

Epping Forest District Council Representations to the Draft Local Plan Consultation 2016 (Regulation 18)

Stakeholder ID	1990	Name	Olivier Spencer (on behalf of Miller Homes)	On behalf of	Miller Homes
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Method	Survey
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Date

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Survey Response:

1. Do you agree with the overall vision that the Draft Plan sets out for Epping Forest District?

Strongly agree

Please explain your choice in Question 1:

Our client, **....Redacted....**, controls 251.3 hectares (ha) of agricultural land, bounded by Gilden Way / Sheering Road, the M11, Church Langley and New Hall Farm, to the east of Harlow. The full extent of the East Harlow site is shown on the attached Site Location Plan (albeit additional land is controlled in a corridor to the east of the M11 which can be made available for the purposes of highway network improvements). Our client supports 'The Draft Vision for the District' set out at paragraph 3.26 and the Harlow specific commentary set out at paragraph 3.49 of the Draft Local Plan. The former confirms that significant residential development will be located near Harlow to support the economic regeneration of the town and the latter identifies Harlow as the most sustainable location within the housing market area at which to concentrate development. This approach accords with the core planning principles set out in paragraph 17 of the National Planning Policy Framework (NPPF) (2012) and is generally consistent with the recommendations contained in the East of England Plan (EEP) (2008). Although the EEP was abolished formally in 2013, parts of its evidence base remain relevant today, including conclusions made by the Panel appointed to examine the EEP, who noted at paragraph 5.83 of their Panel Report (2006) that the east side of Harlow is "... generally accepted to be least constrained direction for growth..." **....Redacted....**

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2. Do you agree with the overall vision that the Draft Plan sets out for Epping Forest District?

Strongly agree

Please explain your choice in Question 2:

Our client supports the distribution of housing growth set out in Policy SP2, particularly the emphasis placed on directing significant growth (i.e. some 3,900 dwellings) around the fringes of Harlow. As stated previously,

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

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Harlow is the most sustainable location in the housing market area and land to the east of Harlow is generally accepted to be least constrained direction for growth. Therefore, it is entirely appropriate and sound to focus significant growth around fringes of the town and particularly to the east. In addition to housing growth and with reference to the circa 10,000 new jobs envisaged in Policy SP2, land to the east of Harlow also provides an opportunity to deliver a new commercial, employment and public transport gateway, near the planned new M11 Junction 7A. Accommodating a new employment area in this location would enhance the sustainability and self-sufficiency of the East Harlow growth location, support new jobs in the District, reduce the length of work related journeys and encourage lower levels of commuting out of the District.

3. Do you agree with the proposals for development around Harlow?

Agree

Please explain your choice in Question 3:

Our client broadly supports the Harlow growth strategy identified in Policy SP3 and in particular Parts A and B provide a draft allocation for an urban extension, including housing and an appropriate level of employment, education, open space, retail and community uses, at East Harlow. In this regard it is notable that page 60 of the Harlow Strategic Site Assessment, prepared by AECOM in September 2016, concludes that "... East of Harlow (Site J), due to its comparative lack of environmental and statutory designation constraints stands out as a sustainable location for growth, based upon the site assessment and feedback from statutory consultees". The district boundary between Epping Forest and Harlow runs through the centre of East Harlow, along Moor Hall Road. Land to the north, in Epping Forest District, extends to 121.8 ha and could accommodate 29.0 ha of residential development. Land to the south, in Harlow District, extends to 129.5 ha and could accommodate 74.5 ha of residential development. Based on an average net residential density of 35 dwellings per ha, it is estimated that East Harlow could accommodate up to 3,600 new dwellings, comprising up to 2,600 dwellings in Harlow District and up to 1,000 dwellings in Epping Forest District. However, it is noted that the above residential areas and dwelling numbers could be subject to change, depending on the quantum and location of any major non-residential development at East Harlow, particularly relating to the Hospital and any employment, and their knock-on implications for highway capacity and master planning. A new local centre is envisaged immediately to the north of Moor Hall Road, to serve the development, and a new commercial, employment and public transport gateway could be accommodated near the planned new M11 Junction 7A. These proposed uses are shown in indicative form on the attached Illustrative Master Plan. The Master Plan also allows for three primary schools and one secondary school, the planning and provision of which would be subject to discussions with the local education authority and to consideration of the wider education strategy for Harlow. In respect of technical matters: (a) Essex County Council's (ECC) current position is that in principle vehicular access can be taken from the B183 Gilden Way and the southern roundabout (from the connector road) of the new M11 Jct. 7A. RPS has provided access designs for consideration by ECC, but in summary each access provides for all vehicle types, cyclists and pedestrians. Discussion with Harlow District Council (HDC) at the time of granting planning permission for New Hall indicated they would seek vehicular access from development further east to be via Gilden Way. This would ensure that the bus only link through the New Hall Farm development presents a distinct journey time advantage to those using public transport for trips towards Harlow town centre. The access arrangement presented on the Illustrative Master Plan for East Harlow reflects this philosophy, given that access for vehicles heading west, via Gilden Way, is less direct than is the case for public transport users. Our proposed means of access can accommodate buses and bus priority measures to ensure that the site is sustainable, and can also provide an interim solution or indeed an alternative to the New Hall 'sustainable link' given that there is uncertainty about the timing of delivery of the link from New Hall and the need to avoid delay to delivery from the site (Epping Forest and Harlow parts combined) if East Harlow is to make its expected contribution to the land supply of both districts within the plan period. The disposition of land uses proposed within the development, together with their location relative to existing and proposed services and facilities, will ensure journey lengths are minimised with a

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

substantial number of trips being made by sustainable modes of travel. Maximising sustainable forms of travel therefore lies at the heart of the transport strategy for the development. However, recognising existing highway constraints within Harlow, which are seen to be limiting the regeneration of the town, land can be provided within the site to assist in providing a new M11 Junction 7A and link road to the Gilden Way corridor. The new junction and link road can be designed in such a way to link into a possible future northeast bypass, should this ever come to fruition. Any significant Harlow development is likely to impact on the existing M11 Junction 7 and East Harlow is no different to any other site in that respect. However, it is becoming clear that the cost / benefit of improving Junction 7 is increasingly unattractive. The latest estimates from ECC indicate that the cost of meaningful improvements at Junction 7 (including a new flyover) could be approximately twice as expensive as creating a new Junction 7A. ECC considers that the introduction of the new motorway junction is crucial in order to deliver the strategic growth planned for the area and is currently refining its preferred alignment for the new junction and link road. ...Redacted... controls land on both sides of the M11 and therefore, along with existing highway land, could help facilitate the delivery of a new M11 junction and link road in its entirety. ...Redacted... is willing to make the necessary land available to the relevant highway authorities, subject to: - sufficient overall growth being allocated to East Harlow in the emerging Harlow and Epping Forest local plans, to make providing the land for the new junction and link road viable; and - ...Redacted... is only able to make the required land available in conjunction with a planning permission for a viable, deliverable and substantial scale of development. It accepts that development of part of the site will be constrained pending delivery of the new motorway junction and link road and therefore proposes to release a substantial Phase 1 of development prior to the new junction, to facilitate improvements to the Gilden Way corridor, which are required as a precursor to the new junction and link road. Collaborative working with ...Redacted... is vital to ensure that ECC and the other authorities do not need to invoke lengthy CPO powers, which would delay and frustrate development not only at East Harlow but also at any other site dependent upon the increased network capacity provided by this new link and junction. It would of course also be unhelpful to efforts to promote economic development in the town. Accordingly there is a compelling case for directing growth to East Harlow first to facilitate the delivery of the new junction, link road and improvements to the Gilden Way corridor. It is therefore important that any available highway capacity pre-opening of the new Junction 7A is used to facilitate Phase 1 development at East Harlow first to allow the earliest possible start on the Gilden Way improvements. Traffic modelling work has been undertaken by RPS to investigate the quantum of development which could take place prior to M11 Junction 7A and a new link road to Gilden Way being implemented, and by ECC as part of their technical assessment to support M11 Junction 7A. The earlier work by RPS showed that 1,200 dwellings could be accommodated with relatively minor improvements at key junctions on the existing highway network. The later ECC work demonstrates that approximately 2,000 dwellings could be delivered with more significant improvements (including widening) along the B183 Gilden Way corridor. Therefore, ...Redacted... is promoting a substantial Phase 1 development, which could be in the region of 1,200 to 2,000 dwellings, subject to further discussion with the local authorities and clarification of the costs attached to such improvements. The predicted impacts from a Phase 1 development at existing Junction 7 are relatively low. This is likely to be satisfactory providing there is surety that the Junction 7A scheme will progress and be implemented in a timely manner. Going forward, it is important that ECC continue to have open direct dialogue with ...Redacted... / RPS to ensure that the proposals for East Harlow and in particular Phase 1 can be robustly tested. (b) Flood Risk & Drainage A narrow corridor of land, following the alignment of the Pincey Brook, falls within Flood Zone 3. However, no development is proposed on or within 100 metres of this land. Instead the Pincey Brook valley will be retained as agricultural land, open land or greenspace, as shown on the attached Illustrative Master Plan at Appendix 2. Sustainable urban drainage systems (SUDS) will be accommodated elsewhere on-site to attenuate surface water drainage. (c) Utilities Veolia Water has indicated that it is able to supply potable water for the planned growth at East Harlow. The provision of electricity is likely to require reinforcement of the existing network. It is understood that Transco and EDF are assessing the implications of the scale of growth on the network. Initial investigations suggest that there should be no difficulty in supplying gas to East Harlow. BT has indicated that it does not anticipate any problems in providing telecommunication services to East Harlow. (d) Foul Water AECOM's Harlow Strategic Site Assessment (2016) suggests, at page 41, that the local sewer system is too small to accommodate the proposed development at East Harlow and that Thames

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

Water would either need to significantly upgrade the existing system or connect it directly to the Eastern Outfall - Harlow SDAC. The assessment also refers to possible on-site waste water treatment works. However,Redacted.... commissioned Thames Water to undertake a more detailed site-specific Sewer Impact Study in December 2015. For testing purposes, this considered a maximum of 4,500 dwellings at East Harlow, including a first phase of 1,200 dwellings. The Study concludes that: - The first 1,200 dwellings can be accommodated by: connecting development flows to manhole TL48116101 on Hobbs Cross Road; upsizing four lengths of existing 225mm diameter sewer to 300mm, between manhole TL48114301 and new manhole 4A, for a total of 358 metres; and, installing permanent depth loggers at the connection and just downstream, which links with Thames Water's telemetry systems. - A total of 4,500 dwellings can be accommodated by: connecting development flows to manhole TL48116101 on Hobbs Cross Road; upsizing five lengths of existing 225mm diameter sewer to 300mm, between manhole TL48116101 and TL48114301, for a total of 356 metres; upsizing four lengths of existing 225mm diameter sewer to 375mm, between manhole manhole TL48114301 and new manhole 4A, for a total of 358 metres and, installing permanent depth loggers at the connection and just downstream, which links with Thames Water's telemetry systems. These findings provide a more encouraging and a more detailed appraisal of the foul water position at East Harlow, than that presented in AECOM's assessment. Importantly the site-specific Study demonstrates that the 3,600 dwellings currently envisaged at East Harlow can be accommodated with relatively modest improvements to the existing foul water network. (e) Green Infrastructure The development is expected to deliver a notable proportion of public open space and new woodland planting. These areas are shown on the attached Illustrative Master Plan and respect Gibberd's original vision for green swathes permeating through Harlow and thereby "bringing the countryside into the town". The green infrastructure planned for the site will both maintain the structure of the existing green wedges and create new green wedges to the east. The Master Plan also shows the potential for significant green space to the north of the proposed new link road and motorway junction. The future treatment of this area will need careful discussion with the District Councils having regard to the significant cost of delivery of this area as an open area, the other cost demands upon the development and scale of development proposed and the possible benefits of such delivery. As well as providing recreational opportunities for new and existing residents, these areas will facilitate the creation of new habitats in the fullness of time. Importantly the existing network of footpaths which traverse the site will be maintained and where possible enhanced to promote pedestrian movement between the development and areas of public open space. This will include the extension and enhancement of the footpath network to link with open countryside to the east of the M11 - as shown in the Green Infrastructure Plan (November 2005). (f) Landscape & Historic Environment Much of the landscape to the south of the site comprises open arable farmland, capable of accommodating large-scale urban development. The landscape of the Pincey Brook valley is considered to be more sensitive and is not proposed for development. Development will preserve and enhance the special character and setting of the listed buildings at and near the site - all of which are to be retained. Similarly the development will preserve and enhance the character and appearance of any conservation areas. Particular attention has been paid to the Churchgate Street Conservation Area, by planning for new special character areas nearby, either of low density or an appropriate and distinct architectural style. (g) Air Quality & Noise Air quality and noise considerations largely relate to the proximity of the M11. In order to address this structural landscaping, strategic planting and careful site planning have been and will continue to be factored into the master planning process. Initial studies have been completed and the development areas shown on the Illustrative Master Plan are deemed acceptable in this regard. (h) Phasing & Delivery The potential phasing of development at East Harlow anticipates that, with collaborative working, the Epping Forest and Harlow local plans could be submitted for Examination in Public (EiP) in late 2017, with a view to preparation of a detailed master plan framework during the EiP process in 2018, the approval of the master plan framework as SPD in 2019 in parallel with the preparation and submission of a planning application, a grant of planning permission in 2020, the discharge of planning conditions and a start on site in 2021 and the first residential completions being delivered in 2022. A detailed master plan framework could be worked up in close consultation with EFDC, HDC and ECC to identify land, in either or both districts, to release a substantial Phase 1 of development, which could be in the region of 1,200 to 2,000 dwellings. As stated above, Phase 1 could be released prior to the delivery of a new M11 Junction 7A and could facilitate improvements to the Gilden Way corridor, which are required as a precursor to the new

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

junction and link road. Junction 7A could then unlock the potential for wider growth at Harlow, including subsequent phases of residential development, schools and a new commercial, employment and public transport gateway at East Harlow. In respect of Policy SP3 (Part D), our client supports the requirement for a proportional contribution from each of Harlow's four strategic sites towards M11 Junction 7A, improvements to M11 Junction 7 and other strategic infrastructure. This is appropriate considering that all four sites will be served by the town's existing and planned new strategic infrastructure. Nevertheless, East Harlow's financial contribution towards M11 Junction 7A should be adjusted and reduced to reflect any land it provides (subject to landowner agreement) to assist in the delivery of Junction 7A and the new link road to Gilden Way. Our client also supports reference in Policy SP3 (Part E) to the preparation of strategic master plans for each of the Harlow sites, to be adopted as Supplementary Planning Documents (SPDs). The preparation of SPDs, rather than Area Action Plans (AAPs), will expedite the delivery of these strategic sites. The SPD for East Harlow should be prepared in parallel with a planning application, to enable housing delivery at East Harlow first and therefore the early release of any land (subject to landowner agreement) required for Junction 7A and the new link road to Gilden Way, which in turn will unlock wider growth capacity in and around the town. However, our client would like to raise the following objections in relation to Policy SP3: 1. Policy SP3 (Part A) only allocates 750 dwellings at East Harlow (within Epping Forest District), 25% less than the maximum capacity of up to 1,000 dwellings identified on the Illustrative Master Plan. This is not the most appropriate strategy when considered against the reasonable alternatives - i.e. not "justified" in accordance with paragraph 182 of the NPPF. Notably paragraph 3.49 in the Draft Local Plan confirms that Harlow is the most sustainable location within the housing market area and a location to concentrate development. In addition AECOM's Harlow Strategic Site Assessment, page 60, concludes that East Harlow, due to its comparative lack of environmental and statutory designation constraints, stands out as a sustainable location for growth. With this in mind and in order to be "justified", the Draft Local Plan should be seeking to maximise development opportunities in the most sustainable part of the District and to allocate the full extent of up to 1,000 dwellings at East Harlow (within Epping Forest District). Doing so will enable a total of up to 3,600, not 3,350, dwellings to be planned at East Harlow, including the 2,600 dwellings outlined within Harlow District. The provision of an additional 250 dwellings at East Harlow could either: (i) enable greater flexibility in EFDC's housing land supply in the event that one or more of the other smaller allocations does not come forward; or, (ii) enable EFDC to remove one or more of the other less sustainable and more environmentally sensitive allocations from the Plan entirely. 2. Policy SP3 (Part A) also refers to the potential relocation of the Princess Alexandra Hospital to the East Harlow site. The relocation of the hospital would have two major impacts on the proposed development at East Harlow: (i) a significant loss of potential residential development area on-site in order to accommodate a new circa 14 ha hospital; and, (ii) significant transport implications, given the substantial increase in trips likely to take place on the local highway network, which could also compromise residential development potential. Although the possible release of the existing hospital site may compensate to some degree for the loss of residential potential at East Harlow, the phasing implications of relocating a major hospital and the uncertainty regarding the release of the existing site remains a notable concern. Therefore, our client would like to register a holding objection to this part of Policy SP3 and to the principle of relocating the Hospital to East Harlow, until such time that further information is made available, discussions have taken place and our client (and the landowners) are satisfied that they will not be disadvantaged materially by such a relocation. However, [Redacted] and the landowners it represents would welcome discussion with the NHS Trust / its representatives and the relevant District and County Councils to explore how such adverse impacts could be avoided or mitigated, the locational requirements of the possible relocation and further clarity over funding and timescales for any such relocation. 3. Policy SP3 (Part C) requires each of Harlow's four strategic sites to provide 0.5 ha (i.e. up to 5 pitches) for traveller accommodation to meet the full District-wide need for a total of at least 18 pitches. However, this approach is inconsistent with the Spatial Strategy in Policy SP2, which refers to traveller provision at the strategic housing sites around Harlow and other allocated sites in the Local Plan, not all provision around Harlow. Furthermore, there does not appear to be any clear evidence to demonstrate that EFDC has undertaken a comparative site assessment and come to the conclusion that East Harlow is the most suitable or one of the most suitable sites for new traveller provision. For example, there may be other growth locations to the south of Harlow or at North Weald Bassett, which given their closer proximity to M11 Junction 7, would render them

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

more suitable for traveller accommodation than East Harlow. It appears that the allocations are driven more by convenience than a proper assessment of the needs of travellers and their sites and the suitability of potential locations. As it stands, Policy SP3 (Part C) is not necessarily the most appropriate strategy when considered against the reasonable alternatives and not based on clear evidence - i.e. not "justified" in accordance with paragraph 182 of the NPPF. http://eppingforest.consultationonline.co.uk/wp-content/uploads/sites/5/gravity_forms/3-fce9873862dde780a40e3cbe24771a88/2016/12/Appendix-2-Illustrative-Master-Plan.pdf

4. Do you agree with the proposed shopping area in...

Epping?

No opinion

Buckhurst Hill?

No opinion

Loughton Broadway?

No opinion

Chipping Ongar?

No opinion

Loughton High Road?

No opinion

Waltham Abbey?

No opinion

Please explain your choice in Question 4:

5. Do you agree with the proposals for new employment development?

Strongly agree

Please explain your choice in Question 5:

Our client supports the proposals for new employment development set out in Policy E1 of the Draft Local Plan. In particular, Part D of Policy E1 confirms that EFDC will allocate new sites for employment uses, including an appropriate level of employment floorspace at each of Harlow's strategic allocations. East Harlow provides the potential to accommodate a new commercial, employment and public transport gateway on-site, in proximity to the planned new M11 Junction 7A. The precise scale of any such gateway is likely to be dependent on the quantum and location of any other development planned at East Harlow, particularly residential and any relocated hospital (if relevant), and their knock-on implications for highway capacity and master planning. Nevertheless, providing even a modest commercial, employment and public transport gateway on-site would enhance the sustainability and self-sufficiency of this growth location, support new jobs in the District, reduce the length of work related journeys and encourage lower levels of commuting out of the District.

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

Stakeholder ID 1990

Name Olivier

Spencer (on behalf of Miller Homes)

6. Do you agree with the proposed sites in your area?

Epping (Draft Policy P 1):

No opinion

Please provide reasons for your view on Epping:

Loughton (Draft Policy P 2)

No opinion

Please provide reasons for your view on Loughton:

Waltham Abbey (Draft Policy P 3)

No opinion

Please provide reasons for your view on Waltham Abbey:

Chipping Ongar (Draft Policy P 4)

No opinion

Please provide reasons for your view on Chipping Ongar:

Buckhurst Hill (Draft Policy P 5)

No opinion

Please provide reasons for your view on Buckhurst Hill:

North Weald Bassett (Draft Policy P 6)

No opinion

Please provide reasons for your view on North Weald Bassett:

Chigwell (Draft Policy P 7)

No opinion

Please provide reasons for your view on North Weald Bassett:

Theydon Bois (Draft Policy P 8)

No opinion

Please provide reasons for your view on Theydon Bois:

Roydon (Draft Policy P 9)

No opinion

Please provide reasons for your view on Roydon:

Nazeing (Draft Policy P 10)

No opinion

Please provide reasons for your view on Nazeing:

Thornwood (Draft Policy P 11)

No opinion

Please provide reasons for your view on Thornwood:

Coopersale, Fyfield, High Ongar, Lower Sheering, Moreton, Sewardstonbury, Sheering, Stapleford Abbots (Draft Policy P 12)

No opinion

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

Please provide reasons for your view on Coopersale, Fyfield, High Ongar, Lower Sheering, Moreton, Sewardstonbury, Sheering, Stapleford Abbots:

7. Do you agree with the approach to infrastructure provision being proposed in the plan?

Agree

Please explain your choice in Question 7:

Our client agrees with broad approach set out in Chapter 6 of the Draft Local Plan, including reference at paragraph 6.12 confirming that all of Harlow's strategic allocations will be expected to contribute collectively and proportionately towards necessary infrastructure, including transportation and highways, schools, health, open space and green infrastructure. Paragraph 6.12 implies that funding for this infrastructure will be collected via the pooling of planning obligations and that further details will be set out in an Infrastructure Delivery Plan (IDP). However, there is very little detail available at this stage and clearly further work is required in respect of infrastructure provision, prior to the publication of the next draft of the Local Plan in Summer 2017. The Illustrative Master Plan attached to these representations has been appraised internally by **...Redacted...** and was deemed to be viable, based on reasonable planning obligations (i.e. no-CIL) and a reasonable contribution towards M11 Junction 7A. However, that appraisal has necessarily had to make a number of high level and potentially very significant assumptions in the absence of information regarding expectations of infrastructure delivery and therefore **...Redacted...** would welcome engagement with the Council during the development of its IDP. However, key to establishing current viability will be to fully appraise the detailed scale of development likely to be acceptable to EFDC, HDC and ECC, the scale of planning obligations and other infrastructure sought and in particular the scale of any Phase 1 development permissible prior to Junction 7A. Therefore it is vital to open dialogue between the relevant parties to test the assumptions being used in the emerging local plans, to ensure that their proposals and any infrastructure requirements are viable and deliverable. Discussions could also consider whether to use CIL or planning obligations secured through section 106 legal agreement to secure funding for infrastructure and services. CIL may enable contributions to be collected from a wider pool of development sites, but it also may preclude funding from other sources (e.g. HCA loans) and would prevent **...Redacted...** from delivering infrastructure directly on-site. Therefore, it may be preferable to zero rate up to five strategic sites under any CIL schedule, itemise elements of the new Junction 7A and its associated package of improvements, and carefully consider those elements best funded and delivered by the five strategic sites through s106 planning obligations and those by other development through CIL. Alternatively the local authorities may wish to explore other exemptions under the Secretary of State's highway schemes. Whatever means are used to secure infrastructure funding and delivery, it is essential that a viable and acceptable master plan framework is developed for East Harlow, as this site above all others is critical to facilitating the delivery of M11 Junction 7A and a link road to Gilden Way, and therefore unlocking the growth potential of the wider town.

8. An Interim Sustainability Appraisal has been commissioned to support the Draft Local Plan. We would welcome any comments you may have on this.

In order to comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), it will be necessary to prepare a full Sustainability Appraisal and to make this publicly available for review alongside the next iteration of the Local Plan (i.e. the Pre-Submission Document). Any such Sustainability Appraisal should be made available prior to the commencement of the Local Plan consultation period.

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

9. Do you wish to comment on any other policies in the Draft Local Plan?

Paragraph 2.15

Our client supports this paragraph on the basis that, notwithstanding the UK's impending exit from the European Union and any impact this may or may not have on international migration trends, there is an identified need for significant housing growth in the District brought about by internal migration - i.e. migration within the UK.

Figure 2.16

Figure 2.16 demonstrates that significantly more people commute out of the District for work (35,628), than commute in (21,509). This highlights that there is merit in providing a new commercial, employment and public transport gateway, near the planned new M11 Junction 7A, in order to support new jobs in the District, reduce the length of work related journeys and encourage lower levels of commuting out of the District.

Paragraphs 3.13-3.16

These paragraphs refer to the "substantial" joint working that has taken place between the local authorities, the county councils and other key organisations. However, joint working should go beyond the evidence base and the identification of broad locations for strategic growth. The local authorities, particularly EFDC and HDC, should be seeking to align their local plan timetables and to provide a clear joint picture in relation to the phasing of Harlow's sites and any knock-on implications for the release and delivery of enabling infrastructure. Obviously there is also a difficulty in the context of East Harlow in particular in commenting on the Epping Forest Plan when its proposals will be significantly impacted by proposals within the forthcoming Harlow Plan and we therefore reserve our position regarding the implications of that Plan for our position on the Epping Forest Plan.

Figure 3.4

As set out previously in these representations, the Draft Local Plan and in this case Figure 3.4 only allocates 750 dwellings at East Harlow (within Epping Forest District). This is 25% less than the maximum capacity of up to 1,000 dwellings identified on the Illustrative Master Plan and is not the most appropriate strategy when considered against the reasonable alternatives - i.e. not "justified" in accordance with paragraph 182 of the NPPF. Notably paragraph 3.49 in the Draft Local Plan confirms that Harlow is the most sustainable location within the housing market area and a location to concentrate development. In addition AECOM's Harlow Strategic Site Assessment, page 60, concludes that East Harlow, due to its comparative lack of environmental and statutory designation constraints, stands out as a sustainable location for growth. With this in mind and in order to be "justified", the Draft Local Plan should be seeking to maximise development opportunities in the most sustainable part of the District and to allocate the full extent of up to 1,000 dwellings at East Harlow (within Epping Forest District). Doing so will enable a total of up 3,600, not 3,350, dwellings to be planned at East Harlow, including the 2,600 dwellings outlined within Harlow District. The provision of an additional 250 dwellings at East Harlow could either: (i) enable greater flexibility in EFDC's housing land supply in the event that one or more of the other smaller allocations does not come forward; or, (ii) enable EFDC to remove one or more of the other less sustainable and more environmentally sensitive allocations from the Plan entirely.

Paragraphs 3.67

Paragraph 3.67 recognises that sites to the east and north of Harlow, due to their comparative lack of constraints, stand out as sustainable locations for growth. Our client supports this broad conclusion, which is consistent with the findings in the AECOM's Harlow Strategic Site Assessment (2016), but would also welcome reference to paragraph 5.83 of the Panel Report (2006) into the examination of the East of England Plan (EEP), which specifically found the east side of Harlow to be "... generally accepted to be least constrained direction for growth..." Although the EEP was abolished formally in 2013, parts of its evidence base remain relevant today, including the Panel's conclusions.

Figure 3.7

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

Our client supports the proposed development areas shown for East Harlow (i.e. Site J) at Figure 3.7 of the Draft Local Plan. However, an addition is sought to the plan to show an indicative commercial, employment and public transport gateway in proximity to the planned new M11 Junction 7A, in Epping Forest District.

Policy H2

Policy H2 seeks a minimum of 40% affordable housing on sites of 11 or more dwellings. This policy requirement is subject to a viability appraisal, where 40% affordable is not deemed to be feasible. However, national policy requires that the affordable housing target within a local plan is viability tested to ensure that it will not threaten delivery of the plan strategy. In the context of this Local Plan, that probably also means that it should not undermine delivery of any of the strategic sites around Harlow. Therefore any target can only be provisional pending clarification of the other cost demands upon the proposed developments and viability testing of the development. Clarification is particularly required regarding infrastructure delivery and liabilities and the Council's approach to CIL. Notably the quantum and phasing of any planning obligations for transportation and highways, schools, health, open space and green infrastructure could have a direct bearing on the viability of any development at East Harlow and therefore whether or not 40% affordable housing is achievable.

Policy E2

Policy E2 identifies a retail hierarchy in the District, comprising town and small district centres. Our client supports this broad retail hierarchy, but also seeks recognition in the Policy that the strategic allocation at East Harlow is likely to accommodate a new local centre, to serve the day-to-day needs of the growth location. Part I in Policy E2 currently requires an impact assessment to be prepared for all retail development over 2,500 sq m and outside of the defined town and small district centres. For the avoidance of doubt, this requirement should not apply to the planned new local centre at East Harlow, the provision of which is supported by Part B of Policy SP3.

Policy T1

This policy seeks to improve access to sustainable transport and is mindful that parts of the District have limited access to public transport. Car parking is discussed and our client's only comment is that EFDC should also make reference to on-street parking controls to manage car parking, otherwise the authority's parking standards may drift towards a predict and provide approach.

Policy T2

This policy refers to the safeguarding of routes and facilities. EFDC should state that in the first instance the authorities will work with landowners to deliver identified infrastructure schemes, rather than opting for safeguarding that may prove to be unnecessary.

Policy DM20 Part D of Policy DM20 requires all major development proposals, presumably including strategic growth at East Harlow, to incorporate infrastructure for district heating on-site. Our client, **...Redacted...**, objects to this policy on the basis that district heating is unlikely to be successful at East Harlow and could harm the saleability of any market dwellings delivered at the site. Although, in theory, district heating offers the opportunity for low carbon and cheap energy, they are an extremely cost intensive way of providing heating for all but the densest forms of development given the required pipe network for distribution. With the possible exception of a possible hospital relocation, it is not therefore considered appropriate for East Harlow. Further, there is currently very little protection for consumers living in properties connected to district heating networks. Householders in such schemes have no choice in who they get their heat from, no access to an ombudsman should they have a complaint and no control over the price they pay. These issues frequently lead to customer dissatisfaction. Accordingly **...Redacted...** is not prepared to incorporate district heating into development at East Harlow, which could otherwise harm the attractiveness and saleability of any market dwellings, and in turn potentially compromise values and viability. Paragraph 6.23 This commentary refers to two potential options for the relocation of the Princess Alexandra Hospital to either the Gilston Area (north of Harlow) or to East Harlow. As stated previously in these representations, the relocation of the hospital would have two major impacts on the proposed development at East Harlow: (i) a significant loss of

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

potential residential development area on-site in order to accommodate a new circa 14 ha hospital; and, (ii) significant transport implications, given the substantial increase in trips likely to take place on the local highway network, which could also compromise residential development potential. Although the possible release of the existing hospital site may compensate to some degree for the loss of residential potential at East Harlow, the phasing implications of relocating a major hospital and the uncertainty regarding the release of the existing site remains a notable concern. Therefore, our client would like to register a holding objection to paragraph 6.23 and to the principle of relocating the Hospital to East Harlow, until such time that further information is made available, discussions have taken place and our client (and the landowners) are satisfied that they will not be disadvantaged materially by such a relocation. Appendix 5 According to Appendix 5, East Harlow (with Epping Forest District) is to be phased from 2030/31 onwards and as such is the last of the four Harlow growth locations to be developed. It is not clear why phasing has been included for East Harlow, although it may be influenced by commentary set out at page 41 of AECOM's Harlow Strategic Site Assessment (2016), which suggests that the initial phases of development at East Harlow could be provided within Harlow District to the south and the later phases towards Epping Forest District to the north. However, **...Redacted...** objects to this phasing on the basis that it is not the most appropriate strategy when considered against the reasonable alternatives - i.e. not justified in accordance with paragraph 182 of the NPPF. In particular, there are likely to be sound planning reasons to commence development further towards the centre or north of the site, perhaps on either side of district boundary along Moor Hall Road. **...Redacted...** is unable to deliver land for the new junction and link road without a planning permission for a viable and deliverable development as previously reported. Such early delivery is required to unlock strategic scale growth at Harlow. Given the slow rate of progress with the New Hall Farm site and uncertainty over delivery of any connections from that site to the east, focusing the initial stages of development to the south of the site, adjoining New Hall Farm, could lead to significant delay in delivery and undermine the ability of the site to contribute to land supply as expected. Moreover, initial stage access to the scheme as discussed with ECC indicates access from the north via Gilden Way (and subsequently via the new link road). It would also be highly inefficient to provide a lengthy access from the north to the south of the site reducing the level of funding available to facilitate other infrastructure/ benefits. Starting development further north could enable: (i) the earlier release of land for M11 Junction 7A and a link road to Gilden Way, which is crucial to unlocking wider regeneration and growth potential in and around Harlow, than may otherwise be possible if development commences to the south; and, (ii) the delivery of earlier housing completions to supplement both district's housing land supply positions. Furthermore, access onto the Gilden Way / Sheering Road corridor is likely to be made available to the north of the site initially, which would suggest commencing development further towards the centre or north of the allocation. However, we recognize that at this stage, the phasing suggestions are simply suggestions and would welcome exploring the issues arising further with the relevant Councils. Clearly further information is required in respect of the total quantum of residential and non-residential development likely to be acceptable to EFDC, HDC and ECC, the delivery and timing of any required infrastructure and the scale of any Phase 1 development permissible prior to Junction 7A, before accurate phasing and housing trajectories can be drawn up. However, in the interim and having regard to the content of these representations generally, **...Redacted...** suggests "phasing" development at East Harlow (in Epping Forest District) from 2022/23 onwards and at a rate of 100 dwellings during the first year and 250 dwellings per year thereafter - which we consider to be a reasonable provisional estimate.

Response to the Draft Local Plan Consultation 2016 (Regulation 18)