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James Ellis
Head of Legal and Democratic Services

MEETING	**:**	DEVELOPMENT MANAGEMENT COMMITTEE
VENUE	**:**	COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE	**:**	TUESDAY 28 FEBRUARY 2023
TIME	**:**	11.00 AM

PLEASE NOTE TIME AND VENUE

This meeting will be live streamed on the Council's Youtube page: https://www.youtube.com/user/EastHertsDistrict

MEMBERS OF THE COMMITTEE

Councillor B Deering (Chairman)
Councillors D Andrews, T Beckett, R Buckmaster, B Crystall, R Fernando, I Kemp, S Newton, T Page, C Redfern, P Ruffles and T Stowe (Vice-Chairman)

Substitutes

Conservative Group: Councillors S Bull, A Huggins and S Rutland-Barsby

(Note: Substitution arrangements must be notified by the absent Member to the Committee Chairman or the Executive Member for Planning and Growth, who, in turn, will notify the Committee service at least 7 hours before commencement of the meeting.)

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A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:

- must not participate in any discussion of the matter at the meeting;
- must not participate in any vote taken on the matter at the meeting;
- must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
- if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
- must leave the room while any discussion or voting takes place.

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AGENDA

1. Apologies

   To receive apologies for absence.

2. Chairman's Announcements

3. Declarations of Interest

   To receive any Members' declarations of interest.

4. Minutes - 11 January and 8 February 2023 (Pages 5 - 20)

   To confirm the Minutes of the meeting of the Committee held on Wednesday 11 January and 8 February 2023.

5. Planning Applications for Consideration by the Committee (Pages 21 - 24)

   (A) 3/19/1045/OUT - outline application in the name of Places for People for the development of 8,500 new homes and associated infrastructure (Pages 25 - 759)

   Recommended for Approval.

6. Urgent Business

   To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

MINUTES OF A MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE HELD IN THE COUNCIL CHAMBER, WALLFIELDS, HERTFORD ON WEDNESDAY 11 JANUARY 2023, AT 7.00 PM

PRESENT: Councillor B Deering (Chairman)
Councillors D Andrews, T Beckett, R Buckmaster, B Crystall, M Brady, R Fernando, I Kemp, S Newton, T Page, P Ruffles and T Stowe

ALSO PRESENT:

Councillors G Williamson

OFFICERS IN ATTENDANCE:

Richard Freeman	-	Interim Development Management Team Leader
Steven King	-	Finance Management Trainee
Peter Mannings	-	Democratic Services Officer
Karen Page	-	The Service Manager (Development Management and Enforcement)

Claire Spendley	-	Senior Environmental Health Officer
Victoria Wilders	-	Legal Services Manager

296 APOLOGIES

An apology for absence was submitted on behalf of Councillor Redfern. It was noted that Councillor Brady was substituting for Councillor Redfern.

297 CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's Announcements. He made a number of safety related announcements for the benefit of the large number of public in the room.

298 DECLARATIONS OF INTEREST

Councillor Newton said that whilst it did not relate to application 3/21/2601/FUL, she wanted to mention the following for the purposes of transparency and openness. Her family owned land north of Ware Park Farm which was subject to a screening request in relation to a solar farm development by an independent company in 2022. She said that no full application had been submitted by this company yet and she wanted to put on record that this had no bearing on her ability to determine application 3/21/2601/FUL and she had come to this meeting with an open mind.

299 MINUTES - 7 DECEMBER 2022

Councillor Ruffles proposed and Councillor Page seconded, a motion that the Minutes of the meeting held on 7 December 2022 be confirmed as a correct record and signed by the Chairman.

After being put to the meeting and a vote taken, the motion was declared CARRIED. Councillor Beckett abstained from voting as he had not been present at the meeting on 7 December 2022.

RESOLVED – that the Minutes of the meeting held on 7 December 2022, be confirmed as a correct record and signed by the Chairman.

300 3/21/2601/FUL - ERECTION OF A SOLAR PHOTOVOLTAIC FARM WITH AN OUTPUT CAPACITY NOT TO EXCEED 49.9MW OF ENERGY, WITH SUPPORTING INFRASTRUCTURE AND BATTERY STORAGE, INVERTERS AND TRANSFORMERS, FENCING AND LANDSCAPING WORKS AT WICKHAM HALL ESTATE, HADHAM ROAD, BISHOP'S STORTFORD

The Head of Planning and Building Control recommended that in respect of application 3/21/2601/FUL, planning permission be granted subject to the conditions detailed in the report.

The Interim Development Management Team Leader introduced the application and presented a detailed series of plans and visuals in respect of the application. He summarised the planning history and detailed the key features of the scheme. Members were referred to

the additional representations summary and the reworded conditions.

Members were advised that the solar panels, associated infrastructure and ancillary equipment would be removed after the lifespan of the solar panels and the proposed biodiversity improvements were permanent. The Interim Development Management Team Leader said that the biodiversity net gain target was 10 percent and this application would result in an 82 percent net gain as 10,000 trees would be planted along with improvements to footpaths and hedgerows.

The Interim Development Management Team Leader set out the material planning considerations and summarised several key considerations for Members. He said that water would naturally integrate into the ground between the solar panels and there would be very little highways impact.

Mr Horner addressed the committee in objection to the application. Mr Hilton and Mr Urquhart spoke for the application.

Councillor Klimowicz addressed the committee on in her capacity as the Vice-Chairman of Albury Parish Council. Councillor Williamson addressed the committee as the local district councillor for Little Hadham ward.

Councillor Page said that he was also a local ward Member and made the point that he could not attend this meeting as a Member of the Development

Management Committee with his mind made up. He asked how construction traffic would be managed and asked for confirmation as to whether there would be any detrimental effect in respect of historic heritage assets.

Councillor Page said that the conditions being applied in respect of flooding could not be seen as the Lead Local Flood Authority (LLFA) being supportive of those conditions. He asked for confirmation as to how the applicant would be monitored in terms of the application of the conditions.

The Interim Development Management Team Leader said that the LLFA had not removed their objections and had recommended conditions 17, 18, 19 and 20 that were included in the recommendation.

The Interim Development Management Team Leader said the conservation and urban design team had not objected to the application. He said that a transport statement had been submitted that set out how the construction would occur and condition 5 was for the submission of a construction management plan. He drew attention to condition 10 and said that there had been no objection from Hertfordshire Highways.

Councillor Beckett asked about conditions in respect of archaeological digs prior to the development of the land. He mentioned the comments of the crime prevention design advisor in respect of certified fencing. He asked how the decommissioning enforcement plan would be triggered.

The Interim Development Management Team Leader said that a desktop survey had been undertaken by the applicant and the council's archaeological team were satisfied subject to trench work conditions.

Members were advised that crime prevention and CCTV was covered in the report and the conditions and a balance had been struck between controlling crime and ensuring a diversity of species. A solid fence would have a much greater landscape impact.

The Interim Development Management Team said that conditions 1, 2 and 3 covered the matter of the decommissioning of the proposed solar farm. He said that enforcement action would be taken if there were any breaches of planning control or breaches of the conditions.

Councillor Newton commented on paragraph 2.4 of the report and asked for clarification regarding the loss of footpaths and bridleways. She asked for some clarity in respect of the grading of the agricultural land.

The Interim Development Management Team Leader said that there would be no loss of bridleways or footpaths and existing ones would be maintained. He updated the committee in respect of the grading of the agricultural land and said that the mesh fencing would ensure that deer were excluded from the site and would ensure that smaller animals could pass through the site.

Councillor Crystall asked for some clarity in respect of conditions 3 and 4 and the returning of the site to its

current situation after the lifespan of the solar farm. He also asked for some clarity in respect of the status of written ministerial statements. Councillor Buckmaster asked for some clarity in respect of the permanent rights of way during the construction phase for the solar farm. She asked about condition 4 in respect of the restoration of soil quality.

The Interim Development Management Team Leader said that matters regarding the decommissioning of the solar farm were covered by condition 4 and Members were reminded that there was no right to a view in planning terms and this was not a material consideration.

The Interim Development Management Team Leader said that written ministerial statements were material planning considerations and Members should be aware of the hierarchy of the available policy guidance. The Service Manager (Development Management) said that planning policy was moving towards further supporting renewable technology.

Councillor Kemp commented on several issues that were pertinent to the application. The Interim Development Team Leader stated that Hertfordshire Fire and Rescue was not a statutory consultee and fire control measures generally were controlled outside of the planning system.

The Interim Development Team Leader said there was no statutory requirement for the applicant to consult and this duty fell to the local planning authority. The Service Manager (Development Management)

explained that there was no requirement for sequential testing for a solar farm. Members were advised that there was no evidence of criminal vandalism of solar farms.

Councillor Kemp proposed and Councillor Crystall seconded, a motion that application 3/21/2601/FUL be granted planning permission, subject to the conditions detailed in the report and the amended conditions detailed in the additional representations summary, with the following additional conditions:

- A diary system be set up with reminders for the Senior Planning Officers in respect of the decommission of the site and the enforcement of the conditions.

- A condition in respect of permission paths be worked up in consultation with the Chairman and Vice-Chairman of the Committee.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that in respect of application 3/21/2601/FUL, planning permission be granted subject to the conditions detailed in the report and subject to the additional informative included in the additional representations summary, with the following additional conditions:

- A diary system be set up with reminders for the Senior Planning Officers in respect of

the decommission of the site and the enforcement of the conditions.

- A condition in respect of permission paths be worked up in consultation with the Chairman and Vice-Chairman of the Committee.

301 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following reports be noted:

(A) Appeals against refusal of planning permission / non-determination;

(B) Planning Appeals lodged;

(C) Planning Appeals: Inquiry and Informal Hearing Dates; and

(D) Planning Statistics.

302 URGENT BUSINESS

There was no urgent business.

The meeting closed at 9.26 pm

Chairman .....

Date .....

MINUTES OF A MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE HELD IN THE COUNCIL CHAMBER, WALLFIELDS, HERTFORD ON WEDNESDAY 8 FEBRUARY 2023, AT 6.00 PM

PRESENT: Councillor B Deering (Chairman)
Councillors D Andrews, T Beckett, R Buckmaster, B Crystall, I Kemp, S Newton, C Redfern, P Ruffles, S Rutland-Barsby and T Stowe

ALSO PRESENT:

Councillors E Buckmaster, J Dumont, J Goodeve and L Haysey

OFFICERS IN ATTENDANCE:

Steven King	-	Finance Management Trainee
Peter Mannings	-	Democratic Services Officer
Karen Page	-	The Service Manager (Development Management and Enforcement)
Kevin Steptoe	-	East Herts Garden Town Lead Officer
Victoria Wilders	-	Legal Services Manager

333 APOLOGIES

Apologies for absence were submitted on behalf of Councillors R Fernando and T Page. It was noted that Councillor S Rutland-Barsby was substituting for Councillor T Page.

334 CHAIRMAN'S ANNOUNCEMENTS

Councillor Deering thanked Councillor Dumont for attending to observe the meeting as one of the substitute Members.

335 DECLARATIONS OF INTEREST

Councillor R Buckmaster declared she had no knowledge of the email Councillor E Buckmaster had sent to the Development Management Committee before it was sent out.

336 GILSTON AREA OUTLINE APPLICATIONS 3/19/1045/OUT AND 3/19/2124/OUT - PUBLIC SPEAKING ARRANGEMENTS AT DEVELOPMENT MANAGEMENT COMMITTEE

The Head of Planning and Building Control submitted a report in respect of the public speaking arrangements to be applied at the meeting (or parts of the meeting) of the Development Management Committee where the Gilston Area outline residential development applications were to be considered.

The Garden Town Leader Officer set out the existing speaking rules for public speaking at Development

Management Committee. He also set out the speaking rules that had been in place for the special meeting of the Committee held on 22 February 2022.

Members were advised that the decision which they were being asked to make would relate to the speaking rules which would be in place where the application from Places for People was considered by the committee at its 28 February 2023 (ref 3/19/1045/OUT) and at a future meeting for which the date was yet to be agreed when the application in the name of Taylor Wimpey for the Gilston Area Village 7 (ref 3/19/2124/OUT) was considered

The Garden Town Lead Officer explained that the applications were 3/19/1045/OUT and 3/19/2124/OUT and the proposed speaking rules were as detailed in the report.

Councillor Deering addressed the Committee in respect of this thoughts regarding the existing speaking arrangements and the proposed amended arrangements for the meeting due to be held on 28 February 2023.

Councillor Kemp set out his thoughts on the proposed arrangements. He asked about the possibility of a timed slot for the leaders of the neighbourhood plan group. He also asked about the possible right of reply and the request for further interaction during the meeting.

Councillor Deering explained that there was no right of reply in the committee procedure rules and he

believed that the current procedures worked very well. The Legal Services Manager explained that the only matter for Members to determine this evening was the duration of speaking.

The Garden Town Lead Officer said there was a distinction between Neighbourhood Plan Groups and the relevant Parish Councils. Given the interaction with the Hunsdon, Gilston and Eastwick Neighbourhood Plan Group, it was the view of Officers that the same speakers would be able to articulate the points of both sets of organisations. The view of Officers was that any distinction, if there was any, was not sufficient for Members to introduce further speaking arrangements for the Neighbourhood Plan Group.

The Garden Town Lead Officer said there was a discretionary limit for local ward District Councillors, and this was at the discretion of the Committee Chairman. Members had a general debate in respect of the speaking time and the amount of time they felt was appropriate.

The Legal Services Manager said it was for the Committee to set the time they felt was appropriate and the time allowed should be reasonable and proportionate.

The Garden Town Lead Officer emphasised that whatever arrangements were agreed would need to be applied equally to each of the main categories of speakers. He explained that one of these categories would be reserved solely for Eastwick and Gilston and Hunsdon Parish Councils, in recognition of their

significant interaction with the development proposals, with a smaller additional allowance for other Parish Councils.

Councillor B Deering proposed and Councillor C Redfern seconded, a motion that the public speaking arrangements to be applied at the meeting (or parts of the meeting) of the Development Management Committee where the Gilston Area outline residential development applications (ref 3/19/1045/OUT and 3/19/2124/OUT) were considered, would be as follows:

- those in favour, 12 minutes in total;
- those in objection, 12 minutes in total;
- Eastwick and Gilston and Hunsdon Parish Councils, 12 minutes in total;
- all other Parish Council representatives, 5 minutes in total.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

> **RESOLVED** – that the public speaking arrangements to be applied at the meeting (or parts of the meeting) of the Development Management Committee where the Gilston Area outline residential development applications (ref 3/19/1045/OUT and 3/19/2124/OUT) were considered, would be as follows:
>
> - those in objection, 12 minutes in total;
> - those in favour, 12 minutes in total;
> - Eastwick and Gilston and Hunsdon Parish Councils, 12 minutes in total;

- all other Parish Council representatives, 5 minutes in total.

337 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following reports be noted:

(A) Appeals against refusal of planning permission / non-determination;

(B) Planning Appeals lodged;

(C) Planning Appeals: Inquiry and Informal Hearing Dates; and

(D) Planning Statistics.

338 URGENT BUSINESS

There was no urgent business.

The meeting closed at 6.42 pm

Chairman .....

Date .....

East Herts Council Report

Development Management Committee

Date of Meeting: 28 February 2023

Report by: Sara Saunders, Head of Planning and Building Control

Report title: Planning Applications for Consideration by the Committee

Ward(s) affected: All

Summary

- This report is to enable planning and related applications and unauthorised development matters to be considered and determined by the Committee, as appropriate, or as set out for each agenda item.

RECOMMENDATIONS FOR DEVELOPMENT MANAGEMENT COMMITTEE:

A recommendation is detailed separately for each application and determined by the Committee, as appropriate, or as set out for each agenda item.

1.0 Proposal(s)

1.1 The proposals are set out in detail in the individual reports.

2.0 Background

2.1 The background in relation to each planning application and enforcement matter included in this agenda is set out in the

individual reports.

3.0 Reason(s)

3.1 No.

4.0 Options

4.1 As detailed separately in relation to each matter if any are appropriate.

5.0 Risks

5.1 As detailed separately in relation to each matter if any are appropriate.

6.0 Implications/Consultations

6.1 As detailed separately in relation to each matter if any are appropriate.

Community Safety
As detailed separately in relation to each matter if any are appropriate.

Data Protection
As detailed separately in relation to each matter if any are appropriate.

Equalities
As detailed separately in relation to each matter if any are appropriate.

Environmental Sustainability
As detailed separately in relation to each matter if any are appropriate.

Financial
As detailed separately in relation to each matter if any are appropriate.

Health and Safety
As detailed separately in relation to each matter if any are appropriate.

Human Resources
As detailed separately in relation to each matter if any are appropriate.

Human Rights
As detailed separately in relation to each matter if any are appropriate.

Legal
As detailed separately in relation to each matter if any are appropriate.

Specific Wards
As detailed separately in relation to each matter if any are appropriate.

7.0 Background papers, appendices and other relevant material

7.1 The papers which comprise each application/ unauthorised development file. In addition, the East of England Plan, Hertfordshire County Council's Minerals and Waste documents, the East Hertfordshire Local Plan and, where appropriate, the saved policies from the Hertfordshire County Structure Plan, comprise background papers where the provisions of the Development Plan are material planning issues.

7.2 Display of Plans

7.3 Plans for consideration at this meeting are available online. An Officer will be present from 10 am to advise on any plans relating to schemes on strategic sites. A selection of plans will be displayed electronically at the meeting. Members are reminded that those displayed do not constitute the full range of plans submitted for each matter and they should ensure they view the full range of plans online prior to the meeting.

7.4 All of the plans and associated documents on any of the planning applications included in the agenda can be viewed at: https://publicaccess.eastherts.gov.uk/online-applications/

Contact Member	Councillor Jan Goodeve, Executive Member for Planning and Growth jan.goodeve@eastherts.gov.uk
Contact Officer	Sara Saunders, Head of Planning and Building Control, Tel: 01992 531656 sara.saunders@eastherts.gov.uk
Report Author	Peter Mannings, Democratic Services Officer, Tel: 01279 502174 peter.mannings@eastherts.gov.uk

Application Number	3/19/1045/OUT
Proposal	Outline planning with all matters reserved apart from external vehicular access for the redevelopment of the site through the demolition of existing buildings and erection of a residential led mixed use development comprising up to 8,500 residential homes in six separate Village Developable Areas including market and affordable homes; retirement homes and extra care facilities; provision for gypsies and travellers pitches/ travelling showpeople plots; a range of community uses including primary and secondary schools, health centres and nursery facilities; retail and related uses; leisure facilities; business and commercial uses; open space and public realm; sustainable urban drainage systems; utility and energy facilities and infrastructure; waste management facilities; vehicular bridge links; car parking; creation of new vehicular and pedestrian accesses into the site, and creation of a new vehicular, pedestrian and cycle network within the site; improvements to the existing highway and local road network; undergrounding and diversion of power lines; lighting; engineering works, infrastructure and associated facilities; together with temporary works or structures required by the development
Location	Land North of The Stort Valley and The A414, Gilston, Hertfordshire
Parish	Eastwick, Gilston, High Wych and Sawbridgeworth Parishes
Ward	Hunsdon and Sawbridgeworth

Date of Registration of Application	20 May 2019
Target Determination Date	28 February 2023
Reason for Committee Report	Major application
Case Officer	Jenny Pierce

RECOMMENDATION

That planning permission be **GRANTED**

a. Subject to a S.106 legal agreement first being entered into and the proposed conditions set out at the end of this report.

b. That delegated authority be granted to the Head of Planning and Building Control to finalise the detail of the S.106 Legal Agreement and draft planning conditions annexed (including delegated authority to add to, amend or delete conditions).

1.0 The Proposed Scheme

1.1 The site forms part of the development strategy in the East Herts District Plan 2018 as detailed in Policies DPS1, DPS2 and DPS3, and Gilston Area Policies GA1 and GA2. The site is allocated for residential-led mixed use development of 10,000 units. This application is the larger of two village development applications which together make up the site allocation as a whole as follows:

- 8,500 homes distributed amongst six new villages, submitted by Places for People (this application);
- 1,500 homes known as Village 7, originally submitted by City and Provincial Properties, now promoted by Taylor Wimpey (planning reference 3/19/2124/OUT).

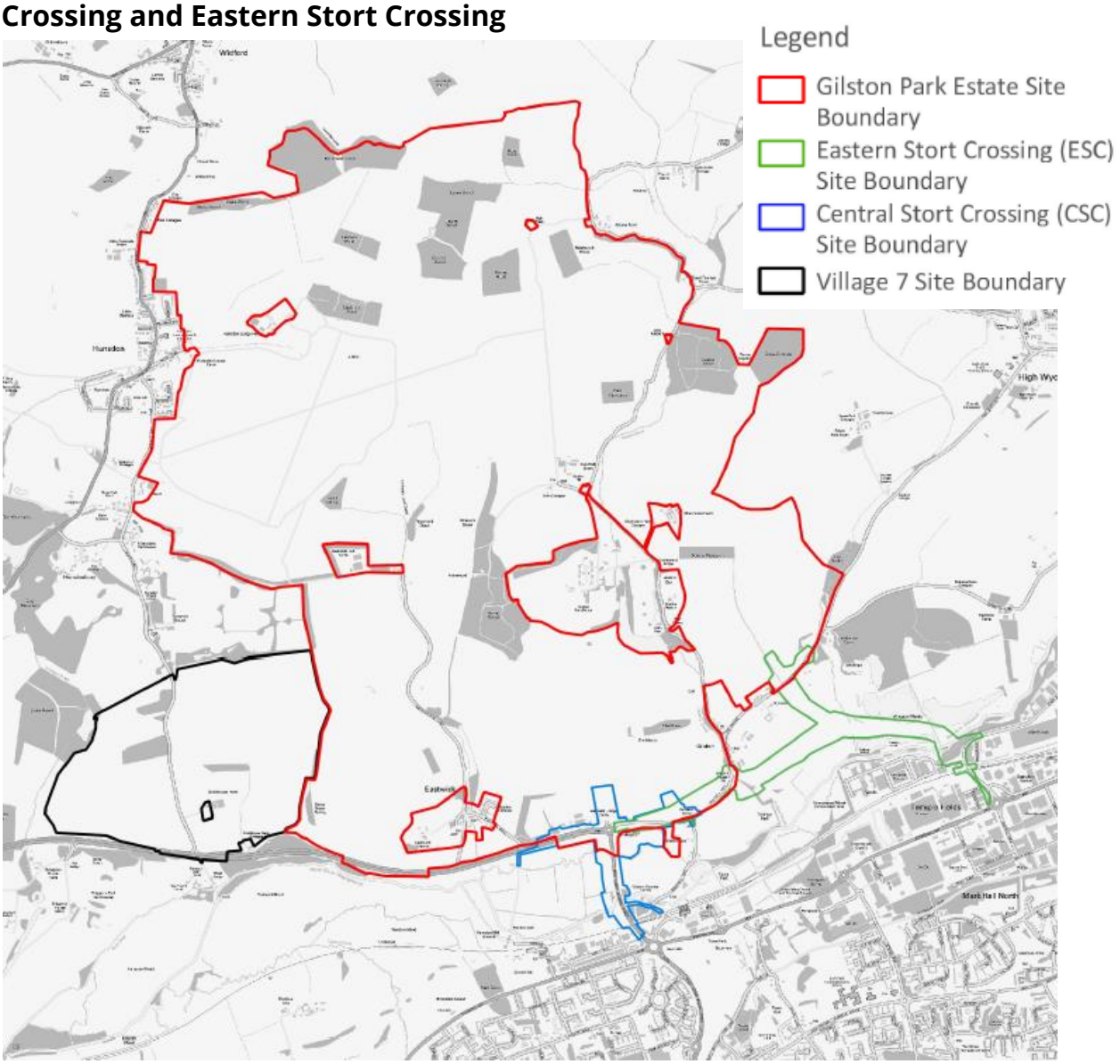
1.2 This site is supported by three other applications, which were approved in March 2022 that relate to supporting highway infrastructure:

- Central Stort Crossing submitted by Places for People, comprising alterations to, and including widening of the Fifth Avenue crossing (planning reference 3/19/1046/FUL);
- Eastern Stort Crossing, submitted by Places for People, comprising a new road and bridge link connecting the site to a newly aligned Eastwick Road and to River Way, Harlow (planning reference 3/19/1051/FUL); and
- Listed Building Consent for amendments, including repair work to the Fiddlers Brook Bridge (planning reference 3/19/1049/LBC).

1.3 The outline application is supported by a single project-wide Environmental Impact Assessment which considers the impacts of the development on its own and including the above infrastructure applications; this is considered in more detail in section 13.6 of this report. The Environmental Statement also assesses the cumulative impacts from Village 7.

1.4 Figure 1 below, illustrates the Villages 1-6 Outline application area in red outline, with the land associated with the two Crossing applications shown in blue and green. Village 7, which is subject to a separate application presented by Taylor Wimpey for 1,500 homes to the west of this application area, is shown in black outline. Because both applications respond to Policy GA1, which is an allocation for a total of 10,000 homes, there are several inter-relationships between the two outline applications. These matters are explained in detail where necessary in later sections of this report.

Figure 1: Site Area for Village Development Application plus Central Stort Crossing and Eastern Stort Crossing



Outline Application Proposal

1.5 The application seeks outline permission for a variety of land uses associated with a new community, including:

- 8,500 homes, at least 23% of which are affordable units, including retirement and at least 110 extra care accommodation
- Land safeguarded for Gypsies and Travellers and Travelling Showpeople, that can accommodate up to 7 Gypsy and Traveller pitches, and up to 8 Travelling Show Plots)
- 74,200sqm of education and community floorspace (including schools, nurseries, crèches, health centres and community centre)
    - land reserved for six primary schools providing up to 17 forms of entry with early years provision

  - land for two secondary schools providing up to 20 forms of entry, with sixth form provision
- Up to 25,100sqm retail and related uses and leisure floorspace
- Up to 29,200sqm business and commercial floorspace
- Up to 3,000sqm leisure floorspace provided outside developable areas of villages to support outdoor sport, leisure and recreation
- Open spaces, parks and public realm
- Provision of supporting infrastructure such as:
  - sustainable urban drainage systems
  - utility and energy facilities and infrastructure
  - waste management facilities
  - vehicular bridge links
  - car parking (including multi-storey, under-croft and surface)
  - creation of new vehicular and pedestrian accesses into the site
  - creation of a new vehicular, pedestrian and cycle network within the site
  - improvements to the existing highway and local road network
  - undergrounding and diversion of power lines
  - lighting
  - engineering works, infrastructure and associated facilities
  - temporary works or structures required by the development.

1.6 The outline scheme makes provision for the creation of new pedestrian, cycle and bus infrastructure, new roads and bridges plus amendments to existing local roads, the undergrounding and diversion of power lines, lighting and engineering works and infrastructure to support the built development within the description of development.

Means of Access

1.7 In addition, the application includes in detail four access junctions and a modified access into the Eastwick Lodge commercial area. These proposals are discussed in detail later in the report:

- Interim Village 1 Sustainable Access from the Eastwick Lodge junction
- Interim Village 1 Residential Access ("all modes access") from the proposed realigned Eastwick Road:
- Interim Village 2 Access from the existing Eastwick Road, north-east of Pye Corner; and
- Village 6 Access from the A414.
- Eastwick Lodge Commercial Area access from the A414

1.8 The outline application proposes the two Village 1 and Village 2 access junctions in interim form. This is partly related to the phasing of the delivery of different parts of the development and partly because where the junctions form part of a larger junction with a new road to be constructed they are completed by virtue of the delivery of the Central and Eastern Stort Crossings. For example, in its interim form

the Village 2 access is required to provide access for new homes in Village 2 and therefore an interim stage is proposed where the access connects to the existing Eastwick Road. When the ESC is constructed, Road 2 of the ESC will complete the southern arm of the junction and the access to Pye Corner will be closed off. This is explained in section 13.8 below. The interim and final designs for the access points junctions for Village 1 and Village 2 were considered as part of the two River Crossing applications, approved in March 2022. The Outline application details the proposed final layouts of the Village 6 and Eastwick Lodge Commercial Area junctions. More detail about each junction is provided in section 13.8 below.

Plans for Approval

1.9 As referred to above, the Outline Application is supported by a number of plans and documents for approval which are to be considered through the determination of this application. The approval of these plans and documents will ensure their content informs the masterplanning and reserved matters stages as explained below. Section 13.3 describes the content and purpose of documents a. to i. below. Section xx also describes plans j. to l.:

Drawings

a. Development Specification (contains detailed criteria and principles for development, and explains the Parameter Plans in detail and the defined limits for the development)
b. Strategic Design Guide (contains high level design principles to inform the masterplanning process)
c. Placemaking Strategy (contains the vision for the development)

Plans

d. Parameter Plan 1: Existing Vegetation and Buildings
e. Parameter Plan 2: Village Corridors, Constraints and Developable Areas
f. Parameter Plan 3: Green Infrastructure and Open Space
g. Parameter Plan 4: Access and Movement
h. Parameter Plan 5: Principal Land Uses
i. Parameter Plan 6: Maximum Building Heights
j. Central Stort Crossing Interim Junction Tie-In General Arrangement Plan
k. Village 2 Interim Phase General Arrangement Plan
l. Village 6 Access General Arrangement Plan
m. Tree Protection Plan Village 1 Access
n. Tree Protection Plan Village 2 Access
o. Tree Protection Plan Village 6 Access
p. Village 1 Access and CSC Interim Scheme Planting Plan 1/5
q. Village 1 Access and CSC Interim Scheme Planting Plan 2/5
r. Village 1 Access and CSC Interim Scheme Planting Plan 3/5
s. Village 1 Access and CSC Interim Scheme Planting Plan 4/5
t. Village 1 Access and CSC Interim Scheme Planting Plan 5/5

u. Village 2 Planting Plan
v. Village 6 Planting Plan
w. Gilston River Crossings and Village Development Access Planting Schedule

1.10 Four other plans have been provided for illustrative purposes:

i. Village 1, 2 & 6 Access and River Crossings Landscape Masterplan
ii. Village 6 Access Illustrative Planting Section
iii. Application Site Boundary Plan
iv. Existing Site Features Plan

Future Stages - Masterplanning

1.11 The Gilston Area Concept Framework prepared collaboratively by the developers, planning authority and the community set out that the outline application should be followed by a masterplanning stage; with a masterplan prepared for the areas of landscape between Village Developable Areas known as the Strategic Landscape Masterplan ("SLMP"); and one Village Masterplan ("VMP") prepared for each Village Developable Area. The Gilston Area Charter Supplementary Planning Document (SPD), prepared collaboratively with the applicant and the community, describes what each masterplan should contain in general terms. The scope of what the masterplans are to detail are set out in a condition, which also captures other condition requests from statutory bodies where appropriate. Each masterplan will be accompanied by a detailed Design Code and Regulatory Plan which will provide more detail in respect of design that will apply to each individual application to provide details for the matters that are reserved as described in the paragraphs below.

Future Stages - Reserved Matters

1.12 The Town and Country Planning (Development Management Procedure) (England) Order 2015 ("DMPO") sets out requirements for outline applications and defines appearance, landscaping, layout, scale and means of access as follows.

- Appearance – defined in the DMPO as "*the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.*" The application material includes a Strategic Design Guide which sets design principles both across the site and for each village, to inform the Village Masterplans, the Strategic Landscape Masterplan and future Reserved Matters Application stages.

- Landscaping – defined in the DMPO as "*the means of treatment of land for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated*" including hard and soft landscaping, planting, screening, and surface materials. The Strategic Design Guide and Development Specification set high level design principles for landscaping which are to inform the Village

Masterplans, the Strategic Landscape Masterplan and future Reserved Matters Applications.

- Layout – defined in the DMPO as "*the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development*". Although the detailed layout is reserved at this outline stage, the application seeks the approval of parameters related to the location of built development (Village Developable Areas and zones for the location of certain land uses, for example, education and mixed uses) and open space in Parameter Plans 3 and 5. Future detailed reserved matters applications would need to accord with the approved Parameter Plans.

- Scale – defined in the DMPO as "*the height, width and length of each building proposed within the development in relation to its surroundings*". Parameters for the maximum height of buildings are set out in Parameter Plan 6 which show how building heights will be controlled across the site and key locations, and to which future Reserved Matters Applications will need to accord..

- Access – defined in the DMPO as *"the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network"*. Strategic access to the site from the A414 and Eastwick Road has been applied for in detail as described at paragraph [1.7 above]. Parameters for access and movement, including the location of the Strategic Transport Corridor, subject to a defined limit of deviation, are set out on Parameter Plan 5, and to which future Reserved Matters Applications will need to accord.

1.13 While detailed matters of appearance, landscaping, layout and scale are 'reserved' for future consideration pursuant to future reserved matters applications, the application provides information on each of these above matters in the Development Specification and the Parameter Plans, which will be fixed by virtue of this application, against which future reserved matters applications must comply. Section 13.3 below provides details about what each Parameter Plan contains

2.0 Site Description

2.1 The application site comprises open land currently in predominantly agricultural use. The site extends from the A414 and Eastwick Road to the south to Hunsdon village in the north-west, with the northern extent of the application area demarked on the ground by a series of woodland blocks (Black Hut Wood, Queen's Wood, Battles Wood and Maplecroft Wood, Golden Grove and Sayes Coppice). The western extent of the site runs around and encompasses the former WWII Hunsdon airfield

(including several listed/protected structures), follows the alignment of Public Right of Way Eastwick and Gilston 009 past Hunsdon House (a Grade I listed building) then southwards along field boundaries and the Stone Basin Spring watercourse to the A414.

2.2 Beyond the site boundary to the north west and west lie the villages of Widford, Hunsdon, Hunsdonbury and Grade I listed Hunsdon House and St Dunstan's Church. The site surrounds and excludes land associated with Gilston Park, a Grade II* Listed Building which has been converted into multiple residential properties and supplemented in the early 2,000s by the conversion and addition of new residential properties set within the associated estate park. Similarly, the application area surrounds and excludes the villages of Gilston and Eastwick, the Grade I listed St Mary's Church (north of Gilston Park) and several isolated properties.

2.3 To the east, the site wraps around the eastern edge of Sayes Coppice, then largely follows the ward boundary of Much Hadham and Hunsdon Wards towards Eastwick Road. Beyond the site to the east is the village of High Wych leading to the town of Sawbridgeworth. To the south east, the site boundary runs along Pye Corner towards Terlings Park (a recently built estate of 200 homes) and the existing Eastwick Road to the south, where the site overlaps with part of the red line areas of the Central Stort Crossing and Eastern Stort Crossing which comprise a further 19 and 26.9 hectares respectively.

2.4 Beyond the site to the south is the town of Harlow. A Mark II New Town, the town now has a population of over 83,000. The northern edge of Harlow is mostly industrial in nature with large warehouse style retail and commercial enterprises, apartments recently converted from office complexes, some light industrial uses and the West Anglia Mainline railway line. The town includes multiple key destinations including the Harlow North and Harlow Mill rail stations, retail and leisure uses off Edinburgh Way, a thriving town centre and multiple employment areas including Enterprise Zones accommodating large, medium and small businesses.

2.5 The landscape varies across the site, rising from the River Stort towards the Hunsdon airfield, where the site is largely flat. Four watercourses run north to south through the site, forming natural valleys: Golden Brook through the north of the site towards Gilston Park; Fiddler's Brook which runs from Gilston Park past Gilston village into the River Stort; Pole Hole Brook which runs through the eastern part of the site; and Eastwick Brook which runs through the western part of the site.

2.6 The adoption of the East Herts District Plan in 2018 removed the Gilston Area from the Green Belt. However, beyond the site to the south, west and east, the Green Belt is retained between the site and Harlow, as shown in Figure 2 below. The District Plan Gilston Area site allocation comprises a 'developed area' as shown in red within which built development is to be located, and an area of open space to the north

west of the developed area to be transferred to a community trust or other mechanism that ensures long term stewardship and governance for the benefit of the community (Policy GA1 V.(k).

2.7 The overall size of the site is approximately 993ha in area, of which approximately 332ha is proposed as Village Developable Areas which will become six new villages. The site is essentially divided into two parts by an overhead power line which runs diagonally across the site. The developable part of the site is located to the south and east of the pylons, while land to the north and west of the pylons is to be retained as open space managed by the Stewardship entity. This is illustrated in Figure 3 below and corresponds with the District Plan allocation 'developed area'.

Figure 2: Key Diagram for the Gilston Area in the East Herts District Plan

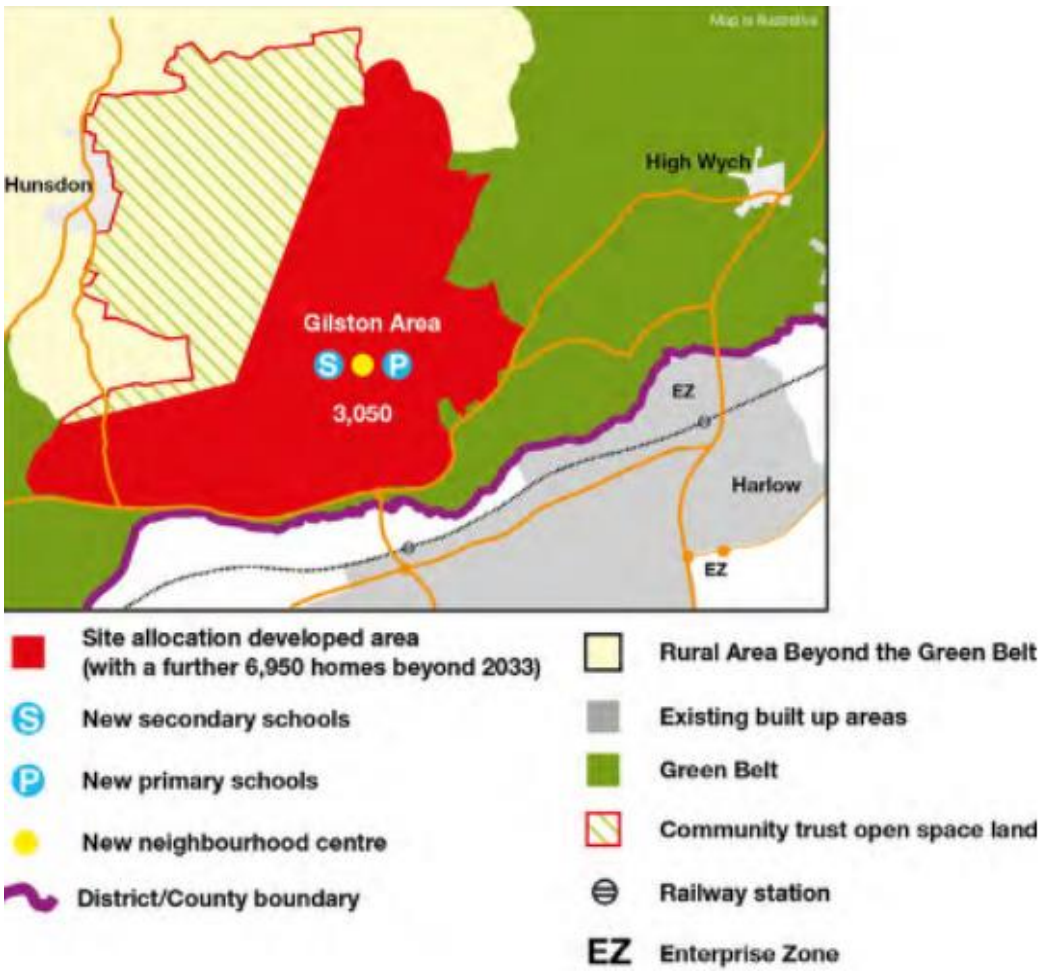


Figure 3: Village Developable Areas

3.0 Context of this Application, the Gilston Area and Harlow and Gilston Garden Town

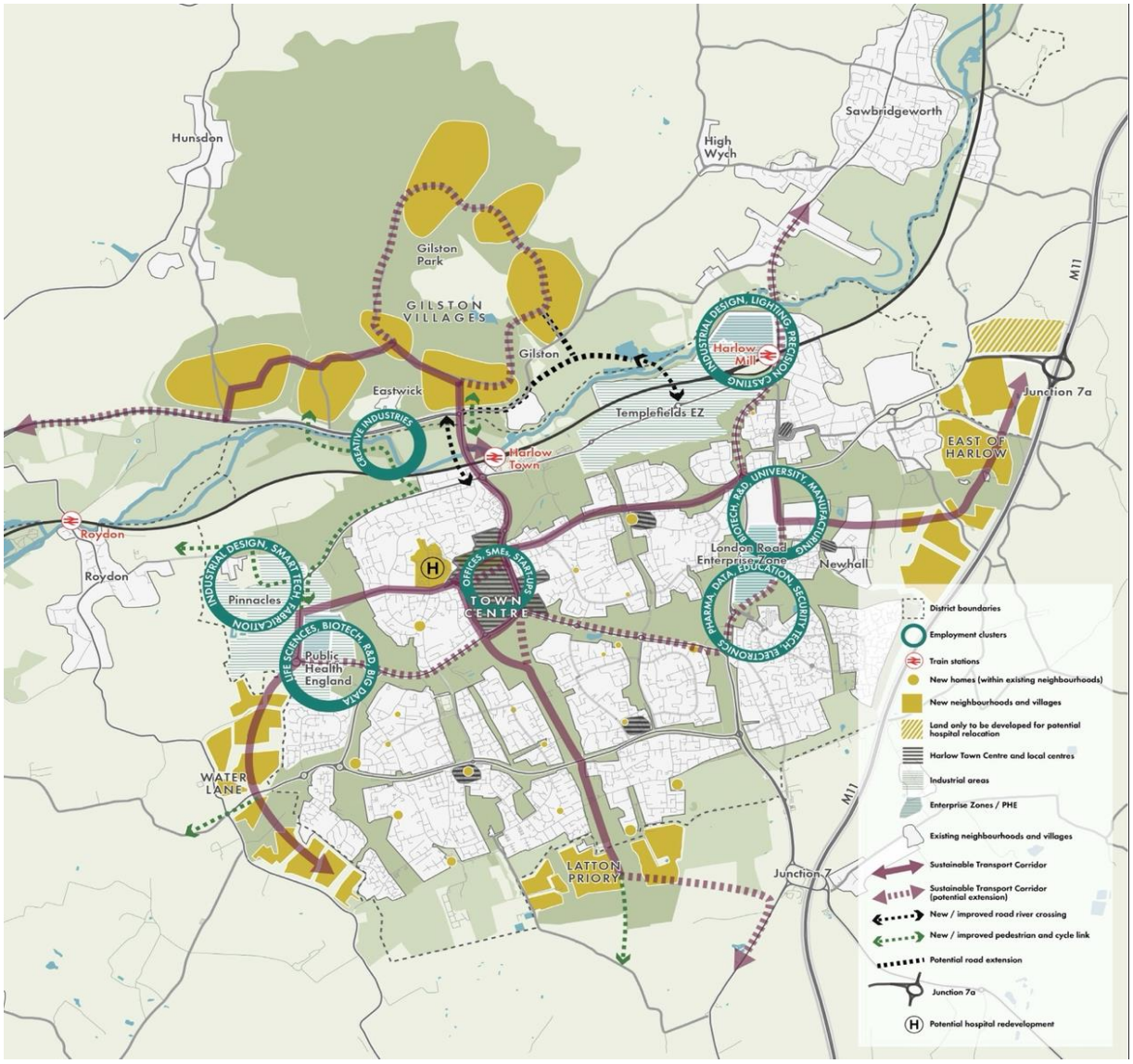
3.1 In January 2017 the Ministry for Homes, Communities and Local Government designated the Harlow and Gilston Area as a Garden Town. The Harlow and Gilston Garden Town (HGGT) involves partnership working between East Herts, Epping Forest and Harlow District Councils (being local planning authorities for land comprising the Garden Town) and Essex and Hertfordshire County Councils (being the highways and education authorities) to deliver transformational growth in and around Harlow according to Garden City principles, to ensure that growth plans for the Garden Town support sustainable living and a healthy economy, provide a good quality of life for existing and future residents and to respond to local landscape and character.

3.2 The HGGT comprises new and existing communities in and around Harlow which are planned and promoted on Garden City principles. The strategic sites for the HGGT make up 16,500 new homes and include: East Harlow; Latton Priory (south of Harlow); and the Water Lane Area (west of Harlow); and the Gilston Area (north of Harlow). Figure 4 below indicates the locations of each of these strategic sites. The

Gilston Area allocation in East Herts represents the largest allocation in the Garden Town totalling 10,000 homes, of which approximately 3,050 are intended to be delivered within the Plan period to 2033.

3.3 The Central Stort Crossing along with the Eastern Stort Crossing and the Gilston Area outline applications represent the first strategic planning applications to come forward within the HGGT area, and the two Crossing applications were the first to be determined. An application was made by land owner (related to the ESC) to the High Court for permission to apply for judicial review of the decision by East Herts Council and Harlow Council to grant planning permission for the two crossings. Permission has been twice refused but the same land owner has since applied to the Court of Appeal for permission to appeal the decision of the High Court. No timeframe has yet been issued for the Court of Appeal to determine the application.

Figure 4: Strategic Development within the HGGT Vision



(HGGT Vision, 2018)

3.4 Working together the Garden Town partners have published a Garden Town Vision. This sets out that the pioneering New Town of Gibberd and Kao will grow into a Garden Town of enterprise, health and sculpture at the heart of the UK Innovation Corridor. It is to be adaptable, healthy, sustainable and innovative. The partners have also set up a Quality Review Panel (QRP) which can be convened to consider policy documents and development proposals coming forward in the HGGT area. The QRP has considered the illustrative masterplans put forward by the applicant at an early stage and also an early version of the emerging masterplan proposals.

3.5 The QRP have assessed the emerging Gilston Area development proposals twice since they have been in preparation and under consideration by the Council as formal applications. The first Panel assessment was undertaken in July 2018 and then it met again in April 2020. In October 2021, there was a further assessment by the QRP of the emerging master planning work. That work has subsequently been halted pending the consideration and determination of the outline planning applications.

3.6 At the time of the July 2018 QRP assessment, the planning application proposals had not yet been submitted to the Council. The East Herts District Plan was also awaiting finalisation and adoption. At that time, the QRP focussed on previously produced master planning work for the site. The Panel considered what were joint proposals at that stage by both the landowners for V1-6 and V7. The QRP applauded the significant amount of work that had been undertaken at that time, noting the analysis and design development underpinning the work.

3.7 At that stage there was significant further work still to be done in the view of the QRP, defining a vision for the Gilston Area site overall and the differing characteristics of each village. It noted the requirements placed on the buffer zone intervening between each village and highlighted the need to ensure that the impact of the proposed sustainable transport corridor was acceptable. The Panel also referred to the scope for refinement in relation to connections and routes, green corridors and spaces, village centres and non-residential uses. In relation to the village concept, the Panel advised that more detailed work should be undertaken to support the concept and to ensure that delivery of it can be achieved. The Panel noted the ambitious sustainable transport targets, urging that careful consideration is given to the design and implementation of the transport infrastructure to ensure that the developments are attractive and that the use of the sustainable routes is encouraged.

3.8 It sought further details on phasing and land management and the early phasing of retail and non-residential uses, interim and meanwhile uses. With regard to the economic function of the villages, it advised careful consideration to ensure that this did not harmfully impact on placemaking and was coordinated with economic delivery across the Garden Town.

3.9 When the Panel met to assess the scheme again in April 2020, it only had the proposals being advanced by the applicant in this case, for villages 1-6, before it. The Panel remain concerned, with regard to the lack of work on the vision for the place, to ensure that it met its landscape led and sustainable travel objectives. It again advised coordination to ensure that commercial outcomes at Gilston in villages 1-6 were aligned with those for the Garden Town.

3.10 The Panel articulated concern that master planning work was to follow and that this more detailed assessment would be the process through which the ability to deliver the village concept could be more thoroughly investigated. Its view was that, in advance of the master planning work, more detailed parameter plans would be appropriate to secure further certainty at this stage.

3.11 Officers have noted and fully considered the advice of the QRP. The design approach in relation to the Gilston Area sites has been emerging through the District Plan, the Gilston Area Concept Framework and the Gilston Area Charter. These have established the approach whereby design thinking will increase incrementally in detail through the outline application, subsequent master planning work and through into reserved matters applications. Master planning work did commence in late 2020 and through into 2021. However, both the applicant and the LPA considered that resources were more appropriately deployed toward the consideration of the outline applications, and master planning work was paused as a result. So, with the qualification that some master planning work has been undertaken, the design approach anticipated is being followed in this case. The limitations that this places on the consideration of some matters of detail in advance of the outline applications is acknowledged. However, it is considered that matters to be secured through conditions to be proposed, through a s106 legal agreement and through subsequent master planning process are such that the design process overall is sufficiently robust to ensure that all these matters of detail, where they are not resolved here, are subject to full and detailed assessment at the appropriate time.

3.12 As above, it was noted that in Oct 2021, the QRP met to consider the emerging master work undertaken at that time. The Panel advised on a number of detailed matters relating to that work. Further referral to those matters is not set out here as these points will be picked up again when the master planning work recommences.

3.13 A successful application was made by HCC (acting as accountable body for the HGGT partners) for Government funding via Homes England towards the early delivery of infrastructure required for the Gilston Area development and the wider HGGT. Approximately £171 million is available until 2025 (“the Grant”), in principle (subject to detailed contractual requirements and milestones in relation to the proposed development), with £129 million of that earmarked for the crossings schemes and

other alternative projects in the Gilston Area and £42 million for road improvements relating to the delivery of the STC. By forward funding infrastructure such as the crossing schemes and community facilities such as schools, the Homes England Grant will support and accelerate the development of homes and the delivery of infrastructure within the Gilston Area and within the wider HGGT.

3.14 By considering and granting planning permission for the Crossings applications in March 2022, it has been possible for the applicant to commence work on the detailed designs of the Central Stort Crossing (enabling progress to be made despite the legal challenges). This progress helps to ensure that delivery of this infrastructure can commence once permission is granted on the Outline application. Timing is important as the availability period for drawing down the Funding ends on March 2025 unless the period is extended.

3.15 The Grant is made on the basis that it will not be repaid to Homes England provided that equivalent or higher quantums of developer contributions are secured and recovered by the Local Planning Authorities via planning agreements associated with the Outline Villages 1-6 development, Village 7 and other HGGT developments. Such developer contributions (which do not arise in connection with the Crossings but the outline housing applications) would be paid into and ring-fenced into a Rolling Infrastructure Fund (RIF). The RIF can then be used to fund other HGGT infrastructure moving forward in accordance with any planning obligations and relevant policy considerations.

3.16 The HIG funding presents a unique opportunity to secure the delivery of the essential transport infrastructure alongside the delivery of the housing schemes forming part of the GA1 allocation. It also helps to improve the viability of the application as it assist with cash-flowing the significant upfront infrastructure, including the crossings. It is not however, considered to be a local financial consideration in the context of Section 70(2) of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) nor a material consideration in the context of Section 38(6) of the Planning and Compulsory Purchase Act 2004 for the purposes of determining this application. The Grant is not deemed to serve a planning purpose connected with the character and use of the land or which is fairly and reasonably related to the development comprised in the application. Therefore, the availability of it (or not) has not been and should not be taken into account.

4.0 Consultation and Amendment of the Application

Original application - 2019

4.1 The Outline application was subject to consultation between 14 June and 9 August 2019 alongside the Crossings applications. Representations were received from a wide range of stakeholders and Officers wrote to the applicant on 21 February 2020

setting out a series of initial comments and requests for further information. In this report this is referred to as the original 2019 application.

2020 Amended Scheme

4.2 Following a period of engagement between the Applicant team and stakeholders a series of amendments to the planning applications were submitted in November 2020, with a consultation period running between 19 November 2020 and 24 January 2021. The proposed changes were presented to the local community and other interested parties via three webinar events (due to Covid 19 restrictions). In this report this stage is referred to as the 2020 amended scheme.

4.3 The basis of the Outline application remained unchanged; a minor alteration was proposed to the description of the development to include the provision of Gypsy and Traveller pitches and Travelling Showpeople plots, which resulted in minor updates to the red line application site boundary. The main changes submitted in November 2020 can be summarised as follows:

- **Strategy Commitments and Placemaking Strategy**

4.4 The application, as originally submitted, contained nine strategy documents which covered different aspects of the proposed character, function and objectives of the development. These strategy documents were for information purposes only, not to be approved. Therefore, the well-considered and ambitious objectives set out therein were to have no bearing on the application. As such, the Applicant agreed to submit the Placemaking Strategy document as an approvable document and the commitments from the other eight strategies were inserted within the Development Specification, which is the primary approvable document against which future detailed masterplans and Reserved Matters applications must accord.

- **Parameter Plans and Development Specification**

4.5 Minor amendments to the Development Specification and Parameter Plans were made to reflect the outcome of discussions with stakeholders. A specific amendment was made to the southern edge of Village 6 to incorporate more land within the developable area of the Village to accommodate safeguarded land for Gypsies and Travellers/Travelling Showpeople and additional employment floorspace. The design parameters controlling development around heritage assets have been amended following engagement with Historic England. Specifically, part of the developable area of Village 4 immediately south of St Mary's Church has been removed entirely, and the Sensitive Development Areas around the Mount and Eastwick Scheduled Ancient Monuments have been extended. The heritage design principles for each key asset on site have been refined. Increases have been made to village buffers, specifically around Channocks Farm, to the rear of properties in Pye Corner and between Villages 1 and 5.

4.6 As originally submitted, the application proposed a single access in to the GA1 area at Village 1, comprising a continuation of the Central Stort Crossing (CSC) northwards into the village. As a result of consultation and engagement on the applications, the proposals were amended with the principal change being a restriction to the use of the direct Village 1 access to sustainable modes only, with consequent amendments to its detailed design. This was complemented by the addition of a proposed further all-modes access to Village 1, which will be located to the east of the Eastwick Junction. This is explained in detail in section 4 of the CSC and Eastern Stort Crossing (ESC) officer reports to which members are referred. The two reports can be viewed on the planning application public portal under application references 3/19/1046/FUL and 3/19/1051/FUL respectively.

4.7 In light of the updates proposed to the Village Development (as well as those made to the applications for the river crossings) an addendum to the Environmental Statement was submitted. This included a Transport Assessment Addendum which responds to comments received from the highway authorities.

2022 July Viability Appraisal Submission

4.8 In July 2022 the Applicant submitted further amendments to the application in the form of a Viability Appraisal Submission in respect of affordable housing levels proposed and other amendments to application documentation. The application material was made available for public consultation between 15 July and 26 August 2022. This Officer Report refers to this stage as the 2022 Viability Submission.

4.9 The Council received a report from BPS Surveyors, acting on behalf of the Council, which raised several queries and challenges relating to the Applicant's Viability Submission. The report was published on 26 August and the consultation period extended until 14th September 2022.

4.10 The main amendment proposed was a reduction in the level of affordable homes from 40% to, at that stage, 21.3%. The Applicant set out a proposed list of infrastructure to be delivered or contributed towards, which varies from the Heads of Terms submitted with the Original 2019 Application and the 2020 Amended Scheme. The result of additional infrastructure, rising building costs and the earlier delivery of previously proposed infrastructure negatively impacted the development's ability to support previously proposed level of affordable housing and proportion of affordable rent and intermediate house tenures.

4.11 Amendments were also proposed to the Development Specification and the Strategic Design Guide, which were consulted upon as part of the Viability Submission consultation material. Track change versions of the two documents were supplied to enable easier identification of the changes. The majority of these proposed amendments are minor in nature but were included for completeness,

while some are more significant in terms of the overall commitments of the outline application.

2022 December Viability Amendments

4.12 Following receipt of representations and detailed consideration of the 2022 Viability Submission, the Applicant submitted amendments to the viability appraisal in December 2022 with consequent amendments made to the Development Specification. The main amendment at this stage was a refinement to the proposed mitigation triggers and S.106 obligations, resulting in an increase to the level of affordable housing to a minimum of 23% across the Villages 1-6 development. As noted later in the report, future upwards only viability reassessments will be secured pursuant to the S.106 agreement in order to seek to capture an uplift in affordable housing should viability improve. Minor amendments were also proposed to Parameter Plan Six in relation to maximum building heights including additional clarification added to the plan key. A new Environmental Statement Addendum was submitted to reflect the revisions to Parameter Plan 6 and the Development Specification as well as policy, practice and contextual changes. This included an update to the Landscape and Visual Impact Assessment. Consultation was undertaken on these amendments between 8th December 2022 and 12th January 2023.

5.0 Environmental Impact Assessment ("EIA")

5.1 The proposed development is considered an 'EIA development' as it falls within the description and thresholds in Schedule 2 Category 10 (b) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) ("EIA Regulations") as an 'urban development project' likely to have significant effects on the environment by virtue of its nature, size or location. An EIA Scoping Report was submitted to the Council in May 2017 for the development of 10,000 homes and two river crossings, submitted jointly by the two landowners Places for People (PfP) and Briggens Estate (also known as City and Provincial Properties (CPP) who were landowners at the time of the submission) encompassing the proposed residential developments by the landowners for Villages 1-6, the two crossings, and as proposed by the landowner for Village 7 respectively. East Herts Council responded to this with a Scoping Opinion in August 2017. PfP also submitted the EIA Scoping Report to Harlow District Council due to the cross-boundary nature of the two crossings. Harlow District Council responded in October 2017 with its own EIA Scoping Opinion.

5.2 In September 2018, PfP advised the Councils that it was now their intention to submit an outline application for 8,500 homes (Villages 1-6) and full applications for the two river crossings. Whereas a separate application for 1,500 homes (Village 7) would be submitted by the owners of Village 7 land later. As such, PfP produced an EIA Scoping Update to describe how the description of the development and the proposals now

differed to those originally scoped. This Scoping Update set out that the Environmental Statement ("ES") to be submitted with its application would be based on the most up to date EIA Scoping Opinion in line with the EIA Regulations, as the revised description of development remained materially the same as the previous proposed development. The PfP Scoping Update indicated that following the principles set out in Planning Inspectorate Note 9, the ES would be based on worst case scenario assumptions or taking a precautionary approach and take account of all planned development, including the separate Village 7 proposal to ensure that there would be sufficient information to enable the 'likely significant' effects on the environment to be assessed. Furthermore, a large number of the baseline studies that had been undertaken for the Villages 1 to 6 and river crossing proposals also included the Village 7 element of the original scheme. This information was considered to be relevant context for the assessment and would be (and indeed has been) carried through to the ES to ensure cumulative impacts of all developments including Village 7 were assessed.

5.3 The EIA Scoping Update confirmed that the methodology used for the EIA process continued to apply. The Village Development and two crossing applications are interlinked; the full Gilston Area allocation requires supporting infrastructure provided by the two Stort Valley Crossings. As such, the proposals put forward in the four PfP applications (the CSC, the ESC, the outline residential development for Villages 1-6 and listed building consent) are collectively known for the purposes of the EIA process as 'the Development' and the effects of the Development would therefore be considered and reported collectively for EIA purposes. The Development (comprised of four separate applications) has been subject to a single 'project-wide' EIA. The significant effects and mitigation arising from the Development were assessed collectively (based on the anticipated delivery of each element by agreed milestones). Where necessary, the effects and associated mitigation that has particular relevance to the CSC proposal are highlighted. The effects of Village 7 and other developments in the HGGT area, are addressed as cumulative development. The Council agreed this approach and issued a revised Scoping Opinion.

5.4 An ES was submitted by PfP with the applications (3/19/1045/OUT, 3/19.1049/LBC, 3/19/1046/FUL (HW/CRB/19/00220), and 3/19/1051/FUL (HW/CRB/19/00221)) in May 2019 and registered in June 2019. In line with the EIA Scoping Opinions issued by the Councils, the ES assessed the effects of the proposed development on the following environmental receptors and matters:

- Socio-Economics and Community Effects
- Human Health
- Transport and Access
- Air Quality
- Noise and Vibration

- Cultural Heritage: Archaeology
- Cultural Heritage: Built Heritage
- Landscape and Visual
- Biodiversity
- Agriculture and Soils
- Ground Conditions
- Water Resource and Flood Risk
- Services and Utilities
- Light
- Climate Change

5.5 On behalf of the LPA, East Herts Council appointed Barton Wilmore (BW) to assist the Council in ensuring the reliability of the ES, whether the assumptions made are reasonable and correct and to confirm whether it satisfies the requirements of the EIA Regulations.

5.6 The review undertaken by Officers supported by consultants BW identified the requirement for a number of points of clarification and potential requests for 'further information' under Regulation 25 of the EIA Regulations. Officers wrote to the applicants with initial feedback on the originally submitted application in February 2020 setting out these requests for clarification and further information. However, as amendments were required to the application, it was agreed that these EIA clarifications and requests for further information would be addressed through corresponding amendments to the ES. The amended application and supporting information, including an ES Addendum, were submitted in November 2020 and were subject to consultation as part of the consultation on wider amendments to the application.

5.7 Following a further review by Officers and BW, Officers requested 'further information' be sought in relation to the noise assessment for the Village 1-6 development, specifically in relation to proposed safeguarding of land for Gypsy and Traveller and Travelling Showperson use in the southern part of Village 6 and north-eastern area of the site beyond Village 4, as identified on Parameter Plan 5: Principal Land Uses. An updated LVIA was also included in relation to the Village 4 site. The Applicant submitted the requested further information within a Further Information Report in April 2021, which was made available for public comment in accordance with Regulation 25 of the EIA Regulations as part of the 2020 amended submission.

5.8 A further amendment was made to the ES in response to updated topographical surveys undertaken across the site, resulting in a revision to Parameter Plan 6: Building Heights and the Village 2 access. An ES Addendum was submitted to the Council that included updated assessments relating to built heritage, landscape and visual impacts and climate change and greenhouse gases. Supplementary information was provided in relation to water resources, flood risk and ecology. An

updated air quality transect assessment was also carried out to inform a revised information for the Habitat Regulations Assessment report, included in the December 2022 Viability Amendments consultation.

5.9 The 2019 ES, 2020 ES Addendum, 2021 Further Information Report and 2022 ES Addendum are collectively termed the 'ES (as amended)'. East Herts Officers are satisfied that the environmental information provided in the ES (as amended) provides sufficient information to assess the likely significant effects of the proposed Outline development, together with the Crossings (as part of the same project), on the environment. The ES (as amended) is satisfactory and is compliant with the requirements of the EIA Regulations.

5.10 The ES (as amended) has considered whether there are any likely significant effects on the environment from the Development (which includes the effects of the Outline application and the Central Stort Crossing and Eastern Stort Crossing cumulatively and in combination). Addressing the Outline proposal for Villages 1-6 and the two Crossings as a single "project" is considered the most robust approach given that the schemes are linked. As such these three elements considered in ES terms as one project, titled 'The Development'. Where necessary, the ES (as amended) highlights impacts that have particular relevance to the Outline proposal, therefore the ES (as amended) provides a comprehensive assessment of the likely environmental impact to enable a decision to be made on this application on its own as well as taking into account the cumulative impact of other planned developments.

5.11 The ES (as amended) identifies the likely significant environmental effects (adverse and beneficial) from the construction phase (including demolition and other associated site preparation activities) and operation of the proposed development. The Outline application has been designed with embedded mitigation (measures identified and adopted as part of the evolution of the project design) which is reflected in the assessment of effects. Likely effects are considered both with respect to:

5.11.1 'the Development' (Villages 1-6 and the two crossings) as a stand-alone development, and

5.11.2 the Development' including the related Village 7 application as part of the overall GA1 site allocation, and

5.11.3 'the Development' taken cumulatively with other consented and planned proposals within the East Herts District Plan, applications within the Harlow area, development allocations within the Harlow Local Development Plan and development allocations within the emerging Epping Forest Local Plan.

5.10 It is considered reasonable and appropriate for Village 7 to be assessed as part of the cumulative effects as opposed to being part of the Development applied for under this application. There are a number of reasons for this, including: the

cumulative effects assessment information provided is comprehensive and sufficient to assess the likely significant effects; Villages 1-6 and the Crossings are capable of coming forward and being delivered without Village 7 and it is helpful to have the main effects for Village 1-6 separately identified from those of Village 7 when determining this application; V1-6 is within separate ownership from Village 7 and, whilst the two landowner developers are collaborating over matters such as design and section 106 obligations to help ensure the allocation does not come forward in a piecemeal fashion, they have each submitted separate applications and will be marketing and bringing forward their developments independently; the application for Village 7 has also been subject to its own environmental statement and consequently there has been no "salami slicing" to avoid EIA and the purposes of EIA have not been circumvented or frustrated through this approach.

5.11 The EIA has been carried out using the 'precautionary principle', considering the impact of the Development as a whole. For example, ecological surveys have been carried out with plans provided covering the application areas of the outline application, the Central Stort Crossing and the Eastern Stort Crossing, but the information is presented in one chapter, with associated appendices in the ES (as amended). This means it is possible to assess the impacts arising from the Outline proposal with the benefit of understanding the impacts in context with the two other components of the Development (the Villages 1-6 Outline along with the CSC and ESC) and as a whole. Chapter 22 of the ES Addendum (as amended) summarises the likely significant effects, mitigation measures and residual effects of each part of the Development, for the demolition and construction phase and the completed development as well as the cumulative effects.

5.12 In addition to the embedded mitigation, appropriate mitigation measures specific to the Outline application proposal are recommended where adverse effects have been identified in the form of a mitigation route map[1]. It is for the LPA to assess whether the proposed mitigation measures are appropriate and to determine the way in which such measures are secured such as by way of planning conditions and/or planning obligations as necessary. The LPA can of course decide that additional conditions and mitigations to those suggested in the ES (as amended) are imposed upon the grant of any permission. For clarity, the conditions forming part of the recommendation and detailed in the Schedule of Conditions at the end of this Report are considered to provide effective mitigation for the outline application proposal, are necessary for planning reasons and are otherwise reasonable.

5.13 The ES (as amended), along with other relevant documentation submitted with the planning application, consultee responses and representations made by any other persons constitute the 'environmental information' which has been considered in this report and is required to be taken into account when arriving at a decision on

[1] ES Addendum, Volume III, Appendix 22.1: Mitigation Route Map

this planning application. The environmental effects have been comprehensively assessed and are understood, such that Officers are able to form a planning judgement on the acceptability of the Outline application proposal and the necessary mitigation. That an EIA is provided does not absolve the LPA from making its own reasoned judgement based upon not only the information presented but other material planning considerations. The LPA has identified the impacts associated with the Outline application and the necessary mitigations, not only from the EIA material but also from site visits, engagement with and independent advice from technical experts and statutory bodies. For example, the ES (as amended) (including the associated information submitted by the Applicant and proposed mitigation) has been subject to independent scrutiny and advice by environmental consultants Barton Willmore commissioned on behalf of the Council.

6.0 Habitats Regulations Assessment ("HRA")

6.1 The Council, as Local Planning Authority is a competent authority in relation to the Directive 92/43/EEC of 12 May 1992 on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive'), and the European Parliament and Council Directive 2009/147/EC on the conservation of wild birds (the 'Birds Directive'), as transposed into UK law through the Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019) (the 'Habitats Regulations'). As such, the Council has undertaken a Habitats Regulations Assessment of the three planning applications submitted by the Applicant Places for People.

6.2 The applicant's December 2022 Viability Submission contained an update to their HRA information. This relates to a new air quality transect covering part of Epping Forest closest to the development, known as Epping Thicks SSSI unit105. This part of the SAC was included in the Council's HRA reported to the committee in February 2022, with an air quality transect that took account of development related traffic and cumulative (in-combination) traffic on the M25 in proximity to the SSSI unit. The applicant's new data comprises an air quality transect of the same SSSI unit but taken from the nearest road, the B1393. The new air quality modelling is based on the same transport assessment inputs and takes account of the same conservation objectives as previously considered. The HRA at Appendix A has been updated to add the outputs of the new air quality transect. The HRA update also includes the HRA update which was previously reported to the committee as Appendix B to the two crossing reports for completeness. The HRA in all other respects remains the same and the conclusions reached likewise remain as previously reported.

6.3 The Habitats Regulations Assessment (HRA) comprises a screening assessment and appropriate assessment on the potential impacts of the three applications comprising the Development being the same as described in the Environmental

Statement): the Villages 1-6 outline application, the Central Stort Crossing and the Eastern Stort Crossing, upon the National Network Sites of the Lee Valley SPA/Ramsar, Wormley-Hoddesdonpark Woods SAC and Epping Forest SAC. The screening considered whether the applications comprising the Development alone, when considered as a whole and when considered in combination with other relevant plans and programmes, were likely to have a significant effect on the National Network Sites. Where likely significant effects could not be ruled out without the need for mitigation, an appropriate assessment was undertaken on that potential impact.

6.4 Appendix A forms a part of this report and contains the HRA in full. Table 1 below contains a summary of the key screening and appropriate assessment conclusions for ease of references. However, the summary is not a substitute for the full HRA and committee members are advised to read the HRA in Appendix A for a full understanding of the findings and conclusions.

Table 1: Screening Conclusion Summary

National Network Site	Impact Pathway	Screened Out – No Likely Significant Effects	Appropriate Assessment Needed	Appropriate Assessment Conclusion
Lee Valley SPA/Ramsar	Recreational Impacts	No Likely Significant Effects		
	Air Quality Impacts		Yes	Contribution to critical loads less than 1%, improving nutrient levels, no adverse effect on habitats supporting species. No adverse effect on integrity of site or conflict with Conservation Objectives
	Water Quality/ Quantity Impacts		Yes	New homes require connections to Rye Meads Waste Water Treatment Works. Condition on V1-6 Outline required to mitigate development post 2036. CEMP conditions required on Crossings to prevent harm to water quality. With conditions no adverse effect on integrity of site or

				conflict with Conservation Objectives
Wormley-Hoddesdon-park Woods SAC	Recreational Impacts		Yes	Due to lack of site management plan V1-6 Outline required to provide strategic accessible natural greenspace. With design mitigation no adverse effect on integrity of site or conflict with Conservation Objectives
	Air Quality Impacts	No Likely Significant Effects		
	Water Quality/ Quantity Impacts	No Likely Significant Effects		
Epping Forest SAC	Recreational Impacts	No Likely Significant Effects		
	Air Quality Impacts		Yes	Contribution of Development to critical loads is 0.1% above the ammonia threshold at kerb side. This represents an exceedance although minor. In-combination with other plans and projects a delay in achieving improvements. No adverse effect on habitats supporting species. No adverse effect on integrity of site or conflict with Conservation Objectives
	Water Quality/ Quantity Impacts	No Likely Significant Effects		

6.5 Any likely significant effects which were identified or could not be ruled out following screening were subject to an 'appropriate assessment' as to whether they would have an adverse effect on the integrity of a National Network Site, taking into account

the features of and conservation objectives of each site. The appropriate assessment considers the applications comprising the Development alone, in combination with each other and in combination with other plans and projects. This ensures that the appropriate assessment considers the 'worst case' scenario of impacts arising from the outline Villages 1-6 application on its own and when considered in-combination with the Crossings applications as well as in combination with other schemes.

6.6 Engagement has been carried out with, and inputs have been made to this HRA from chartered ecologists at Hertfordshire Ecology (as advisors to the Council), Barton Willmore (as advisors to the Councils), chartered ecologists at EPR Consulting (as advisors to the Applicants) and Weightmans LLP (as legal advisors to the Council). Furthermore, Natural England has been consulted during the preparation of this HRA and has not expressed concerns.

6.7 The appropriate assessment concludes that having taken account of relevant information and considering that mitigation measures will be adequately secured as part of any conditions attached to the planning permissions, and are expected to be effective (with no reasonable scientific doubt), the Councils are satisfied that the proposed outline planning application, either alone or in combination with other plans and projects, would not lead to any adverse effects on the integrity of any National Network Site nor conflict with relevant Conservation Objectives for the National Network sites.

7.0 Equalities and Human Rights

7.1 Under the Equality Act 2010, planners acting for a public authority are required to have due regard to the impacts of planning decisions on equality. The Act provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. As part of the Equality Act, a public sector equality duty applies to all public authorities including those developing planning policies and applying them. The public sector equality duty requires that decisions take account of individuals with protected characteristics that might lead people to experience discrimination and inequality. Under the Act, a public authority must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 The duty covers the following eight protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status.

7.3 Public authorities must also have regard to the requirements of the Human Rights Act 1998, which transposed the European Convention on Human Rights (ECHR) into UK law. The general purpose of the ECHR is to protect human rights and fundamental freedoms and to maintain and promote the ideals and values of a democratic society.

7.4 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a manner incompatible with the European Convention on Human Rights. Various convention rights are relevant and potentially engaged in the context of the current applications, namely: -

7.4.1 *Entitlement to a fair and public hearing in the determination of a person's civil and political rights (Convention Article 6).* This can include property rights and opportunities to be heard in the consultation process. It is noted that ample opportunities for consultation have been afforded to the public in connection with the current proposals, including in respect of the ES information submitted and any material amendments to the proposals. Further, constitutional processes of the LPA for determination of major applications of this scale afford applicants and objectors the right to be in heard in public by decision makers. Following determination further rights to be heard are available to both applicants and the public.

7.4.2 *Peaceful enjoyment of possessions (First Protocol Article 1)* - This right is subject to the state's right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest. It is noted that some agricultural tenants and tenants of Eastwick Lodge Farm businesses will be required to relocate, some of which may be possible to new employment areas within the site. It is also noted that land assembly, potentially including by compulsory acquisition, will be required in connection with implementation of the two Crossings but not the outline application, and such decisions on whether to proceed with compulsory purchase orders (CPO) will be subject to separate decisions and consideration of Human Rights and Equalities implications in the context of any exercise of compulsory purchase powers. The Outline application, along with the two Crossings will deliver vital infrastructure required to enable the delivery of homes comprised in the Gilston Area (EHDP Policy GA1) allocation, as well as wider planned growth in the HGGT. Therefore, the general interest in the promotion of planned growth to meet the needs of local communities by providing infrastructure to enable the delivery of homes is a legitimate aim and

any interference with Protocol 1 rights would be proportionate to such aims in the public interest.

7.4.3 *Right to respect for, private and family life (Convention Article 8)* – This right is also a qualified right in respect of which the likely health impacts of the proposals have been considered in evaluating the Outline scheme. A very thorough EIA process has been undertaken to consider the likely significant impacts of the Outline application in combination with other related developments (as a single project) and cumulatively with others in assessing human health and noise impacts (among others). Officers are satisfied that sufficient information has been provided, including in relation to the likely significant health impacts of the proposals and all appropriate mitigation has been included such that it is possible to conclude that no unlawful interference with Article 8 rights is anticipated. In addition, enabling the delivery of future homes for local communities in need and elements of the proposal including the Crossings which will enable active and sustainable transport choices with attendant positive impacts on health, wellbeing and quality of life promotes respect for the private and family life of existing and future residents of the HGGT.

7.5 The courts recognise that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole". Both public and private interests are to be taken into account in the exercise of the Council's powers to determine these applications in accordance with the recommendation to grant permission. Any interference with a Convention right must be necessary and proportionate. Officers consider that no unlawful interference with convention rights would arise and any interference would be necessary and proportionate in the wider public interest in granting permission for the Outline application which would deliver planned housing growth in the Council's Development Plan as well as new community facilities and job opportunities accessible by active and sustainable modes of transport.

7.6 Considerations of human rights and equalities impact has been incorporated as part of the planning assessment of Outline planning application against all relevant national and local planning policies, and relevant legislation and/or guidance. The Council therefore considers that no conflicts with the requirements of the Equality Act 2010 or the Human Rights Act 1998 are anticipated from this development. Being an Outline application with all matters reserved except for the main access points to the development, the highways aspects of the scheme will be required to meet relevant industry standards such as those set out in the Design Manual for Roads and Bridges (DMRB), which ensure regard and respect for the rights of those with disabilities and other vulnerable road users to ensure the safety of all users. Likewise, Hertfordshire County Council's Roads in Hertfordshire: A Design Guide (2011) and Local Transport Plan 4 (2018-2031) also set the design principles for highways infrastructure, in line with the provisions of the DMRB and have been

applied in respect of the proposals. The subsequent detailed masterplans that will follow the Outline application will be designed to respond to the HGGT Transport Strategy which is a relevant material consideration to the determination of the Crossings applications. Both the DMRB and Transport Strategy documents were subject to an EQIA process when they were produced, as were the East Herts Council District Plan, SPDs and Health and Wellbeing Strategy documents. Furthermore, the access points have has been subject to a Stage 1 Road Safety Audit[2], which appraises the design and gives recommendations for implementation at the detailed technical design stage to ensure the safety of pedestrians and cyclists. This report incorporates considerations of the above requirements within the body of the report where relevant and secures appropriate mitigations via conditions.

8.0 Planning History

8.1 The following planning history is of relevance to this proposal:

Application Number	Proposal	Decision	Date
3/19/1046/FUL	Alterations to the existing Fifth Avenue road/rail bridge, and creation of new bridges to support the widened highway to west of the existing structure to create the Central Stort Crossing, including embankment works, pedestrian and cycle facilities, a pedestrian and cycle bridge over Eastwick Road, lighting and landscaping works and other associated works	Granted permission	18th March 2022
3/19/1051/FUL	Erection of a new road, pedestrian and cycle bridge; replacement of an existing rail bridge at River Way; alterations to the existing local highway network; lighting and landscaping works; listed building works to Fiddlers Brook Bridge; and other associated works.	Granted permission	18th March 2022
3/19/1049/LBC	Repair works and replacement white post and 3-rail balustrade to bridge.	Granted permission	18th March 2022

8.2 The Central Stort Crossing and the Eastern Stort Crossing represent the first strategic planning applications to be determined within the HGGT area.

[2] CSC and ESC Options Report Addendum, Appendix H

9.0 Main Policy Issues

9.1 The East Herts District Plan was adopted in 2018 ("EHDP"). Policy GA1 (The Gilston Area) is the principle policy covering the application, though the Plan is to be read as a whole and relevant policies are therefore included in Table 2 below.

9.2 In addition, the Gilston Area Neighbourhood Plan (GANP) (made on 28th July 2021) forms part of the development plan. The GANP covers a large proportion but not all the land associated with the outline application area. For example, the north-eastern area adjacent to Village 4, the CSC south of Eastwick Road and ESC east of Pye Corner are outside the GANP area. The GANP is in general conformity with the adopted East Herts District Plan.

9.3 The Hertfordshire Minerals Local Plan and Waste Local Plan (M&WLP) is also part of the Development Plan. Where relevant the M&WLP is summarised and considered throughout the report.

9.4 The National Planning Policy Framework sets principles and requirements in relation to the consideration of planning applications.

Table 2: Development Plan Policies and the NPPF

EHDC Policy	GANP Policy	NPPF
Principle of development (Section 13.1)		
• GA1: The Gilston Area • GA2: The River Stort Crossings • INT1: Presumption in Favour of Sustainable Development • DPS1: Housing, Employment and Retail Growth), • DPS2: The Development Strategy 2011-2033 • DPS3: Housing Supply 2011-2033 • DEL1: Infrastructure and Service Delivery	• AG1: Promoting Sustainable Development in the Gilston Area • AG9: Phasing of Infrastructure Delivery • TRA1: Sustainable Mobility	Section 5
Delivery of the District Plan Housing Strategy (Section 13.2)		
• Policy GA1: The Gilston Area • DPS2: The Development Strategy 2011-2033 • DPS3: Housing Supply 2011-2033 • DEL1: Infrastructure and Service Delivery	• AG1: Promoting Sustainable Development in the Gilston Area • AG9: Phasing of Infrastructure Delivery •	Section 5
Design Parameters and Principles (Section 13.3)		
• DES2: Landscape Character • DES3: Landscaping	• AG5: Respecting Areas of Local Significance	Section 12

• DES4: Design of Development • CFLR9: Health and Wellbeing	• AG8: Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities • EX1: Existing Settlements • TRA1: Sustainable Mobility • TRA2: Access to the Countryside	
Supporting Economic Growth (Section 13.4)		
• GA1: The Gilston Area • Neighbourhood Centres • Employment Areas	• Policy BU2 Village Cores/Centres • Policy BU3 Employment Areas	
Delivery of Community Infrastructure (Section 13.5)		
• Policy GA1: The Gilston Area • Education • Open space for sport and recreation • Health Care • Healthy Community Design •	• AG9: Phasing of Infrastructure Delivery • Policy C1 Community Facility Provision	Section 7, 8, 12
Protecting and Enhancing the Natural Environment (Section 13.6)		
• Policy GA1: The Gilston Area • DES2: Landscape Character • DES3: Landscaping • NE1: International, National and Locally Designated Nature Conservation Sites • NE2: Sites or Features of Nature Conservation Interest (Non-Designated) • NE3: Species and Habitats • NE4: Green Infrastructure • EQ2: Noise Pollution • EQ3: Light Pollution • EQ4: Air Quality	• AG1: Promoting Sustainable Development in the Gilston Area • AG2: Creating a Connected Green Infrastructure Network • AG3: Protecting and Enhancing the Countryside Setting of New and Existing Villages • AG4: Maintaining the Individuality and Separation of all Villages • LA1: Landscape Within the New Village Boundaries • TRA2: Access to the Countryside	Section 15
• Climate Change, Flood Risk and Sustainable Drainage (Section 13.7)		
• Policy GA1: The Gilston Area • WAT1: Flood Risk Management • WAT3: Water Quality and the Water Environment • WAT5: Sustainable Drainage • CC1: Climate Change Adaptation • CC2: Climate Change Mitigation	• AG1: Promoting Sustainable Development in the Gilston Area • AG2: Creating a Connected Green Infrastructure Network • AG8: Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities	Section 14

	• LA1: Landscape Within the New Village Boundaries	
Transport Considerations (Section 13.8)		
• Policy GA1: The Gilston Area • TRA1: Sustainable Transport • TRA2: Safe and Suitable Highway Access Arrangements and Mitigation • CFLR3: Public Rights of Way • CFLR9: Health and Wellbeing	• TRA1: Sustainable Mobility • TRA2: Access to the Countryside • AG8: Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities	Section 9
Protection and Enhancement of the Historic Environment (Section 13.9)		
• Policy GA1: The Gilston Area • HA1: Designated Heritage Assets • Policy HA2 (Non-Designated Heritage Assets • HA3: Archaeology	• AG1: Promoting Sustainable Development in the Gilston Area • H1: Celebrating Existing Heritage Assets	Section 16
Land contamination and pollution (Section 13.10)		
• WAT2: Source Protection Zones • EQ1: Contaminated Land and Land Instability • EQ2: Noise Pollution • EQ3: Light Pollution • EQ4: Air Quality • DEAL WITH PYLONS IN THIS SECTION?	• AG3: Protecting and Enhancing the Countryside Setting of New and Existing Villages • AG8: Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities	Section 15
Long Term Stewardship (Section 14)		
• Policy GA1	• GANP Policy D2 Community Ownership and Stewardship	-
• Infrastructure Delivery (Section 15)		
• GA1: The Gilston Area • GA2: The River Stort Crossings • DEL1: Infrastructure and Service Delivery • DEL2: Planning Obligations • DEL3: Monitoring Framework • DEL4: Monitoring of the Gilston Area	• AG9: Phasing of Infrastructure Delivery	Section 2 Section 4

9.5 Other relevant planning supplementary documents and guidance are summarised below:

Table 3: Relevant Planning Documents and Guidance

Document	Author	Summary
Gilston Area Charter SPD	East Herts Council	Provides guidance to support the production of Masterplans and Design Codes specific to the Gilston Area that will follow outline planning permission.
Sustainability SPD (2021)	East Herts Council	Supports the implementation of East Herts District Plan policies that seek to improve the environmental sustainability of new development.
Gilston Area Community Engagement Strategy (2020)	East Herts Council	Outlines the aims to address uncertainty by setting out how the various parties involved in the growth of the Gilston Area will undertake engagement, collaboration, and co-operation with the community at various stages of the planning process.
Affordable Housing SPD (2008)	East Herts Council	Supports the effective implementation of the affordable housing policies in the East Herts District Plan and assists developers in understanding the Council's approach and requirements regarding viability.
Health and Wellbeing Strategy (2019-2023)	East Herts Council	Outlines the Councils approach to planning obligations in relation to planning applications and reflects the Council's corporate priorities and objectives.
Open Spaces, Sport and Recreation SPD (2020)	East Herts Council	Provides guidance on the type and scale of open space, sport and recreation that will be required to support new development within East Herts. This SPD provides information and guidance to developers regarding the relevant types of infrastructure and/or amount of contributions needed.
Gilston Area Concept Framework and Council Report (2018)	Places for People, in partnership with City and Provincial Properties and East Herts Council	Produced to demonstrate the deliverability of the proposed site allocation, establish key principles that should underpin the development of the Gilston Area and guide the preparation of future detailed proposals. Relevant to this application are the objectives on promoting sustainable travel, protecting, and enhancing landscape and a network of green spaces, protecting, and enhancing natural assets and ensuring the phased delivery of necessary infrastructure to meet the needs arising from the development. The Concept Framework has been largely assimilated in the Gilston Area Neighbourhood Plan.

Hertfordshire's Local Transport Plan, 2018 – 2031 (adopted 2018)	Hertfordshire County Council	Sets out how transport can help deliver a positive future vision for Hertfordshire by having a major input into wider policies such as economic growth, meeting housing needs, improving public health, and reducing environmental damage whilst also providing for safe and efficient travel. The plan also considers how future planning decisions and emerging technology might affect the way that transport needs to be provided in the longer term.
Hertfordshire Minerals Local Plan (2007)	Hertfordshire County Council	Sets out the policies for determining mineral extraction planning applications and the preferred areas for future sand and gravel extraction. The plan is used to protect sand and gravel resources from non-minerals development, making them inaccessible for extraction or introducing development which is not compatible with mineral extraction nearby.
Hertfordshire Waste Development Framework (2012)	Hertfordshire County Council	Sets out the County Council's strategic vision, objectives, overall spatial strategy and development management policies for waste development for the period 2011-2026

8.9 A series of HGGT documents have been prepared by the partnership that seek to provide guidance for strategic developments within the HGGT. These are summarised in Table 4 below.

Table 4: Relevant HGGT Documents and Guidance

Document	Author	Summary
Harlow and Gilston Garden Town Vision (2018)	On behalf of the Harlow and Gilston Garden Town Partner Councils	Document sets out the vision for the Harlow and Gilston Garden Town and the principles which will inform its growth and management. Of particular relevance to the application are page 4 - the Vision for the Harlow and Gilston Garden Town, pages 12-16 - the principles and indicators relating to landscape and green infrastructure and pages 18-21 the principles and indicators relating to sustainable movement which should shape and inform the development.

		The Vision sets the objective that 50% of all trips originating within the Harlow and Gilston Garden Town should be by sustainable active travel modes, with a target to achieve 60% within new villages and neighbourhoods. This target is continued through to the emerging Harlow and Gilston Transport Strategy.
Harlow and Gilston Garden Town Design Guide (2018)	On behalf of the Harlow and Gilston Garden Town Authorities	Document sets out the expectations and aspirations for the delivery of high quality and sustainable developments. Of particular relevance are pages 24-25 on sustainable movement and pages 39-41 on strategic site guidance for the Gilston Area.
HGGT Infrastructure Delivery Plan (IDP) 2019	On behalf of the Harlow and Gilston Garden Town partner Councils	The IDP draws on previous work undertaken by the HGGT authorities, in particular the District-level IDPs already produced to support the respective Local Plans and compiles, aligns and updates it. The IDP identifies the infrastructure requirements of the HGGT including the Central and Eastern Crossings, classifying them as 'critical infrastructure', which must happen in order for the Gilston Area and other planned HGGT development to proceed. The IDP identifies how expected developer contributions from various sites will be apportioned and what collection mechanisms can be utilised to assist in funding the infrastructure items which serve more than one site. Through the process of producing the IDP, a package of measures and broad estimates of the likely financial contribution for each of the Harlow and Gilston Garden Town sites has been produced. The IDP has been produced concurrently with the *Strategic Viability Assessment*, to allow these costs to be included in the appraisal. The purpose of the Strategic Viability Assessment is to consider the wider deliverability of the Harlow and Gilston Garden Town, taking into account infrastructure requirements alongside other considerations.
HGGT Transport Strategy 2021	On behalf of the Harlow	Sets out how the HGGT will achieve the challenge of future travel demand linked to planned

	and Gilston Garden Town Council Partners	growth. The Transport Strategy has been subject to consultation and has been endorsed as a material consideration by Harlow Council on the 4th November, and by East Herts Council's Executive on 23rd November 2021. The Transport Strategy sets out the following mode share Objective: 50% of all trips starting and/or ending in the existing settlement area of Harlow Town should be by active and sustainable travel modes and 60% of all trips starting and/or ending in the new Garden Communities of Harlow & Gilston Garden Town should be by active and sustainable travel modes. The Objective is underpinned by the application of three Principles: • A user hierarchy – prioritising active and sustainable travel – walking, cycling and public transport. • Supporting a culture of active and sustainable travel – an environment where active and • sustainable travel is valued, prioritised, and supported to ensure that their social, environmental, health and economic benefits are available to everyone. • Accessible and inclusive – providing a sustainable, accessible and affordable transport system that reduces congestion, improves public health outcomes, and is designed with consideration of those with most need first.
HGGT Sustainability Guidance and Checklist (2020)	On behalf of the Harlow and Gilston Garden Town Council Partners	Provides practical and technical guidance on how relevant sustainability indicators and policies (environmental, social and economic) in the HGGT Vision and partner authorities plans will be applied to new major developments in the HGGT.

10.0 Summary of Consultee Responses

10.1 This section summarises the responses of statutory bodies; full responses are available on the application portal. Some consultees have responded to each stage of the application (as originally submitted in 2019, the amendments submitted in 2020 and the Viability Submission in 2022). For the avoidance of doubt each summary indicates where a party has made more than one representation. Please note, that this report does not explicitly address every point made in representations, but regard has been had to each in the preparation of the report. Where conditions have been suggested these have been incorporated in the draft conditions schedule in Appendix D, sometimes consolidated with other similar matters.

Affinity Water

10.1 Affinity Water responded to the 2019 original application, advising that the site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to Roydon Pumping Station. It is also in close proximity to the Affinity Water Hadham Mill source to the north of the development site and to an adit which extends westwards from the Affinity Water Sawbridgeworth Pumping Station located to the east of the development. These are public water supplies comprising several chalk abstraction boreholes operated by Affinity Water Ltd.

10.2 As such, Affinity Water recommended that a number of conditions be attached to any permission to ensure the protection of water sources from pollution through the development construction and operation Conditions relate to applying British Standards and Best Management Practices, undertaking detailed groundwater risk assessments prior to any excavation or intrusive ground works such as piling or geo-thermal systems, avoiding any excavations below the chalk groundwater table and carrying out focussed investigation and monitoring in collaboration with Affinity Water. Direct infiltration of surface water into the ground or via soakaway should be prevented or approved through Affinity Water, acknowledging that the Environmental Statement identifies that direct infiltration has not been deemed viable due to ground conditions.

10.3 No response was submitted to the 2020 amendment consultation. In their response to the Viability Submissions, Affinity Water note that they have no new comments to make, and that they expect any concerns raised previously to be addressed at or before the detailed application stage.

Ancient Monument Society now Historic Buildings and Places

10.4 Concern about the impact of the development on heritage assets and loss of Green Belt.

Broxbourne Borough Council

10.5 Responded to the original application consultation raising concerns in relation to transport impacts from the application on the A10 through Broxbourne borough, based on modelling undertaken for local plan purposes, which pre-dates the submission of the application. Broxbourne Borough Council has no comments to make in respect of the master planning or other details of the proposal considering they are local matters for East Herts. They stress that the strategic transport model shows that in scenarios with and without the Stort Crossings the A10 reaches over 100% capacity. They advocate a strategy to move to sustainable modes of travel but are concerned that the long term impacts of Gilson could undermine this strategy. Uncertainties regarding total number of homes delivered and transport modelling should be overcome. The poor air quality of the A10 should be taken into consideration regarding nitrogen dioxide and that Broxbourne Council are required to deliver a plan to identify compliance with legal limits, which Gilston could contribute to without mitigation which should be in a s106 agreement. They request a financial contribution based on trip generation figures in the region of £500,000 to mitigate impacts to 2033, with mitigation later to be based on necessary mitigations in the form of further, unclarified, contributions beyond 2033 based on identified impacts and necessary mitigations.

Cadent Gas

10.6 Advise that they have identified operational gas apparatus within the application site boundary. As such works must not infringe on Cadent's legal rights and if any structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. Likewise, if construction traffic is likely to cross a Cadent pipeline the applicant is advised to contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delay.

Campaign to Protect Rural England (CPRE) Hertfordshire

10.20 CPRE made representations to the original application only, objecting to the application due to the loss of Green Belt, considering that the proposed density of the scheme does not make optimal use of the land. Reference is made to the Government's declared climate emergency and local declarations for carbon neutrality by 2030. The scheme should aim to achieve biodiversity net gain and be net zero carbon allowing for lifetime carbon use as well as the embodied carbon of new buildings, roads, cars etc. Density should increase to minimise built footprint as well as carbon footprint. The design should be linear rather than a series of villages.

10.21 CPRE consider the scheme fails to meet Garden City Principles such as community ownership, land value capture and long-standing stewardship, recommending a master developer mechanism is required and a Trust established with land invested to raise bonds to allow investment in early infrastructure; that public transport should be the most attractive option with layouts future-proofed and adaptable to

future east-west mass rapid transit schemes; that the development should be self-sustaining in terms of employment opportunities; that there should be open community engagement and an independent design process; and that the scheme should be integrated with Harlow to assist in its regeneration; that early and advance infrastructure is delivered along with genuinely affordable housing rather than those capped at 80% market rents.

Canal and Rivers Trust

10.22 The Canal and Rivers Trust previously submitted a response in 2019. An additional response was received in 2021 following revision to the proposed development, And the Trust responded further to the Viability Submission.

10.23 The Canal and Rivers Trust advised in their 2021 response that the proposed development would result in increased recreational and movement demand within the Stort Valley, utilising the canal towpath. A sum of circa £2.6m was requested in order to mitigate the harms that increased demand would place on the towpath and the environment surrounding it. This was based on an appraised and costed scheme of improvements with the towpath divided into distinct sections so that the relative impacts associated with the Villages 1-6 and Village 7 proposals could be differentiated in terms of their potential likely impact within the valley.

10.24 In their response to the Viability Submission the Trust raises concern that the submission removes the towpath contribution from the proposed package of mitigation for the development, as the applicant considers the contribution does not meet the tests required in the Community Infrastructure Regulations 2010 (as amended) ("CIL Regulations") ((a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development). The Trust maintains that the contribution request does meet the CIL Regulations and is necessary to mitigate the impacts of the development relating to the impact on the river and towpath users, impact on the structural integrity of the river wall and impact on the ecology of the waterway corridor. Furthermore, the contribution is necessary to achieve the ambition of achieving a high mode share of active and sustainable travel, and sustainable communities in line with the HGGT Vision and Garden City Principles.

Council for British Archaeology

10.25 Object on grounds that harmful impacts on archaeology and heritage have not been sufficiently minimised, and fails to integrate the potential for public integration with the site's archaeology. They object to the demolition of undesignated buildings in advance of masterplanning providing clear justification for their loss. They recommend a strategy be provided to set out how archaeological heritage is to be managed.

Defence Infrastructure Organisation

10.26 Confirm they have no objection as the site is outside Ministry of Defence Statutory Safeguarding Areas.

East of England Ambulance Service

10.27 Seeks a financial contribution of over £2m to the provision of additional ambulance equipment to support the population arising. They provide criteria to be followed for any retirement homes/extra care facilities provided.

EHDC Community Wellbeing and Partnerships Team

10.28 The Team welcomes the applicant's Health and Wellbeing Strategy and have a high confidence in the comprehensiveness of the approach, in particular the Healthy New Town approach and the preventative public health approach being proposed, including through the delivery of public green space and active travel networks in reducing air quality impacts. Proximity to green space within the village development will add to a sense of community ownership and improving physical activity and mental wellbeing. The Team recommend that collaboration occurs with the Council and County Council to understand the profile of new communities to target community development strategies in the future. Advice is provided on community safety and dementia friendly design measures.

EHDC Engineering Advisor

10.27 Requested more information regarding the potential palette of sustainable drainage features. After a signposting exercise, the Engineer was satisfied that sufficient information was provided and a suitable condition could be added to any grant of permission to ensure the most appropriate method of sustainable drainage will be used across the site, in consultation with the Local Planning Authority and in accordance with the requirements of CIRIA 753 'The SuDS Manual'.

EHDC Environmental Health

10.29 Initially raised concerns relating noise impacts for new homes near the A414. In subsequent representations submitted following receipt of detailed noise assessments provided in the ES Addendum they do not wish to restrict development at the site subject to the imposition of conditions relating to contaminated land and construction management. *Officer note for report – a final set of conditions was agreed with the Environmental Health Advisor. These are set out in the draft condition schedule.

EHDC Housing Service

10.28 The Housing Service provided comments on the original application requesting some additional clarification on some of the proposed housing types and tenures and

providing advice in relation to the provision of self-build housing and specialist housing. The representations made to the Viability Submission note that it is disappointing that the level of affordable housing has reduced significantly. Likewise, the tenure split of 60/40 affordable rent/shared ownership is not in line with the Council's evidence of need. However, noting the viability appraisal, the service recommends that the 23% affordable housing provision should be the minimum provided across the site, with an upward looking review mechanism that should also include opportunities to review tenure split and property types to ensure smaller family sized properties are provided as affordable units. The service recommends that the legal agreement secures no more than 19% one bed flats and two bed flats should not exceed 11% of the affordable rented dwellings or shared ownership dwellings. One bed flats should be suitable for two persons, two bed dwellings should be suitable for four persons, three bed dwellings should be suitable for five persons and four bed dwellings should be suitable for seven plus persons. Advice is provided relating to wheelchair adaptable and accessible dwellings and providing 'tenure-blind' designs.

EHDC Landscape Officer

10.29 The landscaping officer provided comprehensive observations on 08/01/2021 in relation to the revised submission. The comments covered landscape matters that included (but were not limited to) landscape character and visual amenity, arboriculture, green infrastructure (GI) and open space networks. Summary of key comments (note many have subsequently been resolved through further refinements to the proposals):

- Importance of appropriately addressing the overlap and symbiosis between the Strategic Landscape Masterplan (SLMP) and Village Masterplans. This needs to be set out clearly in the scoping/brief for the masterplanning stages.
- There is reference to the provision of lighting within the village parks. This approach is not supported where village parks are located within the strategic landscape areas and needs testing at the Masterplanning stages.
- The principles for lighting should be stronger and seek to minimise light spill everywhere, not just for sensitive receptors.
- It is not clear how far the parameter of 10-40m for the village green corridors has been tested to give satisfaction that all the necessary functions (pedestrian and cycle routes, sustainable drainage system etc) can be achieved. It is therefore advised that there needs to be greater flexibility for these corridors to be wider at the Masterplanning stages.
- It is advised that Sustainable Urban Drainage should be delivered at all open space typologies and scales, in order to ensure that within the village developable areas, water is captured at the top of the management train, as close to the source as possible and water management solutions are integrated with hard landscape areas.

- The Development Specification states that each home will be within 1,000m of an allotment, this is not compliant with HGGT Sustainability Guide that recommends 800m.
- The Stort Valley should be addressed holistically in order to retain its identity as an extensive and unified landscape feature, its connectivity and function.
- Parameter Plan 2 shows the sustainable transport corridor overlapping a veteran tree at fiddlers brook - veteran trees should be protected in the first instance and their removal, and the provision of compensation measures, should only be considered as a last resort.
- Flexibility along the 'village developable area' edge is vital to ensure that at the masterplanning stages the village development does not present a hard and/or straight settlement edge but sits comfortably within its landscape and visual setting.
- It is proposed to provide a 2.5m buffer each side of the hedgerow, a wider buffer of 5m is preferable.
- The buffer around trees should be revised to reflect Natural England's standing advice.
- Greater clarity needed on the strategy for how people and wildlife will be managed within the green infrastructure network, particularly in regards to movement.
- The important role of Public Rights of Way (PROW) in the green infrastructure strategy should be reflected more strongly within the Development Specification and the Parameter Plans.
- The Landscape Visual Impact Assessment should be updated to address the gypsy and traveller and travelling showpeople sites.
- The residential area should be removed from within the pylon easement as development cannot take place here.
- The approach to building heights does not reflect a truly holistic landscape lead approach and needs to be tested more thoroughly at the masterplanning stage. In broad terms villages at lower elevations towards the valley floor may have the ability to accommodate taller buildings than villages at higher more exposed elevations.
- Consideration should be given to creating more space for soft landscape mitigation and enhancements at the Eastwick Road junction with the Village 1 access.
- The opportunity to shift the village 2 interim access slightly east to enable the retention of the hedgerow should be explored.
- The approach to the layout and design for the village 6 access should be more landscape led.
- The distribution of densities should be based on an understanding of landscape sensitivity and informed by technical landscape and visual analysis at the masterplanning stages.
- The "Strategic Principles" should commit more strongly to providing homes access to green open space, that village masterplans will respect local landscape

character and that existing drainage catchments and watercourses shall be utilised for sustainable urban drainage.

- The "Village principles" should more clearly define 'soft edges,' 'shared frontages' and 'green buffer' etc. The village 3 principles need to better reflect good urban design principles such as those in the HGGT guidance.
- The prominence of development will need to be based on an understanding of landscape sensitivity and informed by technical landscape and visual analysis at the masterplanning stages.
- Various aspects of the Landscape Visual Impact Assessment require further information or revising (detailed assessment provided in full comments).
- The Arboricultural Impact Assessments are based on desk surveys and have been updated as far as they can at this stage. It is understood that they will be further updated once access to the land is gained, and to inform the Masterplanning stages.

EHDC Leisure Services

10.30 State that sports facilities should be constructed to Sport England standards or relevant National Governing Bodies or Fields in Trust standards. Provision should be phased to match development needs, and provided early where possible. The representations advise space and design criteria related to each leisure facility type.

EHDC Planning Policy

10.31 The Planning Policy Team responded to the 2020 amendments consultation setting out the East Herts District Plan policy requirements relating to the delivery of Gypsy and Traveller and Travelling Showpeople accommodation. The Team prepared a further response to the Viability Submission consultation, providing an updated position in the context of the recently completed Gypsy and Traveller Accommodation Needs Assessment (GTANA) approved by the Council on 27 July 2022.

10.32 The Planning Policy Team welcomes the proposed amendments to the Development Specification which now includes reference to Travelling Showpeople in addition to Gypsies and Travellers. However, the Team advises that scoping exercises be carried out to demonstrate the feasibility of the two areas of land proposed to be safeguarded to meet the needs set out in Policy GA1 of the East Herts District Plan. This is particularly important given the proposed location of the area of land adjacent to Village 4, being within an area identified as Landscaped Area which is not identified for development purposes on Parameter Plan 3. It is further requested that the land area proposed within V6 is increased by 0.1Ha to provide for a total site of 1.6Ha to meet the space requirements of 8 Travelling Showpeople plots, noting that as the proposed safeguarded land is located within a mixed use residential and employment zone on Parameter Plan 5 that no land use conflict was anticipated.

10.33 The response clarifies that Policy HOU9 of the District Plan has priority over Policy GA1 and provides detailed information relating to the identified needs, specifically in relation to the matter of the timing of the delivery of the Gypsy and Traveller pitches and Travelling Showpeople plots. The GTANA identifies a need to expedite the delivery of 15 Gypsy and Traveller Pitches and 8 Travelling Showpeople plots on the Gilston Area allocation to meet the immediate needs identified and to assist towards the District's 5-year land supply position. The response advises that the detailed masterplanning of the strategic allocation should ensure that impediments to prompt delivery are overcome to meet the immediate needs identified. Recognising the scale of the development and phasing of the site the response requests that development be phased in such a way that traveller uses can be successfully delivered in advance of later village development phases through potential access to areas utilising the existing road networks, whilst also ensuring that traveller uses can successfully integrate into the planned development in due courses.

10.34 The response advises that given the requirements identified in the GTANA, that the S.106 attached to any permission must secure the effective delivery of the safeguarded land for Gypsy and Traveller pitches and Traveling Showpeople plots and that the land be made available to meet the accommodation needs which have been locally identified in East Herts specifically.

EHDC Strategic Masterplanning, Conservation and Urban Design

10.35 The Conservation and Urban Design team have previously commented on this application in comprehensive observations dated 08/08/2019 (related to the original submission), and 27/01/2021 (related to the revised submission); as well as further comments again on 11th January 2023.

10.36 Officers broadly welcome the latest submission, which has addressed numerous significant issues and requests for further information in relation to the original submission. For example, amendments to Parameter Plan 6 which relates to building heights now takes a more straightforward approach in how it depicts these matters for approval and is considered to be more legible as a result. The issues with the limit of deviation have also been addressed, and associated changes have been made to the Development Specification. Notwithstanding this there are still some issues have not been resolved and whilst many could be addressed through the masterplanning process or through the reserved matters stage, the preference would be for these to be addressed at this outline stage.

10.37 In terms of heritage, the proposed development will lead to varying individual impacts on heritage assets, both within the site boundary and nearby. It should be noted that the heritage impacts were assessed and accepted through the site allocation process for policy GA1. As such, as long as these proposals cause no harm above and beyond the level considered within the evidence base for the site allocation, then they can be determined on the basis of the GA1 policy. In this way,

the GA1 policy established a baseline level of accepted harm that is considered to be outweighed by the wider public benefits of the allocation. In the 27/01/2021 comments officers noted certain aspects of the proposals that resulted in harm that went above this accepted baseline. In these instances, this harm should be weighed into the overall planning balance, against the public benefits of the scheme.

10.38 If the application is approved, conditions are recommended in relation to controlling the scope and scale of the masterplans and design codes; matters related to phasing and infrastructure triggers; early delivery of various landscaping/greenspaces and their maintenance; further LVA work at the masterplanning stage; the delivery and approval process for public art; the protection of hedgerows; trees to be removed or retained in each parcel/strategic engineering/landscape element; how the sports provision has been designed to avoid impacting the setting of the listed Gilston Park House; the submission of a buildings heights plan at the village masterplan stage; and a requirement for sustainability strategies to be submitted with all masterplans detailing quantifiable targets to meet HGGT aspirations.

10.39 The following matters should also be addressed within the S106:

- Securing improvements to Burntmill Lane.
- Enhancements to the public realm at Pye Corner.
- Public art commitments and strategy, with details to be left to village masterplanning stage. Some public art decisions should be left to eventual residents. Public art should be strategically used to enhance legibility and enhance the character of places being created.
- There should be a cycling and pedestrian signage strategy – both interim and permanent.
- Securing improvements to proposed walking/cycling route via Parndon Mill.
- Stewardship issues.
- Pedestrian/cycle connectivity to PRoW network and River Stort towpath are needed from proposed Village 6 access across land that appears outside the applicant's control.
- A northern access to Harlow Town Station needs to be secured with contributions.

<u>Environment Agency</u>

10.33 Originally raised objection on the grounds of inadequate flood storage compensation and inadequate information to demonstrate protection of water quality. The EA raised no objections on the revised submission subject to conditions to address flood risk and water quality to be imposed should permission be granted. *Officer note for report – a final set of conditions was agreed with the EA. These are set out in the draft condition schedule.

Essex County Council

10.34 Essex County Council responded to the original application, the amended application and the most recent Viability Submission amendments. A summary of their representation is included in **Appendix B.**

Essex Police

10.35 Having reviewed documents, Essex Police concur with the comments made by Hertfordshire Police CPDO, regarding the lighting uniformity, especially given the heavy use of the proposed crossings. In the same way they are not in a position to support the application but would not be seeking at this stage to object it. They recommend that the development should follow secured by Design principles.

(The) Forestry Commission

10.36 The Forestry Commission welcomes the concept that the ancient woodlands named Marshland, Eastwick, Black Hut, Lawns, Queen's, Battles, Maplecroft, plus Mole Wood and Hunsdon Lodge Wood will be linked to create Eastwick Wood Park.

10.37 Within the development area there are also the ancient woodlands named Golden Grove, Sayes Coppice and Gibson Shaw / Home Wood. These woodlands will need protection via perimeter buffer zones of at least 15 metres, and all the woodlands will benefit from being actively managed in the future for biodiversity and public benefit.

(The) Georgian Group

10.38 Request that the two Gilston Area applications are considered together for the cumulative impacts to be assessed as one and recommend the Council has regard to policies set out in the NPPF and of the Planning (Listed Building and Conservation Areas) Act 1990.

Harlow Council

10.39 Responded to the original application, the amended application and the most recent Viability Submission amendments. A summary of their representation is included in **Appendix B.**

Health Security Agency

10.40 Advises that the proposed development does not lay within the consultation distance of a major hazard site or major accident hazard pipeline. HSE therefore has no comments to make.

Health and Safety Executive

10.41 HSE is the statutory consultee for planning applications that involve or may involve a relevant building. Relevant building is defined as: contains two or more dwellings or educational accommodation and meets the height condition of 18m or more in height, or 7 or more storeys. "Dwellings" includes flats, and "educational

accommodation" means residential accommodation for the use of students boarding at a boarding school or in later stages of education (for definitions see article 9A (9) of the Town and Country Planning Development Management (England) Procedure Order 2015 as amended by article 4 of the 2021 Order.

10.42 However, from the information provided for this planning application, it does not appear to fall under the remit of planning gateway one because the height condition of a relevant building is not met.

Hertfordshire Constabulary

10.43 The only concern is in regard to the proposed lighting provision. The examples shown in the Design and Access Statement appear to be bollard style and they also exhibit the 'pooling effect' – this is where you get alternate areas of light and dark. The problem with this is that because the light stops people having a clear view of what is ahead in the dark patches. This can be easily mitigated by using a uniform spread of light (at least 25% uniformity) and using a light source that has a colour rendition index of at least 60 (i.e. –'white' light). By using column based lighting together with directional luminaries it is possible to achieve this with a lesser number of columns than bollards. In light of the above the Police Crime Prevention Design Service are not in a position to support this application but neither do they object to it. They recommend that the development should follow secured by Design principles.

Hertfordshire Gardens Trust on behalf of Gardens Trust

10.44 The Gardens Trust have authorised Hertfordshire Gardens Trust to comment on planning application 3-19-1046-FUL and subsequent revisions. Having considered the details for determination to any matters regarding the heritage of designated parks and gardens in the area both designated and non-designated, HGT do not wish to make a comment. However, they applaud the provision of dedicated foot and cycle bridges across the River Stort.

Hertfordshire County Council (HCC)

10.40 HCC previously submitted a response to the planning application as submitted in 2019. This identified several concerns and requests for further consideration and clarification. Discussions were undertaken with the applicant to address the points raised. HCC responded to the 2020 amendments indicating where previous comments were still relevant and providing detailed comments on behalf of each County service. HCC also responded to the 2022 viability submission. HCC has suggested several planning conditions to address matters which HCC consider should be addressed within any planning permission issued and details planning obligations that it considers are necessary to mitigate the impacts of development.

10.41 As a statutory consultee the response from HCC includes comments from the Lead local Flood Authority (LLFA), Archaeology, Ecology, Minerals and waste Planning and

Highways (including Bridges and Structures). A summary of the recent representation is included in **Appendix B.**

Herts and Middlesex Wildlife Trust

10.42 Advise that a map should be provided to help understand the biodiversity calculator. Recommend a condition adapted from BS 42020 to secure the ongoing management of all habitat creation areas detailed in the calculator. Integrated bat and bird boxes should be provided in all buildings bordering green spaces. HMWT advise that the Stort Valley is under pressure from impacting sources preventing achievement of 'good status' and object to a reduction in funding towards improvements in the valley, which is needed to upgrade existing physical infrastructure, including the towpath. Priority areas within the valley are at risk of degradation from increased recreational pressure and funding will help to add resilience.

HGGT

10.43 HGGT responded to the original application, advising that the expectation of the Garden Town Board is that the strategic sites in the HGGT area will deliver transformational growth in and around Harlow and that their future operation will be inextricably linked to the economy and function of the town. The response summarises objectives contained in HGGT documents, highlighting objectives relating to sustainable travel, high quality design, use of the Quality Review Panel, stewardship and delivering comprehensive development supported by necessary infrastructure.

Highways England (now National Highways NH)

10.45 In July 2019 Highways England previously advised that they wish to lodge a holding objection to this and the Eastern crossing application (3/19/1051/FUL) and also the outline application (3/19/1045/OUT) subject a full assessment of the submitted transport data. Subsequently in August 2019 AECOM on behalf of Highways England submitted a detailed response to the outline application with a list of recommendations considered critical to the acceptability of planning approval and a list of recommendations not critical to the acceptability of planning approval. In June 2021 Highways England confirmed that they no longer require a holding direction. In July 2022 National Highways requested a condition relating to the requirement to submit a detailed Travel Plan be attached to any permission that may be granted. This is incorporated in the condition schedule and will also be secured in the S.106 Agreement.

Historic England

10.39 Historic England (HE) responded to each consultation stage. HE raised several concerns relating to the potential impacts on heritage assets arising from the original application. Following engagement between the Applicant and HE, amendments were made to the Parameter Plans and the Development Specification. HE responded to the November 2020 amendments welcoming most amendments at

that stage. However, HE retained concern that that the road and crossing point on Eastwick Road has the potential to impact on the scheduled monuments at Eastwick Moated Sites, requesting a plan be submitted to illustrate how impacts can be avoided. HE considers that the development could cause less than substantial harm on the upper end of the scale to the rural setting and significance of the highly graded heritage assets.

10.40 HE advised in their response to the amendment consultation that the Sensitive Development Areas (SDA) proposed on the Parameter Plans should not be treated as a hard and fast stop line, with any development within the SDA considering the setting of the heritage asset concerned. Furthermore, HE considers that the loss of non-designated heritage assets should be left to the masterplanning stage where a more considered approach can be taken to the value of the assets to the overall placemaking.

10.41 In responding to the Viability Submission consultation, HE raises no objection to the amendments on heritage grounds but point to their previous responses in relation to their previously raised concerns.

MAG London Stansted Airport

10.42 Manchester Airport Group advise that they have no objections to the development subject to conditions related to the control of construction and demolition to manage dust and smoke, bird hazard management, exterior lighting, and reflective materials (for flight safety purposes). When details of the built scheme are available MAG request a condition requiring technical assessments (Instrument Flight Procedure and RADAR Systems) to ensure flight safety in accordance with aviation law and guidance requirements. Informatives are also requested relating to internal lighting and crane operation.

Ministry of Defence (Defence Infrastructure Organisation)

10.43 Advise that the site lies outside any safeguarded areas and therefore raises no objections to the development.

National Trust and Natural England

10.44 The National Trust Commented on the original application requesting financial contributions to Hatfield Forest SSSI, referring to a Hatfield Forest Visitor Survey and Impact Management Report 2018. The Trust acknowledged that the request has come after the adoption of the District Plan but considers that there will be recreational demands on the forest from a development this scale within 10km of the forest. The Trust recommends provision of natural green space on-site to reduce demands on the forest and offers no objection to the proposal.

Natural England

10.45 Natural England commented on the original application recommending that consideration should be given to the impact of the development on the Lee Valley Special Protection Area and Ramsar, and the Epping Forest Special Area of Conservation, with effects considered prior to mitigation. Natural England recommended the provision of on-site green infrastructure to provide for day to day needs, including dog walking routes to reduce demands on important natural assets. The representation further advises mitigation measures, duties to adhere to in relation to habitats and species, soils and ancient woodland.

10.46 Natural England's recent representations advise that they have no objection to the application and are satisfied with the results of the HRA, subject to necessary measures being undertaken to ensure waste water treatment capacity.

NATS (NERL) Safeguarding

10.47 NATS advise that the proposed development has been examined from a technical safeguarding aspect and does not conflict with NATS safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objections to the proposal.

Network Rail

10.48 Network Rail advise that although the bridge structure is owned by Essex County Council any proposal will be subject to NR approval via business and technical clearance. Therefore, the applicant must consult with them to obtain easement for the proposed works adjacent to the existing Network Rail Bridge re:BGK 1453. Comprehensive design and construction proposals should be submitted to National Rail for review and due consideration should be given to National Rail operational requirements and existing National Rail infrastructure such as overhead electricity lines at this location. Bridge parapet is required to be 1.8m high H4a. Any work to be carried out over the railway must comply with National Rail safe working practices.

NHS

10.49 The NHS GP Planning Service request financial contributions to the provision of NHS services, including the provision of an on-site health facility. Contributions are requested for GP services, mental health services, community healthcare services and acute care. The Hospital Planning Team have requested contributions to the provision of hospital services.

Society for the Protection of Ancient Buildings (SPAB)

10.50 SPAB object to the application due to harms to the rural setting of heritage assets; important views would be irrevocably altered and below ground archaeology would be lost.

Sport England

10.51 Has requested that confirmation is provided regarding the scale of off-site contributions and the proposed projects towards which these will be directed. Sport England support the use of school land for sports and recreation secured by a Community Use Agreement but highlight the limitations of such agreements in terms of being able to meet the community football needs as identified in the Council's Playing Pitch Strategy. Furthermore, Sport England recommends that open spaces provided beyond the education sites are designed to facilitate informal outdoor sports and recreation. Sport England provide criteria for the design of facilities and recommend Active by design standards should be incorporated into future planning stages and set out the on-site sports facilities required to serve the new community in line with the East Herts Open Spaces and Sports Facility Assessment Technical Study.

Stansted Airport

10.39 The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. They have no aerodrome safeguarding objections to the proposal, however request a condition requiring the submission of a Bird Hazard Management Plan (BHMP) (included within recommendation).

Thames Water

10.40 Thames Water advise that with regard to surface water drainage, if the developer follows the sequential approach to the disposal of surface water they would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Thames Water advise that with regard to foul water sewerage network infrastructure capacity, they would not have any objection to the above planning application, based on the information provided. The development is within 15m of a sewer and a condition requiring the submission of a piling method statement is requested. *Officer note for report – a final set of conditions was agreed with Thames Water, the LLFA and the EA. These are set out in Recommendation section below.

10.41 Uttlesford District Council

- Given the scale of the scheme it represents a new Garden City/Town and so national guidance and Garden City Principles should be followed.
- A strong evidence base across a range of areas should be compiled against which to assess the proposal and that the Council should be satisfied that no unacceptable harm to the character of the area is caused, and that specialist landscape advice should be taken.
- Design Codes and review by a Design Review Panel can help ensure quality and any future masterplan should provide a framework for a sensitive design of development.

- Uttlesford District Council then go on to recommend that a number of consultees are engaged with on issuers including heritage and sustainable travel.

10.42 (The) Woodland Trust - raise concern that development has the potential to harm ancient woodland through accidental or deliberate harm, including through creation of pathways through root protection area and changes to hydrology. They recommend a 50m buffer be allowed to areas of ancient woodland to avoid root damage and allow for the effect of pollution from the development. Buffers should not contain any development, including drainage features. Furthermore, a buffer of 15m is recommended around an ancient or veteran tree.

11.0 Town/Parish Council Representations

11.1 Hunsdon Parish Council – Endorses and appended the Hunsdon with Eastwick and Gilston Neighbourhood Plan Group response (9th August 2019). Also added additional key issues as follows:

- Seeking greater clarity on the implications for noise and safety of the community due to traffic impact, as well as clarity on discouraging rat runs. Proposed A414/Village 6 roundabout allows convenient access from the west potentially putting pressure on Church Lane. Full traffic impacts cannot be ascertained until Village 7 application has been submitted and all mitigation commitments identified. The separate applications threaten the unified vision.
- Request that local villages are included in the sustainable transport strategy rather than the Gilston Area alone. No public transport connecting Hunsdon and Widford to Harlow which presents challenges for those without private transport.
- Welcomes applicants commitment to enhancement and regeneration of the Airfield Park and Woodlands Park, including discussion for solutions on the airfield to the threat of flooding.
- Proposed Village 6/7 access roundabout on the A414 is superfluous unless intended for construction vehicles only and may have a bearing on the feasibility of proposed quarry at Olives Farm and detrimental impact on the Hunsdon community. Full impact of potential movements generate by the whole of the Gilston Area has to be assessed and mitigation devised.
- Concern that trigger points for infrastructure risks infrastructure could be indefinitely postponed and suggests safeguards are applied to ensure delivery of infrastructure on time.

11.2 In January 2021, Hunsdon Parish Council - Agreed and endorse the NPG response. Also highlights the principle objection being that the applications are not sufficient or substantial enough. More commitment for supporting infrastructure, transfer of assets, stewardship and endowment funding is needed and there is further concern expressed over the programme for infrastructure delivery. The PC also note EHC's

request that revisions now include details of employment areas and provision of accommodation for Travellers and Show people, neither are acceptable.

11.3 Eastwick and Gilston Parish Council – Endorses and appended the Hunsdon with Eastwick and Gilston Neighbourhood Plan Group response (9th August 2019).

11.4 High Wych Parish Council – The Parish Council raise 7 reasons for objection in relation to the proposed Gypsy and Traveller site 'Land north east of Village 4':

1. Designation of the site is premature as it is impossible to assess the requirements or location of suitable land over 10 years before it is required.
2. Proposed site is on the fringe of the Gilston Area and separated by the Golden Grove woodland area, as such it is not in a sustainable location to access existing facilities and neighbouring villages have limited facilities.
3. No services for water, sewerage, drainage or waste disposal; any new services likely to be expensive and might damage the adjacent woodland area. No through-road from the south of the site means that access will be expected via local road network which is completely inadequate for a development of this scale.
4. The site is disproportionately large compared to settled communities and the physical separation and the lack of accessibility to Gilston means that it should be considered in the context of the small local villages.
5. Site is not integrated and is fundamentally out of character with the existing dwellings and villages and as such is likely to create tension and not be successfully integrated into the local area.
6. The location of the site would cause harm to the visual amenity and character of the area.
7. Golden Brook runs to the edge of the site and would be at risk of pollution and flooding, and the increased surfaced area would increase these risks.

11.5 The proposed site does not meet the requirements of Policy HOU9 and should be located and integrated within the Gilston Area.

11.6 Roydon Parish Council – raise concern that there is an unrealistic over reliance on cycling and walking to Roydon Station. Request to be one of the local communities involved in the commitment in the application to liaise with local communities over the impact of the proposals and provide an Unforeseen Impact Fund. Disappointed to see reference to Crossrail 2 in the Sustainable Movement Strategy document.

11.7 Civic Society, Epping Upland Parish Council - Concerned about the volume of traffic on minor roads during the build-out due to diversions or use of alternative routes.

11.8 Hunsdon, Eastwick and Gilston Neighbourhood Plan Group – Hunsdon, Eastwick and Gilston Neighbourhood Plan Group (HEGNPG) made representations at each stage of the application. Their full representations are appended as **APPENDIX B.** The

most recent comment addresses emerging government guidance, remaining concerns with the application, suggested conditions and s106 requirements and a response to the Gilston Area Stewardship and Governance Strategy. It can be summarised as follows:

- A December 2022 Written Ministerial Statement and various other press releases from government indicate their intentions to reform the planning system to put a greater focus on the right beautiful homes in the right places with the right infrastructure, with a protected and improved environment that leaves neighbourhoods better than they were before, amongst other changes. The Group consider the scheme does not meet this aspiration.
- The circumstances since the site allocation have fundamentally changed – it would not be de-designated as Green Belt if assessed in accordance with current and future guidance and policy.
- Following receipt of the Viability Assessment the application should be rejected on the basis that the Green Belt de-designation would not occur given a low proportion of affordable housing, that the scheme does not deliver essential social infrastructure and land value capture in accordance with policies and the new roads are being prioritised at the expense of inadequate sustainable travel measures resulting in future congestion and unsustainable travel due to the late delivery of sustainable transport measures. Contributions should be made towards integrating existing settlements with the development.
- The submitted parameter plans fail to give sufficient control over the development. They do not ensure sufficient separation of the villages to allow distinctive places and for wildlife corridors. The Building Heights plan and other documents suggest developments up to 5-6storeys and this urban wall can be seen in verified views due to heights and insufficient buffers. The Strategic Design Guide does not take account of the Gilston Area Neighbourhood Plan.
- Healthcare provision cannot be ignored. The CCG have identified a funding gap of £39M and providing land and buildings does not solve the problem fully – ongoing costs and training also need to be resolved. Ignoring the issue put lives at risk.
- The Council should not forget that the proposal was Green Belt until recently and it is unlikely that it would currently be released.
- The Group are disappointed that many of their requests for clarification and suggestions have not been addressed and the Gilston Area Neighbourhood Plan policies have been ignored.
- The Group expect this report to fully address the above issues and consider the scheme against the Neighbourhood Plan policies. If approved, the Group recommend conditions and obligations requiring:
    - A strategic landscape masterplan

- That parameter plans 2, 3, 5 and 6 are illustrative only to inform further design work
- Planting should occur at the earliest opportunity to provide best opportunities for screening and enhancement
- Active travel networks should be part of the strategic masterplan to promote sustainable travel
- An overarching design code should be submitted prior to individual village masterplans. This should take into account various East Herts village characteristics.
- An assessment of cumulative travel impacts prior to occupation and at agreed intervals.
- Infrastructure including burial grounds, flood mitigation, community facilities, sports and play facilities and support to delivery projects identified in the Neighbourhood Plan.

11.9 Referring to the Gilston Area Stewardship and Governance Strategy they broadly welcome the framework but object on the basis that the details are left to s106 negotiations and so are not public until completed, that it does not confirm that the Charitable Body would be for residents of the Parishes only, that Parish Councils are not adequately represented in governance arrangements and the requirements of the Neighbourhood Plan should be fully met. The payment of services charges and Council Tax seems unfair.

11.10 They conclude that they are fully committed to securing a high quality development and working with other partners and seek to ensure the quality and delivery of the original concepts of the site. They believe Gilston Area has the potential to become an exemplar development of outstanding quality if the issues they raise are directly and openly addressed prior to determination.

12.0 Summary of Other Representations

12.1 In total 1720 neighbouring properties were originally consulted. There were a total of 568 contributors. Of these, 19 were neutral representations, two support the proposal and 514 object to the proposal (number recorded on 14.02.232). The representations have been considered in the preparation of this report. The concerns objections and comments raised are summarised as follows:

- Objection to the provision of land for Gypsies and Travellers and Travelling Showpeople, in particular site near village 4
- An increase in traffic congestion, in the immediate area and within the urban area of Harlow and within surrounding villages

- A lack of sustainable transport measures such as bus routes and cycle networks as a means of mitigating the increase in traffic
- Rail infrastructure to London cannot cope
- Need a northern access to the station
- Station congestion and lack of parking at station
- A lack of parking within the town centre
- Impact of diversionary traffic through rural roads within and surrounding the site
- Need for a northern bypass to Harlow
- Development is on Green Belt land or land that was formerly Green Belt
- A lack of infrastructure (including community infrastructure such as schools, GPs and hospital) which will be exacerbated by this site and cumulative development
- Loss of countryside, agricultural fields, green space, tranquil walking and bridle way routes
- Impact on protected wildlife species
- Concern about increased flooding
- Concern about proximity of flightpath
- Lack of renewable energy in designs.

12.1 Two responses have been received supporting the proposals on the following grounds:

- Support for new secondary school
- Support for new homes.

12.2 Local Ward Member Cllr Buckmaster commented on the application. He requests financial contributions are secured to improve the highway safety of local road Rosella Bend, Acorn Street, Hunsdon.

13.0 Consideration of Issues

13.1 Principle of Development

13.1.1 Policy GA1 (The Gilston Area) of the East Herts District Plan 2018 allocates the Gilston Area for 10,000 new houses. This allocation forms part of the development strategy in the District Plan as detailed in Policies DPS1 (Housing, Employment and Retail Growth), DPS2 (The Development Strategy 2011-2033) and DPS3 (Housing Supply 2011-2033). This application forms 85% of the overall housing allocation but has been planned comprehensively with the adjacent site promoter to ensure that site-wide considerations have been undertaken.

13.1.2 The objections of residents, the Parish Councils and Neighbourhood Plan Group are noted. However, the site forms part of the District Plan development strategy for housing growth in the District as detailed in policies DPS1, DPS2, DPS3, and GA1. Policy GA1 allocates the site for residential-led mixed-use development of 10,000 new homes to be delivered in the form of distinct villages, each based on Garden City Principles.

13.1.3 A concept Framework has been prepared collaboratively with the local community which identified that the Gilston Area development should come forward as an outline application which will be followed by a Strategic Landscape Masterplan and individual Village Masterplans.

13.1.4 As a result of the allocation, the site is no longer part of the Green Belt and Policy VILL3 Group 3 Villages is not relevant. Whilst it is acknowledged that the Gilston Area falls within the parishes of Eastwick, Hunsdon and Gilston, it is being planned as a new garden settlement in the Gilston Area to support regenerational growth in and around Harlow, as part of the wider Harlow and Gilston Garden Town.

13.1.5 This report sets out the key considerations of the application in the following sections against development plan policies and material considerations. Officers consider that the application proposal responds to the principal requirement of Policy GA1 for the delivery of development in the Gilston Area. As such, there is no 'in principle' reason to restrict development of this site.

13.2 Delivery of the District Plan Housing Strategy

13.2.1 This application proposes a total of 8,500 homes and as such represents 85% of the total policy allocation. Of the overall allocation, approximately 3,200 homes are forecast to be delivered within the Plan period (up to 2033) in Villages 1-6. Whilst this report does not consider in detail the Village 7 proposal, the proposed trajectory for Village 7 is to complete the full 1,500 home scheme within the plan period (a total of ,700). The remaining 5,300 homes will be delivered beyond the Plan period, providing a steady long-term supply of homes for the next twenty years. The Gilston Area allocation is the most significant strategic site within the East Herts District Plan and therefore this application ensures the delivery of a large proportion of the District Plan's housing delivery strategy. This scheme is therefore vital to the Council's five-year supply of housing. This is explained further in Chapter 16 of this report.

13.2.2 The Villages 1-6 development will take the form of six individual villages connected by a sustainable transport corridor. The Development Specification sets out the proposed indicative number of dwellings to be delivered in each village. These figures are as set out in the Gilston Area Concept Framework and as such, accord

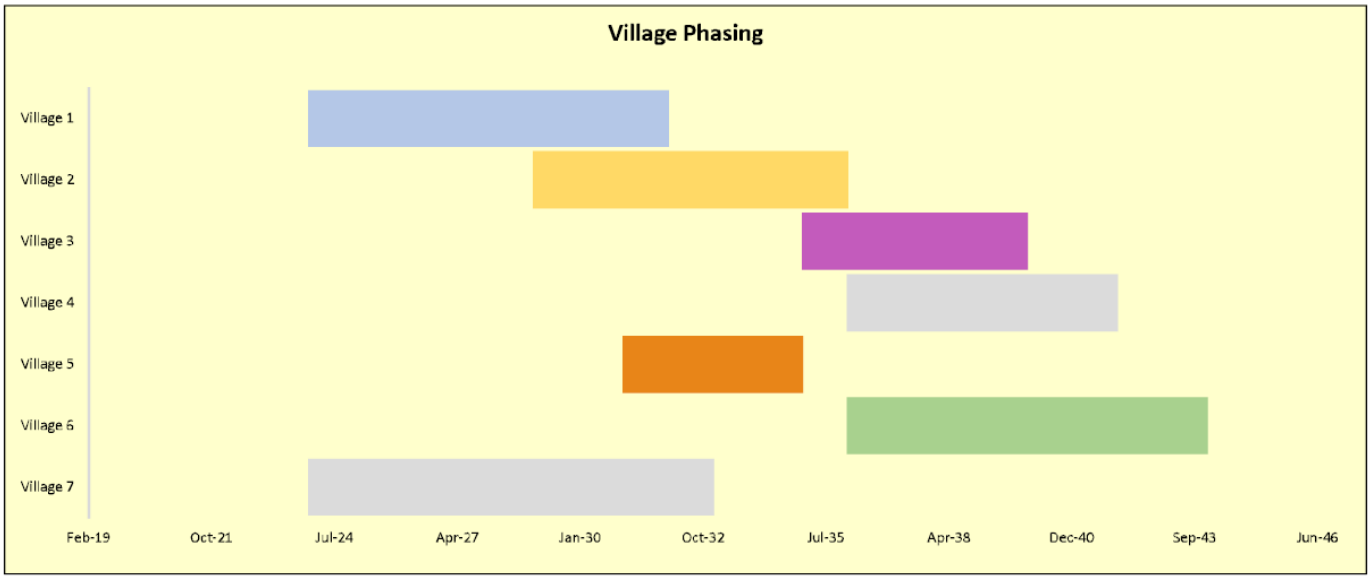
with the Neighbourhood Plan, which was in turn based upon the Concept Framework, a document agreed as a material consideration. However, it is noted that the precise number of dwellings in each village will be defined during the Village Masterplanning stage, subject to an overall cap on development of 8,500 homes across the Villages 1-6 development.

- Village 1: circa 1,800 homes
- Village 2: circa 1,700 homes
- Village 3: circa 1,000 homes
- Village 4: circa 2,000 homes
- Village 5: circa 700 homes
- Village 6: circa 1,300 homes

13.2.3 Given the scale of the proposal and the need for the delivery of large pieces of infrastructure and the completion of masterplans for the first village and the strategic landscape, followed by detailed reserved matters applications, the site will start constructing homes from around late 2024/early 2025, with homes being completed from 2025/2026, taking approximately 20 years to complete the overall site. The phasing of the Development is unknown at this stage. However, it is anticipated that development will start in Village 1 before moving to Village 2, with delivery occurring simultaneously rather than sequentially. For example, Village 1 may be half completed when construction begins on Village 2. This pattern will continue throughout the development as illustrated in Figure 5 below, meaning that development could be occurring in three villages at the same time.

13.2.4 There will therefore be a number of housebuilders, including small developers to larger companies including registered social providers, each delivering a variety of house types including affordable housing. This will ensure that there will be a variety of housing products available at different tenures and price points. The ES describes how this variety and scale of residential development when considered on its own and cumulatively will have a significant and large beneficial effect at a district level and county-wide. The continual delivery of homes delivered as part of a comprehensive, planned development is given significant positive weight.

Figure 5: Illustrative Delivery Strategy



Gypsies and Travellers and Travelling Showpeople

13.2.5 The Local Planning Authority is required to plan for the needs of all communities; therefore, the District Plan requires that land be allocated to provide for the accommodation needs of Gypsies and Travellers and Travelling Showpeople in line with Government guidance Planning policy for traveller sites (August 2015) and the NPPF. To secure the delivery of these sites and to make sure that sites are located where residents can benefit from proximity to services, the District Plan allocates these sites within the strategic allocations as set out in Chapter 14 and Policy HOU9 (Gypsies and Travellers and Travelling Showpeople) of the EHDP.

13.2.6 As previously set out, the Gilston Area allocation is a site intended to be delivered over a long period of time. As such, Policy HOU9 identifies that land is to be safeguarded within the Gilston Area allocation to allow for the future provision of a total of 15 Gypsy and Traveller pitches and 8 Travelling Showpeople plots, to be delivered towards the end of the Plan period and/or beyond, as evidence of need dictates. The Government guidance for Planning for Travellers is clear that different sites should be provided for each of these communities and indeed, each community has different land requirements in terms of vehicular access and access to open land for example. The Villages 1-6 proposal provides for these specific needs by identifying and safeguarding up to 1ha of land adjacent to Village 4 for up to 7 Gypsies and Traveller pitches and up to 1.5ha of land in Village 6 for up to 8 Travelling Showpeople plots. A further 8 Gypsy and Traveller pitches will be provided through the Village 7 proposal and there is an agreed position between the two applicants in relation to this apportionment of the overall allocation's requirements.

13.2.7 Parameter Plan 4 identifies the broad location of the two safeguarded sites in the form of stars. The first safeguarded site is proposed on land adjacent to Village 4 in the north east corner of the site. The proposed 1ha of land is sufficient to accommodate 7 pitches and is located just beyond the village developable area. This

will enable the provision of land for grazing and a degree of separation, whilst remaining in proximity to the proposed Villages 3 and 4. The design parameters of this site will be set out within the Strategic Landscape Masterplan; however, it is considered that with the right design and approach to landscaping this low density and low height form of development can be achieved within the proposed land. The S.106 Agreement will set out a process for bringing the land forward.

13.2.8 The second safeguarded site is proposed on the southern edge of village 6 as indicated on Parameter Plan 4 on land identified as being safeguarded for Gypsy and Traveller, residential or employment purposes. It is intended that this land will provide accommodation for Travelling Showpeople and the Development Specification states that within this area a site of 1.5ha will be safeguarded for this use, which is considered to be sufficient for a range of large and medium plots. The S.106 Agreement will set out the process of bringing this land forward.

13.2.9 Officers were originally concerned that the proximity of the second safeguarded site, close to the A414 would result in an unacceptable residential amenity of the occupiers of this land given that the noise attenuation achieved within a mobile home would be less than could be achieved through standard construction materials for a dwelling house. The Council requested that further information be provided under Regulation 25 of the EIA Regulations. The applicant therefore undertook additional noise modelling to consider these factors and updated relevant sections of the Environmental Impact Assessment. This information was subject to an additional period of public consultation of more than 30 days as required by the EIA Regulations. The modelling demonstrates that with the right location within Village 6, combined with the screening gained from the potential employment uses/buildings, appropriate levels of internal and external noise could be achieved. The area of land identified in Parameter Plan 4 for a mix of uses in Village 6 is sufficiently large enough to ensure that both residential and employment uses can comfortably be accommodated with appropriate design measures implemented to ensure amenity and privacy of future residents. At the Village 6 masterplanning stage the applicant will work with Officers to demonstrate how plots could be configured in a way that provides suitable living space as well as land for servicing and maintaining equipment and vehicles.

13.2.10 The Planning Policy representation received following the Viability Consultation advises that the Council has undertaken a recent update to its Gypsy and Traveller Accommodation Needs Assessment, which identifies a more immediate need and requests that the provision within the Gilston Area be brought forward earlier to meet these identified needs. Whilst the updated Assessment and provision within Policy HOU9 relating to evidence of need is acknowledged, the practicality of enabling the provision of the safeguarded sites is constrained by the length of time over which the development will be delivered, although there could be opportunity for early delivery of the site at Village 4. Feasibility work has demonstrated that

access to the site could be achieved using the existing road network. It is therefore physically possible for the Village 4 site to come forward earlier than the neighbouring village developments.

13.2.11 Any reserved matters applications for either location, will be considered on their own merits against the provisions of the outline application, subsequent masterplans and Policy HOU9 and HOU10 (as applicable).

13.2.12 In terms of the application making provision for the identified needs through the safeguarding of the necessary amount of land, the requirements of Policy GA1 and Policy HOU9 are met.

Affordable Housing

13.2.13 The application proposes that a minimum of 23% of homes will be affordable dwellings. This equates to 1,955 of the 8,500 homes being available to purchase or rent at lower than market values. The original 2019 application proposed the delivery of 40% affordable housing (3,400 homes). However, in July 2022 the applicant advised the Council that due to increased infrastructure costs it was no longer possible to support the proposed scheme in terms of the proportion of affordable housing proposed. The Viability Submission was made available for public consultation and Officers entered a period of negotiation with the Applicant, which involved the independent scrutiny of the Viability Submission by an independent consultant BPS Surveyors. Given the scale and complexity of the scheme, and that most increased costs have arisen from the need to ensure that transport mitigation measures are delivered (Central and Eastern Stort Crossing plus contributions towards off-site sustainable transport measures) the HGGT partner authorities were heavily involved in the assessment of the Viability Submission.

13.2.14 The Viability Submission contains a detailed cost plan, accompanying evidence and a series of technical reports relating to the anticipated value of residential and commercial floorspace and land uses. The reports indicate that the financial model can support less than 20% affordable housing. This is in part a result of the increased costs associated with the delivery of the two crossing proposals due to the need to deliver full replacement sections of the existing rail bridges that were previously not identified as necessary. In general costs have increased due to the lapse of time, and there is a greater understanding of the mitigations required, including the cost of meeting new regulatory requirements. ECC have also requested the earlier delivery of the two crossings as well as other highway improvements such as junction improvements at the Edinburgh Way/ Howard Way junction of the A414 in Harlow. ECC have also requested the earlier payment of financial contributions towards the wider STC network, there is a need to ensure that bus services are operational early to encourage patronage and that measures are taken to ensure active and sustainable routes are available to residents through the construction of the two crossings.

13.2.15 Officers acknowledge that there are competing infrastructure priorities across the scheme. For example, both Essex and Hertfordshire Highway Authorities require that transport related mitigation is delivered as early as possible; Hertfordshire County Council as Education Authority require that the education requirements of new communities are met in a timely manner, including through the delivery of a primary school to support early occupation of homes; the NHS require that the healthcare needs of new communities are catered for; and East Herts Council require that affordable housing needs are accommodated and that recreation, wellbeing and environmental mitigation is also delivered. The Applicant therefore undertook an extensive range of 'live' scenario testing exercises to enable partners to understand the implications of these competing factors. For example, delivering off-site transport mitigation early has a significant impact on the cash flow of the development, reducing the ability to deliver on-site mitigation such as affordable housing. Focussing on delivering 40% affordable housing would result in not being able to deliver the highway infrastructure and other mitigation, in particular the ESC, until much later in the development.

13.2.16 This enabled Officers to understand the implications of competing infrastructure requirements and for BPS to conclude that the proposed viability model inputs and results were reasonable. The Revised Viability Submission was subject to consultation between 8th December 2022 and 12th January 2023. Further to this final consultation exercise the Applicant has agreed to bring forward the proposed completion of the ESC to 3,250 Dwellings in the Gilston Area (from 3,500 Dwellings) but maintain its 23% affordable housing offer (despite this early trigger reducing the viability further), in response to a request of Essex County Council. This is the only amendment since the application material was published for consultation.

13.2.17 Following this scenario testing and full scrutiny and debate over model inputs, assumptions around profit, land values and consideration of reasonable milestones for the delivery of infrastructure assisted by BPS, the Applicant revised their proposal to increase the level of affordable housing to 23% with an upwards-looking Affordable Housing Review Mechanism (AHRM). This is despite the model demonstrating that 23% is not achievable based on internal rate of return thresholds. Whilst 23% is lower than the "up to 40% (subject to viability) level set out in Policy GA1 and HOU3 of the EHDP, given the scale of the infrastructure, particularly the scale of infrastructure that is to be delivered early in the development trajectory, 23% affordable housing is considered a reasonable level as a minimum for the development. Officers therefore feel that an appropriate balance has been achieved through negotiation with the Applicant and partners that addresses each priority, albeit that some concessions have been made within the overall package of mitigation measures in terms of the proposed level of affordable housing and proposed tenure split.

13.2.18 Recognising that over time financial circumstances change, and it is anticipated that the value of the development will increase as community facilities become established and the relative cost of delivering infrastructure decreases significantly once the two river crossings are complete, the S.106 Agreement will make provision for an upwards only Affordable Housing Review Mechanism (AHRM). This means that the S.106 Agreement will secure a minimum of 23% affordable housing in each village unless the review of viability undertaken at agreed intervals indicate the scheme can support a greater percentage of affordable housing. The headline principles of the AHRM are included in the Heads of Terms below.

13.2.19 Due to the scale of infrastructure, it is necessary to fix the level of affordable housing to come forward in Village 1. This ensures that land sales can occur on certain terms to assist in funding the delivery of the infrastructure. However, if there is a delay to the commencement of residential development within Village 1 another review will be required. Later villages will be subject to a viability review at the same time as the village masterplan and half-way through the delivery of each village, except for Village 5, which is small enough that one review at village masterplan stage is considered appropriate; and Village 4 which is the largest village and will have two mid-phase reviews.

13.2.20 The review mechanism will consider not only the percentage of affordable housing to be delivered in each village (bar Village 1), but also the tenure split of the affordable housing. The proposal includes a tenure split of 60% of the affordable units to be available for affordable rent and 40% to be intermediate housing products, which include shared ownership. There are two forms of affordable rent – social rent or affordable rent. Social rent levels are capped by a government formula according to the market value of the property and the local income levels in the area and are typically set at 50-60% of market rents in the area. Affordable rent properties are set by the registered provider up to a maximum of 80% of market rents in the area. Both products will be secured through the S.106 Agreement.

13.2.21 The Council's Strategic Housing Market Assessment (SHMA) undertaken in support of the District Plan identifies a preferred tenure split of 84/16% for affordable rent/intermediate housing and therefore the proposed 60/40% split is some way from the preferred split. This is however, in line with the historic tenure split of development delivered since 2017[3]. In the context of the constrained viability of the overall scheme Officers recommend this apportionment is accepted on the grounds that this will be subject to review as part of the review mechanism process.

13.2.22 A Housing Statement was submitted with the original application material which set out the various types of affordable product proposed, but some of this has been superseded by the viability appraisal process. The types of intermediate housing

[3] Table 6 East Herts Housing Strategy 2022-2027

proposed include intermediate homes for rent (sometimes referred to as Discount Market Rent) and intermediate homes to buy such as shared ownership and First Homes or discounted market sale.

13.2.23 The applicant submitted a series of strategy documents with the original application material, which included Housing Strategy which sets out commitments related to delivering homes for all, however the strategy documents were not submitted as approvable documents. Therefore, to secure these commitments, the Development Specification now includes these within Appendix 6, and as the Development Specification is an approvable document it will guide future development through masterplans and subsequent detailed reserved matters applications. The nine commitments are included as follows:

1. Delivering Homes for All – a mix of types and tenures to meet the needs of the whole of the community, from young to old, families to singles and with support for those that need it.
2. Affordable housing – providing a range of affordable homes and options to rent or buy to ensure homes are genuinely affordable to a range of people's circumstances.
3. Local priority – ensuring local people can access market and affordable homes.
4. Early delivery of extra care and supported housing to support more vulnerable residents.
5. Homes designed to be spacious and flexible – to meet the changing needs of residents over time.
6. Innovations in design and construction to ensure all homes are built to high quality standards and are cost-effective to run.
7. Introducing tested models for custom and self-build homes.
8. Exploring options for community led housing models, such as Community Land Trusts, to broaden choice and create community assets.
9. Blind tenure and mixed communities within every village.

13.2.24 At the outline planning stage, the application therefore defines the minimum level of affordable housing at 23%, and requires a review mechanism to be undertaken at specified trigger points during the delivery of the development. The application sets the affordable tenure at 60/40 (affordable rent and intermediate products). The delivery of affordable housing will be controlled via a series of steps.

1. In the first instance PfP will submit a Site Wide Housing Delivery Plan alongside the Village 1 Masterplan. This Delivery Plan will set the minimum and maximum number of dwellings for each village, as well as the affordable housing type mix (within a range).
2. Each Village Masterplan will then need to be accompanied by a Village Housing Scheme which is required to be consistent with the Site Wide Housing Delivery Plan. The Village Housing Scheme will set more specific details for the relevant

village including the total number of overall dwellings, the broad distribution of affordable housing across the village to achieve the minimum 23% requirement (subject to the outcome of the review mechanism), and a village specific housing mix (including for affordable homes) and its broad distribution across the village.

3. Each reserved matters application is then required to be supported by a Reserved Matters Housing Scheme demonstrating how the detailed proposals for the plot comply with the Village Housing Scheme.

13.2.25 This stepped process secures housing details at the appropriate stage of the design development and planning delivery process, and also ensures tenure blind mixed and balanced communities are delivered

Housing Mix

13.2.26 As the application is in Outline form, the precise breakdown of properties in terms of their size is not available at this stage. The application does, however, provide indicative ranges, which have been included within the viability appraisal for the purpose of modelling likely values across the scheme (Table 5 below).

Table 5: Indicative Housing Mix Ranges

Beds	Private Tenures		Affordable Tenures	
	Indicative Lower	Indicative Upper	Indicative Lower	Indicative Upper
1	5%	27%	18%	40%
2	23%	40%	28%	60%
3	33%	68%	28%	55%
4+	17%	55%	3%	25%

13.2.27 The indicative mix broadly reflects the Council's Strategic Housing Market Assessment (SHMA), and the Council's policy requirement for affordable housing mix sits within the indicative range in the table above. As set out above, each masterplan will be accompanied by a Village Housing Strategy, which will set out the proposed mix of units to be delivered within that village. Each subsequent Reserved Matters Application will be expected to demonstrate how the overall housing mix for the village has been achieved in each detailed application area.

Homes for all ages

13.2.28 Policy GA1 requires the provision of a care home or flexi-care or sheltered properties to be provided. This is not only to provide for older people but also those who are vulnerable and are supported by Adult Care Services. The application proposes to deliver homes for older and vulnerable people through the creation of retirement homes and extra care facilities. The County Council requests that one facility of 130 beds is provided, within which would be a mix of tenures, including affordable units.

The applicant, however, feels that restricting this to one facility would unnecessarily limit the range of providers and the option of providing more than one facility should be considered. Officers feel that this is appropriate in the context of creating mixed and balanced communities and would therefore support the provision of several smaller facilities distributed across the village development, including in Village 7. At this outline stage therefore, the break down of how this is to be provided is not yet known, but is likely to comprise at least two facilities across Villages 1-6. Where these are provided as Use Class C2 units, they would not be required to deliver affordable units. Any specialist units provided in the form of C3 dwellings could include a mix of tenure, including affordable units, which would be considered to contribute to the overall delivery of affordable homes. Officers therefore recommend that the legal agreement secures the provision of accommodation that supports a minimum of 110 beds for extra-care and flexi-care needs, sheltered or retirement properties to be delivered across Villages 1-6, with a minimum of 20 to be within Village 7. The details of how these accommodation needs are to be met will be determined at the village masterplan stage and will form a part of the Village Housing Scheme for each village.

13.2.29 Housing design is a matter that is reserved at this stage, but the Applicant has set out proposals for accessible dwellings which is reflected in the viability assessment. All houses and all ground floor apartments (where practically possible) shall be built to comply with M4(2) standards (i.e. wheel chair adaptable). 15% of all affordable houses and 15% of all affordable ground floor apartments shall be built to comply with M4(3) standards, and 1% of all market houses and 1% of all market ground floor apartments shall be built to comply with M4(3) standards.

13.2.30 The Applicant's position is based on the following:

a) M4(2) apartments require level access which for apartments includes lift access. Given the sub urban housing stock which is to be delivered, apartments blocks are likely to be somewhere between 6 or 9 apartments from any one stair core. Providing lifts adds significant construction costs and space requirements which have major impacts on financial viability and deliverability. Lifts also add a significant increase to block service charge and for residents who are living in apartments it can create a barrier for entry to market. As a Registered Provider PfP have direct experience of this and more often than not affordable housing providers prefer apartments to not have lifts;
b) Given the topography of the Gilston site, achieving the criteria of M4(2) is extremely challenging and there are likely to be circumstances where the possibility of delivering M4(2) is practically impossible or financially unviable. The Applicant considers that there are already significant demands on the land budget across Gilston for which M4(2) will exacerbate given the access and parking criteria along with increased unit sizes;
c) The issues with delivering M4(3) increase with more challenging delivery requirements/practicalities and increased negative impact on financial viability.

Given the 8,500 units across GPE, excluding any provided within affordable housing, M4(3) homes would drive a demand for almost 700 houses/apartments designed specifically for wheelchair users. This will have significant impact on costs across the scheme as well as space and access requirements.

13.2.31 Taking account of these factors, Officers consider the approach to be in line with Policy HOU7 which requires all new housing to meet M4(2) standards and a proportion of the new homes to meet M4(3), unless it can be demonstrated it is not practically achievable or financially viable. The supporting paragraph 14.8.10 to Policy HOU7 notes that the SHMA (2015) encourages 10% market and 15% affordable housing to meet M4(3) provided that overall viability of the development is not compromised. This provision will be secured through the S.106 Agreement.

13.2.32 The applicant has confirmed that plots equivalent to not less than 1% of the total number of dwellings shall be made available for sale to those identified on the Council's Self-Build and Custom Build Register, which is consistent with the requirements of Policy HOU8.

13.2.33 Government policy is that local authorities should support the development of entry-level homes suitable for first-time buyers, or those looking to rent their first home. This means that homes should be available for affordable home ownership, which is defined as being priced at least 20% below market value. The proposal supports this by incorporating discount market sale and starter homes within the intermediate housing affordable tenures suggested. To create mixed and balanced communities such properties should be distributed across the site and provision made in each village. Again, Officers feel it is appropriate to consider the overall mix of properties in the round at the village masterplanning stage as part of the Village Housing Scheme and this approach will be secured through the l S.106 Agreement.

13.2.34 Finally, Policy GA1 requires that opportunities are created for those who wish to custom design or build their own properties. There are many ways in which the application can support this delivery, such as through the safeguarding of serviced land (connections to utilities are provided to the plot) for independent delivery, through to projects where individuals commission their home, making key design and layout decisions, but the home is built ready for occupation. Spatially, this could also take the form of a specific area of the site or they could be distributed amongst the village developable area in small groups of properties. As such, the approach within any given village will be established in the Village Housing Strategy. The application propose 1% of homes to be self-build or custom-build, equalling a minimum of 85 properties. This is to enable flexibility across the village development and will be secured in the S.106 Agreement to ensure compliance with Policy HOU8.

13.2.35 The viability review mechanism will be secured in the S.106 Agreement, which will also require that as part of each village masterplan a Village Housing Scheme will be

submitted and agreed with the Council. The Scheme will set an agreed housing mix in terms of affordable and open market tenure and property size (including accessibility category), thus ensuring that each village provides a wide variety of house types for both ownership and rent which will in turn facilitate a mixed and diverse community.

13.2.36 By considering this on a village-by-village basis this ensures that the Village Housing Schemes can respond to changes in need and demand as well as be mindful of the particular geographies of each village and what has already been delivered. Each Reserved Matters Application will be required to demonstrate how they are achieving the agreed mix and tenures set out in the Village Housing Scheme and this will be controlled by the S.106 Agreement.

13.2.37 The delivery of a continual supply of affordable homes of a tenure and size agreed with the Council which responds to evolving needs is in accordance with the provisions of Policy HOU3 is given positive weight.

13.2.38 The Development Specification describes how a wide range of housing opportunities are committed to as part of the scheme, including the provision of homes for all ages and care needs and this will assist in the creation of diverse and vibrant communities. Officers recommend that through applying the principles and objectives set out in the Development Specification, which will be secured through the submission and agreement of Village Housing Strategies to define the specific mix and tenure of properties at the Village Masterplan stage, the application will comply with Policy GA1, HOU1, HOU3, HOU6, HOU7 and HOU8 of the District Plan. With this approach secured, the development will make a significant contribution to the District Plan's housing strategy and is given significant positive weight.

13.3 Design Parameters and Principles

13.3.1 As this is an Outline application, appearance, landscaping, layout and scale are matters that are reserved. An indicative masterplan has been provided to show one way in which development could be designed, but this is for illustration only. The application therefore uses a series of tools to control how the development will evolve. Firstly, a Strategic Design Guide sets high level design principles for the site as a whole and for each village. Secondly, a suite of six Parameter Plans set the spatial framework within which development will occur and the constraints that apply to this development. Thirdly, the Parameter Plans are supported by a Development Specification that takes the overarching principle and parameters and adds criteria and specification. Together, all three of these tools combine to create a spatial framework to guide the next stage of masterplanning. In addition, each Village Masterplan will be accompanied by a Village Design Code which sets a finer

grain of detailed design principles that will relate to individual parts of the village. Reserved Matter applications will also need to accord with the code.

Strategic Design Guide

13.3.2 A Strategic Design Guide (SDG) has been submitted with the application. The Guide seeks to define the vision and design quality intended for the development. Taking its basis from, and responding to, the Garden Town Vision and Design Guide, the SDG outlines a series of high-level principles that will guide future masterplanning and detailed design stages alongside the Development Specification. Officers have worked with the applicant to refine these principles and are satisfied that the SDG principles accord with those set out in the Concept Framework and Garden Town Vision and Design Guide, even if using slightly different terminology in some places.

13.3.3 Beneath these principles are a series of design objectives. The SDG also contains Village Principles and design objectives that are specific to each village. All future masterplans and Reserved Matters applications will be expected to accord with these principles, the Parameter Plans and the criteria set out in the Development Specification.

13.3.4 The SDG represents a complete design guide for the whole allocation area, including Village 7 and as such addresses the policy requirement (Policy DES1 Masterplanning) to plan comprehensively for the allocation despite coming forward as two applications. As such, Officers consider the SDG to be an acceptable guidance document for approval as part of a grant of permission on this application and to be referred to in conditions as relevant.

Parameter Plans

13.3.5 These plans set the spatial framework and maximum parameters within which development will occur and highlights the various constraints to development that need to be taken into account. These plans are therefore by necessity, provided at a high level and do not seek to fix all aspects of the development, for example certain aspects of the proposal are subject to limits of deviation, such as where the STC route could run through the site. A series of amendments have been submitted to the Parameter Plans following representations made during the original consultation. These are detailed in the Village Addendum Report submitted in the November 2020 Amendments. Following further dialogue with Officers, minor additions have been agreed to be added to the Development Specification to provide clarification. A 'track change' version was available with the 2022 July Viability Submission and further minor changes were included in the 2022 December Viability Amendments.

Parameter Plan 1: Existing Vegetation and Buildings

13.3.6 Parameter Plan 1 shows existing features within the site such as buildings, woodlands, hedgerows and trees. The plan indicates where buildings are to be retained (Eastwick Hall Farm), where they are to be demolished (Eastwick Lodge and

Overhall Farm) and where buildings may be retained or demolished (Hunsdon Lodge Farm and Overhall Farm Farmhouse). The retention or demolition of these will be determined through the masterplanning process.

13.3.7 The plan also shows areas where existing vegetation will be removed to create the access points which are shown in more detail on the plans specific to each access. No veteran trees are proposed to be removed. In terms of the remaining trees and hedgerows, the Development Specification confirms that the starting point of the proposal is to preserve and enhance existing on-site assets where possible, but it is acknowledged that some losses may be necessary to deliver the development. Officers requested that additional clarification be added to the Development Specification to ensure that losses are kept to a minimum and where necessary these should be robustly assessed and justified, having regard to the value of the asset (in biodiversity and heritage terms), placemaking requirements and the character of the village. Any loss will need to be compensated for in an appropriate way through new planting and other enhancements to achieve a net gain to biodiversity.

Parameter Plan 2: Village Corridors, Constraints and Developable Areas

13.3.8 This Parameter Plan defines parts of the village development site that will function as landscape or green buffers and village corridors as well as those features that may be a constraint to development. These parameters are set around key standards and principles to ensure that newly planted buffers of suitable distances are created around assets within which no built development will take place apart from footpaths, well-designed recreation furniture and play equipment. For areas of ancient woodland, a 20m buffer will be created; for non-ancient woodland areas a 10m buffer will be created; for significant hedgerows a 5m buffer or to the edge of the root protection zone will be protected; for veteran trees the buffer is to be 15 times larger than the diameter of the tree or 5m from the edge of the tree's canopy, whichever is greater. One exception to this principle may occur to the veteran tree T324, which is between Villages 1 and 2 as the limit of deviation line for the STC crosses the tree buffer. Officers are satisfied that the tree can be retained in situ and any minor encroachment into the buffer as a result of the STC alignment will not harm the tree or its habitat value, subject to suitable protection measures being in place during construction.

13.3.9 For waterways, the buffer is to be 20 metres with a minimum of 8 clear metres from the top of the bank on either side of the watercourse. This buffer, will comprise planting appropriate to the habitat and will be free of any built development apart from those conducive to the location, such as mown-grass footpaths, and wooden furniture for example. And where the route of the STC interfaces with a watercourse any crossing will be designed in consultation with the Environment Agency and the LPA (controlled by condition) to ensure that any built infrastructure retains the functional area of the watercourse.

13.3.10 In terms of village corridors, the Parameter Plan identifies the developable area of each village and the green corridors between villages. The green corridors are shown in their approximate location and this will therefore need to be confirmed at the Strategic Landscape Masterplanning stage. How the village development treats and interfaces with these green corridors will be determined at the Strategic Landscape Masterplan stage, Village Masterplan stage and Reserved Matters stages at increasing levels of detail. The Development Specification describes how green edges will be treated sensitively to avoid impacts arising from light and disturbance. These edges will be covered by design principles and design codes for individual villages and will include structural planting and SuDS features. Where the STC passes through these green corridors particular attention will be given to the design of the route to minimise road width, reduce lighting levels and street furniture to reduce impacts. Detailed plans and sections will be required at the Strategic Landscape Masterplanning stage.

13.3.11 Further ecological buffers are proposed on the Parameter Plan, where additional 20m buffers are proposed around particular features to protect the habitats they provide. The areas include: Stone Basin Spring adjacent to the western Village 6 edge; the Gilston Valley Riparian Corridor to the east of St Mary's Church (which is also identified as a Permanent Pasture); at The Chase along the southern edge of Gilston Park; and around Local Wildlife Sites within the site. These Local Wildlife Sites tend to be the woodland blocks and watercourses where 20m buffers are already defined. In addition, an Ecologically Sensitive Area is defined between the southern edges of Golden grove and Sayes Coppice woodland blocks. Within this zone artificial lighting will be kept to a minimum to avoid impacts on bats. Two areas of Permanent Pasture are defined to the north of Eastwick and within the Gilston Valley which are areas of grassland that support a wide variety of grassland species that are to be retained and enhanced. The details of each of these designations will be subject to further detail at the Strategic Landscape Masterplan and Village Masterplan stages.

13.3.12 Working in collaboration with Historic England and the Council's Conservation and Urban Design Officers, the applicant made several amendments to this Parameter Plan, the most notable being the significantly enlarged zones defined as Sensitive Development Areas. These areas are focused on the areas of heritage significance such as around St Mary's Church, the Eastwick Moated Sites Scheduled Monuments and The Mount Scheduled Monument. Specific design principles are set out in the Development Specification to address the characteristics of each site. In summary, they include retaining views, retaining areas of open space around the assets, and avoiding dense and or urban forms of building types, street layouts and landscaping that may impact on the significance of the heritage assets and their setting.

13.3.13 Lastly, Parameter Plan 2 illustrates the easements required around utility features such as the overhead powerlines (pylons) (118m either side), the water main pipeline

(16m either side) and the high-pressure gas main (135m either side). The statutory bodies have recommended several informatives to be added to any approval in order to ensure appropriate licenses and permissions are obtained prior to any works that may affect these assets. These are therefore recommended alongside the conditions set out later in this report.

Parameter Plan 3: Green Infrastructure and Open Space

13.3.14 Parameter Plan 3 takes the constraints presented in Parameter Plan 2 and reframes them in the context of their contribution to the green infrastructure network throughout the site. Green infrastructure (GI) has a number of functions, primarily as ecological assets, but they can also serve recreational roles and there are often conflicts where these two functions are in close proximity. GI networks also provide ideal routes for walking and cycling and again, this can often conflict with ecological objectives. This Parameter Plan seeks to define where various recreational activities can be accommodated and where sensitive management of spaces are required to protect assets and to enhance them through woodland management programmes, new planting, and creation of new ponds for example as well as integrating SuDS features into GI spaces.

13.3.15 Opportunities for community/strategic sport and recreation are highlighted on this plan, as defined in section 13.5 of this report. These spaces at Gilston Fields (south of St Mary's Church) and Gilston Park (south of Gilston Park House) will provide larger formal sports pitches, and as these facilities are located within the Sensitive Development Areas, the Sport and Recreation Strategy locates grass pitches only within these spaces, therefore preventing the need for high luminosity lighting and fencing that would be needed for more intensively used artificial grass pitches. Ancillary facilities will be required to support these sports pitches such as a small clubhouse, changing rooms and/or toilet blocks for example. Officers consider that with appropriate design such facilities will be possible and acceptable within these Sensitive Development Areas. Through other minor features such as interpretation boards, signage and networks of footpaths, the appreciation of the historic value of these areas will be improved.

13.3.16 Within Gilston Park the purple star denotes the use of part of this site for pitches associated with the secondary school in Village 1. The applicant has undertaken detailed feasibility appraisals of this location to identify ways in which school pitches can be accommodated within this location. The County Council will require fencing around school grounds for the sake of security, so the detailed design stage of the school will need to specifically address this point. Design solutions such as 'haha' style boundaries are one possible way of providing security whilst minimising visual impacts. These matters will be addressed through the Strategic Landscape Masterplan, the Village Masterplan, and the Reserved Matters Application for the school.

13.3.17 One key objective of the Gilston Allocation is the creation of new strategic open spaces that provide enhanced habitat management and an appreciation of the natural and historic assets on the site. The application therefore includes the creation of two new strategic community parklands within the site boundary: Eastwick Wood Park and Hunsdon Airfield Park. The Development Specification contains a list of objectives and opportunities for enhancing these spaces for recreational use and ecological benefit. These strategic parkland areas will be maintained from inappropriate future development and protected through the Stewardship arrangements discussed later in this report.

13.3.18 Lastly, Parameter Plan 3 proposes two strategic green corridors that follow the riparian environments of the Golden Brook/Gilston Riparian Corridor and the Eastwick Valley Corridor. Again, this plan takes the various ecological constraints as set out in Parameter Plan 2 and sets positive habitat enhancement objectives to improve the ecological functionality of these spaces. The Strategic Landscape Masterplan will build upon these objectives and will provide further detail on specific measures required to achieve these enhancements and to manage the competing demands on these corridors as spaces for ecology, SuDS and movement.

Parameter Plan 4: Access and Movement

13.3.19 This Parameter Plan shows the proposed strategic access points, the STC and its limit of deviation and Public Rights of Way and other pedestrian and cycle networks. The Plan also shows how internal routes connect with the Central and Eastern Stort Crossing junctions and to routes beyond the site boundaries. At this stage details of how new routes will interface with existing features such as watercourses and existing road networks are not shown and will need to be considered at the Strategic Landscape Masterplan stage where these interfaces occur within the green corridors between villages, and at the Village Masterplan stage where more will be known about the layout of streets and uses. Officers recommend conditions requiring the submission of detailed drawings and cross-sections for each part of the STC that runs through the green corridors to demonstrate how impacts are minimised. Where bridges may be required such as over watercourses, engagement will be needed with statutory bodies in due course. Officers are satisfied in principle that impacts can be made acceptable through the detailed design stage.

13.3.20 This plan shows the approximate route of the STC through the site. This route is subject to a limit of deviation within which the route could be located; this will be defined at both the Strategic Landscape Masterplan and Village Masterplan stages. Where the STC is located in close proximity to heritage or ecological assets as shown in Parameter Plan 2, the limit of deviation is significantly reduced in order to ensure the route avoids and minimises impacts on these assets. The inclusion of a limit of deviation allows for a certain degree of flexibility when undertaking the detailed design of each village, but where it narrows in width where it passes through the more sensitive locations this allows for a more refined consideration of the likely

effects of the STC on the reduced corridor as there is more certainty on the potential location of the route.

13.3.21 There are two locations where the plan indicates that potential road closures are to be considered at the Village Masterplan stages; these are within the Golden Brook valley and on Gilston Lane north of Gilston village. The objective of this is to protect existing lanes from traffic arising from the development, to prevent these from becoming a cut-through and to direct vehicles through newly created streets. These are options for exploration rather than firm proposals and will therefore need to be considered in further detail at the Village Masterplanning stage.

13.3.22 As has been described in Table 4 above, a key ambition for the development is the achievement of 60% of all trips within the development being by active or sustainable means. The function of the STC through the site has a key role to play in achieving that objective. Officers have worked with the applicant to agree the following principles for the design of the STC. These principles ensure that the STC is first and foremost a route for buses, walking and cycling. However, where connections are made between villages, to reduce the impacts arising from road infrastructure, there should be one connection only, and this will mean that the STC will need to accommodate other vehicles for a limited length of the route. Details will be required at the SLMP and VMP stage (secured by condition) that demonstrate the following principles set out in the Development Specification (paragraphs 4.5.9 and 4.5.10) are met:

- The primary function of the STC is to provide direct sustainable travel connectivity between key destinations within the villages. In all instances the STC will be a public transport (e.g. bus) link;
- The STC will be designed along its full length to give appropriate priority to active and sustainable modes over the private car (with associated journey time advantages in respect of public transport) to ensure journey time reliability;
- The STC will provide quick, efficient and direct connections via active and sustainable modes between the Transport Hubs of each village centre which represent the key focus of activity for education, employment, community facilities, retail etc;
- The STC will accommodate dedicated and segregated facilities for walking and cycling as part of the Commuter Route network;
- Private vehicles will only be permitted on the STC within the villages where it is demonstrated at the masterplanning stage that priority is given to sustainable modes of travel (having regard to masterplanning factors such as geography, topography, place making, the commercial sustainability of uses within the village centres, etc) and it does not undermine the ability of the site to achieve the 60% mode share target.
- The sections of STC that connect between villages will accommodate both sustainable modes and private vehicles; however, its design must incorporate

measures to give priority to active and sustainable modes to achieve the 60% mode share target.

13.3.23 The plan illustrates key routes for walking and cycling through the site and defines these routes for as either commuting or leisure routes. Of course, any route designed with cyclists in mind can be used for either, but the distinction often comes down to matters of design and directness. This plan shows only key routes but cannot at this stage give a complete picture of the myriad ways that walking and cycling will be given priority through the design process, which will be a fundamental objective of the village masterplanning stage and indeed the Strategic Landscape Masterplan, as it is the quality of off-road routes that enable greater levels of connectivity between the villages as shown on this plan. Officers have worked with the applicant to define these routes in the Development Specification as follows:

- Commuter - Routes that support necessary every-day travel, are located and designed to be direct and convenient in terms of journey time and distance, and are of sufficient capacity, normally segregated, surfaced and lit (where such lighting would not cause an unacceptable impact) to enable safe use at all times by all users; and
- Leisure - Routes that support cycling for health and pleasure purposes, are located and designed to provide a safe and attractive environment where the route itself may be one of the main attractors (as opposed to directness), can be shared between cyclists and pedestrians and can accommodate places to stop and rest.

13.3.24 All routes will be designed to follow the core principles of coherence, directness, safety, comfort, attractiveness and adaptability, as defined in Table 4.1 of the Development Specification.

Parameter Plan 5: Principal Land Uses

13.3.25 This plan defines the outer limits of each village developable area within which all built land uses will be accommodated and most village sports and open spaces. Each village contains an area within which education and mixed uses will be concentrated. These zones will contain the village centres with retail and commercial uses, offices or leisure uses, plus community uses such as health facilities and education uses. Residential uses are also proposed within this zone and could include older persons' accommodation.

13.3.26 The plan also shows the centre line of the STC limit of deviation to illustrate how the village centres would be connected to this central route and be accessed by sustainable transport. Some mixed use floorspace may be accommodated outside the centre in locations along or close to the proposed STC or existing transport infrastructure. This would be considered through the village masterplanning stage

to ensure that the location of different land uses are planned in a way that meets the vision for that village and the Garden Town concept as a whole.

13.3.27 The village developable areas are overlaid by the Sensitive Development Area as defined on Parameter Plan 2. The Development Specification sets out the design considerations that would apply to development within these zones; lower densities and building heights being just two ways of ensuring that built form respects the setting of heritage assets. This is discussed further in section 13.9 of this report.

13.3.28 The plan as amended illustrates an area to the south of Village 6 within which a mix of employment, residential and/or Gypsies and Travellers and Travelling Showpeople land uses could be located. Similarly, to the east of Village 4 an approximate zone is identified within which a site for Gypsies and Travellers and Travelling Showpeople could be accommodated. The principle of planning to meet the provision of Gypsies and Travellers and Travelling Showpeople is set out in paragraphs 13.2.5 to 13.2.6 above.

13.3.29 In terms of the location of these land uses in the context of this parameter plan, Officers have consulted the guilds and representatives of both the Travelling Showpeople and Gypsy and Traveller communities to understand their needs. It is important that whilst there is a need for a certain amount of separation from other residential land uses for their privacy and security, residents should still benefit from accessibility to services and education for example. Officers are satisfied that these zones provide an appropriate way of ensuring that these requirements are met as described in paragraphs 13.2.7 to 13.2.8 above.

13.3.30 However, as with all other land uses proposed, the details of the specific location of these land uses will be defined at the Village Masterplan stage for the Village 6 area, and through the Strategic Landscape Masterplan for the Village 4 area. Officers recommend that the Village 6 safeguarded area is secured through the S.106 Agreement for Travelling Showpeople accommodation given the site's proximity to the A414 and connections to the STC through Village 6 and Village 7, while the Village 4 location will enable an area of open land to support the amenity of Gypsies and Traveller livestock needs. Future Reserved Matters applications will need to demonstrate that suitable design and layout for accesses, residential, storage and maintenance, security and landscaping features integrate with and complement the surrounding location.

13.3.31 The plan presents the outer edges of the village developable areas; this is necessary to ensure that the environmental assessment considers the likely worst-case scenario of development right up to these edges. In reality however, the edges of each village will be guided by principles in the Strategic Design Guide and will be shaped during the village masterplanning process. Each edge will need to address buffers around woodland and ecological assets, contribute to the green corridors

between villages and to help define the character of that village. Officers were keen to ensure that the applicant specifically addresses how the western edge to Village 4, adjacent to the pylon line would be designed given the parameter plan illustrates this as a solid straight edge. Additional text was added to provide clarification for Village 4, but these principles will be implemented for each village edge through the masterplanning process. The Development Specification explains that "*the western frontage of Village 4 should be richly articulated and varied across its length, both in the height and profile of the built form, creating interest and rhythm, whilst also creating a soft landscape edge that transitions into the green infrastructure and open space to the west.*" The masterplan scope condition therefore requires masterplans to address the edges of each village following principles set out in the Strategic Design Guide and Development Specification both of which will be approved documents.

Parameter Plan 6: Maximum Building Heights

13.3.32 This Plan seeks to show the maximum heights that would be permitted within different parts of the village development. It takes Ordnance Datum (contours) and then applies a building height of up to 14m (at ridge height) across the site, with a limit of deviation of plus or minus 2m on existing ground levels to account for changing levels across the site. 14m is equivalent to four storeys. For the avoidance of doubt, ground floors are measured as 4m and each subsequent floor at 3.2m.

13.3.33 There are three exceptions to this approach in terms of building height; the village centre Education and Mixed-Use Zones; the Sensitive Development Zone; and the Gilston Park Zone. Remodelling of existing ground levels will be required to achieve an appropriate development platform, and as finished ground levels are not yet known (being a matter for masterplanning and detailed design stages) ground levels are subject to a variance of +/-3m and +/-5m in specific locations where ground levels vary due to man-made and natural features. These are indicated on the Parameter Plan.

13.3.34 The village centre is identified as locations where building heights cannot exceed 18m (at ridge height). This is equivalent to a 5-storey building with a pitched roof (excluding chimney). However, the Development Specification sets out that within Village 1, no more than 12% of the built footprint shall reach the maximum height of 14.1m-18m; within Village 2, no more than 15% of the built footprint shall reach the maximum height of 14.1m-18m; and within Villages 3, 4, 5 and 6, no more than 10% of the built footprint shall reach the maximum height of 14.1m-18m.

13.3.35 Parameter Plan 6 shows areas annotated as Sensitive Development Area (SDA). These zones relate to the settings of heritage assets, within which specific principles apply as set out in the Development Specification. For example, Appendix 5 specifies that building heights in the vicinity of St Mary's Church must not exceed 2.5 storeys. The Plan highlights in yellow an area of land within the SDA at Gilston Park located south of Gilston House. This zone is subject to a maximum height of 11m with no

limit of deviation at ground level. This is to minimise harm to Gilston Park House. To avoid a uniform approach to building heights, the maximum height controls are to be used positively to create landmarks and roofscape variety, to frame views and vistas and add richness to the village developments. As such, the Development Specification contains principles to be considered when applying the building height parameters at the masterplanning and RMA stage. Development and buildings should:

- Be variable in scale and height to create distinctiveness;
- Contribute positively to the street or space, and be in scale and proportion to each other and their function;
- Provide frontage to the surrounding landscape;
- Follow natural contours where appropriate and establish visual links to wider reference assets and neighbouring villages;
- Within village centres, create a sense of enclosure maximising frontage wherever possible;
- Optimise orientation for sustainability benefits;
- Be appropriately scaled and sensitive to existing built and landscape heritage assets.

13.3.36 These principles reflect the guidance set out in the Concept Framework and the Gilston Area Neighbourhood Plan, and therefore satisfies Officers that appropriate considerations will be taken at the masterplanning stages with regards to building heights. The Landscape and Visual Appraisal submitted with the application assess the upper parameters of the built envelope in order to assess the worst case scenario, but at a village level, buildings will not all be built at that upper level and it is therefore necessary to understand in a finer grain of detail how particular landscape features within that village contribute towards the layout of streets and how the built form responds to and enhances the landscape and how it helps to retain and frame key views and vistas. Building height, scale and massing is all part of this consideration. Therefore, Officers recommend that a condition is applied that requires a finer grain visual appraisal be undertaken to inform the Village Masterplanning stage.

Development Specification

13.3.37 The purpose of this document is to define and describe the principle components of the village development as well as the parameters that will guide future masterplans. Each Parameter Plan is set out in detail along with specific criteria and objectives that apply to the matters addressed by each plan. For example, it describes in detail how future masterplans will need to address impacts on ecological and heritage assets and how open space and sports and recreation opportunities will need to be planned for. The document also describes the highway works that form part of the outline application as well as high level information about the implementation and delivery of the development.

13.3.38 The document also provides more contextual information that is provided for information purposes to help the reader understand how the different parts of the development work together, setting out the next stages of masterplanning followed by detailed reserved matters and the sequencing of development. This is in line with the approach set out in the Gilston Area Concept Framework. This 'route map' approach allows for the continual layering of information to create masterplans that respond to constraints in a positive way, taking opportunities to enhance existing assets and to provide a robust and well-considered basis for the detailed applications to follow.

13.3.39 The Development Specification as amended now contains significantly more detail relating to key views towards and from heritage assets and the approach proposed within the defined Sensitive Development Areas, as the masterplans will need to respond to these views and areas in terms of layout, height and massing of the built form. Appendix 5 sets the detailed heritage design principles for these sensitive areas, namely around the Grade I listed St Mary's Church and associated Grade II listed Church Cottages; Eastwick Moated Sites Scheduled Monument; and The Mount Moated Site Scheduled Monument.

13.3.40 Another key addition to the Development Specification is the integration of the objectives from each of the 9 strategy documents that the applicant submitted:

- Placemaking Strategy
- Energy and Sustainability Strategy
- Natural and Historic Landscape Strategy
- Housing Commitments
- Health and Wellbeing Strategy
- Education and Learning Commitments
- Inclusive Growth Commitments
- Sustainable Movement Commitments
- Governance Commitments

13.3.41 These strategy documents were not submitted for approval, but Officers were keen to ensure that the many positive approaches proposed in the documents became commitments within an approved document which can be used to inform the masterplanning and reserved matters process. Incorporating the objectives from these strategies in to the Development Specification achieves this and ensures that these are also taken into account when preparing subsequent masterplans and Reserved Matter applications.

Strategic Landscape Masterplan

13.3.42 The Strategic Landscape Masterplan (SLMP) is the next step in the process to turn the principles set out in these documents in to specific proposals on the ground.

Focussing on the green spaces and landscape around and between each village as well as the strategic community parks as described above, the SLMP will define how these spaces will be used and how the existing landscape features will be enhanced by additional planting and landscaping. The SLMP will include the design of the STC connections between villages through the green corridors to a design code level, which will then provide guidance for the detailed design of these areas, in particular how the STC interfaces with watercourses and therefore requires the construction of bridges or other structures.

13.3.43 The SLMP will confirm what existing structures or buildings are to be retained or demolished within these green spaces, where existing power lines are to be altered, the extent of alterations to the Public Rights of Way network and the location of principal SuDS features.

13.3.44 The applicant has worked closely with Officers and representatives of the local community to define the full scope of the SLMP. The Gilston Area Charter SPD contains a series of expectations for the masterplan scope, which has been supplemented by matters arising through consultations. The applicant has also worked with Officers and the community on the approach to engaging on the masterplan. The engagement strategy will reflect the adopted Community Engagement Strategy and set a template for other masterplans. The SLMP will be secured by condition.

Village Masterplans

13.3.45 It is currently anticipated that in parallel to the SLMP, work on the masterplan for Village 1 will also be underway. This is necessary because of the length of time needed to plan and construct the first schools and the highway infrastructure at an early stage in time for when needs arise.

13.3.46 Village Masterplans (VMP) will focus on the content of each village, they will define where in the village key land uses will be located including the site for education facilities and their associated playing fields. The VMP will define the route of the STC and the location of key, but not all, primary and secondary routes and the extent of alterations to the Public Right of Way network if necessary. The VMP will define what existing buildings or structures are to be retained or demolished if necessary, and where existing powerlines are to be altered. The VMPs will also define how the edges of villages will be treated in relation to the surrounding landscape and the green corridors between each village, how village sports and open space provision will be accommodated, and how buffers and enhancements to corridors will be designed and delivered including the location of principal SuDS features. The VMP will be secured by condition.

Village Design Codes

13.3.47 Supporting each Village Masterplan will be a Village Design Code. Design Codes provide a further level of detail, setting out key specific design principles that will inform the character of the village, its design and layout and the external appearance of buildings. Design Codes can vary between being very detailed and prescriptive to being more flexible in approach. Within any one village there could be a number of different approaches to fit the role and function of different places and to reflect specific constraints and opportunities. The Village Design Codes and Village Masterplans work together to establish the next level of detail in terms of the location of key uses, green infrastructure, routes and connections, setting out detail in a regulatory plan. Reserved Matters Applications will need to demonstrate how the design code has been met. The Village Design Code will be secured by condition.

Housing Density

13.3.48 Residential, or housing density is expressed as dwellings per hectare (dph) and is calculated in two ways: net residential density, which includes those areas which will be developed for housing plus associated uses such as access roads, parking, private gardens, incidental open space and landscaping and children's play areas; and gross residential density which also includes all uses and amenities such as schools and playing fields, all roads, open space and landscaping needed to support the housing.

13.3.49 The application is in Outline form and therefore does not set density levels spatially or diagrammatically across the site. The only reference to density is in the context of Sensitive Development Areas and specific restrictions to height and density in the vicinity of heritage assets. This is appropriate at this stage, because the approach to density should be defined through the village masterplanning stages, when matters of density can be considered in the round taking account of the vision for the role and function of a village. When matters such as routes, centres and locations of services are spatially considered, one can then start to consider how the location and design of buildings and properties can support and benefit those centres or key destinations; the built form, and therefore the density, of the development then follows.

13.3.50 However, to demonstrate that the proposed development with all its land uses and spatial requirements could be accommodated within the site, the applicant has undertaken an illustrative land use budget exercise. This demonstrates that the proposed development can indeed be accommodated within the parameters set, and will result in an overall gross residential density of 14.2dph, excluding the two strategic parklands of Hunsdon Airfield and Eastwick Wood parks, but including all other areas of open space. This example also showed that across the different parts of different villages a range of net residential density could be achieved of between 20dph and 130dph, with the highest densities being achieved in Village 1 and in each village centre. However, overall a net residential density of 39.1dph would be achieved. The Strategic Design Guide sets expectations on where it is appropriate to plan for higher density, such as within the village centres and along key transport

routes or nodes as well as within 15-minute walking distance of Harlow Town train station. These principles are sensible and in line with policy expectations.

Relationship to existing settlements

13.3.51 The new villages surround and exclude existing villages of Gilston and Eastwick, the Gilston House estate in the centre of the site, Terlings Park to the south and individual homesteads scattered throughout the site. Parameter Plan 2 identifies areas of land around the existing villages which will act as buffers between existing properties and the new village developable areas. In line with the Development Specification, these village corridors will benefit from additional landscaping. With consideration given to boundaries, design and landscaping it is considered that sufficient distance will remain between existing and new homes such that amenity is maintained. Early planting has been carried out around properties on Eastwick Road, which will take some years to mature, such that by the time work begins in Village 2 they will offer a degree of visual screening for existing homes.

13.3.52 The Village 2 access proposals include closing off access to Pye Corner, Gilston at the northern end of the village. The approved Eastern Stort Crossing Road 1 and Road 2 effectively create a bypass to Pye Corner, significantly reducing the number of vehicle movements in this part of Gilston. The detail of this is contained in the application report for the Eastern Stort Crossing application (3/19/1051/FUL, which is available on the planning application portal using this reference number). Access will remain to Pye Corner from the south via the re-aligned Eastwick Road, and access will therefore remain for properties in the village and to the Gilston House properties to the north. As explained in paragraph 13.3.21 above Parameter Plan 4 (Access and Movement) indicates the potential closure of Gilston Lane; this would result in the re-routing of access through the new village developable areas, which would lengthen journey times for these properties. This would be something that would be decided at the Village Masterplan stage in consultation with the local community.

13.3.53 The impact of the Eastern Stort Crossing proposal, in particular the realignment of Eastwick Road between Pye Corner and Terlings Park, was considered in greater detail in the Eastern Stort Crossing application report. The realignment of Eastwick Road and creation of a bypass to Pye Corner was considered to provide benefits arising from the provision of infrastructure to facilitate the Gilston Area development as well as enabling the creation of a sustainable transport network within the wider HGGT area that outweighed identified harms to heritage assets and for residential amenity.

13.3.54 In terms of the village development however, the creation of new schools and community facilities including a health centre in Village 1 will be of significant benefit to existing residents in each of the settlements immediately surrounding the development. New facilities will be within walking distance of existing homes and new sustainable transport routes provided as part of the scheme will also be

accessible to existing homes. For example, the walking and cycling route proposed from the relocated junction to Terlings Park (as detailed in the ESC report) will provide a direct link for Terlings Park residents northwards into the heart of Village 1.

13.3.55 The Strategic Design Guide, Parameter Plans and Development Specification set clear principles for how each village developable area will be designed to respond to existing properties. In some locations it is appropriate to protect the amenity of and provide distance from existing settlements and this will be achieved through measures such as buffer planting and creation of green infrastructure to screen the development, or through soft edges (where buildings have a lower density, height and form) to transition between existing surroundings and the new village. In other locations it will be appropriate to create new active travel routes to connect existing communities to the new villages. For example, one of the earliest proposed pieces of infrastructure will be the creation of a walking and cycling route from Village 1 towards Hunsdon Village, providing a direct link between the village and new facilities located in the new village centre. Officers are working with the applicant and the County Council on the location of bus stops and bus routes to ensure they are accessible to existing as well as new properties. However, these will be refined at the Village Masterplanning stages in due course.

13.3.56 In terms of utilities, the creation of new utility networks required to serve the new properties will create new opportunities for connections to services such as gas mains and fibre optic networks enabling the provision of high-speed broad band to existing isolated properties and existing villages where necessary. The development will not directly deliver these enhancements to existing homes, but it will make individual connections far easier. The Development Specification suggests a number of 'early wins' that will be of direct benefit to existing properties will be explored, but this application does not secure measures beyond those identified in the proposed Heads of Terms in section 15 below.

13.3.57 Policy EX1 (Existing Settlements) of the GANP states that the long-term maintenance of green and public spaces within the existing communities (defined in the preamble as all settlements within the parishes of Eastwick, Gilston and Hunsdon) will be considered through the planning process and as part of any community stewardship arrangement, and seeks financial contributions towards improvements in existing settlements to mitigate the impacts of development. However, the Plan does not define what improvements are required or what impact requires mitigation. Nor does the ES (as amended) identify harms to existing settlements that require mitigation.

13.3.58 The application does however, propose significant enhancement of existing green spaces within the envelope of the application area such as the provision of sports and recreation areas and ecological enhancement schemes, and with the creation of

parks and open spaces in each village to provide for every day needs of new residents within the site it is anticipated that there will be no reliance on such spaces outside the application area. As detailed in the ESC application, the proposed bypass to Pye Corner will enable the delivery of public realm improvements within the settlement and as described in paragraph x above, there may be opportunities in the future to introduce a road closure in Gilston Lane to prevent it being used to access Villages 3 and 4, which will be determined in consultation with residents at the appropriate masterplanning stage.

13.3.59 There is therefore no evidenced need for financial obligations beyond those identified in the Heads of Terms listed in Section 15.

Landscape and Visual Impacts

13.3.60 A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application. This considers the impact the development would have upon the character of the landscape and the visual amenity of residents/users. The LVIA considers the significance of landscape and visual effects, the sensitivity of the landscape to accommodate impacts and the magnitude of those effects. Whilst the LVIA follows guidelines in terms of the methodology used, there is always a level of subjectivity in such an assessment, and as such there are some differences of professional opinion between the assessment submitted and the view of Officers regarding the magnitude of impacts. However, there is no dispute that the introduction of new development into a landscape which is largely free of development will inevitably have an impact on the landscape character of such a location, and therefore it is a question of the extent to which there is the potential for harm and if so, how such harm can be avoided, minimised and mitigated, and then whether the remaining harm is outweighed by the benefits of the development that one needs to consider.

13.3.61 The LVIA explains how impacts are assessed and how the significance of the effect is determined. The assessment considers the following aspects and assigns a rating using set criteria:

- landscape susceptibility
- landscape value
- landscape sensitivity
- visual susceptibility to change
- value/importance of views
- visual sensitivity
- magnitude of effect
- significance of landscape and visual effects

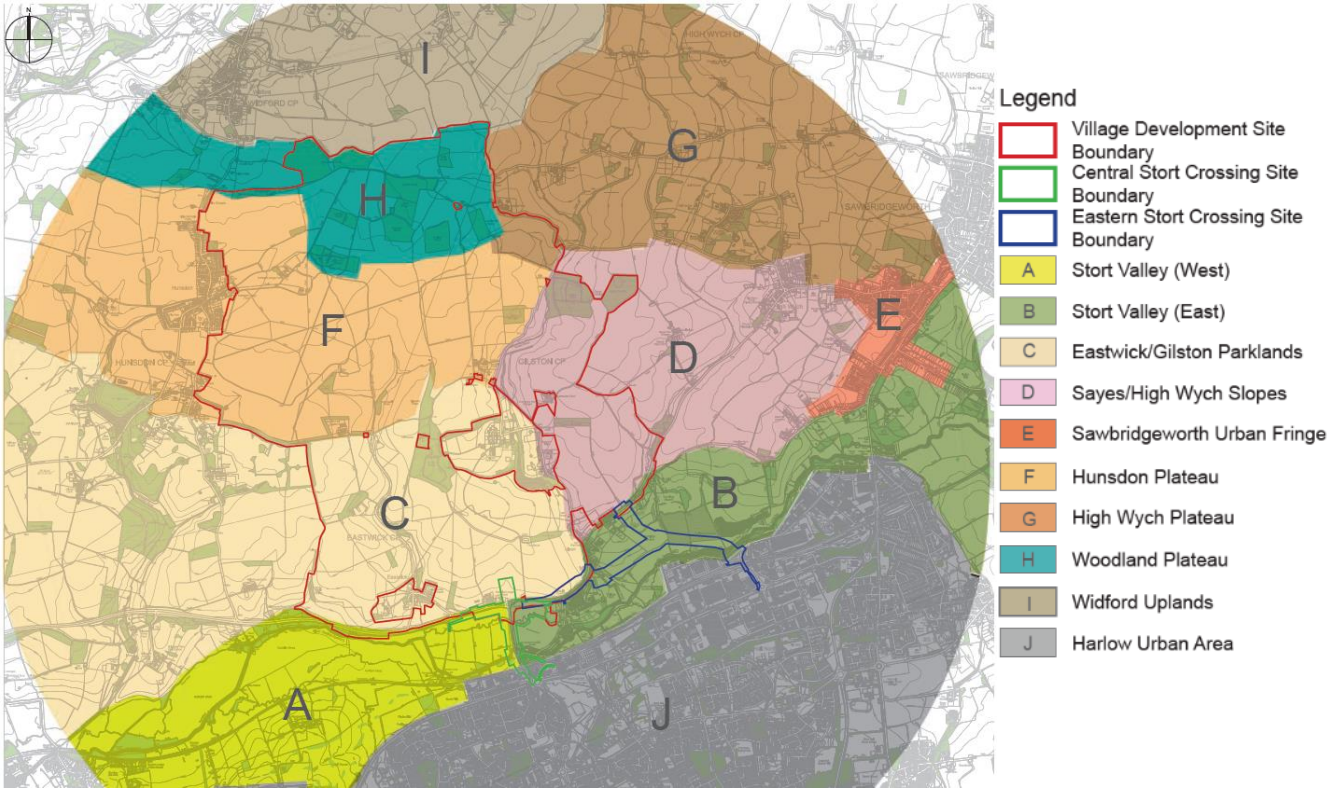
13.3.62 The assessment of the significance of landscape and visual effects is the overall assessment score taking into account the preceding rating assessments. Impacts are rated from large adverse, moderate adverse, slight adverse, neutral, slight beneficial, moderate beneficial and large beneficial for both landscape and visual effects. Large adverse and moderate adverse environmental effects are considered 'significant' for the purpose of the LVIA, while slight adverse and neutral environmental effects are considered 'not significant'. This does not however mean that these effects are disregarded as they could still require some form of mitigation.

13.3.63 The LVIA assesses the impact of the development both during the construction and operational phases. Given the length of the construction period, the LVIA considers the effects likely to arise during early, middle and final phases of construction as effects will differ over time. The assessment indicates that there are no national landscape designations on the site, but it does consider the impact of the development on landscape-related designations such as Special Landscape Areas and Local Wildlife Sites and also on Scheduled Monuments and listed buildings and the Gilston Park House (and un-designated historic park and garden) which inform landscape value. Plus, the assessment uses professional judgement to assess the impact of development on views from private properties. Furthermore, the assessment considers the impacts on nearby Public Rights of Way, Conservation Areas in High Wych, Hunsdon and Widford as well as on areas of ancient woodland within the site and historic fields and woodland and sites of nature conservation importance within the Stort Valley.

13.3.64 Within the site, there are a number of distinct landscape character areas (LCAs), each with their own features of importance, sensitivity, value and ability to accommodate change. These are shown in Figure 6 below. Then there are key receptors within the landscape that will experience visual impacts from the development. These receptors include residents of the existing villages and settlements within the site, as well as those from outside the site, such as those living on the opposite southern slopes of the Stort Valley within the northern edge of Harlow. In addition, visual impacts of a more temporary nature will be experienced by those using Public Rights of Way, roads and even the railway line to the south of the site.

13.3.65 During construction the likely landscape and visual effects are difficult to quantify as impacts are of a temporary nature and will move around the site as development progresses. As a 'worst case scenario' the assessment assumes that the same residents will remain in their home for the full duration of the development. Residential receptors and those who regularly use the PRoW network through the site will experience the negative visual effects of construction more than someone who occasionally uses the PRoW network to pass through the site.

Figure 6: Landscape Character Areas considered in the appraisal



13.3.66 The assessment considers that during construction moderate-large adverse effects will occur on the Eastwick/Gilston Parklands landscape character areas (LCA) within the site. This LCA will comprise the proposed Villages 1, 6 and 5. There will therefore be a fundamental change to the character of the rural agricultural environment as the villages are being constructed. Likewise, the Sayes /High Wych Slopes will have a moderate adverse effect during construction of Villages 2 and 3, and the Hunsdon Plateau will have moderate adverse effects during the construction of Village 4. However, because the development will include the creation of new woodland blocks to supplement the ancient woodlands across the northern part of the site, moderate beneficial effects are expected to the Hunsdon Plateau as new planting of woodland blocks will mature affording more screening to settlements to the west. Effects on LCA A (Stort Valley West) and LCA B (Stort Valley East) were considered in detail in the officer reports for the approved crossing applications, where the adverse effects of the roads and bridges on the landscape character were acknowledged and considered that the benefits associated with the two proposals outweighed the landscape and visual harms.

13.3.67 Residential receptors in Eastwick, Gilston, Terlings Park and those in tall buildings in the northern fringe of Harlow will experience moderate to large adverse visual effects, mostly through periods of construction, which would reduce over time with the growth of landscaping. The majority of other residential receptors will experience minor adverse to neutral effects given distance or intervening landscape. Similarly for roads located within the site and those included within the overall proposal, including the two river crossing applications, moderate to large adverse

visual effects will be experienced to those using the road network. For users of PRoWs across the site, moderate to large adverse visual effects will be experienced, though these would reduce during the final stages of construction when planting becomes established.

13.3.68 In terms of mitigating these impacts, the LVIA assesses the effectiveness of the proposed measures described in the Development Specification in regard to Parameter Plan 3: Green Infrastructure and Open Space, which describes the approach to providing buffer zones and Sensitive Development Areas around key features, within which no built development would take place or where development would be of a less dense and lower built form. It also takes account of commitments to the measures outlined in the Code of Construction Practice, which includes sensitively designed hoarding or boundary fencing, early planting and protected landscaping, reduced lighting, the management of stored materials and minimisation of vehicle movements. The LVIA concludes that while the mitigation measures will serve to minimise effects on existing residential receptors, there will be direct and residual effects even with the proposed mitigation measures in place, which is not unexpected for a development of this scale. Officers therefore recommend conditions requiring full details of these measures to be provided in the form of Construction Environment, Construction Traffic and Landscape Management Plans.

13.3.69 Following construction, the LVIA concludes that there will still be some moderate adverse landscape and visual effects, but considers that the proposed Development Specification and Parameters include specific measures to minimise harm to the setting of designated heritage assets and to retain key views, measures to retain and protect areas of ecological interest through buffer zones and enhancement landscaping. The LVIA considers with these mitigation measures there will remain slight adverse to moderate adverse landscape and visual effects given the scale of the proposed development and the time it will take for mitigation in the form of landscaping to mature.

13.3.70 The development proposes improvements to Public Rights of Way and the creation of new routes, plus the creation of new and enhanced habitats and landscaping proposals that include native tree and scrub planting, native hedge planting and wildflower grassland areas as well as the improved management of existing landscape areas such as the woodland blocks. Opportunities will also be created to aid the understanding and interpretation of heritage and natural assets across the site. The LVIA considers these mitigation measures will result in slight to moderate beneficial effects. Officers consider that notwithstanding the conclusions of the LVIA in the ES, the development will introduce built development into an area largely devoid of urban features, and while familiarity over time and the maturation of screening planting will reduce the effect of visual impacts, nonetheless, there will be

a significant change to the character of the landscape and the experience of residents in existing settlements and visitors to the area.

13.3.71 The ES considers the outputs of the LVIA cumulatively with other planned growth to be built out at the same time as the development. Sites within the urban area of Harlow and beyond are a sufficient distance from the site that there would be no significant cumulative landscape or visual effects arising from the combination of the development of these schemes. Should Village 7 come forward at the same time, the cumulative effect on views is minor adverse during the construction and operational phases.

13.3.72 At this Outline stage the LVIA can only assess the impact of the parameters of the development in terms of the location of development areas and their potential height limits as defined by Parameter Plans 5 and 6. In this regard, the LVIA does provide a reasonable approach to assessing the visual impacts of the Outline development. However, this approach is not fine-grained enough to provide sufficient information to support the masterplanning process, nor does it provide an assessment of the impacts of construction in terms of phasing or the location of enabling works such as site compounds and access routes. As these matters have not yet been determined. Officers therefore recommend that further detailed landscape and visual analysis be carried out to inform each masterplanning stage, and this should form part of an iterative design process where the assessment informs the layout and design of a village, but then this masterplan is assessed again at this more detailed stage. This will also ensure that as development progresses across the site consideration can be taken of the development that has already taken place.

13.3.73 Overall, the impact on the landscape and the visual effect of the construction of the development will have large adverse effects reducing to slight adverse to moderate adverse effects after mitigation particularly when viewed from existing settlements directly adjacent to or within the site area, and from Public Rights of Way and lanes which traverse the Village Developable Areas. The GANP identifies several cherished views over the currently open countryside, some of which will clearly be impacted by virtue of the development, however, the GANP does not restrict development as a result of identifying that views to and from certain locations are cherished. The proposed parameters and Development Specification seek to locate development where least harm will occur to existing landscape areas like woodlands and tributary corridors, and to ensure existing settlements are screened by appropriate landscape treatments. Indeed, early planting has commenced to provide longer-term screening for properties on the edge of proposed village developable areas.

13.3.74 These mitigations and those proposed through Codes of Construction Practice, Construction Traffic and Environment Management Plans, the preliminary Landscape Strategy and Ecological Management Plans are in line with Policies AG1

(Promoting Sustainable Development in the Gilston Area), AG2, (Creating a Connected Green Infrastructure Network), AG3 (Protecting and Enhancing the Countryside setting of New and Existing Villages), AG4 (Maintaining the Individuality and Separation of all Villages) and AG5 (Respecting Areas of Local Significance) of the GANP. Officers likewise consider that the proposed mitigation is in accordance with Policy GA1 (The Gilston Area) parts (n), (o) and (u) and the provisions of paragraph 130 of the NPPF 2021. It is further considered that the allocation of the site acknowledged that changes to the landscape and visual environment is inevitable, and while Officers acknowledge the harm to the landscape character and that visual harm will occur as a result of the development, that this harm is outweighed by the significant benefits associated with the development.

13.4 Supporting Economic Growth

13.4.1 The ethos of the proposal is to create six distinct villages, each with its own character. Each village will need a centre providing a space for congregation and to provide facilities that meet day to day needs. This is important as it is this provision of local facilities that is intrinsic to the creation of walkable neighbourhoods so that residents do not need to get in a car unnecessarily. This centre of activity is also important in terms of providing a variety of local job opportunities. Parameter Plan 5 indicates a zone within which the village centre and schools would be located. Schools, especially primary schools are well located within a village centre as they bring families together and enable shared trips to occur, such as visiting the local shop or park as part of the school run for example.

13.4.2 Currently, the nature of each village centre is not defined, as it is at the masterplanning stage that a vision for the village will be decided and the centre of the village will evolve to create that vision. For the smaller villages such as Village 3 and Village 5 the number and range of retail uses may be smaller than the neighbouring Village 1 or Village 4 for example, as the centre will be reflective of the size and hierarchy of the individual village.

13.4.3 Policy GA1 requires the provision of employment areas of around 5ha to be delivered within the allocation. However, an assessment undertaken by the HGGT team refined the 5ha land area in to employment floorspace, identifying a need for 34,000sqm across the Gilston Area as a whole, with 20,000sqm to be delivered within the Plan period – up to 2033. Breaking this down proportionally by site this equates to 29,200sqm for Villages 1 to 6 and 4,800sqm to be provided in Village 7. The application seeks permission for this floorspace and provides a working assumption breakdown of where this floorspace may be distributed (paragraphs 3.3.1 to 3.3.5 and Table 3.1) for illustrative purposes only:

- Village 1: 7,000sqm

- Village 2: 8,000sqm
- Village 3: 1,050sqm
- Village 4: 4,500sqm
- Village 5: 500sqm
- Village 6: 7,950sqm

13.4.4 It should be noted that as these figures are indicative, they total 29,000sqm. Based on average employment ratios the ES suggests that providing a mixture of employment uses (former B1a, B1c/B2 and B8) plus retail and community uses would generate around 3,105 full time jobs. In addition, there is likely to be a substantial number of jobs created in the maintenance and management of new homes, open spaces and public realm. While no figure is set out in the ES, the Applicant estimates an average of 900 jobs will be created per month throughout the construction of the development, which will take approximately 20 years.

13.4.5 As the construction moves around the site a Skills Hub may be provided as a temporary facility (6,500sqm) to support the construction process. This is not currently a commitment as it will need to be subject to agreement of an Action Plan to confirm an operator and a business case. Whether or not a skills hub is provided, the applicant will continue to work with Officers to establish a mechanism within the legal agreement that commits parties to working with local further educational establishments like Harlow College and Herts Regional College to provide apprenticeship schemes and to support the employment of local labour.

13.4.6 It is important to note that while the application has the potential to provide 29,200sqm of floorspace, it also makes it clear that the quantum and distribution of employment floorspace will be determined following the completion of a market demand assessment to verify commercial market demand. Officers feel that this does not give the certainty required that any employment floorspace will be delivered, particularly at the early stages of delivery when there will be market uncertainty as to the merits of locating a business within a fledgling community. So much of the success of the development relies on the premise of providing local sources of employment, meeting day to day needs and reducing the need to travel, that to compromise the ability to deliver employment land from the start is not acceptable. At the same time, in the anticipation that so much can quickly change in terms of business floorspace needs, such as in the light of a global pandemic for example, it is considered prudent to enable the reconsideration of longer term employment floorspace needs.

13.4.7 Officers therefore recommend that the S.106 Agreement should secure a minimum of 10,000sqm of employment floorspace across the six villages. Each village masterplan will be required to demonstrate that a market demand assessment has been undertaken to inform the type and location of employment land to be provided or safeguarded in the village. Policy GA1 (The Gilston Area) of the EHDP requires that

a range of employment opportunities are created and Policy BU3 (Employment Areas) of the GANP states that employment uses will be encouraged to be located in the village centres as part of mixed-use areas in the interests of sustainability and to support the vitality and viability of each village centre. These could take the form of offices above retail units or standalone within the village centre or in small enclaves of light industrial uses where these are both marketable and appropriate for the neighbouring uses.

13.4.8 Employment development outside of village centres must be well integrated with the built fabric of the village in an accessible location, well connected to the Sustainable Transport Corridor or key transport nodes. However, given the semi-rural nature of the northern villages, it may also be appropriate to accommodate employment activities that are complementary to the rural setting and where impacts on residential amenity and from vehicle movements can be minimised. These principles are set out in the Development Specification and through the identified mixed-use zones on Parameter Plan 5. It is the view of Officers that there is scope within the village development to successfully attract employment generating uses and the detail in relation to the precise location, size and use of individual buildings will be subject to Reserved Matters Applications.

13.4.9 It is acknowledged that during the early years of the development employers may not be attracted to a fledgling community as there is less certainty over skills in local labour, availability of ancillary or supporting services and trades or that sufficient footfall exists. However, it is considered that over time the development will become more attractive as the community grows. It is therefore necessary to ensure that the S.106 makes appropriate provision for the retention and safeguarding of land for employment uses on a reasonable basis.

13.4.10 The ES identified that the creation of new jobs across a range of sectors and uses represents a moderate to large beneficial effect at a county level. Cumulatively the opportunities presented by Village 7 in terms of job creation through construction and employment land commitments are also considered to represent a moderate to large beneficial effect, particularly as there will be some overlap of delivery of Village 7 and Villages 1 and 2 of this outline application.

13.4.11 With a commitment to the delivery of a minimum quantum of employment floorspace secured within the S.106 Agreement, along with the safeguarding of employment land, approach to understanding employer demand to inform masterplanning and approach to providing training and local employment opportunities, the scheme is considered to address the requirements of Policy GA1 (The Gilston Area) of the EHDP and Policy BU3 (Village Cores /Centres) and BU3 (Employment Areas) of the GANP.

13.5 Delivery of Community Infrastructure

13.5.1 EHDP Policy GA1 (The Gilston Area) sets out the requirement to ensure that community needs are met through the provision of on-site facilities for education, healthcare, sports and open spaces and active travel networks, with neighbourhood centres providing local facilities to meet day-to-day needs of new residents. Policy CFLR1 (Open Space, Sport and Recreation) states that developments will be expected to provide open spaces, indoor and outdoor sport and recreation facilities to meet the needs arising from the development, setting criteria for their location and design. Policy CFLR7 (Community Facilities) provides criteria for the design and location of community facilities, including flexible designs to enable multiple uses and accessibility through active and sustainable modes of travel. Policy CFLR9 (Health and Wellbeing) provides criteria for the design and location of facilities for healthcare, faith and wellbeing, and facilities that encourage active and healthy lifestyles. Policy CFLR10 (Education) requires the provision of education facilities to meet the needs arising from new development, providing criteria for their location and design.

13.5.2 The East Herts Health and Wellbeing Strategy 2019-2023 contains the Council's vision and objectives for creating healthy places and vibrant communities. It includes an Action Plan that includes measures relating to the creation of new community facilities through new development to support health and wellbeing of residents. An update to the strategy: the East Herts Community Health & Wellbeing Plan 2023-2028 is currently out for consultation. The emerging plan expands upon the previous strategy and includes objectives relating to supporting individuals and communities to support themselves and each other through community organisations.

13.5.3 GANP Policy AG9 (Phasing of Infrastructure Delivery) encourages the early delivery of social infrastructure having regard to the HGGT Vision and IDP, to meet cumulative needs of new and existing communities. Policy BU2 (Village Cores/ Centres) seeks to focus community facilities within village centres. Policy C1 (Community Facility Provision) repeats the approach set out in Policy BU2, with the addition of a requirement where appropriate, for the transfer of key community facilities into the ownership and stewardship of the local community as part of a governance agreement. Policy D1 (Establishing a Partnership with the Community) and Policy D2 (Community Ownership and Stewardship) both seek the engagement of the community in the design and stewardship of the village development.

13.5.4 Section 8 of the NPPF states that planning decisions should aim to achieve healthy, inclusive and safe places. Key objectives include promoting social interaction, providing safe, accessible and inclusive places to enable and support healthy lifestyles that provide the social, recreational and cultural facilities and services the community needs.

Primary and Early Years Education

13.5.5 The original submission included an Education and Learning Strategy which set out the applicant's commitments to ensuring education provision meets the needs of the new community. These commitments have been secured through their inclusion in Appendix 6 of the Development Specification, extracted below:

1. Providing enough school places on-site to mitigate the impacts of the development. There will be places on-site from Early Years to Sixth Form. The Phase 1 (Village 1) primary school is currently the highest priority and the Applicant will work with HCC to agree the opening date.
2. Supporting the new schools to play an integral role in establishing the new community as its start, and long into the future. Each school will provide a heart for surrounding neighbourhoods, providing the space to bring people together to achieve common goals for their children and their communities.
3. Primary schools will have integrated or co-located nursery provision. Additionally, space suitable for Early Years provision will be available in every village, so provision would be within walking distance of all homes and phased with the development.
4. School buildings will be designed and built to high standards, taking into account both innovative ideas and best practice from experienced architects and contractors, as well as conforming to Village Masterplans and Village Design Codes.
5. Obliging its delivery partners (such as housebuilders) to sign up to the Education vision and principles to ensure that they are reflected in decision making through every stage of the design, planning and delivery process going forward.
6. Being an active and engaged partner, influencing and advising on the delivery of school places at Gilston Park Estate over the long term.
7. Setting up an Education Review Group with HCC which will be responsible for co-ordinating the selection process for an operator(s) and the collection and collation of monitoring data and reviewing trigger points throughout the development.
8. Assisting HCC in monitoring demand for school places by providing up to date data on housing delivery and occupancy (and other data needed as agreed by the Education Review Group).

13.5.6 To ensure the outline application achieves these objectives, the applicant has worked collaboratively with County Council Officers to assess the potential educational need arising from the development of 8,500 homes (10,000 homes when combined with Village 7). Based on the County Council's strategic planning pupil yield methodology, up to a total of 20 forms of entry (fe) could be required (500 homes = 1fe). For Villages 1 to 6 this means up to 17 forms of entry of education infrastructure needs to be identified at the primary level, with a further 3fe of capacity identified for the Village 7 proposal of 1,500 homes. This is also the level of potential provision set out in Policy GA1 of the adopted EH Local Plan.

13.5.7 Translated into actual provision, this means that each village will have land safeguarded for the delivery of a primary school with an incorporated early year's education facility (nursery). Initially, save for Village 1 which will open as a 3 fe school, new schools may open smaller, but land will be safeguarded sufficient to enable each of them to expand up to 3fe over time to meet growing demand arising from the new community, except for Village 3 which would have a maximum capacity of 2fe. Some schools, such as the Village 1 primary school may be built and open with 3fe of capacity from the outset to meet anticipated demand. New school infrastructure will be determined through a dynamic education strategy as the development grows, with information on master-planning, projected build rates, trajectory and phasing being shared through an Education Review Group.

13.5.8 The applicant's viability appraisal considers that fewer forms of entry are required, and the cost plan includes only 15fe across the V1-6 site. This is what the Applicant's projections consider to be the most likely outcome. However, this does not preclude the further school places being delivered up to the maximum of 20FE which will be legally secured in the S.106 Agreement. Over provision of school places is challenging and expensive for school operators and public authorities and should be avoided and the dynamic education strategy will manage the appropriate level of provision to cater for demand. Taking the Applicant's projection this would mean that at least one village would not contain a primary school and while Officers acknowledge the cost of schools and support the principle of the dynamic education strategy, it is considered preferable in placemaking terms to ensure that the application safeguards the ability to deliver a primary school in each village. Schools provide much more than a place for education; they are often the heart of a place, providing opportunities for social gatherings and community activities and in providing support for families, which is especially important in new settlements where other support networks may not yet be available. In terms of achieving high levels of active and sustainable travel to assist in achieving the 60% mode share objective, it is also important that pupils can walk to a local school, which reduces not only the need to travel by car, but also enables the commensurate health benefits of better air quality and increased physical activity. The fact that land is safeguarded within each village centre mixed use zone as illustrated on Parameter Plan 5 means that notwithstanding different opinions on the forecast pupil yields, land will be available to provide for the educational needs of pupils within the Gilston Area in line With Policy GA1 of the EHDP and this will be secured through the S.106 Agreement.

13.5.9 Pupil yield modelling for new communities is not straightforward as it takes a while for the population to grow but when multiple villages are being delivered and occupied simultaneously modelling suggests that pupil yield is likely to peak over several years. In addition, taking into account the condition cap of 8,500 units maximum, the applicants are seeking flexibility regarding the precise number, mix

and tenure of dwellings to be bought forwards in the individual villages. It is therefore entirely appropriate for any outline planning permission to make provision for the maximum envisaged by policy GA1, against which the ultimate demand can be kept under review by the County Council.

13.5.10 Often with new settlements the first occupants will be couples and families with young children not yet of school age. The population becomes more established as a greater variety of homes are occupied and a broader age spectrum of children start to occupy homes on the site. This creates a peak of demand for school places over time, normally with primary demand peaking first and demand for secondary school places peaking later as the population within the development ages. In the long term, the development is likely to settle and begin to reflect the demographic of the surrounding existing community. Considering the scale and length of the build out and the population growth as families occupy the new homes, it will be necessary to continually monitor pupil yield arising from the development to accurately plan the provision of new school places to respond to growing demand.

13.5.11 While peak demand needs to be catered for, this does not necessarily need to be met through the permanent expansion of multiple schools. As such, the S.106 Agreement will make provision for the creation of an Education Review Group (ERG), which will comprise representatives from East Herts as local planning authority and Hertfordshire County Council plus the applicants and HGGT partners as necessary, which will inform a dynamic education strategy approach to the delivery of pupil place provision and capacity against demand from pupil yield arising from the development to determine the overall capacity required across the site over time, and establish whether and when the next school needs to be called for or the expansion of an earlier school provided. The ERG will also be able to consider the dynamic strategy of HCC to deliver SEND education either within the schools at Gilston or in an appropriate location. This close collaboration and information sharing will assist with the iterative Masterplanning of the villages.

13.5.12 The applicant has committed to funding school provision on-site in line with demands up to the cap of 20FE and this will be secured in the S.106 Agreement. Financial contributions will be sought for the delivery of school places in line with the Government's Department for Education Balanced Scorecard (or as approved in consultation with the County Council), and funds will be secured for the delivery of new schools and expansion of existing schools within the Gilston development as required in the future. This will enable the approach to delivery of education, and the totality of capacity to be nuanced and refined over time, responding dynamically to the realities of education need arising across the development. More details are set out in the Legal Agreement Heads of Terms at the end of this report.

Secondary Education

13.5.13 The application site provides for the secondary educational needs of the whole Gilston allocation, including the needs arising from Village 7, providing for up to 20fe at secondary level. Land and funding for two secondary schools has been secured, including through proportional funding from Village 7. Village 1 contains land for a secondary school of up to 8fe with sixth form provision, with land secured in Village 5 for the other secondary school sufficient to provide up to 12fe of secondary school places over time. In both cases, the built area of the school would lie within the developable area of the villages shown on Parameter Plan 5 – with the school playing fields stretching beyond the developable village boundary and forming part of the transition to the open land between and around the villages and which will be covered by the Strategic Landscape Masterplan, however, those areas will form part of the school sites. The use of open land for playing fields is not inappropriate. This approach will ensure compliance with criteria 5(k) of Policy GA1 and deliver the potential to provide for up to 20fe at secondary level to be provided for if required.

13.5.14 Schools need a critical mass of children to be economically sustainable, especially secondary schools where a greater breadth of curriculum requires specialist teachers and floorspace. It is important to plan the right number of school places to meet local demand; if too many places are provided, this risks children from outside the development gaining a place which may result in unsustainable movement patterns and the potential for siblings from outside the area gaining future places over children living closer to the school should the school's admissions rules prioritise siblings over proximity.

13.5.15 New schools will be Academies and outside Local Authority control. They will determine their own admission arrangements and over-subscription criteria. However, the County Council would encourage and support Academy Trusts to implement admission arrangements which prioritise places based on proximity to the school site over applicants from further afield.

13.5.16 The Secretary of State for Education makes the final decision on whether to open new school provision, having considered whether the school has sufficient demand and a critical mass of pupils to be viable and sustainable. At secondary, this would usually be when around 4fe of demand can be evidenced. Until the development yields around 4fe of secondary demand, secondary aged pupils would need to be educated off-site.

13.5.17 Notwithstanding this, the County Council has been working closely with the applicant to explore early delivery of secondary provision within the development which would need to be supported with revenue funding through the s106 to ensure the school was viable until the critical number of pupils was reached. Early secondary provision could potentially be accommodated in part of the Village 1 primary school prior to all the floorspace being needed to meet primary demand. This approach allows for a more affordable and quicker delivery of on-site secondary provision which will

expand in line with the growth of the development. This potential opportunity will be provided for in the S.106 Agreement along with opening of the secondary school in Village 1at 4fe. This approach aims to ensure the delivery of local places in line with demand thus limiting as far as possible an inflow of pupils from further afield as well as maximising high levels of active and sustainable travel.

13.5.18 It is anticipated that the new schools planned in the development will serve the new communities living in Villages 1 to 7. Hertfordshire families applying for a school place can express a preference for up to 4 schools. Parental preference will therefore play a part in determining the internal movement, inflows and outflows of pupils living in the Gilston development. As outlined above, the County Council would support school operators to have admission arrangements which prioritise children based on their proximity to the school site over applicants from further afield. This would ensure families within the new communities and the villages immediately outside the site are prioritised for a school place within the development before those living further outside the development. The Education Review Group will monitor this and this will be reflected in future contributions from the Applicant.

Nursery Provision

13.5.19 Each primary school will provide an early years facility within the school. In addition, private nursery spaces will be available within each village centre. The application proposes the delivery of up to 300sqm of nursery floorspace in each village in the Development Specification (para. 3.3.17). The applicant will continue to work with the County Council Officers on understanding these needs and marketing for operators.

13.5.20 The provision of nursery provision and a primary school within each village is important as not only should they be within walking distance of the communities they serve, but they are also often the first point of contact for families, providing not only for the education and wellbeing of children, but as a space for adult learning and interaction. Through these shared objectives schools and nurseries create a sense of community on their own and can become the heart of a neighbourhood.

Special Educational Needs

13.5.21 The County Council offers a range of good quality local provision and services that can respond flexibly and quickly to meet the needs of children with special educational needs and disabilities (SEND). The County Council has identified the need for 60 SEND places to mitigate the demand arising from Gilston; 44 places will provided through specialist resource provision (SRP) at two primary schools (12 places each) and an SRP at one secondary school (20 places). An SRP provides support in mainstream schools for those who, without specialist input, are unlikely to make progress in their learning and will struggle to take part in mainstream school life. This translates into approximately 200sqm of floorspace for each SRP which will

be designed and delivered as part of the school delivery process. This will be secured through the S.106 Agreement.

13.5.22 In addition, to cater for pupils with SEND needs that cannot be met in a mainstream setting, financial contributions will be secured towards the delivery of 16 new places at an existing special school/s serving the locality. The pupil yield forecast estimates just 1.3% of the total child yield will need this extra level of provision, as such HCC requested a contribution of £5,719,680 for the Gilston Area as a whole, of which 85% amount to £4,680,028 (index linked). This will be payable in staggered payments over the lifetime of the development, the terms of which will be set out in the S.106 Agreement.

Healthcare

13.5.23 The applicant and Officers have worked with the NHS Integrated Care Board (ICB) formerly the Clinical Commissioning Group, to establish an appropriate approach to providing for the primary healthcare needs arising from the development. The NHS representations, the latest to the Viability Submission, advises that 8,500 homes would generate a need for 10.2 GPs, based on a person per dwelling ratio of 2.4 (20,400 people) and 2,000 patients per GP. For Villages 1-6 this equates to a GP floorspace need of 2,029.8m2. Based on the NHS build costs this results in a financial request of £10,982,000. A facility of 2,388m2 would be required for a 12 GP practice to cater for the Gilston Area as a whole.

13.5.24 The ICB also request that mental healthcare and community health and wellbeing services are catered for through a Health and Wellbeing facility of 2,500sqm (net internal area) based on the Gilston Area as a whole (Villages1-7). Based upon NHS build costs this equates to a financial request of £9,275,000 towards community and mental health infrastructure. However, the integrated care model means that ideally this would be co-located with GP services.

13.5.25 The NHS also requests between £9,487,200 and £11,257,026 to allow for acute care to be directed to the Princess Alexandra Hospital in Harlow, which excludes any allowance for acute outpatient's community provision. Note this figure is for the Gilston Area as a whole. The East of England Ambulance Service responded to the Viability Submission consultation for the first time requesting a financial contribution of £2,065,500 towards capital costs of additional emergency and non-emergency health services such as new ambulances, medical equipment, a new parking space for the ambulance at an existing ambulance station, to support a relocation to a site capable of serving existing and additional residents, or for recruiting and training operatives. Note this sum is for Village 1-6 only.

13.5.26 To address these various requests, the proposed strategy is to deliver a health centre in Village 1 that will cater for general practice requirements plus mental health care and community-based care, or to provide two smaller facilities in Village 1 and Village

4. This is in line with the NHS' approach to provide for more services within the community rather than be provided within a hospital setting. By locating a main centre in Village 1 it will ensure there is early delivery of this provision in the most connected village in terms of sustainable transport. The specification of a single site would also enable a dedicated ambulance bay to be provided within the health care site if required. Providing two smaller centres is less cost effective to deliver and for the NHS to maintain and is therefore the less preferred option.

13.5.27 Analysis undertaken for the HGGT advises that sufficient capacity is available within the Harlow area up to 2025, subject to the delivery rates of development, not only at Gilston, but also in the other strategic sites in the HGGT[4]. However, it should be noted that this date was based on trajectory figures that are now three years out of date and none of the strategic sites have yet to deliver any properties apart from parts of the East of Harlow site. It is therefore anticipated that capacity will remain within existing surgeries until such time that on-site delivery of new GP practices and the planned extension of existing practices will be delivered. The applicant commits to exploring the ability to deliver temporary provision on-site using community buildings delivered early in the village centre of Village 1. The flexible use of the on-site community facility will be secured in the S.106 Agreement. This will allow the ICB flexibility in providing for early healthcare needs arising. The applicant will work with the ICB when masterplanning Village 1 and Village 4 to confirm whether the ICB require one main centre or two smaller facilities and to agree the specification for the provision of the agreed facility in lieu of separate financial contributions, with the requirement to deliver the facility/s secured in the S.106 agreement. The viability appraisal takes account of the cost of providing one health care centre (excluding fixtures, fittings, and equipment) with an estimated cost to the applicant of £14,907,900, which includes youth health facilities; 15% (£2,236,185) of which would be expected from Village 7.

13.5.28 At the time the ES was prepared, dialogue was ongoing with the ICB, and the Village 7 proposal also made provision for a healthcare facility. The ES therefore assumed that each application would cater for its own healthcare needs arising and there was therefore no cumulative effect. The ICB has indicated a preference for the provision of one health care facility in Village 1 as opposed to one in each of Village 1 and Village 7. Both applicants have agreed to this approach. In consultation with the ICB, the health centre floorspace of 3,515m^2 plus an additional 460m^2 for youth health care allowed for in the cost plan could provide for the on-site primary health care needs of the Gilston Area as a whole. Officers therefore feel that this proposal has a beneficial effect in terms of providing for not only the floorspace needs known to be required, but also makes provision for future needs if necessary.

Acute care

[4] Harlow and Gilston Health Capacity Analysis, 2021

13.5.29 In terms of acute care, Officers have carefully considered the request from the NHS against the regulations governing planning obligations[5] and have considered various examples of applications and how such requests have been treated. The Council acknowledges the importance of hospital access and the role that Princess Alexandra Hospital currently plays in providing services to the community. That the hospital has plans to relocate is not material as the role a new hospital would provide would remain the same. The funding of hospital and ambulance services is the remit of the NHS Hospital Trust and the UK Government and is paid for through taxation by all citizens and therefore falls outside the remit of Regulation 122 in terms of being "necessary to make the development acceptable in planning terms" and "directly related to the development". The Gilston Area applications respond to an allocation in the EHDP to meet the housing needs arising in East Herts. These housing needs largely arise from existing resident household formation. Development itself does not generate new population as households moving into new properties are already housed somewhere, they are therefore already accounted for in terms of their demand on NHS services. Indeed, the plans to relocate and expand the hospital have long been in the pipeline before the adoption of the EHDP and took account of the planned growth in the wider catchment which the hospital serves, which covers a far greater area than the HGGT.

13.5.30 The application will instead provide for on-site health care facilities to serve the needs of the households on the Gilston Area, catering for all seven villages. The on-site healthcare provision will cost nearly £15m and will deliver a centre which provides far more than a GP surgery. In addition, the application commits to Sport England Healthy Places principles and will provide a significant quantum and range of sports facilities and opportunities for recreation and active travel. The principles of walkable neighbourhoods are embedded in the Strategic Design Guide, the Development Specification and in the Parameter Plans themselves where every village will provide a village centre to cater for day to day needs within walking distance. The ES considers that the provision of on-site health care services aligns to the wider healthcare strategy of the NHS, and that planned housing growth should not have any significant adverse effects on hospital access for secondary or acute care needs. These measures will assist in reducing the need for acute care services, and is in line with paragraphs 92 and 93 of the NPPF, the East Herts Wellbeing Strategy and Policy CFLR9 (Health and Wellbeing) of the EHDP.

Emergency Services Hub

13.5.31 The application commits to the safeguarding of land (0.6ha or 4,4080sqm), for the creation of an emergency services hub to provide space for police and fire services. This use would contribute towards the overall floorspace for employment and businesses. This figure is greater than the 1,600sqm GEA set out in the Development Specification and has been reached following negotiation with the Council and

[5] Regulation 122 of the Community Infrastructure Levy Regulations (2010) (as amended)

Hertfordshire County Council to ensure that the Gilston Area properties are served by emergency services. Because a large proportion of emergencies relate to road traffic incidents, rapid access to the trunk road network is also important. It is therefore proposed that land for an Emergency Services Hub will be safeguarded within the mixed-use zone at the southern part of Village 6 to serve all seven villages and as such will be secured via the S.106 Agreement. This location would be accessed via the proposed Village 6 junction to the A414, discussed further in section 13.8 below, with design principles to be developed as part of the Village 6 masterplan. Officers Officers are working with representatives from the fire and police services to develop their proposals further and this would be subject to a Reserved Matters application in due course.

Community facilities

13.5.32 The application makes a commitment to providing up to 460sqm GEA of dedicated floorspace for youth facilities within Village 1. HCC require this floorspace to be additional to and physically separate from any school building. In addition, the application commits to providing a minimum of 520sqm GEA of floorspace to which young people would have dedicated access at set times of the week outside of school hours, this could be provided within a school building or premises, or as part of another community facility. Furthermore, dedicated access to a multi-use games area will be provided at set times of the week, either on a school site with appropriate access arrangements or on a suitably managed site co-located with the dedicated youth facilities. Any facility that is co-located on a school site will need to be secured via a community use agreement with the school.

13.5.33 To provide for wider community needs, a multi-functional community centre is planned within Village 1 of at least 1,000sqm GEA. This facility will enable multiple uses throughout the day and evening, including for faith groups, social or community-based groups. This facility could also be used as a library or potentially be a base for the future stewardship body.

13.5.34 Community buildings now fall under the Class E and Class F of the Use Class Order and will therefore need to be designed to be flexible and adaptable, and capable of accommodating 'meanwhile uses' until such time that the intended use is self-sustaining. For example, floorspace that is intended to become a community centre could be used as a temporary health centre until the health centre is completed, or could be put towards another community supporting use like a library for example. Likewise commercial uses that serve a community function may adapt the same building over time such as veterinary surgeries, dentists or opticians for example. This will not only prevent buildings from remaining unused but will also allow for uses to respond to demands that may evolve over time.

Parks and Open Spaces for Sport and Recreation

13.5.35 Village centres will provide opportunities for social interaction and recreation, including seating, planting, public art and incidental play among other features. In addition, the application proposes a tiered approach to the delivery of parks and open spaces to ensure that there is a broad range of facilities within each village to serve a variety of functions. Table 6 below sets out the specification for the following open space types proposed:

- Community Open Space Provision – extensive public open spaces to serve the Gilston community, as well as to provide strategic provision for surrounding communities as well. The land will also cater for sports facilities, allotments, orchards, strategic green corridors and habitat and movement connections.

- Village Parks Open Space Provision – large public open spaces that will clearly 'belong' to a village, comprising hard and soft public realm for sports and recreation, community events and gatherings. Each village will include: a village centre, village park, village sports playing fields and village buffers. Each village will also have at least one village playground with equipment to serve different aged children, in reasonable proximity to the primary school to facilitate shared trips, which can be located within the Village Park.

- Neighbourhood Open Space Provision – smaller public open spaces in the form of neighbourhood greens, neighbourhood play spaces, local parks and gardens, and local play spaces within a few minutes' walk of properties that will provide focal points for within different parts of each village. Pocket parks scattered throughout each village will help structure parts of the village adding character rather than being an open space per se. Lastly, doorstep play opportunities will be integrated into the public realm by creating playable streets and homes zones or car free spaces.

Table 6: Open Spaces for Sport and Recreation

Village Provision	Each village will provide:	Defined through Village Masterplans
Village Centre	2,000sqm minimum	To include village identity features such as noticeboards, seating, planting, kiosks, public art, lighting, opportunities for incidental play for example.
Village Park	1.0ha minimum	Villages 1, 2, 4 and 5 defined. More flexibility on location for Villages 3 and 6.
Village Sport – Playing Field	0.8ha minimum	May be beyond village developable area. To have supporting ancillary facilities.
Village Playground	2,000sqm	May be within the 1ha Village Park, to include equipment to suit a variety of ages

Village Green Corridors and Buffers		Villages 1, 2, 3 and 6 with defined locations
Neighbourhood Provision		Defined through Village Masterplans and Reserved Matters Applications
Neighbourhood Greens	2,000sqm minimum	May be several within a village to accommodate 400m radial walk distance from homes.
Neighbourhood Play Space	625sqm minimum	May be located within Neighbourhood Greens but may be more to accommodate 250m walk distance from homes.

13.5.36 The Landscape and Green Infrastructure Report submitted with the application sets out the indicative size and facilities that each of these different types of provision would provide and how they collectively function within the village development. It should be noted that the Landscape and Green Infrastructure Report is only indicative and while it contains useful information, the report itself is not for approval. The Development Specification however defines the space and accessibility criteria for each of the open spaces proposed as well as the sorts of facilities that are to be provided depending upon the type of open space. These criteria will inform the next stages of masterplanning; the Community Open Space Provision tier will be set out in detail at the Strategic Landscape Masterplan, while Village Open Space Provision and Neighbourhood Open Space Provision will be considered as part of each Village Masterplan and Reserved Matters applications in due course.

Sport pitches and recreation

13.5.37 Since the application was first submitted the Council updated its Open Space, Sport and Recreation Strategy Supplementary Planning Document (SPD), which also included updating the types and quantum of sports provision that each strategic site should seek to provide. The applicant has therefore worked with Officers and Sport England representatives to better understand the needs arising from the Gilston Area proposals and submitted a Sports and Physical Activity Strategy with the November 2020 amended plans.

13.5.38 The Strategy indicates the sports facility requirements established in the SPD update (Table 2.1 of the strategy included in the Village Addendum Document). The assessment calculated the needs arising from the Gilston Area rather than breaking it down into two parts of 8,500 and 1,500 homes to ensure that the cumulative needs arising from the site were understood and could be planned for. The Sports Strategy sets out how each type of sporting need will be met through the provision of facilities across both application areas. This is considered a suitable approach, particularly when considering the types of facilities required. For example, the Gilston Area will require a leisure centre with a swimming pool of 4.4 standard 25m lanes. This is

clearly best provided within one facility and will therefore be delivered within Villages 1 to 6. Similarly, where the assessment indicates 7.4 tennis courts are required for the Gilston Area, one cannot provide 0.4 of a tennis court, so the strategy rounds this upwards to 8 courts. To create viable and self-sustaining facilities it is better to have fewer, but larger facilities, so in this case, one facility providing 8 tennis courts is proposed.

13.5.39 In each case, the site as a whole will meet or exceed the calculated requirement. And with the exception of fitness stations and community halls these requirements are all met within the Village 1 to 6 application. Because of the scale of football need this has been considered across Villages 1 to 7. Based n grass pitch provision alone, the Sport England facilities calculator model (within the East Herts Open Spaces, Sport and Recreation SPD) indicates a potential need for up to 44 natural turf pitches for the site as a whole (adult, youth and mini pitches). Sport England consulted the Football Association and the Herts County Football Association and agreed that 20 natural turf pitches would be requested on the basis that 4 artificial grass pitches (AGP) would be provided. This is because significantly more games can be accommodated on an AGP compared to natural turf pitch. The applicants have agreed that the Village 1 to 6 application will accommodate 15 of those pitches and the Village 7 proposal will accommodate 5 grass pitches as part of a football hub facility. Similarly, a total of 4 senior artificial grass pitches are required, two of which will be provided through the secondary schools in Villages 1 to 6 and two at the Village 7 football hub. This is in response to consultation with the Football Association who cited a preference for a football hub to be provided which could accommodate artificial grass pitches (and associated facilities) alongside grass pitches in addition to provision of individual pitches distributed amongst each village

13.5.40 In a scenario in which Village 7 did not come about, the Village 1 to 6 proposal should technically accommodate 17 grass pitches (85% of the total allocation). However, in the context of the overall over-provision of other sports pitches and facilities where all the site allocation requirements are met within Villages 1 to 6, Officers consider that this over-provision of a broad range of sport facilities offsets the under-provision of two grass pitches. Regardless of this, there are opportunities to upgrade one or two grass pitches to artificial grass pitches in the future should needs arise, which would more than adequately cater for the calculated number of games per week. However, the infrastructure associated with an AGPs is significant and comes with its own impacts (lighting, fencing, drainage for example), which would preclude their delivery in many parts of the site. The approach proposed in the application is to locate natural turf pitches within areas of green infrastructure such as community and village parks. Many of these locations would not be suitable for an AGP. Therefore, it is the view of Officers that the provision of 15 grass pitches across Villages 1-6 is acceptable.

13.5.41 In terms of rugby, the advice of Sport England is that there will be a need for almost 4 rugby pitches arising from the site. However, it is considered that this need should be directed off-site to the Harlow Rugby Club where capacity improvements will be required, and funding sought for this. Similarly, with regards to athletics, demand arising from the site should be directed to the Mark Hall Sports Centre in Harlow where improvements to the track have been identified as a priority for meeting current and future formal athletics facility needs rather than new provision. Officers therefore recommend that funding should be sought from the applicants towards these off-site improvements and the applicants have agreed to financial contributions to both facilities, which will be secured through the S.106 Agreement.

13.5.42 Sports pitches will need to be supported by small facilities such as pavilions, changing rooms or toilet blocks, and therefore the application makes provision for 3,000sqm of floorspace associated with sports and leisure uses (Table 3.1 Development Specification). The Development Specification also allows for a further 25,100sqm to accommodate retail and related uses and leisure floorspace. The full details of the sports and leisure component of this floorspace is set out within the Development Specification but is summarised in Table 7 below.

Table 7: Built Facilities for Sport and Recreation

Strategic Provision	Criteria	Defined through Strategic Landscape Masterplan
Leisure centre	4 lane swimming pool (25m long) Teaching pool 7 x 10m, 80 fitness stations, Six-court sports hall (to community use specification), Three studios, Ancillary facilities	Part of 25,100sqm retail and related uses and leisure floorspace. To be located within Village 5 Education and Mixed-Use Zone. Subject to a needs assessment and confirmation of facility viability at the time of the village masterplan. The timing and mechanism to be secured in the S.106. If a need for a larger pool is demonstrated, the facility could provide up to 6 lanes, but funding should be sought from elsewhere.
Gym or health club	60 fitness stations	Additional to or provided within a larger leisure centre.
2 x Artificial grass football pitches	Up to size of a senior community football pitch, floodlit	Located on a school site or co-located with a school site with access to changing facilities either in school or as a standalone facility. Artificial surfaced pitches on school sites to have community use agreements and will count towards overall provision.
15 x grass football pitches	Mini, junior and senior	Additional to any school provision. Within strategic green infrastructure and or Village Playing Fields.

Community sized sports hall		Provided at either a secondary school with a community use agreement or at a community centre.
2 x six-rink bowls facilities	0.4ha minimum	Consolidated on one site with club house and ancillary facilities.
8 x senior tennis courts	0.75ha minimum	Either as part of a tennis club or part of appropriately managed community-access facilities within an open space.
2 x senior cricket pitches		Provided as a cricket club with club house and ancillary facilities on Gilston Fields.
1 cricket square		Location to be determined through SLMP or relevant VMP.
2 x artificial cricket wickets		Provided on each secondary school site with a community use agreement.
Artificial surfaced hockey pitch	Up to senior sized pitch	In Village 5 Education and Mixed-use Zone. Designed to permit access for school use and community use, therefore could be a standalone facility with changing facilities or as part of the leisure centre.
Ancillary facilities	Up to 3,000sqm Signage, toilets and other supporting uses	To be confirmed through SLMP.

13.5.43 The ES considers the effects of the development related to sports and open spaces within the Socio-Economics and Community Effects chapter as well as within the Health chapter. It considers that the development will be designed to promote physical activity and active lifestyles through the built and natural environment, and this engagement with the natural environment assists in improved mental and physical health, and that the effect on existing and future residents through the provision of open space, play space and leisure floorspace will be permanent and large beneficial within the local area.

13.5.44 Officers consider that the breadth of sports and open space provision committed to in this application demonstrates a commitment to creating healthy and active places. There may be some minor shortfalls in pitch numbers when looking at the provision from a purely standards-based approach, but Officers consider that there are longer term opportunities for the conversion of some of the proposed pitches to accommodate different pitch needs in the future as required, to respond to changing needs. In addition, there are opportunities to reconsider the role of the Hunsdon Airfield Park in the future to accommodate sporting needs where commensurate to the character and openness of the park.

Wellbeing and Social Value

13.5.45 A Health and Wellbeing Strategy was submitted with the original application as an example of how the proposal will contribute towards health and wellbeing objectives. To embed these principles as commitments in the application, the Development Specification, which will be an approved document, now includes each of the principles and commitments. As such, they will inform all future masterplanning stages and Reserved Matter applications.

13.5.46 These principles extracted below from Appendix 6 of the Development Specification focus not just on the actual provision of community facilities parks or spaces for sport or recreation, but more on the application of Sport England Active by Design standards and sustainable design principles to make every-day activities easier to undertake through active methods of travel; services easier to access for all; and homes that are affordable, comfortable and that fulfil changing needs of residents over time, to foster a sense of community, personal wellbeing and to reduce the need for traditional healthcare services.

1. Delivering a development that learns from best practice in healthy placemaking elsewhere, exploring new and innovative strategies and working in partnership across sectors to deliver beneficial wellbeing outcomes for current and future residents.
2. Making decisions about the design and delivery of the development based on a detailed understanding of the wider determinants of health.
3. Ensuring the principles of good design for health and wellbeing are embedded and are reflected at the Village Masterplan and Reserved Matters stages.
4. Delivering a new primary care centre in Village 1 (with the potential for another centre in Village 4) in an accessible village centre location. Delivery of healthcare facilities on-site will be considered from the very first homes being occupied - temporary provision may help to deliver GP access before the new health centre(s) is built.
5. Providing a wide range of tenure options, specialist housing and dementia friendly neighbourhoods, supporting older and vulnerable people to live as independently, safely and happily as possible.
6. Providing independent living and step-down care which will reduce pressure on hospital beds, supporting people come home from hospital and improving their long-term prognosis.
7. Deliver homes built to high standards of fabric energy efficiency, to ensure they are dry, warm and affordable to heat, and explore innovation and best practice on design for health and wellbeing (e.g., Happy by Design)
8. Residents of the Gilston Park Estate will have access to affordable opportunities for sport and leisure close to their homes.
9. Delivery of spaces and facilities that provide for the needs of children and young people, by implementing the principles for design and delivery of children and young people's services, play and recreation.

10. Working with the local authorities and the Garden Town Steering Group to instigate a process of knowledge and data sharing over time and a partnership approach to service design, delivery and feedback.

13.5.47 These considerations are what residents value from a place, what contributes to a sense of belonging and in turn what encourages people to stay in a community for longer. The masterplan scope conditions require collaborative engagement with existing communities and most importantly with those who may become part of future communities. Likewise, the Stewardship Strategy (discussed in section 14 below) describes the process of engaging the community in key decisions relating to the evolution of the new community. These measures will assist in embedding these principles of community ownership and social value in to the design of each village and the Gilston Area as a whole.

Healthy Communities and Community Infrastructure Conclusion

13.5.48 The ES considers this application and the cumulative effects of this application together with Village 7 and other cumulative schemes. The development would provide all neighbourhood and district community facilities on site and therefore it is not relevant to consider the cumulative effects of the development in combination with other reasonably foreseeable development on these facilities. However, it the view of Officers that this scheme provides for the primary healthcare needs of Village 7 through the delivery of a healthcare facility in Village 1 and possibly in Village 4, and in this way, Officers consider that the conclusions in the ES in this regard have been superseded as a result of this commitment by the applicant.

13.5.49 The ES considers the effects of the development related to community facilities in the context of the Socio-Economics and Community Effects chapter as well as within the Health chapter. The ES also considers that as the development will be designed to promote physical activity and active lifestyles through the built and natural environment, this is linked to improved physical and mental health, reducing risk of cardiovascular disease and other chronic conditions. Therefore, the ES considers residual effects to be negligible or beneficial.

13.5.50 The application commits to the delivery of a wide range of community floorspace, both terms of physical delivery as well as in terms of safeguarding land to enable the delivery of community uses in the longer term. This will ensure that the needs arising from the development are catered for which is considered to be of positive weight, and the provision of new community services within proximity to existing residents in surrounding villages is considered to be a beneficial attribute of this proposal. Furthermore, the provision of local day to day services on-site, within walking distance of new and existing homes combined with the commitments in the Development Specification to the creation of walkable and cycle-friendly neighbourhoods, will reduce the need to travel, contributing to wider objectives

around modal shift to active and sustainable travel and therefore is considered to meet local and national policy requirements.

13.6 Protecting and Enhancing the Natural Environment

13.6.1 Policies GA1 (The Gilston Area) and GA2 (The River Stort Crossings) of the East Herts District Plan 2018 support developments that enhance the natural environment, provide a comprehensive green infrastructure network and net biodiversity gains. Policy DES2 (Landscape Character) requires proposals to demonstrate how they conserve, enhance or strengthen the landscape character and be supported by a Landscape and Visual Impact Appraisal. Policy DES3 (Landscaping) requires proposals retain, protect and enhance existing landscape features, ensuring no net loss, and where losses are unavoidable and justified should be compensated for appropriately.

13.6.2 EHDP Policy NE1 (International, National and Locally Designated Nature Conservation Sites) states that development that adversely affects the integrity of a designated site will not be permitted unless it can be demonstrated that there are material considerations that outweigh the harm. Policy NE2 (Sites or Features of Nature Conservation Interest (Non-Designated) recognises the importance of all non-designated assets and states that proposals should achieve a net gain to biodiversity. Policy NE3 (Species and Habitats) requires development to enhance biodiversity and to create opportunities for wildlife, protecting and enhancing habitats and avoiding impacts on species and habitats of principal importance for the purpose of conserving biodiversity as defined under Section 41 of the Natural Environment and Rural Communities Act 2006 (or as amended). Policy NE4 (Green Infrastructure) states that proposals should avoid the loss, fragmentation or functionality of the green infrastructure network and to maximise opportunities for its enhancement, and should demonstrate how lighting will not adversely impact on green infrastructure that functions as nocturnal wildlife movement and foraging corridors. Policy CFLR1 (Open Space, Sport and Recreation) requires the loss of open spaces to be replaced with a suitable alternative.

13.6.3 EHDP Policy EQ2 (Noise Pollution) and EQ3 (Light Pollution) seek to avoid and minimise impacts on the environment from noise generating activities and from glare and light spillage. Policy EQ4 (Air Quality) states that all developments are to include measures to minimise then mitigate impacts on air quality during construction and operation.

13.6.4 Gilston Area Neighbourhood Plan Policies AG1 (Promoting Sustainable Development in the Gilston Area) and AG2 (Creating a Connected Green Infrastructure Network) state that development should protect and enhance areas of ecological importance, minimising direct and indirect effects on natural landscape assets, to ensure suitable

connections are created for wildlife, walking and cycling and to create new green spaces and habitats to achieve a net gain in biodiversity. Policy AG3 requires development in the Stort Valley to protect the rural setting and wetland environment and open views of the valley. Policy AG5 (Respecting Areas of Local Significance) acknowledges and permits in exceptional circumstances development needed for strategic infrastructure required for the Gilston Area. Policy AG8 (Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities) specifically seeks that new transport infrastructure proposals must minimise impacts on the character and environment of the River Stort, including potential noise, visual and pollution impacts. Policy TRA2 (Access to the Countryside) requires that connections to strategic green infrastructure such as the River Stort should minimise environmental impacts such as noise and light pollution.

13.6.5 Paragraphs 174 to 182 of the NPPF 2021 relate to the consideration of development proposals in the context of conserving and enhancing the natural environment. Key principles include protecting and enhancing sites of nature conservation importance in a manner commensurate to its designation, avoiding harm, mitigating impacts and as a last resort, compensating for harmful impacts.

13.6.6 Section 6 of this Report summarises the key findings of a Habitats Regulations Assessment (at Appendix A to this Report) pursuant to the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended by Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (together "the Habitats Regulations"). As competent body under the terms of the Habitats Regulations the Local Planning Authority has undertaken a Habitats Regulations Assessment of the outline application together with other relevant plans or projects. The HRA comprises a screening assessment and appropriate assessment, as necessary, of the potential impacts, i.e. likely significant effects, of the three applications comprising the Development: the Villages 1-6 outline application, the Central Stort Crossing and the Eastern Stort Crossing, upon the National Network Sites of the Lee Valley SPA/Ramsar, Wormley-Hoddesdonpark Woods SAC and Epping Forest SAC. The screening considered whether the applications comprising the Development alone, when considered as a whole and when considered in combination with other relevant plans and programmes, were likely to have a significant effect on the National Network Sites. Where likely significant effects could not be ruled out without the need for mitigation, an appropriate assessment was undertaken on that potential impact.

13.6.7 Appendix A to this report contains the HRA in full. The appropriate assessment concludes that having taken account of the information received (including consulting Natural England) and considering that mitigation measures will be adequately secured as part of any planning permissions, and are expected to be effective beyond reasonable scientific doubt, the Council is satisfied that the applications comprising the Development (as defined in the HRA), either alone, as a

whole Development or in combination with other plans and projects, would not lead to any adverse effects on the integrity of any National Network Site, nor conflict with relevant Conservation Objectives for the National Network sites.

13.6.8 The Council has a duty under section 40 of the Natural Environment and Rural Communities Act 2006 ("the NERC Act") to consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective, which is the conservation and enhancement of biodiversity. It also has a duty to consider the impact of development on habitats and species of principal importance as recorded pursuant to Section 41 of the NERC Act. This is a list of living organisms and types of habitat which are of principal importance for the purpose of conserving biodiversity in England, maintained by Natural England but published by the Secretary of State.

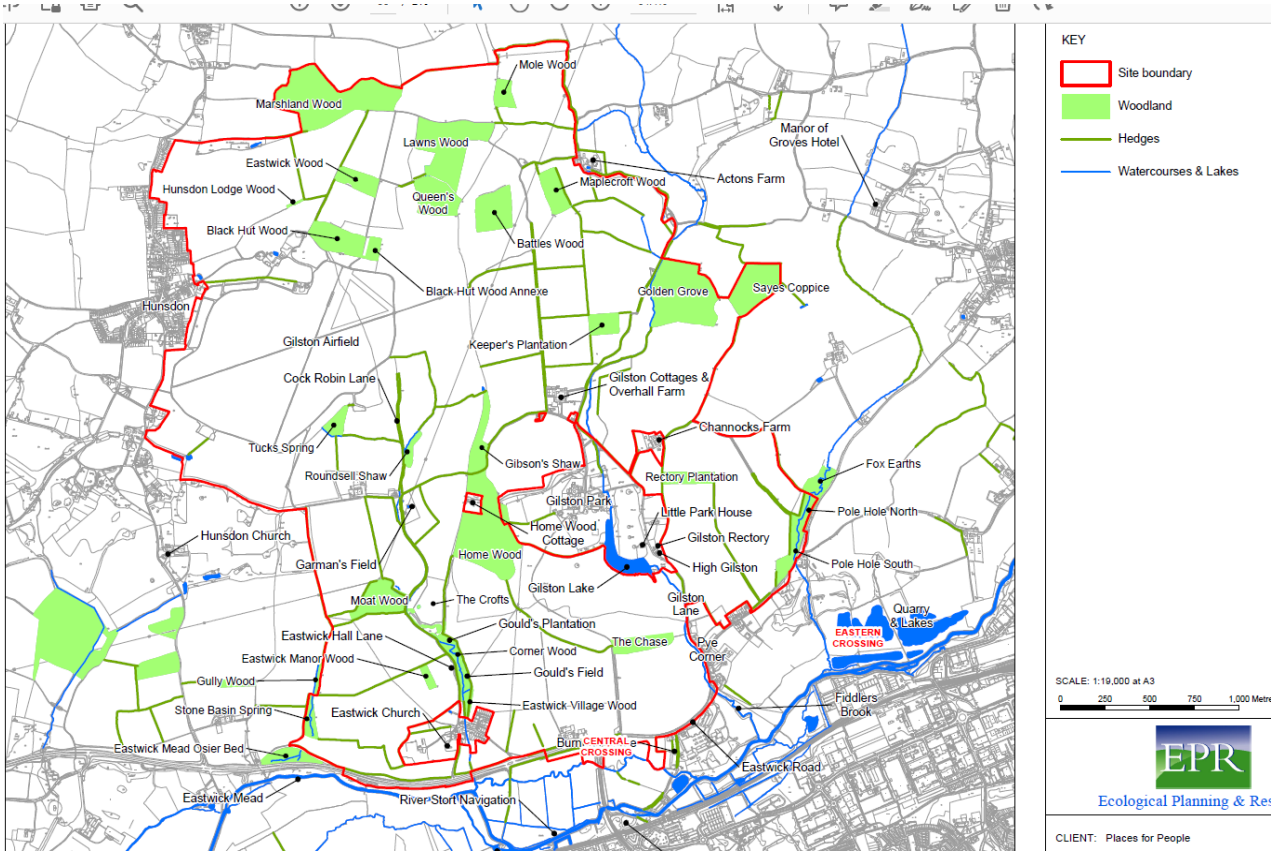
13.6.9 The Wildlife and Countryside Act 1981 (as amended) provides protection for certain plant species from intentional picking, uprooting or destruction under Schedule 8, and prevents the spread of invasive non-native species listed under Schedule 9. The Conservation of Habitats and Species Regulations 2017, the Water Environment (Water Framework Directive (England and Wales) Regulations 2017, The Countryside and Rights of Way Act 2000 and the Protection of Badgers Act 1992 are all relevant to biodiversity considerations.

Habitats in the outline application area

13.6.10 The ES contains numerous habitat and species surveys covering the site as a whole, including the crossings dating back over multiple years. The ES and its addendums explains that where there has been no material change to the management of the site or the baseline conditions present for habitats and species as evidenced in the updated Phase 1 habitats surveys, it has been considered unnecessary to update all species surveys in the intervening years.

13.6.11 However, more recently Natural England released an updated version of its biodiversity impact assessment calculator (BIAC) known as DEFRA 3 which uses updated habitat classifications. Therefore the ES has updated the Phase 1 Habitat Survey for the whole site to inform the BIAC. In addition more detailed species surveys for the Village 1 study area have also been updated. These updates were included in the December 2022 Viability Amendments. The updated Village 1 survey results were consistent with the previous surveys undertaken, and the ES considers that the updated surveys make no material change to the overall findings of the ES primarily because the ecological baseline across the site remains unchanged since previous surveys. It is considered therefore that the mitigation and compensation measures included in previous surveys continue to be appropriate and proportionate to the predicted impacts of the proposed scheme. Figure 7 below illustrates the location of ecological features referred to in this section.

Figure 7: Ecological Assets



Habitats – Designated Sites

13.6.12 There are no statutory designated sites within the site boundary. However, beyond the site within the Lee Valley, 2.5km west of the site, are two Sites of Special Scientific Interest which make up part of the Lee Valley Special Protection Area (SPA) (which is a European designation), and Ramsar Site (which is an international wetland designation. Wormley-Hoddesdonpark Woods Special Area of Conservation (SAC) and Epping Forest SAC are approximately 7.5km and 9.5km respectively from the site. The potential effects of the development on these sites are considered in detail in the HRA.

13.6.13 The River Stort and its functional floodplain located beyond the outline application area to the south is one of the best and most extensive functioning floodplains in Hertfordshire and the floodplain itself has high habitat value. There is a series of statutory designated sites and undesignated sites of ecological value along the River Stort in the vicinity of the application site, including (from west to east):

- Hunsdon and Eastwick Meads Herts and Middlesex Wildlife Trust Nature Reserve
- Hunsdon Meads SSSI,
- Eastwick and Parndon Meads Local Wildlife Site (LWS),
- Harlow Marshes Local Nature Reserve (LNR) comprising Parndon Moat Marsh LWS, Marshgate Spring LWS and Maymead Marsh (also known as Honeymead Marsh) LWS
- Town Park Ditches LWS

- Fiddlers' Brook Marsh, Hollingson Meads LWS
- Pishiobury Park LNR.
- North of Sawbridgeworth to Bishop's Stortford are a further three river corridor SSSIs.

13.6.14 The crossing proposals cross the Stort Navigation and the backwaters of the main river into which multiple tributaries flow. The impacts on the Stort Valley habitats were considered in the respective officer reports and the two crossing were granted planning permission in March 2022.

13.6.15 Given the proximity of the village development to the Stort Valley it is reasonable to anticipate that there will be an increased demand for use of the valley as either a destination for recreation or even by those wishing to use the route on their commute to the stations at Roydon or Harlow. Given the sensitive environment of the valley it is necessary to ensure that any increased pressure from recreational use of the valley is directed to parts of the valley and routes within it that are less sensitive and to ensure that habitats present are enhanced to be more resilient to such pressures. This can be achieved by a range of measures such as providing new dedicated footpaths of improving existing routes like the towpath to direct users to defined routes away from ecologically sensitive areas; and through the creation of new wetland and enhancement of under-performing habitats to provide new habitats for more sensitive species away from routes used for recreation. As such, a financial contribution of £3m is proposed by the applicants towards projects to enhance the valley in this regard (secured through the S.106 Agreement). The Council will receive the fund and will work with statutory bodies with an interest in the valley, to ensure the delivery of projects that mitigate the potential harm arising from increased recreational demand. The Council will liaise with the Herts and Middlesex Wildlife Trust who co-ordinate activities of the Stort Valley Partnership (SVP) on this matter. The SVP is a grouping of land owners, statutory bodies including Natural England and the Canal and River Trust as well as formal and volunteer organisations with interests in the ecology of the valley and its waterways.

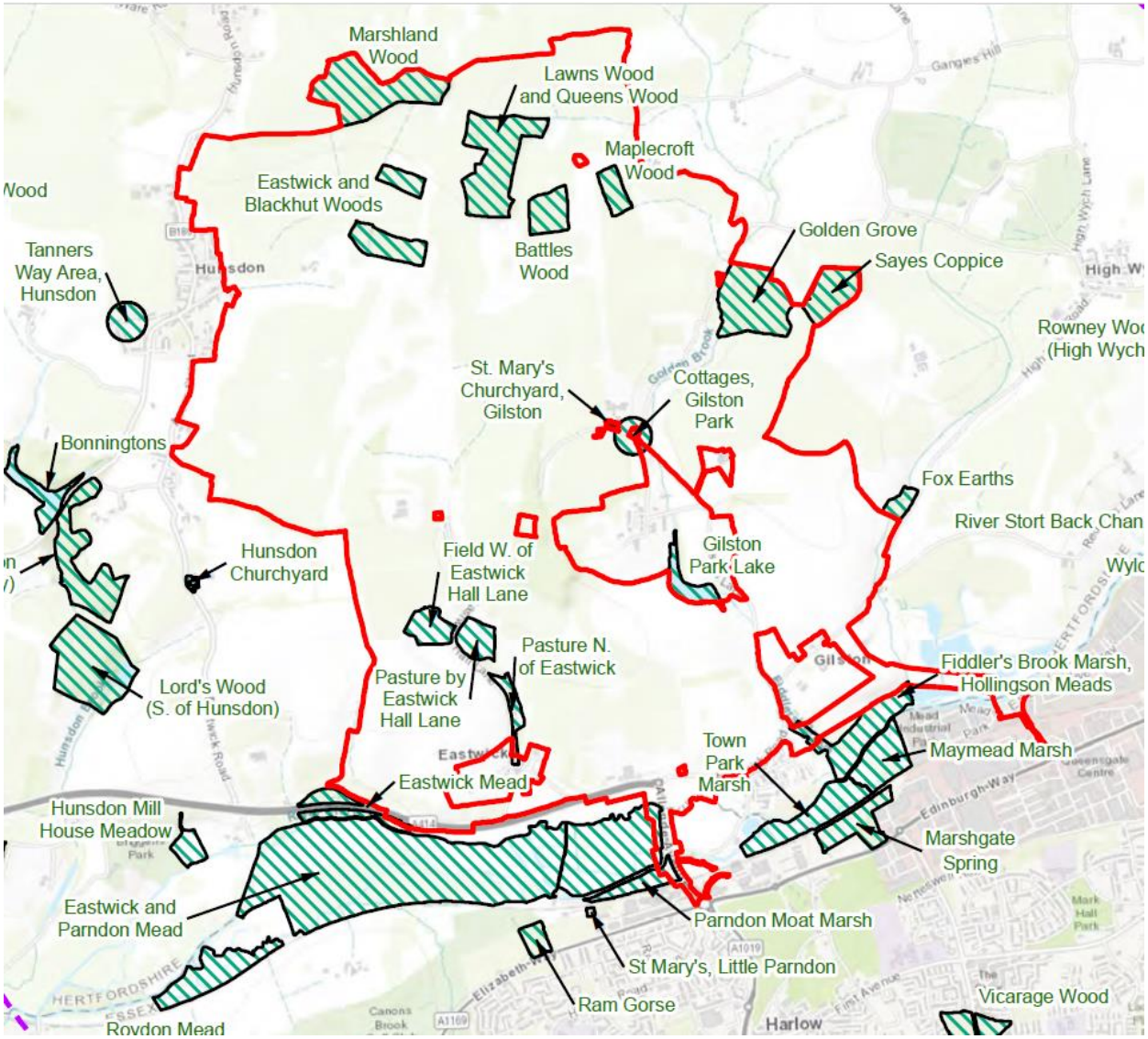
Habitats – Non-Statutory Designated Nature Conservation Sites

13.6.16 There are 12 Local Wildlife Sites within the site and a further five adjacent to the site boundary. Of these, seven are woodlands, three are permanent pasture, three are wetland habitats in the Stort Valley and the three remaining sites comprise a lake, a churchyard and a bat roost (as shown at Figure 8 below). The habitat surveys identified a broad range of habitat types, including arable, grassland, woodland, hedgerows and tree belts, scrub, streams, rivers and ponds. The species surveys identified that the site supports protected and notable fauna including Great Crested Newts, bats, badgers, reptiles, water vole, otters, birds, fish and aquatic and terrestrial invertebrates of conservation importance. These are considered in the following paragraphs.

Habitats - Woodland

13.6.17 The ES Addendum summarises each of the ecological surveys undertaken and details if any NERC Act S41 species or habitats are found. No nationally rare, scarce or threatened species were recorded from the woodlands within the site, but Herb Paris, which is considered vulnerable in Hertfordshire was recorded in two woods, Marshland Wood (north west edge of site) and Battles Wood north west of Village 4. Bluebells were recorded in 12 woodlands which is a key species in the Hertfordshire Biodiversity Action Plan and is listed in Schedule 8 of the Wildlife and Countryside Act 1981 (as amended). 33 regional ancient woodland vascular plants (AWVP) and 36 county AWVPs were recorded, with Marshland Wood comprising the richest ancient woodland flora. There is a range of woodlands across the site, with some ancient woodlands and some modern plantation blocks. As such, they support a variety of characteristics and flora of county and local value. All the woodlands surveyed are in an unfavourable condition, due to factors such as a lack of traditional woodland management, pheasant rearing introducing non-native species and damage, pressure from deer, replanting with native and non-native species of unknown provenance and agrochemical drift from adjacent farming.

Figure 8: Local Wildlife Sites



13.6.18 The outline application proposes that the Eastwick Woods complex becomes a 'country park' providing areas of public open space, access and opportunities for 'long-range' outdoor activities such as walking, cycling, horse riding etc. Acknowledging that parts of the woodland complex comprise sensitive ancient woodland the Development Specification includes the following principles and commitments:

- the sensitive management of existing ancient woodland blocks using traditional coppice techniques where appropriate and reduction of invasive tree species;
- planting of new woodland, woodland pasture, woodland coppice and woodland scrub;
- provision of new ponds and associated aquatic and marginal aquatic habitats to the north of the park;
- provision of a new and upgraded framework of trails for sporting and leisure activities (for example a fitness trail and/or an equestrian trail);
- provision of new hedgerow planting associated with the paths;

- creation of nature and/or heritage trails with signage and interpretation points and viewpoints explaining the habitats and associated landscape and wildlife management
- techniques, and the listed and scheduled sites in the vicinity including the WWII airfield (linking to that provided for Hunsdon Airfield Park, and the wider site if appropriate);
- creation of a woodland destination community play space (for example, including towers and ropewalks); and
- provision of an Eastwick Wood Park shelter and interpretation centre (for example, including learning space, orientation boards, WCs and storage) either within the park or as
- a single facility combined with Hunsdon Airfield Park; and
- enhancements to the existing vehicular access from Acorn Lane and parking facilities, either dedicated or as a single facility combined with Hunsdon Airfield Park.

13.6.19 These principles will be applied through the masterplanning process, the scope of which is secured by condition.

13.6.20 Home Wood, located in the centre of the site, west of Gilston Park is also part of a woodland block comprising ancient woodland and non-ancient woodland. Home Wood therefore lies on a direct route between Villages 1, 5 and 4 and has the potential to become an attractive destination for recreation, more so than the woodland blocks to the north of the site, which are further from the village developments. Home Wood also contains a listed building associated with the former Gilston Park Estate and therefore has a value as part of the setting of heritage assets. The development specification contains specific principles for managing the future use of Home Wood in acknowledgement of these constraints:

- the sensitive management of existing ancient woodland blocks using traditional coppice techniques where appropriate and reduction of invasive tree species, and the planting of
- new trees where appropriate;
- restoration of hedgerow between Gibson's Shaw to St Mary's Church where this is within Home Wood;
- provision of a new and upgraded framework of paths within the park based on connective desire lines between villages and facilities;
- creation of a woodland destination community play space and associated shelter (for example, which may include a small café, WCs and storage) outside the ancient woodland
- area and within the more recent plantation woodland (which has been assessed as appropriate to receive a woodland play area); and
- provision of signage and interpretation for Home Wood (to form part of that provided for the wider site if appropriate).

13.6.21 Further specific principles are included in the development specification relating to woodland habitats, with these principles illustrated on the Parameter Plans. These include establishing a buffer of 20m around existing ancient woodland and 10m around existing non-ancient woodland, comprising appropriate vegetation. The buffers should be free of built intrusion with the exception of footpaths, cycleways, SuDS and well-designed recreation furniture and play equipment. These principles will be encapsulated in the strategic landscape and village masterplans which will inform the detailed reserved matters application in due course to ensure that the proposed recreational opportunities are designed and managed in a way that is compatible with the policy and legislative requirements.

13.6.22 While new management regimes will assist in improving the health and ecological status of the woodlands, it is important that any proposals to increase recreational use of the woodland in the site does not conflict with the overarching objectives of enhancing the biodiversity of the woodland blocks and protecting vulnerable ancient woodlands from harmful disturbance. A woodland management strategy should be submitted as part of the SLMP which will set out proposed planting and landscaping, the removal of inappropriate species and features, coppicing plans, opportunities for community education and volunteering activities as well as how the development specification principles will be achieved.

13.6.23 The Development Specification principles and Parameter Plans are considered an appropriate starting point for ensuring that future proposals are planned in a way that mitigates impacts on woodland habitats in the site.

Habitats - Trees

13.6.24 At the outline stage an initial but comprehensive arboricultural assessment has been undertaken. The assessment is considered an initial assessment as it is based upon the Parameter Plans, which show only the extent of developable area. As a consequence, the initial assessment considers the arboricultural impact in broad terms and does not consider detailed tree protection measures or mitigation. It does, however, draw attention to specific areas where trees are likely to be lost, but a more detailed Arboricultural Assessment will be required at the masterplan stage to inform the layout of internal roads, location of development plots and open spaces. At the RMA stage, a detailed Arboricultural Impact Assessment (AIA), Tree Removal and Retention Plan and Tree Protection Plan will be required.

13.6.25 The exception is however, that the three access junctions are proposed in detailed form in this application and therefore a more detailed AIA has been undertaken and a Tree Protection Plan submitted showing tree removals and tree protection areas.

13.6.26 Given the extent of the area, the AIA records the majority of trees as groups rather than individuals unless these were clearly individual trees. Therefore, the data recorded against these groups is generally representative of the group,

acknowledging that groups may contain trees of a number of age classes and quality. A total of 791 trees, 5 shrubs, 313 groups of trees, 277 hedgerows and 65 woodlands or woodland compartments have been recorded, classifying them against standard categories to determine their relative retentive worth as shown at Table 8 below. Category A trees are of high quality that are particularly good examples of their species, with particular visual, conservation or historical importance; Category B trees are of moderate quality that have an impaired condition, that have a higher collective rating as part of a group rather than individual or have material conservation or other cultural value; Category C trees are of low quality with a low life expectancy or are young, being unremarkable or with impaired condition, offering low or temporary landscape merits or with no material conservation or other cultural value; and Category U trees are unsuitable for retention such that they cannot realistically be retained as living trees, often with a serious, irremediable structural defect, are dead or dying or with infections that may harm the health and or safety of other trees nearby.

Table 8: Tree and Hedgerow Categories

Tree Feature	**A**	**B**	**C**	**U**	**Total**
Group	1	75	236	1	313
Hedgerow	20	164	92	1	277
Shrub		1	4		5
Tree	83	316	360	32	791
Woodland	11	42	12		65
Total	115	598	704	34	1451

13.6.27 The AIA in the 2020 ES Addendum identifies 80 veteran trees across the site. Of these, 44 were considered high quality (category A) and 35 of moderate quality (category B). One dead veteran tree was recorded. The veteran trees recorded were considered in the ES to be of only local value and of unfavourable, but stable condition. The trees were demonstrated to have few veteran tree features such as rot holes and split limbs that would increase their value as habitats for birds and bats, and many veteran trees are located within areas used for intensive agriculture, placing them at risk from chemical run off from adjacent arable fields. The exceptions to this are the trees associated with the Local Wildlife Site in the Eastwick Valley, which have greater ecological value (county value) given their relationship to the LWS, and also those within Gilston Park Estate. The most recent survey undertaken for Village 1 study area identifies seven trees considered to be consistent with veteran tree classifications, six are mature oaks and one very large ash. These are located in and around The Chase/Coney Spring woodland in an arable field in the north of the village 1 study area, on a field edge in the south-west and adjacent to Fiddler's Brook in the east.

13.6.28 The application proposals have been designed to ensure that the majority of trees have the potential to be retained subject to the masterplanning and detailed design stage. Most trees are located within the green valleys associated with the three watercourses that run through the site, in defined woodland areas, field boundaries or associated with heritage assets such as Gilston Park Estate. These areas are protected by defined boundaries set out on the Parameter Plans and through design criteria in the Development Specification.

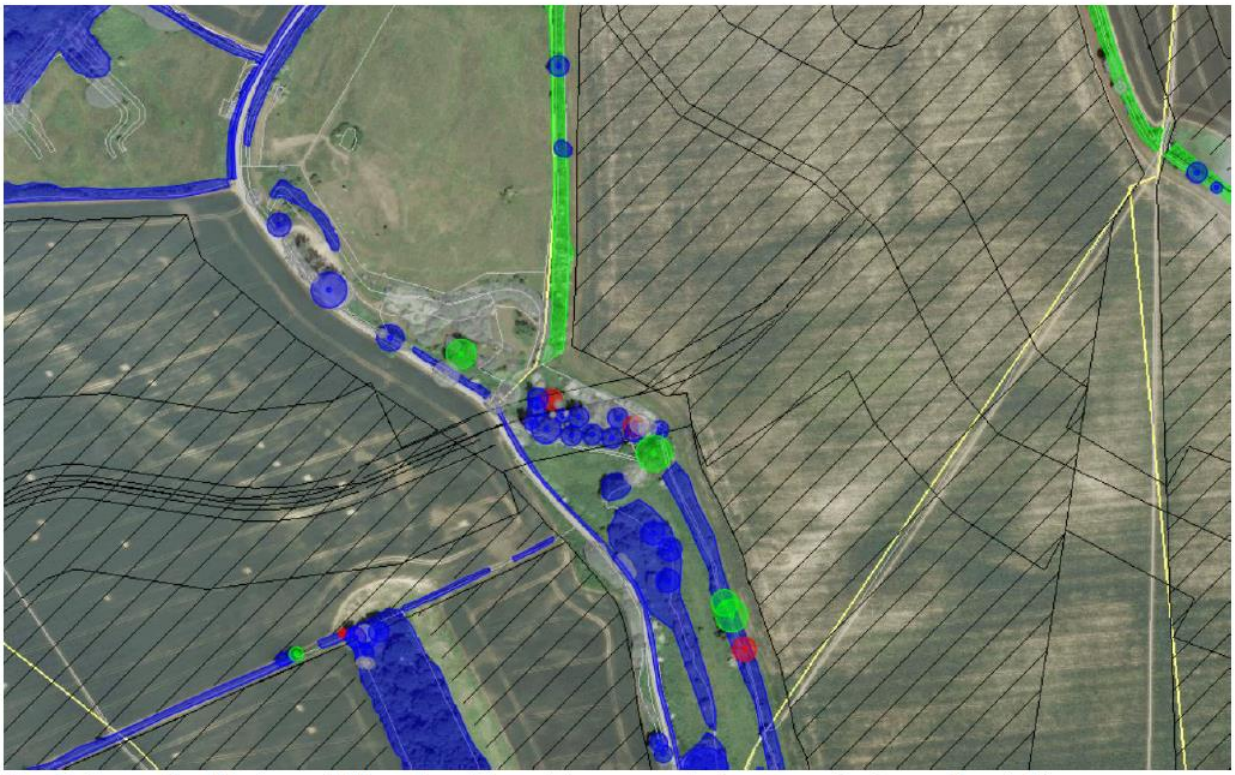
13.6.29 However, there are locations where the internal STC route has the potential to impact trees where the STC runs through green corridors between villages. These include land between Villages 5 and 6 (Figure 9 below), where the STC limit of deviation crosses the location of a number of category B and C trees. Therefore, attention needs to be given to the alignment of the STC at the masterplanning stage to minimise impacts on the category B trees by locating the STC towards the northern part of the limit of deviation where trees are predominantly category C and U. However, this would result in the road being closer to the heritage asset of the Eastwick Moated Site as discussed in section 13.7 below. Giving great weight to the need to protect the significance of heritage assets, the loss of Category B trees is considered acceptable in this circumstance. The role of the limit of deviation is to be able to test the impact of a potential road route, but allows for the detailed design stage to work within the parameter of the limit to reduce as far as possible each type of impact.

13.6.30 In addition, while the village access junctions have been located to reduce as much harm as possible to trees, the application proposes the removal or partial removal of 56 trees and groups to create the junctions categorised as shown in Table 9 below. The majority of hedges and trees lost due to the junctions are relatively young, linear plantations adjacent to the existing highway, likely to have been planted as screening for the road. A replacement planting scheme has been proposed as illustrated on the proposed Landscape masterplan Drawings HNP495-GRA-X-XX-DR-L-1001 and individual junction landscape plans HNP495-GRA-X-XX-DR-L-5141, 5152, 5153 and 5161.

Table 9: Tree Features for Removal by Category

Category A	Category B	Category C	Category U
None	3 Trees 1 Group 2 Groups (part removal) 5 Hedgerows 8 Hedgerows (part removal)	17 Trees 14 Groups 1 Group (part removal) 1 Hedgerow 1 Hedgerow (part removal) 2 Woodlands (part removal)	1 Tree

Figure 9: Tree and Hedgerow Potential Impacts – Villages 5 and 6



Plan 6: Access Road between Village 5 and 6 requiring removal of a group of category B and C trees.

Green = Category A, Blue = Category B, Grey = Category C, Red = Category U

13.6.31 The Arboricultural Assessment considers the potential impacts on trees based on the Parameter Plans and has clearly identified where losses or harms may occur at an outline stage, taking a worst-case approach to impacts. Where 'limits of deviation' are identified such as the route of the STC, at the masterplanning stage detailed appraisals will be undertaken to ensure that the location of the STC is defined in a way that minimises impacts on trees. As such, up to date surveys of trees will be required to support this process. This stepped approach of masterplanning and Reserved Matters Applications that are supported by further detailed assessments secured by condition, will ensure that trees that will actually be impacted by the detailed layouts are identified and assessed, that tree protection areas are defined, and appropriate mitigation measures are applied. Such measures would include the erection of protective fencing during construction to avoid root damage or compaction, locating paths outside root protection areas and providing additional planting within woodland buffers to add resilience to the more sensitive trees within for example.

Habitats - Hedgerows

13.6.32 Hedgerows across the site comprise a variety of vegetation types, including species-rich and species-poor hawthorn hedges, species rich hedges with hazel, blackthorn hedges and elm hedges, but nationally rare, scarce, threatened or Section 41 plant species were not recorded, nor any species listed as notable or important within

Hertfordshire. Due to the intensive agricultural management of large parts of the site and the discontinuous and outgrown structure exhibited by many hedges, the hedgerow resource is in unfavourable declining condition. However, all the hedgerows do qualify as UK Biodiversity Action Plan hedgerow habitat and are therefore a material consideration under S41 of the NERC Act.

13.6.33 Parameter Plan 1 (Existing Vegetation and Buildings) illustrates the location of notable hedgerows. Some demark estate boundaries and formal routes such as Lime Avenue, others are associated with field boundaries or tributary valleys that have defined the proposed developable areas either side of the valleys. Hedgerows within the village developable areas will be greater impacted by the village development than those located in the green corridors between the villages. The ES has considered the level of harm associated with the loss or damage to these hedgerows to represent a worst-case scenario, however, Officers requested that the parameters and principles of the outline start with the principle that all hedgerows will be retained unless there are extenuating reasons that would justify their loss or displacement. Paragraphs 4.2.2 to 4.2.5 of the Development Specification explains how some loss of hedgerows and vegetation will be necessary to achieve the placemaking and other policy objectives of the application but acknowledges that any loss should be kept to a minimum and should be robustly assessed and justified and compensated for appropriately.

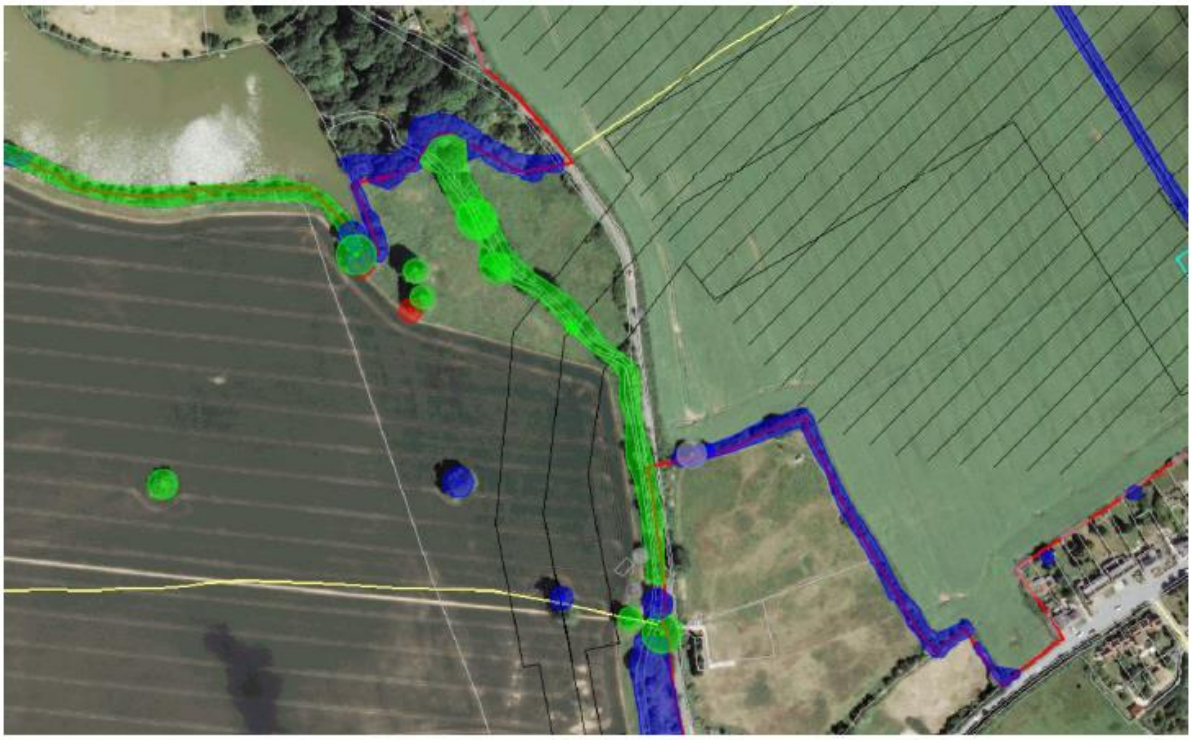
13.6.34 The existing hedgerows have therefore been incorporated into other parameters such as Parameter Plan 4 (Access and Movement), where the hedgerows are proposed to become corridors for active and sustainable travel through and between villages, and Parameter Plan 3 (Green Infrastructure and Open Space), where the hedgerows continue to play a role in green connections and linkages between larger spaces and habitats.

13.6.35 There will be some locations where it is difficult to retain all parts of hedgerows, such as where the access to Village 2 is located. Here, there is a balance between protecting and retaining the hedgerow and protecting and retaining mature trees or impacting on the amenity of residential properties. The submitted Interim Access Plan (Drawing VD17516/V2i-100-GA Rev 01) shows it is proposed to relocate part of a hedgerow and add additional planting to compensate for the loss due to the alignment of the access. While this is considered acceptable on balance, Officers have recommended a condition that seeks a refinement to this plan at the detailed highways approval stage to demonstrate that the road alignment minimises as far as possible the loss of Hedgerow H194.

13.6.36 Where each village is connected by the STC through a green corridor there will be an impact on hedgerows. Between Villages 1 and 2 the Parameter Plans indicate a potential impact on Tree T324 (an ancient Horse Chestnut) and a section of historic hedgerow H327 (Figure 10 below). The Strategic Landscape Masterplan will be

required to align the STC within the limit of deviation to avoid harm to the ancient Horse Chestnut.

Figure 10: Tree and Hedgerow Potential Impacts – Villages 1 and 2



Plan 8: Access road between Village 1 and 2 including T324 and a section of H327.

Green = Category A, Blue = Category B, Grey = Category C, Red = Category U

13.6.37 Between Village 2 and 3 the STC crosses a hollow way that runs from Fox Earths to Channocks Farm (Figure 11 below). Hedgerows H170 and H171 are category A hedges and while their condition is variable, the hollow way is a significant feature in this location and will need to be considered at the masterplanning stage to ensure impacts are minimised and mitigated through additional planting and other appropriate measures.

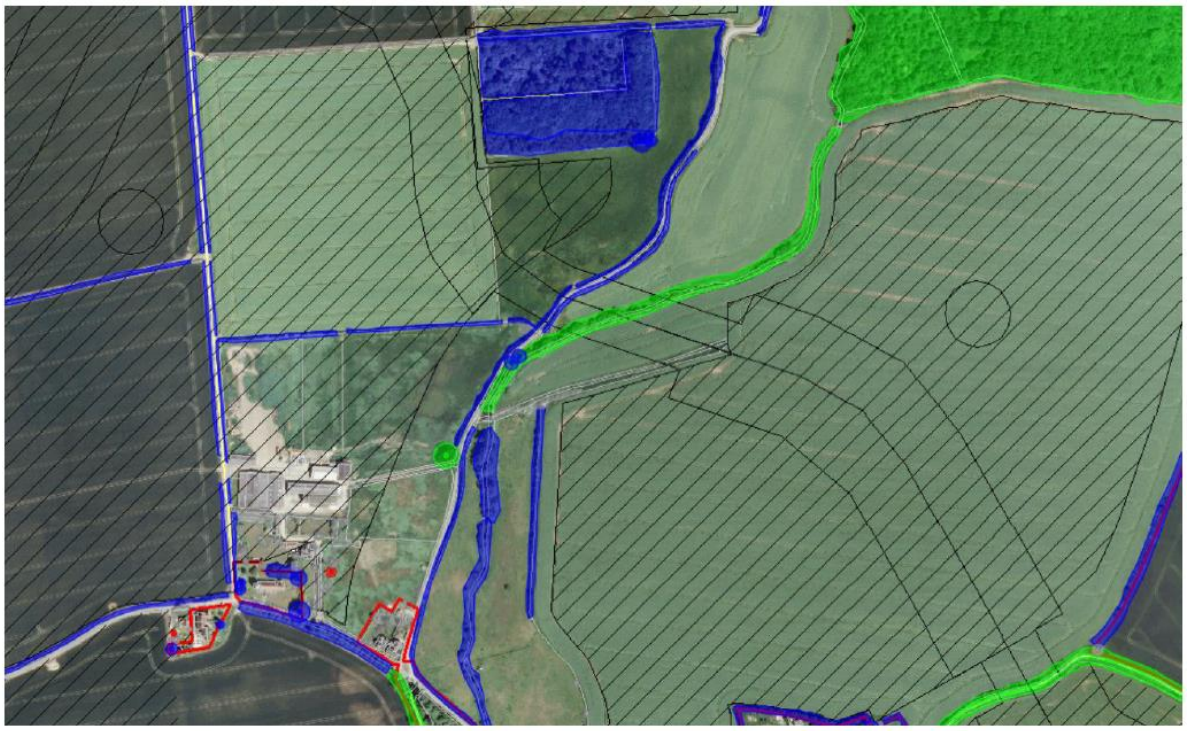
Figure 11: Tree and Hedgerow Potential Impacts – Villages 2 and 3

Plan 9: The access corridor crosses the hollow way and this important feature is within the Village 2 development area.

Green = Category A, Blue = Category B, Grey = Category C, Red = Category U

13.6.38 Between Villages 3 and 4 there is a section of Hedgerow 287 which is located in the Golden Brook corridor (Figure 12 below) that will be impacted by the proposed STC route. The AIA survey identified this hedgerow as category A due to the habitat value offered and the role it provides in achieving connectivity to the south of Golden Grove Wood. However, the survey also noted that the hedge is neglected and 50% of it did not contain specimens, and therefore there is an opportunity to improve the hedge through a replanting programme with measures considered to maintain a wildlife corridor at the masterplanning and detailed design stage. Within Village 4, there is a series of hedgerows to be incorporated into the masterplan.

Figure 12: Tree and Hedgerow Potential Impacts – Villages 3 and 4



Plan 5: Access road between Villages 3 and 4, crossing hedgerow H287.

Green = Category A, Blue = Category B, Grey = Category C, Red = Category U

Figure 13: Tree and Hedgerow Potential Impacts – Villages 4 and 5

Plan 7: Removal of section of H89 south of Home Wood within the access corridor between Village 4 and 5.

Green = Category A, Blue = Category B, Grey = Category C, Red = Category U

13.6.39 Between Villages 4 and 5 the STC runs past the south-western corner of Home Wood, which will impact Hedgerow H89 (Figure 13 above). As discussed in section x Home Wood is an important woodland block which requires a buffer around its edges which will need to inform the location of the STC.

13.6.40 The ES considers the impacts to hedgerows throughout construction and operation (once homes are occupied). Activities related to construction can be controlled through standard measures employed though a Code of Construction Practice. Such measures include buffer fencing, siting compounds away from sensitive areas, controlling waste and wastewater for example. However, the clearance of vegetation required to construct the STCs or within Village 4 cannot be mitigated and will have a significant, permanent negative impact at the local level, even if the lost hedgerows are considered species poor composed of common and widespread species. It may be possible to relocate some hedgerows within the development, but compensation will be required to ensure there is no net loss to biodiversity.

13.6.41 During operation, it is considered that urban effects will be avoided through the creation of buffer areas and incorporating hedgerows into green infrastructure areas which will benefit from management measures set out in the SLMP and VMPs. At this outline stage it is not possible to determine if a hedgerow was to become part of a curtilage of a property. In such a scenario it would not be possible to prevent clearance of a hedge and therefore a significant permanent negative impact at the local level would occur. At the VMP and detailed RMA stage, designs will need to ensure that retained hedgerows remain an incorporated part of the public realm.

13.6.42 Section 3.16 of the Development Specification contains biodiversity principles for the development to address, which includes protecting and restoring retained hedgerows, delivering ecological enhancement using select species to support native diversity to be resistant to changing climate and soil conditions. In addition, the Biodiversity Strategy proposes compensation will take the form of 3km of new native, species-rich hedgerow in green infrastructure areas and the restoration of intact hedgerows to promote species diversity. These principles will be encapsulated in the strategic landscape and village masterplans which will inform the detailed reserved matters application in due course to ensure that the proposed STC routes through green corridors minimise impacts on hedgerows as far as possible. It is considered that the benefits associated with the development and with the proposed STC in terms of enabling active and sustainable travel around the village development, connecting to key destinations within and beyond the site outweigh the potential harms to the identified hedgerows and trees.

13.6.43 The recently undertaken BIAC undertaken for the scheme indicates that the proposed compensation strategy has the potential to deliver a 20.55% net gain to hedgerow units on site.

Habitats - Grasslands, wetlands and watercourses

13.6.44 Within grassland habitats, no Section 41 NERC Act species were found. However, two species (Quaking Grass and Ragged Robin) listed on the Red List for Vascular Plants in England were found. Approximately 15ha of grassland have been identified in the surveys as being of some ecological importance, particularly those associated with wetlands. All these areas are located on valley sides of watercourses or are on sites associated with scheduled monuments (Eastwick Moated Site). All grasslands/ wetlands that are within existing LWSs are of County value, but all grasslands have an unfavourable, declining conservation status mainly due to inconsistent management, agrochemical drift, past improvements, shading and drying out due to tree planting or scrub development. Outside of LWSs grasslands are of local value only.

13.6.45 The proposals include buffers around watercourses and around the Eastwick Valley corridor and Golden Brook corridor which contain the grasslands. It is therefore considered that there will be no negative effects from development on the grassland and associated wetland habitats within the site. The Parameter Plans identify these areas as being located within the SLMP area, which will need to establish approaches to maintaining and improving the environment within the green corridors and village buffers.

13.6.46 Within the Stort Valley and its tributaries, each LWS is of County value. In other wetland and river corridor habitats there are a number of individual species of local or County importance, but historic degradation of these habitats over time has limited their ecological value somewhat. Their value now comes from their corridor features providing linkages and commuting routes for fauna.

13.6.47 Golden Brook/ Fiddlers Brook has a limited aquatic habitat value due to a lack of flow, the channel being heavily modified in places. Golden Brook flows through the north-eastern part of the site between the proposed Villages 3 and 4, in to the Gilston Park Estate crescent lake, south of which the brook becomes Fiddlers' Brook which flows past the western edge of Pye Corner and eastern edge of Terlings Park where the brook meets Fiddler's Brook Marsh LWS which is considered to be in unfavourable, declining condition in the absence of management. The brook then flows to the Stort Valley.

13.6.48 Despite parts of the valley being steep sided the lack of vegetation management has prevented opportunities for birds such as kingfishers that like bare earth banks, from nesting. Despite this, because the valley runs between large areas of intensive farmland the valley is a valuable corridor providing food sources for small mammals and birds and nesting sites, as well as providing a north-south linkage and commuting route between habitats. The valley has local ecological value, but is the only tributary in the site with its status classified in the Thames River Basin District River Basin Management Plan (RBMP), and is classified as having a moderate

ecological potential with the objective of reaching good status by 2027. Appropriate management is required to reverse the current unfavourable, declining condition.

13.6.49 Parameter Plan 3 indicates that the Fiddlers Brook corridor will become a part of a strategic green corridor between Villages 1 and 2, thereby avoiding impacts on the brook through physical development. However, the STC will need to bridge the brook just west of the Village 2 developable area. The SLMP will be required to address the design of this crossing and demonstrate how the infrastructure protects impacts on the brook and its riparian environment following the principles established in the Development Specification. Such specifications include maintaining an 8m undeveloped buffer from the banks of any watercourse and to create amenity grassland with rough long grassland wildflower meadows or woodland flora to the eastern edge of the proposed Gilston Park community park.

13.6.50 In addition, paragraph 4.4.14 of the Development Specification seeks to provide valuable and enhanced habitat connections through the following principles:

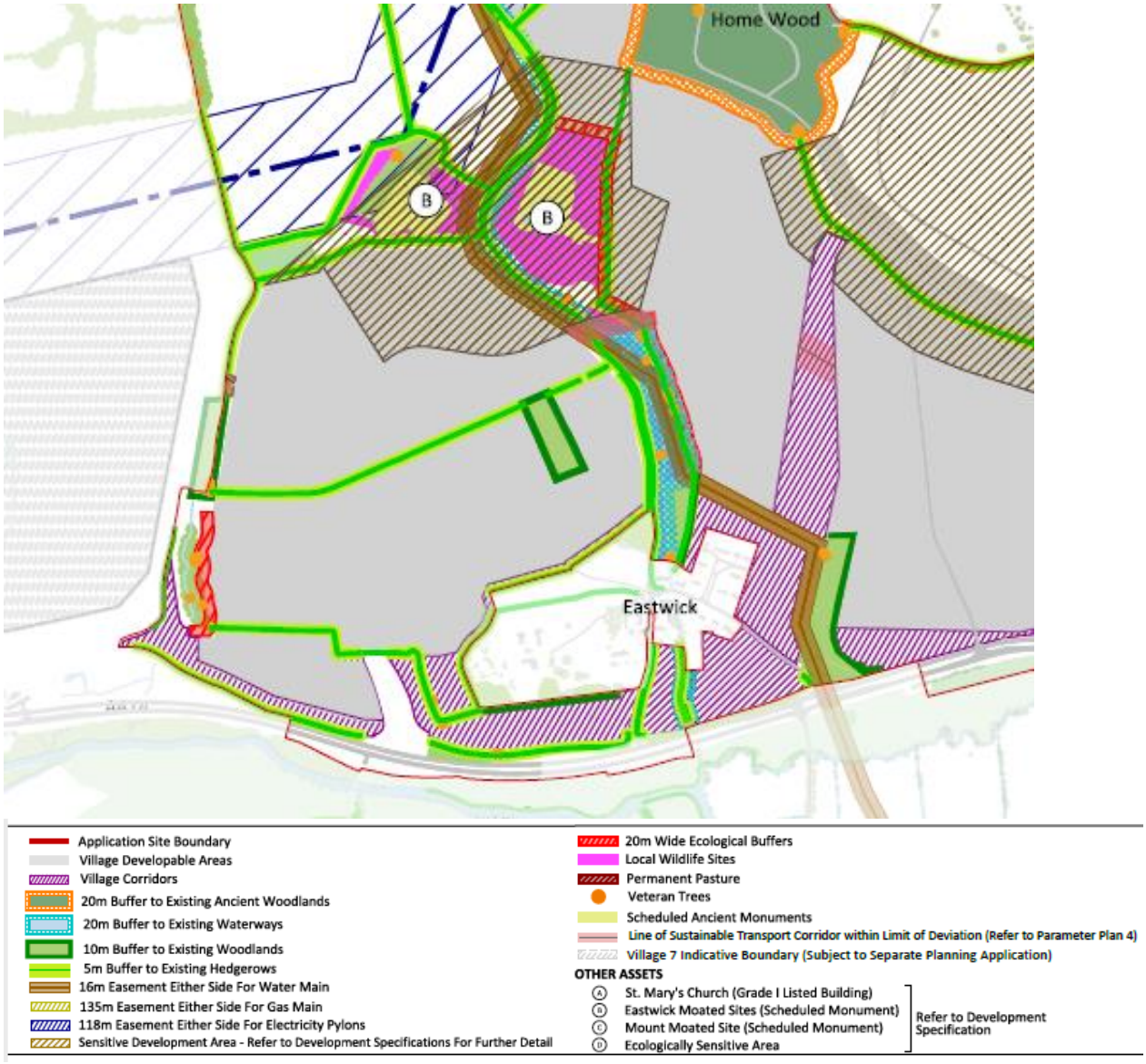
- enhancement of existing riparian habitat as appropriate;
- additional tree and hedgerow planting as appropriate where this is necessary to enhance habitat value; and
- incorporation of features to form part of the SuDS network.

13.6.51 Stone Basin Spring is a small cutting in the southern edge of the site to the west of Village 6 within a green buffer between the site and the adjacent Village 7 application. The Spring valley comprises a small by rich mosaic of habitats due to naturally occurring calcium-rich seepages. The site supports the only modern record in Hertfordshire of the bryophyte Curled Hook-moss. Although not nationally rare or scarce it is rare in Hertfordshire and therefore has county importance, despite being in an unfavourable, declining condition due to scrub encroachment or agrochemicals. The ES considers that changes to the hydrological characteristics of the spring/seepage waters, including to flow volume, periodicity and chemistry could have a significant negative impact on the nature conservation value of Stone Basin Spring whether through construction or operation if unmitigated.

13.6.52 Stone Basin Spring lies within an area of the Parameter Plans identified as a green buffer between Villages 6 and 7 (Figure 14 below) and will therefore not be impacted by any physical development of Village 6. Being located within the SLMP area, the masterplan will ensure the biodiversity principles set out in the Development Specification are applied through the creation of a 20m wide ecological buffer as shown in the extract of Parameter Plan 2 (Village Corridors and Developable Areas) and landscape management among other measures. The SLMP will also be required to demonstrate that any approach to strategic drainage solutions will have no detrimental impact on the flows and ecology of the Stone Basin Spring valley.

13.6.53 Notwithstanding the protection afforded by an ecological buffer, construction of development on the western edge of Village 6 could potentially damage hydrological processes supporting the Open Bryophyte community or result in dust pollution, which could likewise damage mosses in the valley. However, it is considered that through the implementation of standard methods of construction practices such impacts will be avoided.

Figure 14: Extract of Parameter Plan 2 (Village Corridors and Developable Areas) Eastwick Valley Corridor



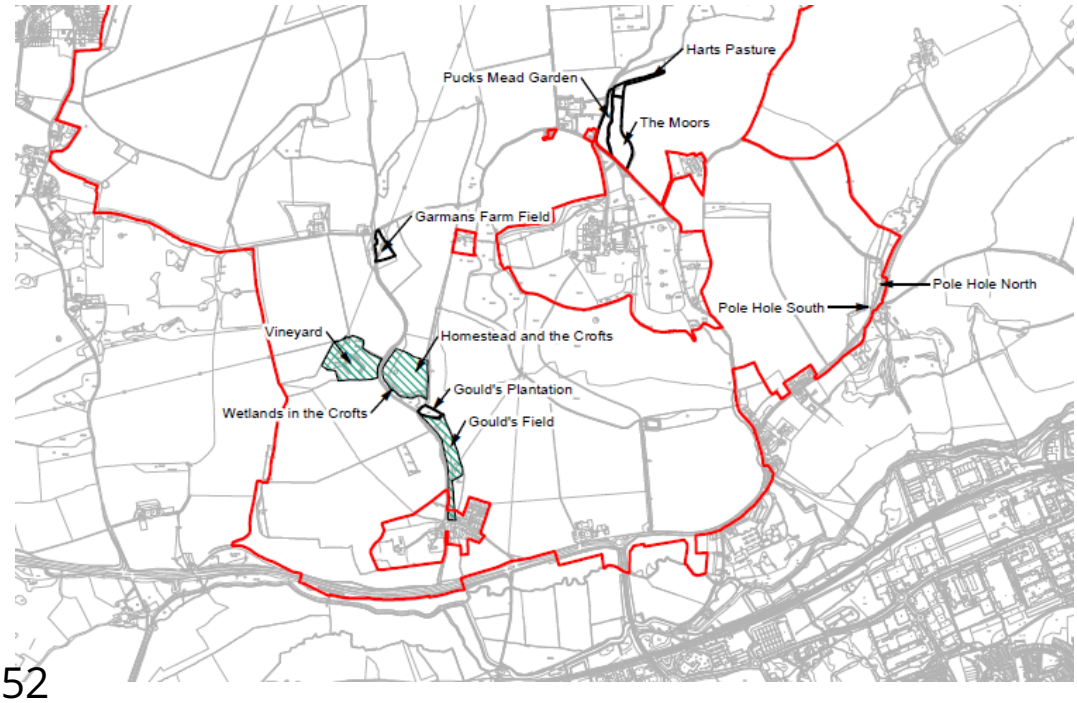
13.6.54 Operational impacts are also related to the use of the valley for recreational purposes. Being situated in the green buffer between proposed Village 6 and 7, the valley could be attractive to local walkers and dog walkers. While formal access is not proposed to the valley given its steep slopes, ecological enhancements proposed to improve the seepages such as the clearance of nettles and scrub may enable more determined walkers leading to informal tracks developing over time, which in turn will make general use easier. Dog walking in particular would be harmful in this location due to the potential fouling and eutrophication of the delicate ecosystem

leading to damage or loss of the vulnerable mosses, which would be considered a significant negative impact. It will therefore be necessary that the Ecological Management Plan, SLMP and VMP for Village 6 plans for the provision of alternative attractive locations for such recreational activity or designs measures that prevent access to the valley for recreational purposes.

13.6.55 Eastwick Brook is a tributary of the River Stort, which runs from the plateau of the airfield through the proposed strategic green corridor between Villages 5 and 6 towards the village of Eastwick and beyond to the River Stort. The Brook has limited ecological value with limited water flow but has several seepages and spring lines along the valley which support wetland vegetation. Parts are affected by the intensively farmed agricultural land, over-management where it is close to Eastwick Hall Lane, and limited management in other parts resulting in semi-natural terrestrial vegetation encroachment. Despite this, the Brook provides nesting areas for birds and a food source for birds and small mammals, thus having a local value.

13.6.56 There are three Local Wildlife Sites (LWS) within the Eastwick Brook valley, two covering the heritage asset of the Eastwick Moated Sites (Vineyards, and Homestead and The Crofts) and one covering much of the length of the Brook between the Moated Sites and Eastwick Village itself (Goulds Field) as shown in Figure 15 below). The extract of Parameter Plan 2 above shows that there will be multiple layers of protection for the valley, including the LWS designation, 20m buffer to the waterway and 5m buffers to hedgerows. The route of the STC is proposed to run in the gap between the LWS areas and has a narrow limit of deviation to avoid impacts on the sensitive landscape either side. The SLMP will be required to demonstrate how the STC design responds positively to the various constraints affording protection to both heritage and ecological assets in this location.

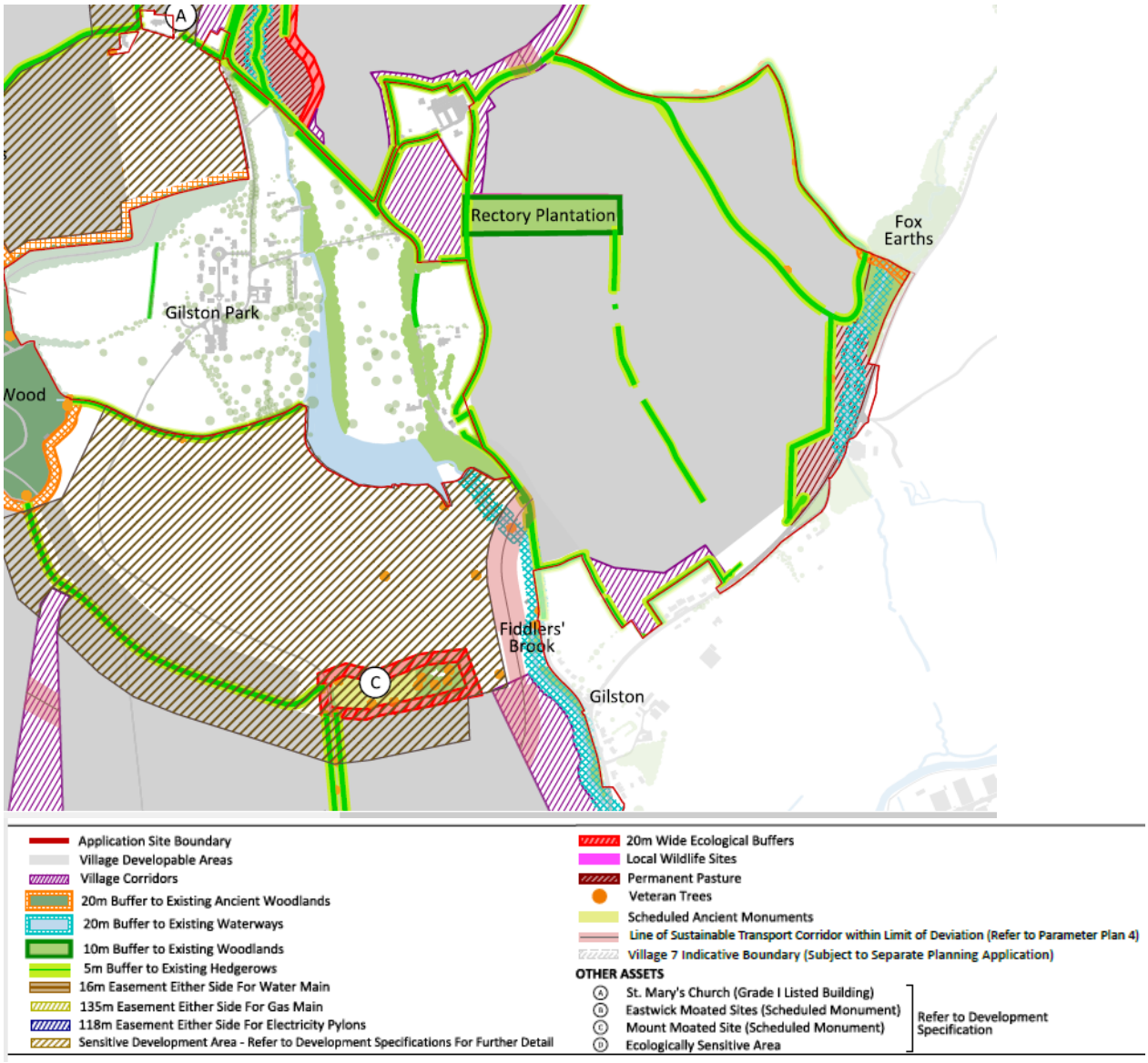
Figure 15: Grassland/Wetland Local Wildlife Sites in Eastwick Brook Valley



13.6.57 Pole Hole Brook lies to the east of the site, forming the eastern boundary of Village 2. The Brook is important due to the terrestrial vegetation associated with it. The Brook contains intermittent groups of mature trees and stretches of hedgerows providing commuting routes, a food source for birds and small mammals and a habitat for nesting birds where this resource is limited. There are two small areas of wetland grassland which contribute to a mosaic of habitat in the valley. It has local value with an unfavourable, declining status due to lack of appropriate management.

13.6.58 As shown on Parameter Plan 2 (Figure 16 below) the village developable area of Village 2 is designed to avoid encroachments on the valley by applying a 20m buffer to the waterway, recognising areas of permanent pasture and a 5m buffer from hedgerows on the north side of the valley. The SLMP will be required to set out measures to ensure that the drainage strategy is designed to maintain areas of wetland pasture.

Figure 16: Extract Parameter Plan 2 – Village 2: Pole Hole Brook



13.6.59 The ES considers the impacts to grasslands and their associated wetland habitats and watercourses throughout construction and operation (once homes are occupied). Activities related to construction can be controlled through standard measures employed though a Code of Construction Practice. Such measures include buffer fencing, avoidance of vegetation clearance, siting compounds away from sensitive areas that may otherwise cause soil compaction, ground levelling or changes to drainage patterns, controlling waste and wastewater, and the prevention of pollution incidents for example. The creation of paths to enable public access during construction where required to maintain public right of way routes may, if unmitigated, result in soil compaction, erosion, trampling of flora and vegetation, littering, dog fouling (and resultant eutrophication of habitats) and vandalism. Mitigation will therefore be required to ensure any routes are located and designed to avoid such impacts, with necessary, temporary facilities such as bins provided along routes.

13.6.60 During operation, it is considered that urban effects such as littering, planting inappropriate species for screening gardens or disposal of household or garden waste, recreational activities in addition to those in paragraph xx above, if unmitigated could cause significant negative impacts at the local or zone of influence level.

13.6.61 Impacts on the grasslands and their associated wetlands and watercourses will be avoided through the creation of buffer areas and incorporating the grasslands/wetlands into green infrastructure areas, which will benefit from management measures set out in the SLMP and VMPs. Strategic drainage systems will be designed to avoid conflicts with sensitive wetland areas where necessary, such as changes to flow or chemical composition for example, and in other locations the drainage strategy may be designed to support and maintain wetland habitats where appropriate. Appropriate treatment trains will be necessary to ensure the quality of water discharging into any watercourses. Detailed Drainage Strategies will be required by condition for the SLMP, VMPs and RMAs, undertaken in consultation with the LLFA and EA where necessary.

13.6.62 For the Eastwick Brook area, specific measures will include bridging the valley where it crosses the watercourse, with bridge infrastructure located to avoid impacting the valley environment. To keep the watercourse open, this may require a small loss of land from the adjacent Local Wildlife Sites (The crofts and Goulds Plantation and Field shown in Figure 12 above). This will be determined at the SLMP stage where the route of the STC will be defined within its limit of deviation to reduce impacts on the LWSs as far as possible. The bridge will be designed in consultation with the LLFA, the Environment Agency and Historic England to ensure all necessary mitigations are considered. This will be controlled by condition. The loss of any part of the LWSs will need to be compensated for but would be considered acceptable in the context of maintaining the river environment. Compensation could be in the form of

enhancement to the remaining LWS areas and the creation of new species-rich grassland within the Eastwick valley. Such measures will be identified at the VMP and RMA stages in response to detailed designs. Further ancillary mitigation will arise through a reduction in agricultural activity on the site, leading to a reduction over time in fertilisers and agri-chemicials affecting the watercourses.

13.6.63 The recently undertaken Biodiversity Impact Assessment Calculation undertaken for the scheme indicates that the proposed mitigation and compensation strategy has the potential to deliver a 16.60% net gain to watercourse units on site.

13.6.64 The River Stort and its functional floodplain has high habitat value. However, some individual Local Wildlife Sites and Sites of Special Scientific Interest such as Hunsdon Meads and Hollingson Meads within the valley require some improvements. Notwithstanding this, the watercourse in known to support otter and kingfisher and is therefore of county value. The Water Framework Directive applies to the watercourse, and with a number of initiatives undertaken to enhance the quality of the watercourse for wildlife, it has favourable, stable status. The Village development is not considered to have any direct impact on the Stort Valley, however, there is a potential for indirect effects through increased recreational demands arising from the village development in proximity to the valley, as discussed in paragraph 13.6.15 above. The impacts arising from the two river crossing proposals are considered in the respective application reports, to which members are directed.

13.6.65 The SLMP covering the tributary valleys within the development site will ensure that appropriate measures are incorporated to maintain water quality and quantity through an integrated drainage network with necessary treatment trains and landscape management. The development proposes a significant quantum and variety of green spaces and routes for recreational and commuting purposes throughout the site in order to reduce demands upon the valley. Notwithstanding this, as explained in 13.6.15 above the applicant will be making a financial contribution of £3m to assist in improving the resilience of the valley to mitigate impacts from recreational demand.

Impacts on Species

13.6.66 In addition to the habitat surveys, the application includes comprehensive surveys on the species supported across the various habitats. More recently specific surveys have been undertaken for the Village 1 study area to inform the masterplanning stage in more detail. Survey methods include on-site field study and desk-based study using data held by the Hertfordshire Biodiversity Records Centre, use of aerial photography and review of geological and historical mapping. With any development there will be some unavoidable impacts on habitats and species and the ES considers the range of impacts considered possible on species as a result of construction activities and once development is operational. During construction

potential impacts can occur through noise, lighting and visual disturbance, through loss or fragmentation of habitats, be they temporary or permanent, changes to water quantity or quality, through increased presence of humans and recreational activities to predation of species through the introduction of higher order mammals (cats and dogs).

Species - Bats

13.6.67 In terms of impacts on bats, 11 species of bats were recorded in the 2017 full site survey, four of which are listed under the NERC Act 2006: Soprano Pipistrelle, Noctule, Brown Long-Eared and Barbastelle. Natterer's Bat is also recorded on site, which is recognised as a Biodiversity Action Plan (BAP) species in Hertfordshire. Eight bat species were recorded in the 2022 Village 1 update survey. The overall bat assemblage is considered to be of County importance with the exception of the Barbastelle colony which is of national importance.

13.6.68 The most valuable habitats for bats are the woodland blocks, hedgerows and river valley corridors, but the arable landscape also provides foraging ground (though few bats were seen during surveys), as does the Gilston Park area, particularly in the copse in the east of the Park and the Gilston Lake where the greatest variety of foraging bats were recorded, including rarer species (Nathusius' Pipistrelle and Leisler's Bat). The woodland blocks in the north of the site in particular support Barbastelle bats. Home Wood in the centre of the site is recorded as a significant foraging resource for Common Pipistrelle. An increase in recreational use of the woodlands may have a detrimental impact on the species through day time disturbance. The SLMP will therefore be required to demonstrate that areas of most sensitivity are protected from disturbance, putting in measures to prevent access where required through appropriate measures and woodland management regimes should be designed to improve resilience in the woodland through additional planting to increase the woodland area over time, increasing the habitat of the Barbastelle. Education information boards should be included in any areas where recreational activity is directed.

13.6.69 The application proposes through its Biodiversity Strategy and Outline Ecological Management Plan, to provide extensive new woodland and grassland planting to link the existing woodland blocks to create Eastwick Wood Park. Additional habitats will be introduced such as ponds and scattered groups of trees, to provide buffering between proposed recreational areas and the more sensitive woodland blocks such as Marshland Wood. Creating dedicated areas for recreation within the woods, such as cycle tracks, paths and picnic areas from early occupation will assist in preventing the spontaneous use of more sensitive areas for recreation.

13.6.70 In addition, the structure of the village developable areas being surrounded by green corridors and buffers containing a mixture of habitats including new areas of standing water as part of the drainage strategy will assist in providing new

opportunities for foraging bats and retaining existing bat commuting corridors. Soft edges to villages with a lighting strategy that reflects the transition from a built to non-built environment will also assist in creating environments suitable for bats and other mammals. These measures are considered appropriate and will be secured through conditions that require the submission, approval and implementation of a Biodiversity Strategy and Ecological Management Plan with the SLMP and each VMP to which each RMA will need to accord.

13.6.71 A number of buildings within the site are known to support bat roosts, the majority of these are outside the application area in listed buildings and farm buildings to be retained. However, three Common Pipistrelle day roosts are located in the cluster of buildings at Eastwick Lodge Farm; Eastwick Animal Feeds and Eastwick Lodge. These buildings are not designated and except for the Lodge are in relatively poor condition. Parameter Plan 1 (Existing Vegetation and Buildings) indicates the animal feed building as 'to be demolished' and the Lodge as 'retained or demolished'. The decision as to whether these buildings are capable of re-use and retention will be taken at the village masterplan stage. The ES however, considers the loss of the buildings as a worst-case scenario in terms of the impact on bats.

13.6.72 While the Common Pipistrelle has a widespread distribution and has a 'common' conservation status, nonetheless, the loss of known roosts will have a significant detrimental impact at the local level. Mitigation will therefore be needed in the form of additional planting and artificial roosts throughout the southern edge of the Village 1 site. The Biodiversity Strategy includes the provision of a purpose-built bat house within the proposed green infrastructure to the east of Eastwick village. Any demolition will need to be carried out carefully and only after any removal under license issued by Natural England. Although the injury or death of individual bats is unlikely to represent a significant impact on the conservation status of the bat assemblage, this would result in an offence under the provisions of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended).

13.6.73 Overhall farm in the northern-central part of the site (north of St Mary's Church) is also known to support small roosts of common bat species (Soprano Pipistrelle and Brown Long-Eared bats) in the farm buildings. Parameter Plan 1 (Existing Vegetation and Buildings) shows a large number of farm buildings as 'to be demolished' and some, including the farm house as 'retained or demolished'. The decision as to whether these buildings are capable of re-use and retention will be taken at the village masterplan stage. The ES however, considers the loss of the buildings as a worst-case scenario in terms of the impact on bats. While the Soprano Pipistrelle and Brown Long-Eared bat have a widespread distribution and has a 'common' conservation status, nonetheless, the loss of known roosts will have a significant detrimental impact at the local level. Mitigation will therefore be needed in the form of additional planting and artificial roosts throughout the central part of the site in

the vicinity of the current farm buildings. And as above, any demolition will need to be carried out carefully and only after any removal under license issued by Natural England.

13.6.74 While the development parameters have been designed to minimise impacts, there will be some fragmentation of bat commuting routes where the STC links between villages resulting the loss of hedgerows, such as in the Golden Brook corridor. The loss of vegetation will result in a permanent reduction in foraging habitat available and reduce the permeability of the area to bats commuting between roosts and foraging areas, which in the absence of mitigation will have a negative impact, significant at the local level. As such the Biodiversity Strategy proposes a series of mitigation measures that include taking all measures possible to minimise vegetation loss, buffering vegetation from development and reinforcement of flight lines through strategic landscape planting. The adoption of conservation-led habitat management in green infrastructure areas, buffer strips along field margins, creation of beetle banks and formation of ditches and standing water, along with the increased species diversity that will result from changing arable landscapes to a richer mosaic of habitat will increase invertebrate prey suitable for bats. 80 bat boxes will also be installed throughout the development, focussing on woodland blocks to provide roosting opportunities.

13.6.75 Where commuting routes are bisected by roads, detailed design measures will include minimising road widths where possible, reducing lighting, and retention of mature trees to provide natural aerial 'bridges' where possible. The strategy suggests providing artificial bat bridges, but current evidence is inconclusive as to their effectiveness compared to simpler methods such as dark zones and tree planting. Notwithstanding this mitigation, the STC route will have an impact that cannot be mitigated to an insignificant level and will have a residual negative impact.

13.6.76 There will be an inevitable impact associated with the creation of new urban environments into an area of countryside relatively devoid of light and disturbance. Artificial lighting from vehicles, street lamps, homes, businesses and sports pitches will have a significant negative impact on the bat assemblage, although the severity of impact caries according to species. The most abundant species in the area, Common and Soprano Pipistrelle, are relatively light tolerant, as are Noctule and Leisler's bats, whereas Myotis species, Brown Long-Eared and Barbastelle are relatively light averse. In the absence of mitigation, artificial lighting will have a negative impact, significant at the county level for Barbastelle bats and at the district level for the broader assemblage of bat species.

13.6.77 To inform the design and layout of the village development the SLMP and VMPs will be required to undertake detailed bat surveys, such as that carried out for Village 1 in the 2022 Viability Submission ES Addendum (controlled by condition). This will inform the approach to lighting, layout and distribution of open spaces,

reinforcement planting and surface water features to minimise impacts on known commuting routes and provide opportunities for foraging. Additional mitigation measures will be required in relation to lighting and the Biodiversity Strategy and Development Specification principles in relation to lighting are considered appropriate and will be secured via condition. Detailed lighting will form part of the SLMP, VMPs and RMAs in due course.

13.6.78 The occupation of the village developments will serve to increase the number of domestic cats in the area. However, studies have shown that the number of cats regularly catching bats is likely to be low, with bats comprising only around 0.2% of an average domestic cat's wild prey. Consequently, cat predation is unlikely to affect the conservation status of the bat assemblage and is not considered likely to result in a significant effect.

13.6.79 Given the overall character of the village development it is not anticipated that new roads will be constructed which enable high speeds, the likes of which are likely to result in bat mortality through collision. Notwithstanding the proposed mitigation, the overall village development will have an impact that cannot be mitigated to an insignificant level resulting in a residual negative impact significant at a district level for all assemblages of bat species.

13.6.80 There will also be temporary effects during construction, including noise and general disturbance. While construction related activities are generally confined to daylight hours, which would not impact bats foraging or commuting, there is a potential for lighting (for security and compound safety) to impact at night. The implementation of a Code of Construction Practice submitted with a Construction Environment Management Plan (secured by condition) will minimise such impacts such as the use of limited functional lighting only and use of LED luminaires in line with best practice guidance.

13.6.81 Bats are protected under both national and European legislation, and under national and local planning policy. They are protected from intentional killing, injuring, or taking, as well as possession and trade. In addition, places used for shelter and protection are safeguarded against intentional or reckless damage, destruction and obstruction of access and disturbance to animals occupying those places. To carry out any activities relating to development that may otherwise result in any of the offences above, it is necessary under the Habitats Regulations to obtain a European Protected Species Licence from Natural England. The licence application must include a mitigation strategy to be agreed with Natural England, which will include updated surveys, erection of artificial roosts in suitable locations, details of appropriate timing of demolition or vegetation removal to avoid the maternity and hibernation seasons, supervised demolition and long-term monitoring of artificial roosts. For the licence to be granted the following conditions must be satisfied:

- The proposal must be necessary 'to preserve public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment'
- 'There is no satisfactory alternative'
- The proposals 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.

13.6.82 Officers consider that the benefits associated with the outline development in terms of its significant contribution to the district's housing and economic needs, the provision of considerable community infrastructure and creation of new green infrastructure represent imperative reasons of overriding public interest. All measures have been considered at this outline stage to locate developable areas where least harm can occur. In the case of the agricultural buildings that may be lost, consideration will be given at the masterplanning stage as to whether the buildings can be re-purposed, although the poor condition of some buildings may preclude this option. Notwithstanding this, it would still be possible that the future use may prejudice the viability of current bat roosts. Alternative locations and scales of development were extensively considered during the Plan-making stage of the District Plan and the Gilston Area was allocated for development, acknowledging there would be a baseline level of harm to habitats and species. It is considered that there is no satisfactory alternative to the loss of the identified agricultural buildings, in the context of the impact on bats. The bat surveys indicate that the loss of several small roosts that support low numbers of common bat species that are widespread in the locality will not be detrimental to the maintenance of the conservation status of the bat assemblage.

Species - Mammals

13.6.83 In terms of other mammals, given the unmanaged nature of the tributary streams in the site, no suitable habitats and therefore no evidence of Water Vole or Otter has been found. Similarly, surveys found no evidence of Dormouse. The proposed Biodiversity Strategy sets out several measures to improve the tributary valleys which may improve their suitability as Water Vole habitat, such as the removal of invasive species, naturalisation of the watercourses, creation of floodplain scrapes and replacement of hard engineered banks with soft engineering methods where possible. Overall improvements to water quality through reduced agricultural activity and through the creation of drainage systems with stages of treatment will also improve water quality and water flow within the tributaries which will improve the aquatic flora diversity. These effects will have a permanent significant positive effect at the local level.

13.6.84 While no evidence of Water Vole or Otter have been found, the SLMP, VMPs and where necessary RMAs, will be required to undertake updated species surveys

(controlled by condition) and appropriate measures will be agreed to prevent injury or death of species in consultation with Natural England.

13.6.85 The Stort Valley has been identified as having the potential to support Water Vole and Otter. Increased recreational activity in the valley may have unintended impacts through disturbance, particularly from dogs or from accidental or reckless damage to shelters or habitats. Although unlikely to occur, this would constitute a legal offence with a significant negative effect at the local level in the absence of mitigation. The CSC application proposed the creation of new dedicated routes within the valley in proximity to the crossing to direct walkers to appropriate paths. As discussed, the outline application proposes a financial contribution towards measures in the Stort Valley to mitigate recreational impacts.

13.6.86 Several badger setts have been identified on the site, but their number and levels of activity has varied over the survey years, increasing in the most recent survey years to five clans using multiple setts and foraging areas around the site. Setts found have been either main setts, subsidiary, or outlier sets, primarily located in wooded areas. Given the need to protect Badgers, this report will not provide more details than strictly necessary for the impact of the development to be considered. The area is well-used by Badgers and the area is considered typical for the rural landscape but given the relative lack of foraging ground due to intensive agricultural use which has only seasonal value for Badgers their conservation status is considered unfavourable, stable.

13.6.87 Out of 36 setts, one subsidiary and one outlier sett may potentially require removal to permit the development. However, given the dynamic nature of Badger activity and the long time frame of the development new setts could be dug in areas proposed for development, possibly even as a result of earlier displacement. It will therefore be necessary to undertake up to date surveys prior to the commencement of construction and enabling works to ensure no offence is caused under the Protection of Badgers Act 1992. If required, a sett closure licence must be obtained from Natural England and works can only take place in accordance with the rems of the licence. The level of harm to the conservation status would depend upon the status and current usage of the sett to be removed.

13.6.88 During construction there is a risk of injury and death from machinery operations or excavations particularly during periods of low light. Indirectly, harm could occur through general disturbance, by Badgers falling into or becoming trapped in exposed excavations for example. Standard measures proposed in the Code of Construction Practice and CEMP would prevent such incidents. Night-time construction works are not anticipated for the village development but will be prohibited in the CEMP in the vicinity of setts to avoid disturbance of breeding and foraging activities.

13.6.89 There is a potential long-term positive effect of the development on Badgers due to proposed measures to reinforce woodland and valley habitats through additional planting and management. This is considered to counter short term negative effects caused by the loss of cereal crops through the development. As has been noted in paragraph 13.10.7 below the intention is for agricultural activity to continue for as long as possible on the site and such gradual reduction would minimise impacts to Badgers.

13.6.90 Because Badgers repeatedly use the same paths between setts, which often follow landscape features like hedgerows, the removal of hedgerows to enable the STC route through strategic green corridors would have a significant permanent negative effect that could affect the conservation status of the Badger population. Mitigation will therefore be required in the form of mammal tunnels to enable continuous routes to be retained and barriers to prevent injury from Badgers crossing roads. The proposed creation of new green buffers and the retention of a significant amount of existing green infrastructure, together with the creation of new open spaces are anticipated to provide the potential location of new sets and foraging grounds, particularly where open spaces are close to village edges. The SLMP, VMPs and RMAs will need to provide details of how such spaces will be managed for the benefit of Badgers and other species (mowing regimes, buffer and border landscaping, lighting etc).

13.6.91 The increased levels of human activity that will come from the development is likely to have a negative impact on Badgers, particularly where setts are located in a green corridor between villages and that area is attractive to dog walkers for example. To mitigate the effects of human disturbance in terms of damage or interference to setts, 10-20m of prickly landscape planting using native species of local provenance will be planted as buffers to setts at the start of works so they mature by completion of the development. For the Eastwick Valley corridor and recently found sett in the Village 1 study area however, it is considered more humane to relocate any setts under the terms of a Natural England licence.

13.6.92 Badgers do live successfully in urban areas and over time it is considered likely they will become habituated to raised disturbance levels, especially given that the development will take around twenty years to fully develop and within that period between ten and fifteen years before development is located near to currently known setts. Through careful design, management of green infrastructure and education of residents it is considered that no overall harm to the conservation status of the Badger population in the Gilston Area will occur.

Species - Birds

13.6.93 In terms of birds, important bird communities are primarily found within the northern woodland blocks and areas of arable farmland. A total of 77 species of birds were recorded over the survey period of 2004 to 2017. Of the species recorded,

18 are listed under the S41 NERC Act 2006 list of priority species. A number of specialist farmland birds appear on the Birds of Conservation Concern (BoCC) list. Hertfordshire also has its own Red Data List of declining bird species, those that are rare or where Hertfordshire holds a significant proportion of national breeding or wintering population. These species are already recorded on the BoCC list. These species are therefore given special consideration when assessing the conservation importance of breeding bird assemblages.

13.6.94 It is noted that species diversity has changed in subsequent survey years, with rare birds that appeared in earlier surveys not being recorded in more recent surveys. For example, Tawney Owl (an amber listed species) and Lapwing, Turtle Dove, Lesser Spotted Woodpecker, Yellow Wagtail, Marsh Tit and Spotted Flycatcher (red listed species) were recorded in 2012 but not in 2016/17. In the 2017 survey an estimated total of 53 species of breeding birds were recorded, of these species, 9 are red listed on the BoCC and 10 are amber listed. Of these BoCC species, 29 are listed on the Hertfordshire Red List. However, none of these species recorded were present in numbers approaching the 1% national threshold or the 5% county threshold for important populations of breeding birds. Given that the landscape and habitats have not changed significantly in the intervening years, the ES therefore assumes that the landscape has the potential to support these species.

13.6.95 The overall assemblage of breeding birds and the assemblage of farmland breeding birds are treated as the important ecological feature of county importance in the bird assessment since many species are declining. Intensive agriculture, with large fields, few hedgerows and mismanagement of existing hedgerows, autumn crop sowing and no stubble over winter all contribute to declining farmland bird numbers and diversity.

- Farmland Birds

13.6.96 In terms of farmland wintering birds 51 species were recorded during winter surveys (42 within the application area and 9 in the Village 7 area). This puts the assemblage of winter birds in the upper range of district importance. Relatively large flocks were recorded in 2013 including waders such as Golden Plover and Lapwing, and farmland birds such Skylark, Linnet, Yellowhammer and Starling, which are all BoCC red listed species apart from Golden Plover which is amber listed and are declining in numbers.

13.6.97 The main impact on farmland birds will be habitat loss due to the village development and through the proposed enhancement of the woodland blocks in the north of the site, which will further reduce the extent of nesting and foraging resources that support farmland birds. Overall, approximately 328ha of mixed habitats which currently support farmland birds will be lost, either for nesting or feeding:

- The proposed area for Village 1 supports Skylark (5), Linnet (1), Yellowhammer (1) and Song Thrush (3). Skylark will lose nesting habitat and all species will lose

feeding habitat. Although hedgerows will remain around Village 1 enabling some continued nesting for Song Thrush the level of disturbance will prohibit hedge-nesting species Linnet and Yellowhammer to persist.

- The proposed area for Village 2 supports Skylark (3), Linnet (3), Yellowhammer (5), Corn Bunting (1) and Song Thrush (3). Skylark will lose nesting habitat and all species will lose feeding habitat.
- The proposed area for Village 3 supports Skylark (3), Yellowhammer (3) and Corn Bunting (1). Skylark will lose nesting and feeding habitat and Yellowhammer will lose feeding habitat. The area will no longer be able to support these species.
- The proposed area for Village 4 supports Skylark (5), Linnet (1), Yellowhammer (7), Grey Partridge (1) and Song Thrush (2). All species will lose nesting and feeding habitat.
- The proposed area for Village 5 supports Skylark (1) and Linnet (1). These species will lose their nesting and feeding habitat. The proposed land for the secondary school in Village 5 supports Skylark (1), Yellowhammer (2), Linnet (2) and Song Thrush (2). All except Song Thrush will lose nesting and feeding habitat.
- The proposed area for Village 6 supports Skylark (4), Linnet (1), Yellowhammer (4) and Song Thrush (3). The Skylarks, Yellowhammers and Linnets will lose nesting and feeding habitat and Song Thrush will lose feeding habitat.
- Eastwick Village supports House Sparrows and Starlings that nest in the village but forage on the surrounding farmland. The nesting sites will remain but many foraging areas will be lost.

13.6.98 In terms of wintering farmland birds, large areas of habitats suitable for flocks of wintering waders (Lapwing and Golden Plover) will be lost, particularly in the area proposed for Village 3. Flocks of Skylarks, Yellowhammers, Chaffinches, Reed Buntings and Linnets will lose wintering habitat in the area proposed for Village 6. In the absence of mitigation this impact from habitat loss on the wintering farmland bird assemblage of district importance would result in a permanent, significant negative effect.

13.6.99 During construction, activity, noise, and disturbance has the potential to negatively affect the breeding farmland bird assemblage and wintering farmland bird assemblage as construction moves around the site, dissuading breeding birds from using habitat close to construction areas. Works during nesting season will have the greatest effect, and even where hedgerows are to be retained, construction activity will disturb hedge-nesting species, plus permanently remove their feeding habitat regardless of any temporary nature of the disturbance. Species such as Yellowhammer and Linnet are likely to disappear, but Song Thrush may return post construction.

13.6.100 Once homes are occupied, while the relative effects of cat predation on bird mortality is unclear, it is considered that cat predation is likely to have a permanent, significant negative effect at the zone of influence level if unmitigated. Human disturbance and

dog walking are also considered likely to have a permanent, significant negative effect, though at the local level if unmitigated. The creation of buffer zones, allotments and orchards will have limited benefit in terms of avoiding these impacts as they will, in most locations, be used for recreational purposes.

13.6.101 The Biodiversity Strategy proposes the retention of the Hunsdon Airfield plateau as agricultural land and enhancing the capacity of the airfield area for breeding birds through a conservation-led approach to land management. However, over time there is the potential for the conversion of retained agricultural land to an informal country park landscape which will enable recreational activity that will have the potential to disturb farmland birds and wintering birds in particular. Therefore, notwithstanding the retention of the north-western part of the site as farmland, because farmland birds are already in decline, the loss of supporting habitat is contrary to the conservation objectives for farmland birds. Consequently, the development will result in a permanent, significant negative effect on the farmland breeding bird and wintering bird assemblage at the county level.

- *Woodland Birds*

13.6.102 Within the northern woodland, the assemblage of birds comprises 7 BoCC species (5 red and 2 amber-listed). The species include: Lesser Spotted Woodpecker, Marsh Tit, Song Thrush, Mistle Thrush and Spotted Flycatcher, all of which apart from Song Thrush are found in low numbers and therefore the northern woodland assemblage is evaluated as being of district importance. Use of the woodlands for pheasant rearing has had harmful impacts on bird populations, mainly due to competition for food, structure of the field layer and disease. The conservation status of the woodland assemblage is regarded as being unfavourable and declining.

13.6.103 During construction, activity, noise, and light disturbance is predicted to disturb breeding birds within some woodlands, with those woodlands located closest to the Village Developable Areas experiencing greater levels of disturbance than those in the woodland blocks in the north of the site. Construction effects will be temporary, moving around the site as development progresses, affecting one or two woodlands at a time. In the absence of mitigation, the impact of construction disturbance on the northern woodland breeding bird assemblage of district importance will result in a temporary, significant negative effect at a local level.

13.6.104 Once homes are occupied, as before, while the relative effects of cat predation on bird mortality is unclear, it is considered that cat predation is likely to have a permanent, significant negative effect at the zone of influence level if unmitigated, especially in the woods closest to residential development.

13.6.105 The impact of the development including the two crossings on the River Stort Valley breeding and wintering bird assemblages was considered in detail in the two committee reports. The Stort floodplain is a habitat of local importance for

supporting breeding, foraging and over-wintering of birds. The ESC was considered to have a detrimental impact on ground nesting birds and areas of compensatory wetland habitat were identified as being required to replace lost habitat and mitigate negative effects.

13.6.106 To reduce construction impacts on all bird assemblages as far as possible, measures will be taken to prevent harm to nesting birds and the loss of occupied nests through ensuring that vegetation clearance occurs outside nesting seasons and undertaking detailed surveys by an ecologist prior to any works that cause disturbance. Appropriate cordons will be used to keep works a safe distance from any active nest. Construction disturbance will be reduced by virtue of the creation of buffers and protective boundary treatments along with controls over working hours and lighting. These measures are set out in the Code of Construction Practice which will form part of a CEMP, controlled by condition. The ES considers that controlling disturbance will reduce impacts to a non-significant level, however, Officers consider that the overall effect of construction which will ultimately result in the loss of habitats will mean that notwithstanding these mitigations there will remain a residual significant negative effect on bird assemblages due to the development.

13.6.107 This will require compensation in the form of the managed creation of safe nesting habitats in the retained areas of agricultural land and the implementation of conservation-led management regimes with spring crop planting, tussocky grass margins, hedgerows, retained and new nest boxes, nectar flower mixtures through spring and summer and late flowering species to provide food for insects, which in turn provide food for birds, managed mowing, grazing and fertiliser regimes, the creation of beetle banks, cultivated uncropped margins, conservation headlands, and ditches. To support wintering birds wild seed mixes should be used and spring sown stubbles left in situ over winter. It will be necessary to retain this management regime through the implementation of an Ecological Management Plan, secured by condition, which any subsequent stewardship body or landowner will need to follow. As such, it is proposed that this is controlled by condition and its implementation secured by the S.106 Agreement. Other enhancements will be provided by the installation of barn owl boxes and bird boxes in suitable locations.

13.6.108 The recently undertaken BIAC undertaken for the scheme indicates that the proposed compensation strategy will have the potential to deliver a 20.55% net gain to hedgerow units on site and a net gain of 33% for habitat units following mitigation and compensation measures. Notwithstanding this, it is not possible to fully mitigate or compensate for the loss of large open arable field habitat and there will be a residual permanent, negative effect, significant at the local level. Officers are satisfied however, that all possible measures have been taken to design out impacts where possible, to minimise impacts that will occur, to mitigate impacts through protective measures and enhancements and to compensate for impacts, albeit residual negative impacts will remain, which is in line with the approaches required

in Policies NE2 (Sites or Features of Nature Conservation Interest (Non-Designated)) and NE3 (Species and habitats).

Great Crested Newts

13.6.109 Great Crested Newt (GCN) are listed as a UK BAP priority species along with being a priority species in the Hertfordshire BAP. GCN are also listed as a Species of Principal Importance protected under S.41 of the NERC Act 2006, are legally protected under S.5 of the Wildlife and Countryside Act 1981 (as amended). The habitat of GCN is not legally protected, but the replacement of habitat lost through development may be required through the planning system. GCN are also listed as a European Protected Species under the Conservation of Habitats and Species Regulations 2010 (as amended). As such, to carry out any activities relating to development that may result in offences to GCN such as intentional or reckless injury, capture or death it is necessary to obtain a licence from Natural England.

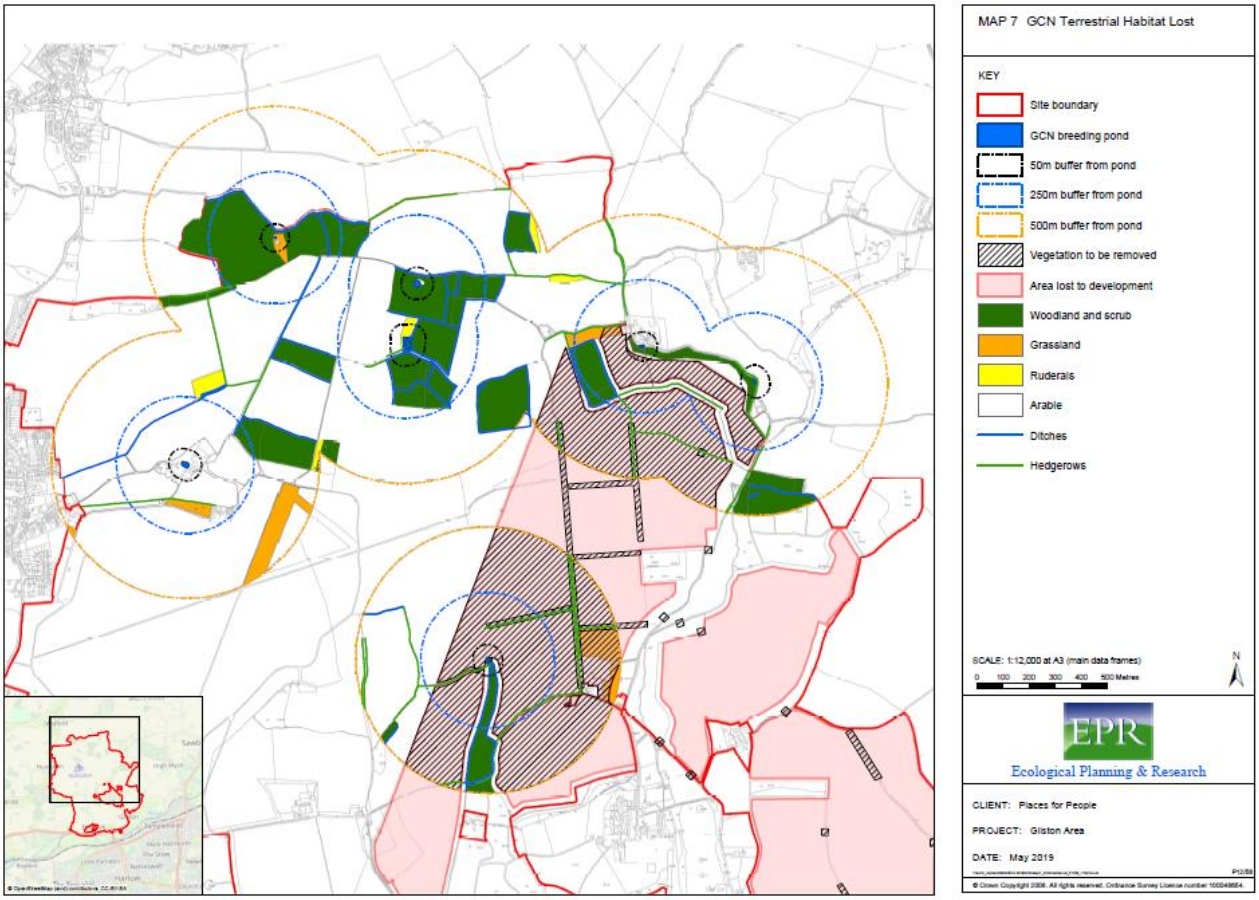
13.6.110 GCN are vulnerable to biophysical changes due to construction of development including loss or alteration or pollution of supporting aquatic habitat, the fragmentation of habitat or ground works such as excavation or movement of soils or vegetation. Once development is occupied GCN are vulnerable to biophysical changes resulting from the presence of people, cars and pets, lighting, addition of fish to water bodies, the implementation of habitat management plans or the creation of new habitats that may change the existing environment to the detriment of habitats supporting GCN.

13.6.111 A total of 38 water bodies have been surveyed through the various survey years, 13 of which are within the site area, 8 are within 500m, 5 ponds within restricted areas and 11 ponds beyond 500m of the site. Based on the last surveys undertaken in 2015 seven GCN populations were recorded ranging from small to large, distributed among meta-populations where movement between ponds is considered likely. Other species of amphibian were also recorded including Smooth Newt, Palmate Newt, Common Frog and Common Toad. Populations of GCN that are part of a meta-population have a much greater likelihood of long-term persistence, however, chronological data sets have recorded a reduction in suitable pond habitats. Therefore, while the on-site GCN population is of district value, without habitat management further ponds could deteriorate reducing their suitability for GCN, therefore the conservation status of the population is unfavourable, declining.

13.6.112 The proposed development will retain all aquatic habitats on site but site clearance that will occur through construction will result in the permanent loss of approximately 370ha of terrestrial habitat, which equates to 35% of terrestrial habitat available to GCN, which without mitigation can have serious consequences for GCN. While ponds are used for breeding, the terrestrial habitat within 250m of a pond is necessary to support GCN. Only three ponds are directly affected by the scheme through loss of terrestrial habitat. For ponds 20 and 24 located on the

northern edge of the area proposed as Village 4, approximately 8ha of terrestrial habitat will be lost within 250m of the pond and for Pond 17, located between areas proposed for Villages 4 and 5 at the northern most point of Gibsons Shaw woods, an estimated 11ha of terrestrial habitat within 250m of the pond will be lost due to the village development (Figure 17 below). In the absence of mitigation this is a significant negative impact on the GCN population at the district level.

Figure 17: Habitat lost supporting Great Crested Newt populations



13.6.113 The ES considers the worst-case scenario of hedgerows within Village 4 being lost due to the village development. However, since the ES appendix containing the GCN survey was submitted (original 2019 submission) the Development Specification has been amended to seek to retain all hedgerows in Village 4 unless it can be demonstrated that their loss is necessary to deliver the village development, with their loss/retention to be determined at the VMP stage. Nonetheless, for the ES it is appropriate to consider the impacts on GCN populations based on the removal of supporting terrestrial habitat. The fragmentation of habitat that would occur through removing hedgerows that act as vegetation corridors for the movement of GCN due to the development, either through construction or operation, would have a significant negative impact on the GCN population at the district level in the absence of mitigation.

13.6.114 Risks associated with construction on water quality could, if unmitigated, result in the deterioration of pond quality through turbidity, loss of aquatic vegetation or loss

of invertebrates which would reduce food available for developing larvae or reduce courtship habitats, jeopardising the long-term survival of the population. Harm (accidental or deliberate) during construction, such as through excavation would represent an offence under the Habitat Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Construction works will take place within proximity of Ponds 17, 20 and 24 where disturbance may if unmitigated cause noise, vibration and light. Standard methods implemented through an approved Code of Construction Practice will prevent such disturbances and harms occurring.

13.6.115 When masterplanning the strategic landscape area and villages it will be necessary to ensure that development located in proximity to ponds is designed to prevent impacts associated with lighting, recreational activity such as dog walking and vehicle movements. In terms of cat predation, while cats have the potential to increase mortality rates, GCN are likely to move around using dense hedgerow as cover. Therefore, cat predation is unlikely to severely impact the GCN population. The introduction of fish to existing ponds could dramatically reduce GCN numbers as fish predate GCN eggs. Management of ponds close to residential properties or in public open spaces will be required to prohibit fish introduction.

13.6.116 The extent of hydrological change to retained ponds is not currently known in sufficient detail until a detailed drainage strategy is developed to support the masterplan for Village 4. The village drainage strategy will therefore be required to demonstrate that no alteration to the water table, siltation or chemical change will occur through the provision of attenuation and treatment trains. These details will be secured by condition.

13.6.117 To mitigate the loss of terrestrial habitat supporting GCN ponds additional hedgerow planting will be undertaken along with the creation of green spaces that will offer more suitable habitats than the arable land lost. Details will be set out in the SLMP (for Ponds 20 and 24) and VMP for Pond 17 and the management of green spaces will be secured through the submission and implementation of a biodiversity strategy (secured by condition). Habitat fragmentation will be minimised through the retention of dispersal corridors between meta-population 3 (northern fringe of Village 4) and subjected to a 5-15m buffer on both sides. Newt tunnels may be required to ensure safe passage of GCN subject to the identification of roads and layouts at the masterplan stage.

13.6.118 Once layouts have been confirmed and detail is known about the extent of vegetation and habitat to be lost at the masterplan stage it will be necessary for a European Protected Species Licence to be applied for necessary to conduct works that would otherwise be considered unlawful. In order for a licence to be granted the following conditions must be satisfied:

- The proposal must be necessary 'to preserve public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment';
- 'There is no satisfactory alternative';
- The proposals 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.

13.6.119 Officers consider that the benefits associated with the outline development in terms of its significant contribution to the district's housing and economic needs, the provision of considerable community infrastructure and creation of new green infrastructure represent imperative reasons of overriding public interest. All measures have been considered at this outline stage to locate developable areas where least harm to GCN can occur. Consideration will be given at the masterplanning stage to maximise the retention of suitable habitats supporting GCN including hedgerows, acknowledging that the loss of some hedgerows has been identified as being necessary to enable the village development. Alternative locations and scales of development were extensively considered during the Plan-making stage of the District Plan and the Gilston Area was allocated for development, acknowledging there would be a baseline level of harm to habitats and species. It is considered that there is no satisfactory alternative to the loss of the identified habitats, in the context of the impact on GCNs.

13.6.120 The ES considers it may be necessary to relocate the GCN populations in Ponds 17, 20 and 24. However, Officers consider that this impact can only be determined at the SLMP and VMP stages once detailed layouts are determined, and the extent of impact fully known. Any relocation would be carried out under the terms of any licence granted with phased removal of vegetation outside of breeding and hibernation seasons. The proposed biodiversity strategy and Development Specification principles that will inform the SLMP and VMPs will ensure the development provides buffers and creation of new suitable habitats, fencing of ponds where necessary, safe routes for passage under roads where required and the installation of education/ interpretation panels. It is acknowledged that the creation of new habitats may take time to mature, leading to a delay in the establishment of suitable supporting habitats, but this temporary effect will be partly reversible with beneficial effects in the longer-term.

13.6.121 The biodiversity strategy proposes the creation of new ponds across the north of the site as part of the habitat restoration proposals for the Eastwick Woods Park area. This would offer new breeding and connecting habitats for the two main GCN meta-populations in the form of stepping-stones which will help to increase the dispersal and therefore genetic stability within the meta-population, to the overall benefit of the conservation status of the GCN population. Further aquatic habitats will be created through the introduction of sustainable urban drainage systems into the

villages and the strategic landscape, again offering the potential for connections between pond habitats where appropriate. Some locations in the SLMP will be designed to encourage recreational activity, including off-leash dog walking to direct users away from more sensitive environments. New terrestrial habitats will be created within the northern woodland areas to create refuge and over-wintering habitats, including log/brash piles, dead-wood, and rock piles near to ponds. Such measures will be implemented, monitored, and managed through an Ecological Management Plan (secured by condition).

13.6.122 With the proposed range of mitigation measures it is considered that a significant negative residual effect on the conservation status of GCN populations in the zone of interest is highly unlikely. The development will comply with legislation, policy, and best practice. There is therefore no expectation that a licence would not be granted by Natural England should one be required.

Species - Reptiles

13.6.123 All four of the widespread British species of reptile (Common Lizard, Slow Worm, Grass Snake and Adder) are Species of Principal Importance protected under protected under S.41 of the NERC Act 2006 and are legally protected under S.5 of the Wildlife and Countryside Act 1981 (as amended). The habitat of the four widespread species is not legally protected, but the replacement of habitat lost through development may be required through the planning system.

13.6.124 Reptile populations are vulnerable to biophysical changes due to construction of development including through the movement of construction vehicles, the fragmentation of habitat or ground works such as excavation or movement of soils or vegetation, demolition operations, construction of hard standing or structures, noise and dust emissions, lighting, and environmental accidents. Once development is occupied reptiles are vulnerable to biophysical changes resulting from the presence of people, cars and pets, lighting, the implementation of habitat management plans or the creation of new habitats that may change the existing environment to the detriment of habitats supporting reptiles.

13.6.125 Very little evidence was found across the site, although Grass Snake, Slow Worm and Common Lizard were recorded in low numbers in the five Habitat Parcels surveyed. Habitat Parcels are in geographic areas considered suitable for reptile habitation based on the Phase 1 Habitat Surveys to focus the assessment. These are located within the tributary corridors which are proposed to form the network of strategic landscape and green infrastructure between villages and therefore excluded from the village development area. These include the LWS at the Eastwick Moat Mounted Sites. However, none of the Habitat Parcels surveyed meet the criteria required to be identified as a Key Reptile Site. This is likely due to a lack of suitable habitat as much of the site is currently arable farmland which has little potential to support reptiles, and the locations that are suitable are limited in number and small in scale

and therefore unlikely to support significant reptile populations. The density of reptiles is considered typical of the rural landscape in the locality and therefore reptile populations on the site have no more than zone of influence importance.

13.6.126 The recent Village 1 survey found only grass snake within the study area and no more than two on any visit during the survey period. However, previous survey years indicated that Slow Worm, and Common Lizard were also found within the study area albeit at low numbers. As the ecological baseline remains substantially unchanged from previous assessment years it is considered that the land could still support these species and therefore detailed species-specific surveys will need to be carried out prior to construction to ensure no harm is caused to reptiles in the village 1 area.

13.6.127 Notwithstanding the low reptile population, it is an offence to cause deliberate or reckless injury or death of reptiles under the Wildlife and Countryside Act 1981 (as amended) and therefore construction activities will need to be undertaken in accordance with an agreed Code of Construction Practice and CEMP to avoid impacts. Detailed site surveys will be required prior to construction activities by a qualified ecologist, and if updated surveys reveal new or increased populations to good or exceptional levels or sites meet the criteria for Key Reptile Sites then appropriate mitigation measures will be required, which could include the translocation of reptiles to pre-identified suitable receptor sites which are outside the Village Developable Areas and have been enhanced for reptile habitation.

13.6.128 Any reptile receptor sites created will be required to be subject to an ecological management plan (secured by condition) that maintains the suitability of the habitat for reptiles in the long term. This could also include measures that provide education for residents on the conservation of reptile species. The biodiversity strategy measures that include the creation of a variety of habitats and landscapes across the development will, over time, offer new opportunities for reptile habitation. In terms of impacts on reptiles the development is considered to comply with legislation, policy and best practice and no significant residual effects are predicted.

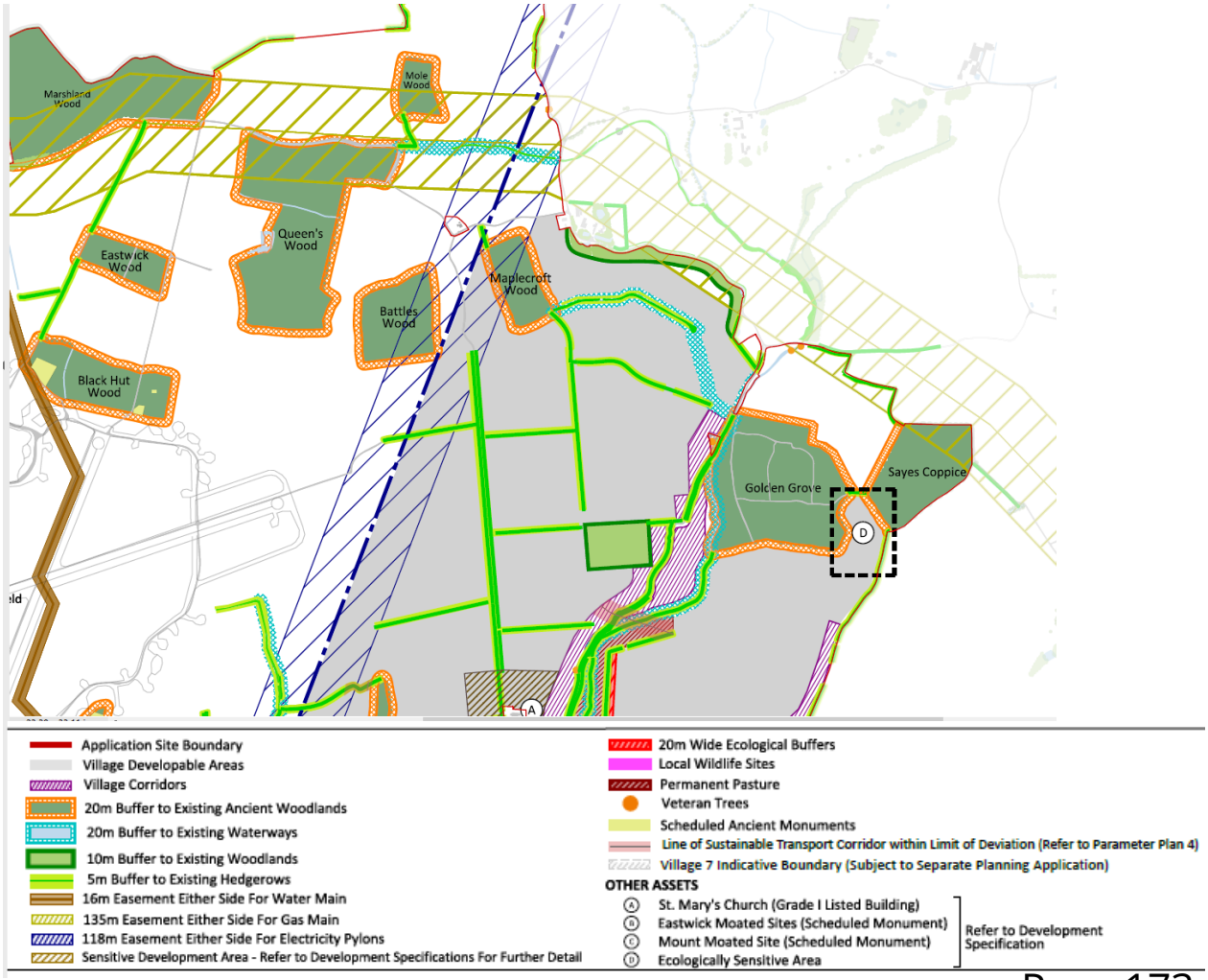
Species - Terrestrial Invertebrate

13.6.129 No legally protected terrestrial invertebrate species were recorded, but one S.41 NERC Act 2006 species has been identified on site – the White-Letter Hairstreak butterfly in the north-eastern Golden Grove woodland block, which is located within the strategic corridor between Villages 3 and 4. No Priority Species of moths were recorded, but 19 'Research Only' moth species were. The status and distribution of these is well known in Hertfordshire. Six species listed in the British Red Data Books as being critically endangered, endangered, and nationally vulnerable or near threatened have been found in this same Golden Grove woodland block. These include two species classed as 'Vulnerable': the fly *Homoneura limnea* and the soldier fly *Oxycera terminate*. The presence of these in trap surveys is considered a surprise

because the woodland habitat was not previously considered suitable for either species. The survey found two species that are classed as 'Rare': the false darkling beetle *Osphya bipuncta* and the mining beetle *Lasioglossum pauperatum*. Two species with undetermined class include: the fly *Platypalpus aeneus* and the tumbling flower-beetle *Mordellistena neuwaldeggiana.*

13.6.130 Eight species recorded are listed as Nationally Scarce (formerly Nationally Notable-Na category); 24 species listed as Nationally Scarce (formerly Nationally Notable-Nb category); Seven of the species recorded are Diptera that feature in the 'Nationally Scarce' (formerly Nationally Notable-N category); 63 of the species recorded are Nationally Local'. These species were found primarily within woodland blocks and the tributary valleys, which will remain outside the Village Developable Areas. The Golden Grove and Sayes Coppice woodlands were found to support the greatest variety and density of terrestrial invertebrates and as such are considered of regional importance for terrestrial invertebrate populations and this has led to the identification of an ecologically sensitive area in this location on the Parameter Plans (Figure 18 below). Other parts of the site include field margins, tributary valleys and the lower contributing arable landscape are considered of no more than local importance.

Figure 18 Extract parameter Plan 2 – Golden Grove /Sayes Copse



13.6.131 The conservation status of the assemblage of terrestrial invertebrates overall is likely to be unfavourable, declining due to the large area of arable landscape and the lack of woodland management. The construction phase will result in the loss of some sections of hedgerow as previously discussed, which may impact on some key species that are supported by deadwood associated with trees in hedgerows where the deadwood is removed for safety and tree health reasons or to accommodate the development. The application of a Code of Construction Practice and CEMP will prevent impacts through the protection of important ecological features, through pollution prevention measures and management of noise, lighting, movement, and activity in darker hours. This will be secured by condition.

13.6.132 Once homes are occupied, the lighting of roads and other built development will introduce artificial lighting into an area which is currently relatively dark. Certain invertebrates are known to be sensitive to elevated levels of light and therefore without mitigation, the impact of lighting is likely to result in a permanent significant effect at the zone of influence level across the site, and of district level for impacts at Golden Grove and Sayes Copse.

13.6.133 Without mitigation, the impact of habitat loss on the site-wide assemblage of terrestrial invertebrates will result in a permanent, significant effect at the zone of influence level only. However, the integrity of the Golden Grove and Sayes Copse will be maintained by virtue of the creation of a 20m buffer around the woodlands and through the creation of an ecologically sensitive zone supported by specific criteria within the Development Specification relating to the form of development in the vicinity of the woodlands. With these mitigations in place the assemblage of terrestrial invertebrates associated with these woodlands will not be impacted. Likewise, each tributary valley is also located within the strategic landscape area, within which the provisions of the biodiversity strategy and Development Specification principles will apply. The proposed enhancements set out in the Outline Ecological Management Plan include protecting, restoring and enhancing the ancient woodlands designated as LWSs using traditional management techniques, extend the area of woodland habitats and improve their connectivity through new planting, enhancing the existing riparian habitats associated with Golden Brook, including the management of waterside trees, incorporate appropriate planting into SuDS elements and manging existing habitats for biodiversity benefit and amenity value in the long-term. These enhancements will result in a positive effect which is expected to be sufficiently large to result in a beneficial effect on the conservation status of the (site-wide) assemblage of terrestrial invertebrates and result in a permanent, significant positive effect at the district level.

13.6.134 The recent Village 1 habitat survey indicates that land to the north of Eastwick Lodge Farm which has been left undisturbed in recent years has reverted to rough grassland with a higher structural and species survey than in previous surveys,

capable of supporting invertebrates. 119 species were recorded during the survey, three of which are species of conservation concern:

- nationally scarce (Notable a) Coleoptera *Polydrusus formosus,* a weevil
- nationally scarce (Notable b) Coleoptera *Rhinocyllus conicus,* a weevil
- rare Hemiptera *Lygus pratensis,* a mind bug

13.6.135 The invertebrate assemblage of the Village 1 area is considered to be of local importance. However, as the ecological baseline remains substantially unchanged from previous assessments, it is considered that the mitigation and compensation measures prescribed in the ES continue to be appropriate and proportionate to the predicted impacts of the proposed scheme.

13.6.136 Surveys undertaken on aquatic invertebrates indicated that while the prominent watercourses on the site had reasonably good water quality, the invertebrate population was low, suggesting that habitat diversity may be a limiting factor. It is considered that the proposed Ecological Management Plan will introduce measures that will improve the wider ecological value of watercourses by clearing scrub encroachments, improving banks, improving the diversity of aquatic plants, and where appropriate the integration of SuDS with existing watercourses will assist in improving flow and water quality, partly through the reduction in agricultural practices and agri-chemical pollution and partly through treatment trains upstream of watercourses.

Impact on the Natural Environment Conclusion

13.6.137 There has been a considerable wealth of ecological surveys over a long time frame which has enabled a thorough assessment of the potential impacts of the development on Priority Habitats and Species. The ES has considered the impacts associated with both the outline application, the two crossings and the adjacent Village 7 application, indeed the earlier surveys were undertaken for the allocation area as a whole (and beyond), providing a comprehensive series of assessments allowing the recording of ecological change over time.

13.6.138 This report acknowledges that there will be negative effects on some species, particularly through the loss of hedgerows in the landscape areas proposed to form green corridors between villages to enable the provision of a sustainable transport corridor that connects each village. The loss of hedgerows will detrimentally effect migration routes of reptiles and mammals and these impacts, if unmitigated, will have a significant detrimental effect. Mitigation will be required to minimise these effects through replacement planting, mammal tunnels and construction management techniques. However, there will be a fundamental change to the environment from a rural, agricultural landscape to a mixed development containing a variety of land uses, including open spaces (formal and informal), an integrated SuDS network and creation of new and enhanced green buffers and corridors between village developments.

13.6.139 The Outline Ecological Management Plan proposes enhancements to habitats across the site which provide biodiversity benefits to species and habitats and introduce measures to minimise human and urban impacts and has the potential to deliver a biodiversity net gain for habitats (33%), hedgerows (20.55%), and watercourses (16.60%), which is clearly above the 10% minimum commitment. The Ecological Management Plan will be secured via condition, which will provide updated surveys prior to the masterplanning and construction stages and will set out management and maintenance strategies for the long-term stewardship of ecological assets as well as strategies to educate residents on conservation objectives with private and public spaces designed encourage biodiversity. Some enhancements will reduce impacts to the conservation status of some species to an insignificant level, such as Woodland Birds and Bats, Badgers and Great Crested Newt and in the long term will improve the conservation status of terrestrial invertebrates. Notwithstanding this, the loss of large areas of agricultural land will have the greatest impact on farmland breeding and wintering birds in particular, the effect of which cannot be mitigated and remains a residual significant negative effect.

13.6.140 There are no 'irreplaceable habitats' as defined in paragraph 180 of the NPPF that are impacted by the development as the parameters have been designed with limits of deviation where required which enable loss or harm to veteran trees to be avoided. Likely significant effects on SSSIs beyond the site have been assessed through an Appropriate Assessment, which concluded that the development on its own and in-combination with other plans and projects, would not lead to any adverse effects on the integrity of any National Network Site. There will however, be some loss of priority habitats in the form of species-rich and species-poor ancient hedgerow to enable the delivery of the sustainable transport corridor connecting each village by active and sustainable means. As has been discussed above, Officers consider that the negative effects on Priority Habitats and Species are outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033. The Gilston Area allocation represents a significant proportion of the district's housing land supply and in the absence of a five-year housing land supply the tilted balance applies.

13.6.141 In allocating the site the Council accepted in principle that there would be a baseline level of harm to habitats and species which were explored at a high level through the Plan-making process. The proposed application is considered to provide imperative reasons of overriding public interest being the benefits of a social and economic nature in terms of delivering a significant proportion of the Gilston Area allocation and unlocking the delivery of the wider Gilston Area strategic allocation to the total of 10,000 homes. The outline application will deliver and enable the creation of a sustainable transport corridor which supports the growth and sustainable transport

objectives of the HGGT and provide significant new community infrastructure to support new and existing residents in accordance with policy allocations and the growth to be enabled by sustainable transport corridors which will be enabled by the development of the outline and the two approved river crossings. Officers consider that the principles set out in the District Plan and Gilston Area Neighbourhood Plan have been met and that there will be no offence under Section 41 of the Natural Environment and Rural Communities Act 2006, the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017, Water Environment (Water Framework Directive (England and Wales) Regulations 2017, the Countryside and Rights of Way Act 2000 and the Protection of Badgers Act 1992.

13.7 Climate Change, Flood Risk and Sustainable Drainage

13.7.1 Policies WAT1 (Flood Risk Management), WAT3 (Water Quality and the Water Environment) and WAT5 (Sustainable Drainage) of the of the East Herts District Plan 2018 require that development proposals should neither increase the likelihood or intensity of any form of flooding, nor the risk to people property, crops or livestock, both on site and to neighbouring land or further downstream. Furthermore, development should account for impacts of climate change and should build in long term resilience against increased water levels. Additionally, development proposals are required to preserve or enhance the water environment by ensuring improvements in surface water quality and the ecological value of watercourses. Opportunities for the removal of culverts, river restoration and naturalisation should be considered as part of any development adjacent to a watercourse.

13.7.2 EHDP Policies CC1 (Climate Change Adaptation) and CC2 (Climate Change Mitigation) require development to make provision for climate change, integrating green infrastructure into the design, demonstrating how carbon dioxide emissions will be minimised through design, and that the energy embodied in construction materials should be reduced through re-use and recycling, where possible of existing materials and the use of sustainable materials and local sourcing. Policy DES4 states that all developments should incorporate high quality innovative design, new technologies and construction techniques, including zero or low carbon energy and water efficient, design and sustainable construction methods.

13.7.3 In addition, the Council's Sustainability SPD suggest carbon reduction benchmarks and encourages development to demonstrate excellence in sustainable development by taking innovative approaches to net zero carbon design and minimising overheating. The Council has also endorsed the HGGT Sustainability Guidance and Checklist as a material consideration for the determination of applications.

13.7.4 Policy AG1 (Promoting Sustainable Development in the Gilston Area) of the GANP states that development should incorporate measures to conserve water resources, protect existing communities from the impacts of flood risk and climate change, maximise energy and water efficiency, and deliver high-quality low carbon homes, utilising wood or recycled material in construction. Policy AG2 (Creating a Connected Green Infrastructure Network) states that land should be provided for an effective drainage system that is designed to take into account historic flooding; to protect the Stort water systems and take inspiration from traditional ditch and pond features.

13.7.5 Hertfordshire Minerals Local Plan 2007 Policy 3 (Sites for sand and gravel extraction and the working of preferred areas), Policy 5 (Mineral Sterilisation) and Policy 7 (Secondary and recycled materials) encourage the opportunistic extraction of minerals for use on site to reduce the need to transport sand and gravel to the site and to make sustainable use of these resources. Appendix 5 of the Hertfordshire Minerals Local Plan and the Mineral Consultation Area SPD also identified Pole Hole Quarry as a specific site for sand and gravel extraction (under Policy 3) as it had permission for extraction at the time of the Plan production. These Policies 3, 5 and 7 are relevant as part of the ESC proposal site falls within a Mineral Safeguarding Area (MSA) identified in both the Essex Minerals Local Plan and Hertfordshire Minerals Local Plan.

13.7.6 Paragraphs 152 to 158 (section 14) of the NPPF relate to the consideration of development proposals in the context of planning for climate change. Key principles include ensuring that development is designed to be resilient to changes and risks associated with climate change and that the planning system should support the transition to a low carbon future. Paragraphs 159 to 169 relate to planning for flood risk, directing development away from locations that are at highest risk of flooding, ensuring that proposals do not cause risks from flooding.

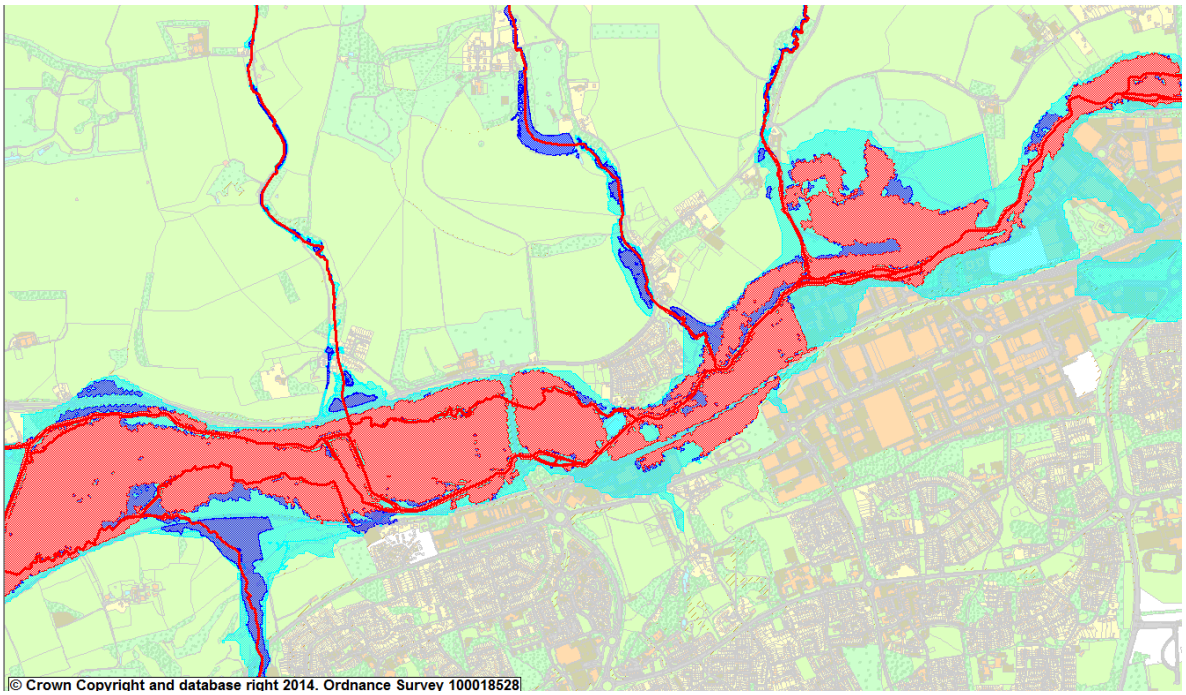
Flood Risk and Sustainable Drainage

13.7.7 Paragraph 159 of the NPPF 2021 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk and where development is necessary, the development should be made safe for its lifetime without increasing the risk of flooding elsewhere. To determine this, Paragraph 161 states that a sequential test should be applied and then, if necessary, an exception test should be carried out. At the Plan-making stage a Strategic Flood Risk Assessment (SFRA) was undertaken to inform the location of development options. The SFRA determined the location of the allocation outside the flood zones and identified a need for detailed site-specific Flood Risk Assessments to be undertaken in support of development proposals.

13.7.8 The proposed village developable area is located within Flood Zone 1, meaning that the site is at low risk of flooding from pluvial, existing drains, sewers and water mains and artificial sources (such as Gilston Park Lake), and is not at risk from tidal or

groundwater flooding (Figure 19 below). The site is within the catchment of the River Stort and Stort Navigation, which is designated under the Water Framework Directive as a Main River, and there are several smaller tributary rivers within and near to the site that drain north to south into the main river. These include Fiddler's Brook, Eastwick Brook, Pole Hole Brook, a seasonally flowing watercourse known as Stone Basin Spring and other minor ditches. Within the Gilston Park Estate is a small ornamental lake and across the site are numerous ponds. Groundwater Source Protection Zones 2 and 3 and a Secondary A Aquifer underlie a proportion of the site which are sensitive receptors to any potential land contamination from previous or future land uses.

Figure 19: Flood Zones in the Stort Valley and Tributary Valleys



13.7.9 The development comprising six new villages will result in a fundamental change to the surface water environment. Currently the land is used for intensive arable agriculture in large open fields with minimal vegetation cover outside of field boundaries and retained woodlands/ plantations. While approximately half the application will remain undeveloped the village development will introduce built landscape into the area, and as such the development must be designed to prevent flooding as a result of surface water entering the natural water network too quickly during a storm event. Therefore, an assessment of the potential effects of the development on the surface water environment has been submitted as part of the ES. The assessment considered flood risk and vulnerability, flood zones, sequential and exception test, climate change allowances, sources of potential flooding (tidal[6],

[6] Tidal flooding occurs when an exceptionally high tide.

fluvial[7], pluvial[8], groundwater flooding[9], flooding from drains and sewers, flooding from water mains and artificial sources.. Following extensive engagement with the Lead Local Flood Authorities of Hertfordshire and Essex County Councils, the Environment Agency and Thames Water, a Flood Risk Assessment, a Surface Water Drainage Strategy and a Sewage Treatment and Foul Drainage Strategy have been prepared. These strategies describe how surface water and foul water will be managed to ensure water quality is maintained, that no flood risk occurs, and that sewerage infrastructure capacity is not compromised.

13.7.10 In addition, as the development is upstream of the main watercourse of the River Stort, and the Hunsdon Mead SSSI within the Stort valley, a Preliminary Water Framework Directive Assessment (WFD) was undertaken. The main objective of the WFD is the protection of controlled waters from pollution incidents under the Environmental Permitting (England and Wales) Regulations 2016 and the Water Resources Act 1991 (as amended), to return watercourses to 'good ecological status'. A specific assessment was therefore undertaken for the two river crossing proposals which was considered in the respective application reports. This determined that risks associated with construction and operation of the crossings could be successfully managed through the application of standard codes of construction practice, controlled by condition on the two crossing permissions and through the design of a drainage network that operates outside the flood envelope of the functional floodplain and includes multiple treatment stages before discharge into the watercourse.

13.7.11 In order to consider the worst case scenario, drainage attenuation volumes have been calculated using the 1 in 100 year storm event with a 40% uplift to account for climate change. The modelling uses the greenfield run off rate of 6 litres per second per hectare (6l/s/ha) for the worst case 1 in 100 year storm event and the drainage strategy indicates a range of measures to be used to ensure surface water runoff from the development maintains that level of flow. One of the main tools is through the creation of landscape features that intercept surface water flow such as ponds and attenuation basins designed to accommodate water during heavy rainfall events along with planting of trees and other vegetation, not only in open spaces or green corridors, but incorporated into urban landscapes such as street trees, rain gardens and public realms. Water can also become a deliberate design feature within the urban realm, which not only provides attenuation but has cooling properties as well as providing educational opportunities. The scope of the village masterplans therefore includes a requirement to incorporate water into the village design.

[7] Fluvial flooding occurs as a result of the overflowing or breaching of a river or stream banks when the flow in the watercourse exceeds the capacity of the river channel to accommodate that flow.

[8] Pluvial flooding results from rainfall generated overland flow before the run-off enters any watercourse, drain or sewer.

[9] Groundwater flooding is caused by the emergence of water from sub-surface permeable strata.

13.7.12 The illustrative Landscape Strategy and Ecological Management Plan sets out a vision for a considerable amount of woodland planting and landscaping across the site to improve the functionality of green corridors as well as providing habitats for birds and bats. Importantly this woodland planting and landscaping is supported for its function as a natural flood management tool. Such planting improves water quality, increases biodiversity, improves amenity and wellbeing, improves carbon sequestration and climate resilience, and improves air quality.

13.7.13 There will however, be parts of the strategic landscape that is not suitable as being incorporated as part of the SuDS network where this could have a detrimental effect on the hydrology and chemical composition of outfalls such as Stone Basin Spring for example, where the current riparian valley meets the conditions necessary to support rare moss species. Detailed hydrological modelling will be required at the SLMP stage to confirm the location of drains or seepages that supply the spring. As the SLMP is to be prepared collaboratively with both applicants this will ensure an appropriate strategy is agreed for managing watercourses, culverts and drainage upstream of the basin.

13.7.14 Residual surface water still needs to be managed through the use of Sustainable Drainage Systems (SuDS). Measures proposed include the use of swales and attenuation basins, creation of ponds and as a last resort, on-site storage. As all surface water will be designed to flow into the natural watercourse of the River Stort, appropriate levels of treatment will be required on-site prior to discharging into the river. The design of SuDS will be considered as part of the Strategic Landscape Masterplanning and Village Masterplanning stages.

13.7.15 However, as the application is at Outline stage only the development parameters are assessed at this stage. The construction of the development will change the current topography of the land in some locations which may change surface water drainage patterns as will different land uses such as hard standing or open spaces. During the masterplanning process further drainage modelling will be required to iteratively test the emerging layout and built form. A Village Drainage Strategy will form part of the Village Masterplan and Design Code which will include measures such as water attenuation at the plot level (grey water recycling) and the integration of SuDS into the built fabric of the village development such as through rain gardens and open water channels within the public realm, not just within green spaces. Not only does open water have cooling properties, reducing urban heat island effects, but it also acts as a carbon sink and fosters an understanding of the use of water and the need for water conservation. Such details will be resolved at the Village Masterplanning stage and as such are included in the required scope of masterplans in the recommended conditions.

13.7.16 The ES identifies the potential significant effects that could arise during construction if unmitigated. Given the location of the village development in relation to the

tributary valleys and ditches on the site there is the potential for construction activities to have an adverse impact on watercourses through a pollution event such as from construction site runoff that may contain sediment or chemical spillages. However, the Code of Construction Practice submitted with the application sets out the various measures that will be applied as standard to prevent such events happening, such as using drip trays or membranes under plant and equipment, and using contained vehicle washing facilities on site. As such, this risk is considered to below.

13.7.17 A more likely adverse effect would be due to changes to land levels and surfaces which will have an effect on surface water drainage patterns. However, these effects will be temporary and transient as construction moves around the site. Again, as part of the management of construction practices a Water Management Plan would be implemented by the contractor on site which would require water quality monitoring and a programme of suitable mitigation measures.

13.7.18 Following the construction of the development there is the potential for adverse impacts on waterbodies from: surface water runoff that may contain potentially harmful substances washed off new urban surfaces; from physical changes to the form of waterbodies through new structures such as culverts or bridges; and changes in flood risk from the creation of new waterbodies. However, it is considered in the ES that the proposed drainage and foul drainage strategies will provide suitable mitigation measures and as such, no significant adverse effects on the surface water environment are predicted. Where the STC crosses a watercourse, the application intends that all crossings will be open 'bridge' structures unless culverts or in-river structures can be demonstrated to not adversely impact ecology or flood risk. The Environment Agency strongly recommend that open space structures are used, and culverts are strongly resisted due to their adverse impact on the water environment. Furthermore, additional culverting is contrary to Policy WAT3 of the District Plan. However, these are matters of detailed design that will be considered at the Strategic Landscape Masterplanning and Village Masterplanning stages, following engagement with the Environment Agency as necessary.

13.7.19 As part of the assessment of site-wide impacts, to mitigate impacts arising from the loss of habitats associated with the construction of the Eastern Stort Crossing, it has been agreed that ecological enhancements will be undertaken in the Fiddler's Brook valley. These enhancements to the channel and river corridor will have significant beneficial effects, contributing to its target of achieving 'Good Ecological Status' by 2027. Details of the enhancements will be secured at the Strategic Landscape Masterplanning stage.

13.7.20 In terms of foul drainage, the Foul Drainage Strategy explains that there is capacity at the Rye Meads Sewage Treatment Works to take foul drainage and provide treatment up until 2036, after which capacity will need to be increased, however

further upgrades to the network may be needed prior to this date depending upon the delivery of the development. Given delays to the delivery of planned strategic sites, this is now considered as unlikely. Notwithstanding this, these improvements will be funded through contractual arrangements with developers connecting to the network. The Environment Agency cite that they have no concerns on the understanding that planned improvements to Rye Meads will occur and that Thames Water have the ability to take the increased foul water without deterioration to water courses receiving discharges from the treatment works. Officers have met with Thames Water representatives and supplied the latest anticipated housing trajectory. Thames Water is using this information in dialogue with the applicant to plan for improvements in line with housing delivery. This is in line with Policy WAT6 of the District Plan.

13.7.21 The LLFA has reviewed all documents and additional information submitted in support of the application and confirmed that the ES is satisfactory and provides sufficient evidence to demonstrate that the development as proposed, with parameter plans showing the maximum extents of development, , subject to a series of conditions, will present no likely significant effects in terms of flood risk either on-site or elsewhere. The LLFA has recommended conditions which identify the further information which is required to accompany and support applications for reserved matters approval. These recommended conditions proposed reflect the same stepped approach to refining detail as the application moves from outline stage to masterplans and reserved matters.

13.7.22 Recognising that policies and guidance will continue to change throughout the lifetime of this development, this stepped approach will ensure that more detailed updated flood risk assessments, directed at the details submitted at reserved matters stage, will be carried out and submitted to confirm test the infiltration opportunities and proposed layout and design of the masterplans to ensure that the proposed SuDS are designed to accommodate surface water and ground water attenuation, storage and treatment prior to any discharge. The SuDS management strategy, which will be submitted for approval at reserved matters stages , will need to take account for areas of ecological sensitivity and ground source protection zones as necessary. Similarly, each Reserved Matters application will be supported by detailed drainage strategy information. The LLFA has confirmed that the information provided is sufficient to allow assessment of the surface water flooding and related implications at this outline stage and that the development is acceptable. Further assessments will need to be provided to support detailed layout and other matters for which reserved matters approval is required. The LLFA does not object to the grant of outline planning permission.

13.7.23 In terms of water supply, Affinity Water have confirmed that they have the capacity within the current network to supply the planned growth in the Gilston Area. New water supply networks will be required which would be secured through contractual

arrangements with the applicant, and through the statutory duties of the water supplier. Water companies in England have a legal duty to produce a Water Resources Management Plan (WRMP) every five years setting out how the water company intends to maintain the balance between water supply and demand over a 25 year period. The 2020 ES Addendum considered the 2014 WRMP. This has been superseded by the 2020 published 2019 WRMP which updated baseline forecasts and proposed several strategic interventions relating to the distribution of water supply within the Affinity Water network, but no specific measures were identified for the Water Resource Zone 5 covering the Stort catchment. The emerging 2024 WRMP updates baseline forecasts up to 2080 and contains emerging plans for strategic infrastructure proposals to ensure there is resilience in the water supply network across the Affinity Water supply area. It is important to note that each of the Water Resource Management Plans have accounted for the planned levels of growth within the region identified by local plans and forecast models.

13.7.24 The application is supported by an Energy Statement, which has been updated to reflect the changes to policy and updates to part L of the Building Regulations that have been introduced since an original statement was prepared. The Energy Statement sets out a proposed energy strategy for the village development that will contribute towards a vision of

> "*delivering comfortable, modern homes that go above and beyond national requirements for minimising carbon emissions and reducing the environmental impact of the Village Development. Passive design principles will help to ensure that all occupants can enjoy places that are warm in winter and cool in summer, while keeping bills lower for households and businesses. Well insulated, high-performance homes will be fitted with smart and efficient controls and have the flexibility to capture the benefits of new technology as it emerges, enabling residents to play their part in managing energy use and carbon emissions. The Village Development will utilise renewable energy systems, such as solar technologies and heat pumps, increasing energy security, further reducing carbon emissions in the face of a changing climate and helping to reduce energy costs.*"

13.7.25 The strategy states that the village development will be designed to be fossil fuel free for building energy uses, which will enable its transition to net-zero emissions in line with the Government's commitment to decarbonise the electricity grid by 2035.

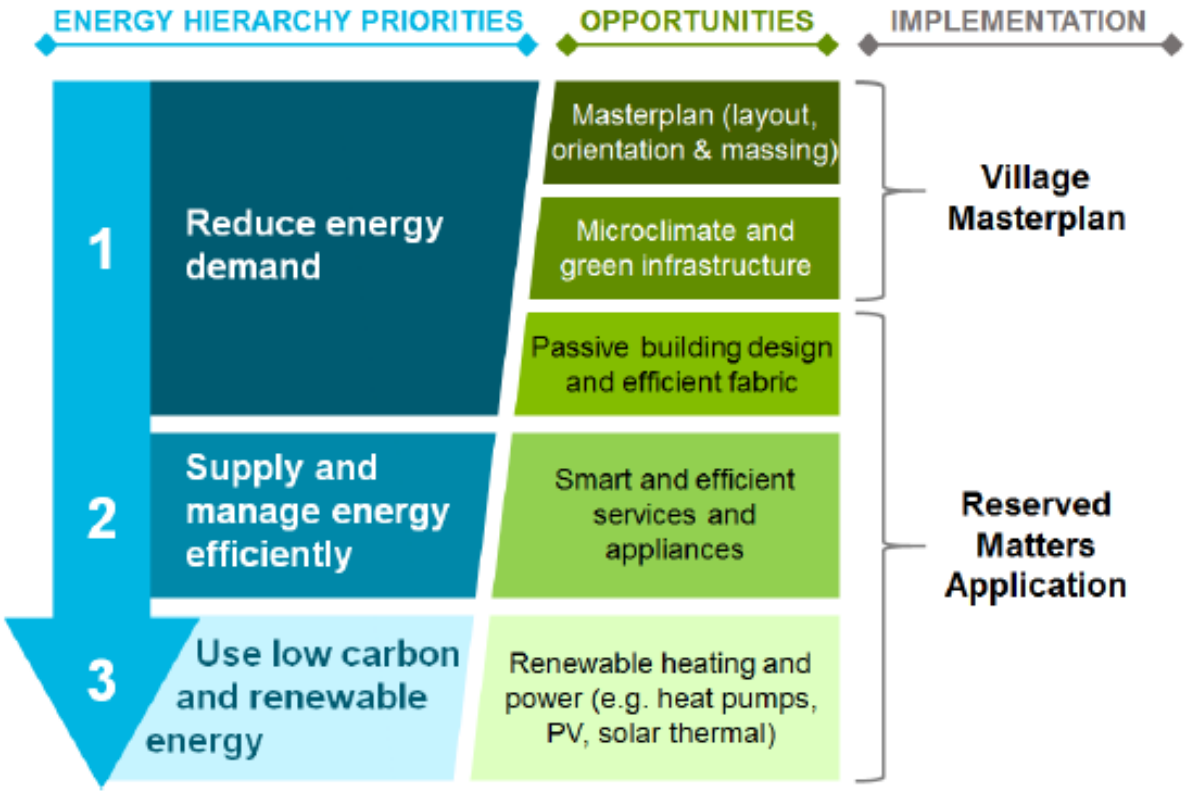
13.7.26 With the proposed measures set out in the strategy, it is anticipated that the village development will deliver a carbon emission reduction of greater than 50% against part L 2021 of the Building Regulations, exceeding the highest recommended standard in the Council's Sustainability SPD. This will be achieved through applying the following principles to each stage of the planning process.

1. To use masterplan layout, orientation and massing to provide good access to daylight, enable effective natural ventilation and increase access to solar energy for renewable energy generation.
2. To incorporate green infrastructure and lighter materials to provide natural cooling and shade, reduce heat build-up and minimise the urban heat island effect.
3. To follow passive design principles in the building designs. This will help to provide natural light and encourage solar gains for space heating in winter, whilst reducing excessive gains that could contribute to overheating in summer.
4. To deliver energy efficient building fabric in line with the recently updated Part L 2021.
5. To ensure homes are fossil fuel free and heated with heat pumps to enable the delivery of zero carbon emissions as UK grid electricity emissions are reduced to zero.
6. To use Photovoltaic (PV) panels to generate renewable electricity and reduce demands on the electricity grid and costs for residents.
7. Where provided, to install low energy domestic appliances to reduce unregulated energy demands.
8. To incorporate smart meters that provide feedback to consumers on their energy demands, enabling them to make informed choices on how they can reduce energy use.
9. To promote the use of smarter energy demand management, as technology and fiscal incentives evolve to enable this.
10. To assess and minimise the embodied carbon of the buildings and infrastructure as detailed designs are developed.
11. To assess overheating risk and develop detailed designs that seek to provide comfortable homes that are resilient to the projected impacts of climate change including warmer summers.

13.7.27 As this application at outline stage is not planning for detailed plot layouts or dwelling designs it will be necessary to refine how these principles are applied at each planning stage as illustrated in Figure 20 below taken from the Energy Strategy. The outline Energy Strategy focusses on demonstrating that the proposed operational CO2 emission targets can be delivered. Each Village Masterplan and the SLMP will be required by condition to submit an Energy and Sustainability Strategy with the masterplan to demonstrate how these principles have been achieved through the layout and distribution of land uses, massing and orientation of development, green infrastructure, and sustainable drainage features. Each Reserved Matters Application will be required by condition to submit an Energy and Sustainability Statement to demonstrate how these principles and any village-specific principles and/or targets have been achieved through detailed design. Such details will include measures to reduce embodied carbon, proposed fabric efficiency standards, glazing rations, ventilation strategy, shading systems, heating system choice, deployment of renewable generation and smart energy demand and storage solutions. This

stepped approach allows for changes to policy, best practice, and advancement in technology to be captured over time.

Figure 20: Energy Strategy Implementation and Delivery Strategy



13.7.28 The Energy Strategy has reviewed a variety of energy technologies and approaches. Decentralised heating systems no longer offer carbon savings compared to plot level alternative sources and would introduce heat losses into the distribution system. Biomass and wind turbines have been ruled out based on initial technical screening, which considered supply risks, air quality implications and a lack of wind resource given the topography and disrupted wind patterns of the location. However, photovoltaic panels and solar water heating systems along with air source heat pumps have the potential to deliver carbon savings and energy cost reductions for residents and are compatible with the proposed heating strategy of having an all-electric heating system and are most effective when combined with an efficient building fabric. Therefore, such technologies will be incorporated as standard across residential and non-residential buildings alike and the costs of the new Part L standards have been accounted for in the viability submission.

13.7.29 In addition to principles relating to the energy and water efficiency of the development, the Development Specification also includes principles that commit the applicant to ensuring that environmental sustainability principles are embedded in all stages of the decision-making process, including through design, procurement, implementation, operation, and stewardship, working in partnership with parties to achieve the following aims:

1. To create a place which protects and enhances our landscape and heritage assets and which allows them to be appreciated and enjoyed by future generations.
2. To create a place which protects and enriches biodiversity, supports healthy, well-functioning ecosystems and provides more and better places for nature for the benefit of wildlife and people.
3. To conserve and protect water resources, reduce flood risk and improve water quality.
4. To work towards eliminating avoidable waste in construction and design, and support moves towards a circular economy.
5. To protect and maintain soil resources and food systems which support the health of our community, ecosystems, and climate.
6. To ensure Gilston Park Estate is highly energy efficient, reduces carbon emissions in the long-term and provides an environment where a low carbon lifestyle can be combined with enhanced quality of life.
7. To ensure the community and environment at Gilston Park Estate is resilient to current and future climate change.
8. To create a walkable, bikeable community supported by other low carbon transport which encourages a healthy community and environment.

13.7.30 The Energy Strategy includes an assessment of the potential carbon impact of the village development, which considers baseline carbon emissions without mitigation and 'regulated' emissions once measures including solar photovoltaic panels and air source heat pumps are employed. This assessment indicates that the site as a whole has the potential to achieve a 75% reduction in regulated carbon emissions compared to the forecast baseline without mitigation.

13.7.31 In terms of whole life carbon (WLC) the assessment considers the carbon emissions resulting from the materials, construction and use of a building over its lifetime, including its demolition and disposal. It considers its embodied carbon emissions which includes emissions related to the raw extraction of material, the manufacture and transport of building materials and construction; and the emissions associated with maintenance, repair and replacement, as well as dismantling, demolition and eventual material disposal, including any potential re-use or recycling of components at the end of a building's useful life.

13.7.32 At this outline stage the application addresses WLC through principles relating to re-use, recycling and local sourcing of materials where possible, managing the procurement of supply chains and committing to a 'fabric-first' and sustainable energy approach. However, a WLC assessment can only really be carried out once the design of a building is being established as then elements such as proposed construction and finishing materials will be known. The Sustainable Energy Statement required at RMA stage will be expected to model the WLC of the proposed detailed application and will be expected to include details relating to the use of energy efficient built forms and structural solutions, opportunities for the use of

natural materials over steel and concrete, selection of products with improved Environmental Product Declarations and using green infrastructure in place of hard surfacing to reduce embodied carbon of landscaping and infrastructure for example.

13.7.33 The ES indicates that as individual developments are required to attenuate impacts to surface water on site and to take account of climate change resilient measures, no significant cumulative effects are predicted during the construction or operational phase of the development. The assessment has identified no significant climate change risk effects to the Development which could not be effectively managed through current or future stages of design. However, periodic reviews would be required to ensure the latest published predictions on climate change effects and risks are taken into account which will be captured through future Energy and Sustainability Strategies and Statements submitted with masterplans and detailed applications which will be secured by conditions. Officers consider that the stepped approach to planning for and designing in sustainable energy principles and technologies is appropriate given the scale and timeframe of this development and will meet the requirements of local and national policy in this regard.

13.7.34 Furthermore, the application makes appropriate allowances for climate change when assessing flood risk and planning for suitable SuDS solutions, demonstrating that the development will prevent flood risk to existing communities and watercourses, in line with local and national policy.

13.8 Transport Considerations

13.8.1 Policy GA1 (The Gilston Area) of the East Herts District Plan 2018 requires the development to follow Garden Town Principles, namely the creation of an integrated and accessible sustainable transport system, with walking, cycling and public transport designed to be the most attractive forms of local transport for new residents to travel within the Gilston Area and to key local destinations.

13.8.2 EHDP Policy GA2 (The River Stort Crossings) seeks improvements to the existing A414 crossing of the River Stort, including the provision of northbound and southbound bus lanes and a new footway/cycleway, which together will form part of a north-south sustainable transport corridor through Harlow.

13.8.3 EHDP Policy TRA1 (Sustainable Transport) seeks the provision and prioritisation of sustainable and active forms of travel and seeks contributions towards the provision of strategic transportation schemes. EHDP Policy TRA2 (Safe and Suitable Highway Access Arrangements and Mitigation) requires development proposals to provide safe and suitable access for all users, and that proposals should not have a significant detrimental effect on the character of the environment.

13.8.4 EHDP Policy TRA3 (Vehicle Parking Standards) requires that an appropriate quantum of cycle storage is provided to support each use, designed to be safe, secure waterproofed and located to encourage use. Car parking should be integrated as a key element of design in development layouts.

13.8.5 GANP Policy AG8 (Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities) is the principal policy related to transport infrastructure. Objectives relate to minimising the impact of new transport infrastructure on existing communities, including from impacts such as air quality and noise. Proposals are expected to minimise impacts on heritage assets and the natural environment, including through the prevention of pollution. Construction and Environmental Management Plans are to be prepared along with a monitoring and management regime to address issues that may arise through the construction or operation of the development.

13.8.6 GANP Policy TRA1 (Sustainable Mobility) requires developments to be designed to achieve the sustainable mobility targets set by the HGGT Transport Strategy, commit to these targets and to the monitoring of the development against these targets. Further, proposals should provide integrated, well connected, direct and where possible dedicated pedestrian and cycle route opportunities for sustainable travel in order of active and sustainable mode priority within the development, and which connect with existing communities and key destinations such as rail stations. Early provision of bus services is required to serve new and existing communities, with bus stops located within walking distance. Provision for cycle parking and electric vehicles charging is required and parking provision should be minimised making allowance for reduction in parking standards over time.

13.8.7 GANP Policy TRA2 (Access to the Countryside) seeks to ensure that PRoW networks are enhanced where possible and that development is to provide an extended network of safe and where possible, separated footpaths, cycleways and bridleways integrated with the existing wider Public Right of Way network. Policy TRA2 (Access to the Countryside) also states that 'routes' should consider the tranquillity of the Green Infrastructure Network and other natural green spaces, and the need to minimise environmental impacts such as noise and light pollution. Policy AG9 (Phasing of Infrastructure) supports the early delivery of infrastructure.

13.8.8 Paragraphs 110 to 113 (section 9) of the NPPF 2021 relate to the consideration of development proposals in the context of promoting sustainable transport. Key principles include ensuring opportunities to promote sustainable transport modes are taken, safe and suitable access can be achieved, significant impacts on the transport network in terms of capacity and congestion can be acceptably mitigated, priority is firstly given to pedestrian and cycle movements and secondly to public transport use.

Sustainable Transport

13.8.9 As stated in paragraphs 13.1.1 to 13.1.5 above, the principle of development at this location was resolved through the Gilston Area allocation in the District Plan, whereby it was demonstrated that the allocation was located and planned to be of sufficient scale to enable sustainable journeys to be made to key services and facilities to support the regeneration of the Harlow area. There is therefore no conflict with EHDP Policy TRA1 part (a).

13.8.10 EHDP Policy TRA1, part (b) states that development proposals should take account of the provisions of the Local Transport Plan (LTP)[10]. The application commits through the Development Specification (section 4.5) to seek to achieve 60% of all trips originating in the development being made by active and sustainable modes of travel through applying the following hierarchy, which is in line with the road user hierarchy set out in the Hertfordshire LTP:

- Reduce travel demand and the need to travel through design;
- The creation of walkable neighbourhoods that prioritise walking and cycling;
- Public transport user needs;
- Powered two-wheeler (mopeds and motorbikes) user needs; and
- Other motor vehicle user needs.

13.8.11 EHDP Policy TRA1 part (c) requires that developments ensure that a range of sustainable transport options are available to occupants, including through the improvement of existing routes and creation of new routes, services and facilities, or through the extension to existing infrastructure which may incorporate off-site mitigation as appropriate. Part (d) requires that developments ensure that site layouts prioritise access to key services and facilities by active and sustainable transport modes. Part (e) requires the early implementation of sustainable travel infrastructure or initiatives that influence active and sustainable travel behaviour from the outset of occupation. Part (f) seeks to protect existing rights of way, cycling and equestrian routes, or where diversion is unavoidable, to provide suitable replacement routes. Part (g) requires the long-term management and maintenance of infrastructure mitigation.

13.8.12 Given that this application is in outline form, with internal movement networks reserved for later consideration following the masterplanning process, the application material does not define the exact location of new active and sustainable travel routes, but instead provides indicative locations of different types of routes and connections in *Parameter Plan 4: Access and Movement* (PP4).

13.8.13 PP4 identifies existing Public Rights of Way (PRoW), which for the purpose of the Parameter Plans include designated PRoWs, a restricted bridleway (through Village 4) and a byway (through Village3) within the site as well as PRoWs immediately

[10] Hertfordshire's Local Transport Plan 2018-2031, Hertfordshire County Council

beyond the site. The plan identifies PRoWs to be improved or potentially modified, along with indicative new active travel routes, which would be designed according to their proposed function. For example, some indicative pedestrian and cycle routes that connect key destinations within and external to the site lend themselves to be identified as commuter routes. These would be designed for higher volumes of use, with hard surfacing, lighting and signage for example. While other routes may be more suitable for leisure use or occasional cyclists and would be less direct routes, of a more informal design and with no lighting for example. It should be noted that Parameter Plan 4 shows indicative new routes; the locations of new routes and improvements to existing routes will be confirmed through the masterplanning process. Where existing PRoWs are to be modified in any way there is a requirement under the Wildlife and Countryside Act 1981 to undertake a consultation and approval process beyond the planning application process, which would be carried out during the masterplanning stage.

13.8.14 A key feature of Parameter Plan 4 is the identification of a Sustainable Transport Corridor (STC), which connects in a loop each of the villages, with a connection through to Village 7. The route of the STC is subject to a limit of deviation, to allow for the optimal location to be defined through the masterplanning process. This limit of deviation shown on the parameter plan is generally +/- 60m either side of the central line within village developable areas, except for Village 5 where additional flexibility is possible. In locations where it is appropriate to be more specific; for example, where the STC route transects a green buffer or village corridor, the limit of deviation is reduced to +/- 30m. Where the STC runs in proximity of a heritage asset or ecological feature, the limit of deviation is reduced to +/- 0m. In such instances where the limit of deviation is more narrowly defined this enables the environmental statement to assess the impacts of the STC with greater accuracy commensurate to the importance of the assets.

13.8.15 Each village centre will be connected via the STC, with each village centre containing a Sustainable Transport Hub to provide quick, efficient, and direct connections between each village centre and the key destinations within such as schools, community and commercial uses. The design of the Sustainable Transport Hubs will follow a hierarchy based on the size of the village. For example, Village 1 will contain a primary hub that will be located on the STC and will be an interchange of transport routes, creating a gateway into the Gilston Area and the Garden Town. Secondary hubs will be located on the STC or at key destination points within the village development such as employment areas or existing or new community destinations. Tertiary hubs will serve a more local purpose at a convenient location as an interchange to access the STC or other public transport service that provides onwards journeys.

13.8.16 The hubs may therefore accommodate the following facilities:

- Public transport information and ticketing
- Cycle hire, including potentially electric cycle hire
- Cycle parking
- Car hire club and parking; and
- Community concierge services, including parcel collection points for example.

13.8.17 One of the key ways to encourage travel by active and sustainable modes is to make car travel a less attractive or more time-consuming option than the alternatives. Officers have worked with the applicant to refine the role and purpose of the STC to ensure that the route is first and foremost a route for buses, cycling and walking unless it is necessary for the route to accommodate other vehicles. For example, where villages are separated by a green corridor it would not be appropriate to create multiple roads that would break through the green infrastructure, so in these cases it would be preferable to permit all vehicles to use the STC where it is demonstrated at masterplanning stage that priority is given to sustainable modes over other motor vehicles. This can be achieved through the design of junctions and layouts and the masterplan will need to demonstrate that this does not undermine the ability of the site to achieve the 60% mode share target. These principles are included in paragraph 4.5.9 of the Development Specification.

13.8.18 Whilst the layout of the village development is reserved at this outline stage, the Development Specification commits to all homes being within a 10-minute walk (c800m) of a transport hub or the STC and within a five minute walk (c400m) of a bus stop. However, the Development Specification acknowledges that homes on the periphery of villages may be beyond this objective and will require other measures to encourage and enable active and sustainable travel, including through the creation of walkable neighbourhoods that comprise healthy streets that are safe, vibrant public spaces. The masterplans for each village will be required to demonstrate that these principles are achieved and as such is required though the masterplan scope condition.

13.8.19 Elsewhere within the village, routes for other motor vehicles would be more circuitous with a clearly defined street hierarchy of primary streets, secondary and tertiary streets, the latter two designed not to encourage through traffic, but to create low traffic neighbourhoods with filtered permeability and restricted vehicular access. The Village 1 access with the Central Stort Crossing has been amended through the course of the application to be a dedicated route for active and sustainable travel with other vehicles needing to divert east and west to access the village development. The Village 2 and Village 6 accesses have been designed with bus priority at signal-controlled junctions, so there will be a clear journey time advantage to using STC over other vehicular means.

13.8.20 Beyond the site to the south, the STC through Village 1 is designed to connect to and become a continuous part of the wider Gilston Area to Harlow Town Centre STC

which comprises the internal Village STC, the Central Stort Crossing and North to Centre STC, the latter of which will be delivered by Essex County Council, with funding secured through the Housing Infrastructure Grant. In addition, the S.106 agreement will secure the contribution of £35.7m towards the delivery of the wider STC network as proposed within the HGGT Infrastructure Delivery Plan 2019 and the HGGT Transport Strategy.

13.8.21 The Village 1 sustainable modes access and all modes access will be delivered at the same time along with the re-alignment of the current Eastwick Road. This will ensure that from the earliest occupations, opportunities will exist for residents to travel via active and sustainable routes. The early delivery of a bus service to connect the Village 1 centre towards Harlow Town Station and town centre will be procured through financial contributions secured through the S.106 agreement, with new routes and increased frequency delivered in parallel with the growth of the village development. This phased approach to the delivery of bus services has been agreed in principle with the Highway Authority.

13.8.22 The application will also secure financial contributions towards the provision of sustainable travel vouchers worth £500 available to each household (£4.25m). A Sustainable Transport Innovation Fund of £10.4m is provided, of which £6.4m is earmarked for public transport services. In addition, £1.25m is provided for Travel Plan monitoring. This totals £21.5m.

13.8.23 EHDP Policy TRA3: Vehicle Parking Provision sets out specific design requirements related to parking, both domestic and public. Parking is a design and layout matter and is therefore reserved for future consideration as part of the masterplanning and reserved matters application stages. However, to embed principles into the outline application, the Development Specification sets out a series of commitments in section 3.10 Parking Standards. These focus on provision of parking in the context of supporting the modal shift towards sustainable travel required across the Garden Town, and the creation of walkable neighbourhoods and healthy streets. Each village masterplan will include a parking strategy which will set the detailed principles for how storage for cycles will be located and managed to give priority to their use, and how the design, location, and management of parking spaces for private vehicles will encourage trips that are easier, safer and more convenient by walking, cycling and public transport as opposed to private car journeys. The parking strategies will also provide guidance for the provision of non-residential parking such as at the village centre and employment areas and will include measures such as car clubs and pooled parking. Each reserved matters application will be required to demonstrate how parking provision achieves the principles set in the village parking strategy.

13.8.24 Planning cannot control car ownership, but what it can do is to ensure that the design of places reduce the need to travel by car. Officers consider that the principles set out in the Development Specification will guide the masterplanning process for each

village and subsequent reserved matters application to achieve the ambitious mode share objective.

Access Arrangements

13.8.25 Policy TRA2 (Safe and Suitable Highway Access Arrangements and Mitigation) requires that development proposals ensure that safe and suitable access can be achieved for all users. The second part of this policy requires that site layouts, access proposals and any measures designed to mitigate trip generation produced by the development should (a) be acceptable in highway safety terms; (b) not result in severe residual cumulative impact; and (c) not have a significant detrimental effect on the character of the local environment.

13.8.26 The first part of the policy asks can the four access points proposed in the application achieve a safe and suitable access for all users? The Village 1 sustainable access, the Village 1 all modes access and the Village 2 access were included in their final form design in the approved Crossing applications. The proposed interim layouts of each access have been included in detail in this outline application. In purely design terms the accesses, have been designed in accordance with the DMRB and Highway Authority guidelines and have been agreed in principle by the highway authority of HCC. Notwithstanding this, HCC have commented specifically on the Village 6 access which is discussed further below. Each access may however be subject to further design refinement as part of later technical highway approval stages through agreements under S278 of the Highway Act 1980, which will be required in the S.106 Agreement.

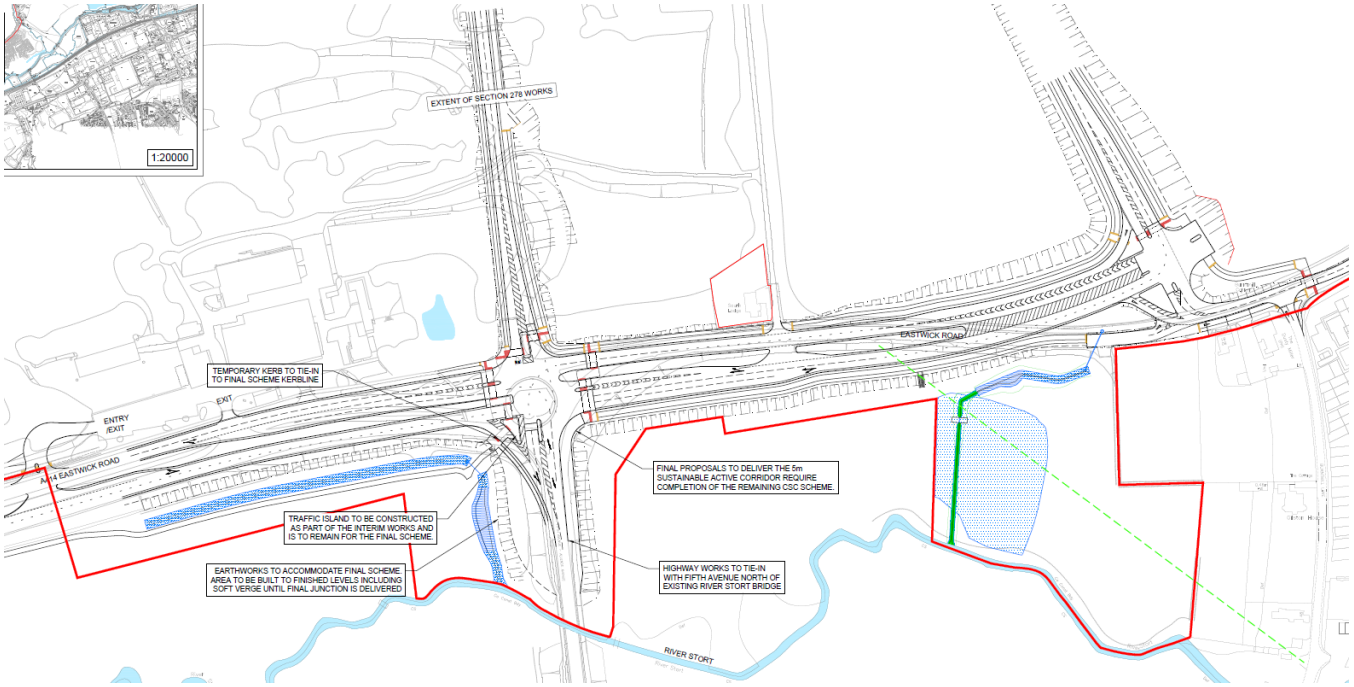
13.8.27 Each access achieves correct sight lines, curvature to allow for vehicle manoeuvres and safe crossing points for pedestrians and cyclists and for disabled users. Figure 20 below illustrates the Village 1 sustainable modes only access. This junction has been designed to enable surface crossing on the northern, eastern and western arm in its interim form, with the new active routes tying into the existing path network of the Fifth Avenue bridge. The final form of this junction will have surface crossings on all approaches. To avoid abortive works, the earthworks required for the south-western arm of the junction heading westbound will be built out to the final design extents, and new islands installed to enable safe crossing of the western arm during the interim stage. This will enable users to cross the junction in advance of the completion of the proposed dedicated foot and cycle bridge, the principle and parameters of which was agreed through the Central Stort Crossing permission.

13.8.28 To the west of the main junction, the application includes the provision of a new access point into the Eastwick Lodge business park to the west of the existing car parking area. During the interim stage the existing entry point will become a left-only exit and the existing exit will be closed. In the final scheme, the existing entry point and left-only exit will both be closed, additional parking will be provided and the car park re-designed with a one-way system so vehicles enter and exit from the

new junction further west. This will allow vehicles exiting the business park to head westbound if desired. A crossing point will be provided at this junction for users of the footpath that runs along the northern side of the A414 towards Eastwick.

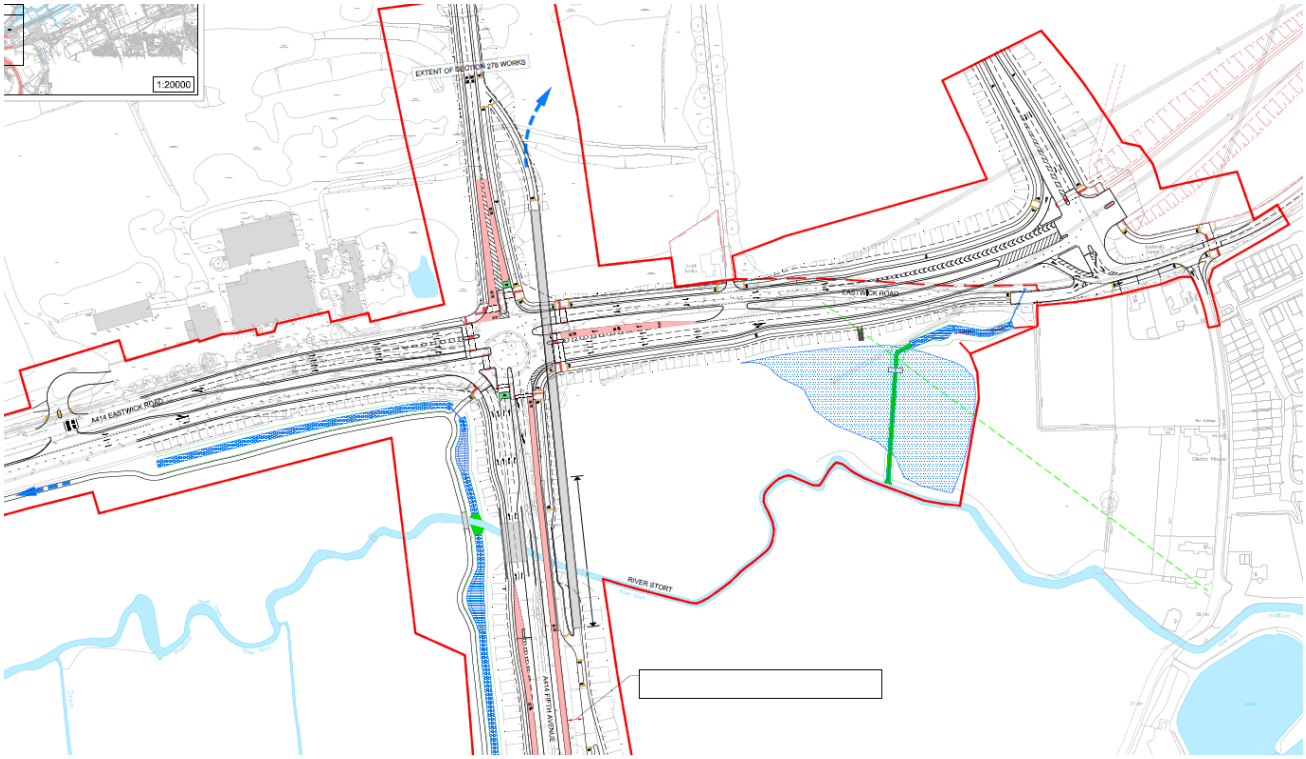
13.8.29 Figure 21 below also illustrates the Village 1 all modes access located to the east of the sustainable modes access. This junction in interim form provides for connections between Terlings Park and the Village 1 site to enable continuous connectivity while the remaining sections of the Eastern Stort Crossing are completed. East-west vehicle movements are attained via a diversion from the existing Eastwick Road to the newly aligned section of the Eastwick Road on approach to the Eastwick Road/A414/Fifth Avenue junction. In its final form the junction will provide a continuous east-west route for vehicles and active modes and active routes will be realigned as user-controlled crossings (illustrated in Figure 21 below).

Figure 21: Extract of Central Stort Crossing Interim Junction Tie-In General Arrangement Drawing VD17516-CCi-100-GA REV P03



13.8.30 For comparison, Figure 22 below contains an extract of the final scheme design as approved by the Central Stort Crossing permission (3/19/1046/FUL).

Figure 22: Central Stort Crossing Final Junction Design as approved



13.8.31 Figure 23 below is an extract of the interim junction arrangement for the Village 2 access. At the interim stage the access comprises a 'T' junction north of the existing Eastwick Road to the north-east of Pye Corner. Eastwick Road will continue to operate as it does currently but with a signal-controlled junction enabling access to Village 2 only from and to the east (as in a left turn out, right turn in only restriction) to prevent development-related traffic from using Pye Corner. A two metre footpath is located along the eastern side of the road and a two metre footpath and 3 metre cycleway is located along the western side of the road, and advance stop lines for cyclists are proposed for on-road cyclists. A user-controlled crossing is provided on the new road north of the junction. The final scheme design (approved through the Eastern Stort Crossing permission) completes the junction with Road 2 of the Eastern Stort Crossing as a southern arm (as shown in Figure 24 below). Eastwick Road will be closed to motorised vehicles to the west of the junction, which effectively creates a bypass to Pye Corner.

13.8.32 There is currently a weight restriction on part of Eastwick Road; therefore, the Construction Traffic Management Plan (required by condition) will set out agreed routes for vehicles used in the delivery of this junction.

Figure 23: Interim Village 2 Access Extract of VD17516/V2i-100-GA

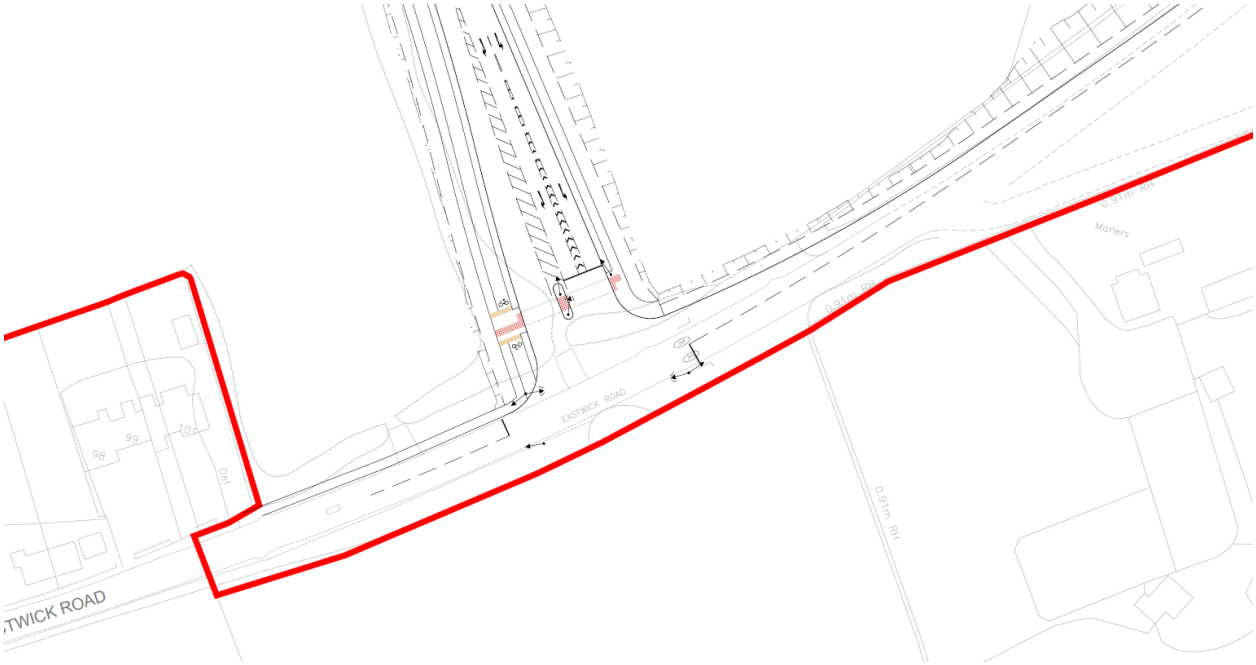
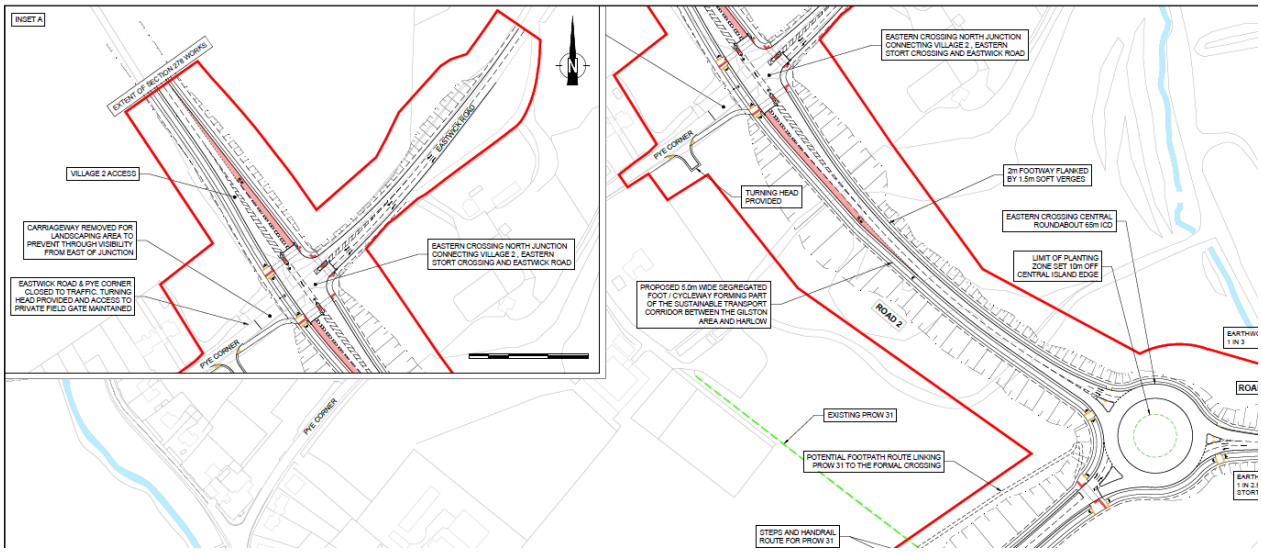
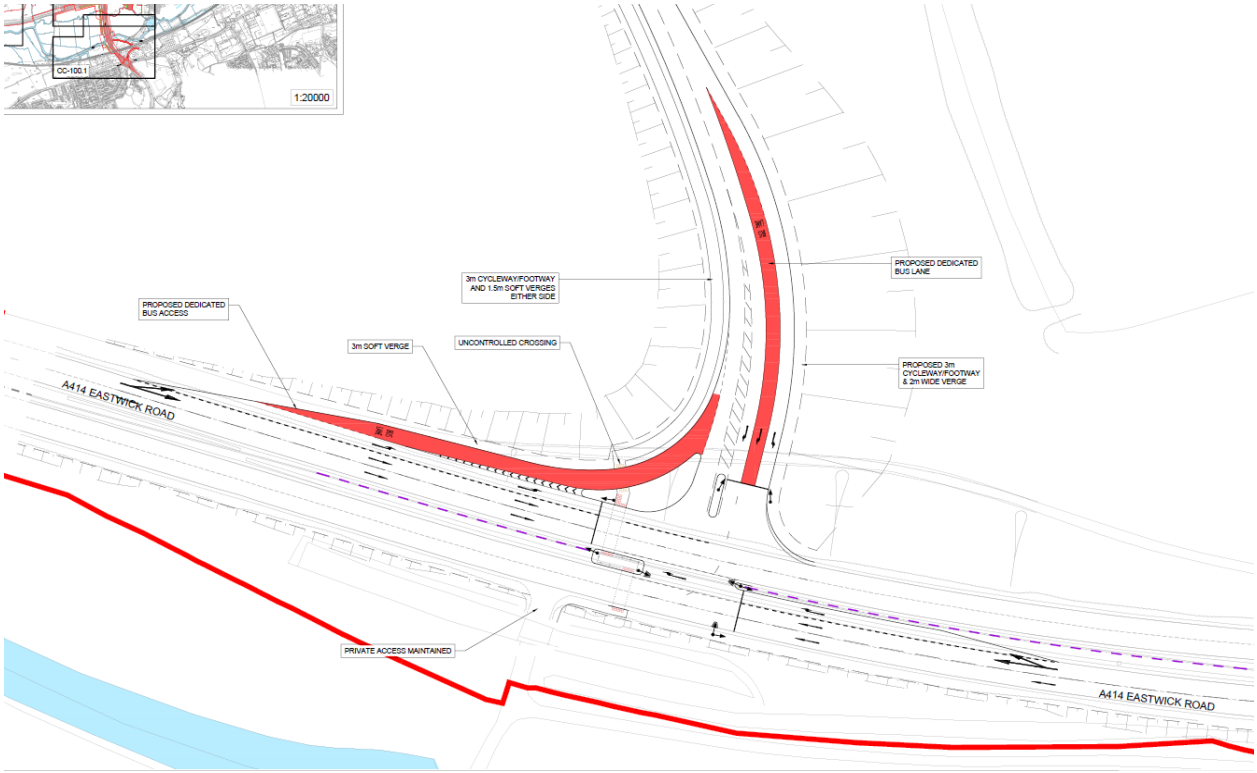


Figure 24: Eastern Stort Crossing Village 2 Access as Approved



13.8.33 Part of the planning application for Gilston v1-6 includes the detailed application for Village 6 access (as shown in Figure 25 below). The form of the access is supported in principle, however it only works in the context of the Village 7 access not being built. This is because it includes bus priority access into the site which would not be required if Village 7 were to be built. Equally if Village 6 were to be built prior to Village 7, the Village 6 access would need to be reduced in scale at an appropriate point in the future. Furthermore, the junction proposed at present doesn't currently set out where pedestrians and cyclists would go once they have crossed the A414 via the proposed crossing. HCC Officers have advised that more information is required regarding the connection south of the A414 crossing to tie in with the Parndon Mill link.

Figure 25: Village 6 Access Junction Extract of VD17516-V6-100-GA Rev P02



13.8.34 In the scenario where the Village 7 junction is delivered and the Village 6 junction is no longer required to serve the village development, it is proposed that the junction is retained to serve the Emergency Services Hub as described in paragraph 13.5.31 above, the employment uses and Travelling Showperson site identified in the southern part of Village 6 on Parameter Plan 4. In the interests of encouraging trips by active and sustainable modes of travel, this access will only be accepted by HCC on the basis of the following:

- No through access to the wider development.
- Access is restricted to HGV's serving those facilities. The intention is to restrict use of the access to prevent it from being used as a means of access for employees or equivalent in private vehicles
- Any case for employment to be served from the Village 6 access will need to be evidenced and an LTP4 compliant case made at the appropriate Masterplanning/Reserve Matters stage. Only employment which involves HGV movements which would otherwise have to access the site via villages are likely to meet the test to warrant access via a village 6 access.
- Any proposed access seeking to facilitate restricted access as per the above will only be acceptable if it can be demonstrated to the satisfaction of the Highway Authority that the above has been satisfied and that it is legally enforceable.

13.8.35 The ES has considered the effects of this junction in terms of landscape and visual effects as well as noise effects, and has identified a moderate adverse effect in terms of landscape and visual effects during construction and a minor to moderate adverse effect post completion and maturation of the landscaping around the access. Noise effects north of the junction can be successfully mitigated through the detailed

layout, orientation and mass of buildings. As such, Officers recommend that the Plan be approved as submitted, but a revised detailed drawing should be submitted for approval at the Reserved Matters stage, which would sensibly follow the Village 6 masterplan stage, at which point there will be clarity as to whether Village 7 has commenced development. To ensure the sequential delivery of the Village 7 and Village 6 junctions are managed appropriately Officers recommend this is set out within the S.106 Agreement.

13.8.36 Considering the second part of Policy TRA2, the site layout, access proposals and measures designed to mitigate trip generation should be acceptable in highway safety terms, not result in severe residual cumulative impact and not have a significant effect on the character of the local environment. As discussed in paragraphs 1.12 to 1.3 above, the site layout of the scheme is a matter that is reserved, and beyond the parameters identified in the Parameter Plans is not available for consideration as part of this outline planning application. The access proposals have been designed in accordance with highway design standards, are supported by Stage 1 Road Safety Audits and Swept Path Analysis, thereby preventing highway safety issues. In physical design terms the accesses have been designed to lessen visual impacts through landscaping proposals and lighting arrangements; and in terms of their size and layout being commensurate to their location in the road network and their intended functions. Furthermore, each junction has been designed specifically to enable the long-term management of traffic flows from the development site onto the local highway network, thereby contributing towards the mitigation of the development traffic on the network.

13.8.37 To determine if the development proposals result in any severe residual cumulative impacts, extensive transport modelling has been undertaken over several years prior to and following the submission of the application to assess the impact of the development-related traffic on the wider transport network, including when considered cumulatively with other identified growth locations in the HGGT area. This report considers the impacts of both construction and general vehicular movements in the context of the Environmental Statement appraisal of:

- Construction
- Severance
- Pedestrian Delay
- Pedestrian Amenity
- Cyclist Delay and Amenity
- Driver Delay
- Accidents and Safety and
- Public transport

13.8.38 As such, the report considers the temporary amenity and severance effects to local road users (including pedestrian and cyclists) during construction activities, and the

potential for increased/reduced severance, pedestrian amenity and delay and driver delay due to changes to traffic to and from the completed development, including the new access points to the village development and off-site highway improvements. The effects of the two crossings on these considerations were reported in the relevant reports. The report considers the effect of the development on public transport, such as provision of and improvements to public transport connections and increased patronage of bus and rail services; the effects on pedestrian and cycle amenity from changes to the pedestrian and cycle networks and traffic flows once the development is complete, including the effects of leisure traffic using the river Stort /Navigation.

13.8.39 In addition, the report considers the modelling assumptions and where the outputs indicate mitigation is required whether the proposed triggers for the delivery of that mitigation is delivered at a reasonable time to ensure the continued operation of the wider transport network, i.e. whether there are severe residual cumulative impacts.

13.8.40 It should be noted that at each stage of modelling and assessment, the HGGT partner authorities have been consulted and comprehensively engaged. Jacobs, commissioned by Essex County Council, along with Essex Highway Authority and Hertfordshire Highway Authority have scrutinised every aspect of the modelling, with key stages signed off by the authorities before proceeding with analysis. For example, key inputs into the model are the assumptions made in relation to trip generation – how many journeys will be made based on the land uses proposed. The trip rate assumptions were scrutinised by the highway authorities and amendments made accordingly. The model also goes through a series of validation stages, including a comparison against the modelling used to inform the local plans. Whilst the model is based mainly on flows from 2014, all subsequent relevant changes, such as the opening of Junction 7a and other committed developments in the area are included to ensure that the model will accurately reflect future conditions. As such, Officers consider that the model is a sound basis upon which to assess the likely effects of the application.

13.8.41 Notwithstanding this, it is important to reiterate that modelling is only one tool used to consider the impacts of development. A transport model considers the baseline situation and using various forecast assumptions, calculations and micro-simulation computer software models the impacts on junctions and links between them and the movement of simulated vehicles around the road network. The model predicts driver behaviour only in the context of a simulated vehicle choosing the quickest route through the model. It does not obviously apply human behavioural responses to congestion in the model, such as moving to an alternative mode of travel. This change is instead input into the model as a reduction in the percentage of trips leaving the development.

13.8.42 This approach is taken in the submitted transport model. The modelling undertaken demonstrates that there is already congestion in the Harlow network where at peak times of the day the network quickly reaches nominal capacity, and this remains across the AM and PM three-hour peak modelling periods. As a result, the modelling software determines that with all the planned growth in the HGGT area a gridlock situation is reached and can no longer distribute vehicles through the network effectively. For the model to operate effectively the applicant applied at first a 10% shift (reduction) of vehicle movements from the Gilston and HGGT sites in scenarios where 2,250 dwellings are delivered within the Gilston V1-6 development, then a 20% shift (reduction) when the delivery of homes in the Gilston V1-6 development had reached 3,500 homes in the core and cumulative tests. This is considered reasonable in the context of the proposed sustainable transport strategy delivering new bus routes from the Gilston development to key destinations along routes not served by the proposed STC network at these stages of delivery.

13.8.43 In modelling terms, the effect of applying a 20% mode shift leads to reductions in the overall traffic growth forecast in the HCC COMET model of 6% in the AM peak and 7% in the PM peak period. The 35% growth predicted by COMET in the AM peak reduces to 25% growth, while the 36% growth predicted by COMET in the PM peak reduces to 29% with the mode shift applied. This cumulative residual growth in traffic of 25% to 29% within the town over a 20 year period is considered a conservative approach because no account has been taken in the model of the long-term effects of the COVID-19 pandemic on travel and employment habits, which is expected to reduce peak vehicle movements through an accelerated shift towards flexible working.

13.8.44 The modelling demonstrates that with these mode shifts applied the network operates effectively except for the Burnt Mill Roundabout, the Edinburgh/Howard Way roundabout and Edinburgh Way/River Way roundabout, which continued to experience congestion, particularly in the pm peak period. Consequently, the authorities agreed a scheme of mitigation for these junctions which addressed capacity issues, with these mitigation schemes being delivered either by the Applicant or by ECC as set out in the HoT, to be secured in the S.106 Agreement. Through further negotiation carried out since the December 2022 amended Viability Submission, it has been agreed that the ESC will be delivered by 3,250 homes, thereby providing the benefits associated with the ESC earlier than proposed in the viability submission.

13.8.45 Some objections have suggested it is unreasonable to have applied a 20% reduction in the model. It is therefore important to highlight that the HGGT Transport Strategy identifies that 20% of existing trips within the HGGT area are undertaken by active and sustainable means, and this is achieved ahead of the proposed strategy of improvements to active and sustainable travel across the network set out in the HGGT Transport Strategy. Given the proposed active and sustainable transport

prioritisation measures committed to by the application, both within the village development and through the delivery of the CSC by 1,500 homes and the ESC by 3,250 homes, which will deliver and enable significant prioritisation towards active and sustainable travel it is considered reasonable that a mode shift of at least 20% to active and sustainable modes would also be achieved by the proposed development.

13.8.46 What this means in model impact terms is that the application must achieve at least a 20% mode shift to avoid severe residual cumulative impacts on the network. It is therefore important to note that the transport model demonstrates that with the on-site provision of day-to-day services and active and sustainable transport prioritisation, even with conservative assumptions being applied to trip generation figures, the scheme will be able to deliver a circa 60% mode share of active and sustainable trips. A full description of the proposed sustainable transport strategy is included within the Transport Assessment (Appendix 9.1 of the ES Addendum) and summarised in paragraph 9.5.8 of the ES Report. In brief these proposals include:

- Provision of on-site facilities such as schools and local centres to encourage internal trips
- The creation of pedestrian and cycle linkages within the village development and to key external destinations
- Provision of segregated cycle and pedestrian routes adjacent to roads, on-street cycle routes on lightly trafficked roads, shared surface and off-road segregated cycle and pedestrian routes
- Improving opportunities for walking and cycling within the Stort Valley through off-site financial contributions
- Direct bus services to Harlow Town railway station, Harlow town centre and Templefields and Pinnacles industrial areas with new bus infrastructure where required
- Bus loop around the village development site with bus priority at all vehicle accesses, including sustainable modes only via the CSC/A414 junction; and
- Improvements to cycle storage at Harlow Town Station and contributions towards a northern access to the station if a feasibility study indicates such an enhancement is required.

13.8.47 The achievement of the mode share objective also requires the delivery of the two river crossings along with off-site highway improvement schemes at the Burnt Mill Roundabout and Edinburgh Way/Howard Way junctions, both of which experience existing congestion in advance of planned growth; and the delivery of the North to Centre element of the STC, which connects Gilston to the station and town centre south of the CSC. The delivery of the two river crossings by 1,500 and 3,250 homes will be secured through the S.106 Agreement, both being fully paid for and delivered by the applicants, with assistance from grant funding that will be repaid by the applicant and the developer of Village 7, subject to a discount being received for

forward funding 41% of the costs of the ESC to enable the delivery of other planned HGGT local plan sites, employment and post plan growth. The delivery of the identified junction improvement scheme at Edinburgh Way/ Howard Way junction will be delivered and paid for by the applicant, secured through the S.106 Agreement and subsequent S.278 Agreement with Essex County Council. And the funding of the Burnt Mill Roundabout scheme and North to Centre STC has been secured through grant funding for delivery by Essex County Council.

13.8.48 The modelling considers that other planned HGGT local plan sites will apply the same prioritisation to active and sustainable travel through their masterplans and through contributions towards off-site mitigation to the wider transport network. Given that these sites are also to be determined in line with the HGGT Transport Strategy and the Essex Local Transport Plan, this is a reasonable position to take. Furthermore, the application will contribute the sum of £35.7m towards the delivery of the wider STC network as set out in the HGGT Transport Strategy and HGGT 2019 IDP, which once delivered will further enable wider patronage of active and sustainable modes and reduction in private vehicle travel.

Sensitivity and Magnitude of Impact

13.8.49 The sensitivity of a road can be defined by the vulnerability of the user group who may use it e.g., elderly people or children. A sensitive area may be where pedestrian use is high, for example, in the vicinity of a school or retirement home or where there is an existing accident issue. Receptors with low sensitivity to traffic flow changes are those sufficiently distant from affected roads and junctions. Sensitivity also takes account of the existing nature of the road; an existing 'A' Road is likely to have a lower sensitivity than a minor residential road. Sensitivity can be classed as negligible, low, medium or high.

13.8.50 Magnitude of impact is essentially a judgement based upon the predicted deviation from the baseline conditions. IEMA guidelines[11] advise that changes in traffic flow can be categorised by the magnitude of change and categorised as a level of significance accordingly. Two broad rules are suggested which can be used as a screening process to limit the scale and extent of the assessment:

- **Rule 1**: include highway links where traffic flows will increase by more than 30% (or where the number of heavy-duty vehicles will increase by more than 30%).
- **Rule 2**: include any other specifically sensitive areas where traffic flows have increased by 10% or more.

13.8.51 Where the predicted increase in traffic flows is lower than the above thresholds, the IEMA guidelines suggest the significance of the effects can be stated to be negligible and further detailed assessments are not warranted. Furthermore, increases in

[11] IEMA Guidelines for the Environmental Assessment of Road Traffic

traffic flows below 10% are generally considered to be insignificant in environmental terms given that daily variations in background traffic flow may vary by this amount.

13.8.52 Table 9.3 of the ES Addendum November 2020 (Volume 1) summarises the criteria used to determine the magnitude of impacts. However, as previously discussed, absolute numbers can be as important as percentage change, particularly where existing flows are low. Table 10 below sets out the thresholds used in the Transport Assessment to assess the magnitude of effect.

Table 10: Thresholds for Magnitude of Impact based on IEMA guidelines

Impact	Negligible	Minor	Moderate	Major
Severance	Change in total traffic or HDV flows of less than 30%	Change in total traffic or HDV flows of 30-60%	Change in total traffic or HDV flows of 60-90%	Change in total traffic or HDV flows over 90%
Pedestrian Delay	Two-way traffic flow < 1,400 vehicles per hour	A judgement based on the road links with two-way traffic flow exceeding 1,400 vehicles per hour in context of individual characteristics		
Pedestrian Amenity	Change in total traffic or HDV flows <100%	A judgement based on the routes with >100% change in context of their individual characteristics		
Cyclist Delay and Amenity	Based on professional judgement as set out in the Transport Assessment			
Driver Delay	A judgement based on the results of network statistics assessment			
Accidents and Safety	A judgement based on quantitative analysis as set out in the Transport Assessment			
Public Transport	A judgement based on quantitative analysis as set out in the Transport Assessment			

13.8.53 Table 11 below sets out how the magnitude of impact and the sensitivity of a receptor are combined to determine the significance of the effect. Any effect greater than Moderate is considered to be significant in EIA terms.

Table 11: Significance Criteria

Sensitivity	Magnitude of Change			
	Negligible	Minor	Moderate	Major
Negligible	Neutral	Neutral or Slight	Neutral or Slight	Slight
Low	Neutral or Slight	Neutral or Slight	Slight	Slight or Moderate
Medium	Neutral or Slight	Slight	Moderate	Moderate or Large

High	Slight	Slight or Moderate	Moderate or Large	Large or Very Large

13.8.54 There are 125 links in the transport model. Links are the connections between junctions and the use of links enables the assessor to determine where vehicle flows increase or decrease and enables journeys to be mapped across the network. Each model scenario takes the baseline vehicle flow and the scenario year vehicle flow and works out the percentage difference between them in order to determine the magnitude of the effect as per the threshold range in Table 9 above. For each impact type the Transport Assessment discounts from further appraisal the links where the thresholds are not met. Depending upon the sensitivity of a link the magnitude of the effect will differ. For example, a link which has a high sensitivity to change in vehicle flow (such as a link near a school or care home) will be affected by a lower magnitude of change. The significance of the effect would therefore be greater on that link compared to the same magnitude of change on a link that already has high vehicle flows in an urban area. It should be noted that an element of judgement is always required when assessing the effects based on percentage difference because absolute numbers may have a greater bearing. For example, traffic flow on a link could increase from ten to twenty vehicles, which is a 100% increase and therefore a major magnitude of change, but the addition of ten vehicles over an assessment period of one hour would not be considered significant, particularly if that link has a low sensitivity to change.

13.8.55 The TA contains 25 different scenarios, the first scenario is the baseline which takes account of traffic counts and traffic data information based on a 2020 model year. There are four scenario runs which assess the impacts of the Gilston Village 1-6 development on the network independent of other planned growth in comparison to the baseline. Each of these scenarios demonstrated that the thresholds and rules applied are not met and therefore do not warrant further specific assessment. However, once growth from other planned growth sites across the HGGT including Village 7 are input into the model, the thresholds are exceeded for some types of impact and therefore are assessed in more detail in the TA.

Construction Impacts

13.8.56 The Transport Assessment (TA) considers the likely significant effects of vehicle movements associated with the construction of the development of Village 1-6 (and the two crossings) cumulatively with other HGGT Local Plan sites, including Village 7. Construction traffic includes the movement of workers plus construction vehicles; Heavy Duty Vehicles (HDVs) and Light Duty Vehicles (LDVs). The Institute of Environmental Management and Assessment (IEMA) Guidelines for the Environmental Assessment of Road Traffic thresholds and best practice advice have informed the methodology used in the Transport Assessment and these guidelines focus on HDVs given they have a greater impact than LDVs in terms of visual size,

noise and air quality impacts. Therefore, the assessment considers the increase in HDV vehicle flows, both in absolute numbers and percentage increase, and also within the AM peak hour of 08:00 to 09:00, the PM peak hour of 17:00 to 18:00 as well as Annual Average Daily Traffic (AADT) which is the number of two-way vehicle movements in a 24 hour period. Vehicle delay and accident rate impacts are also appraised during the AM peak period of 07:00 to 10:00 and the PM peak period of 16:00 to 19:00.

13.8.57 For the purpose of assessing the worst-case scenario, the TA considers the 2033 'with development' scenario. This scenario is when the construction of Villages 1-6 is delivering a peak of 500 dwellings per year across multiple outlets, the CSC has been delivered, the ESC is under construction and other HGGT Local Plan sites are completed or near completion (i.e. all Plan period assumed growth). The scenario is compared against 2020 baseline traffic flows (i.e., without development traffic). Table 12 below summarises the Transport Assessment predicted impacts. Please note that the greatest significance of effect on each impact type on any link is reported in this table to present a worst-case output.

Table 12: Summary of Construction Effects (2033) 'With Development' Scenario

Predicted Impact	Significance of Effect
Severance	Slight or moderate adverse
Pedestrian Delay	Neutral
Pedestrian Amenity	Temporary long-term slight adverse
Cyclist Delay	Neutral
Cyclist Amenity	Temporary long-term slight adverse
Driver Delay	Temporary long-term slight adverse
Accidents and safety	Neutral
Public Transport	Slight beneficial

13.8.58 To mitigate the impacts arising through construction related traffic a Construction Traffic Management Plan (CTMP) will need to be submitted and approved prior to the commencement of any phase of development and adhered to during the development. A draft Code of Construction Practice is included in the ES which describes the various standard practices that will be applied to minimise impacts of construction activity. Section 9.5 (Scheme Design and Management) of the ES Addendum sets out the types of measures to be included in the CTMPs such as restrictions on vehicle routing, working times and delivery times, and also how labourers are to travel to the site, which will be set out in a Construction Workforce Travel Plan within the CTMP. Given the scale and longevity of the construction period, while the CTMP will seek to minimise impacts from construction traffic, it is considered that there will remain some residual long-term slight adverse effects for some impacts as summarised in Table 13 below. Notably, with mitigation there will be no moderate adverse residual constructions affects, with slight adverse being the highest impact.

Table 13: Summary of Residual Construction Effects 2033 'With Development' Scenario

Predicted Impact	Significance of Effect	Mitigation	Residual Effect
Severance	Temporary slight adverse	CTMP	Temporary long-term slight adverse
Driver Delay	Temporary slight adverse	CTMP	Temporary long-term slight adverse
Pedestrian Delay	Neutral	CTMP	Neutral
Pedestrian Amenity	Temporary slight adverse	CTMP	Temporary long-term slight adverse
Cyclist Delay	Neutral	CTMP	Neutral
Cyclist Amenity	Temporary slight adverse	CTMP	Temporary long-term slight adverse
Accidents and safety	Neutral	CTMP	Neutral
Public Transport	Slight beneficial	CTMP	Temporary long-term slight beneficial

2027 Intermediate Year 1 assessment Construction and Operation

13.8.59 One area of key concerns raised by representations is the operational and construction effect of the development on local roads following the construction of the CSC but in advance of the ESC. As such, the transport modelling considers this through Scenarios 5 and 6. These scenarios compare the 2033 'with development' and 'with Local Plan plus Village 7' scenarios with the baseline, using the same modelling forecasts but adjusted on a linear basis to reflect the likely growth levels achieved by 2027. Based on the trajectory in the transport modelling Scenario 5 includes Local Plan growth plus 750 homes in Village 7, accessed via the Village 7 access. Scenario 6 is the same as Scenario 5 but with 2,250 dwellings at the development (Villages 1-6). The CSC is included in only Scenario 6, along with the construction traffic (workers and HDVs) associated with the delivery of the ESC. This enables an assessment to be carried out of the impact of growth at the operational stage i.e., when homes are occupied within the development (V1-6), plus half of Village 7 and Local Plan sites within the HGGT area expected to be delivered by 2027 at the same time as construction.

13.8.60 It should be noted that the trajectory used at the time of the transport modelling has since been superseded, with delivery delayed by two years not only within the Gilston Area, but also in the other HGGT sites. To assess the impacts of an interim period of growth however, the 2027 Intermediate Year 1 scenarios in the ES are considered sufficient to make a reasoned assessment of the impact of the development delivered in advance of the completion of the ESC as the scenario is about assessing impacts alongside a set level of growth and infrastructure delivery and not the actual date/year itself.

13.8.61 Table 14 below summarises the impacts of the development when it is partly operational and partly in construction. The CSC is complete in this intermediate year scenario, but the ESC is under construction. It should be noted that this summary table presents a worst-case scenario by reporting the most significant impact on any link, even if that link is not closest in relevance to the development.

13.8.62 What this assessment scenario demonstrates is that there are predicted significant effects (moderate or large) on severance, pedestrian and cyclist amenity as a result of the percentage increase (magnitude) of traffic related to the partial occupation development of 3,000 homes in addition to the partial occupation of other HGGT Local Plan sites in advance of the completion of the ESC. The two links with the greatest effects are Link NH1 Pye Corner and NH2 Eastwick Road (between the Fifth Avenue junction and proposed Village 1 all modes access, which during this interim period will serve not only east-west movements, but also Gilston development traffic until such time the Village 2 access and ESC bypass is complete. These worst-case effects will be for a temporary period only, which is demonstrated by later year scenario assessments which predict a significant decrease in vehicle flow through Pye Corner as a result of the bypass and the reduction in construction traffic across the wider network.

Table 14: Summary of Operational Impacts (with construction) 2027 Intermediate Year 1 Scenario

Predicted Impact	Significance of Effect
Severance	Moderate or large adverse
Pedestrian Delay	Slight adverse
Pedestrian Amenity	Moderate of large adverse
Cyclist Delay	Slight adverse
Cyclist Amenity	Moderate or large adverse
Driver Delay	Slight adverse
Accidents and safety	Neutral or slight adverse
Public Transport	Slight beneficial

2033 Intermediate Year 2A Scenario

13.8.63 To assess the likely effects from the operational stage of the development i.e., once properties are occupied in the Gilston Area cumulatively with the operation of other HGGT Local Plan sites, the 2033 Intermediate Year 2A model scenario considers the change between the 2033 baseline 'without development' scenario 7, which includes Local Plan growth across the HGGT area that are due to be complete by the end of the 2033 Plan period plus 750 homes in V7, and the 2033 'with development' scenario 8b, which includes 3,000 homes in the Gilston Area (comprising the 750 at V7 plus 2,250 at V1-6).

13.8.64 The 2033 Intermediate Year 2A baseline includes the M11 Junction 7a scheme, and junction improvements within the network to be delivered by ECC or the applicant. For comparison, both the CSC and ESC are included in the 'with development' scenarios. Table 15 below summarises the results of this scenario. What this assessment scenario demonstrates is that there are no impacts with a worse than moderate significance of effect once the total HGGT Local Plan growth and 3,000 homes in the Gilston Area are complete.

Table 15: Summary of Operational Impacts (with construction) 2033 Intermediate Year 2A Scenario

Predicted Impact	Significance of Effect
Severance	Slight or Moderate adverse
Pedestrian Delay	Slight adverse
Pedestrian Amenity	Slight or Moderate adverse
Cyclist Delay	Slight adverse
Cyclist Amenity	Slight or Moderate adverse
Driver Delay	Slight beneficial
Accidents and safety	Neutral or slight adverse
Public Transport	Slight beneficial

2033 Intermediate Year 2B Scenario

13.8.65 The Intermediate Year 2B model scenario considers the change between the 2033 baseline 'without development' scenario 9a, which includes Local Plan growth across the HGGT plus 1,250 homes at V7, and the 'with development' scenario 10 which includes a total of 6,500 Gilston Area dwellings (comprising 1,250 at V7 and 5,250 at V1-6). This trajectory is considered unlikely to be achievable but is included as a scenario to understand the likely significance of effects based on a much higher rate of residential delivery (Table 16 below).

Table 16: Summary of Operational Impacts (with construction) 2033 Intermediate Year 2B Scenario

Predicted Impact	Significance of Effect
Severance	Slight or Moderate adverse
Pedestrian Delay	Slight or Moderate adverse
Pedestrian Amenity	Slight or Moderate adverse
Cyclist Delay	Slight or Moderate adverse
Cyclist Amenity	Slight or Moderate adverse
Driver Delay	Neutral
Accidents and safety	Neutral
Public Transport	Slight beneficial

13.8.66 The results of this scenario summarised in Table 15 above demonstrate that while the effects of this level of growth will have a greater impact than the delivery of 3,000 in the Gilston Area at the same point in time, there are still no impacts with a worse

than moderate significance of effect once the total HGGT Local Plan growth and 6,500 homes in the Gilston Area are complete.

2040 Completion Year Scenario

13.8.67 To consider the impact of the remaining Gilston Villages 1-6 development on the network once it is complete, the Transport Assessment undertakes a comparison between the 2033 future baseline which includes Local Plan growth plus the full Village 7 development of 1,500 homes (scenario 9b) and the completion of 8,500 homes in Villages 1-6 by 2040 (scenario 11). No assessment of construction traffic flow is included in this scenario because the scheme will be complete and fully operational, however HDV movements are considered in the data analysis.

Village 6 Access Sensitivity Test

13.8.68 A sensitivity test was undertaken in relation to the proposed employment area at the southern edge of Village 6. The employment floorspace is distributed through the development, with the intention of integrating commercial and business floorspace in the mixed-use zones in each village centre, whereas the approach in Village 6 is to have a larger area dedicated to employment in the form of a small business park, which could be accessed from the proposed access to the A414. As described in paragraph 13.8.34 above, the intention is that the Village 6 access would not be implemented if Village 7 comes forward, but instead would be redesigned to only serve the employment area (including Travelling Showperson and Emergency Service uses), and only be used for HDVs (service and delivery vehicles) plus emergency service vehicles once the internal connection is delivered between Village 7 and Village 6. It would not provide general access into the village development or the employment area for private vehicles.

13.8.69 The Transport Assessment modelling of this scenario has shown that there would not be a material change in traffic conditions that affect the conclusions of the assessment of the 2040 completion year scenario. The creation of an access junction to Village 6 would however change the character of that part of the A414 through reduced vehicle speeds, which would provide a benefit to the submitted provisional speed management strategy, which would be subject to approval by the Highway Authority in due course through a S.278 Agreement.

Burnt Mill Roundabout Sensitivity Test

13.8.70 Throughout the transport modelling process Essex and Hertfordshire County Councils provided a list of potential junction improvement schemes for inclusion in the transport assessment. These were called MoU Schemes as they were included in a Memorandum of Understanding between the authorities and the applicant for use in the modelling exercises. An initial scheme design for the improvement of Burnt Mill Lane Roundabout was provided by ECC to the applicants in June 2020, which was included in each model scenario, followed by a revised scheme in October 2020. The revised scheme design was considered through a sensitivity test to test if

the revised scheme resulted in different model outputs; this test concluded that the revised scheme maintained the level of model performance and conclusions previously drawn and would therefore not materially affect the conclusions of the assessment of the 2040 completion scenario.

13.8.71 Table 17 below summarises the predicted operational impacts of the development in relation to transport, presenting the worst-case scenario by using the link with the most significant impact.

Table 17: Summary of Operational Impacts 2040 Completion Year Scenario

Predicted Impact	Significance of Effect
Severance	Slight or Moderate adverse
Pedestrian Delay	Slight adverse
Pedestrian Amenity	Slight adverse
Cyclist Delay	Slight adverse
Cyclist Amenity	Slight adverse
Driver Delay	Slight adverse
Accidents and safety	Neutral
Public Transport	Slight beneficial

Latton Priory Sensitivity Test

13.8.72 It was identified that the cumulative developments scheme list included with the 2019 original submission had excluded the full Water Lane (West Sumners) and the Latton Priory development allocations, because the scale of these sites were not confirmed in the emerging Epping Forest District Plan at that time. In response, the applicant submitted further sensitivity testing as part of the Gilston Area Villages application that confirmed that the impact of removing that development from background growth and assigning it specifically to the allocation areas through a sensitivity test showed that the overall effects on the performance of the Harlow road network were similar.

Mitigation Measures, Monitoring and Residual Effects

13.8.73 In addition to the provision of physical transport infrastructure such as the two crossings and improvements to existing junctions, further mitigation will take the form of implementing measures to encourage behavioural change to achieve a shift away from using private vehicles, compared to those assumptions built into the assessment, such as the 20% mode shift included in the model which is based on design principles and existing mode share). The Sustainable Transport Strategy measures include the following measures:

- The creation of pedestrian and cycle linkages within the Village Development and to key external facilities that have appropriate travel distances;

- The provision of segregated cycle and pedestrian routes adjacent to roads, on-street cycle routes on more lightly trafficked roads, shared surfaces, and segregated cycle and pedestrian routes not adjacent to roads;
- Highlighting and improving the opportunities for walking and cycling the Stort Valley, including the existing towpath that provides an east-west walking and cycling route through Harlow;
- Arriva, the main bus operator within Harlow, has suggested that direct services from the Development to the Harlow Town railway station, Harlow town centre and Templefields will be feasible as a minimum;
- A proposed bus loop around the Village Development Site;
- Proposals to introduce bus priority measures at all vehicle accesses including via the new Central (Eastwick) Stort Crossing;
- Revised proposals to include a bus-only access into Village 1 as well as a separate all-vehicle access to the east of the sustainable transport corridor;
- Alterations to the Terlings Park and Pye Corner access;
- Increased distance between the Eastern Stort Crossing and Terlings Park;
- Improved links to Harlow Town Rail Station, which provides an excellent rail service with six trains per hour to central London in the peak hours.

13.8.74 A site-wide travel plan has been included in the transport assessment along with a bus strategy and transport strategy. As more details emerge through the masterplanning a Site-Wide Travel Plan will be required to be submitted and approved that sets the travel plan objectives and principles that will apply not only to the development (Villages 1-6) but also to Village 7 if approved. Each village masterplan will be required to be accompanied by a village specific travel plan which will set the measures to be taken in that village to achieve the site-wide objectives. Individual uses that traditionally generate high numbers of vehicle movements such as schools and employment/commercial uses will also be required to submit detailed travel plans through their reserved matters applications, which will, again, need to demonstrate how the village travel plan objectives will be achieved.

13.8.75 Each tier of travel plan for the village development will contain a Delivery and Servicing Management Plan (DSMP), a draft of which was included in the transport assessment. The purpose of the DSMP is to mitigate the potential effects of delivery and service vehicles and will include details on routeing, loading and timing restrictions; appropriate vehicle sizes and schedule of use; and pedestrian and cycle safety. This will be required by condition.

13.8.76 Table 18 below summarises the conclusion of the 2040 completion year scenario assessment of the significance of residual effects after the implementation of the travel plan and sustainable travel initiatives proposed in the transport assessment. What the Transport Assessment demonstrates is that there are no parts of the network where the residual effects of the Development, either through the construction activities or upon operation of the dwellings and crossings, are

significant in ES terms. When considered cumulatively, taking into account the other HGGT and Local Plan sites, including Village 7, again there are no residual significant effects in the network. Some locations will experience impacts on pedestrian and cyclist amenity with moderate or large adverse effects during the time period where the ESC is not yet complete, but these are considered temporary in nature and impacts will be managed through detailed construction environment and construction traffic management plans to minimise disruption to pedestrian and cycle routes.

Table 18: Summary of residual Operational Effects (2040 Completed Development Scenario)

Predicted Impact	Significance of Effect	Mitigation	Residual Effect
Severance	Slight or moderate adverse	Travel Plan and Sustainable Travel Initiatives	Slight adverse
Driver Delay	Slight adverse	Travel Plan and Sustainable Travel Initiatives	Slight adverse
Pedestrian Delay	Slight adverse	Travel Plan and Sustainable Travel Initiatives	Slight adverse
Pedestrian Amenity	Slight adverse	Travel Plan and Sustainable Travel Initiatives	Slight adverse
Cyclist Delay	Slight adverse	Travel Plan and Sustainable Travel Initiatives	Slight adverse
Cyclist Amenity	Slight adverse	Travel Plan and Sustainable Travel Initiatives	Slight adverse
Accidents and safety	Neutral	Travel Plan and Sustainable Travel Initiatives	Neutral
Public Transport	Slight beneficial	Travel Plan and Sustainable Travel Initiatives	Slight beneficial

13.8.77 The TA scenarios form the basis of the triggers proposed for the delivery of the main infrastructure required to ensure the network operates successfully. In summary, trigger point testing considers model stability and a visual review of the model performance. This considers when congestion reaches a point where the network begins to 'gridlock', providing an indication that mitigation is required in some form. The TA firstly applied the 'with development only' scenarios against the baseline

model. These scenarios demonstrated that based on the development within the Gilston Area alone, once the agreed MoU schemes were applied and the CSC is delivered the model becomes unstable after 3,500, indicating that further infrastructure is required to alleviate congestion issues observed. Based on the modelling of the Gilston Area alone the ESC would be needed after 3,500 homes if the MoU scheme at Edinburgh Way/Howard Way is delivered. It is worth noting that no mitigation of the Burnt Mill Roundabout is included in this scenario.

13.8.78 The TA then considered the cumulative scenarios of development. The stability and visual analysis demonstrated that at the end of the plan period once the HGGT local plan sites are delivered plus 3,000 homes in the Gilston Area congestion around the A1019, A1025 and Howard Way junctions reached such a level that the model became unstable, indicating a need for further infrastructure to alleviate the congestion being observed with this level of growth. As such the proposed MoU scheme at Burnt Mill Roundabout is included in this scenario along with the ESC, which is tested in the 2033 Intermediate Year 2a scenario.

13.8.79 However, Officers consider that a trigger of 3,500 homes by which the ESC should be complete is reasonable for three reasons. The first reason is that while the assessments consider the cumulative impacts of planned growth across the network, this application and this planning authority have no control or influence over the rate of delivery of other developments, the trajectories of which have been delayed, not least because the Epping Forest District Plan has not yet been adopted. Based on an assessment of the Gilston Area growth on its own 3,500 homes with no ESC and no improvement at Burnt Mill Roundabout, the model operates, albeit with some congestion making it less stable. The proposed MoU scheme at Burnt Mill Roundabout will improve the congestion somewhat enabling the proposed STC connection connecting the Gilston Area to key destinations within Harlow to also function effectively.

13.8.80 The second reason is that it is now anticipated that the construction period of the two crossings will total circa seven years. This is a revised estimation based on delays to the determination of the outline application and therefore on the commencement of the works associated with the crossings. The revised programme builds in procedural contingency periods such as the compulsory purchase process for example and ensuring works avoid nesting seasons. The CSC will be completed first, with construction estimated to take circa three years. The ESC will commence two years after the CSC starts as there is a period of overlap for works which relate to both crossings (the realignment of the current Eastwick Road and new junction with Village 1 and Terlings Park). The ESC is now estimated to take a total of five years.

13.8.81 Thirdly, the viability appraisal that has been submitted since the TA was updated in November 2020 demonstrates that delivering the ESC at 3,000 homes would have a significant impact on the ability to deliver affordable housing. Given that no

significant adverse effects are experienced across the network when delivery increases beyond 3,000 homes cumulatively or 3,500 within the Gilston Area alone, taking a balanced judgement considering other policy imperatives, 3,500 homes is considered a reasonable compromise.

13.8.82 Based on the trajectory included in the Viability Submission a seven-year programme means that by the time the ESC is complete, circa 3,050 homes will be delivered in the Gilston Area. ECC have requested a trigger of 3,250 homes for the Gilston Area as a whole (i.e. 2,762 homes in Villages 1-6 and 488 homes in Village 7) by which time the ESC is to be complete in order to bring forward the benefits associated with the ESC earlier. The Applicant has agreed, and Officers are happy to accept that trigger; it allows for unforeseen delays to be managed in a way that does not restrict the ability to deliver homes in an allocated site. It also retains an element of pressure to ensure timely delivery of infrastructure in line with the development.

13.8.83 In addition to the above large transport infrastructure schemes, the proposal includes a wide variety of transport related enhancements and mitigations, both on-site and off-site, both physical infrastructure and softer measures to encourage patronage of active and sustainable means of travel. A series of iterative tests were undertaken by Vectos on behalf of the applicants to determine the appropriate point at which transport related mitigation is required in order for the highway network to continue to operate in relation to the delivery of development i.e. the development trajectory versus the delivery and completion of the supporting infrastructure. Appendix H of the Transport Assessment Addendum includes a list of infrastructure measures and proposed triggers. However, several of these have been updated through the Viability Submission and the agreed triggers are set out in the attached Heads of Terms.

13.8.84 The triggers derived and explained within the TA Addendum, and those negotiated through the consideration of the application are now considered by the HCC and ECC Highways Officers as being appropriate.

13.8.85 Regular monitoring of the achievement of these measures and achievement of transport objectives will take place and be submitted to a Transport Review Group (TRG). The TRG will comprise representatives from East Herts Council, the two county highway authorities and the applicants. The role of the TRG will be to consider the monitoring reports submitted and determine if any specific mitigation is required to address impacts arising that were not forecast in the transport assessment. A total of £10.4m is to be available for use if, and only if the proposed designed mitigation measures are not successful at achieving the mode share targets, which will be agreed as part of the Gilston Area- Wide Travel Plan (Villages 1-7). The instalment amounts and timings for building up to this £10.4m fund and the terms of the TRG will be confirmed through the completion of the S.106 Agreement and will establish the basis upon which the TRG make their recommendations to HCC as the relevant

highway authority. It will include detailed criteria for how this funding will be drawn down and utilised to continue bus subsidies for the bus services directly associated with the development if required. This fund is called a Sustainable Transport Innovation Fund; this is because it may be the case that if public transport mitigation is required in the future the solution could be in the form of new technology or infrastructure not yet in existence.

13.8.86 The model has included specific improvement schemes that have been agreed by the highway authorities and the funding and delivery of these schemes will be secured through the S.106 Agreement, including junction improvements at Edinburgh Way, Burnt Mill Roundabout and the North to Centre STC, the latter two being funded through Housing Infrastructure Grant funding and delivered by ECC. Therefore, the application relies in part upon ECC delivering these agreed schemes. The Gilston Area Villages 1-6 proposal sits within the context of the wider proposals for the Garden Town and the objective of achieving a 50% sustainable mode share within that wider area. Therefore, this task must be one that is undertaken in partnership with the relevant authorities also committing to making all efforts possible to achieve this target. The application does not however rely on other improvements or strategies to achieve its mode share objectives beyond the expectation that other HGGT and Local Plan sites will also apply active and sustainable transport principles with each respective planning and highway authority pursuing this with rigour.

13.8.87 Taking the development as a whole (Outline plus the two river crossing proposals) in addition to cumulative development considerations, the ES identifies that there are likely to be slight adverse effects on driver delay, pedestrian and cyclist delay, amenity and severance during construction and operational stages; a neutral effect on accidents and road safety; and slight beneficial effects in terms of public transport during operation. These judgements are formed using standard assessment tools and cannot model the impacts of improvements to and the provision of new pedestrian and cycling and public transport networks and priority measures.

13.8.88 Notwithstanding the measures proposed above it is the case that there will be residual impacts on the highway network. This is inevitable within an urban area subject to significant growth. However, the joint objective of the applicants and the authorities has not been to design infrastructure to mitigate these impacts but rather to focus infrastructure that diverts traffic away from the more central areas and invests in sustainable transport. It is considered that a reasonable, balanced approach has been adopted. Officers consider that there is not an unacceptable impact on highway safety and the residual, cumulative, impacts on the road network are not considered to be severe.

13.8.89 One of the key benefits of the village approach is that walkable neighbourhoods can be created, where day to day facilities are provided within a few minutes' walk of

homes through attractive and safe routes. Locating education, retail, employment and leisure facilities within village centres will enable residents to fulfil multiple objectives within one journey. The Development Specification provides clear commitments to prioritising active and design through principles that will guide the future masterplanning and Reserved Matters Applications. Masterplans will be required to demonstrate how mode share targets will be achieved, including through layout, location of services, design of streets and parking for cycles and vehicles. It is therefore considered that the village development proposal fully embraces the principles of encouraging active and sustainable modes of travel in order to assist in achieving the ambitious target of 60% of trips being by active and sustainable means.

13.8.90 When considering the outputs of the Transport Assessment and the Environmental Statement against the requirements of the District Plan and Neighbourhood Plan, the assessments demonstrate that the proposed development will be acceptable in highway safety terms; will not have a significant detrimental effect on the character of the local environment and will not result in any severe residual cumulative impact and is therefore in line with national and local policies, in particular Policies TRA1 (Sustainable Transport) and TRA2 (Safe and Suitable Highway Access Arrangements and Mitigation) of the EHDP, and Policies TRA1 (Sustainable Mobility), TRA2 (Access to Countryside) AG8 (Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities) and AG9 (Phasing of Infrastructure) of the GANP.

13.9 Protection and Enhancement of the Historic Environment

13.9.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets duties for decision makers in relation to assessing the impacts of proposals on listed buildings and conservation areas. Section 66(1) states that in considering whether to grant planning permission which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The effect of this duty is that any harm to a listed building or its setting through a development proposal should be given substantial weight and importance in the planning balance.

13.9.2 Section 72(1) states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. However, Section 72(1) does not apply to setting. Similarly to the statutory requirements as they apply to listed buildings, harm to the character and appearance of a conservation area should be given substantial weight and importance on the planning balance.

13.9.3 The Ancient Monuments and Archaeological Areas Act 1977 gives statutory protection to any structure, building or area of archaeological remains that is considered to be of particular historic and/or archaeological interest. The Act covers scheduled monuments which are located within the development.

13.9.4 Policy HA1 (Designated Heritage Assets) of the EHDP states that development proposals should preserve and where appropriate enhance the historic environment of East Herts. Proposals that would lead to substantial harm to the significance of a designated heritage asset will not be permitted unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Less than substantial harm should be weighed against the public benefit of the proposal. Part IV of the policy states that the Council will pursue opportunities for the conservation and enjoyment of the historic environment, recognising its role and contribution in achieving sustainable development.

13.9.5 Policy HA2 (Non-Designated Heritage Assets) states that where a proposal would adversely affect a non-designated heritage asset, regard will be had to the scale of any harm and the significance of the heritage asset. Policy HA3 (Archaeology) requires the evaluation of archaeological interest through appropriate forms of assessment. Policy HA4 (Conservation Areas) requires proposals to preserve or enhance the special interest, character and appearance of conservation areas. Policy HA7 (Listed Buildings) (I) encourages proposals to actively seek opportunities to sustain and enhance the significance of listed buildings to ensure they are in viable use consistent with their conservation. Policy HA7 (III) requires that proposals that affect the setting of a listed building will only be permitted where the setting is preserved. Policy HA8 (Historic Parks and Gardens) states that proposals should protect the special historic character, appearance or setting of registered historic parks and gardens, applying the same level of protection to locally important sites. Policy GA2 (The River Stort Crossings) requires the development to protect, and where possible enhance heritage assets and their settings through appropriate mitigation measures, having regard to the Heritage Impact Assessment. This refers to the Heritage Impact Assessment undertaken in support of the allocation.

13.9.6 Policy AG1 (Promoting Sustainable Development in the Gilston Area) of the GANP states that development will be supported where proposals have positively considered the existing settlements of Gilston, Eastwick and Hunsdon with respect to their character, heritage, environment and landscape setting, adopting an integrated approach which considers the protection and where possible, enhancement of heritage assets. Policy H1 (Celebrating Existing Heritage Assets) requires proposals to undertake an assessment of historic assets and set out a clear approach to their protection, and where possible their enhancement. The assessment should consider the significance and historic role of heritage assets to avoid or minimise any conflict between their conservation and the proposal. The policy sets out a list of design and layout criteria that a proposal must meet to be

supported, including measures to celebrate and give prominence to heritage assets. Long term heritage, conservation and management plans should be developed in consultation with the community.

13.9.7 It is noted that the preamble to Policy AG5 (Respecting Areas of Local Significance) of the GANP states that the purpose of the policy seeks to protect the integrity of the setting of existing settlements, heritage assets and landscape features, and is therefore considered in this heritage section in this spirit. While Policy AG5 itself does not specifically refer to heritage, it designates a number of sites that are within the setting and curtilage of heritage assets as Local Green Space, within which development is subject to strict criteria. The policy defines community boundary designations around existing settlements and requires the preparation of masterplans to involve community consultation on locally cherished views, that cover a large proportion of the site.

13.9.8 Paragraphs 194 to 208 of the NPPF 2021 relate to the consideration of development proposals in the context of conserving and enhancing the historic environment. LPAs are required to identify and assess the particular significance[12] of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset[13]) taking account of available evidence and any necessary expertise (paragraph 195 NPPF). They should take this into account when considering the impact of a proposal on a heritage asset, in order to avoid or minimise any conflict between the heritage asset's conservation[14] and any aspect of the proposal. Thus, the NPPF requires that "*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)*" (paragraph 199, NPPF). This requirement to give great weight to the asset's conservation applies irrespective of the degree of harm whether it is substantial, total or less than substantial harm.

13.9.9 Key principles of the NPPF relevant to the outline application include the requirement to assess the significance of any heritage assets affected (including through development in their setting), any harm to the significance of those assets, and whether those harms are substantial or less than substantial. Any harm to the significance of heritage assets from alteration or destruction or development within its setting requires clear and convincing justification (paragraph 200). Where

[12] Significance is defined in Annex 2 of the NPPF as "The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."
[13] Setting of a heritage asset is defined in Annex 2 of the NPPF as "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."
[14] Conservation is defined in Annexe 2 of the NPPF as "The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance."

development leads to harm to the significance of a heritage asset that is less than substantial, this harm should be weighed against the public benefits of the proposals (paragraph 202, NPPF). Harm that is substantial or leads to total loss must be outweighed by public benefits and the harm must be necessary to achieve the public benefits in order to justify the grant of planning permission (paragraph 201, NPPF).

13.9.10 The application site covers an area of land within which there are multiple areas of archaeological significance, over fifty designated and multiple non-designated heritage assets. Given the scale of the development there will be a range of impacts on these assets, both within the site boundary and nearby. It should be noted however that the site allocation, through Policies GA1 and GA2 of the East Herts District Plan, has accepted the principle that there will be a change to the setting of heritage assets by virtue of the allocation. As such, the allocation involves an acceptance in principle of some level of impact, including adverse impact. Indeed, such impact was recognised at the time the site was allocated and was addressed in the Heritage Impact Assessment and the proposed mitigation contained in that assessment which was considered during the Examination in Public and which has now been included as mitigation in this application. Policy GA1(o) sets out the criteria for considering heritage aspects and that the development will be expected to address the following, having regard to the Heritage Impact Assessment:

> "*the protection and enhancement of heritage assets and their settings, both on-site and in the wider area through appropriate mitigation measures, having regard to the Heritage Impact Assessment. Gilston Church and the Johnston Monument (both grade I listed), the moated site Scheduled Monuments at Eastwick, the Mount Scheduled Monument, and Gilston Park house (grade II*) are of particular significance and sensitivity and any planning application should seek to ensure that these assets and their settings are conserved and, where appropriate, enhanced, through careful design; landscaping; open space; buffer zones; protection of key views; and, better management and interpretation of assets, where appropriate*,"

13.9.11 The applicant has consulted with Historic England and the Council's Conservation and Urban Design Team through each stage of the application process including in the preparation of the Heritage Impact Assessment carried out at Plan-making stage which has underpinned the heritage principles set out in the Development Specification. As a result of this engagement several amendments were made to the proposal. The Parameter Plans include Sensitive Development Areas which have the result of restricting the height and form of development within the vicinity of certain heritage assets. Through consultation the Sensitive Development Areas around heritage assets were significantly enlarged, developable land was removed to the south of St Mary's Church and updated heritage design principles are set out in Appendix 5 of the Development Specification.

13.9.12 This report describes the heritage assets and the potential impact of the development as described by the ES and as referred to by the Council's Conservation and Urban Design Officer.

13.9.13 Potential heritage impacts can include direct effects on assets such as through physical changes to listed buildings or below ground archaeology. Indirect impacts may result from changes to an asset's setting and significance.

13.9.14 The only direct impact to an above ground designated heritage asset is through the restoration works to the listed Fiddlers Brook Bridge, which was approved through a Listed Building Consent in March 2022. The Parameter Plans identify the likely demolition of non-designated heritage assets at Dairy Cottages, Eastwick Lodge Farm and Overhall Farm, so this can be tested through the ES process, but opportunities to re-purpose buildings where possible will be considered through the masterplanning process. There will also be changes to undesignated historic landscapes by virtue of the village developments.

13.9.15 There are several listed buildings that are surrounded by but excluded from the application area; these are covered through an assessment of the impact of the development on assets outside the site boundary. Outside the outer edge of the application area (up to 3km of the development), indirect impacts on heritage assets (designated and non-designated) diminish with distance.

13.9.16 The ES considered potential effects as follows:

- Direct impacts on designated heritage assets with upstanding fabric or remains, including listed buildings, Scheduled Monuments. These are likely to be limited to assets within the Development.
- Direct impacts on undesignated assets such as locally listed buildings. These are likely to be limited to assets within the Development.
- Direct impacts through change to historic landscapes within the Development.
- Indirect impacts on the settings of all designated heritage assets within 1km of the Development.
- Indirect impacts on the settings of higher graded assets (Grade I and Grade II* listed buildings and registered parks and gardens, Conservation Areas, Scheduled Monuments with upstanding remains) within 3km of the Development.
- Indirect impacts on the settings of non-designated assets (e.g. assets recorded in the relevant Historic Environment Records) within 500m of the Development; and
- Indirect impacts through change to the wider historic landscape within 1km of the Development.

13.9.17 The following effects are not considered for further assessment as they are not considered to be significant:

- Impacts on the settings of non-designated heritage assets beyond 500m from the Site boundary.
- Impacts on the setting of individual Grade II listed buildings beyond 1km from the Site boundary.
- Impacts on the setting of Scheduled Monuments with no above ground remains outside of the Site boundary; and
- Impacts on historic landscapes over 1km from the Site.

13.9.18 The ES describes how the significance of effect is determined. With heritage assets this process is made more complex; it considers the magnitude of change based on the sensitivity of the affected asset, followed by an assessment according to the heritage value of the asset in terms of its significance. Where a proposal may affect the surroundings or setting within which an asset is experienced, an assessment is also made of whether, how and to what degree the setting contributes to the overall significance and value of a heritage asset. Heritage receptor values range from 'Exceptional' to 'Very Low', for example, world heritage sites to sites of local interest with generally no statutory protection as set out in Table 19 below.

Table 19: Definitions of Heritage Receptor Value

Value	Criteria	Examples
Exceptional	Building/site/area of international significance.	Likely to be World Heritage Sites, Areas of Natural Beauty and National Parks. Sometimes listed buildings Grade I and II* and their settings, Scheduled Monuments with upstanding remains, registered parks and gardens Grade I and II* and their settings.
High	Building/site/area of national significance.	May be listed buildings Grade I and II* and their settings, Scheduled Monuments with upstanding remains, registered parks and gardens Grade I and II* and their settings.
Medium	Building/site/area of national significance.	Often listed buildings Grade II and their settings, Conservation Areas and their settings, Scheduled Monuments without upstanding remains, and registered parks and gardens Grade II and their settings.
Low	Buildings/sites/areas of national and/or regional significance, or local assets of particular significance.	May be listed buildings Grade II and their settings, Conservation Areas and their settings, Scheduled Monuments without upstanding remains, registered parks and gardens Grade II and their settings, and buildings of local interest.
Very Low	Buildings/sites/areas with some evidence of	Often buildings of local interest and dispersed elements of townscape merit.

	significance but in an incoherent or eroded form of local interest and generally with no statutory protection.	Assets may be so badly damaged that too little remains to justify inclusion into a higher grade.

13.9.19 Magnitudes of impact range from 'High Adverse' where there is a considerable negative change (directly or indirectly) down to Neutral (no direct or indirect change) up to 'High Beneficial' where there is a considerable positive change (directly or indirectly).

13.9.20 Likely significant effects are determined through combining judgements of value and magnitude. It is noted however, that qualitative assessments are also made using professional judgements to draw out in more detail particular nuances of consideration. As such, the matrix in Table 20 is considered as a starting point for detailed professional judgements.

Table 20: Significance of Likely Significant Effects – Heritage Assets

Sensitivity /Value of Receptor	Magnitude of Impacts				
	High	Medium	Low	Very Low	Neutral
Exceptional	Major	Major	Moderate	Minor	No impact
High	Major	Moderate	Minor	Negligible	No impact
Medium	Moderate	Moderate	Minor	Negligible	No impact
Low	Minor	Minor	Negligible	Negligible	No impact
Very Low	Negligible	Negligible	Negligible	Negligible	No impact

Construction Phase – direct effects

13.9.21 The ES contains a Code of Construction Practice which describes approaches that will be used to protect heritage assets from physical harm during the construction phases. No designated assets are to be demolished within the development and the Scheduled Monuments within the site will be retained and safeguarded during construction in line with measures contained in the CoCP.

Construction Phase – indirect effects

13.9.22 Given the spatial scale of the development and the timeframe, the effects of construction and its magnitude will vary over time as different phases of the development are completed. Potentially significant indirect effects on the setting of certain heritage assets are likely to arise from enabling works, the construction of the two river crossings and the residential development due to large items of machinery, hoardings, the structures under construction and various operations. The assessment in the ES has taken a worst-case approach using professional

judgements based on the assumption that works will take place in close proximity to the particular heritage asset.

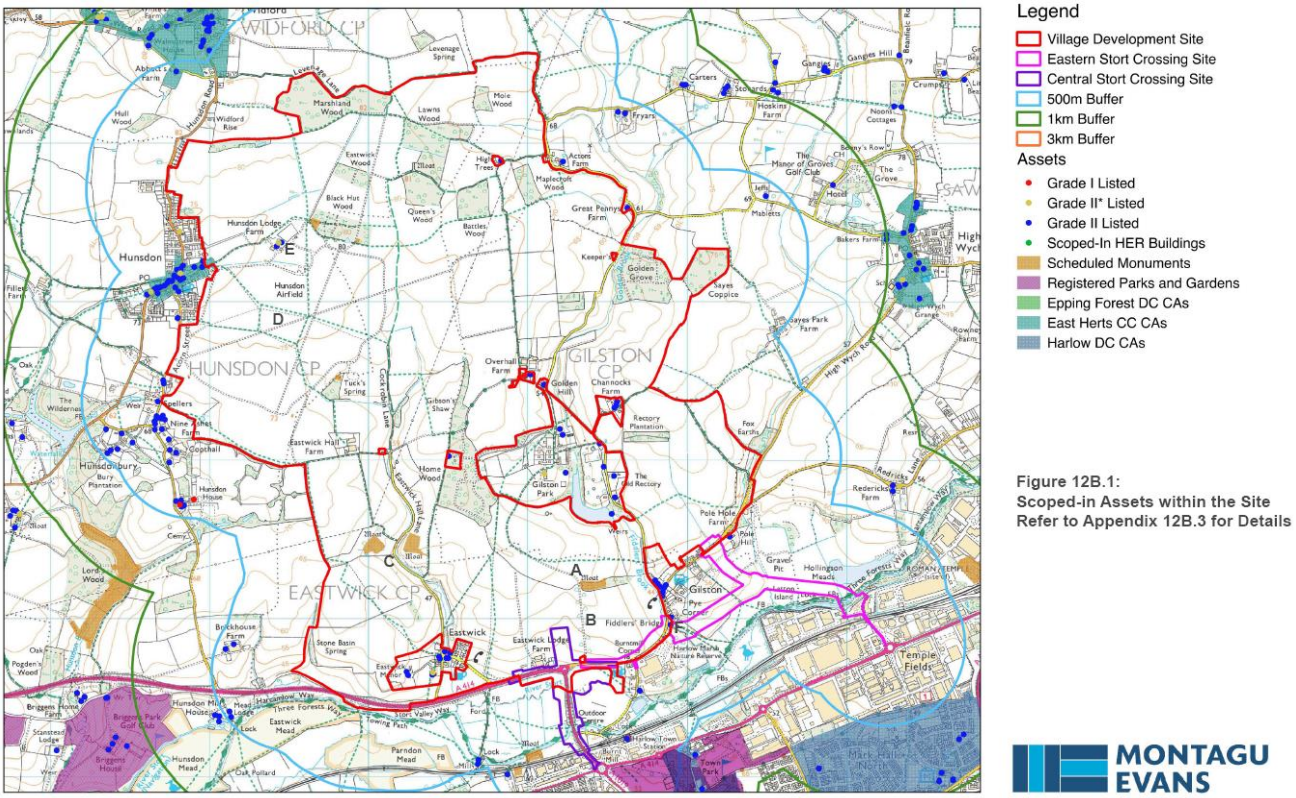
13.9.23 The visual effects of construction will be similar to those in the completed development, with construction activities and emerging areas of modern development intruding into the setting of some heritage assets. As construction effects on setting are temporary, they are generally treated as less significant that those associated with completed development, and because heritage values are enduring, it is accepted that these values are capable of sustaining temporary impositions without the loss of intrinsic value.

Asset Specific Effects – Operational Phase

13.9.24 Hundreds of heritage assets beyond the application area (up to 3km from the site) were 'scoped in' to the assessment and dozens of assets were scoped in from within the application boundary. Officers consider that the ES provides a comprehensive assessment of the effects of the development on heritage assets within the development area as well as cumulatively taking account of harm from the wider Gilston Area development, including Village 7 as illustrated by Figure 26 below which indicates the heritage assets 'scoped in' to the assessment. This assessment considers:

- the heritage assets within the site (within the application red line boundary): the Eastwick Moated Sites Scheduled Monument and The Mount Scheduled Monument
- the heritage assets technically outside the red line boundary but within the wider site: Gilston Park House, Gilston Church, the Johnstone Monument and Cottages, Eastwick Village, Keeper's Cottage, Channocks Farm, High Trees
- heritage assets outside the red line boundary within vicinity of the site: Hunsdon House, assets inside Village 7, assets in Harlow – Parndon Mill, Hunsdon Conservation Area and other Conservation Areas.

Figure 26: Heritage Assets Considered in ES Chapter 12B



13.9.25 The Council's Conservation and Urban Design Officer has reviewed the ES material and has made a professional judgement on the level of harm caused by the development, which has informed this assessment.

Heritage assets within the site (within the application red line boundary)

The Mount Scheduled Monument, Gilston Park and Environs

13.9.26 The Mount is described in the heritage register as a mediaeval moated site with a Tudor period park keeper's lodge and is a scheduled monument. It is likely that the Mount pre-dates the park at Gilston to which it became linked in the late seventeenth century. The Park itself is outside the redline boundary of the application, so is considered further in paragraphs 13.9.72 to 13.9.76 below. The Mount is a moated enclosure about 75m long by 50m wide with a 12m wide dry moat around it. The central mound is raised 2m and contains the remains of a flint-faced building. Next to the Mount to the east is another enclosure about 85m x 50m that apparently contained a deer house. To the west is a ditch about 4m wide and 1.5m deep that was probably the park pale (soft boundary feature), which curves to the north west towards Home Wood, an area of ancient woodland also linked to the park at Gilston and would have enclosed the land to the north.

13.9.27 The Drury map of 1745 shows the park at New Place, Gilston with a boundary that apparently ran along the line of the Mount and the ditch, but it is possible that the 17th century park boundary reused an earlier moated feature (suggested by previous archaeological surveys). In the later 18th century park boundaries were extended to

the south but the Mount continued to be an important feature in the park, when the eastern part of the Mount mound was called Coney Spring, the central part was called Deer Yard and the western part called Three Plantations with the moat shown in this portion. This area is now collectively known as The Chase

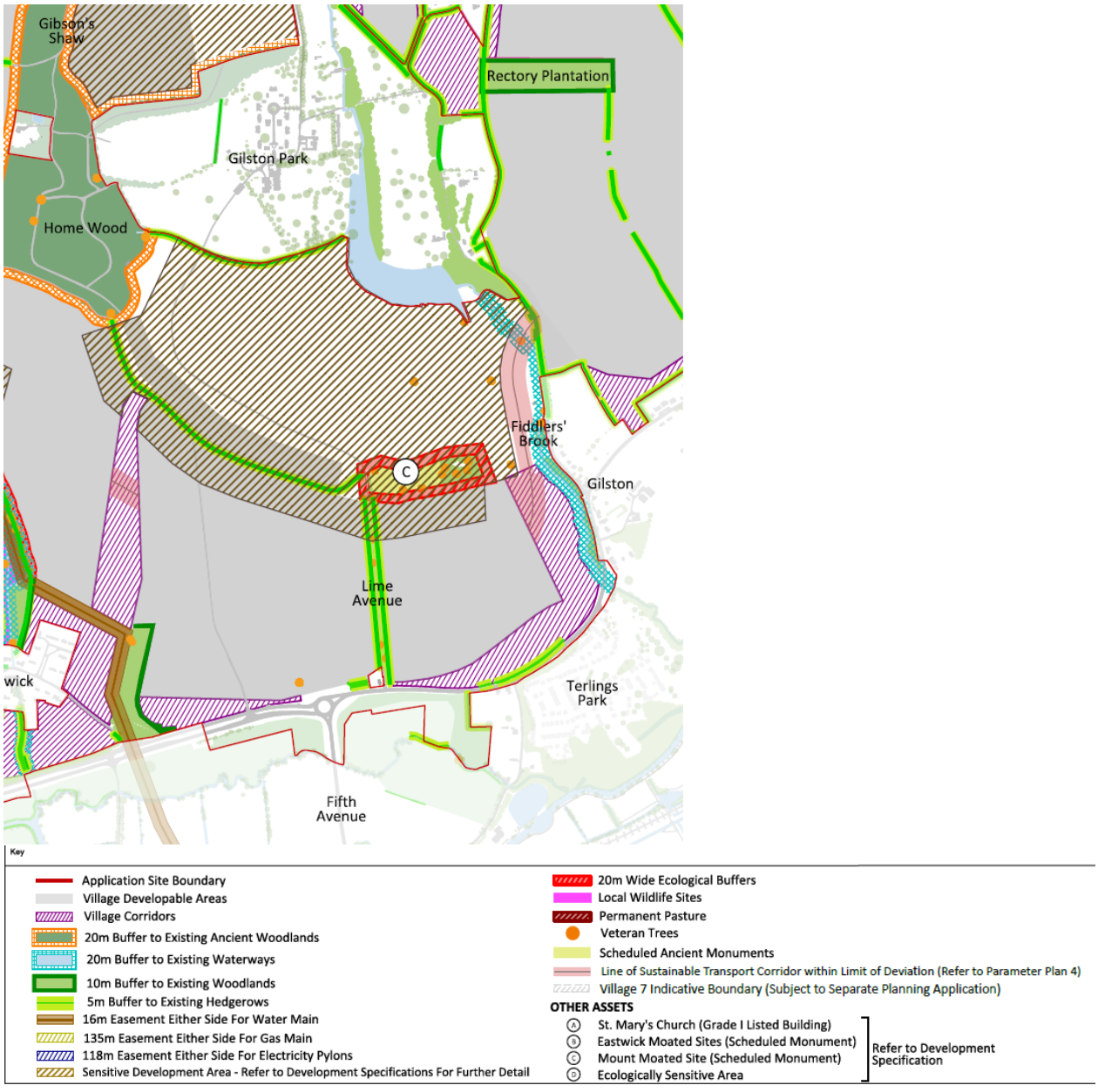
13.9.28 The Mount has considerable archaeological and historical significance as a moated feature of medieval or early modern date associated with the Jacobean park. The setting of the Mount scheduled monument today is mainly comprised of agricultural fields to both the north and the south. The footpaths in that area are not clearly marked and the monument is not very easily accessible. There are however, good views of the Mount from the southern edge of the former larger Gilston Park estate land now in agricultural use, but not from the currently defined estate complex. The former parkland also forms part of the Mount's wider setting as does the woodland at Home Wood. To the south, the former Lime Avenue, although badly preserved, is also perceived as part of the former park complex. The setting makes a positive contribution to the significance of the monument..

13.9.29 To the north of the Mount Moated Site beyond the former parkland area shown on Parameter Plan 3 as Gilston Park is the Grade II* listed Gilston Park House, and the Grade II listed Dam and Cascade to Lake at Gilston Park. The House and lake are outside the red line boundary so are discussed further below. The parkland and the Mount form part of the wider setting of the Gilston Park House. The wider park pale is still evident in the landscape but is not included in the scheduled area, and thus forms a separate non-designated heritage asset. However, the heritage value of the park pale is 'High' for its association with the scheduled monument and Gilston Park. The heritage value of the parkland, which forms part of the setting to the scheduled monument and the listed house contributes to the significance of both assets.

13.9.30 Lime Avenue to the south of the Mount is thought to have once been part of the drive to the Gilston Park House as it joins a sweeping path within the parkland just north of the mount towards the house. Though badly maintained, the Lime Avenue forms part of the wider setting of the house rather than the mount itself and the significance of this area is mainly historical as the remnants of the late 18th or early 19th century extension of Gilston Park, including the Lime Avenue and associated lodge which lies at the southern end of the Lime Avenue. The lodge is an attractive building but has no architectural merit or distinction, deriving historic interest only due to its connection with the former park estate. The area south of the Mount is affected by the proximity of Eastwick Road to the south and due to topography, there is no easy intervisibility between the Mount and Gilston Park House, which lies beyond a slight ridge in the landscape. The setting south of the Mount makes a neutral contribution to the significance of the scheduled monument, although it is more positive nearer to the Mount. The heritage value of this area is low.

13.9.31 The application proposes to locate the developable area of Village 1 on land to the south of the Mount, both east and west of Lime Avenue, and also in a strip of land immediately to the north of the park pale (which is the green line between the Mount (c) and Home Wood in Figure 27 below). To the north of the Mount between the Mount and the Gilston Park House land that was formerly part of the park estate which is currently in agricultural use, is proposed to be re-purposed as a community park comprising formal sports pitches partly associated with the Village 1 secondary school which is proposed to be located to the south of the park pale. The Mount would be the northern edge of the village with the Lime Avenue retained as a green route from the south towards the Mount, retaining the mount as a visible and prominent part of the approach to the parklands beyond.

Figure 27: The Mount Scheduled Monument, Gilston Park and Environs



13.9.32 The Mount itself is surrounded by a 20m ecological buffer within which no built development will be permitted. in addition to the Sensitive Development Area (SDA)

that covers the Mount and parkland to the north. The Development Specification contains a series of specific principles that will apply to the SDA for the Mount site designed to protect the setting and significance of both the Mount and the wider historic landscape and assets around Gilston Park House which include the following:

- Preserving the setting of the Mount Scheduled Monument and Gilston Park House by retaining a substantial area of open space as Gilston Park, a new Community Park.
- Controlling built development to the north of the ditch through the use of the Sensitive Development Area hatch and detailed design to avoid impacts on Gilston Park House;
- Preserving the setting of the Mount Scheduled Monument on both sides of the ditch:
- Retaining and improving the Lime Avenue, formerly the entrance drive to Gilston Park House and its predecessor New Place House, making it a feature of any new development;
- Retaining a sense of relationship between Gilston Park and its former drive, the Lime Avenue
- Preserving the setting of the heritage assets at Gilston Village and along Gilston Lane through design features that reduce impacts on the setting of these assets.

13.9.33 In addition, the SDA limits the height of buildings within the zone to no greater than two storeys. The park pale ditch is protected by a 5m buffer to the existing hedgerows, however, the Parameter Plans indicate that parts of the existing vegetation are to be removed to allow the construction of roads to access development north of the park pale in Village 1 and in the Gilston Park Community Park area. This will be defined in the masterplan for Village 1. To the east of the Mount the STC has been located on the Parameter Plans in an area where the park pale has already been disturbed and the limit of deviation narrowed to reflect the location where least harm is likely to occur. The magnitude of the effect on the park pale through the creation of new access points to serve development to the north of the park pale is considered to be permanent, minor adverse. The magnitude of the effect on the setting and significance of the Mount scheduled monument and undesignated assets in the area, including the ditch will depend upon the final form and alignment of the STC and the form of the village development itself.

13.9.34 Notwithstanding the proposed mitigation measures, Officers consider that the introduction of the village development to the south of the Mount will undoubtedly change the setting of the heritage assets. These effects are assessed as permanent, moderate adverse. Changing the nature of the former park land between the Mount and the heritage assets in Gilston Park into a community park is in keeping with the once formal parkland use of the site, albeit with a more intensive level of recreational activity through proposed sports pitches. Nonetheless, the overall effect of the village development and community park on the setting and therefore the

significance of the Mount scheduled monument is at the upper end of 'less than substantial' as defined by the NPPF.

13.9.35 This harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Officers consider that the less than substantial harm is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

13.9.36 In terms of enhancements, the application proposes the creation of a heritage trail that will connect multiple heritage assets across the site by new and existing PRoW networks, the provision of interpretation boards and reinstatement of the Lime Avenue as a green infrastructure corridor through Village 1, retaining a sense of the area's former use as a drive and parkland related to the House. These enhancements are assessed as having a minor beneficial effect and are considered as part of the public benefits within the balance referred to above. The parameters of the outline development seek to avoid and to minimise harm to the Mount in terms of constraints on proximity and form of development, and contains principles set out in the Heritage Impact Assessment that informed the allocation of the site in accordance with Policy GA1 and HA1 of the EHDP and Policy H1 of the GANP.

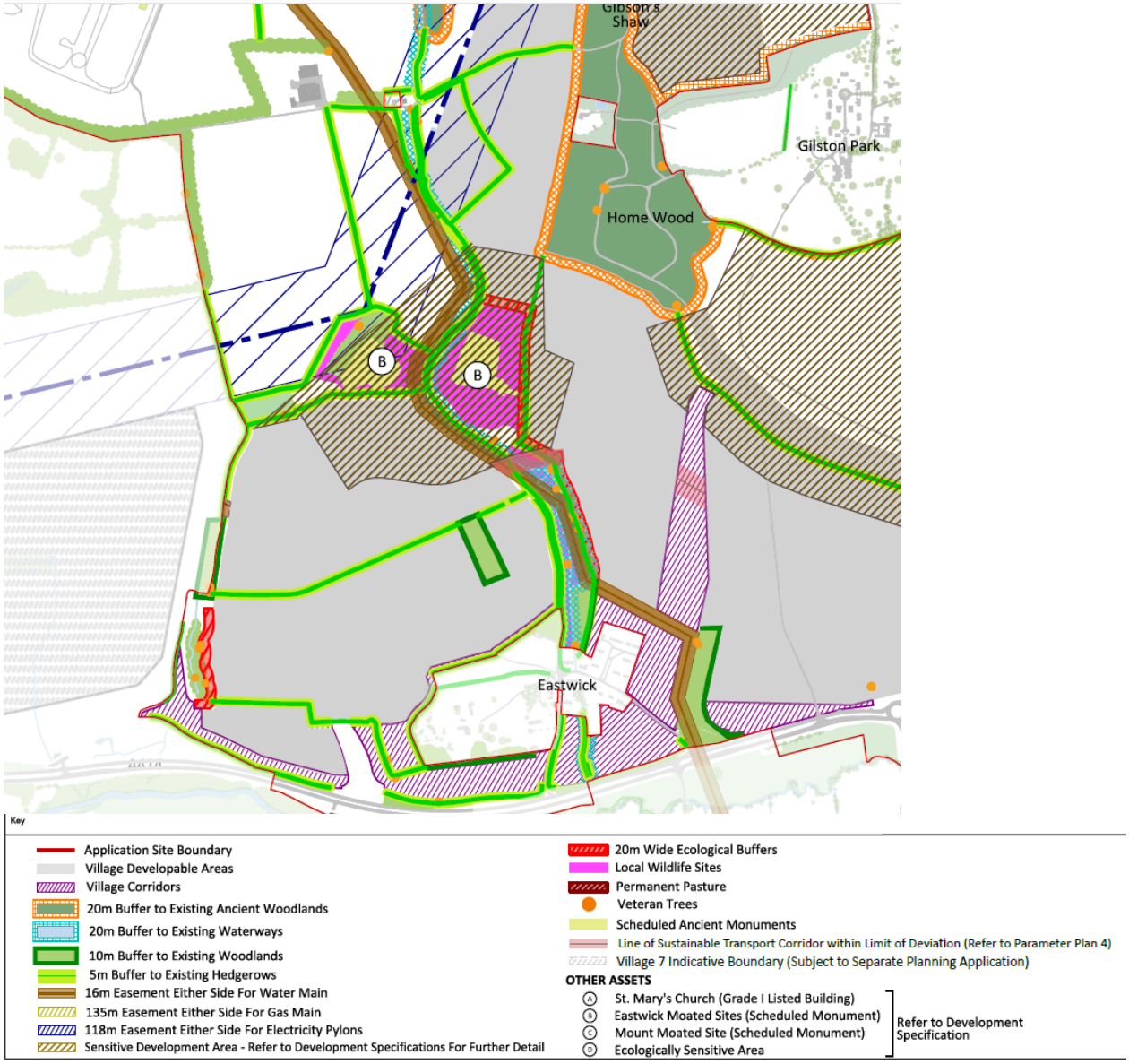
Eastwick Moated Sites Scheduled Monument

13.9.37 The Moated Site south of Eastwick Hall Farm and the moated site and associated earthworks south-west of Home Wood are both scheduled monuments. These lie either side of Eastwick Hall Lane, and will be to the north of Village 6 and to the east of Village 5. The Moated Site to the east of Eastwick Hall Lane is the remains of the former Eastwick Hall farmhouse, that was probably the site of the medieval Eastwick Manor house. Historic maps of 1840 and slightly later estate sale maps indicate there was once a complex of buildings on the site, but the site was cleared in the mid-19th century and replaced by the new Eastwick Hall farm. The surviving remains include a rectangular enclosure about 100m x 70m surrounded by a 6m wide dry moat on three sides except the south where there is a scarp. Inside the enclosure is a rectangular platform that mid-20th century excavations suggested was the remains of Eastwick Hall house, but there are also at least three other building platforms on the site. The top of the monument is now mainly grassland which is open and has good views of the surrounding countryside, though the site is inaccessible to the public.

13.9.38 The other moated site west of Eastwick Hall Lane is slightly smaller, measuring 80m x 70m and is surrounded by a 15m wide ditch on three sides except the south where there is a scarp. The north side of the moat is wet and fed by a small stream. The site was probably associated with the medieval and Tudor park at Hunsdon which

extended into Eastwick parish at that time. It may have been a lodge for the park. Despite their proximity the two sites are historically unrelated. Nonetheless, the two sites are seen today as a group, clearly indicative of the area's historic past. Both monuments have considerable historical and archaeological significance as well preserved medieval moated sites with evidence of the remains of historic built structures apparently preserved within them. The setting of the monuments is rural and open and the setting makes a positive contribution to the significance of the monuments, which have a high heritage value.

Figure 28: Eastwick Moated Sites – Scheduled Monument



13.9.39 As shown on Figure 28 above, the development proposes to deliver village development to the east (Village 5) and to the south (Village 6). The proposed STC will also run to the south and east of the monuments. However, the proposal seeks to avoid development within proximity of the monuments by retaining the current Eastwick Hall Lane valley as a strategic green corridor between the villages. The monuments are covered by Local Wildlife Site designation and as such will be

surrounded by not only a Sensitive Development Area but also buffers associated with hedgerows and trees in the valley and an ecological buffer. The limit of deviation associated with the STC is removed entirely so the route is defined to minimise harm to the setting through proximity to the monuments. These measures will reduce the potential for direct effects on the setting of the two monuments, however, the village development will remove the open countryside setting of the monuments to the south, east and north-east. To the north the electricity pylons have somewhat impacted the setting but open views will remain from the monuments to the northwest.

13.9.40 In addition to the parameter constraints identified, the Development Specification provides specific measures to minimise the impacts of the village development on the significance of the two monuments. Considerations to avoid harm to the setting and significance of these assets will include the following:

- Designing development in the SDA around the Eastwick Scheduled Monuments that is well integrated with the landscape in a layout that avoids adversely affecting the setting of the Monuments
- Retaining and enhancing views to and from the Scheduled Monuments where possible from the surrounding area including the SDA:
- Exploring ways to improve the presentation and interpretation of the Eastwick Scheduled Monuments:
- Retaining Eastwick Hall Lane as a narrow country lane with access to the development provided elsewhere to preserve the setting of the Scheduled Monuments and the listed buildings in Eastwick village;
- Preserving the setting of the listed buildings in Eastwick village and of Eastwick church; and
- Preserving the setting of building listed as “Keeper’s Cottage”.

13.9.41 Historic England have specifically requested that plans be provided at this outline stage to demonstrate that the proposed STC route through Village 5 and 6 can be designed in a way that prevents a high level of harm to the Eastwick Moated Site. However, given that the route of the STC will be subject to a detailed masterplanning process which will be guided by the Development Specification it is considered premature to design a specific feature of the scheme at this stage in isolation of other design considerations. To ensure that that Historic England are satisfied with the proposed design of the STC route and any other development that has the potential to impact the setting or significance of the two moated sites the requirement to engage with Historic England through the masterplanning and design code process will be set out in the Village Masterplan and Reserved Matters Application scope conditions.

13.9.42 Notwithstanding these mitigation measures, the location of village development near the two scheduled monuments on land that contributes to their setting will cause some harm to the significance as rural monument. However, they will still be

understood as relics of the history of the area. The magnitude of the effects of the village development will depend on the final form of the development, and there is scope through masterplanning and detailed design stages for some mitigation of these effects. However, the effects are assessed as being permanent moderate adverse, and at the upper end of less than substantial harm as defined by the NPPF.

13.9.43 This harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Officers consider that the less than substantial harm is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

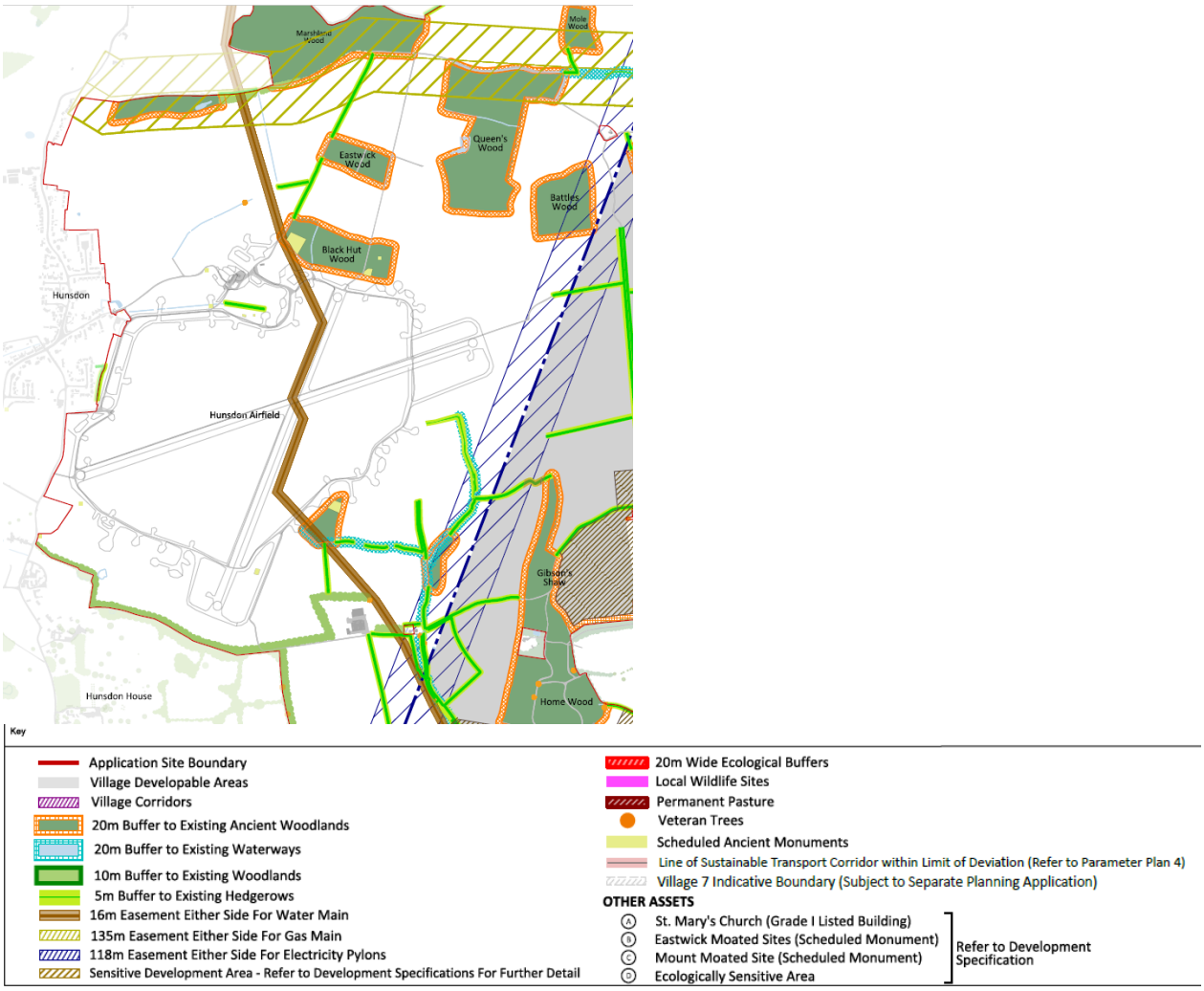
13.9.44 In terms of enhancements, the accessibility to and therefore understanding of the monuments is currently very poor. The application proposes the creation of a heritage trail that will connect multiple heritage assets across the site by new and existing PRoW networks and the provision of interpretation boards which would help to increase public understanding. These enhancements are assessed as having a minor beneficial effect and are considered as part of the public benefits within the balance referred to above. The parameters of the outline development seek to avoid and to minimise harm to the monuments in terms of constraints on proximity and form of development, and contains principles set out in the Heritage Impact Assessment that informed the allocation of the site in accordance with Policy GA1 and HA1 of the EHDP and Policy H1 of the GANP.

Hunsdon Airfield Scheduled Monuments

13.9.45 Hunsdon Airfield contains a group of Scheduled Monuments that have historical significance as a well-preserved World Ware II airfield, with many of its associated structures surviving intact. It is also likely to have some archaeological value for the buried remains of other parts of the complex. The runways and perimeter road survive as tracks and field boundaries and, although the land has been reconverted to agricultural use, are still clearly visible from the air (Figure 29 below). Part of the site is in use by the Hunsdon Microlight Club.

13.9.46 There are 14 units which include a range of buildings and structures within a single scheduling entry. The structures are well-preserved and in some cases contain remnants of original fittings. The setting of individual upstanding parts of the complex is varied in their immediate localities around the airfield site. For example, some are located in woodland at Black Hut woods and Tuck's Spring, others are located near to Hunsdon village and the rest scattered in open countryside around the perimeter of the site. The wider setting of the remains is formed by the airfield, which can still be understood as a single complex. The setting makes a positive contribution to the significance of the monument, with a high heritage value.

Figure 29: Hunsdon Airfield Scheduled Monument and Hunsdon Farm Complex Listed Buildings



13.9.47 The proposed development retains the airfield and proposes that over time the airfield complex will become part of a wider community park, which will be transferred into the ownership and stewardship of the community through agreed governance arrangements. The land is currently in agricultural use and this will remain so until the site becomes used as a country park, but there will be no development in this area and as such this change is not likely to cause harm to the significance of these assets as informal recreational use of the airfield already occurs.

13.9.48 However, the Council's Conservation Officer considers that there will be a less than substantial harm at the lower end to these heritage assets due to the location of the proposed village development within the wider rural setting of the airfield and the spatial relationship the air defence structures have with their surroundings.

13.9.49 This harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Officers consider that the less than substantial harm is outweighed by the proposed benefits that will arise from this application which is submitted in

response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

13.9.50 The application proposes the creation of a heritage trail that will connect multiple heritage assets across the site by new and existing PRoW networks and the provision of interpretation boards which would help to increase public understanding as they are currently not interpreted or presented. These enhancements are assessed as having a permanent moderate beneficial effect and are considered as part of the public benefits within the balance referred to above. The parameters of the outline development seek to avoid and to minimise harm to the monuments in terms of constraints on proximity and form of development, and contains principles set out in the Heritage Impact Assessment that informed the allocation of the site in accordance with Policy GA1 and HA1 of the EHDP and Policy H1 of the GANP.

Hunsdon Lodge Farm Buildings Including Big Black Barn

13.9.51 This group is formed of a group of farm buildings at Hunsdon Lodge Farm, which includes the Big Black Barn (Grade II*) the barn attached to the south end of the Big Black Barn (Grade II) and the nearby Essex barn (Grade II). The Big Black Barn has considerable architectural and historical significance as a 16th century lodgings range probably associated with the royal hunting park at Hunsdon Park. It was converted into a barn in the 18th century, but despite alterations remains an important survival of a high status Tudor period lodgings range. The attached barn and Essex barn form an attractive group with the Big Black Barn.

13.9.52 The setting of the group is rural and open, with Hunsdon airfield to the south, also currently in agricultural use, so the sense that these are an isolated group of historic farm buildings is retained. The setting makes a positive contribution to the significance of the assets with a medium heritage value.

13.9.53 As with the Hunsdon Airfield, there will be no development in the area which is to be retained within a landscaped area as defined on Parameter Plan 3 (Figure 27 above). However, there might be a slight change to the setting of these assets through the use of the environs of the barns as a country park rather than agricultural field, but the surrounding area is already used for informal recreation. Proposals to restore these assets will be brought forward at the SLMP stage, which is likely to be a benefit to these assets. However, overall it is considered that there will be no harm to the setting or the significance of these assets.

Fiddlers' Bridge

13.9.54 Located between Pye Corner and Terlings Park, Fiddlers' Bridge and nearby Fiddlers' Cottage are both Grade II listed buildings. The full impact of the ESC on these heritage assets were considered in the ESC report to which members are directed. The eastern crossing is necessitated by polices GA1 and GA2. The ESC will result in

less than substantial harm to the settings of Fiddler's Bridge and Fiddler's Cottage by virtue of the new flyover crossing Fiddler's Brook, which presently serves as a verdant rural setting. However, the harm to the significance of these assets as a group is limited as their settings are already dominated by a busy road as existing, and this existing road will be downgraded as a result of this scheme. In the planning balance, the wider public benefits of the Eastern Crossing are considered to outweigh the less than substantial harm to Fiddler's Bridge, and the harm is further mitigated by the repairs proposed to the footbridge. The listed building consent was granted in March 2022 for the restoration of the bridge and conditions were applied to the Eastern Stort Crossing application to deliver public realm improvements within Pye Corner, the details of which are to be secured through the S.106 Agreement associated with this application and is considered as part of the public benefits within the balance referred to above. No harm is considered to arise as a result of the village development on its own.

Eastwick Lodge Farm (Undesignated)

13.9.55 Eastwick Lodge Farm is a former model farm that is now mainly a small business complex. It is undesignated but is included in the Hertfordshire Environmental Record (HER). Eastwick Lodge Farm was newly built in the mid 19th century for John Hodgson of the Gilston estate. The house is similar in character to other Gilston estate farm houses and is built of brick in a Tudor style with steep slated roofs, sash windows and prominent chimneys. The E-shaped barn complex, also typical of the Gilston estate is similar to Channock's Farm and has a timber barn at the rear with three lower brick built wings. There is a further range of buildings on the complex of modern form, but the group as a whole can be understood as a Victorian farm complex with some local architectural and historic interest as one of the Gilston estate model farms.

13.9.56 The setting of the complex includes the A414 immediately to the south. To the north are large arable fields with some restored land immediately north of the buildings. Rising ground blocks longer distance views to the north and the house is partially enclosed by trees and hedges to separate it from the rest of the complex which has become somewhat run down. The setting makes a negative contribution to the significance of the group which has very low heritage value.

13.9.57 In the short term the Eastwick Lodge Farm complex will remain in industrial use, and the proposal includes a new access to the complex as part of the CSC junction works. In the longer term however, it is likely that the buildings will be demolished. The ES assesses the effects of this total loss. If the house is retained the effect will be less harmful. The farm complex no longer operates as a farm and there are better preserved examples of the Gilston estate model farms built by John Hodgson, such as Channock's Farm which is Grade II listed. The magnitude of the effect of total loss will be high adverse, but these effects have been assessed as permanent negligible adverse because of the very low heritage value of these undesignated assets.

13.9.58 As such, the loss of these buildings must be weighed against the benefits of the village development. Officers consider that the loss of these undesignated buildings is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

13.9.59 While the total loss has been assessed in the ES, and is assumed for the purposes of this assessment, the potential retention of the house and farm buildings will be considered in further detail at the masterplanning stage.

Eastwick Hall Farm (Undesignated)

13.9.60 The Eastwick Hall Farm complex is an undesignated complex (but in the Hertfordshire Environment Record) within the red line boundary but outside the Village Developable Area. This complex contains farm buildings and a group of 19th century cottages. It was built in the mid 19th century by John Hodgson as a model farm to replace older farms elsewhere, including the Eastwick Manor farm (now the western Eastwick Moated Site scheduled monument. The house is similar in character to other Gilston estate farm houses and is built of brick in a Tudor style with steep slated roofs, sash windows and prominent chimneys, but its form is less picturesque than some of the other farm houses. The E-shaped barn complex has been greatly altered and additional farm buildings have been added more recently. The core of the farm, including the barn and house have some limited architectural and historical interest as examples of the planned Gilston estate farmsteads. The group as a whole can still be understood as a Victorian farm complex with nearby farm worker's cottages. The setting of the complex is rural and makes a positive contribution to the significance of the group, which has a very low heritage value.

13.9.61 Located to the north west of the Village Developable Area, beyond the pylons, no development is proposed within this area, but the Village 5 Education and Mixed Use Zone is located approximately 200m to the east and the STC is approximately 300m to the east. There will therefore be some urbanising effects on the wider setting of this farm complex. It would no longer be wholly rural but on the outskirts of a large settlement. However, these changes are likely to have only a negligible impact on the significance of these low value assets, assessed as permanent, negligible adverse on undesignated assets.

13.9.62 This negligible harm to undesignated assets must be weighed against the benefits of the village development. Officers consider that these effects are outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

Overhall Farm (Undesignated)

13.9.63 The Overhall Farm group is undesignated; it includes a farm house and some of the farm buildings. Some buildings are modern and of no interest. Located just north of St Mary's Church it falls within the Village Developable area of Village 4. The farm was built in the mid-19th century by John Hodgson to replace the much older Overhall Manor and is typical of the Gilston estate farmhouses, built of brick in a Tudor style with steep slated roofs, sash windows and prominent chimneys, but its form is less picturesque than some of the other estate cottages. One 19th century farm building survives; it is brick and two stories, most likely a granary with first floors for loading. However, the building has been altered with its eastern end rebuilt in a modern form. The rest of the farm buildings are unattractive 20th century buildings.

13.9.64 The house and surviving brick farm building have some limited local architectural and historical interest as examples of planned Gilston estate farmsteads. The house is located down a long drive within an enclosed garden and while not easily seen from the road it forms part of a spatial group with the church and Grade II Church Cottages to the south-east. The setting therefore makes a positive contribution to the significance of the house, and a more neutral contribution to the significance of the brick farm building. The heritage value of the group is very low.

13.9.65 The application proposes the demolition of the undesignated farm house and brick farm building, and this loss is assessed in the ES. However, this will be determined through the VMP for Village 4. If either or both are retained, there will be no direct impacts only a change to their setting. The magnitude of the effect of the loss will be high adverse, but the significance of the effect has been assessed as permanent negligible adverse because of the very low heritage value of these buildings.

13.9.66 This negligible harm to undesignated assets must be weighed against the benefits of the village development. Officers consider that these effects are outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

Dairy Cottages (Undesignated)

13.9.67 Dairy Cottages is a group of undesignated later 19th century cottages associated with the John Hodgson rebuilding of the Gilston estate. Located immediately south west of the church the western cottage is within the Village Developable Area of Village 4 and the two eastern cottages are outside the red line application area of the site. The western cottage has the steep gables and casement windows that characterise the John Hodgson period and has some limited local architectural interest due to a diaper pattern in the brickwork. It also has some historical interest as part of the provision of a purpose-built communal diary for the estate. The two eastern cottages

are more modern and different in character with half timbering and no particular heritage significance.

13.9.68 The setting of the complex is rural and forms part of a larger group with St Mary's Church and the grade II Church Cottages. The setting therefore makes a positive contribution to the significance of the group, though the heritage value of the three cottages is very low.

13.9.69 The application proposes the demolition of the western cottage and this loss is assessed in the ES. However, this will be determined through the VMP for Village 4. If the cottage is retained, there will be no direct impacts only a change to its setting. The magnitude of the effect of the loss will be high adverse, but the significance of the effect has been assessed as permanent negligible adverse because of the very low heritage value of these buildings.

13.9.70 This negligible harm to undesignated assets must be weighed against the benefits of the village development. Officers consider that these effects are outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

2792, Moated site, Cockrobin Lane (Undesignated)

13.9.71 Within the proposed Eastwick Wood Country Park there is an undesignated moated site, which is described in the HCC Historic Environment Record as the remains of a medieval homestead moat, and called "2792, Moated site, Cockrobin Lane, Eastwick". A post-medieval house and outbuildings on the site was still shown on the 1839 tithe map, but all built structures had gone by the time of the 1880 OS map. This moated site is not suitable for scheduling due to the extensive changes that have occurred to it through the mid-C20th, as the western arm of the moat was infilled and ploughed, the south-east corner enlarged into a pond, and a rectangular island was created to create a new moat using the original using the original eastern arm as the western. The lane that runs to the south of this moated site is now a public bridleway, PRoW Eastwick and Gilston 002, and this may be an important route within the Eastwick Wood Country Park, so there may be changes along this route depending on the design of the Country Park. We would seek to see enhancements to this moated site that retain its character but better reveal its significance. In the current applications there are no physical changes proposed to this moated site or its immediate surroundings, but we would expect the significance of this moated site, which is of local interest as the site of a historic house and moated site, to be carefully considered at the design stage for the Eastwick Wood Country Park. The current applications will have a neutral impact on this non-designated heritage asset."

Heritage assets outside the red line boundary but within the wider site

Gilston Park House and Associated Buildings

13.9.72 Gilston Park House is a Grade II* listed building with Grade II listed associated outbuildings and related garden features around the house. In 1851 the Gilston estate was sold to John Hodgson who demolished the Tudor manor house called New Place (except for the porch now Grade II listed and retained as a garden feature) and built the present house. The house has been extended in 1887 and 1903 and is designed in an opulent Tudor style built of coursed limestone. The House was used as a research centre during World War II and in the early 2,000s was converted into flats and smaller houses. Additional houses have been built in the grounds and subsidiary buildings have been converted into housing.

13.9.73 Multiple listed buildings, the lake, dam and cascade and gardens are an important part of the setting of the Grade II* Gilston Park House. The extent of the gardens is much smaller than in the past, with the area to the west and south-west of the House now rough grass rather than formal parkland as was the case in the past. Home Wood and the irregularly shaped tree belt to the north of the House were the boundaries of the 17th century and later park. The formal gardens have a strong tree enclosure to the south of the house. The wider setting is rural and the approach via a narrow lane gives the whole complex a sense of isolation. The heritage value of the group is high and the setting makes a positive contribution to the significance of the assets.

13.9.74 As discussed in paragraphs 13.9.31 to 13.9.36 above the application proposes to convert agricultural land to the south of the Gilston Park House estate into a community park for sport and recreation, comprising formal sports pitches associated with the secondary school to be provided in Village 1. Officers consider that changing the nature of the former park land between the Mount and the heritage assets in Gilston Park into a community park is in keeping with the once formal parkland use of the site, albeit with a more intensive level of recreational activity through proposed sports pitches. At the SLMP stage details will be provided to demonstrate that any boundary treatments necessary to demark school land will be appropriate in the setting, and the Development Specifications principles restrict lighting in the proposed park. Nonetheless, the overall effect of the village development and community park on the setting and thereby on the significance of the Grade II* Gilston Park House and related designated assets is at the upper end of 'less than substantial' as defined by the NPPF.

13.9.75 This harm should be given substantial weight and importance, consistent with the high status of the assets affected, and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Officers consider that the less than substantial harm is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan

allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

13.9.76 In terms of enhancements, the application proposes the creation of a heritage trail that will connect multiple heritage assets across the site by new and existing PRoW networks, the provision of interpretation boards and reinstatement of the Lime Avenue as a green infrastructure corridor through Village 1, retaining a sense of the area's former use as a drive and parkland related to the House. These enhancements are assessed as having a minor beneficial effect and are considered as part of the public benefits within the balance referred to above. The parameters of the outline development seek to avoid and to minimise harm to the House in terms of constraints on proximity and form of development, and contains principles set out in the Heritage Impact Assessment that informed the allocation of the site in accordance with Policy GA1 and HA1 of the EHDP and Policy H1 of the GANP.

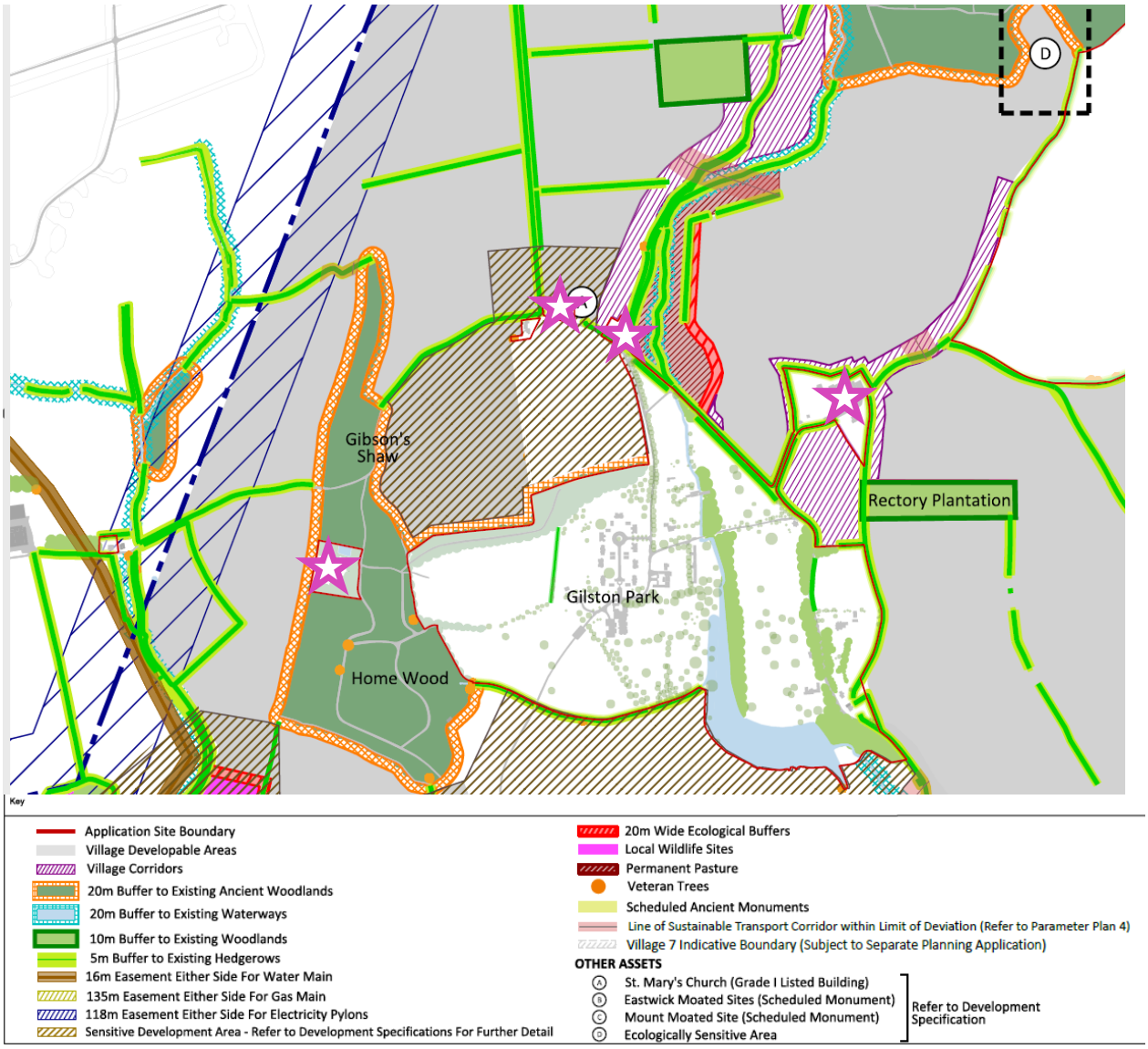
13.9.77 ***Gilston Church, the Johnstone Monument and Cottages***The Grade I listed Church of St Mary, Gilston and associated assets including the Grade I listed Johnson Monument, and the Grade II Church Cottages are a particularly sensitive group of assets and are identified specifically in Policy GA1 of the EHDP. The land to the south of the church is a key part of its setting, which makes a positive contribution to its significance as a church connected with the former wider Gilston Park Estate, but the land to the north is less sensitive. The setting of the church may be considered to include views to and from the south, but the Johnston Monument does not have a relationship with the wider landscape or appear in any key views, as it is subtle in appearance and tucked away in the corner of the churchyard, and the impact of the proposals on its significance is considered to be negligible. The unattractive modern farm buildings to the north at Overhall Farm make a negative contribution to the setting of this group.

13.9.78 The nearby Church Cottages at the corner with Penny's Lane are a Grade II listed building and are situated within the Golden Brook tributary valley which will form part of the proposed Strategic Green Corridor separating villages 3 and 4, and as such are perceived as part of an isolated rural group, with the rural setting and proximity to the church contributing to the significance of the Church Cottages listed building.

13.9.79 The application parameters are complex around the church as shown in Figure 30 below. The complex of buildings are located within a Sensitive Development Area, the Village developable Area for Village 4 extends to the northern, eastern and western boundaries of the church, but land immediately south of the church are outside the Village Developable Area. It is proposed that this land becomes Gilston Fields, a community park containing parkland for sports and recreation, most likely

including a cricket pitch, thereby keeping the land that forms the setting of the church from the south open.

Figure 30: Extract of Parameter Plan 2 Village Corridors and Developable Areas – St Mary's Church, Church Cottages, Channocks Farm and Keeper's Cottage (pink stars)



13.9.80 The Development Specification provides clear principles to help to avoid harm to the setting of the church and other nearby assets. These include:

- Avoiding dense forms of development near the church;
- Using informal layouts, naturalistic forms of development and suitable building types near the church;
- Using height and density restrictions in the vicinity of the church, particularly to the south east and south west;
- Retaining a substantial area of open space to the south of the church to conserve its setting;
- Retaining views of the church from the south;
- Creating new views of the church from within the new development.

- Retaining the historic lane to the church as a narrow lane, providing access to any development elsewhere; and
- Retaining and restoring the historic footpath from the house to the church.

13.9.81 In addition, the outline specification for the Gilston Fields community park comprises:

- provision of amenity mown grassland in the centre of the park, with native wildflower planting to the edges;
- tree planting to integrate with residential development around the perimeter of the park;
- restoration of the hedgerow between Gibson's Shaw to St Mary's Church where this is within Gilston Fields;
- provision of formal pitches (potentially cricket) and clubhouse (for example, including changing rooms and WCs, meeting room, bar/café, terrace, function room and storage space) and associated car parking;
- provision of drainage from the pitches to form part of the SuDS network;
- provision of a new and upgraded framework of paths within the park based on connective desire lines between villages and facilities as well as a circuitous path which follows the tree-lined walkway; and
- provision of signage and interpretation for Gilston Fields (to form part of that provided for the wider Site if appropriate).

13.9.82 Future detailed designs will be required to comply with the principles defined within the Development Specification for this location. The impact of development here will depend on the form and nature of the final design. Large areas of built development with a very urban form close to the church, or intrusive features such as formal sports pitches, large areas of hard surfacing and artificial lighting are likely to be harmful. Some of these effects may be capable of mitigation at the Village Masterplan design stage, and the use of key views to assess the potential impacts of proposed designs as set out in Development Specification will help minimise impacts on the setting of these assets.

13.9.83 The Grade I church and associated Grade I and Grade II monuments and the Grade II Church Cottages will remain unchanged in physical terms, and the historic aspects of their significance will be preserved. Nonetheless, there will be a noticeable adverse change to the setting of this group, including through the urbanisation of its setting through development and changes of use to the open space to the south of the church. This is assessed as being at the upper end of less than substantial harm as defined by the NPPF 2021.

13.9.84 This harm should be given substantial weight and importance, particularly given the high status of the assets, and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Officers consider that the less than substantial harm is outweighed by the proposed benefits that will arise

from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

13.9.85 Officers further consider that the proposed design criteria set out in the Development Specification along with the restrictions contained in the Parameter Plans will provide appropriate measures to minimise the effects of the village development on the setting of the listed church and related features. The proposed Sensitive Development Area, along with restrictions relating to green corridors, woodland and ecological buffers will ensure that development in the vicinity of the church and listed buildings in this location is sensitive to these constraints. Currently, the church is an isolated feature being physically and visually isolated from the Gilston Park Estate over time by intervening landscape. The development of new homes in the vicinity of the church will enhance the historic significance of the church as a community building once again. In addition, the application proposes the creation of a heritage trail that will connect multiple heritage assets across the site by new and existing PRoW networks and the provision of interpretation boards which would help to increase public appreciation and understanding. These benefits are considered as part of the public benefits within the balance referred to above. The parameters of the outline development seek to minimise harm to the church and associated features through applying the principles set out in the Heritage Impact Assessment that informed the allocation of the site in accordance with Policy GA1 and HA1 of the EHDP and Policy H1 of the GANP

Channock's Farm House

13.9.86 Channock's Farm House, Barn and attached farm buildings at Channock's Farm, and Stable Cottage at Channock's Farm are all Grade II listed buildings. The group also includes the undesignated Channock's Cottages and is a fine example of the 19th century E-shaped model farmstead typical of the Gilston estate under John Hodgson. The present setting of the group is rural and open and this setting contributes to the significance as a Victorian farm complex with some local architectural and historic interest as a result.

13.9.87 These assets are outside the red line boundary of the application area but being located in the green corridor between proposed Villages 2 and 3, the group will be surrounded by village development to the north and south. While the assets themselves will remain unchanged there will be a significant urbanisation of the setting of this group. By removing the historic relationship the buildings have with the farmland around them this will result in a less than substantial harm (at the upper end).

13.9.88 This harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits

of the proposal. Officers consider that the less than substantial harm is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

13.9.89 The Parameter Plan (at Figure 29 above) indicates that there will be a village corridor buffer provided around the farm which could provide an element of screening between the farm and new development around it. However, such an intervention would in heritage terms still have an adverse effect because the setting that contributes to the significance of the assets is its rural open setting and further landscaping would serve to enclose the group of assets. However, it is considered appropriate to also give weight to protecting the amenity of residents of the farm complex and the benefits derived from the proposed landscaping are considered as part of the public benefits within the balance referred to above.

Keeper's Cottage

13.9.90 Keeper's Cottage located on the western edge of Home Wood is a Grade II listed building listed for its special architectural or historic interest, being a deliberately picturesque Gothic estate house, one of the earliest built for the Gilston Park Estate. The Cottage currently has an isolated setting surrounded by Home Wood on three sides, with open views to the west. The woodland setting contributes to the significance of the building due to its connections with the wider Gilston estate parkland.

13.9.91 The application proposes to locate the Village Developable Area of Village 5 to the west of Home Wood and therefore there is the potential that the current open views to the west of the Cottage will be interrupted by built development. It is noted however, that this part of Village 5 is proposed to contain the second secondary school and STC and therefore the magnitude of the effect of Keeper's Cottage will not be fully known until the VMP stage. Nonetheless, there will be a significant urbanising change to the setting of the Cottage, not only from the Village 5 development, but also from increased recreational use of Home Wood itself As such, the Development Specification sets out the outline principles for the recreational use of Home Wood as follows:

- the sensitive management of existing ancient woodland blocks using traditional coppice techniques where appropriate and reduction of invasive tree species, and the planting of new trees where appropriate;
- restoration of hedgerow between Gibson's Shaw to St Mary's Church where this is within Home Wood;
- provision of a new and upgraded framework of paths within the park based on connective desire lines between villages and facilities;

- creation of a woodland destination community play space and associated shelter (for example, which may include a small café, WCs and storage) outside the ancient woodland area and within the more recent plantation woodland (which has been assessed as appropriate to receive a woodland play area); and
- provision of signage and interpretation for Home Wood (to form part of that provided for the wider site if appropriate).

13.9.92 While some of these measures will mitigate some impacts arising from changes to the setting of the Cottage, nonetheless, these effects have been assessed as moderate adverse with a less than substantial harm to the significance of the asset (at the upper end) as defined in the NPPF 2021.

13.9.93 This harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Officers consider that the less than substantial harm is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

13.9.94 The SLMP will be required to demonstrate that the location, nature and design of paths and any woodland destination community play space are laid out and provided to avoid harm to the significance of the cottage. The provision of signage and interpretation has the potential to enhance the understanding of the significance of the cottage, and the wider relationship of Home Wood with the former Gilston estate which will have minor beneficial effects that are considered as part of the public benefits within the balance above.

High Trees Cottage

13.9.95 High Trees Cottage is a Grade II listed small thatched cottage to the north of the proposed Village 4 of 17th century or early 18th century origin. Its present setting is open and rural in isolated countryside near the electricity pylon lines. The open and rural setting makes a positive contribution to the significance of the listed building.

13.9.96 The proposals will result in less than substantial harm to its significance (at the lower end) by virtue of developing on the open farmland to the south that forms a part of its setting. However, the land immediately surrounding it and the land to the north are to remain open and undeveloped.

13.9.97 This harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Officers consider that the less than substantial harm is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston

Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

13.9.98 Officers consider that the proposed design approach to soft edges, particularly in relation to the pylon easement in this location, along with buffers around woodlands will reduce the physical impact of the village development in proximity to the listed building. There are therefore opportunities to minimise effects through the VMP process.

Farmhouse at Actons Farm

13.9.99 The Farmhouse at Actons Farm, located on the northern fringe of Village 4 beyond the red line boundary, is a Grade II listed building of 16th century origin, which has undergone significant alterations, but remains a picturesque farmhouse forming a group with farm buildings to the north-west. The building is enclosed by vegetation on all sides and its isolated setting makes a positive contribution to the significance of the farmhouse. The proposals will result in less than substantial harm to its significance (at the lower end) by virtue of developing on the open farmland to the south of the farm, changing the nature of the setting from being wholly rural to being on the outskirts of a large settlement. However, the land the north is outside the application area and is to remain open and undeveloped.

13.9.100 This harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Officers consider that the less than substantial harm is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

13.9.101 Officers consider that the proposed design approach to soft edges, and buffers to hedgerows will reduce the physical impact of the village development in proximity to the listed building. There are therefore opportunities to minimise effects through the VMP process.

Grannary at Great Pennys Farm

13.9.102 The Grannary at Great Pennys Farm located on the northern fringe of Village 4 beyond the red line boundary, is a Grade II listed timber-framed building of 18th century origin. The building is now part of a domestic rather than farmstead setting enclosed by vegetation on its western boundary. Its setting makes a neutral contribution to the significance of the listed building. The proposals will result in less than substantial harm to its significance (at the lower end) by virtue of developing on the open farmland to the south of the farm, changing the nature of the setting from being wholly rural to being on the outskirts of a large settlement.

However, the land the north is outside the application area and is to remain open and undeveloped.

13.9.103 This harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Officers consider that the less than substantial harm is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

13.9.104 Officers consider that the proposed design approach to soft edges, and buffers to hedgerows will reduce the physical impact of the village development in proximity to the listed building. There are therefore opportunities to minimise effects through the VMP process.

Eastwick Village,

13.9.105 Eastwick village is outside the redline boundary of the application area but it will become surrounded by development (to the north) by the proposed Village Developable Area, namely Village 6 and Village 5. The village, much of which was built by the Gilston estate in the second half of the 19th century clusters around a crossroads and forms an attractive ensemble of buildings, six of which are Grade II listed plus the Grade II* St Botolph's Church, associated tombs and Eastwick Manor which are slightly detached from the village.

13.9.106 The setting of the village is currently generally rural, although the A414 to the south has an urbanising presence. The setting makes a positive contribution to the significance of the assets. The overall heritage value of the village group is medium, but the overall significance of the village with the church is high.

13.9.107 The emerging draft Eastwick Conservation Area Appraisal, which has the potential to result in the designation of an Eastwick Conservation Area, is due to go out to public consultation in the near future. In relation to the draft Eastwick Conservation Area, regard should be given to the draft document and its assessment of the character and appearance of the area proposed for designation, and the potential for the village development proposals to impact on its setting. The only part of the application site covered by the draft Conservation Area boundary is along Eastwick Hall Lane, both to the north and south of the village centre. Villages 5 and 6 are in closest proximity to the draft Eastwick Conservation Area, but there are green buffers on the Parameter Plans to avoid the developments merging with the existing settlement. Appendix 6 of the Village Addendum Document addresses the relationship between the proposed development and the existing settlements within the surrounding local context. The proposals will impact on the significance of the draft Eastwick conservation area itself and the listed buildings within it by virtue of

building on the surrounding farmland that form their rural setting, which will result in less than substantial harm, albeit at the upper end.

13.9.108 This harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Special regard should also be given to the desirability of preserving buildings or settings or features of special architectural or historic interest in the emerging conservation area. Officers consider that the less than substantial harm is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

13.9.109 The proposed Parameter Plans have been designed to leave a considerable distance around the village undeveloped, either by virtue of the red line boundary or through the strategic green corridor network between the villages. Opportunities will also be created to connect the village through active and sustainable routes to provide a direct benefit to existing residents. This will also assist in the creation of a heritage trail across the wider scheme in increase appreciation and understanding of heritage assets in the village and beyond.

Old Rectory and Former School, Gilston

13.9.110 Located on Gilston Lane, just east of the lake at Gilston park, this group comprises former Gilston estate buildings that are now private houses, including the Grade II High Gilston (the former school) and the Grade II Old Rectory. Both are in the Tudor Gothic style typical of Gilston estate buildings, but are more elaborate than most of the cottages and farmhouses. Both have architectural, aesthetic and historical interest as good examples of the Gilston estate Gothic style. The narrow lane adds to the sense of a rural setting, which makes a positive contribution to this group of assets, which has a medium heritage value.

13.9.111 Gilston Lane will remain unaltered, serving as an access to the properties in the Gilston park estate which is located outside the red line boundary of the application area. However, the Village Developable Area of Village 2 is proposed to lie just east of the two listed buildings, beyond the verdant curtilage of the Old Rectory on land that is currently an open agricultural field. The proposal will have an adverse effect on the rural setting of the Old Rectory in particular, resulting in a less than substantial harm to the significance of the listed building (at the upper end).

13.9.112 This harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Officers consider that the less than substantial harm is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston

Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

13.9.113 Some of the effects may be mitigated through the sift edge principle of design for the nearest part of Village 2 and through landscape treatments linked to the STC route.

Gilston Village

13.9.114 This group comprises eight Grade II listed buildings in Gilston Village, formerly (and still colloquially) known as Pye Corner, which was once a hamlet on the edge of Gilston parish. Also included is the undesignated War Memorial. In the mid 19th century under the John Hodgson tenure the once small hamlet was enlarged and consolidated with new buildings to replace those demolished elsewhere in the Gilston estate. The listed buildings form an attractive group, and individually the listed buildings have architectural and aesthetic significance as well preserved examples of the timber framed vernacular buildings of the 17th and 18th centuries and as Victorian estate cottages that are part of a larger group. They collectively derive historic interest as a historic hamlet. However, the setting of the group has been significantly diminished over time by the high volume of traffic on Eastwick Road that passes through the village resulting in urban features such as crash barriers and raised kerbs.

13.9.115 The village is outside the redline boundary, but will be surrounded on the western side by the Village 1 Developable Area and to the north-east by the Village 2 Developable Area. The approved ESC route will serve as a bypass to the village thereby removing the significant volumes of traffic that pass through the village and allowing public realm improvements to be delivered in the village to the benefit of the group as a whole. The impacts and benefits associated with the ESC were considered in greater detail in the ESC report to which members are directed.

13.9.116 In terms of the Village development application, Village 1 will be located to the west of Pye Corner and the Parameter Plans indicate a large area of land west of Fiddlers' Brook as part of the village buffer, which is designed to ensure that the setting of the village and the more recent Terlings Park to the south are retained. The application proposes significant tree planting in this location. While the buffers will provide some protection to the setting of the heritage assets, nonetheless, Pye Corner will change from being a rural village outside the urban area of Harlow, to being surrounded by urban development, even if the development is not necessarily seen from the assets in Pye Corner. There may therefore be some limited less than substantial harm to the significance of the assets (at the lower end).

13.9.117 This harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Officers consider that the less than substantial harm is outweighed

by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

13.9.118 Officers consider that some mitigation will be provided through the proposed bypass enabling a significant reduction in the volume of traffic and the delivery of public realm improvements which will have a beneficial effect that is considered as part of the public benefits within the balance above.

Heritage assets outside the red line boundary within vicinity of the site

13.9.119 The ES assessed multiple heritage assets located beyond the redline boundary of the application area, and concluded that in the majority of cases the impact of the development on those assets were limited. However, being mindful of the cumulative effects, heritage assets in the vicinity of the site have been considered in brief below.

13.9.120 **Hunsdon Brook Fishponds** are a scheduled monument to the west of the site. They abut the wider GA1 Gilston Area, namely Village 7, which does not form part of this application. The proposals for Garden Villages 1-6 are considered to have a neutral impact on the setting of the Hunsdon Brook Fishponds or on the significance of the monument.

13.9.121 **Brickhouse Farmhouse** and the Barn at Brickhouse Farm with attached stable and cattle-shed are Grade II listed buildings. These are situated in the middle of the site proposed for Village 7, which is being dealt with by a separate application. The further impact of the proposals as a result of the Villages 1-6 application is considered to be negligible.

13.9.122 **Hunsdon House** and the neighbouring **Church of St Dunstan** are both Grade I listed buildings. The Villages 1-6 redline boundary application area follows part of the edge of Hunsdon House's boundary to the north and north-west of the house. However, the Village Developable Area as set out on the Parameter Plans is located approximately 1km to the south-east of the house, beyond the buffer around the power lines. Looking east from the house, the Village Developable Area of Village 5 is around 1.25km away.

13.9.123 The Zone of Theoretical Visibility survey suggests there may be some limited visibility of the Village development from places within the grounds of Hunsdon House, but these are likely to be distant views and limited in many places, largely blocked by the vegetation surrounding both the House and the church. While the immediate setting of Hunsdon House will remain unchanged, it is acknowledged that the Gilston Area development as a whole (Villages 1-7) will result in a change to the wider setting of

these assets, resulting in only minor adverse changes to its setting and significance which is outweighed by public benefits.

13.9.124 **Briggens House** is a Grade II listed building situated within a Grade II registered park and garden 1km from the site boundary. Long distance views are likely to be possible looking north and north-east from the registered park. This change to the wider setting of the park and the buildings through this change to views may cause some limited harm to the significance of these assets, assessed as minor adverse. However, it is considered that the minimal impact on the wider setting and significance of Briggens House and park and garden is outweighed by public benefits has been established as acceptable by the GA1 site allocation policy.

13.9.125 Within the Harlow District Council boundary there is the **Harlow Roman Temple**, which is designated as a scheduled monument. Whilst the proposed Eastern Crossing would cross the River Stort and link to Harlow to the west of the Harlow Roman temple, it is not considered that the proposals would result in any harm to the Harlow Roman temple due to a lack of direct visual impact due to the current setting of the scheduled monument which consists of a railway line and various light industrial units along River Way. This was considered in further detail in the ESC report to which members are directed.

13.9.126 Also within the Harlow District Council boundary there is the **Little Parndon moated site** and the **Site of Parndon Hall**, both of which are designated as scheduled monuments. The Central Stort Crossing will pass to the east of these two designated heritage assets. When compared to the existing crossing, the proposed Central Stort Crossing will be larger and more noticeable in the landscape, and thus this will result in an impact on the setting of the scheduled monuments, especially the Little Parndon moated site. However, the relative impact of the proposed crossing when compared to the existing crossing is considered to be of a low level, and any less than substantial harm is considered to be outweighed by the public benefits of the proposals. This was considered further in the CSC report to which members are directed.

13.9.127 There are various Conservation Areas within the wider surroundings of the site include the **Hunsdon Conservation Area** to the north-west, the **High Wych Conservation Area** to the east, and various Conservation Areas within the Harlow District Council boundary to the south, including **Harlow Mill and Old Road North, Mark Hall North**, and **Town Park / Netteswell Cross**. In addition, **Harlow Town Park** is a Grade II registered park and garden. The wider setting of **Hunsdon** and **High Wych** Conservation Areas will be impacted by the development, but this impact is not considered to harm any key attributes of the character and appearance of these conservation areas. The Harlow Mill and Old Road North and Mark Hall North conservation areas within Harlow are situated across the Stort Valley, and are all immediately within the urban context of Harlow, and are not considered to be

impacted by the proposals. The Town Park conservation area and registered park and garden will be close to the end of the Central Crossing, and views across the Stort Valley will change as the Garden Villages will appear in the wider landscape, but the impact on these heritage assets will be fairly limited by the distances involved. It is considered that the harm is considered to be outweighed by the wider public benefits of the application.

13.9.128 Where less than substantial harm to the significance of designated heritage assets have been identified, this harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Special regard should be given to the desirability of preserving buildings or settings or features of special architectural or historic interest which an asset possesses[15]. Officers have considered the likely effects of the development on the designated and undesignated heritage assets within the site (within and without the redline boundary) and those beyond the site, identifying that less than substantial harm will occur to these assets.

13.9.129 Officers consider that all opportunities have been taken to avoid direct harm to heritage assets in line with the duties set out in S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. As shown on Parameter Plan 2, the development proposes buffers around each Scheduled Monument within which no development will take place. The plan also identifies large areas of land around each heritage asset in the form of Sensitive Development Areas, within which strict limitations on building heights, density and built form will apply. Appendix 5 of the Development Specification sets out these criteria in detail containing specific approaches for each key heritage asset affected by the proposed development. The Development Specification also contains a plan showing the key views from and towards heritage assets which will inform the masterplanning process. With the detailed criteria prescribed in the Development Specification it is considered that appropriate measures will be taken to avoid where possible and to minimise harm to heritage assets through a range of mitigation proposals that include specific measures identified in the Heritage Impact Assessment that informed the allocation of the site.

13.9.130 Officers therefore consider that in each case and overall the less than substantial harm to heritage assets is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033. Officers further consider that suitable safeguards are in place at this outline stage for the protection and enhancement of these assets at the Strategic Landscaping Masterplan, Village Masterplan and Reserved Matter stages, to ensure that the proposal is in accordance with Policy GA1 (The Gilston area), HA1

[15] S.66 of The Planning (Listed Buildings and Conservation Areas) Act 1990

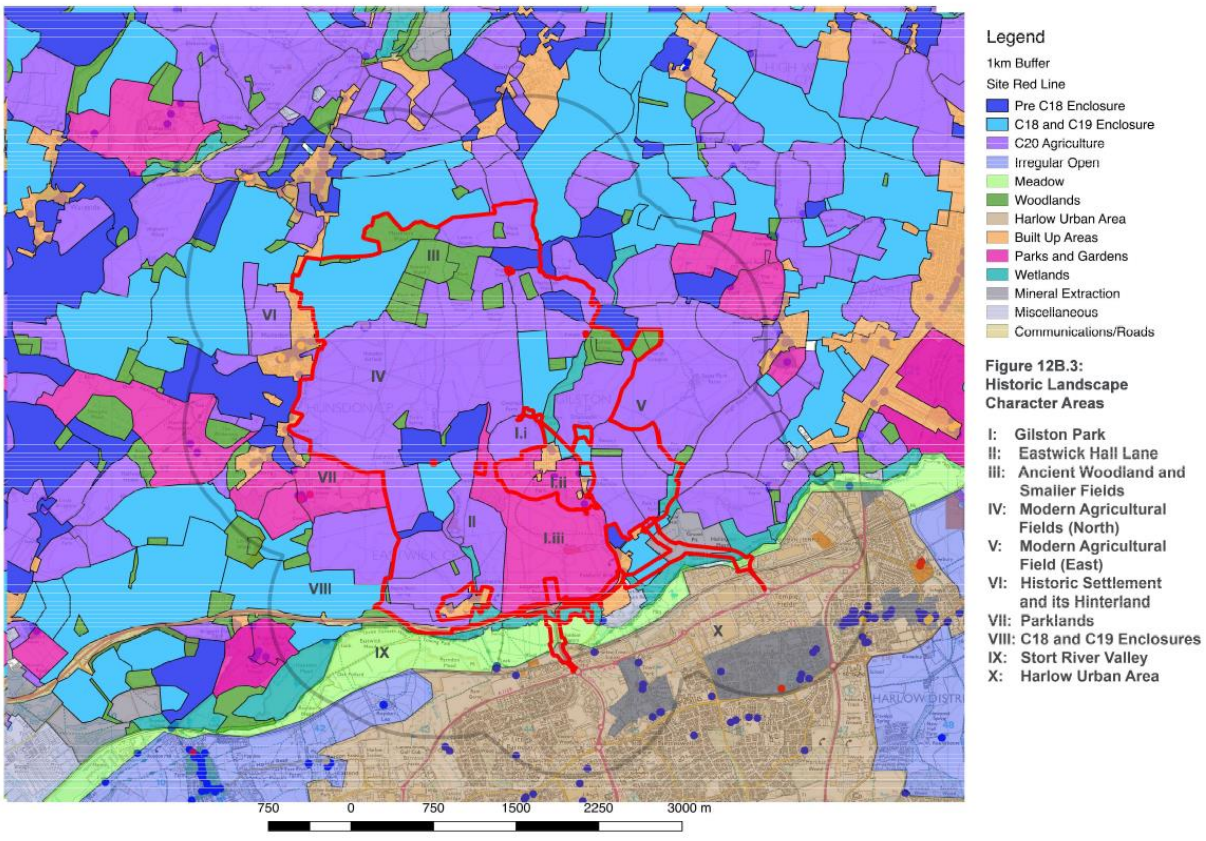
(Designated Heritage Assets), HA2 (Non-Designated Heritage Assets), HA4 (Conservation Areas) and HA7 (Listed Buildings) of the EHDP and Policy H1 (Celebrating Existing Heritage Assets) of the GANP.

Effects on Historic Landscapes

13.9.131 The ES Chapter 12B the and Landscape and Visual Impact Assessment (LVIA) takes into account the impact of the development on the landscape and key views to and from heritage assets, and considers the visual impact on those visiting heritage assets where views of the surrounding landscape are important contributor to the experience. During construction there will likely be disruption to views and to the setting of heritage assets, but these impacts are temporary in nature and will vary over time as phases of the development are completed. The LVIA identifies that there will be some permanent adverse effects to the setting of some heritage assets and historic landscapes through urbanisation, increased noise, traffic, movement, and light.

13.9.132 There are several historic landscapes across the site which are made up of a collection of heritage assets (designated and non-designated) and their settings, which together have a historic interest. There will be a gradual erosion of the historic landscape over the timeframe of the development that will permanently change the character of these landscapes. Figure 31 below taken from Figure 12B3 of the ES illustrates the location of the historic landscape character areas.

Figure 31: Historic Landscape Character Areas



13.9.133 Area I: Gilston Park – This landscape comprises Gilston Park House and its former parkland including the ancient woodland at Home Wood and Gibson's Shaw, agricultural land, the Mount Moated Site and park pale ditch and the southern part of the Park containing Lime Avenue. Land immediately around the Grade II* house and its formal gardens are outside the application area, albeit surrounded by it. It has 'High' heritage value but with no direct construction impacts the effect will be 'Neutral' and the significance of the effect will be permanent 'No Impact'. The central part of the park containing Home Wood, the Mount and the ditch has 'Medium' heritage value.

13.9.134 The park is largely to be retained as open land for recreation as the Gilston Park Community Park, but there is a small section identified on the Parameter Plans just north of the ditch as developable area covered by a Sensitive Development Area (SDA) designation. The Development Specification for the SDA includes preserving the setting of the Mount Scheduled Monument on both sides of the ditch; using less dense forms of development near the Mount; and creating soft edges to any development near the Mount. Notwithstanding this, there is likely to be a 'Medium Adverse' effect on the historic character of the landscape following proposed mitigation measures, the significance of this will be permanent 'Moderate Adverse'. The southern part of the landscape containing Lime Avenue and South Lodge has 'Low' heritage landscape value. While the proposal includes the restoration of Lime Avenue through new tree planting and landscaping, the avenue will be almost entirely integrated into the new urban environment of Village 1. This will cause the almost complete loss of the historic landscape character of the avenue and its former association with the Gilston Park House (a 'High Adverse' magnitude), however, it is proposed that the Lime Avenue is retained as an important piece of green infrastructure allowing the north-south route from the south of the village towards the Gilston Park Community Park to be retained in use as a pedestrian and cycle route. Therefore, the significance of this effect will be permanent 'Minor Adverse'

13.9.135 Area II: Eastwick Hall Lane comprises a discrete character area with a 'High' landscape heritage value. The area contains the two Eastwick Moated Sites, which is located between the proposed Village 1 and Village 6 and south of Village 5; extending northwards to land west of Home Wood. This area does not include the Eastwick Village itself. The development impact here will be 'High-Medium Adverse' depending upon the final form of development, and while the lane will remain, its rural character will change as a result of the urban development in proximity of the area, notwithstanding mitigation proposed to minimise impacts through soft edges and reinforced landscape buffers to villages. The ES considers there likely to be a 'Medium Adverse' magnitude of impact on the historic landscape value of this area, the significance of which will be 'Moderate Adverse'.

13.9.136 Area III comprises a band of ancient woodland blocks and smaller fields interspersed among late nineteenth century agricultural fields. Extending north and north east of

the site the landscape heritage value of the area is 'Medium'. A small part of this site will be developed through Village 4 and as such the magnitude of impact from built development in this limited area is 'High Adverse' and 'Very Low Adverse' where agricultural practices evolve into suburban park forms through the creation of Eastwick Woods Park 'country park'. But as there will be no change to the rest of the area, the overall impact on this historic landscape character will be 'Low Adverse' and the significance of this effect will be permanent 'Minor Adverse'.

13.9.137 Area IV Modern Agricultural Fields (North) comprises large later nineteenth century and twentieth century agricultural fields in the western part of the site, including Hunsdon Airfield. The landscape heritage value of this area is 'Low'. Village 4 will be located in the eastern part of the area east of the power lines, with the rest of the area remaining as green infrastructure including the proposed Hunsdon Airfield Park. Therefore, there will be some changes to the landscape from farmland to a more structured country park. Where there is village development the impact on the landscape is 'High Adverse', but the impact on the retained open area will be 'Low Beneficial' as the form of the airfield is revealed and interpreted through a landscape strategy. Overall, there is likely to be a 'Low Adverse magnitude of impact, the significance of this will be permanent Negligible Adverse.

13.9.138 Area V Modern Agricultural Fields (East) comprises large later nineteenth century and twentieth century agricultural fields in the eastern part of the site extending eastwards. The landscape heritage value of this area is 'Low'. The western part of this area will contain the eastern part of proposed Village 2, where the development will have a 'High Adverse' impact, but the rest of the area is outside the application area so the effect will be neutral. Overall the impact will be 'Low Adverse', the significance of the effect will be permanent 'Negligible Adverse'.

13.9.139 Area IX Stort Valley comprises the River Stort and Navigation and its immediate floodplain. Effects on the historic landscape of the valley was considered in the two Crossings reports, to which members are directed.

13.9.140 The Heritage Impact assessment considered through the Plan-making process, which informed the GA1 site allocation assessed the likely effects of the allocation on the historic landscape. The Plan acknowledges that there will be some harm to the wider landscape character as a result of the development. However, Officers consider that appropriate measures have been taken in the proposed development through the parameters that control the form and location of the Village Developable Areas, and through Development Specification principles that will inform future stages of masterplanning and Reserved Matters Applications. This is in accordance with Policy GA1 (The Gilston area), HA1 (Designated Heritage Assets), HA2 (Non-Designated Heritage Assets), HA4 (Conservation Areas) and HA7 (Listed Buildings) of the EHDP and Policy H1 (Celebrating Existing Heritage Assets).

Archaeological Assets

13.9.141 There is a long history of historic settlement within the Stort Valley and its environs. However, many years of agricultural activity has removed the majority of deposits below the topsoil. But, as there has been very little industrial activity across the site, with the exception of the Hunsdon Airfield in the north west of the site, there is the potential for archaeological remains to be found across the site, particularly on raised crests of land in the southern part of the site in close proximity to existing settlements. An initial archaeological assessment has been carried out on the site which accompanies the Environmental Statement. This assessment is sufficient for the purposes of the EIA and determining this outline application, but further comprehensive investigations will be required at subsequent stages of the planning process. For example, for the ES, only part of the site area has been supported by limited trial trench evaluation.

13.9.142 Taking a precautionary approach, the assessment does indicate that there is the potential for evidence to be found relating to late prehistoric, Bronze Age, Late Iron Age and Roman settlement, particularly in the north east of the site and indicates that the majority of areas of high archaeological sensitivity are located within areas identified as green infrastructure such as in the Eastwick Valley, which largely means that they will remain undisturbed by development. However, where the green infrastructure will be used for sports pitches there will need to be a certain amount of ground works to provide suitable drainage and a level site, and this will therefore require further investigation prior to any works. Three settlements of probably Saxon or Early Norman date lie within or adjacent to the site at Gilston, Eastwick and Hunsdon, with settlement focussed around the three churches of St Mary's, St Dunstan's in Hunsdon and St Botolph's in Eastwick. In addition, the moated sites at Eastwick and Gilston also have archaeological value.

13.9.143 The Hertfordshire County Council archaeologists recommend that a consistent approach to archaeological evaluation is needed for each Village Developable Area and green infrastructure where sports facilities are proposed. To enable an informed decision to be made about whether any found remains represent a constraint to development that needs to be taken into account during the masterplanning of a village, a systematic programme of assessment is needed prior to any commencement of development.

13.9.144 Where the initial assessments submitted with the application show there is a low sensitivity or likelihood of archaeological remains this investigation may be carried out at the same time as construction groundworks. Officers recommend a series of conditions to ensure appropriate assessments are conducted, that appropriate mitigation measures are adopted where necessary as indicated by the evaluations, that preservation of remains in situ are taken into account when designing the development, and that a full programme of monitoring, reporting, archiving and

publication of the results of evaluations and on-site evaluations are agreed with the Council.

13.9.145 The ES identifies the potential adverse effect of the development on archaeological remains, in terms of both retaining archaeological assets in situ and due to their removal and recording, but the full impact of this on the significance of the asset will not be known until necessary investigations are conducted (required by condition). Taking the precautionary approach, the ES considers that these effects would have a slight to moderate adverse effect at worst (pre-mitigation) with the exception of area 77 which has the potential for Iron Age Settlement remains, where un-mitigated effects would have a moderate to large adverse effect. This site is located north of the ESC site and would be unaffected by the outline application. Likewise, Area 55, located within the Village 6 Developable Area has the potential for late Bronze Age settlement and would have a moderate to large adverse effect if unmitigated.

13.9.146 The ES contains a Historic Environment Report that identifies the sensitive archaeological receptors across the site and provides guidance on how the design, construction and operational phases of the development can avoid or minimise harm to those receptors. Physical harm to above ground assets will be avoided through the management of site investigations, and the implementation of an agreed Code of Construction Practice and Construction Traffic and Environment Management Plans (controlled by condition). This will include measures to avoid accidental damage through construction activities.

13.9.147 As agreed with the County Council a programme of archaeological excavation and recording (preservation by record) will be carried out prior to the commencement of and during development construction activities (including enabling works), undertaken in a phased approach as village masterplans come forward. The first phase of investigation will be through non-intrusive measures such as topographic and geophysical surveys which will take place before the village masterplan stage. Following this, intrusive works such as test-pits, geoarchaeological boreholes and trial trenches will be used in accordance with strategies agreed with the County Council. Subject to the results of evaluations a mitigation strategy will be developed, which will include preservation in situ, open area excavation and a watching brief as necessary. It is acknowledged that if evaluations reveal finds of demonstrable national importance, the design of the scheme may require revision to accommodate its preservation.

13.9.148 In respect of cumulative effects, other schemes will have direct effects on archaeology within their sites; however, it is very unlikely that other schemes would have a direct cumulative effect on archaeological remains in combination with the proposed scheme. In terms of the Village 7 site, there do not appear to be areas of archaeological significance which straddle the boundary of the site.

13.9.149 Officers consider that the comprehensive detailed conditions proposed by the County Council will ensure sufficient assessment is undertaken and that the necessary appropriate measures are taken to mitigate any harm arising to archaeological assets in due course in accordance with Policy GA1 (The Gilston area) and HA3 (Archaeology) of the EHDP and Policy H1 (Celebrating Existing Heritage Assets).

Proposed Heritage Mitigation

13.9.150 At this stage only the impact of development Parameter Plans and Development Specification has been assessed. At this outline stage, this represents the worst-case scenario in ES terms and is therefore appropriate. The parameters have been refined to take account of heritage assets, including narrowing limits of deviation for the proposed STC corridor, removing land from the developable area and increasing sensitive development areas. The ES considers the proposed measures contained in the Development Specification to avoid and minimise harm as well as measures to preserve key features of assets such as their setting. The heritage design principles committed to within the Development Specification, along with the extensive Sensitive Development Areas defined on the Parameter Plans are considered to provide a robust approach to ensuring that masterplans and Reserved Matters Applications take full account of the significance and setting of heritage assets, that key views are retained and that impacts from noise, lighting, activity and built form are minimised such that harm to the significance of heritage assets remain less than substantial.

13.9.151 The Development Specification includes the following heritage design principles to conserve the setting of heritage assets around the village development site:

- Control heights as appropriate to avoid new buildings being over prominent from heritage assets;
- Implement the corridors defined on the Parameter Plans between new development and key heritage assets;
- Strengthen existing tree bands and hedges as appropriate to help screen development, especially in ways which are characteristic of the locality;
- Develop detailed plans for the development having regard to careful sightline analysis to ensure appropriate intervisibility with heritage assets;
- Minimise potential impacts on the assets' setting from lighting, activity and noise;
- Minimise impacts from infrastructure such as road signage and lighting;
- During detailed design give consideration to views to and from heritage assets;
- Use key views to ensure that new buildings do not severely impact on the setting of the key heritage assets; and
- Identify buried archaeology as appropriate and minimise harm to buried assets through layout and design.
- The Big Black Barn at Hunsdon Lodge Farm (Grade II* listed), the barn at Hunsdon Lodge Farm (attached to south end of the Big Black Barn) (Grade II listed) and the Essex barn at Hunsdon Lodge Farm (3 metres north east of the

Big Black Barn) (Grade II listed) are within the Village Development site. These properties may be restored and maintained. More detailed proposals of potential future use will be developed at the Landscape Masterplan stage, and any applications for listed building consent and planning permission will be made thereafter as required.

Cumulative Heritage Considerations

13.9.152 The ES has considered the cumulative effect of development, including the adjacent Village 7 proposal. The ES notes that the when considered together indirect cumulative impacts from the Gilston Area as whole on the significance of heritage assets are likely to occur on those assets in close proximity or within the two sites. The Zones of Theoretical Visibility studies included in the Landscape and Visual Impact Assessment suggests that visual impacts from the Villages 1-6 development on assets further away to the west of the site are not likely to be significant and therefore there are not likely to be significant cumulative effects within the Village 7 development. The distance of Village 7 from key heritage assets within the Village 1-6 development means the significance of the cumulative effect will be permanent minor adverse. Likewise, where effects occur on heritage assets within or due to the Village 7 development, these effects are not worsened by virtue of the Villages 1-6 development. It is acknowledged however that there will be a permanent change to the overall historic environment of the area through the development of the two sites. The ES also considered the cumulative effect from wider development on relevant heritage assets in the study area as well as the cumulative effect from the development (plus Village 7) on heritage assets within Harlow and concluded that there will be no significant cumulative effects on heritage assets given the intervening distance of baseline setting condition of heritage assets.

Alternative Approaches to Development

13.9.153 One representation received, made on behalf of the owners of Hunsdon House, has suggested that there is an alternative form of development that would enable the delivery of 10,000 homes as required by the GA1 allocation but using a more compact form of development, and therefore having less of an impact on heritage assets, than the proposed scheme.

13.9.154 The representation includes a presentation stating why the current application is said to fail to protect heritage assets and to achieve the modal shift to sustainable travel, and why the alternative vision presented is said to be preferable. The representation also contains a heritage statement which suggests that the application has high levels of harm while the alternative is said to cause substantially less harm.

13.9.155 The representation refers to the Forge Field and Bramshill decisions in support of their position that the Council is required to consider the alternative scheme. However, it is the Council's view that the Forge Field and Bramshill (2019 High Court

and 2021 Court of Appeal) decisions do not preclude a decision maker from coming to the conclusion that the benefits of a scheme outweigh any harm, including heritage harm, without carrying out a specific assessment on the potential alternatives, provided they undertake the balancing process set out in the NPPF (paragraphs 199-203). Nevertheless, the Council has considered the information provided on the alternative proposal.

13.9.156 The context for the current application proposal is the site allocation for the development of 10,000 homes plus associated development and infrastructure contained in the adopted Development Plan. The Gilston Area Concept Framework, adopted by the Council for development management purposes in 2018, provides clear guidance on the appropriate location for development across seven villages. The Concept Framework is tied into Policy GA1, where it is required to act as a benchmark in the determination of planning applications.

13.9.157 As part of the preparation and examination of the District Plan, heritage impacts were considered as part of the Heritage Impact Assessment produced by Montagu Evans in 2018. The Heritage Impact Assessment concluded that the Gilston Area allocation would result in some impact on heritage assets including Hunsdon House, but that the scale of harm would not be substantial. Policy GA1 was amended as part of the main modifications stage of plan-making to include reference to the Heritage Impact Assessment. Accordingly, the Heritage Impact Assessment has informed the development of proposals in the planning application under consideration.

13.9.158 In terms of the alternative proposal put forward by the owners of Hunsdon House, the presentation includes diagrams which suggest that the 10,000 homes can be delivered on around half the land area (53% less footprint), mainly focused on land off the A414 and Eastwick Road. However, no detailed information has been provided to substantiate the proposal.

13.9.159 For the scheme to still deliver the same number of homes, as well as provide the associated infrastructure and other non-residential land uses, it is assumed that the density of the development would have to increase significantly, including a greater number of taller buildings. Details of the proposed development form are not provided.

13.9.160 When offered the opportunity to meet with officers to discuss their proposal, the offer was not taken up. Officers do not, therefore, have the necessary technical or delivery information to be satisfied it is a realistic and deliverable option. Officers are not satisfied that the alternative scheme is directly comparable with the application scheme. For example, there is insufficient detail to understand if the alternative could deliver all the non-residential uses for example local centres, education, sports hubs, and community sports facilities, etc.

13.9.161 Furthermore, due to the limited nature of the information provided, it is not possible to gain views from consultees that might assist in giving the Council confidence that the alternative scheme would deliver the same public benefits as the current scheme, whilst still remaining viable.

13.9.162 In terms of heritage impact, it has not been demonstrated that the alternative scheme would actually result in an overall reduction in heritage harm. The level of harm to the significance of various heritage assets within and around the site would change when compared with the current scheme, but it has not been demonstrated that this would be an improvement over the current scheme overall, as there will be different levels of harm to different assets, and we do not know the wider implications of the layout of the alternative scheme.

13.9.163 Indeed, Officers consider that the alternative scheme is likely to result in a greater level of heritage harm overall. Whilst there may be some limited benefit to specific heritage assets, for example St Mary's Church, elsewhere the alternative scheme includes development very close to the two Eastwick Moated Sites (Scheduled Monuments). If additional building height is also required in Village 1 (which appears likely) this is likely to impact further and adversely on the setting and significance of the Gilston Park and the Grade II* listed Gilston Park House.

13.9.164 In summary, for the reasons explained above, although the alternative scheme may result in some changes to the impact on individual heritage assets (which is not substantiated or evidenced), it is likely to result in increased heritage harm overall. Furthermore, the alternative scheme is inconsistent with site allocation Policy GA1, and specifically the Concept Framework.

Heritage conclusion

13.9.165 The proposal will not lead to substantial harm to (or total loss of significance of) a designated heritage asset, therefore Paragraph 201 is not invoked. Paragraph 202 of the NPPF requires that "*where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use*." Paragraph 203 states that "*the effect of a development on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated assets a balanced judgement will be required having regard to the scale of any harm or loss.*"

13.9.166 The Heritage Impact assessment considered through the Plan-making process, which informed the GA1 site allocation assessed the likely effects of the allocation on the historic landscape, on designated and undesignated historic assets. The Plan acknowledges that there will be some harm to the wider landscape character and to

the setting of heritage assets as a result of the development leading to a less than substantial harm to the significance of heritage assets. The assessment in this report confirms that less than substantial harm will occur to heritage assets; in some locations this will be at the upper end of less than substantial. This harm should be given substantial weight and importance and, in accordance with the approach set out in the NPPF, should be weighed against the public benefits of the proposal. Special regard should be given to the desirability of preserving buildings or settings or features of special architectural or historic interest which an asset possesses[16].

13.9.167 Officers consider that the less than substantial harm to individual assets and overall is outweighed by the proposed benefits that will arise from this application which is submitted in response to a District Plan allocation for the delivery of 10,000 homes in the Gilston Area, with the allocation being essential to meeting the housing and development need of the district within and beyond the plan period to 2033.

13.9.168 The application proposes the delivery of 8,500 homes including affordable homes and other forms of accommodation including Gypsies and Travellers and Travelling Showpeople, it proposes up to 8 schools at primary and secondary level including early years, provides a wide range of community facilities and supporting physical infrastructure through the creation of new roads, bridges and utilities, and will enable the ability to make off-site transport improvements for the benefit of the wider community. It is therefore considered that the wider public benefits proposed by the application outweigh the less than substantial harm to the setting and significance of designated and non-designated heritage assets.

13.9.169 Officers consider that suitable safeguards are in place at this outline stage for the protection and enhancement of these assets at the Strategic Landscaping Masterplan, Village Masterplan and Reserved Matter stages, to ensure that the proposal is in accordance with Policy GA1 (The Gilston area), HA1 (Designated Heritage Assets), HA2 (Non-Designated Heritage Assets), HA3 (Archaeology), HA4 (Conservation Areas), HA7 (Listed Buildings) and HA8 (Historic Parks and Gardens) of the EHDP.

13.9.170 Officers also consider that the proposal has positively considered the protection and enhancement where necessary and appropriate of heritage assets in existing settlements of Gilston, Eastwick and Hunsdon, has carried out a comprehensive assessment of the significance and role of historic assets and through the Development Specification and measures proposed in the Heritage Statement sets a clear approach to the protection and enhancement where possible of heritage assets using measures that reflect and go beyond the criteria of considerations set out in the GANP. The masterplanning process is a collaborative endeavour involving the community enabling the consideration of management plans where necessary.

[16] S.66 of The Planning (Listed Buildings and Conservation Areas) Act 1990

13.9.171 The Parameter Plans and Development Specification contain measures to prevent development on the Local Green Spaces set out in Policy AG5 of the GANP and to protect the integrity of existing communities through locating the Village Developable Areas outside the Community Boundaries identified in Figure 12 of the GANP, containing these areas within the strategic green corridors and buffers between villages. While the Development Specification and heritage assessments, including this report have considered the cherished views within the GANP, it will be impossible to deliver the allocation if one takes cherished views to mean that these views must remain free of development. This would contradict the District Plan, and as the GANP is prepared in accordance with the District Plan, this cannot be a correct interpretation of this policy. Instead, the ES assessments have considered key views in the context of the setting and significance of heritage assets and the Development Specification prescribes a number of measures to protect and where possible enhance those key views through the masterplanning process. As above, the masterplanning process is a collaborative exercise and therefore the community will be engaged thus discharging the requirement to consult with the community on locally cherished views. The application is therefore considered to be in accordance with the provisions of Policies AG1 (Promoting Sustainable Development in the Gilston Area) and H1 (Celebrating Existing Heritage Assets) of the GANP.

13.10 Land Contamination and Pollution

13.10.1 Policies WAT2 (Source Protection Zones), EQ1 (Contaminated Land and Land Instability), EQ2 (Noise Pollution), EQ3 (Light Pollution) and EQ4 (Air Quality) of the East Herts District Plan 2018 require developments to prevent and where necessary to mitigate impacts arising from development from contaminated land and land stability issues, noise and light pollution and from air quality related impacts.

13.10.2 Policies AG3 (Protecting and Enhancing the Countryside Setting of New and Existing Villages) and AG8 (Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities) of the Gilston Area Neighbourhood Plan require appropriate measures to be implemented to minimise effects on existing communities, including through noise and severance; to mitigate the impacts of development proposals on the Stort Valley, including noise and light pollution, particularly arising from traffic and transport infrastructure. Policy AG8, Parts 2 and 3 specifically refer to proper management of construction traffic and monitoring to deal with any issues which may arise during construction.

13.10.3 The National Planning Policy for Waste 2014, to be read alongside the NPPF, states that when determining non-waste applications consideration should be given to the likely impact on existing waste management facilities and the waste hierarchy, ensuring that the handling of waste arising from the construction and operation of

development maximises re-use and recovery operations and minimises off-site disposal.

13.10.4 Paragraphs 183 to 188 (section 15) of the NPPF 2021 relate to the consideration of development proposals in the context of ground conditions and pollution. Key principles include ensuring adequate assessments are undertaken to inform proposals to ensure land is suitable for the development and that development mitigates and reduces to a minimum potential adverse impacts arising from noise and light pollution, and that proposals contribute towards compliance with relevant air quality limits and objectives.

13.10.5 Paragraph 174 of the NPPF of the NPPF relate to the consideration of development proposals in the context of conserving and enhancing the natural environment. Relevant to this section is the requirement to recognising the benefits of the best and most versatile agricultural land.

Agriculture and Soils

13.10.6 An assessment of the effects of the development in respect of land, agricultural land quality, soil resources and agricultural holding is included in the ES. National planning policy requires decisions to recognise the economic and other benefits of the best and most versatile agricultural land (BMV). This is defined as land in excellent agricultural quality (Grade 1), very good quality (Grade 2) and good quality (Subgrade 3a) of the Agricultural Land Classification (ALC). Moderate, poor and very poor quality land comprise ALC subgrade 3b, grade 4 and 5 respectively.

13.10.7 The ES assessment indicates that of the 993ha of land included in the Outline application, a total of 469.1ha of agricultural land will be used for the village developable areas. This comprises 380.1ha Grade 2, 67.3ha Subgrade 3a (BMV) and a further 21.7ha of Subgrade 3b ALC. The loss or change of use of this land is considered as a very large to significant adverse effect with regard to the national resource of BMV agricultural land. There is no mitigation for the permanent loss of BMV agricultural land as there would be a permanent change of use as a result of the development. However, the design of the development means that a large proportion of the site lies outside the village developable areas. While a number of agricultural tenancies will be permanently lost through the development, approximately 523ha of land will remain undeveloped comprising BMV agricultural land (Grade 2 and Subgrade 3a) which could remain in agricultural use. It is acknowledged however, that during the construction process the loss of agricultural land and their tenancies will occur gradually as land is converted to community parkland. The application has the broad aim of retaining land in agricultural production for as long as practically possible during construction, and possibly remain in the longer term (in part) as a form of income generating use to assist in the stewardship of the site.

13.10.8 Cumulatively, the ES assessment considers the effect of the adjacent Village 7 scheme and concludes that the additional loss of approximately 82.4ha of BMV agricultural land due to the Village 7 development would result in the same very large to significant adverse effect, notwithstanding the land area for Village 7 being substantially smaller.

13.10.9 The application proposes the retention of the soils within the development area, storing and repurposing it for use across the site, particularly for residential gardens and parklands. In this way, the embodied carbon and the enrichments that have developed through agricultural practices over many years captured within the soil is not lost. In line with industry good practice and to accord with the County Council's minerals and waste development plans a Soil Resource Plan will be submitted, which will be secured by condition. If soil resources are safeguarded and reused on site, the significance of the residual effects on soil (topsoil and subsoil) is assessed in the ES as being slight to not significant.

13.10.10 The ES considers that while BMV agricultural land is a finite resource nationally, within East Herts it is abundant compared to the county, region and England as a whole, reflecting the largely rural nature of the district. The loss of BMV agricultural land was considered as part of the allocation process, where it was considered that the benefits arising from the planned development would outweigh the loss of BMV agricultural land in the context of recognising the economic and other benefits of the development against the economic and other benefits of retaining the land for agricultural purposes. The application is therefore in general accordance with the NPPF when read as a whole and is in accordance with Policy GA1 of the EHDP.

Ground conditions and contamination

13.10.11 Ground conditions and potential contamination risks have been assessed for the village development site. The site does not include or lie within the immediate vicinity of any sites of geology or geomorphology interest. However the reports submitted with the ES identify a number of areas within the site boundary that are potentially impacted by contamination from previous and ongoing uses. These uses include the former RAF Hunsdon Airfield, localised mineral working such as in the vicinity of Eastwick Lodge Farm, local waste storage of some agricultural compounds, and areas of the former quarry and landfill site at Pole Hole, which was considered through the Eastern Stort Crossing application report as it is outside the village development application boundary.

13.10.12 Given the former use of the airfield, the ES considered risks related to unexploded ordinance. A risk assessment recommends that if any intrusive works are proposed in the vicinity of the airfield that ordnance awareness training should be given to staff and geophysical surveys be undertaken in specific areas potentially associated with ordnance storage, use and disposal. The application contains no proposals related to the conversion of agricultural land to the Hunsdon Airfield Community Park that

are likely to disturb the ground such that there would be any risks to sensitive receptors from its previous use. The exception would be if a community building is erected and groundworks are required. At such time, detailed ground condition assessments would be carried out in order to establish foundation requirements and such activity would be managed through standard industry best practice as described in the submitted Code of Construction Practice.

13.10.13 No obvious sources of significant contamination have been identified as likely to arise from the proposed range of land uses on the village development site.

13.10.14 The presence within the site of Source Protection Zone 1 and Secondary A aquifer which convey controlled waters (i.e. water intended for potable water supply) mean that it is particularly important to ensure no contamination pathways are created, either through construction or operation. This is necessary especially where in limited areas of the site London Clay is not present which acts as a barrier between upper Secondary aquifers and the Principal aquifers of the Lambeth Group, Thanet Sand Formation and Chalk beneath. In these locations careful consideration should be taken to the types of foundations used, such as avoiding the use of piling for example. Standard informatives and conditions are recommended to ensure appropriate ground condition assessments are carried out throughout the construction process and appropriate approvals are sought on the necessary mitigation measures to reduce risks of water pollution through construction. The proposed preliminary drainage strategy makes provision for this in the assessments of surface water flow and attenuation volumes necessary to account for the parts of the site where infiltration is not a suitable means of managing surface water.

13.10.15 The entire site, including the two crossings are covered by a Nitrate Vulnerable Zone designation due to the risks associated with agricultural nitrate pollution in proximity of the sites of ecological interest in the Stort Valley downstream of the site. The change from agricultural practices to village development will result in the reduction in farming activities will significantly reduce such risks. Where land uses such as orchards and allotments come forward through the reserved matters stages, it is anticipated that the relative scale of these land uses will result in minimal risk as agricultural grade fertilisers would not be used.

13.10.16 Construction operations will be undertaken following all relevant codes of practice, which require frequent monitoring of ground stability, contaminant exposure and groundwater monitoring where necessary. This monitoring enables rapid detection, mitigation and remediation to occur, which is vital given that the village development will ultimately drain to the Stort Valley upstream of SSSIs and the Lee Valley SPA/Ramsar National Network Site. These processes will be required via a comprehensive Construction Traffic and Environment Management Plan and Code of Construction Practice, and as such no adverse effects are considered likely during construction as a result of the village development proposal. This is in line with the

provisions of Policy EQ1 (Contaminated Land and Land Instability) of the EHDP, Policy PL10 (Pollution and Contamination) of the HLDP and Policy AG8 (Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities) of the GANP.

Noise

13.10.17 Noise modelling submitted with the application indicates that there will be temporary adverse impacts on existing residents during construction of the development, mainly associated with highway works for the construction of new junctions in proximity to homes on Eastwick Road (Terlings Park, Pye Corner and Eastwick Road near the Village 2 access). These impacts are considered in more detail in the two crossing application reports. The village developable areas are deliberately sited away from existing properties with intervening landscaping buffers. Therefore, noise generating activities arising from the construction of the new homes will have minimal impacts on the amenity of the majority of existing properties. However, there are a number of isolated properties where development will be closer and with less screening available. For users of PRoWs across the site their experience of noise will be temporary and transient as the construction moves around the site.

13.10.18 In ES assessment terms, an increase of 5dB or more is considered to be a large adverse effect, when considering a combination of receptor sensitivity and magnitude of impact. 50dB is considered in guidance to be the lowest level above which noise can be considered as having an Observed Adverse Effect (LOAEL). Noise exceeding 63dB is considered as having a Significant Observed Adverse Effect Level (SOAEL). At night-time, a lower level of noise (45dB) is considered suitable to enable undisturbed sleep, while in outside amenity areas, higher noise levels can be considered acceptable. East Herts requires that internal noise levels are no greater than 35dB $L_{Aeq,16hr}$[17] for internal relaxation areas during the day, and 30dB $L_{Aeq,8hr}$[18] for night-time sleeping areas. Outdoor amenity areas (i.e. gardens) should look to achieve no greater than 50dB $L_{Aeq,16hr}$.

13.10.19 In terms of construction-related effects, the magnitude of the negative effect will depend upon how long the construction continues and as such a worst-case scenario assumption has been taken that occupants will be present during the whole construction period. The assessment also makes construction noise predictions based on the operation of all plant on site at the same time.

13.10.20 Detailed noise contours have been predicted as a result of road traffic, background noise and aircraft-related noise. Detailed assessments were undertaken for the two crossing applications and these were set out in the respective crossing reports, where it was considered that the temporary construction and residual noise effects

[17] $L_{Aeq\ 16\ hr}$ means the ambient sound level experienced over a 16 hour period during the day

[18] $L_{Aeq\ 8\ hr}$ means the ambient sound level experienced over an 8 hour period during the night

on properties in Terlings Park were outweighed by the benefits associated with the crossings. In terms of the village development, the main source of noise is the A414 and Eastwick Road, and therefore the villages most susceptible to noise levels during the daytime and night- time are the parts of Villages 1, 2 and 6 closest to these roads. The worst case predicted noise levels at the fringes of these villages are as shown in Table 21 below as un-mitigated levels.

Table 21: Worst Case Predicted Noise Levels (LAeq,T dB Noise Level Adjacent to Road)

Village	Daytime (07:00 to 23:00)	Night-time (23:00 to 07:00)
1	68	59
2	60	52
6	60	52

13.10.21 To mitigate noise associated with construction, the Code of Construction Practice proposes that all construction works will occur during normal working hours, with restrictions on the movement of vehicles outside of these hours. However, there may be instances where larger vehicles are needed to transport materials such as long structural beams for the construction of the crossings for example, and for the benefit of highway safety it is often better that these deliveries occur outside of peak travel periods.

13.10.22 For existing residential properties across the site restrictions on hours of work will be beneficial as it will reduce disturbance during mornings and evenings. It should be noted, that while the submitted Code of Construction Practice does seek to restrict hours of operation, Officers anticipate that there will need to be night-time construction activities and temporary road closures when the new and existing carriageways are tied in, such as at the Village 2 access. In order to minimise such disruption, these activities are normally undertaken over a very short time period and residents and properties will be notified of these periods in advance.

13.10.23 It is common practice that all ground works are undertaken at the same time for new developments. For economic and efficiency reasons it is not uncommon for the foundations and utilities to be laid for entire blocks at the same time. Then homes are released for sale in a phased manner meaning that construction will be largely complete in the vicinity of properties that are ready for occupation. This reduces the impacts of ongoing construction on the residents of new properties while works progress. Officers recommend the use of conditions to manage construction activity such as Construction Environment Management Plans and Construction Traffic Management Plans which will ensure appropriate industry standards are maintained, that mitigation measures are taken such as making sure plant and vehicles achieve operational noise limits and that residents will be informed of key construction milestones in advance, with a single point of contact provided for

customer enquiries or complaints. In addition, the applicant will ensure their website is up to date with information about development activity and milestones, working with the Council through a Monitoring Action Plan required under Policy DEL4 (Monitoring of the Gilston Area).

13.10.24 Given the scale and the currently anticipated phasing of development, construction is likely to be occurring in multiple locations simultaneously. In addition, development may also be occurring within nearby sites such Village 7, therefore the Environmental Assessment considered the cumulative impacts of noise arising from construction activities, which would largely occur as a result of increased traffic rather than the construction of new buildings. The assessment concluded that with the mitigation measures detailed above, the residual effects would be slight adverse and for a temporary period. The impacts of construction traffic are included in the transport assessment. Officers acknowledge that cumulatively there will be slight adverse effects from construction both on-site and cumulatively. However, impacts will be reduced as far as possible through agreed construction practices which will be controlled via condition.

13.10.25 Concern has been raised that the site lies within the Stansted Airport flight path and therefore properties will experience unacceptable levels of noise. The ES details how the noise contours provided by Stansted Airport indicate that the highest predicted level of aircraft noise at the site is approximately 51dB $L_{Aeq, 16h}$ during the day and 48 dB $L_{Aeq, 8h}$ at night. Daytime aircraft noise levels are not considered to be adverse in accordance with UK aircraft noise, which sets the low adverse effect level at 51dB $L_{Aeq,16h}$. However, as night-time noise exceeds the low adverse effect level of 45 dB $L_{Aeq,8h}$ defined in UK policy, night-time noise from individual aircraft may cause sleep disturbance. Therefore, the application proposes a series of mitigation measures to ensure good acoustic conditions can be achieved in bedrooms and living spaces.

13.10.26 To provide good acoustic design the application proposes measures that follow the good acoustic design hierarchy presented in ProPG[19]. These include the following measures:

1. *Maximising the spatial separation of noise source(s) and receptor(s).* The design parameters of Village 1 includes a physical separation from the A414, which allows for landscaping along the southern boundary of the village, which will be detailed at the SLMP stage.
2. *Investigating the necessity and feasibility of reducing existing levels and relocating existing noise sources*. Clearly it is not possible to realign the A414, but changing the environment of the A414 through lower vehicle speeds and low noise road surfaces are shown to reduce the background noise by some 3.5dB. The application therefore proposes to provide a low-noise road surface along the A414 at the southern edge of Village 1.

[19] Professional Practice Guide on Planning and Noise, 2017

3. *Using existing topography and existing structures (that are likely to last the expected life of the noise-sensitive scheme) to screen the proposed development site from significant sources of noise.* There is a difference in ground height between 1m and 4m and the development so there will be some partial screening of road traffic noise.
4. *Incorporating noise barriers as part of the scheme to screen the proposed development site from significant sources of noise.* Following a design review and initial noise modelling it was determined that a bund would not be the best solution to meet good acoustic standards, and would be contrary to minimising ecological impacts, would provide limited benefit and would have a visual impact.
5. *Using the layout of the scheme to reduce noise propagation across the site.* The layout of buildings within each village will be determined at the VMP stage and as such good acoustic noise measures can be incorporated into the masterplan. The location of the mixed-use zone in Parameter Plan 4 extends to the A414 with the purpose of facilitating a layout which locates less noise-sensitive uses closest to the A414 which will provide screening of properties beyond. The use of terraces, close-boarded fencing and distance are successful forms of mitigation through layout.
6. *Using the orientation of buildings to reduce the noise exposure of noise sensitive rooms.* As with layout, orientation is a matter reserved for masterplanning and Reserved Matters stages. The application does however, commit to providing building envelopes designed to achieve good internal noise conditions. British Standards and Building Regulations both provide guidance and requirements on achieving good internal acoustic design. Ventilation and glazing will be key to attenuate noise at night-time, and subject to detailed modelling to be undertaken with Reserved Matters applications, it is likely that passive ventilation will be a requirement for bedrooms across the site.

13.10.27 As is described in paragraphs 5.7 above, the proposed site to be safeguarded for Gypsies and Travellers or Travelling Showpeople has been assessed through bespoke noise modelling to ensure the ES considered the lower noise attenuation properties of caravans and light constructed buildings compared to traditional construction materials of residential buildings. The assessments conclude that through the use of low-noise road surfacing and the siting of less noise sensitive land uses adjacent to the A414, such as employment buildings for example, residential properties located behind those uses will achieve suitable internal and external acoustic environments. The use of additional measures such as sound insulation on building facades, glazing, landscaping and building orientation will also ensure that homes are suitably protected from noise generating sources. The Development Specification includes these principles in section 3.14 and the requirement to undertake detailed noise modelling at the masterplanning and Reserved Matters stages will be controlled by conditions relating to the scope of masterplans and details to accompany RMAs.