

EASTWICK AND GILSTON
PARISH COUNCIL

AND

HUNSDON EASTWICK
GILSTON
NEIGHBOURHOOD PLAN
GROUP

RESPONSE TO
GILSTON AREA PLANNING
APPLICATIONS

EASTWICK AND GILSTON PARISH COUNCIL

CHAIRMAN

MARK ORSON
89 PYE CORNER
GILSTON
NR HARLOW
HERTS CM20 2RD
TELEPHONE 01279 453257
Email: mark.orson@outlook.com

PARISH CLERK

CHRISTINE LAW
9 CHURCH COTTAGES
GILSTON
NR HARLOW
HERTS CM20 2RH
TELEPHONE 01279 411646
Email: christine.law2@btinternet.com

Planning Policy
East Herts Council
Wallfields
Pegs Lane
Hertford SG13 8EQ

21st January 2021

FAO Ms Jenny Pierce via email Jenny.Pierce@eastherts.gov.uk

Dear Sir/Madam,

Gilston Area Applications – Outline Planning Application for Villages 1-6 and Detailed Applications for Central and Eastern Stort Crossings refs 19/1045/OUT, 19/1045/FUL and 19/1051/FUL

Eastwick and Gilston Parish Council fully supports and endorses the attached detailed response to these revised applications developed by the Hunsdon, Eastwick and Gilston Neighbourhood Plan Group (HEGNPG) which it co-sponsors with Hunsdon Parish Council.

After consultation with the community, Eastwick and Gilston Parish Council's conclusion is that the proposals included in **the revised planning application submissions for the Gilston Area are not sufficient or substantial enough for them to be considered by EHC Members without further work and therefore cannot be supported and should not be approved without further integrations.**

The Parish Council notes that the application merely proposes that the uplift in land value will be used to pay for the 'minimum' infrastructure requirements rather than meet the policy ambitions of GA1 and the HGGT; this is a substantial dilution of the Council's original vision as a Garden City. It is regrettable that the applicants show reluctance to provide more than the minimum that their narrow and legalistic interpretation of the legislation would permit. This is in direct conflict with the provisions of the District Plan Policy GA.III. If that is incapable of implementation, then the policy is predicated on a false and impossible premise. If that is the case, the District Plan will have to be revised and resubmitted for examination and approval. East Herts Council must address this issue before these revised applications can be progressed.

Yours faithfully

Mark Orson
Chairman Eastwick and Gilston Parish Council



HEGNPG

Supporting our Community

Hunsdon Eastwick and Gilston Neighbourhood Plan Group

Channoeks Farm

Gilston

Nr Harlow

CM202RL

<https://hegnp.org.uk/>

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FAO Ms Jenny Pierce by email

at Jenny.Pierce@eastherts.gov.uk (cc. Mr Kevin Steptoe by email at Kevin.Steptoe@eastherts.gov.uk)

Dear Sir/Madam,

Gilston Area Applications – Outline Planning Application for Villages 1-6 and Detailed Applications for Central and Eastern Stort Crossings refs 19/1045/OUT, 19/1045/FUL and 19/1051/FUL

The Hunsdon, Eastwick and Gilston Neighbourhood Plan Group (HEGNPG), after consultation with the community and the Parish Councils of Hunsdon and Eastwick & Gilston, has concluded that the proposals included in **the revised planning application submissions for the Gilston Area cannot be supported and should not be approved without further integrations and modifications**. These are necessary to demonstrate a clear commitment to the delivery of development in the form of distinct villages, enhancing the natural environment and supporting infrastructure that addresses the needs of future and existing communities, as required by Policy GA1, the submission Gilston Area Neighbourhood Plan, the Gilston Area Charter SPD and other relevant guidance including the Gilston Area Concept Framework and the HGGT Vision and Design Guide. In addition, the mitigation of impacts on the existing communities is not adequately addressed. Far too many of these measures are left vague and unspecific to be defined and secured through the s106 agreement and governance arrangements. We maintain that greater clarity and certainty on these critical matters is required before the current planning applications can, properly, be determined.

We acknowledge that the applicants have made some welcome additions and clarifications, while retaining strong commitment to quality building design and 40% affordable housing. Other welcome improvements are on public transport provision, heritage protection and increase of employment space within the village centres. However, we remain concerned that if East Herts Council (EHC) approves the applications in their current form, they will fail to achieve the agreed vision and objectives for development in the Gilston Area and fail to fulfil the Garden City principles set out in the District Plan itself

We outline below the key areas of concern of the local community. These are explained in further detail in the Addenda attached to this letter.

Summary of our Main Concerns (Relating to the Development Proposals as a whole)

Status of the Application Documents submitted for approval – The Parameter Plans (PP) and Development Specification (DS) are presented as the documents that will fix the boundaries of the built area, maximum heights and green spaces. This interpretation is confirmed in the DS (Section 6.2), which states that the role of the Strategic Landscape Masterplan (SLMP) and Village Masterplans (VMPs) is to apply the boundaries, parameters and principles identified in the OPA. This approach fails to present adequate reasoning and justification for the parameter proposed and invalidates the role of later master planning stages. It also shows unacceptable parameters (no meaningful separation, no integrated green infrastructure, unacceptable height parameters, etc.). It should be made clear in the Development Specification that subsequent design stages (SLMP and VMPs) will be the key documents where the boundaries of the Green Infrastructure and Buffers and the built-up area will be fixed, and that heights and density can only be set on the basis of a VMP which has the full engagement of the community. This is essential to ensure the Parameter Plans and Development Specification are not applied in a way which will constrain the masterplanning process and prejudice the overall vision and objectives for the Gilston Area (see Addenda G and I).

Development Contributions (s106) and Land Value Capture for the benefit of the whole community – We have raised these matters with EHC multiple times, but we are still informed that the Heads of Terms for the Section 106 agreements are far from settled and that most of the commitments required of the applicants remain to be negotiated. We understand that even the basis on which they will be formulated is not yet agreed, with the applicant's rejection of the HGGT Infrastructure Development Plan and reversion to its own draft heads of agreement submitted with the original application which are not accepted by EHC or the community. It is impossible to see if the full mitigation of impacts on existing communities and off-site enhancements for the benefit of existing and future residents will be secured. The extent and timing of the provision of services and community facilities in line with Garden City Principles are also obscure and uncertain.

This is a requirement of EHC's Policy GA1 that is unresolved and demands the clarity of unambiguous and detailed Heads of Terms, open for all to see and upon which to base the wide and far-reaching decisions now required of the Councillors of EHC (see Addendum A).

Community Trust Land and Stewardship – Despite engaging with EHC and the Developers for 18 months on this matter, there is still no detail of what land will be transferred to the community, when the transfer will take place to meet the Policy GA1 requirement and how the long-term stewardship will be secured and funded; this is an unresolved requirement of EHC's Policy GA1 (see details in Addendum B).

Main Access Highways – The route from the Eastern Crossing to the entrance to Village 6 (and Village 7) is proposed as a sequence of isolated junctions and local access roads. At the same time, it is described as a strategic connection required to support the Garden Town as a whole, and relieve traffic from Harlow town centre (i.e. a road fulfilling the role of a by-pass). The lack of transparency about the real objectives of the proposals raises doubts that the benefits and impacts have been properly evaluated to justify the heavily engineered design and land take, which appears to be contrary to the objectives of containing vehicular traffic in favour of the promotion of sustainable transport and has massive impact on the existing community. The detailed highways applications fail to properly address the consequential impacts of their proposals; should they be consented (see Addenda C,D,E).

Comprehensive Development and Integration with Village 7 – Despite assurances, this has not been adequately addressed. A holistic approach is needed given that GA1 is a single

allocation of 7 villages not 6 +1. A properly phased and clear delivery framework that knits all development together in a logical sequence (so including Village 7 and existing settlements) is not provided. We believe this should detail community facilities, green spaces network, footpaths and cycle routes and the promotion of social cohesion. The developers of Village 7 seem to be proposing a different design approach on many aspects; this is at odds with Policy GA1 and EHC's stated ambitions to have a strong masterplan led approach to major projects. To make decisions on villages 1-6 without the incorporation of the village 7 development will lead to disconnection and harm to the community.

Green Infrastructure Network and Adequate Separation between Villages – Meaningful separation between the 7 villages and the creation of a backbone of a continuous green infrastructure network surrounding the villages is not clearly set out. This could compromise the establishment of an appropriate balance between built areas and landscape, with implications for the Strategic Landscape Masterplan and Village Masterplans. The proposals for the areas north of the high tension power lines are not sufficiently developed and we are concerned that the proposals are not informed by a robust landscape framework (work on the Strategic Landscape Masterplan does not appear to us to have meaningfully started) – see Addendum G. (**NOTE** we have read the Hertfordshire County Council's (HCC) Landscape Officer's report and note that their concerns with the applications in many cases echo our concerns).

Treatment of Sensitive Sites (fields in front of St Mary's, to the west of Home Wood, south of Gilston Park House and around Hunsdon House) – There is insufficient clarity about the extent of the controls put in place to safeguard the setting of heritage assets and very exposed and prominent locations (see more details in Addendum H).

Development Heights and Built Form – Inadequate control measures are provided to ensure village quality and requests for potentially inappropriate flexibility in heights, location and development quantities without justification, establishing development parameters that could constrain the design-led approach of the Strategic Landscape Master Plan and Village Master Plan processes (see Addendum I).

Other Concerns (Relating to specific issues)

Other Transport Issues – Inadequate or no commitments to improved access to the stations by cycling and walking and to creating an efficient, connected network of essential routes for walking and cycling accessible to the new and existing communities (see Addendum J).

Industrial Uses / Business Park – Poorly integrated and prominently located employment uses, undermining the concept of 'villages' as set out in the Concept Framework. To achieve the objective of sustainable development and encourage local employment which reduces the need to travel, the village centres should be the focus of employment provision for the community rather than promoting the concept of a road orientated Business Park at the edges of the site which also reduces the green infrastructure at a key location and seems in conflict with EHC's sustainability ambitions.

Provision for Travellers and Showpeople – Inadequate assessment has been undertaken of this sensitive land use, and the two safeguarded areas appear to have been included as an afterthought at the margin of the sites and, of even greater concern, within landscape areas outside development boundaries that are identified for green corridors, wildlife and biodiversity to be retained in perpetuity. Design criteria for the successful integration of this requirement should be set out in the Development Specification and EHC's requirement to accommodate such uses post 2033 should be considered in the next Local Plan review on a cross District basis, not now. The insistence on making provision earlier has distorted what the District Plan requires. This and the developers' refusal to allocate potential sites within their developable areas means that the

Council and the applicants have lost the support and trust of the community on this matter and the proposal put forward is fundamentally unacceptable.

Biodiversity Net Gain – Lack of clarity about the strategy for achieving biodiversity net gain or any commitment as to when / or as part of which work proposals it will be made. A clearer commitment to this requirement should be added to the Development Specification.

Infrastructure Delivery Plan - Social Infrastructure – there appears to be no progress on our concerns on the timely delivery of local social infrastructure such as Schools, Health Care and other social needs. The proposed Infrastructure Delivery Plans left key items to be delivered too late in the development planning so making for unbalanced communities. **IDP -Transport** – A number of sustainable transport improvements have also been suggested too late. Early delivery of these will be critical to people changing their patterns such as public transport, cycling and walking, equally importantly who will deliver these and by when?

Further Considerations

Many matters have developed or changed over the last 15 months and should be reflected in the revisions, these include further elaboration of how the developer is intending to respond to:

2. The Covid pandemic, leading to an economic shift, different lifestyles and development requirements.
3. Phasing of development and infrastructure provision and changes to the housing trajectory.
4. The additional urgency to address the climate emergency, including more stringent targets for carbon neutral development including EHC's consultation on its own Sustainability Strategy and greater recognition of the importance of achieving a biodiversity net gain of a minimum of 10%. The recently published Future Homes Standard also needs consideration.
5. The Charter SPD and Community Engagement SPD have been approved since the submission of the planning applications. Clarity is required with respect to the full planning strategy for the development, including a matrix of what will be approved as part of which application in accordance with the Charter SPD, the scope of the masterplans and how the community will be meaningfully engaged at each stage in accordance with the Community Engagement Strategy SPD.
6. The emerging Gilston Area Neighbourhood Plan (GANP)

Proposed Way Forward

The HEGNPG advocates that the following main integrations and revisions are made before the proposals are in a condition to be decided or, we suggest capable of being recommended by Officers for approval:

1. **Fixing Development Parameters;** It will be necessary to establish a clearer development process and schedule of what it is fixed and what remains to be determined as part of this application. The extent of development, green corridors, heights and densities indicated in the Parameter Plans and Development Specification cannot be fixed at this stage without further justification. There is a real danger that development will be built to the maximum extent leaving no separation, that the top range of the height envelope (4-5 stories) will be the norm and that minimum width of the green corridors will be 'filled up' with other requirements (as already happening in the application). It must be agreed that the Parameter Plans and Development Specification only set out high-level development principles which must be further developed at the masterplanning stage. It is premature for critical elements of Parameter Plans to be fixed at this stage when the Landscape Masterplanning work has not yet started and further necessary assessment work has not been undertaken. The Parameter Plans submitted for approval can only be agreed as 'indicative' and not to be applied as a set of 'control documents'. Boundaries of the green corridors and built-up areas, heights, density etc. will be fixed through the Strategic Landscape Master Plan and Village Masterplans in full consultation with the community.
2. **Confirmation of the Heads of Terms and content of the S106.** More transparency and clear detailed proposals are required to understand how impacts on the existing community will be addressed and off-site enhancements to manage the development's impacts delivered. The

Developers are pushing back on their responsibilities for transport and other infrastructure (VDAR Appendix 9) and it is not clear how or if the development impacts at Gilston will be mitigated or the promised enhancements delivered. There is a fundamental disagreement between the Council and the HGGT on the one hand and the applicants on the other as to Delivery of Infrastructure and the appropriate Plan for its delivery which has to be resolved with clarity and transparency before this application can proceed. Furthermore, the infrastructure triggers are 'indicative' and we are disappointed that so little progress appears to have been made on agreeing the subject matter headings, let alone detail heads of terms. In the absence of the above, councillors will be delegating matters to officers which they themselves should be deciding and/or will be making decisions without the necessary and appropriate facts before them. This will be a breach of the legal and democratic process and to proceed in this fashion will leave them open to serious and inevitable challenge.

7. **Stewardship**; the Community have participated in discussions with the developers but there has been no effective progress. The timing and nature of community ownership, and the essential funding mechanisms all remain outstanding. There have been some modest 'early win' proposals but almost none of these have progressed over the last 18 months. The planning applications should not be agreed without clarity about transfer of land, its timing and the stewardship arrangement, as this is contrary to Garden City Principles, Policy GA1 (VII) and the Concept Framework and the emerging Neighbourhood Plan.
8. **Highway justification**; A highway strategy document is required explaining the options considered and how the proposals maximise opportunities for sustainable transport and minimise impacts on the environment and local communities. Without a robust framework, design solutions that cause significant severance, landscape loss, involve massive land take for vehicular traffic and will likely require CPO of private property cannot be justified. In addition, the proposals leave many areas unfinished as a consequence of the proposed highway changes and that seems to be a critical omission for a detailed planning application. Suggestions for better connections to Harlow Town Station are made but lack any substance or commitment on the part of the Developers or other bodies. Approval of proposals relating to the corridor between Temple Fields and Church Lane (V7) (detailed applications and general arrangement plans) should be suspended pending the publication and consultation of a detailed A414 Strategy for Segment 14 in the context of overall priority being given to sustainable and convenient active transport between the Gilston Area and Harlow.

Conclusion

EHC has achieved the largest release of Green Belt land in England in recognition of the exceptional circumstances made in its Local Plan. The Community have been assured by the Council before, during and after the Local Plan Examination that the Gilston project would be delivered to meet exceptionally good standards in reflection of the exceptional circumstances advanced at the Examination. The developers championed this aspiration at the time but have yet to show precisely and clearly how they will achieve and deliver it. As a community we have worked tirelessly to help shape the development to achieve the undertakings made to us, we have prepared a Neighbourhood Plan that sets out how we see the Gilston allocation being delivered to achieve this objective. We have consulted extensively with the Council and applicants on this.

We regret that these three applications still require much further work before they can be supported. Indeed, there are major omissions, which we feel means the applications are not capable of being determined without considerable further work. Our community remain ready to continue to engage with all parties to see this development emerge as an exceptional development of quality.

Yours faithfully

D A Bickmore, Chairman

The supporting addendum papers to this response can be found at www.hegnp.org.uk