

Hunsdon Eastwick and Gilston Neighbourhood plan group

Response to East Herts and Places of People consultation on the Concept Development Framework over the period 25th July to 1st September 2017

1 Introduction

The Group welcome this consultation and have previously recorded their great disappointment that, while being a properly constituted Neighbourhood Plan group (so recognised by East Herts) the Concept Development Framework (CDF), as published in September 2016, was prepared without any consultation with the group at a time when we were grappling with the early stages of our neighbourhood plan.

We are advised by East Herts that this formal consultation with the Group and residents is on the September 2016 document rather than any amended version following the work we have engaged with and comments we have made already. We note that East Herts has already (in December 2016) submitted the CDF to the Planning Inspector as a key part of the Local Plan representation but 8 months later on is now wanting a consultation during the August holiday period, this feels like a failure of due process.

2 Background

At the Groups inaugural meeting with East Herts and the developers in October 2016 the Group, inter alia, recorded:-

- The Group did not support the development concept but was engaging as East Herts were proposing to abandon its long standing policy position supporting the Metropolitan Green Belt.
- Its concern over the lack of **any** consultation in preparing the CDF
- That the Community need support from and funding for technical specialists give the scale, scope and implications of the CDF; (NB this was eventually agreed by the promoters in April 2017 and a brief agreed with the promoters running the procurement process – an appointment has been made part way through the consultation period and we are having to brief the appointed consultant within the short formal consultation period, we understand a longer consultation period has been now agreed by East Herts.

The Group has engaged with the council and developers of the project at a series of seminars but many of the agreed actions remain outstanding or raised questions on the CDF which have not been addressed so we query the merits of a formal consultation on a document, accepted by the promoters master planners, as being in parts deficient. We have recently been advised that solicitors are developing legal agreements by that East Herts and the Developers were not able to tell us what these agreements cover and so whether our representations have been agreed or ignored – we simply have not been given any feedback.

In June 2017 at a steering group meeting organised by East Herts we were consulted on a brief put to the market some 6 months earlier for the appointment of a Architectural Vision piece of work for the wider Harlow and Gilston projects, badged as a Garden City/village concept. A leading firm of architects, Allies and Morrison, has been appointed to undertake this review but we have not, to 14th August, so half way through the consultation period, been given any chance to make representations to them, meet them or even seen their pitch document. A professional Programme Manager has also been appointed.

The promoters legal adviser has echoed the Group’s suggestion that the promoters undertakings on a range of matters should be embodied into formal documentation. We have asked about progress on this agreement as well as what the agreements cover as they are intimately linked to the Council’s proposals to grant a planning consent. The promoters undertakings, in the very broadest terms are set out within the CDF but we have not had responses to our requests for fuller information as these undertakings are a fundamental part of this consultation.

3 Comments

Ref	Issue	Action
1	The consultation is premature because East Herts have not prepared or set out, as the relevant planning authority, their view of what the master plan and concept should be. East Herts, along with other authorities, have commissioned a high level architectural Vision piece of work using government funding. As the directly affected community we have not been given access to the firm doing this work and it seems to us that this work should proceed the CDF consultation.	<ul style="list-style-type: none"> • The consultation is premature • The Architect preparing the Vision work should consult with the communities directly affected as a part of good practice in planning consultation
2	The CFD document is the same one produced by the Developer with East Herts about a year ago. Both authors did not consult with the communities directly affected on this work but knew that the two Parish Councils were, at the time, preparing a neighbourhood plan. For this reason the original document is flawed and has been prepared with no meaningful community engagement – trying to patch that with a rushed consultation in August 2017 seems the height of bad planning practice.	<ul style="list-style-type: none"> • Withdraw the consultation process and concentrate on a meaningful dialogue
3	Despite our belief in the development	<ul style="list-style-type: none"> • The community

	<p>concept being flawed we have been willing to attend seminars with East Herts and the Developers in recognition of the support East Herts are now giving to releasing the Green Belt for development. At the seminars the architects working for the developers agreed that the images and other illustrative material in the CDF do not reflect their clients core concepts, of 7 separate villages built in open countryside, being put forward by the Developer and East Herts. Given that the promoters professional team agree that some aspects of the material is not suitable then it seems reasonable that the material should be withdrawn and reworked and not just served up again for consultation having ignored the comments made so far.</p>	<p>representatives have engaged in seminars, points have been agreed for action and no action taken; the process is flawed and needs refreshing not engaging in showcase consultation over the august holiday period.</p>
4	<p>The CDF anticipates substantial new infrastructure to support the proposed project but offers no detail or assurance that the needed infrastructure will be delivered. For example a new Stort River crossing is proposed but not detailed, even in outline, and we have seen no programme which shows how this will be delivered or whether the land needed will be acquired through the use of compulsory powers or not and whether the Promoter will fund this or not. The Developers have indicated that they will agree to a 'land value capture model' but have not specified how this will work or entered into legal agreements committing them to funding of the infrastructure necessitated by their proposals – the developers Legal advisor has made the point that such agreements need to be in place before the EiP but we understand there has been no progress. On this basis there is no assurance that the infrastructure talked about in the CDF will be delivered; the area cannot cope with more development without new infrastructure which the developers must provide before they start adding more pressure to already overloaded systems.</p>	<ul style="list-style-type: none"> • The Developers commitment to fund all the infrastructure needed by their proposal needs to be legally confirmed – this cannot be done behind closed doors as the public a permit (planning consent) to develop land currently zoned as being within the Green Belt
5	<p>The CDF does not deliver what the developer and East Herts assure us are 7 villages, instead they offer an suburban</p>	<ul style="list-style-type: none"> • The CDF has been discussed, in consultation with

	<p>development which feels more like a rambling urban sprawl. The villages have little separation and are designed as intense and monotonous urban estates more suited to a denser city, as noted above the architects who have produced the master plan for the developers agreed in a seminar with us that these images are inappropriate so why are they still within the CDF on which East Herts are consulting; it seems pointless to agree one thing in a meeting but then ignore it through inviting the public to comment on it within a public consultation. Such an approach does not foster a belief that the consultation is anything more than a process to waste the communities time.</p>	<p>the community for nearly a year and the defects acknowledged in it should be addressed before the consultation starts.</p>
6	<p>The CDF document offers no explanation of how development works will be managed so that the existing communities will not be adversely affected by the project if it proceeds. We have raised this as an issue and have not had any answers, the CDF needs rewriting to remedy this flaw</p>	<ul style="list-style-type: none"> • A new chapter needs adding
7	<p>Section 3 on the development objectives details the history of garden cities but makes the point that a different form of development is being sought, as 7 villages set in a rural landscape. There is no attempt to develop the concepts put forward into the villages proposed which, if they are to be villages as proposed will require a different approach as a design concept.</p>	<ul style="list-style-type: none"> • The Developer and East Herts need to rework this section, potentially when the Vision work is completed?
8	<p>Section 6 says that the scheme will deliver 'early' but ignores the need for the infrastructure to be in place before adding additional stress to the already overloaded infrastructure. That East Herts have commissioned, along with neighbouring councils, work from Arup on the overall project framework and this has yet to be finished underlines the pointlessness of the consultation as we believe the CDF should be informed by such work rather than make statements without any evidence to support them.</p>	<ul style="list-style-type: none"> • The CDF needs reworking once the Arup study is completed and the Community have had a chance to consider it.
9	<p>The governance of the proposed 'undeveloped land to be passed to the community' needs detailing. We agree</p>	<ul style="list-style-type: none"> • The Developers and East Herts need to resource

	<p>that this land, alongside other community assets, should be passed to the Community and not East Herts. It has been suggested that these land transfers will not be made until after the project is complete, this cannot be the right approach, we have requested a serious discussion on this matter and nothing has happened and we have not been given the resources to participate in this discussion in a effective manner.</p>	<p>the Community to enable them to engage in the establishment of a suitable community owned land trust of some description.</p>
10	<p>Within the seminars with East Herts and developers we have proposed a different governance structure for delivering Gilston as a development concept. We recognise the wider “Garden City” within the sub regional context but this proposal is to develop 7 villages and 10,000 new homes so is a massive undertaking requiring significant specialist involvement as well as being a complex matter. Our belief is that bolting the delivery of this project onto East Herts existing structures is doomed to a low quality outcome at best, failure at worst. The Community was invited to put alternative proposal forward and has done so in strategy paper in January 2017 but have yet to have a response from East Herts as a part of the consultation process. Our proposals make the point that East Herts is not established as the delivery authority for a project of this complexity, it role and duties are different so it needs different support.</p>	<ul style="list-style-type: none"> • East Herts should follow up on the debate it requested in January on the strategic governance and on which the community have put forwards serious proposals but had no response.
11	<p>The visual imagery contained within the CFD offers up neighbourhoods evocative of a large urban settlement of a uniformity of design and lacking in realistic context as noted above. The result are, for example the importation of a Bath ‘urban crescent’ into a ‘village’ setting as well as masking the vista to a Grade 1 Listed 1,000 year old church. In other areas densely packed residential estates back onto open land, there is no graduation as would be expected of a Village as well as little effective village separation. All these issues we thought would be discussed and a revised CDF prepared; we are puzzled and disappointed that this consultation has been</p>	<ul style="list-style-type: none"> •

	commenced without evolving the early work	
12	The proposals are not driven by a masterplan vision; instead they are driven by the landowners ownership. The result is that East Herts seem to have agreed to a proposal that allocates the developers land for development, even sites which the developers claim will remain open space as well as proposing developing into 'corners' of land simply because they are owned by the developers. East Herts needs to start from a coherent master plan for the 7 villages and not just work from the aspirations of the developers for their land.	•
13	Detail, the CFD document and its plans are inaccurate in important matters of detail, so assume that existing home owners homes will be demolished. Rights of way will be granted over land they do not own etc Woodland, in their ownership, they agree should be retained has had little if any investment in its management.	•

4 Requested actions

We suggest that the following actions be taken by East Herts:-

1. The consultation is downscaled from a formal consultation into a working group and the CDF is revised following the comments already made rather than ignoring the responses to date.
2. The community's support in terms of Urban design expertise (as requested in October 2016) allowed time work with the community to inform the development of a sound CDF.
3. The CDF should contain a chapter on how the works, assuming they gain consent, will be managed to not damage the current stakeholders in the community.
4. The development footprint has been closely drawn around the promoters land ownership which we feel is not good planning. A wider planning view is needed to make sure that any development is seen as soundly based.
5. The developers have stated the need for there to be legal agreements between them and East Herts on their strategic undertakings – we agree. While this is a matter between East Herts and the Developers we should not be excluded from knowing the principals of what is within the heads of terms as it relates to a substantial matter of commercial value as a result of reversing established planning policy so should not be done 'behind closed doors'. This matters to the community who will have to live with the loss of the current landscape setting for the community as well as the approach to the proposed Community assets. The funding of the infrastructure necessitated by the Developers ambitions needs to come

from them, or if not them the community should be assured that the funding will not be secured through making the community pay through the rate precept.

6. The Community be given a reasonable chance to meet the Architects working on the Vision to explain why we believe that the brief they were given, but we were not shown prior to its issue, is misplaced. We think it is unreasonable that our community should be targeted as a destination for 10,000 new homes and the Vision creators are not talking to the affected community. That the Vision is being worked up now underlines, in our view the misalignment of this consultation taking place before the Vision work is complete.