

Report to Overview & Scrutiny Committee

Date of meeting: 1st April 2014

Portfolio: Planning & Economic Development

**Subject: East Herts Draft District Plan Preferred
Options Consultation**

Officer contact for further information: Ian White (x4066)

Committee Secretary: Mark Jenkins



Recommendations/Decisions Required:

That the following comments are sent to East Herts Council as a response to the consultation:

- (1) To note the demanding overall housing requirements and to support East Herts Council in making full provision for its needs;**
- (2) To note the longer-term proposals for the Gilston area, and to encourage continued Member and senior officer co-operation and joint working, also involving Harlow Council, to monitor development progress in relation to other strategic planning and infrastructure issues in that general area;**
- (3) To express concern that (a) the consultation is proceeding before a traveller accommodation needs assessment has been commissioned and (b) a five-year deliverable supply of sites has therefore not been identified;**
- (4) To express disappointment that the options of collaborative working and joint development plan provision for the travelling community have apparently not been considered;**

Report:

1. The consultation runs from 27th February 2014 to 22nd May 2014. The Draft Plan is intended to be read as a whole and there are no set questions as part of the consultation – views are being sought on the whole document. The Plan, once adopted (assumed to be in 2016), will cover the period 2011 to 2031 and set out a framework for guiding sustainable development in the district. It will be a high-level, strategic policy document and will be supplemented by more site specific and detailed publications, including Supplementary Planning Documents.
2. East Herts has an area of 184 square miles and is predominantly rural with the five market towns of Bishop's Stortford, Buntingford, Hertford, Sawbridgeworth and Ware providing a range of services to the surrounding rural area. There are also about one hundred villages and hamlets. Approximately the southern third of the district is within the Metropolitan Green Belt. The towns of Harlow, Stevenage and Welwyn Garden City all abut the district boundary and there is pressure for expansion of all three into East Herts. There are also substantial cross-boundary influences from Cambridgeshire and Essex.
3. Housing – there is likely to be a need for at least 15,000 additional dwellings between 2011 and 2031 – ie about 750 new dwellings per year, which the Draft Plan acknowledges as being “very challenging”. There will be a shortfall of about 1,100

houses in the period 2011 to 2016, which will be addressed over the remaining 15 years of the Plan. Para 47 of the National Planning Policy Framework (NPPF) requires Local Plans to identify (and update annually) a supply of specific deliverable sites sufficient to provide five years' worth of housing against the agreed needs with an additional buffer of 5% to ensure choice and competition in the market for land. The Draft Plan therefore acknowledges a housing requirement of at least 4,321 dwellings in the first 5 years after adoption (ie 2016 to 2021) comprising (i) 3,750 based on projected needs for 5 years; (ii) 365 towards compensation for the anticipated shortfall in the period 2011 to 2016; and (iii) 206 to allow a 5% buffer.

4. Brownfield locations in the towns will be prioritised for mixed-use development, and the remainder of the housing and other development needs will be met on a range of greenfield sites allocated on the edges of the five market towns. The Draft Plan includes separate chapters (5 to 9) on the towns within which development sites are individually identified, and indicating that some of these will be subject to more detailed consideration through Supplementary Planning Documents.
5. In the remaining period of the adopted Plan (ie 2021 to 2031) housing needs will be met at three "Broad Locations for Development". These are (a) north and east of Ware; (b) east of Welwyn Garden City; and (c) the Gilston area (ie north of Harlow). These are strategic areas where East Herts Council accepts the principle of development but where further research and testing is needed. Estimates of housing capacity are (a) 1,800; (b) 450; and (c) 3,000 although the Draft Plan acknowledges that these will be further refined and delivery is likely to continue beyond 2031 in the light of potential overall capacities and masterplanning (see also para 8 below in relation to the preparation of a Development Plan Document for the Gilston area).
6. A separate chapter (12) on the Gilston area advises that it will continue to be physically separated from Harlow and that development in the area would contribute to the needs of East Herts from (i) unmet housing needs in Bishop's Stortford and villages in the centre and east of the district; (ii) under-delivery elsewhere in the district; and (iii) reducing pressure for incremental housing development in other settlements.
7. The regeneration needs of Harlow are acknowledged including "increased critical mass" to draw investment to the town to enhance its economic performance. The Draft Plan also states that strategic scale development will enable a comprehensive approach to the planning of infrastructure and the building of sustainable communities. In this context, the Draft Plan notes the complexity of transport issues in particular, and mentions the need for a wide range of large and small scale measures if development is to proceed without causing unacceptable congestion in Harlow and the surrounding towns and villages, as well as the wider strategic transport network. There is no direct mention of the potential need for a northern bypass for Harlow should development commence in the Gilston area – the policy (GA1) refers to "access arrangements and wider strategic and local highways mitigation measures, including a range of necessary measures in both Hertfordshire and Essex".
8. The Draft Plan advises that the feasibility of a strategic-scale development of between 5,000 and 10,000 new homes in the Gilston area will be tested through the preparation of a Development Plan Document (DPD). The lower figure represents the minimum amount of development considered necessary to deliver on-site and off-site supporting infrastructure. The Draft Plan anticipates that development could commence on the site towards the beginning of the 2021-2026 period, continuing through the remainder of the plan period and beyond, hence it is estimated that only 3,000 new dwellings may have been built by 2031. Subject to viability testing and infrastructure planning, a total of 10,000 homes is considered to be the approximate maximum scale of development which could eventually be accommodated in this

area.

9. The landowner/developers of the Gilston area are proposing a new sewage treatment works to serve development in the area. It is likely that a new trunk sewer connecting with Rye Meads Treatment Works will be needed to serve any significant new development to the east of Harlow, but if the proposed new treatment works for the Gilston area are built, a connection to the new trunk sewer may not be needed.
10. As it is likely that some of Harlow's regeneration needs will also be met by development within Epping Forest District, it is important that co-operation at senior officer and Member level involving the three local authorities continues, to ensure that development is monitored and phased as necessary, and that other potentially related strategic infrastructure and other developments in the Harlow area are also considered.
11. Traveller Pitch Provision – while the Draft Plan makes passing reference to some of the requirements of "Planning policy for traveller sites" (CLG 2012), there is no mention of collaborative working or the consideration of the production of joint development plans that set targets on a cross-authority basis. The Draft Plan indicates that the district currently has only three authorised private Gypsy and Traveller sites currently totalling 11 pitches (but with planning permission for an additional 11). There is one Travelling Showpeople's site but the number of yards is unclear.
12. The Preferred Options consultation is proceeding before a Traveller Accommodation Needs Assessment and an Identification of Potential Sites Study have even been commissioned. Consequently the document does not include any figures of need for pitches and transit sites for Gypsies and Travellers, and plots or yards for Showpeople. There is also no identification of a five-year supply of deliverable sites. A draft policy, including criteria for assessing suitability of location, is included. It is unclear at this stage whether options for provision will include the major identified housing sites, and whether masterplanning of the Broad Locations for Development will include provision for the travelling community.
13. In view of the difficulties this Council is facing in making suitable future provision for travellers, officers feel that it is very disappointing that no attempt has been made at least at collaborative working, if not a joint development plan approach. It is recognised that this is a complex and controversial issue, but as this district is 92% Green Belt (where traveller pitch etc. provision is inappropriate) while East Herts is about 33% Green Belt, officers feel that there should at least have been more attempt at co-operation in addressing this cross-boundary and strategic issue. While the series of appeals on the Esbies site in Sawbridgeworth were recently dismissed by the Secretary of State, the fact that there were potentially over 30 pitches on a site very close to the district boundary would suggest that there is a need for much greater co-operation over this issue.
14. Economic Growth – about 9,700 jobs are expected to be created in the district up to 2031, over 6,100 of which are likely to be in the financial and business services sectors. The Draft Plan makes provision for between 11 to 13 ha of new employment land located on three sites at Buntingford and Bishop's Stortford. Policies support the rural economy, the diversification of farms and the provision of electronic communications networks (including high speed broadband), subject to environmental and viability conditions.
15. Market Towns – the Draft Plan includes separate chapters for each of the five towns with detailed draft policies and site allocations covering housing, employment, retail and mixed uses, and infrastructure. The town nearest to this district (Sawbridgeworth)

has two main new housing sites (about 400 dwellings in total as Green Belt releases) but both are on the west side of the town. Relatively little retail development is proposed in the Draft Plan for the whole district – 7,600 sq m of convenience and 6,100 sq m of comparison shopping, and most of this seems to be concentrated in Bishop's Stortford. Sawbridgeworth is defined as a "Minor Town Centre" whose retail offer will be maintained and strengthened if suitable opportunities arise, but otherwise little change is proposed.

16. **Conclusions** – The Draft Plan indicates that East Herts should be able to meet its Objectively Assessed Housing needs despite the demanding target, and the fact that there will be some under-provision in the earlier part of the Plan period. As one of the "Broad Locations for Development" is north of, albeit separate from, Harlow, it is important that formal arrangements are made to ensure that the three Councils continue to meet at a senior officer and Member level to monitor and co-ordinate all future development including strategic infrastructure provision. Proposals for economic growth and retail development do not raise issues of concern for this Council.
17. Officers are concerned that opportunities for collaborative working on pitch provision for the travelling community have apparently not been considered.

Reason for decision: While most of the East Herts Preferred Options Consultation does not raise issues of concern for this Council, officers believe that there has been a lack of co-operation and collaboration regarding provision for Gypsy and Traveller pitches, and that options for addressing this issue in a joint or co-ordinated fashion have been missed.

Options considered and rejected:

Not to respond to the consultation – this would be inappropriate as adequate provision for the travelling community is considered to be a key cross-boundary issue.

Consultation undertaken:

Within the Forward Planning section.

Resource implications:

Budget provision: From existing resources

Personnel: From existing resources

Land: Potential implications for joint provision for the travelling community.

Community Plan/BVPP reference:

Relevant statutory powers:

Planning and Compulsory Purchase Act 2004

Localism Act 2011

Town and Country Planning (Local Planning) Regulations 2012

National Planning Policy Framework 2012

Planning Policy for Traveller Sites 2012

Background papers:

Planning Policy for Traveller Sites 2012

East Herts Council – Draft District Plan Preferred Options Consultation (January 2014)

Environmental/Human Rights Act/Crime and Disorder Act Implications:

Key Decision reference: (if required) N/A