



HEGNPG

Supporting our Community

Hunsdon Eastwick and Gilston Neighbourhood Plan Group

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Gilston Area Neighbourhood Plan –Note of Qualifying Body’s Comments Following Reg. 16 Consultation

We are pleased to have the opportunity to make some general comments in response to the representations made during the Regulation 16 Consultation on the Gilston Area Neighbourhood Plan (GANP).

1. The support of our community and of key stakeholders

As a Neighbourhood Plan Group (NPG), we are greatly encouraged to see that our efforts to reach out and include as many residents as possible are reflected in the many comments received (175 or so representations) and the expressions of support from the local community:

- *“The Neighbourhood Plan has been carefully constructed and a lot of people have worked extremely hard and consulted fully with local residents to formulate a workable solution for the area. I fully support the proposals.” – J Dixon*
- *“I’d like to take this opportunity to whole heartedly support the Neighbourhood Plan submitted by HEGNPG for the Gilston Area. This is an incredibly well thought out plan, prepared by the existing community that will ensure that the developments being brought forward adhere to Garden Village principles and most importantly the Concept Framework.”
- R Wightwick*

- *“Although, I do not believe the land should have been released from the greenbelt, I fully support the details and outcomes the Gilston Area Neighbourhood Plan as the very best way forward I have seen. It takes into account the promises made by East Herts and Landowners to deliver developments of exceptional quality.” - I Gill*

We should also acknowledge that many local residents feel *“we should be asking for even more, in order for East Herts & the Developer’s to meet the promises made to the public!”* (N Biscoe) or that the Gilston Area should not have been released from Green Belt. However, in most cases, residents expect *“commitment to build quality homes that are in keeping to the country environment, protect wildlife”*, and continued efforts *“to liaise and listen to local opinions”*.

It is also very encouraging that other key stakeholders, such as the Environment Agency, The Canal & River Trust and Hertfordshire County Council, and the owners of the listed Hunsdon House have confirmed that we have taken on board their previous recommendations where given and are supporting the Neighbourhood Plan.

For the Neighbourhood Plan Group, this is evidence that we have included as many people and organisations as possible in the preparation of the Neighbourhood Plan and have listened to a wide range of inputs in the interests of identifying a shared approach to the delivery of high quality development in our area.

2. Terlings Park as part of the Gilston community

The consultation responses confirm that residents of Terlings Park took the decision to move to the area just a few years ago because they valued the countryside setting and welcomed being part of the village community of Gilston. They do not perceive their area as being separate from the rest of the community and point out that Terlings parkland is used by the whole Gilston community, and that they use the Village Hall, the pubs and the walks in the area just as everyone else does.

They are understandably very concerned that the emerging development proposals (as presented by the developers up to now) appear to disregard these residents being part of the Gilston community and propose an intrusive piece of heavily engineered road infrastructure which would remove part of the parkland and result in the severance of Terlings Park from the rest of the community. While the existence of a second crossing is part of the District Plan-policy GA2 ,its position and the alignment and nature of the approach road are not and it is a legitimate point of interest to the people who live there.

Their concern is evident in many of their responses to the GANP consultation.

The GANP seeks to address this concern as far as possible, through Policy AG5 by identifying ‘Community Boundaries’ and by requiring any proposed infrastructure to minimise impact and avoid the severance of existing communities (Policy AG8). Many of the residents would like this policy to go further with specific restrictions on the design of a new road at this location. Should this be possible, the NPG would welcome reinforcement of the policies on this point.

3. Dialogue with East Herts District Council and with the Garden Town

Cllr. Eric Buckmaster (District and County Councillor for the Area) wrote in his representation: *“I'd like to applaud the positive approach the local parishes and Neighbourhood Plan Group have taken in producing the Draft Neighbourhood Plan. [...] It reflects the collaborative approach with the council and the site promoters over a considerable time with the aim to achieve the best for current and future residents.”*

We have collaborated extensively with East Herts District Council (EHDC) and with the Harlow and Gilston Garden Town (HGGT) on the structure and details of the GANP and we are very grateful for their support. We received extensive comments at Reg. 14 and subsequently met and discussed individual parts of the Plan with officers. An Interim Draft was reviewed by the HGGT Quality Review Panel in February 2020, and the review resulted in the new version of what is now Policy AG6 and in the preparation of a separate Appendix 4 which provides guidance on defining Village Character. The Quality Review Panel encouraged us to better define the qualities of a local village and even suggested that the NPG should prepare a Design Code to accompany the Neighbourhood Plan, a suggestion we decided we could not take up independently of the developers, who have committed to the preparation of Design Codes at a later stage. As an alternative, Appendix 4 was created to provide, without being prescriptive, a 'source of visual cues' (as suggested by the HGGT Design Guide) and to help users of the document understand the area better.

We are aware that EHDC has recently confirmed in a letter to you that their comments and suggestions have been taken on board and that no further representations are required of them.

4. Dialogue with the developers

The Neighbourhood Plan Group has sought to collaborate with the developers (Places for People and City & Provincial/ Briggens Estate 1) throughout the process of preparation of the Neighbourhood Plan from early 2017 until now. More details about dates and content is included in the Consultation Statement (Paragraphs 29 and 76).

Collaboration has been open and constructive at each stage with broad agreement being reached between the parties on the importance of upholding Garden City Principles and achieving a development of exceptional quality. Of course, there are differences between the parties, as developers will naturally aspire to have as much design and development flexibility as possible, whilst the community feels it appropriate that the Neighbourhood Plan should provide guidance on the way development is approached. Some of these points of difference are discussed in further detail below.

5. The rationale for the GANP in respect of the Concept Framework prepared for the area

Before the Local Plan Examination in Public (late 2017), the two developers jointly prepared with East Herts Council a Concept Framework and signed a Statement of Common Ground,

which defined the quality of the development and “ will inform the future masterplanning and planning decisions for the Gilston Area” (para 2.10) The community was encouraged to collaborate and provide inputs in last minute revisions to the Concept Framework, to ensure that their perspective was incorporated in the document. At the time of the EiP, the revised Concept Framework was still in preparation, but its revised content had been agreed with the Neighbourhood Plan Group. The Inspector’s Report highlights the importance she placed on ensuring adherence to Garden City principles and the role of the Concept Framework as a benchmark for development in supporting the allocation. The version of the Concept Framework endorsed by EHDC in July 2018 had the broad support of the community, particularly for its Vision statement and Placemaking Design Principles (Page 74 onwards of the Concept Framework).

At the time the community suggested that the Concept Framework should be adopted as a Supplementary Planning Document. As this was not possible the Neighbourhood Plan Group decided to base the GANP on the vision and principles of the Concept Framework, providing them with policy weight and adding further detail and local perspective to the District Plan policies.

This was in direct response to many of the residents’ concerns that the promises made by the developers in advance of the EiP Examination will not be carried through in the design and construction of the development unless the vision and objectives set out in the Concept Framework carried greater weight in policy terms. Some in the community felt that the Concept Framework should have been more specific and possibly more restrictive, and the majority felt that it needed a stronger local appreciation of the qualities of the area, particularly of the connotation of “*villages with meaningful separation*” (Concept Framework, Vision 3rd paragraph, Page 10).

The contrast between the responses to the GANP consultation made by the two main developers (one reluctant to recognise the Concept Framework as a valid base on which to guide the development, and the other arguing that the Concept Framework is sufficient in itself) is one of the reasons why the community believes the GANP is essential in ensuring development in the Gilston Area is delivered in accordance with the agreed vision and objectives: it will provide clarity of expectations and reassurance to the community that “*the developers and planners meet all their promises for high quality homes with all the necessary infrastructure and facilities for future and existing communities*” (C Joghee).

6. Adding detail without undermining Policy GA1 and GA2 of the Local Plan

The Concept Framework was presented at the Local Plan EiP (2017) as evidence that the development of 10,000 was deliverable and that it would be taken forward comprehensively on the basis of the design principles presented (Page 4 of Concept Framework). These included the concept of seven distinct villages with meaningful separation, connected but distinctive from Harlow, and with landscape characteristic of the countryside. An average density of 33 dwellings per hectare was also indicated in the Concept Framework.

The Garden Town Design Guide is very explicit in suggesting that Gilston should have a different character and feel from the rest of the 13,000 homes to be provided as part of Harlow.

We are confident that the GANP policies are in line with the development envisaged by the Concept Framework and in the Harlow and Gilston Garden Town Vision. As the Concept Framework was used to demonstrate the deliverability of Policy GA1 and GA2 for the purposes of the District Plan, it would follow that the GANP will not undermine the Local Plan. We have not tested and are not in position to verify the capacity of the village areas: this was the responsibility of the developers and the Council at the time of the Local Plan preparation and it is not a task that can reasonably be expected to be undertaken by the Neighbourhood Plan Group.

We also note that the developers have never demonstrated where the difficulties may be. Places for People through their Parameter Plans submitted in 2019 as part of the original Outline Planning Application have built in a flexibility of around 1,000 additional units across their 6 villages, presumably after exploring that these flexible ranges are realistic.

We have been very careful to safeguard the aspirations of the community and its deep appreciation of the character and setting of Gilston without becoming too prescriptive or undermining policies in the District Plan. Policy AG6, for example, requires applicants to demonstrate that they have explored the best possible balance in making their design choices and invites constructive collaboration with the community. This will ensure that, should any trade-offs be necessary, the community had the opportunity to inform the decisions.

All references to maximum heights and densities, which were advocated by the community at the time of the Reg. 14 Consultation, have been removed at the request of both developers to allow a more flexible exploration of the most appropriate design response.

We do not believe therefore that the details and wording of the proposed policies will undermine Local Plan Policy GA1 and GA2. We would welcome, however, any sharpening of specific policy wording or modification that might be appropriate to safeguard the intention of the GANP whilst supporting the aims of the District Plan allocation.

However, we are opposed to the proposal made by Places for People to include an overarching policy that will ensure that the Local Plan will always prevail over the Neighbourhood Plan. We believe that this is contrary to the status of a neighbourhood plan as set out in the Localism Act and the NPPF and will not provide the clarity required in dealing with planning applications. We believe the GANP has been prepared fully in accordance with the Neighbourhood Plan Regulations 2012 (as amended) and published guidance and conforms with national and local planning policies. As is the stated intention of a neighbourhood plan, it provides an additional level of detail and a distinct local approach to that set out in the strategic policies without undermining those policies.

7. Villages with countryside setting and meaningful separation

We would like to offer three points of clarification in response to some of the observations received, particularly from the developers. All relate to the setting of the proposed villages and the nature of the green corridors that are intended to create 'meaningful separation'.

Width of corridors

While there is no official guidance (for example from Natural England) on an appropriate or minimum width for wildlife corridors or for development buffers, it is generally understood that this width should be sufficient to be perceived as a 'gap' and as an element of separation between distinct communities. Within the context of the creation of individual villages in Gilston, the corridors should also form a green network and be of a character suitable to the countryside. They should be sufficiently wide to accommodate paths and cycle routes whilst retaining their village and countryside character (Policy AG4.4). This is reflected in the Garden Town Vision which states that 'Green Wedges between villages will be rural in character using farmland and woodland to reinforce the separation of development and maintain existing village ways of life'

Sport pitches

We believe that in order to deliver the vision and objectives for the Gilston Area, green corridors and sensitive historic settings (Fig. 13) should be protected and careful consideration should be given to the location of more intensive recreational uses, particularly those requiring supporting buildings, artificial surfaces and lighting. The GANP, therefore, supports the provision of sport pitches and recreational ancillary facilities, provided the scale and nature of these respect the setting of heritage assets and do not compromise efforts to safeguard wildlife and local character through the establishment of the Green Infrastructure Network (Policy AG3).

Policy AG2 defines the objectives of the Green Infrastructure Network: safeguarding areas of biodiversity, creating interconnected green corridors suitable for wildlife, creating open areas of separation contributing to the goal of creating distinct villages, etc. Part of this network also provides a sensitive landscape setting to important heritage assets: Church of St Mary's, Gilston Park House and Hunsdon House (Grade I or II* Listed Buildings). The Green Infrastructure Network therefore has a more defined function than a Green Belt designation and the protection of the green corridors between villages is essential to delivering the vision set out in Policy GA1 and the GANP.

The NPG and the community believe that the Green Infrastructure Network should have a well-defined boundary to separate primarily natural and semi-natural greenspace from developed areas and that this greenspace should be retained in perpetuity. The exclusion of buildings and activities that by their scale and nature will compromise its functions and introduce an urban or 'urban fringe' character is essential to maintain clarity of purpose and ensure that natural greenspaces are not interpreted as places for the location of uses where space cannot be identified for these activities within the development boundaries.

We are of the view that if inappropriately sited, "*relatively large pavilion buildings [...] to meet the needs of the users*" (Sports England representation) and other facilities such as floodlit

artificial pitches, with high fences to protect them from informal use and wildlife, could prejudice the aims of the Green Infrastructure Network as they have no biodiversity value and would impact on wildlife, the quietness of the countryside and the setting of villages and heritage assets. Great care will therefore be required in the siting of these facilities which is why a criteria based approach is proposed in the Neighbourhood Plan.

It is important to reiterate that the Neighbourhood Plan does not attempt to set fixed boundaries to the development areas or to the Green Infrastructure Network, and invites developers to prepare a Strategic Landscape Masterplan where these boundaries are clearly defined and pitches and ancillary facilities sensitively located, with any large recreational buildings located within the developed areas, rather than in the wider Green Infrastructure Network. We believe that this will provide the clarity needed for the preparation of the Landscape and Village Masterplans.

Important Views

The Neighbourhood Plan identifies a number of Important Views in Policy AG5 and Fig. 21. It is not intended that the development should not be visible from these vantage points - rather that the landscape setting should be retained, and the image of villages set within the countryside maintained. We are obviously aware that it will be impossible to hide all or most of the 10,000 homes. This aspiration is exemplified in section A4.6 of Appendix 4 and indicative guidance is provided in the relative textbox. We believe the developers may have misinterpreted the word 'protected' within Policy AG5(3) and recognise that amended wording, such as 'carefully studied and treated sensitively', may be more appropriate.

8. The relationship of the NP to the Parameter Plans accompanying the Outline Planning Applications

Both developers propose that the Neighbourhood Plan should cross-reference the Parameter Plans of the respective Outline Planning Applications and use them as the starting point for the proposed policies.

We do not think that this is appropriate. The original Outline Planning Applications (and hence the Parameter Plans) have not been approved and therefore have no formal status at the present time. Moreover, it is noted that they have attracted substantial observations by EHDC and stakeholders and are in the process of being modified in response to these. No updated Parameter Plans have been submitted to EHDC and we are therefore in no position to refer to any up dated plans in the GANP.

9. Ensuring Garden City Principles and benefits for the whole community

The Harlow and Gilston Garden Town states on their website: "*Central to the Vision for Harlow and Gilston is the mission of enhancing existing communities and creating exciting new ones in and around Harlow*". This principle is also enshrined in the Garden City Principles in terms of value capture for the benefit of the community and this is specifically referred to in Policy GA1 of

the Local Plan. The Concept Framework in various places (Page 10, 12, 74 and 78) also refers to improved infrastructure for the existing as well as new communities.

We consider, therefore, that comprehensive development based on Garden City Principles includes benefits of development and infrastructure improvements for the whole community.

It would be preposterous to suggest that the proposed development will not have permanent transformational change on the area and no impacts on the existing communities. The community has already voiced its concerns over the capacity of existing infrastructure and its ability to accommodate the demands associated with the proposed development. We do not believe it is inappropriate to include in the GANP a requirement for developers to mitigate the impacts of development on existing communities.

We are aware that the planning system imposes limits on the use of planning conditions and obligations. A narrow application of S106 contributions alone will negate any possibility of regeneration or enhancement of areas and settlements so profoundly altered by the development. On the other hand the District Plan is eminently clear on the application of land value capture for the benefit of the community and the Council need not be over cautious about the use of planning conditions and adherence to its own policies, to secure infrastructure " necessary to make the development acceptable in planning terms" .After all, had the development been promoted under a CIL regime (had EHDC adopted the levy system), a share of the levy would have been granted directly to support initiatives identified in the Neighbourhood Plan.

We believe that given the scale of development proposed, the location within a designated Garden Town and the emphasis placed in Policy GA1 on the application of Garden City Principles including the requirement for land value capture for the benefit of the community, the expectations of what is required of developers is clearly set out and the approach set out in the GANP is wholly consistent with national and local planning policies..

Dated 20 October 2020