitments	-	178	
Villages	-	500	
Buntingford			
Buntingford Commitments	-	887	
Buntingford Completions	-	241	
Bishop's Stortford, Hertford, Sawbridgeworth, Ware (within urban area)			
High School site	BISH6	150	
Goods Yard, Bishop's Stortford	BISH7	600	
Old River Lane, Bishop's Stortford	BISH8	100	
Mead Lane Area, Hertford	HERT2	200	
SLAA Sites Urban Areas	-	43	
Completions	-	1,692	
Commitments	-	3,836	
Green Belt Allocations			
South of Bishop's Stortford	BISH5	750	
East of Manor Links, Bishop's Stortford	BISH9	50	
West of Hertford	HERT3	550	
North of Hertford	HERT4	150	
South of Hertford	HERT5	50	
North of West Road	SAWB2	125	
South of West Road	SAWB3	175	
North of Sawbridgeworth	SAWB4	200	
North and East of Ware	WARE2	1,000	500
East of Stevenage	EOS1	600	
East of Welwyn Garden City	EWEL1	1,350	
Gilston Area	GA1	3,050	6,950

14. This table demonstrates that approximately 15,050 dwellings (7,450 of which will come forward beyond 2033) will be located on 6% of the District's Green Belt. All the sites that are proposed to be released from the Green Belt are adjacent to urban areas, where opportunities to maximise access to services, community facilities and sustainable modes of transport are greatest.
15. The urban areas of Bishop's Stortford, Hertford, Sawbridgeworth and Ware will receive growth in the region of at least 6,621 dwellings and Buntingford, the only urban area beyond the Green Belt, will accommodate growth in the region of at least 1,128 dwellings.
16. The rural area supply total establishes that previous and future growth will continue at a level appropriate to the character of the rural area. The minimum committed growth of 678 dwellings will continue to support the services and facilities located in these rural communities and the windfall figure of 1,125 will also make a significant contribution to this area.

b) How were alternative strategies appraised and why were they not taken forward in the plan?

1. Reasonable alternative options were fully appraised by the Council in the following documents:
 - The Supporting Document (**SSS/001**), which details how 69 Areas of Search were considered against 21 topic areas, with each area subject to several 'sieves' in order to shortlist the options presented at the Regulation 18

stage. The Areas of Search comprised a range of potential scales of development, from new settlements, urban extensions and village developments.

- The Green Belt Review 2015 (**GRB/001**) which considered 71 parcels and 6 sub-areas against the first four purposes of the Green Belt as set out in the National Planning Policy Framework.
- The Interim Sustainability Appraisal Report (**SUB/005**) sets out the approach to identifying reasonable alternatives. The starting point was the question of housing quantum. The identification of reasonable spatial alternatives then took account of the following strategic considerations (see Section 11.3 of the Interim SA report): brownfield/greenfield; Green Belt; scale of development; urban areas; villages; Greenfield allocations; broad locations; other large urban extension; and new settlements.
- The Sustainability Appraisal of the Submission District Plan (**SUB/004**) explains how the Council developed and considered reasonable alternatives to the proposed development strategy. It sets out how the 'stepped approach' undertaken throughout the Issues and Options, Preferred Options and Submission District Plan preparation process identified and appraised development options, then established and appraised alternative spatial strategy options.
- The Sustainability Appraisal of Strategic Options for the West Essex and East Hertfordshire Housing Market Area (**HOP/002**) explored options for meeting the objectively assessed housing need across the Housing Market

Area (HMA). The Study provided a sustainability appraisal style assessment of the anticipated effects of each option and the potential mitigation measures where necessary. The Study facilitated the development of the Memorandum of Understanding between the four HMA authorities (Appendix A of **SOC/001**), which sets out a high level agreement as to how housing should be distributed across the HMA.

- The Harlow Strategic Sites Assessment (**HOP/003**) explains how six options for accommodating new housing development across the West Essex and East Hertfordshire Housing Market Area were considered. The six options varied in terms of the overall quantum of development and the spatial distribution of that development, in particular the amount of new housing to be accommodated in and around Harlow town.
- The Strategic Land Availability Assessment (**HOP/004**) assessed 358 sites across the district for their suitability. The SLAA considered Green Belt as a policy constraint.
- The Village Hierarchy Study (**HOP/010**) looked at the sustainability of villages in East Herts, scored them against a number of criteria which focussed on the facilities available and the accessibility to services, and subsequently classified each settlement as Group 1, Group 2 or Group 3 Villages.
- The Settlement Appraisals for Bishop's Stortford (**SSS/002**), Buntingford (**SSS/003**), Hertford (**SSS/004**), Sawbridgeworth (**SSS/005**), Ware (**SSS/006**), the Gilston Area (**SSS/008**), East of Welwyn Garden City (**SSS/009**) and East

of Stevenage (**SSS/010**) explain how alternative locations for development have been considered.

- The Settlement Appraisal for Villages (**SSS/007**) explains in detail how development across the rural area of East Herts has been considered throughout the Plan-making process, including within and beyond the Green Belt.
 - The Gypsies and Travellers and Travelling Showpeople Topic Paper (**TPA/007**) details the various studies that were undertaken to identify accommodation needs and the alternative locations that were considered in the identification of sites to meet that need.
2. The SA Topic Paper (**TPA/002**) explains how the consideration of alternative approaches to development has been an intrinsic part of the Plan-making process. This is demonstrated in the Sustainability Appraisal of the Plan. The process of Sustainability Appraisal has been fully integrated with the Plan-making process. Table 1.1 below from the SA Topic Paper (**TPA/002**) illustrates how at each stage of developing options, appraising their impacts, preparing and consulting on the emerging Plan, a Sustainability Appraisal has been undertaken, the results of which directly informed subsequent iterations of the Plan.

Table 1.1 The Integrated Sustainability Appraisal Approach

Plan-making stage	Key Tasks Integrating the SA Approach	SA/SEA
<p>Issues and Options, 2010</p>	<p>An initial exploration of alternative approaches to the distribution of development across the district was undertaken. Seven approaches to development were considered and indicative locations for potential development were identified.</p>	<p>Sustainability Appraisal Scoping Report, 2010 (SUB/007)</p> <p>Sets out the evidence baseline against which impacts were considered, and looks at other relevant plans and programmes.</p> <p>Sustainability Appraisal Report, 2010 (SUB/006)</p> <p>The SA individually appraised each of the options included in the Issues and Options consultation document.</p> <p>The SA provides a summary of key mitigation recommendations to ensure that any negative effects are reduced and that any beneficial effects are enhanced.</p>
<p>Preferred Options, 2014</p>	<p>Preparation of a Supporting Document (SUB/001), which presented the various plan-making stages involved in the development of the Preferred Options Consultation. A seven step approach was undertaken which was based upon the objectives and</p>	<p>Interim Sustainability Appraisal Report, January 2014 (SUB/005)</p> <p>Sets out an updated baseline and scope and describes the processes that have been undertaken between 2008 and 2011 in the preparation of the Issues and Options District Plan; the evolution of the Preferred</p>

Plan-making stage	Key Tasks Integrating the SA Approach	SA/SEA
	<p>topics set out in the Sustainability Appraisal Framework. A significant number of alternative approaches to development were considered at a variety of scales and a full assessment of potential impacts, including what could happen without the Plan, was undertaken before reaching the preferred development strategy.</p> <p>An Interim Development Strategy Report (SSS/017) set out how an initial SA of the preferred option was taken into account in the further refinement of the preferred development strategy.</p>	<p>Options District Plan; and how these stages have involved Sustainability Appraisal processes.</p> <p>The SA appraised eight alternative distribution options against the SA Framework Topics, which included the Preferred Option.</p>
Pre-Submission, 2016	<p>Preparation of Settlement Appraisals (SSS/002-010) which set out how the preferred development strategy for each settlement or strategic site has evolved. The Settlement Appraisals were designed to incorporate the SA approach, including an assessment of alternative approaches to development, consideration of the cumulative effects of development</p>	<p>Sustainability Appraisal of the East Herts District Plan, September 2016 (SUB/004)</p> <p>The Pre-Submission SA explains the work undertaken since the Preferred Options consultation.</p> <p>Taking account of the Settlement Appraisals (SSS/002-010) and additional technical work, in</p>

Plan-making stage	Key Tasks Integrating the SA Approach	SA/SEA
	and an appraisal against the SA Framework Objectives. Changes proposed to the Development Management policies were undertaken within the context of improving their effectiveness against the SA Objectives.	particular the West Essex and East Hertfordshire Strategic Housing Market Assessment (HOP/001) and the Sustainability Appraisal of Strategic Spatial Options for the West Essex and East Hertfordshire Housing Market Area (HOP/002), four reasonable alternatives were identified and appraised against the SA Framework Topics.

3. The Issues and Options consultation (2010) identified six alternative spatial options for distributing growth and six approaches to housing distribution within the spatial options. In addition, this Plan stage also considered a number of directions for growth around the towns and villages (illustrated by ‘ellipses’) as well as a series of options for growth to the north of Harlow. An Interim SA Report (**SUB/006**) was undertaken at this stage.

4. Following on from Issues and Options the Council embarked on a ‘stepped’ approach to spatial strategy-making. This is detailed in the Supporting Document (**SSS/001**). In total, 69 Areas of Search were appraised against 21 topic areas: Access to Bus Services; Access to Rail Services; Agricultural Land Classification; Boundary Limits; Community Facilities; Designated Wildlife Sites; Employment Potential; Environmental Stewardship; Flood Risk; Green Belt; Highways Infrastructure; Historic Assets; Land Availability; Landscape Character; Minerals and Waste Designations; Noise Impacts; Primary Schools;

Secondary/Middle Schools; Strategic Gaps; Vehicular Access; Waste Water Impact.

5. Each Area of Search was then taken through a series of sieving processes where the areas were refined through discounting options based on constraints, modifying growth assumptions, taking account of the cumulative impacts of different permeations of growth in and around settlements, and taking into account further evidence from the Green Belt Review and land availability.

6. Figure 4.2 of the Supporting Document below illustrates the 69 Areas of Search:

Map Extract from Supporting Document (SSS/001)

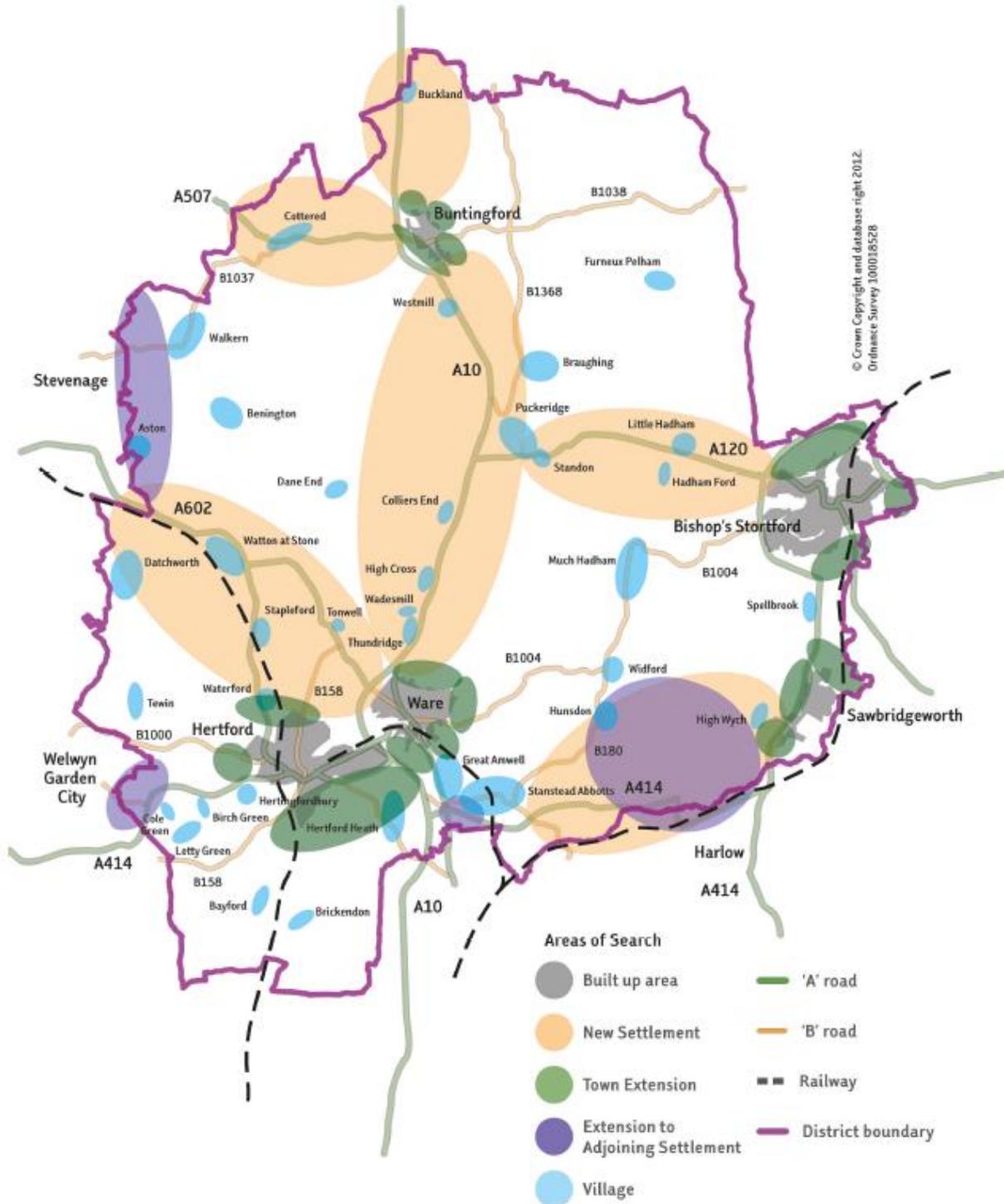


Figure 4.2 Areas of Search (not to scale)

No development in the Green Belt Option:

7. Theoretically it might have been possible to accommodate the District's needs in those areas to the north of the District, that aren't designated as Green Belt; however, given the lack of access to services and facilities and the lack of access to sustainable modes of transport it is considered that this would not be a sustainable approach, and as such the strategy would not be in conformity with the policies contained in the NPPF. Furthermore, the SLAA demonstrates that there is not sufficient land available to accommodate the District's needs in the area beyond the Green Belt. A new settlement beyond the Green Belt would require a lengthy process of land identification, assembly and compulsory purchase as well as the provision of necessary infrastructure and as such would not meet the District's needs within the Plan period. A dispersed approach to development is discussed below.
8. An alternative option was therefore considered, which avoided urban extensions into the Green Belt and instead delivered 10,000 homes in the Gilston Area. Despite part of this area being in the Green Belt the option was considered more realistic than other comparable (non-new settlement) options for development outside the Green Belt.
9. However, the Interim SA Report (**SUB/005**) highlighted that this option would neither provide for short and medium term development needs (as it is unlikely that development in the Gilston Area would commence within the first five years of the Plan period); nor would this option address the need to meet the requirements of different housing market areas within which the District

functions (see the SHMA report (**ED112**) which identifies a need for 1,100 dwellings associated with the Stevenage functional market area).

Rural Area Option:

10. In terms of whether specific consideration was given to locating development within the rural area of the district beyond the Green Belt as an alternative to locating development on the edge of settlements on land that is currently within the Green Belt, a comprehensive assessment has been undertaken throughout the Plan-making process. Many villages have very limited services and facilities and are in remote locations beyond transport corridors, and as such are considered to be unsustainable locations even for a relatively small amount of growth. Through the 'stepped' approach, the Council appraised the ability of 37 village areas of search to accommodate growth based upon a scale assumption of a 10% increase on existing housing stock (2011 Census) (see Chapter 4, section 4.9 of the Supporting Document (**SSS/001**)). This percentage came from the Government's Community Right to Build Q&A (2011) which identified a maximum of 10% growth over a ten year period to prevent over development. However, given that this was a maximum, a more conservative assumption of 10% spread over 20 years was considered a reasonable baseline.

11. Recognising that some villages are located in close proximity to shared facilities such as schools and shops, the Council decided that a comprehensive assessment of village facilities was needed in order to determine their relative sustainability and therefore their potential to accommodate development. The Interim Village Hierarchy Study (December 2015) scored and ranked 42 villages

based not only on their facilities but their accessibility to higher order settlements and the level of public transport available. Further consideration was taken as to the ability of village schools to accept new development (many of the District's village schools have limited or no expansion potential). This assessment was subject to considerable scrutiny by the public through the then active Association of Parish and Town Councils. A Final Village Hierarchy (**HOP/010**) was produced which classified villages into Group 1, Group 2 and Group 3 Villages.

12. The Village Appraisal (**SSS/007**) provides more detail on how the approach to development within the rural area has been subject to significant consideration. Embracing the role of Neighbourhood Plans, the Council is not proposing to allocate specific rural sites within villages but instead contains flexible policies that were subject to lengthy discussion and amendment through the Examination in Public in order to support appropriate, sustainable development within the rural area. This policy approach is already delivering results with all Group 1 Villages working on a Neighbourhood Plan, including the recently adopted Walkern and Braughing Neighbourhood Plans.

New Settlement Option:

13. Consideration was given to 14 'new settlement' options across the district as an alternative way of accommodating development (see Chapter 4, section 4.2 and 4.14 of the Supporting Document **SSS/001**). These included looking at transport corridors and more remote locations, as illustrated in Figure 4.1 below. Each area of search was assessed against clear criteria such as whether the area was accessible by primary road routes or rail infrastructure, including whether

upgrades to this infrastructure was possible; whether a new settlement could form part of a network of other towns and settlements; and whether a new settlement would create issues of coalescence. This initial screening is illustrated in Table 4.2 below:

Map Extract from Supporting Document (SSS/001)

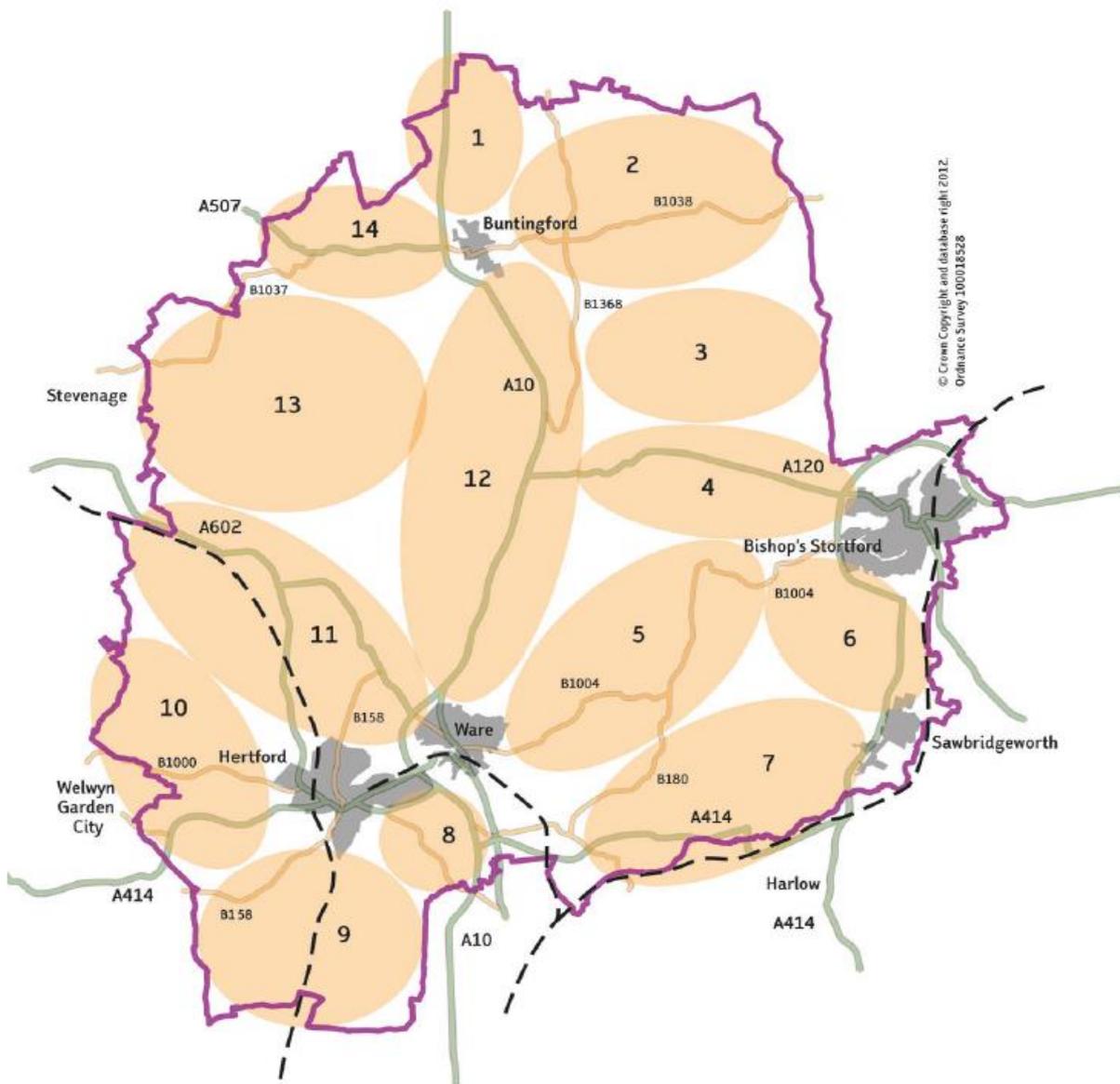


Figure 4.1 Indicative New Settlement Areas of Search

Table Extract from Supporting Document (SSS/001)

No.	A. Transport Infrastructure	B. Settlement Networks	C. Coalescence Risks	Carried forward?	Name assigned for ease of reference at next steps
1	Amber	Green	Amber	Yes	A10 Corridor - North
2	Red	Red	Green	No	n/a
3	Red	Red	Green	No	n/a
4	Green	Amber	Green	Yes	A120 Corridor
5	Red	Green	Green	No	n/a
6	Amber	Green	Red	No	n/a
7	Green	Amber	Amber	Yes	Hunsdon Area
8	Amber	Green	Red	No	n/a
9	Amber	Red	Green	No	n/a
10	Amber	Amber	Red	No	n/a
11	Green	Green	Green	Yes	A602 Corridor
12	Amber	Green	Green	Yes	A10 Corridor - Central
13	Red	Amber	Green	No	n/a
14	Amber	Green	Green	Yes	A507 Corridor

Table 4.2 New Settlement Screening - Conclusions

14. Table 4.2 indicates that eight areas of search were discounted at this stage, with six areas of search taken through to further appraisal. These options are identified on the map below:

Map Extract from Supporting Document (SSS/001)



15. Each of the six options were considered against the 21 topic areas, as set out above and were given further consideration in the form of settlement evaluations (see Chapter 4 of the Supporting Document **SSS/001**) which assessed a range of opportunities and constraints. Two areas of search (Area 68 – A602 Corridor and Area 69 – Hunsdon Area) were subsequently identified

as having potential to accommodate a new settlement proposal. Area 68 was subsequently discounted as no site was available. Following further consideration Area 69 was identified as being a suitable location for a new settlement and has been allocated in the District Plan (The Gilston Area, forming part of the Harlow and Gilston Garden Town).

The Sustainability Appraisal

16. The Sustainability Appraisal (2014) (**SUB/005**) was undertaken alongside the preparation of the Preferred Options District Plan and appraised eight different distribution options, including a new settlement of 5,000 homes in a hypothetical transport corridor, which would be located within the rural area as an alternative to focusing development adjacent to existing towns within the Green Belt.

Alternative spatial strategies for appraisal as established in 2014

Option	Total homes ⁷⁷	Allocations	Broad locations	Notes
1	15,932	5,580 homes	3,000 homes in the Gilston Area 1,800 homes North and East of Ware 450 homes East of Welwyn Garden City	The preferred approach
2	15,382	5,580 homes	1,700 homes East of Welwyn Garden City 3,000 North and East of Ware	Maximising ⁷⁸ growth at two of the Broad Locations
3	15,382	5,580 homes	1,700 homes East of Welwyn Garden City 3,000 homes West of Sawbridgeworth (with a bypass)	Maximising growth at two of the Broad Locations
4	15,682	5,580 homes	5,000 homes East of Stevenage	A major urban extension East of Stevenage, despite this option having been previously discounted through the Council's strategy selection process as set out in the Supporting Document.
5	15,682	5,580 homes	5,000 homes in the Gilston Area	-
6	15,682	5,580 homes	5,000 homes at a new settlement in a transport corridor	The indicative, 'non-location-specific' nature of the option is appropriate at this stage, given the paucity of available evidence in relation to specific locations.
7	15,102	0 homes	10,000 homes in the Gilston Area	A higher level of development in the Gilston Area and no urban extensions to the market towns; despite the fact that such extensions are, in fact, necessary in order to ensure housing supply in the short-term. This option is indicative. It is recognised that there are potentially numerous ways of achieving a 15,000 home target.
8	25,382	5,580 homes	1,700 homes East of Welwyn Garden City 3,000 homes North and East of Ware 10,000 homes at In the Gilston Area	Higher levels of growth which might result if the Council has to accept the unmet need of other districts. This option is also indicative.

⁷⁷ All options assume 5,102 dwellings from 'other' supply sources.

⁷⁸ i.e. this is the scale of growth that is possibly deliverable. Certainty around delivery on this scale before 2031 is, however, relatively low.

17. In response to comments made at the Preferred Options Consultation the Council requested that further assessment be undertaken which considered the potential role that the rural area had in delivering development. The Sustainability Appraisal undertaken alongside the preparation of the Pre-Submission therefore appraised three strategic alternatives to the development strategy, one of which removed 3,000 homes from the urban extensions within the Green Belt and dispersed these across the rural area. A second alternative distributed these 3,000 homes among two rural new settlement options (Watton-at-Stone and Little Hadham). Watton-at-Stone is a village located in the Green Belt but benefits from being within a good transport corridor (A602) and is the only village with a train station. Little Hadham, located along the A120 is near to Bishop's Stortford beyond the Green Belt and benefits from a number of local community facilities.

18. Table 6.4 of the SA (**SUB/004**) of the Pre-Submission Plan (replicated below) illustrates the alternatives considered:

Table 6.4: The reasonable spatial strategy alternatives (NB. significantly differentiating figures from Option 1a are highlighted in red)

Spatial area		Spatial options to deliver ~18,000 new homes			Spatial options to deliver ~19,500 new homes
		Option 1a: Preferred Option identified through the Strategic Spatial Options Study	Option 1b: Removal of ~3,000 dwellings from the GB and instead direct towards rural area	Option 1c: Removal of ~3,000 dwellings from the GB and instead direct towards two new settlements	Option 2a: 1a plus other sites Buntingford & north of Harlow identified through evidence
'Givens' (up to July 2016)	Completions	2625	2625	2625	2625
	Permissions	2435	2435	2435	2435
	Windfall assumption	800	800	800	800
	Sub-total	5860	5860	5860	5860
Potential allocations / broad locations ('choices')	Bishop's Stortford	4142	3392	3392	4142
	Buntingford	0	0	0	400
	East of Stevenage	600	600	600	600
	East of Welwyn	1350	1350	1350	1350
	Harlow fringe (Sites A and E)	3050	3050	3050	3050
	Harlow fringe (Site B) City and Country	0	0	0	160
	Harlow fringe (Site C) Land north of Pye Corner	0	0	0	50
	Harlow fringe (Site G) Land north of the Stort/ south Gilston	0	0	0	900
	Hertford	950	200	200	950
	Sawbridgeworth	500	0	0	500
	Ware	1000	0	0	1000
	Larger villages / NP (Group 1 Villages)	500	3500	500	500
	Other (SLAA (over 10 dwellings) deliverable sites in existing urban areas)	88	88	88	88
	New settlement (option 2 - Little Hadham)	0	0	1500	0
	New settlement (option 4 - Watton-at-Stone)	0	0	1500	0
	Sub-total	12180	12180	12180	13690
Total	18040	18040	18040	19550	

19. Table 7.1 of the SA (**SUB/004**) (replicated below) presents a summary of the appraisal findings in relation to the four alternatives. The detailed methodology

is explained in Appendix VI of the SA, but in summary: within each row (i.e. for each of the topics that comprise the SA Framework) the columns to the right-hand side seek to both categorise the performance of each option in terms of 'significant effects' (using red/green) and also rank the alternatives in relative order of performance. Also, '=' is used to denote instances where the alternatives perform on a par (i.e. it is not possible to differentiate between them).

Table 7.1: Summary spatial strategy alternatives appraisal findings

Topic	Rank of performance / categorisation of effects			
	Option 1a Preferred distribution	Option 1b Redirect growth in GB towards rural area	Option 1c Redirect growth in GB to two new settlements	Option 2a Preferred distribution & additional sites
Air quality	★1	4	3	2
Biodiversity & GI	=			
Climate Change	★1	4	3	★1
Community and Well-being	★1	4	3	★1
Economy and Employment	★1	4	3	★1
Historic Environment	★1	4	★1	3
Housing	2	3	3	★1
Land	★1	★1	★1	4
Landscape	=			
Transport	★1	4	3	★1
Water	=			

20. This table demonstrates that compared to the preferred distribution, the two options to redirect development to the rural area (Option 1b) and two new settlements (Option 1c), performed less well, particularly in relation to access to

services, facilities, sustainable transport and employment opportunities. Rural development would also be delivered in a dispersed manner with multiple smaller scale developments less likely to result in significant improvements to facilities and infrastructure. Similarly, given that the two new settlement options would still be relatively small in scale these were considered unlikely to be self-contained, instead residents would still rely on larger nearby towns, thus creating unsustainable patterns of movement with negative implications for the transport, climate change and air quality topics.

21. Regardless of the above independent assessment in the SA, no land had been made available for the new settlement options, thus undermining the ability of these options to be able to contribute towards meeting housing needs within the Plan period.

22. The overarching objective underpinning the proposed development strategy is one of creating sustainable patterns of development. Having undertaken a comprehensive process of identifying achievable and deliverable sites, the Council acknowledged that sites within the Green Belt would be required. The sites that have been identified provide the opportunity to deliver much needed new homes, in sustainable locations, supported by the necessary infrastructure which will benefit both existing and new communities in East Herts.

c) What consideration was given to proposals to develop a new Garden Town (aside from Harlow/Gilston) to accommodate Hertfordshire's overall need?

1. Consideration has been given to the potential of a new settlement/s to accommodate wider housing needs. This has formed an integral part of ongoing Duty to Co-operate discussions with North Herts, Stevenage and Welwyn Hatfield Councils. The outcome of those discussions is that all four authorities agree that a new settlement option is not a reasonable alternative within the current plan-period. This position is set out in out in the MoUs with each of the respective Councils - see <https://www.eastherts.gov.uk/MOU>.
2. The Councils do, however, collectively recognise the potential role of new settlements in addressing *long-term* housing needs across a wider area and as such are working together to jointly and comprehensively explore the issue to inform the next round of Local Plan reviews. This work is currently being progressed, funded in part by the £250,000 Planning Delivery Fund award made in February 2018 to develop a Joint Working initiative across the four authorities.
3. Recognising that the current approach to plan-making is not sustainable in the longer term given the scale of housing growth needed, the geography of Hertfordshire and the need to be more joined up across boundaries on strategic planning and infrastructure matters, the Leaders across the County have agreed in principle to establish a Growth Board for Hertfordshire. The draft terms of reference for the Growth Board are:

- To ensure alignment of spatial, economic and infrastructure plans for Hertfordshire in order to safeguard and maintain Hertfordshire's unique quality of life and prosperity.
- Act as the voice for Hertfordshire to Government, the Sub National Transport Board, Homes England, Highways England, Network Rail and TfL to ensure Hertfordshire's infrastructure needs are heard and recognised in future investment priorities and funding.
- To develop a Memorandum of Understanding between the County Council, District and Borough Councils, and the LEP about how we will work together as equal partners with different roles to manage future growth well in Hertfordshire.
- To bring together the work of the emerging Joint Strategic Planning arrangements in South West Herts and North, East/Central Herts, ensure strategic infrastructure requirements are identified and fed into the Hertfordshire Infrastructure and Funding prospectus.
- To oversee the development and maintenance of the Hertfordshire Infrastructure and Funding prospectus and advise the County Council, the LEP and Local Transport Board (LTB) on key infrastructure priorities needed to support economic and housing growth.
- To develop innovative joint financial models and to seek external opportunities to fund the development and delivery of key infrastructure projects in the county.

- To monitor the development and delivery of agreed infrastructure projects.
 - To work with the Hertfordshire LEP Board on the development and delivery of the Local Industrial Strategy including the development of key employment sites.
 - To guide the work of the Hertfordshire Infrastructure and Planning Partnership in relation to common cross cutting planning issues e.g. Viability Assessment, the development of CIL, Skills and Capacity, Quality Standards for new development.
 - To work with strategic partners across our borders to ensure effective coordination of cross border issues, decisions and infrastructure needs, e.g. LSCC, surrounding LA's, Central Bedfordshire and Luton, London.
 - To develop a long term strategic vision for Hertfordshire that sets out the broad spatial, economic and infrastructure framework to 2050 to guide the development of local plans and future infrastructure investment.
4. Furthermore, the five districts in the eastern part of Hertfordshire (Broxbourne, East Herts, North Herts, Stevenage and Welwyn Hatfield Councils) have also agreed to set up a Strategic Planning Group led by Leaders and CEOs to consider the longer term options for spatial planning in Eastern Hertfordshire.
5. None of the Councils can, however, afford to postpone current plan-making, or postpone addressing urgent and current development needs until such time as

any new settlement proposals are identified and agreed, and in a position to be taken forward with appropriate funding, infrastructure and governance.

d) Has any update of the Green Belt Topic Paper (March 2017) been carried out following publication of the revised Housing Topic Paper (August 2017), or is there any intention to update it?

1. No additional review of the Green Belt was undertaken following the publication of the Revised Housing Topic Paper (August 2017). The Green Belt Topic Paper (**TPA/003**) explained how the Green Belt Review (**GRB/001**) had identified that all but six, of the 71 parcels assessed contributed in some way to the purposes of the Green Belt as set out in the National Planning Policy Framework. A new Green Belt Review undertaken two years later would not have yielded a different result.
2. Furthermore, in accordance with paragraphs 83 to 85 of the 2012 NPPF, the District Plan already makes provision for future growth requirements beyond the Plan period to ensure that the boundary reviewed through the Plan-making process could endure in the longer term, thus preventing the need to reconsider other locations within the Green Belt at this stage. Two site allocations; the Gilston Area (10,000 homes) and Land North and East of Ware (1,500 homes); are both longer term sites, the delivery of which will extend beyond the Plan period and, as such, the proposed Green Belt boundary reflects the overall development area required to accommodate development.

3. Section 3 of the Revised Housing Topic Paper (**ED121**) explains in detail that the number of completions and commitments had increased, that compelling evidence existed as to the consistent delivery of windfall, and how the Council explored different land supply assumptions, including whether the delivery of the larger site allocations could be brought forward. By bringing forward the delivery of larger sites, the increased housing requirement could be accommodated within the proposed development strategy without the need to identify new sites, thus no further Green Belt Review was necessary.

4. Looking positively and proactively beyond the current Plan period however, the Council is currently working with North Herts, Welwyn Hatfield and Stevenage Councils to explore opportunities for a new settlement and future growth locations to be delivered in the future. As set out above this work has been awarded a grant from the Planning Delivery Fund in order to assist in the gathering evidence, which will include reviewing all constraints, including Green Belt.

5. In the absence of a Local Plan, the Council anticipates that the lack of a five year supply of land for housing will result in speculative housing proposals both within the Green Belt and within the rural area beyond the Green Belt.

3. Housing

a) Density – What is the approach to housing densities to accommodate housing growth?

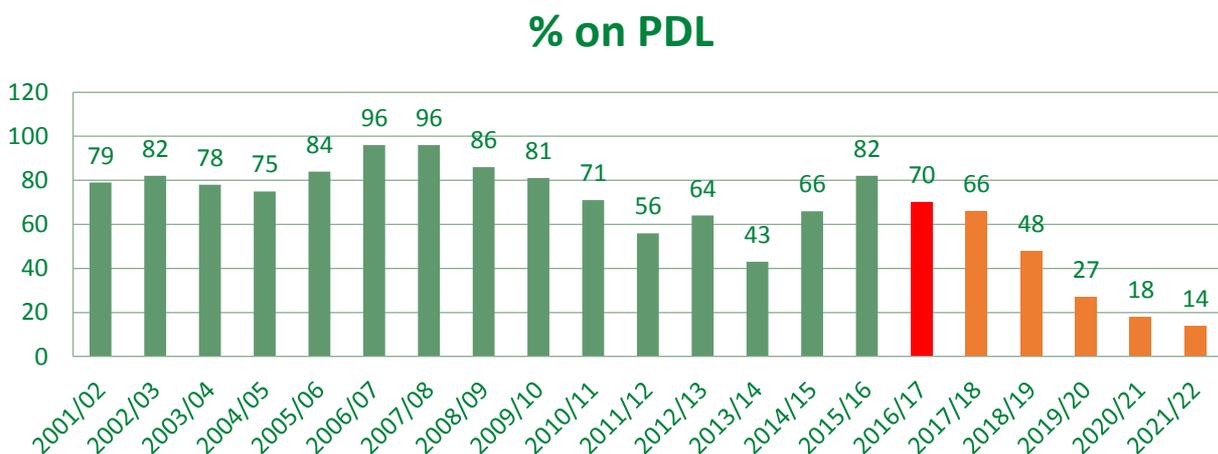
1. The Council's approach to housing density is set out at section 14.3 of the District Plan. Policy HOU2 makes it clear that housing development should make efficient use of land, informed by the character of the local area.
2. Initial site assessments were based upon assumed densities of between 20 and 50 dwellings per hectare depending upon the location of the areas of search (see Chapter 3 of the Supporting Document **SSS/001**). Within the built up area of existing settlements higher densities were assumed, while in villages a density of 30dph was assumed given that smaller scale developments would require less in the way of supporting infrastructure. Larger urban extension options were assumed at a density that acknowledged that there would be a need to accommodate new schools, employment areas, retail and community facilities as well as roads and green infrastructure.
3. Chapter 5 of the Supporting Document (**SSS/001**) describes how each area of search was then subject to an assessment of urban form. This assessment looked at issues such as landscape and setting, structure and connectivity, function and capacity and open space and green infrastructure. These considerations along with an understanding of the type of infrastructure required to support residential development in these areas, both as individual sites and in the context of the settlement as a whole, reinforced the assumptions of capacity and density of development and helped to establish

the potential scale of development that could be accommodated in each area of search.

4. A key priority was to maximise the use of brownfield land including the Goods Yard (BISH7) and Mead Lane (HERT2) site allocations. Planning permission has been granted for 586 homes at the Goods Yard (c.90 dph). Mead Lane is allocated for 200 homes (c.48 dph) reflecting the significant highway constraints in the locality.
5. Within each settlement or allocation, where there is more than one site, the Plan makes provision for flexibility for some to exceed or others to be slightly below the identified capacity, depending on site circumstances.

b) Previously Developed Land – What is the approach to the use of brownfield to accommodate housing, employment, retail and the detail of relevant urban capacity studies?

1. Previously Developed Land (PDL) has been assessed and prioritised.



2. The PDL trajectory (see AMR 2016/17 - <https://www.eastherts.gov.uk/amr>) indicates that completions on brownfield land are likely to fall over the next few years; this is a simple reflection of the fact that brownfield land in the district is now in short supply. Most sites have been redeveloped and those that are still available have been allocated for development in the District Plan. These include:
 - High School Site, Bishop's Stortford – 150 homes
 - Good's Yard, Bishop's Stortford – 600 homes
 - Old River Lane, Bishop's Stortford – mixed use scheme including 100 homes
 - Mead Lane Area, Hertford – 200 homes
3. The District Plan also includes a policy on the Mill Site, Bishop's Stortford which occupies a strategic location within the town. Whilst at present there is no indication that the Mill owners wish to relocate, if they do then a proactive policy position requiring a comprehensive approach to any redevelopment is set out in the Plan.
4. The Council has a Brownfield Sites Register which is available to view online: <https://www.eastherts.gov.uk/brownfieldregister>. Again, this demonstrates that there are very few available brownfield sites in the District.

c) Unallocated sites allowance – Given recent delivery rates on windfall sites, what is the justification for the allowance in the draft plan and the Main Modifications?

1. Through the examination the Inspector modified the original 50 dwelling windfall figure to 75. The table below demonstrates that the Council’s average completions on small windfall sites from 2001/02 to 2015/16 are **76.6**. The average completions of large (5+) windfall sites over the same period are **229.2**.

Year	01/02	02/03	03/04	04/05	05/06	06/07	07/08	08/09	
Small Sites	63	52	43	101	105	107	67	115	
Large Sites	124	149	99	132	148	284	180	370	
	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	Average
	69	96	58	57	68	95	104	78	76.6
	143	7	173	323	161	218	559	541	229.2

- 2. The latest 5 year period from 2012/13 to 2016/17 shows that the annual average on small sites has been **80.4** dwellings and from large sites **360.4** dwellings.
- 3. The NPPF (2012) paragraph 48 is clear that any windfall allowance must be based on the *SHLAA, historic rates and expected future trends*. As set out above previous trends have been high, which is not unexpected in an authority with a

high housing need, only partial Green Belt coverage, no five year land supply and a Local Plan produced prior to the release of the NPPF. The 'large sites' figure in the last two years is significantly higher than previous years due to the number of large sites coming forward particularly in Buntingford.

4. The Council does not consider that an allowance should be made for large sites as it is anticipated that completions on these sites would likely decrease once the Plan is adopted.
5. Whilst the windfall figure could potentially be higher based on the historic rates, the impact of having an up-to-date plan and 5 year land supply, as well as a declining stock of brownfield and edge of settlement sites means that raising the windfall figure further beyond the already increased 75 could be considered a pre-determination of a future trend based on unrepresentative historic evidence.

d) Area beyond the Green Belt – What level of residential development has been proposed or delivered in this area in the plan period?

1. Buntingford is the only town in East Herts that is located outside of the Green Belt. Over 1,000 (1,128) new homes have already been given permission outside of the plan-making process which will result in a 50% increase in households.
2. As well as Buntingford, the rural area beyond the Green Belt contains a number of villages. The Village Hierarchy Study (**HOP/010**) looked at the sustainability of

villages in East Herts, scored them against a number of criteria which focussed on the facilities available and accessibility to services, and subsequently classified each settlement as Group 1, Group 2 or Group 3 Villages. Group 1 villages are the district's larger villages which have a range of services and facilities which could support growth. Group 2 villages are smaller villages with a more limited range of services and facilities. Group 3 villages are generally the smallest in East Herts, with a poor range of services and facilities, where it is often necessary for local residents to travel outside the village for most of their daily needs.

3. There are five Group 1 and sixteen Group 2 villages located in the area beyond the Green Belt. The Group 1 villages in this area (Braughing, Hunsdon, Much Hadham, Standon & Puckeridge and Walkern) will all accommodate at least a 10% growth over the plan-period – a total of *at least* 327 homes.
4. The policy approach for Group 2 villages is to allow for small-scale development identified in an adopted Neighbourhood Plan. Development in Group 2 villages will contribute to the Council's windfall allowance.
5. As set out above Chapter 4 of the Supporting Document (**SSS/001**) tested the ability of the District's villages to deliver a minimum 10% increase in housing stock based on a range of sustainability criteria. The Strategic Land Availability Assessment (**HOP/004**) identifies that there could be some potential to deliver some limited additional development within Group 1 villages located beyond the Green Belt, as demonstrated within the table below. However, as set out above, the Sustainability Appraisal (**SUB/004**) assessed the potential to deliver more development within the rural area, as a reasonable alternative to the

proposed strategy, and concluded that such an approach would be significantly less sustainable when considered against a range of sustainability criteria.

Group 1 Villages located in the rural area beyond the Green Belt	Minimum number of dwellings proposed within District Plan	Number of dwellings identified in the SLAA on sites considered to be deliverable or developable*
Braughing	35	56
Hunsdon	37	89
Much Hadham	54	148
Standon & Puckeridge	146	297
Walkern	55	12

*** Sites that had received planning permission at the time of submitting the District Plan on 31/3/17 are not included within this table.**

e) Housing supply – What is the current supply position?

1. This section sets out how the housing supply and housing needs position has changed from when the District Plan was submitted, through to the final position agreed through the examination and main modifications consultation:

Position at Submission:

2. **Housing Need:** The first Housing Topic Paper (**TPA/006**) submitted alongside the District Plan set out the Objectively Assessed Housing Need (OAHN) and the different components of the housing land supply. The OAHN for East Herts at that time was **745** dwellings per year or a total housing need figure across the

plan period identified as 16,390 (see pages 6-7 of the Topic Paper). It was however acknowledged through this paper that as this figure was based on the 2012 household projections it would need to be updated following the publication of the 2014-based household projections.

3. **Housing Supply:** The components that made up the housing land supply used to address the housing need of **745** dwellings per year are contained in Table 1 below. (An explanation of all the components that make up the supply can be found in pages 13-16 of the Topic Paper).

Table 1: Housing Supply – Housing Topic Paper March 2017

Supply Source	Housing supply: First five years 2017-2022	Housing supply: Total 2011-2033
Completions	0	2,625
Commitments	2,878	5,274
Villages	343	500
Deliverable sites in existing urban areas as identified by Strategic Land Availability Assessment	43	43
Site Allocations	2,560	8,900
Windfall Allowance	250	800
Total	6,074	18,142

Position following Examination as set out in the final version of the District Plan:

7. **Inspector's Post Hearing Note (ED167):** Following the hearing sessions the Inspector set a way forward for the OAHN. Despite concluding that the Council had set out a reasonable basis for OAHN, the Council needed to make a small adjustment and maximise the uplift to 14% – this resulted in the annual need figure increasing from 836 to **839**. The total need across the plan period therefore increased to **18,458**. The Inspector's note also set out an approach to addressing the shortfall – it was determined that it was to be met over the first 10 years.
8. **Housing Supply:** Through the examination, housing supply was discussed and two areas in particular were progressed; the trajectory and supply assumptions of the site allocations in the District Plan, and the windfall allowance.
9. **Site Allocations:** Following discussion and evidence presented through the hearing sessions annual delivery rate assumptions for the site allocations were altered to present the latest positions. This explains the slight difference in the first five years figure.
10. **Windfall:** The most significant change to the housing supply figure was the increase in windfall allowance. Windfall was discussed during the examination and the increase was a modification recommended by the Inspector from 50, to 75 dwellings per year. This figure is confirmed in the Inspector's Report (paragraph 39) *"Modification MM/3/15 is necessary to update the windfall allowance (from 50 to 75) in line with an updated analysis of past performance."*

The updated windfall number is responsible for the total supply increase of 375 dwellings from 18,538 to 18,913 across the plan period.

11. Presented in Table 2 below is the final supply table produced in the Plan following receipt of the Inspector's report and the implementation of all modifications.
12. Additionally, the table in this report contains the supply of housing expected to be delivered beyond the Plan-period by site allocations in this plan. This figure of 7,450 includes a further 6,950 at the Gilston Area and 500 dwellings at the North and East of Ware.
13. The additional growth beyond the plan period cannot be considered deliverable in the Plan-period for the reasons set out in The Gilston Area Settlement Appraisal (pages 9-10) and also in the Ware Settlement Appraisal (page 12: para 13.15).

Table 2: Housing Supply – East Herts District Plan

Supply Source	Housing supply: First five years 2017- 2022	Housing supply: Total 2011-2033	Housing supply beyond the Plan Period
Completions	0	3,244	-
Commitments	3,680	4,901	-
Villages	391	500	-
Deliverable sites in existing urban areas as identified by Strategic Land Availability Assessment	43	43	-
Site Allocations	2,615	9,100	7,450
Windfall Allowance	300	1,125	-
Total	7,029	18,913	-

14. **Post-Examination Changes:** The table above is based on the final version of the District Plan and since then work has been carried out to assess whether or not there have been any changes that could have material implications to the supply calculation. The only numeric changes involve a further year of net completions and commitments. The exact figures are not yet available, but any completions would almost entirely be removed from the current commitments figure. Likewise new commitments from 2017-18 would be balanced out by the removal of lapsed permissions so unless there has been any abnormal increase in approvals for residential permissions there is likely to be no material change.

15. A quick review of the 2017-2018 commitments can confirm that there have been no uncharacteristically large residential permissions granted that would have a significant impact on the supply table above. The conclusion therefore, is that aside from some minor changes to the commitments and completions figure, there is no material change to the supply table above.
16. **Conclusion:** The final supply position demonstrates that the Council can meet its OAHN and have an additional capacity of some **455** dwellings across the Plan period. In the Inspector's report (paragraph 40) this additional capacity is noted as being a *"very positive step towards the provision of homes to meet the need. This is particularly important as there is an acute need for housing, given there has been persistent under delivery."* Paragraph 41 then goes on to say that *"the additional capacity allows for some flexibility, recognising that delivery may be slower than predicted on some sites and ensuring to a greater degree that East Herts can meet the requirement."*
17. The supply, taken as a whole is noted in the Inspector's final report (paragraph 45) that with the addition of the modifications *"the approach towards the supply and delivery of housing land is positively prepared, effective and consistent with national policy. "*
18. Further to the Inspector's comments, the Council notes that a significant proportion of its supply relies on the delivery of large site allocations. Site allocations of this size are required to bring forward substantial provision of infrastructure and therefore operate at a scale and complexity that can impact on delivery rates across a number of years. The NPPF is clear that Plan-making should not only be positively prepared, but also be *effective* and it would

therefore be myopic not to build in a level of flexibility commensurate to the characteristics of the housing supply.

19. Additionally, the Local Plan objective of sustainably supporting housing delivery has not changed in the 2018 NPPF. LPAs still have to demonstrate a rolling five years' supply of deliverable sites and this will now be tested against the definition of 'deliverable' as set out in the 2018 NPPF. Furthermore the introduction of a Housing Delivery Test, and with it the implications for failing to deliver housing provision, demonstrates that a LPA is expected not only to think proactively in terms of maintaining a supply, but also to demonstrate the actual completion of housing.
20. Therefore the additional capacity of 455 dwellings when compared to the overall supply of 18,913 functions as a 2% buffer for slippage across the plan-period. Given the Council's previous performance of delivery and use of a 20% buffer this approach is not only reasonable, but demonstrates the positive and effective plan-making required in the NPPF.

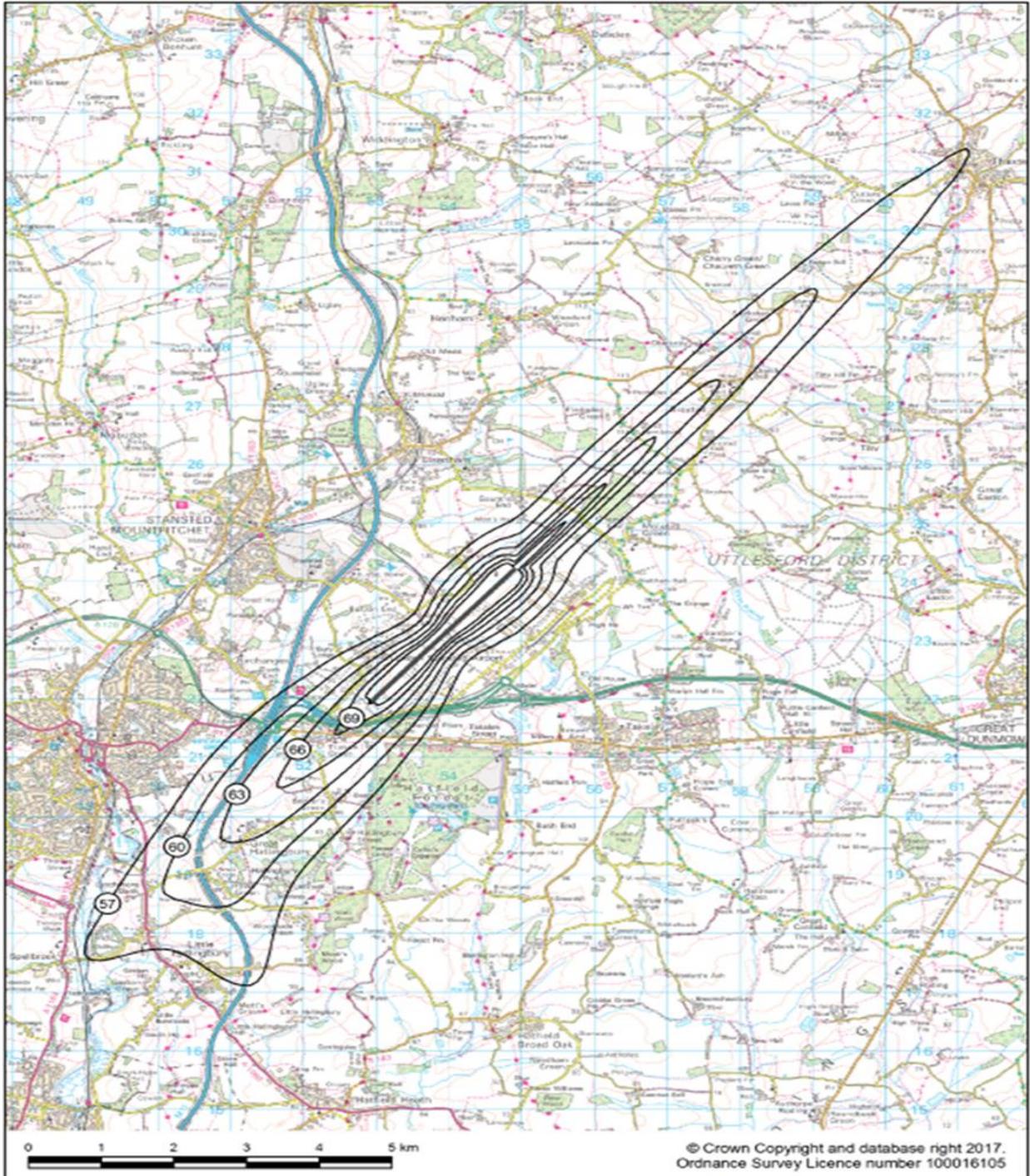
5. Development near Stansted Airport

1. All the strategic sites located to the east of the District are located outside of the existing 57dB noise contours (see map below). Therefore, no new residential development is being proposed through the District Plan within these (or any higher) noise levels and the sites are therefore considered by the Council to be acceptable locations in terms of noise.

2. Stansted Airport Limited has a current planning application under consideration with Uttlesford District Council (due to be determined on 17th October) to expand operations from the currently permitted 35mppa to 43mppa. However, it is important to note that these proposals do not seek an increase on the noise levels currently permitted, nor do they seek an increase above the 274,000 aircraft movements currently permitted. It is proposed that the increase in passenger numbers will be largely facilitated through the use of bigger aircraft which hold more seats and thereby increase capacity. Noise and air quality impacts will further be addressed through the use of latest generation aircraft, which are quieter and have less harmful emissions.

3. The Council has been working collaboratively with Stansted Airport, together with Uttlesford District Council, Essex County Council and Hertfordshire County Council, to reach an agreed position in respect of the current application in relation to transport, noise and air quality matters and to determine any necessary mitigation to address those areas. A Transport Forum is already in place at Stansted Airport to implement appropriate schemes and it is understood that this is likely to be a conduit through which to facilitate mitigations where specific scheme identification is not possible at this time. This will be additional to specific S.106 contributions where mitigations are currently able to be identified.

Figure 12 Stansted 2016 day actual modal split (86% SW / 14% NE) Leq contours



4. Further information air quality and noise is detailed in Section 8 (Other Matters Raised during meeting at MHCLG) below.

6. Adjoining LPA Local Plans

a) What is the relationship with existing and emerging Local Plans?

1. Details are provided below on the relationships between adjoining local authorities and their local plans. Memoranda of Understanding are referred to within each section. All of these related documents are available to view via the following link: <https://www.eastherts.gov.uk/MOU>.

Broxbourne Borough

2. The Broxbourne Local Plan Second Review, adopted December 2005, is the current Local Plan for the Borough and there are no cross-authority implications for East Herts Council within this Plan. The Broxbourne Local Plan 2018-2033 was submitted to the Secretary of State on 15th March 2018 and is currently the subject of Examination. There are, likewise, no cross-authority matters attached to this Plan. Both authorities' emerging Local Plans propose Green Belt releases in order to meet their objectively assessed housing needs.
3. In respect of the East Herts District Plan, a Memorandum of Understanding (MOU) (**ED165**) was signed between the two authorities, and finalised on 2nd October 2017, which details that each have prepared Local Plans which seek to meet their respective objectively assessed housing need figures in full and that neither is seeking assistance from the other to meet objectively assessed housing needs.

Epping Forest District

4. The Combined Policies of Epping Forest District Local Plan 1998 and Alterations 2006 were published in 2008. There are no cross-authority implications for East Herts Council within this Plan. The emerging Epping Forest District Plan is awaiting Submission to the Secretary of State, but is currently the subject of a High Court injunction, which restrains the Council from taking that step until final determination of the legal proceedings. Both authorities' emerging Local Plans propose Green Belt releases in order to meet their objectively assessed housing needs.
5. In respect of the relationship with the East Herts District Plan, please see the Four Authorities position detailed below*.

Harlow District

6. The currently local plan for Harlow is the Adopted Replacement Harlow Local Plan (July 2006), which contains no cross-authority implications for East Herts Council. The Harlow Local Plan, which plans development in the area to 2033, was subject to Regulation 19 consultation between May and July 2018. Harlow Council intends to submit the Local Plan to the Planning Inspectorate shortly. Both authorities' emerging Local Plans propose Green Belt releases in order to meet their objectively assessed housing needs.
7. In respect of the relationship with the East Herts District Plan, please see the Four Authorities position detailed below*.

North Herts District

8. The North Hertfordshire District Local Plan No.2 with Alterations, was adopted in 1996 and contains no cross-authority provisions. The emerging North Hertfordshire Local Plan 2011-2031 was submitted on 9th June 2017 and is currently the subject of Examination. As with the adopted Plan there are, likewise, no cross-authority matters contained within the emerging Plan. Both authorities' emerging Local Plans propose Green Belt releases in order to meet their objectively assessed housing needs.
9. In respect of the East Herts District Plan, a MOU (**ED135**) was signed between the two authorities in September 2017. This confirms that both authorities agree that neither authority requires assistance from the other to help meet objectively assessed housing needs.

Stevenage Borough

10. The current Stevenage Local Plan was adopted in December 2004 and contains no cross-authority provisions. The emerging Stevenage Local Plan, which would run to 2031, is presently the subject of a holding direction (issued 13th November 2017). There are, likewise, no cross-authority matters contained within the emerging Plan. Both authorities' emerging Local Plans propose Green Belt releases in order to meet their objectively assessed housing needs.
11. In respect of the East Herts District Plan, a MOU (**ED140**) was signed between the two authorities, and finalised on 3rd October 2017, which details that each have progressed local plans that seek to meet their respective objectively

assessed housing needs for this plan period and place no reliance on the other in terms of housing provision.

Uttlesford District

12. The Uttlesford Local Plan, Adopted 2005, is the current local plan for the district. This contains no cross-authority implications for East Herts Council. The new Uttlesford Local Plan, which will guide development in the district to 2033, was the subject of Regulation 19 consultation to 13th August 2018 and submission is expected this autumn. Both authorities' emerging Local Plans propose Green Belt releases in order to meet their objectively assessed housing needs.
13. In respect of the relationship with the East Herts District Plan, please see the Four Authorities position detailed below*.

Welwyn Hatfield Borough

14. The Welwyn Hatfield District Plan, adopted April 2005 is the current local plan for the Borough. This contains no cross-authority provisions. The emerging Welwyn Hatfield Local Plan (2013-2032) was submitted on 15th May 2017 and is currently the subject of Examination. Both authorities' emerging Local Plans propose Green Belt releases in order to meet their objectively assessed housing needs.
15. In respect of the East Herts District Plan, three signed MOUs exist in relation to the cross boundary provision of the Birchall Garden Suburb across both districts.

16. The first MOU (**ED107**), completed on 30th March 2017, which is also signed by Hertfordshire County Council relates solely to cross boundary arrangements that have been established in respect of joint delivery of a sustainable community of 2,550 dwellings to the east of Welwyn Garden City (EWEL1 in the East Herts District Plan – 1,350 dwellings / SDS2 in the Welwyn Hatfield Local Plan – 1,200 dwellings). Furthermore, the site would jointly accommodate a site of 15 pitches for Gypsy and Traveller provision (4 pitches for East Herts' and 11 pitches for Welwyn Hatfield's needs). This sets out governance arrangements and policy criteria, encompassing provisions that the site should deliver.
17. A further signed MOU is in place (**ED106**) solely between the two district authorities (finalised on 25th May 2017) and relates not only to the proposed joint site allocation, but also to wider issues and this details agreed principles relating to strategic priorities.
18. A third signed MOU (**ED165**) was finalised between the two local authorities and Historic England in November 2017, which relates solely to specific historic environment matters both within and in the vicinity of land to the south east of Welwyn Garden City.

***Four Authorities Position**

19. East Herts, Epping Forest, Harlow and Uttlesford Councils have joined together in the establishment of the West Essex and East Hertfordshire Housing Market area (HMA) and, in this regard, three joint Strategic Housing Market Assessments (SHMAs) have been undertaken for the HMA since 2010. A Co-operation for Sustainable Development Officer Group was formed in February

2014, (Co-op Officer Group) and a Co-operation for Sustainable Development Member Board was later established in October 2014 (Co-op Member Board) to progress matters going forward.

20. For implications in relation to the East Herts District Plan, it should be noted that a Duty to Co-operate Compliance Statement (**SOC/001**) <https://www.eastherts.gov.uk/SOC> was prepared in March 2017. Appendices to this document (which are detailed on the MOU webpage <https://www.eastherts.gov.uk/MOU>) include:

- Co-operation for Sustainable Development Board – Distribution of Objectively Assessed Housing Need across the West Essex/East Hertfordshire Housing Market Area, March 2017 (Appendix A)
- Co-operation for Sustainable Development Board – Highways and Transportation Infrastructure, February 2017 (Appendix B)
- Co-operation for Sustainable Development Board – Managing the impacts of growth within the West Essex/East Herts Housing Market Area on Epping Forest Special Area of Conservation, February 2017 (Appendix C)
- Hertfordshire Infrastructure Planning Partnership, February 2015 (Appendix D)

(In addition, a Statement of Common Ground was agreed with Hertfordshire County Council concerning transport matters (Appendix E))

21. Throughout the plan making process, a series of strategic spatial options for meeting the overall OAHN within the HMA have been considered for the delivery of homes between 2011 and 2033. Following the appraisal of these alternative scenarios, the Housing Topic Paper Update (**ED121**), August 2017, summarises the steps taken and confirms that a Memorandum of Understanding (MoU) has been signed that commits all four Councils within the HMA to meeting their individual housing needs (as identified in the original SHMA (**HOP/001**)) within their own administrative boundaries.

7. Impact and implications of Holding Direction/ Possible intervention

a) Progress of other programmes and emerging planning documents

1. **Masterplanning** - The District Plan requires that all 'significant' development proposals prepare a masterplan setting out the quantum and distribution of land uses among other matters. This process is to be a collaborative exercise between site promoters, local authorities and key stakeholders including the community. Many of the strategic sites have already commenced this work and have prepared masterplans and masterplan frameworks which will become a material consideration when determining the subsequent planning applications. The purpose of this approach is to expedite the decision-making process so that the majority of complicated issues are resolved prior to the submission of an application. In some instances it is intended to move towards hybrid and full applications rather than the more time-consuming process of outline and reserved matters applications.

2. Following the Holding Direction, two site promoters (further details below) have already withdrawn their efforts from this process in order to concentrate their resources on sites where more certainty is available. They have also indicated that activity will not recommence until after the Holding Direction is lifted. This will now inevitably delay the submission of applications and subsequent delivery of homes and infrastructure.

3. **Affordable Housing SPD** - The Council is currently preparing a Supplementary Planning Document on Affordable Housing. The SPD was due to be considered by the Council's Executive on 23 October 2018, but this has now been withdrawn from the Agenda.

b) Neighbourhood Planning

1. The Holding Direction has implications for every Neighbourhood Plan in East Herts no matter what its status.

2. Those plans that have been 'made' (5 plans) have all been adopted with an eye to the emerging District Plan and in all cases have taken positive steps to accommodate the growth set out within the District Plan. Section 38(5) of the Planning and Compulsory Purchase Act 2004 sets out that any conflict in the development plan will be resolved in favour of the policy which is contained in the last document. Every effort was made to overcome the issue of a Neighbourhood Plan coming forward in advance of the District Plan (in line with Paragraph 009 of Neighbourhood Planning PPG) and now the Holding Direction places the longevity of the policies in jeopardy.

3. The Holding Direction has had a direct implication on the examination of the Standon Neighbourhood Plan; the examination is now paused until we have an indication of the outcome of the Holding Direction. The Neighbourhood Plan, as with others before it, relies heavily on evidence that the Local Authority has published through the District Plan process – in particular the District Plan Habitats Regulation Assessment (HRA) – Standon would be unlikely to be able to proceed to referendum whilst we are unable to give the District Plan any weight.
4. Prospective Neighbourhood Plans that are progressing towards Regulation 14 (Hunsdon, Hertford Heath, Much Hadham, Watton-at-Stone and Stanstead Abbots and St Margarets) have all been working in line with the emerging District Plan strategic policies, and thus are substantially affected. The Holding Direction has created a great deal of uncertainty for these Neighbourhood Plan Groups as they are unsure whether to continue work or pause until further notice. All work undertaken up to this point could be rendered invalid if the Plan is called in.

c) 5 year supply position

1. The five year housing land supply position prior to the Holding Direction was 6.2 years. This was demonstrated in the AMR 2016-2017 (published February 2018) (<https://www.eastherts.gov.uk/amr>) and utilised the recently established deliverability through the District Plan examination of the strategic sites.

2. It should be noted that the five year land supply calculation in the AMR is based on the year's 2018-2023 whereas the first 5 years of the District Plan are 2017-2022. The land supply figure of 6.2 years (2018-23) is greater than the 5.7 years (2017-22), and this is due to two factors; the financial year 2017-18 doesn't see any completions being delivered by the strategic sites in the plan, secondly; the addition of financial year 2022-2023 sees an additional year of peak delivery on the strategic sites. Therefore the five year period 2018-2023 benefits from an additional year of strategic sites completions and consequently the peak years of delivery in terms of completions, when compared to the Plan period five years (2017-2022).

3. The impact of the Holding Direction on the Council's current five year land supply is demonstrated in the tables below. With the Holding Direction in place the strategic sites fail the definition of deliverable set out in Paragraph 73 and the Annex 2 of the NPPF, and therefore are removed in the second table. The Council is unable to demonstrate a five year land supply with the Holding Direction in place.

Land Supply **Prior** to Holding Direction:

	Dwellings
Housing requirement plus shortfall (4,195 + 895)	5,090
20% buffer	1,018
Total housing requirement	6,271
Land Supply	7,741 (6.2 years)

Land Supply **following** Holding Direction:

Without Allocations	Dwellings
Housing requirement plus shortfall (4,195 + 895)	5,090
20% buffer	1,018
Total housing requirement	6,271
Land Supply	4,911 (3.9 years)

d) Implications for key investment decisions and planning proposals

1. The timescales on progress in relation to the following allocated sites is now uncertain.

Land at Gilston (Harlow and Gilston Garden Town)	Residential – 10,000 units	Pre-application and master planning stage. Application anticipated in November 2018.
Land South of West Road, Sawbridgeworth SAWB3	Residential – 200 units	Planning application live.
Land North of West Road, Sawbridgeworth SAWB2	Residential – 125 units	Planning application live.
Land north of Sawbridgeworth, SAWB4	Residential – 200 units	Pre-application and master planning stage.
Bishop's Stortford South	Residential – 750 units	Pre-application and master planning stage. First phase planning application for 142 units live.
Hertford West, HERT3	Residential – 250	Pre-application and master planning

(Thieves Lane)	units	stage.
Hertford West, HERT3 (Archers Spring)	Residential – 300 units	Pre-application and master planning stage.
Hertford North, HERT4	Residential – 50 units	Pre-application and master planning stage.
Mead Lane, Hertford, HERT2	Residential – 200 units	Pre-application and master planning stage.
North and East Ware, WARE2	Residential – 1,000 units	Master planning stage.
East of Stevenage	Residential – 600 units	Pre-application and master planning stage. Application anticipated in October 2018.

2. The site promoters for land west of Hertford (HERT3, Thieves Lane) have indicated that they will not be advancing any further work until there is clarity in relation to timescales for lifting of the holding direction and have directed resources elsewhere, meaning that it would even be unlikely that work would recommence immediately after such lifting.
3. Similarly the site promoters for North and East Ware (WARE2) have also indicated that they will also be pausing work until further notice.
4. The Council has signed Planning Performance Agreements (PPAs) with the majority of site promoters setting out agreed timelines for the preparation of masterplans, and the submission and determination of planning applications. These timelines will all need to be revisited in the context of the delay imposed by the Holding Direction.

Harlow and Gilston Garden Town

5. Harlow & Gilston was designated as a Garden Town by MHCLG in January 2017. Harlow Council, East Herts District Council and Epping Forest District Council have committed within their District plans growth of over 16,000 homes by 2033 and over 23,000 homes in total, including 10,000 homes in the Gilston Area as part of the East Herts District Plan that is now subject to the Holding Direction.
6. Homes England have been implementing the MHCLG support through working with the three Districts, together with Essex and Hertfordshire County Councils, to support the delivery of the Garden Town including joint capacity funding for a Garden Town Director and Board and critical commissions for joint working amounting to over £1.3m in 2017/18. A further bid of over £1.3m with additional match-funding from the Garden Town authorities has been submitted for 2018/19.
7. In addition the Garden Town benefits from Government support through the designation of the Enterprise Zones within Harlow and in 2021 will be welcoming Public Health England who are relocating to the Garden Town.
8. Vital to supporting the high quality and timely delivery of Infrastructure that will connect the 10,000 homes of the Gilston Area in the District Plan to the Garden Town is a £151m Housing Infrastructure Fund (HIF) bid. In March 2018 Homes England announced that the Harlow & Gilston HIF Bid had been selected for co-development of a business case which is now progressing with submission windows in late 2018 and early 2019. The bid process includes support from

MHCLG and DfT and is a competitive process as the fund is known to be oversubscribed and spending must be committed in the HIF timeframe. Consultants have been procured to support the Councils with the process but uncertainty over the District Plan is now considered to represent a *critical risk* as, without an adopted Plan, the infrastructure will lack the certainty necessary to support a robust business case; furthermore, it is uncertain how far the Gilston Area landowners will be willing to support and invest in the design process or how far discussions can progress with third party landowners, some of whom have been disappointed in their own promotions of land, whilst a Holding Direction suggests the future of the Plan may be uncertain.

Other Impacts

9. The letter attached at Annex 1 to this report details that Bishop's Stortford High School is at risk of losing £11million of funding (to assist in relocating the school), which needs to be spent by December 2021 and therefore relies on the planning application process to commence almost immediately.

10. East of Stevenage - Travelling Showpeople's Site – part of the allocation of the EOS1 site involves the provision of a serviced site for five plots to meet the locally identified accommodation needs of Travelling Showpeople in the district. The existing Travelling Showpeople's site at Rye House is over-capacity and the housing needs of the community are immediate. An extended family group is desperate to locate to the site and occupy the plots as soon as they become available and, despite numerous options being assessed (see Gypsies and Travellers and Travelling Showpeople Identification of Potential Sites Study (**HOP7**)), no suitable and available alternative site can be identified. The impact

of delay on the families involved will be significant as they have been relying on the site coming forward at the earliest opportunity.

8. Other Matters Raised during meeting at MHCLG

a) Summary of Representations

1. As required by the Regulations the Town and Country Planning (Local Planning) (England) Regulations 2012 the Council submitted a Consultation Statement (**SUB/009**) with the District Plan. This statement describes the processes followed by the Council in undertaking community participation and stakeholder involvement in the production of the East Herts Plan.
2. In carrying out its consultation processes, it should be noted that, in addition to complying with the Regulations, the Council has also complied with the provisions of its Statement of Community Involvement (SCI), October 2013. This document sets out the Council's approach to public engagement in the planning system and how it seeks to involve the local community in East Herts. The SCI may viewed at: <http://www.eastherts.gov.uk/sci>.

Regulation 18 Consultation

3. A total of 3,018 comments from 1,062 respondents were received to the Preferred Options consultation. All issues relating to relevant planning matters within representations were summarised by Officers and reported to Members of the District Planning Executive Panel over a series of meetings along with an Officer Response, which detailed whether or not it was considered appropriate

that a consequential amendment to the Plan be made. The East Herts District Plan Pre-Submission version reflected the Panel's agreed position in respect of the consideration of the issues raised.

4. Responses to issues raised in respect of individual chapters through the Preferred Options Consultation were considered at the following District Planning Executive Panel meetings:

Chapter Number	Chapter Title	Meeting date where issues raised through the Regulation 18 consultation were considered
1	Introduction	21 July 2016
2	Vision and Strategic Objectives	21 July 2016
3	Development Strategy	25 August 2016
4	Green Belt and Rural Area Beyond the Green Belt	25 August 2016
5	Bishop's Stortford	8 September 2016
6	Buntingford	25 August 2016
7	Hertford	21 July 2016
8	Sawbridgeworth	21 July 2016
9	Ware	21 July 2016
10	Villages	15 September 2016
11	East of Welwyn Garden City	21 July 2016
12	The Gilston Area	21 July 2016
13	Housing	25 August 2016
14	Economy	21 July 2016
15	Retail and Town Centres	24 May 2016

16	Design	24 May 2016
17	Transport	24 May 2016
18	Community Facilities, Leisure and Recreation	21 July 2016
19	Natural Environment	24 May 2016
20	Landscape	24 May 2016
21	Heritage Assets	24 May 2016
22	Climate Change	24 May 2016
23	Water	24 May 2016
24	Environmental Quality	24 May 2016
25	Delivery	25 August 2016
Appendices	Appendices	15 September 2016

5. Through the Regulation 18 Consultation Stevenage Borough Council and site promoter Hythe Land Limited submitted representations suggesting that land to the East of Stevenage could be suitable for a smaller scale of development than was previously considered. The Settlement Appraisal (**SSS/010**) describes how the Council had previously considered land to the East of Stevenage as an Area of Search for a new settlement or urban extension. Stevenage Borough Council suggested that the evidence used looked only at broad areas and therefore may have “missed the opportunity to properly consider more discrete opportunities for smaller-scale development and incorrectly reached the conclusion that east of Stevenage is an inappropriate location for development.” Stevenage Borough Council also considered that “a relatively small-scale scheme to the east of Stevenage ~ of perhaps between 500 and 1,000 homes ~ could make a positive contribution to medium-term development requirements, introduce greater flexibility and certainty to the

East Herts strategy and provide sustainability advantages over a number of the sites that have been identified.”

6. A key element of plan-making is the consideration of all reasonable alternatives to the development strategy. Therefore it was considered sensible to assess the newly submitted site in the same way that other sites had been assessed. As such further work was undertaken on the Green Belt and transport modelling, with further consideration given to the potential impact of a smaller scheme on the landscape. A smaller, discreet area of land to the east of the town was subsequently identified for a smaller scale development, which formed part of the Regulation 19 consultation version of the District Plan.
7. Links to the District Planning Executive Panel agenda papers referred to above are provided below:

25 May 2016:

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CIId=151&MIId=2953&Ver=4>

21 July 2016:

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CIId=151&MIId=2951&Ver=4>

25 August 2016:

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CIId=151&MIId=2952&Ver=4>

8 September 2016:

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CIId=151&MIId=3028&Ver=4>

15 September 2016:

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CIId=151&MIId=2953&Ver=4>

8. Details of those people and organisations who responded to the Preferred Options consultation are provided at Appendix G of the Consultation Statement (**SUB/009**).

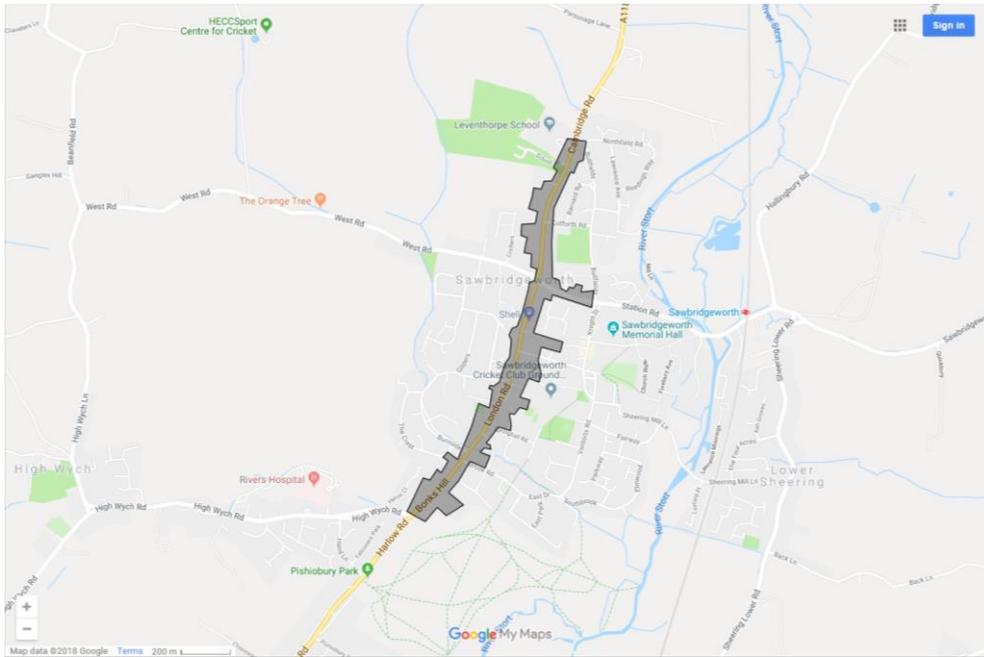
Regulation 19 Consultation

9. A total of 3,884 comments from 2,472 respondents were received to the Pre-Submission consultation. All issues relating to relevant planning matters within representations were summarised by Officers and reported to Members of the District Planning Executive Panel at its meeting on 9 March 2017.
10. Details of those people and organisations who responded to the Pre-Submission consultation are provided at Appendix H of the Consultation Statement (**SUB/009**).
11. During the Examination process the Inspector requested the Council's views on the issues raised in respect of the first four chapters of the Plan (Chapter 1- Introduction; Chapter 2 - Vision and Strategic Objectives; Chapter 3 - Development Strategy; Chapter 4 - Green Belt and Rural Area Beyond the Green Belt). These were forwarded to the Inspector on the 24 August 2017. Copies of the reports are attached to the email submitting this report.

b) Detail of AQMAs and associated policies

1. Air Quality Management Areas are located in Hertford, Bishop's Stortford and Sawbridgeworth. Please see the maps below:

London Road, Sawbridgeworth



2. Further details regarding the status of these three AQMAs and the Council's most recent Air Quality Action Plan can be found on the Council's website: <https://www.eastherts.gov.uk/airquality>.
3. Section 24.5 of the District Plan contains Policy EQ4 on Air Quality, which was prepared in collaboration with the Council's Environmental Health Officers to ensure consistency with the Council's Air Quality Planning Guidance Document (more detail provided under (c) below). Policy EQ4 is replicated in full below:

Policy EQ4 Air Quality

I. The effect of development upon air quality is a material consideration. All applications should take account of the Council's Air Quality Planning Guidance Document, which details when an air quality assessment is required.

II. All development should take account of the Council's latest Air Quality Action Plan, local Air Quality Strategies, Local Transport Plans, as well as national air quality guidance.

III. All developments should include measures to minimise air quality impact at the design stage and should incorporate best practice in the design, construction and operation of all developments.

IV. Where development (on its own or cumulatively) will have a negative impact on local air quality during either construction or operation, mitigation measures will be sought that will remove overriding impacts, such as an air quality neutral or negative development. Evidence of mitigation measures will be required upfront.

V. Where on-site mitigation is not sufficient, appropriate off-site mitigation measures may be required. Where adequate mitigation cannot be provided, development will not normally be permitted.

VI. Developments must not:

- lead to a breach or worsening of a breach of UK or EU limit values;
- lead to a breach or worsening of a breach of an Air Quality objective or cause the declaration of an Air Quality Management Area or;
- prejudice the implementation of any Air Quality Action Plan or local air quality strategy.

c) Air Quality and Noise Planning Guidance Documents

Air Quality

1. The Council's Air Quality Planning Guidance document can be viewed on the Council's website at: <https://www.eastherts.gov.uk/evidencebase>.

2. This guidance document was prepared to support the District Plan policy. Its aim is to facilitate sustainable development by helping to achieve the best possible health protection outcomes in relation to air quality. The guidance helps to identify specific air pollution issues, to identify the tools to control air quality and to provide clarity and consistency to developers, planners and local communities by confirming how the Council will assess planning applications in relation to air quality, the mitigation and monitoring of air quality impacts, when an Air Quality Assessment is required and what the assessment needs to include. It is the Council's intention to update and adopt the guidance as a Supplementary Planning Document in 2019.

3. In addition, Policy TRA1 (Sustainable Transport) also makes reference to air quality as minimising the impact of travel on local air quality is a key policy objective of the District Plan. Furthermore, it is considered that the policies on climate change and the natural environment all contribute to improving the quality of the environment of development.

Noise

4. The Council intends to produce a guidance document on undertaking Noise Assessments in 2019.

5. Section 24.3 of the District Plan contains Policy EQ2 (Noise Pollution), replicated in full below:

Policy EQ2 Noise Pollution

I. Development should be designed and operated in a way that minimises the direct and cumulative impact of noise on the surrounding environment. Particular consideration should be given to the proximity of noise sensitive uses, and in particular, the potential impact of development on human health.

II. Applications should be supported by a Noise Assessment in line with the Council's Noise Assessment Planning Guidance Document.

III. Noise sensitive development should be located away from existing noise generating should be employed to reduce the impact of surrounding noise sources.

9. Other Matters Raised by PACE (email dated 23 September 2018)

Secondary School Provision

1. This issue was explored through the Examination in Public as detailed in the Council's Statement to Matters and Issues, Part 2: Chapter 12 – East of Stevenage. There is no outstanding objection from Hertfordshire County Council with regards to the secondary education needs arising from development to the East of Stevenage. At the time of the Examination in Public there was an objection from the County Council to the North Herts District Plan

as there was a difference of opinion as to how the needs arising from development in North Herts should best be met (whether one large school or two smaller schools). This was debated through the North Herts examination, but the Inspector's report is not yet available. The Council has a Memorandum of Understanding between the County Council Property Team (**ED134**) regarding how the educational needs arising from the proposed development strategy will be met, including a position on the Stevenage Education Planning Area. This position is confirmed in the MoU with North Herts District Council (**ED135**). Regardless of the approach proposed in the North Herts Inspector's Report, the four authorities are continuing to work together to ensure that the secondary education needs arising across the Education Planning Area are met in the most satisfactory way.

Road Network – capacity and impact on Gresley Way

1. This issue was also explored through the Examination in Public as detailed in the Council's Statement to Matters and Issues, Part 2: Chapter 12 – East of Stevenage. There is no objection from the County Council in their capacity as Highways Authority. Appropriate transport modelling has been undertaken both through the site selection process and through further detailed work to support the masterplanning process (see Appendix 10 of the Statement of Common Ground (**ED131**) between the Council and the site promoter). At each stage, the County Council has been fully engaged and have confirmed in their Statement of Common Ground (**SOC/001** between East Herts and Hertfordshire highways) that the road network will be able to cater for the development and that appropriate measures will be taken to mitigate impacts through a focus on

active travel and improvements to local junctions such as the A602/Gresley Way junction.

2. Within the road hierarchy Gresley Way is a local road, not an arterial road nor a strategic eastern route around Stevenage.
3. There are three junctions proposed to serve the development. When the site was being explored as to its potential to deliver development, the Council commissioned modelling through the County Council on a proposal of 750 homes plus community facilities, accessed by two junctions. Further work on capacity and community infrastructure requirements subsequently reduced the scale of the proposed development (600 homes), to be served by three access points in order to expedite the delivery of the site through three housebuilders. The Council is currently exploring with the site promoter and the Highway Authority whether there is a need for a separate crossing point in addition to the proposed junctions which will be designed to facilitate pedestrian crossings as this is a key part of the ambitions for this site as well as the Stevenage Mobility Strategy, which aims to increase walking and cycling across the town. There is no 'acceptance' that a fourth junction is required, nor will there be a fifth junction required to serve the Travelling Showpeople's site – it is proposed that this will take the form of a private access to serve only this small part of the site.

Viability of the EOS1 proposal

1. In 2016 the Council sought the assistance of the Hertfordshire Design Review Panel on a number of proposed sites. The Panel considered a very early scheme layout and did indeed raise concern over the viability of the retail

element of the proposal despite the fact that the detail of this element of the proposal was not resolved at the time. Unfortunately, this has been used out of context by objectors to call into question the viability of the scheme as a whole.

2. Policy EOS1 includes the requirement for a neighbourhood centre in an accessible location, providing local retail and community uses. The Masterplan Vision document, which has been endorsed by the Council's Executive includes the provision of a 'Neighbourhood Hub'. The Neighbourhood Hub has been designed to provide a focal point for the new community and will include a community building and local shops, amongst other facilities, to help meet the day-to-day needs of the new community. The inclusion of a Neighbourhood Hub is based upon the existing model for Stevenage, which includes residential neighbourhoods, each with a local neighbourhood centre, providing shops and community facilities for local residents.

3. Pigeon, the site promoter, has advised that the retail element of the East of Stevenage Neighbourhood Hub will be delivered as either a small food store (e.g. Sainsbury's Local or Tesco Express) of circa 4,000 sq.ft or a small parade of up to 5 'in-line' shops of circa 1,000 sq.ft, or a combination of the two. The shops will be constructed as part of the overall scheme and will be delivered once sufficient numbers of new homes have been occupied, which due to the accelerated delivery of the scheme is likely to be much sooner than would be the case in a conventional phased scheme. This quantum of retail floorspace is far less than that proposed to be delivered at the Bishop's Stortford South development (750 homes), which will also be delivering employment land. This application is now live and is supported by clear evidence on viability.

4. Whilst the Neighbourhood Hub is primarily intended to serve the needs of the new community, its proximity to existing neighbourhoods (e.g. Chells and Chells Manor) also means that it will serve residents from a wider catchment area and not just the East of Stevenage site in isolation. Pigeon has confirmed that a scheme of this size is sufficient to support the provision of local shops and has also confirmed that these will be brought forward as part of the overall scheme. This is confirmed in the Statement of Common Ground between the Council and the site promoter (**ED131**).

5. The Inspector considered all representations raised during the Examination in Public and concluded (paragraph 71) that *“This site is important as it is relatively unconstrained with good access to the main road network and is able to deliver some 600 new homes (around 500 within 5 years). It will also deliver a site for Travelling Showpeople and local shopping facilities. It contributes significantly to meeting the need for new homes in East Herts.”*

Annex 1: Letter from Headteacher of Bishop's Stortford High School

Foundation School



Headteacher: Mr D Reeve BSc (Hons)

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East Herts District Plan 'call-in' by The Secretary of State for Housing, Communities and Local Government

Monday 17th September 2018

Dear Mr Prisk MP,

I know you will be fully aware of the recent intervention by your colleague, Rt. Hon. James Brokenshire MP, to prevent East Herts District Council from adopting the District Plan at their meeting last week, but I wanted to explain the potential impact on the future of The Bishop's Stortford High School, of such a hold up and urge you to articulate these issues on behalf of our school.

We were delighted to receive confirmation from the Education and Skills Funding Agency (ESFA) in 2015 that our school had been allocated a substantial amount of funding under the Priority School Building Programme phase 2 (PSBP2) to rebuild the majority of our site because of the dilapidated condition of our buildings. It was even more exciting to then receive confirmation from the ESFA that we are able to put that PSBP2 funding towards the cost of relocating the school to the Bishop's Stortford South development, as part of the District Plan.

Along with the receipts from the sale of our existing site, the funding contribution being made by the ESFA (in excess of £11million) will allow us to build a fantastic 'state of the art' school and provide our students with the learning environment and enrichment opportunities they very much deserve; those which befit such a successful, oversubscribed and outstanding school.

The deadline for spending the PSBP2 funding is December 2021, which until recently seemed a realistic prospect. Sadly, the recent intervention by the Rt. Hon. Mr Brokenshire places our whole relocation programme in grave jeopardy, as without the guarantee of that £11m we will simply not be able to fund the move and, by the time the process is concluded, would likely also have missed the opportunity to refurbish our existing facilities. So, unless the District Plan is adopted without further delay, it is quite possible that the students of The Bishop's Stortford High School will remain in the same decaying buildings for decades to come.

EHDC's district plan underwent a rigorous assessment by The Planning Inspectorate, taking into account all aspects of viability and potential objection at the time. It would, therefore, seem entirely inappropriate to delay any further a plan that will not only meet the huge demand for residential development in the district, but also provide a huge boost to the educational facilities of Bishop's Stortford.

We have a superb opportunity to create a truly wonderful new facility for a school with a fantastic reputation and with the capacity to serve even more young people in the local area for generations to come. We mustn't let it pass.



TBSHS: A truly all-round education



I, therefore, ask you to represent our school in this process and urge you to lobby your right honourable colleague on this very important matter, with a view to EHDC being free to adopt the District Plan without further delay.

Whilst I understand you are incredibly busy, I would be more than happy to meet to discuss this issue, either locally or in Westminster.

Kind regards,

Mr Dale Reeve
Headteacher