

Jenny Pierce
Gilston Area Team Leader
Development Management
East Herts Council

**Postal Point CHN 114
Hertfordshire County Council
County Hall, Pegs Lane
HERTFORD SG13 8DN**

Contact Matthew Wood
Tel 01992 555276
My ref AM_03_615 Gilston
Your ref 3/19/2124/OUT
Matthew.wood@Hertfordshire.gov.uk

Date: 7th March 2023

Dear Jenny,

Re. Outline planning application for development including demolition of existing structures, refurbishment and change of use of existing Grade II Listed Brickhouse Farm Barn and structures and erection of a residential led mixed use development comprising: up to 1,500 residential market and affordable homes; a mixed use local village centre; retail, business, commercial and community uses; primary school, early years and nursery facilities; leisure and sports facilities including a football hub; provision for 8 no. pitches for Gypsies & Travellers; open spaces, ecological areas, woodlands and public realm; pedestrian, cycle and vehicular accesses and network within the site; associated drainage, utilities, energy and waste facilities and infrastructure; works to and realignment of the existing highway; other supporting works, facilities and infrastructure; together with associated temporary enabling works or structures. With all matters reserved apart from detailed works to the A414 Church Lane junction (phased development). Application accompanied by an Environmental Statement.– Gilston Village 7 Land Off Church Lane A414 Hunsdon And Eastwick Hertfordshire

1.0 RE-CONSULTATION - INTRODUCTION

- 1.1 Thank you for reconsulting Hertfordshire County Council (HCC) Growth and Infrastructure Unit (GIU) us on 22nd December in relation to the changes made to the Village 7 planning application arising from the submission of the Financial Viability Appraisal (FVA) amending the level of affordable housing proposed in the application. This revises affordable housing provision to 21.65% equating to 325 of the 1500 units proposed in the application.
- 1.2 We have also considered the changes to the Development Specification, to provision of on and off site infrastructure, to the parameter plans, strategic design guide, Health Care Impact Assessment, and in the Gilston Area Stewardship and Governance Strategy. The Stewardship and Governance Strategy is identical to the one submitted by PfP and in respect of which HCC provided comments to East Herts Council (EHC) in January this year. That response is included as **Appendix A** to this response.
- 1.3 The application is made in outline with all matters reserved other than the detailed works to the A414 Church Lane junction.

1.4 This consultation response is made on behalf of HCC from:

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• a Highways perspective	3.0	3
and as a service provider, in relation to:		
• Adult Care Services	4.0	17
• Children’s Services (Early Childhood Services)	5.0	17
• Children’s Services (School Place Planning)	6.0	18
• Community Protection (Fire and Rescue)	7.0	21
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• LEADS (Ecology detailed comments)	Appendix B	33

Overarching comments relating to the context, and material planning considerations relating to the application are made in this introduction throughout the response and in the conclusion by GIU at Section 13.0.

1.5 The Lead Local Flood Authority (LLFA) has responded separately to the application. No additional comments have been received from other departments of HCC.

1.6 The response should be read in conjunction with the HCC response on ‘Amendments 2’ dated 2nd February 2022, and associated separate Highways response, and with the HCC responses on ‘Amendments 1’ dated 7th April 2021, and with the original consultation response in March 2020.

1.7 The comments made at section 1.7 of our February 2022 response, relating to indexation of financial contributions for HCC infrastructure asks are repeated.

2.0 POLICY CONTEXT AND MATERIAL PLANNING CONSIDERATIONS

2.1 The policy context remains as identified in February 2022, April 2021 and March 2020. However, it is relevant to note that the adoption of the Hunsdon Eastwick and Gilson Neighbourhood Plan in May 2021 will be very relevant to the preparation of the Village Masterplan for Village 7 – noting that the drawings submitted with the application itself are described as illustrative. HCC looks forward to working in collaborative partnership with EHC, the applicants and other stakeholders in taking forward V7 Masterplanning where the location of key community facilities such as the primary school will be fundamental in establishing the new community together with its integration with existing neighbouring settlements. This includes via enhanced existing, and new, walking and cycling routes

2.2 HCC has always commented that the V7 proposals form part of the single, comprehensive allocation to which Policy GA1 of the East Herts Local Plan 2018 applies. The need to secure that comprehensive approach is enshrined in policy GA1, DES 1, and DEL1. (See section 2.0 of HCC response dated 02/02/22 for further policy detail).

- 2.3 That assertion, which has always been supported by East Herts Council as the Local Planning Authority, has now been amplified, consolidated and endorsed by the resolution of the Development Management Committee (DMC) in relation to the PfP planning application for Villages 1 to 6 on 28th February 2023. (Application reference 3/19/1045/OUT). That resolution included the endorsement of the Heads of Terms to the delivery of infrastructure both service/community and highways across a broad spectrum.
- 2.4 The delivery of that comprehensive suite of infrastructure required to mitigate the impacts of the development by Policy GA1, all meeting the requirements of Reg 122 (Community Infrastructure Levy Regulations 2010 as amended in 2011 and 2019) is reliant upon the application for Village 7 dovetailing with, and making appropriate proportionate contributions towards that infrastructure provision for the whole policy allocation.
- 2.5 There are also certain infrastructure asks which are required to mitigate the impact of the V7 proposals specifically.
- 2.6 HCC consider and would support East Herts Council in making the assertion that the trigger points and timings set out in the Heads of Terms reported to Committee on 28th February, where expressed, are relevant. Also, that notwithstanding assumptions made around infrastructure trigger points and timing in the Housing and Infrastructure Delivery Statement that the approach to the timing of, and triggers for various items of infrastructure should, with modification, reflect the Heads of Terms reported to and endorsed by Committee on the 28th represent the position of the LPA and HCC.

3.0 HIGHWAYS COMMENTS

- 3.1 The Highway Authority has been actively engaged with the Local Planning Authority and the applicant's consulting team since before the first planning submission for Village 7.
- 3.2 This has now included extensive pre-application and post-application discussions, including on highways and transportation matters with Alan Baxter Associates. The Highway Authority has issued formal comments to the planning submission, most recently in February 2022. All such comments may be found on the Local Planning Authority planning site using the application number.
- 3.3 This response deals with the amendments made through the December 2022 submission. Reference should be made to the Highway Authority's previous comments which provided a detailed review of the Transport Assessment(s) (October 2019 and January 2021), and attendant relevant planning, highways and transportation related documents.
- 3.4 The Highway Authority note also formal comments made to the Village 1 to 6 planning application and Eastern Stort Crossing/Central Stort Crossing planning applications. The Highway Authority note the submission of the covering letter prepared by planning consultant Savills, dated 20 December 2022 which sets out the context to the application and also the key elements of infrastructure necessary to deliver the site which are set out below:

On-site V7 Infrastructure (strategic and local infrastructure):

- i. Up to 3FE Primary School plus Early Years (subject to monitoring and review by an Education Review Group)
- ii. Nursery, Community, Retail and Office uses as part of the Local Centre to include Assisted Living
- iii. Range of Green Infrastructure and Open Space to provide formal and informal sports, leisure and recreational opportunities, including:
 - a. Strategic Green Corridor
 - b. Natural and Semi-Natural Green Space
 - c. Community Park (comprising the Football Hub)
 - d. Parks and Public Gardens
 - e. Amenity Green Spaces
 - f. Allotments (and Orchards)
 - g. Play Space (NEAPs, LEAPs and LAPs)
- iv. Sustainable Measures, V7 Sustainable Transport Corridor (“STC”) and associated V7 STC Hub
- v. Network of Secondary Vehicular (to include bus) as well as Pedestrian / Cycle Routes
- vi. Roydon Pedestrian and Cycle Link and Roydon Station Improvements and “Eastwick Link” (off-site)
- vii. Other Highways Access, Improvement and Junction Upgrade Works
- viii. Acoustic Bund / Greenway
- ix. Sustainable Urban Drainage System
- x. Utilities and Services

V7 specific section 106 Financial Contributions (V7 Impact):

- i. Secondary School Contribution (subject to monitoring and review by an Education Review Group)
- ii. Temporary Secondary School (and associated Temporary Transport Costs) Contribution
- iii. Primary NHS/ CCG Healthcare Contribution
- iv. Library Contribution (subject to EHDC demonstrating need and a viable expansion/scheme through feasibility study)
- v. Youth Contribution
- vi. Travel Plan
- vii. Ecology (SSSI and Nature Reserve Enhancements)
- viii. Bus Subsidy

- ix. Sustainable Transport Innovation Fund (“STI” Fund)
- x. Travel Plan Fund (and Monitoring Fund)
- xi. Household Waste

Strategic Contributions towards Strategic, GA-wide Infrastructure (V7 Proportion):

- i. Central Stort Crossing (to include V1 access)
- ii. Eastern Stort Crossing (to exclude V2 access)
- iii. V1 Boulevard and V1 STC Transport Hub
- iv. Burnt Mill Roundabout
- v. Northern Station Access/ Harlow Train Station Improvements
- vi. Off-site Pedestrian / Cycle Routes (to include Towpaths)
- vii. Off-site Open Space / Green Infrastructure (strategic)
- viii. HGGT STC Contribution
- ix. Off site, strategic junction/ highway improvements
- x. Pye Corner Public Realm Improvements
- xi. Strategic Health Care and Leisure (to include sports and recreation provision)
- xii. Emergency Services (subject to EHDC/HCC demonstration of need)
- xiii. Stewardship and Governance Costs

Development Specification

- 3.5 The Highway Authority note also the submission of the revised Development Specification document, dated December 2022.

In terms of the access, the document notes the following:

Access

“The detailed designs for the proposed improvement works to the A414 access form part of the proposal for approval and represent the principal means of access that will serve the site. This is detailed further within the submitted and updated Transport Assessment and specifically in the ‘Proposed A414 / Church Lane Signalised Junction Drawing’ (referenced 110042/A/130 rev A). The position of a further means of access is shown indicatively on the western edge of the site boundary between Village 7 and the neighbouring site, Village 6, of the Gilston Area. This means of access is subject to further design work. As per other elements of the transport proposals, such as the realignment of Church Lane, this will come forward in detail as part of a future reserved matters application but is shown within this application for illustrative and contextual purposes.”

- 3.6 The Highway Authority is content that the proposed improvement works to the A414/Church Lane junction allow sufficient flexibility to progress the design at the Section 278 stage. This response also details the Highway Authority’s view on the transport consultant’s response to the outstanding issues as identified via our previous

response to the Transport Assessment Addendum. This included a detailed review of the A414/Church Lane proposals in terms of highways design using the Design Manual for Roads and Bridges (DMRB).

Other Matters

- 3.7 Paragraph 3.23 sets a range for sustainable mode share '60%-40%'. HCC would suggest the reference to 40% is removed as this is not evidenced in documents such as the HGGT Transport Strategy, or further justification needs to be provided to support this reference.
- 3.8 The statements made at Paragraphs 4.15 to 4.23 overlook the Rights of Way network and their positive impact in the context of green corridors. HCC would suggest that a helpful addition to this section would be to incorporate an objective (or objectives) relating to the need to bolster and/or enhance (including improving the accessibility of) the public rights of way network, including the Stort towpath.
- 3.9 HCC as the Highways Authority would seek further flexibility with regards to Paragraph 4.3.3, given mobility hubs are an emerging concept in the UK and guidance for mobility hubs being developed by both HCC and ECC is still to be finalised. As reflected in the CoMoUK guidance on Mobility Hubs (See: <https://www.como.org.uk/documents/comouk-mobility-hubs-guidance>), which is being utilised by HCC and ECC as part of our own guidance, a far more granular and flexible typology hierarchy is essential to accommodate opportunities for varying sustainable modes of travel and mobility solutions (both current and future).
- 3.10 HCC would also suggest there is a need to emphasise the need for consistent branding between hubs and/or the wider sustainable travel offer to make them recognisable and accessible to all. HCC would also recommend that further thought is given to the potential hubs have for other purposes, such as freight consolidation, café culture, public realm and green space which have not been incorporated so far.
- 3.11 Paragraph 4.61 states '*High density areas with an average of 60 dwellings per hectare, will be primarily directed within and surrounding the Village Centre as well as at key junctions along the primary vehicular corridor*'. HCC would suggest that it would be helpful to consider high density along the full length of the primary vehicular corridor (particularly the STC) rather than just at key junctions in order to achieve shorter walking distances to access sustainable travel.

Planning Statement

- 3.12 The Highway Authority note the submission of the revised Planning Statement, dated December 2022. The Parameter Plans are key documents which illustrate how the site will be progressed.

Parameter Plans

- I. Parameter Plan 1 – Site Location Plan (drawing reference V7_01_1001 rev 4).
- II. Parameter Plan 2 – Buffers and Development Zones (drawing reference. V7_01_1002 rev 5)
- III. Parameter Plan 3 – Green Infrastructure and Open Space (drawing reference V7_01_1003 rev 4)
- IV. Parameter Plan 4 – Vehicular Access and Movement (drawing reference. V7_01_1004 rev 4)
- V. Parameter Plan 5 – Land Uses (drawing reference. V7_01_1005 rev 6)

VI. Parameter Plan 6 – Building Heights (drawing reference V7_01_1006 rev 4)
VII. Means of Access Drawings, contained within the Transport Statement and including Proposed A414 / Church Lane Signalised Junction (drawing reference. 110042/A/130 rev A)

Sustainable Transport Corridor

- 3.13 A key element of the planning application is the delivery of the Sustainable Transport Corridor. As per Parameter Plan 4, the Highway Authority is content that the plan offers sufficient flexibility within the Deviation Zone to allow the progression towards a detailed design. The following specification of the primary vehicular route is set out below:

“Sustainable Transport – Identification of indicative Primary Vehicular Route within a Deviation Zone identified for the Sustainable Transport Corridor (“STC”) which links the primary access point into the site from the A414 through to Village 6 and beyond, to serve the wider Gilston Area. This includes identification of an indicative location for a Sustainable Transport Hub as well as indicative bus prioritisation measures such as a bus gate, a supplemental STC bus route and an additional bus route. In addition, an indicative network of Primary Foot/Cycle routes has been identified to include links to existing Public Rights of Way and the identification of access points on the site boundaries. These amendments are designed to: give appropriate priority to sustainable modes of travel over the private car; provide quick and efficient connections via sustainable modes between the Transport Hubs of each village centre; and accommodate dedicated and segregated facilities for walking and cycling in order to positively contribute to the achievement of the target modal share and other sustainability objectives. These measures can be seen on amended Parameter Plan 4 (Access and Movement).”

- 3.14 The revised Parameter Plan 4 drawing is recommended therefore to be included in the list of approved drawings.

Housing & Infrastructure Delivery Strategy (HIDS)

- 3.15 The statement in Paragraph 4.2 ‘*These measures achieve the 60/40 sustainable mode share target sought across the Gilston Area between the use of public transport and car-borne activity (respectively)*’ currently omits active travel (walking and cycling). HCC would recommend that this is amended, either to incorporate this or to be revised to ‘Use of sustainable travel and car-borne activity’.
- 3.16 Under Paragraph 4.4 ‘Off-site, V7-V1 Interim Utility Route’ it is stated that “*It is proposed to provide a pedestrian and cycle link between Village 7 and Village 1 prior to the completion of the STC and Central Crossing to provide connectivity between the Villages early on and positively contribute to improved modal share*”. HCC would ask for clarity on this point, as in the Eastwick Commuter Link Note prepared by Alan Baxter it is specified “*TW to deliver prior to occupation of any homes in V7, an interim off-site walking and cycling commuter link to V1*”, and in Table 7 the same trigger is referenced, which on face value seems to be contradictory to the statements contained within HIDS, which suggests a trigger linked to completion of the Central Stort Crossing. For the avoidance of doubt HCC requires this link to be provided prior to occupation.
- 3.17 Similarly, HCC would also ask for clarity regarding the statement regarding the Roydon Commuter Link as there is again some contradiction within the various documents as to what it proposed as resolution the HIDS states “*All of these alternative routes*

include the replacement of the existing footbridge over the A414, which has an effective width of 1.7m that is unsuitable for cycling”. If it is considered a requirement of the development to provide this item in this document, it cannot be considered reasonable to argue against this in the Roydon Commuter Link Note prepared by Alan Baxter.

- 3.18 With regards to Table 7 ‘Broad Infrastructure Thresholds’, HCC would ask for further clarity to be provided in respect of items which are split into parts, such as On-site pedestrian and cycle routes. These references do not accord with any other part of the document, and do not provide any detail on what is incorporated.

Outstanding Issues (Highways)

- 3.19 Through the Highway Authority’s previous response, a number of issues were raised through a design review of the A414/Church Lane junction.

Minor Road junction to the south (Hunsdon Pound)

- 3.20 The transport consultant has provided further detail with respect to access to the minor road south of the junction with the A414. This would be for trips travelling southbound on Church Lane wishing to access the minor road to the south of the A414. The following is noted by the transport consultant:

“We agreed to provide further commentary on the reasons behind the decisions not to include the minor road to the south in the signalisation and to remove the direct movement from Church Lane to the minor road to the south. This is as follows: The minor road to the south is a narrow lane (circa 2-3m wide) providing access to around four residential properties. It is currently arranged as a priority junction on the A414 with left/right stagger (circa 30m) to Church Lane. In developing the proposed junction arrangement, consideration was given to including this road within the main signalised junction. However, without significant realignment of Church Lane, it was felt that this would create an unnecessarily large junction, potentially with additional straight-ahead/turning lanes and signal stages, all of which would have significant negative impacts on junction capacity and queuing.”

“Although the existing priority arrangement appears to be a variation on current DMRB design standards, the limited number of vehicle movements using this minor road does not justify significant upgrades, and the constrained nature would not allow realignment without impact on neighbouring properties.”

“The proposed A414/Church Lane junction arrangement removes the direct movement from Church Lane (Hunsdon) to the minor road to the south. Consideration was also given to adding a straight-ahead give-way lane from the left-turn merging lane (similar to existing arrangement, but directly opposite) to accommodate this movement. However it was felt that this would present safety issues and potentially allow right-turners from V7 to use the left-turn lane to bypass the signals.”

“The proposed change to existing access affects only a small number of properties. Note that the proposed arrangement still allows vehicles to exit the minor road in all directions and to enter from the A414 eastbound and westbound. While travel from Hunsdon is affected, drivers would still be able to travel from this direction, either by exiting left at Church Lane and turning back at the cottages (300m) or at Eastwick

(1.7km) to approach from the A414(E), or alternatively to follow the B180 from Hunsdon (via the Roydon Road / A414 junction) to approach from the A414(W)."

"Note that the proposed junction arrangement provides the properties affected with a direct, signalised foot/cycle crossing of the A414 and onward connections through Village 7 to access the facilities within the Gilston Area."

- 3.21 Subject to a Road Safety Audit, the Highway Authority is content to accept that an amendment to the proposed A414/Church Lane junction to fully account for the aforementioned north-south vehicle connectivity (between the area to the north of the A414 and the minor road access, Hunsdon Pound, to the south of the A414), isn't reasonably achievable.

A414/Church Lane Junction – A414 Speed Limit Review

- 3.22 The Highway Authority has previously noted that the applicant seeks to reduce the speed limit in the vicinity of the A414/Church Lane junction to 40 m.p.h. The Highway Authority presently has some concern that such a reduction would not pass Hertfordshire County Council's Speed Management Group given that there is not a substantive change to the prevailing road or built environment to justify such a reduction.
- 3.23 The transport consultant proposes the following condition in response:

"We agreed that HCC's draft condition 13 would be reworded to allow speed reduction on the junction approaches from 50mph to 40mph, including for the implementation of additional measures, if deemed necessary following the review. Accordingly, we agree to the following planning condition to address Speed Limit Reduction on the A414:"

Definition

A414 Speed Limit Review:

"Means a review of the existing speed limit on the A414 to establish whether a reduced speed limit of 40mph and any other recommended measures are required in association with the Full A414 / Church Lane Junction Upgrade work."

Condition

"No development (excluding Preliminary Works) shall commence until the A414 Speed Limit Review has been submitted to and approved in writing by the local planning authority in consultation with the local highway authority. Any recommendations contained in the approved A414 Speed Limit Review shall thereafter be implemented prior to the completion of the Full A414 / Church Lane Junction Upgrade work".

Reason

In the interests of highway safety.

- 3.24 The Highway Authority recommend that the above planning condition is considered for inclusion by the Local Planning Authority.

A414/Church Lane Junction – Bus Lane Length

- 3.25 In response to the Transport Assessment Addendum (TAA) the Highway Authority raised a concern with respect to the operation of the bus lane on the A414 eastbound (towards Harlow) which provides a dedicated lane into Church Lane.

“It should be noted that the local highway authority previously queried the general traffic queue blocking the bus lane entries and confirmed in their published consultation response to the V7 OPA (HCC Received 24 November 2021) that upon the provision of a scalable plan and checking of this that the queues can be accommodated without blocking the bus lanes.”

“Despite the above, I’ve had a look back through the LinSig model outputs from TAv2 and I note that the proposed left turning traffic lane which gives access to the bus lane is 140m long (24.3pcu equivalent). All of the “with V7 development” scenarios have a mean max queue less than the lane length available. While the lane may be close to blocking in one scenario, the PM peak hour in Scenario 9 (2040 + 1,500 V7 + 8,500 V1-6) when the mean max queue reaches 23.8pcu, there will still be some space available and the proposed arrangement is considered sufficient to ensure good operation of the bus lane.”

“Accordingly, we are able to re-confirm that traffic queues can be accommodated without blocking the bus lanes.”

- 3.26 The Highway Authority has checked the length of the bus lane and is content that for the majority of situations, the bus will be able to use the left turning lane from the A414 (eastbound, turning left), into Church Lane unimpeded by any queuing back from the adjacent general traffic lane. Whilst the evidence does not currently require the bus lane to be extended, given the length of time over which the scheme will be implemented ongoing monitoring of the junction will be required and should evidence show that the bus lane needs to be extended then the Sustainable Transport Innovation Fund should be utilised to address the situation.

A414/Church Lane Junction – Road Safety Audit

- 3.27 Further to discussions with the applicant’s transport consultant, in response to queries raised as part of the design review, it is noted that a Stage 1 Road Safety Audit is to be submitted and approved pursuant to a planning condition.

The applicant has proposed the following wording for a planning condition:

Condition

“No development (excluding Preliminary Works) shall commence until a Stage 1 Road Safety Audit has been submitted to and approved in writing by the local planning authority in consultation with the local highway authority. Any recommendations contained in the Stage 1 Road Safety Audit shall thereafter be incorporated at Stage 2 of the design process for the Full A414 / Church Lane Junction Upgrade work”.

Reason

In the interests of highway safety.

- 3.28 The Highway Authority is content to recommend to the Local Planning Authority that the aforementioned planning condition is included within any planning approval. The Highway Authority notes also the submission of further technical detail with respect to

the visibility splays at the junction which can be considered as part of the audit process and any necessary departures from standards.

Eastwick Commuter Link – Supplemental Note for Officer Discussion

- 3.29 The Highway Authority note the submission of the above note, dated 19 December 2022 which examines the Eastwick Commuter Link.

The purpose of the Eastwick Commuter Link is set out as below:

“In support of the V7 development proposals, the applicant (originally Briggens Estate 1 Ltd, now Taylor Wimpey UK Ltd (TW)) has proposed, amongst other off-site improvements, to deliver a new/improved route for commuter/utility walking and cycling between the V7 site boundary and V1 (the Eastwick Commuter Link (ECL)), which will provide access to the mobility hub and facilities in Village 1 as well as to Harlow and Harlow Town station via the Central Crossing. This link shall provide an interim connection between V1 and V7 upon first occupation of V7 until completion of the Sustainable Transport Corridor (STC) connecting V1 and V7.”

- 3.30 The Highway Authority is supportive of the above link as an important interim connection prior to the completion of the Sustainable Transport Corridor. The latter is a critical piece of infrastructure that will connect Village 7 to the wider Gilston community and also provide a key commuter link towards Harlow railway station and town centre.
- 3.31 It is suggested in Section 1 that HCC CPO powers may be required to deliver sections of the Eastwick Commuter Route where this is on third party land. It should be noted that HCC’s use of CPO powers have not previously been discussed. Furthermore, we are under the impression that any land required would be within the ownership of PfP and therefore shouldn’t be a problem, however, if additional land is required HCC’s view is the most appropriate CPO power would be via the Town and County Planning Act powers available to EHDC as the planning authority. This approach would be consistent with the approach taken on the crossing applications, we would therefore suggest that EHDC should be responsible for this undertaking, if appropriate, or alternatively utilisation of third-party land should be avoided. Equally, we would suggest for TW’s benefit, this would create a situation where homes may not be able to be occupied or delivered until this process has been completed.
- 3.32 The Highway Authority recommend that the above link is secured by planning condition. The note as supplied by the applicant sets out the following details for the Section 106 agreement.

“A joint Section 106 Agreement for V1-6 and V7 will include capped sums, triggers and contribution splits between the applicants for this and other off-site improvements. The draft commitments include:

- *Eastwick Commuter Link:*

TW to deliver (with HCC CPO powers as required on third party land), prior to occupation of any homes in V7, an interim off-site walking and cycling commuter link to V1.

Drawing number 1521/165/301 illustrates the proposed link. The Highway Authority notes that the link should be constructed as per the Hertfordshire County Council Non-

Motorised Route guidance document, with the precise alignment, width and surface treatment to be agreed.”

3.33 The draft condition is set out below:

Prior to the commencement of development (excluding Preliminary Works), a scheme for the Eastwick Commuter Link shall be submitted to and approved in writing by the local planning authority in consultation with the local highway authorities. The scheme shall include:

- i. An Ordnance Survey based plan at 1:5,000 scale to show the proposed alignment of the Eastwick Commuter Link edged green;*
- ii. Plans at 1:500 scale to show details of the layout of the Eastwick Commuter Link, including hard and soft landscaped materials and planting;*
- iii. Sections at 1:50 scale to show details of the Eastwick Commuter Link including hard and soft landscaped materials and planting corresponding to the submitted to show the layout of the Eastwick Commuter Link;*
- iv. Written details of the proposals for management and maintenance of the Eastwick Commuter Link.*

There shall be no occupations of Residential Units until the Eastwick Commuter Link has been constructed and implemented in accordance with the approved Eastwick Commuter Link scheme.

Reason:

To give priority to active and sustainable travel modes over private car use and achievement of the 60% mode share target in accordance with the transport user hierarchy Policy GA1 of the East Herts District Plan, LTP4 and the HGGT Vision.

3.34 The Highway Authority is content with the above wording, subject to references to CPO being altered to reference EHDC rather than HCC, and recommends that such a condition or similar is included as part of any planning permission.

3.35 As set out within the note, the Eastwick Link should form a part within the Section 106 agreement. The Section 106 agreement and attendant obligation should seek to ensure the delivery by Taylor Wimpy the East Commuter Link (ECL) prior to the occupation of any homes within the Village 7 site. This will be agreed through the negotiation of the V1-7 Transportation Schedule.

Other Matters

3.36 As identified in Table 3, the trip numbers derived from the gravity model suggest 41 cycle trips and 13 walking trips per hour on the ECL at 350 units, and 115 cycle trips and 54 walking trips at full build out. HCC would note this figure seems low given there will be key attractors in Village 1, including potentially a hub for rapid transit services and it will be on a direct alignment for cycling and walking into Harlow. Irrespective of this, we do agree that a 3m wide shared use path is acceptable as an interim measure.

Section 2.2 refers to an allowance to reduce a two-way shared use track to 2m at constraints. This is acceptable in the context of applying a route into an existing environment but is not appropriate in the context of Gilston where it is a new

development. Some flexibility may be acceptable in Eastwick village however if this option is pursued.

- 3.37 The Plan 'ECL Location and Context' implies a route utilising Sections 1, 2, 3, 12 and 14 noted on the following page 'ECL Alignment Options'. HCC would disagree that this is the most suitable option as Section 15 provides a more direct link to the STC corridor and as such the centre of V1, though we do acknowledge there are topographical challenges and do consider the integration of existing communities important given the reference to integration by sustainable travel contained within local neighbourhood plans (such as Policy HT1 of Hunsdon's Neighbourhood Plan).

Parndon Mill

- 3.38 With respect to the Villages 1 to 6 planning application, the Highway Authority has noted the importance of delivering a link to Parndon Mill via Village 6. However, this is also of importance to the Village 7 application.
- 3.39 The need for the link is triggered by the proximity of development at Village 6 at which point a link to the Pinnacles area, a key employment area, via Parndon Mill would be a more direct link for active travel. Prior to that point the CSC STC would have been the most direct route.
- 3.40 Similarly for V7 the most direct route for active travel to the Pinnacles area would be via the Parndon Mill link as such its delivery is important and given that V7 is likely to be progressed well before Village 6 it is important that this link is secured at a point that is appropriate for Village 7 and aligned to delivering on sustainable travel opportunities.
- 3.41 In light of the above HCC consider that the appropriate trigger should be at occupation of 200 dwellings at either V6 or V7, whichever comes sooner.

Parndon Mill Link – Triggers

- 3.42 The applicant has noted that the Section 106 agreement for Villages 1 to 6 will have a trigger for this link which is understood to be 200 dwellings occupied at Village 6.

The following obligation is set out by the transport consultant.

"It is noted that S106 HoTs for V1-6 have a trigger for this link which is tied to delivery of units in V6 only (post meeting note: the trigger shown in the published V1-6 HoTs is [200] dwellings at V6). It is noted that you require the V7 HoTs to include a trigger tied to V7 units. As such, we propose the following, with the 1,400 unit occupations reflecting the late V1-6 trigger of 200 unit occupations at V6:"

Works:

Financial contribution at 15% of the cost of the work for the Off Road Walking and Cycling Link to Elizabeth Way/ Pinnacles via Parndon Mill Works.

Land Bound:

V7

Obligation Detail /Trigger for delivery (unless otherwise agreed):

Financial Contribution by Occupation of [1,400] Dwellings within Village 7.

- 3.43 The Highway Authority does not consider that the trigger proposed by the applicant of occupation of 1400 dwellings within Village 7 is appropriate or acceptable. For the reasons given above it is recommended that a trigger of occupation of 200 dwellings at either V6 or V7, whichever comes sooner, should be secured via a Section 106 agreement.

Roydon Commuter Link – Delivery

- 3.44 The Roydon Commuter Link is a critical piece of infrastructure for Village 7. In terms of a commuter link, this should provide a high quality link from Village 7 to Roydon railway station.

The Transport Assessment (January 2021) sets out the form and options for the route.

Route to Roydon Station This is a 2.5km route (15-min cycle) via the existing footbridge over the A414 and then via one of two alternative routes via:

o Briggens Estate Golf Club; or,

o Harcamlow Way (with alternative sub-option, partly via Briggens Estate land)

The existing footbridge over the A414 has a current effective width of 1.7m and is not currently suitable for cycling. As such, both of these options will therefore involve the widening of the existing footbridge. This route would be the commuter route to Roydon Station, providing the most direct route as opposed to the canal tow path route, which is less direct and unlit. It is proposed that a pedestrian / cycle feasibility study would be undertaken for local planning authority approval to further consider the three alternative routes and determine which one will be delivered.

- 3.45 A further route from Village 7 also includes a route to Roydon railway station via the canal towpath.
- 3.46 The Highway Authority wish to note the importance of dealing with the existing width constraints, either by widening or the provision of a new footbridge. The delivery of the above links should be linked to housing occupations on the Village 7 site.
- 3.47 It is important to note that part of the route travels through private land and this has been the subject of discussion between the Highway Authority and the applicant, as noted by the transport consultant below:

“Noted that HCC would not want to use CPO rights for delivery of this link and would want any third party land issues to be resolved by agreement or by use of local highway authority rights in the first instance. This reflects the approach being taken and required of TW in which the scope to secure the land necessary for the infrastructure via private treaty must be exhausted in the first instance. Compulsory purchase powers will be then available to the acquiring authority to secure the land required for the delivery of the necessary infrastructure. As such and in these circumstances, the RCL will be deliverable.”

- 3.48 As stated above the Highway Authority, does not wish to rely upon Compulsory Purchase Orders (CPO) to resolve this matter. Furthermore, as stated in respect of the Eastwick Commuter Link above, HCC has not previously been consulted about utilising Highway CPO powers. HCC's view is the most appropriate CPO power would be via

the Town and County Planning Act powers available to EHDC as the Planning Authority.

- 3.49 The Highway Authority note the submission of the Roydon Commuter Link – Supplemental Note for Officer Discussion dated 19 December 2022 which progresses the concept of the link further to the submission of the Transport Assessment.

As detailed on Drawing 1521/165/201 options for the Roydon Commuter Link are considered in terms of alignment. The below options are noted:

RCL via Briggens House / Briggens Park Golf Course (preferred)
RCL via Harcamlow Way
RCL via Harcamlow Way and Briggens House South Gate

The below draft planning condition is presented within the December 2022 note:

Condition:

Prior to the occupation of 500 residential units, a scheme for the Roydon Commuter Link shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.

- i. An Ordnance Survey based plan at 1:5,000 scale to show the proposed alignment of the Roydon Commuter Link edged green;*
- ii. Plans at 1:500 scale to show details of the layout of the Roydon Commuter Link, including hard and soft landscaped materials and planting;*
- iii. Sections at 1:50 scale to show details of the Roydon Commuter Link including hard and soft landscaped materials and planting corresponding to the submitted to show the layout of the Roydon Commuter Link;*
- iv. Written details of the proposals for management and maintenance of the Roydon Commuter Link*

No more than 1,000 Residential Units shall be occupied until the Roydon Commuter Link has been constructed and implemented in accordance with the approved Roydon Commuter Link scheme.

Reason:

To give priority to active and sustainable travel modes over private car use and achievement of the 60% mode share target in accordance with the transport user hierarchy Policy GA1 of the East Herts District Plan, LTP4 and the HGGT Vision.

- 3.50 In terms of Section 106 obligations for the Roydon Commuter Link, the following is noted within the document:

- i. S106 Obligations for RCL implementation and financial contribution to meet reasonable CPO costs incurred by HCC, if required:
- ii A Section 106 obligation is required to secure TW's delivery of the RCL prior to the occupation of 1,000 homes in Village 7 will be agreed through the negotiation of the V1-7 Transportation Schedule.
- iii A Section 106 obligation is required to secure a reasonable financial contribution to meet the Compulsory Purchase Order (CPO) costs involved in securing the necessary land ownership for delivery of the Roydon Commuter Link, if required will be agreed through the negotiation of the V1-7 Transportation Schedule.

- 3.51 The Highway does not support the proposed planning condition, it is important that there is confidence in a solution prior to the determination of a reserve matters application, as such we recommend that the condition is reworded to require a scheme for the Roydon Commuter Link to be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority prior to the submission of any reserve matters application.
- 3.52 We also note that the applicant is challenging the need for an upgraded bridge over the A414 to accommodate cycling on the Roydon Link. To be clear HCC is of the view that an LTN1/20 compliant bridge is required and do not accept that it would be considered acceptable for cyclists to dismount and utilise the existing structure. This approach is not considered appropriate in the context of a development that is aiming for a 60% sustainable mode share.
- 3.53 Subject to a commitment to delivering an LTN1/20 compliant bridge over the A414 and detail of the preferred route being agreed prior to submission of any reserve matters application the trigger for delivery of the route by occupation of the 1000th dwelling at V7 is accepted.
- 3.54 Also, as noted through this response, further discussion will be necessary with respect to any required Compulsory Purchase Order and securing any private land to deliver the route. As noted previously, it is our view that EHDC should be responsible for this undertaking, if appropriate, or alternatively utilisation of third-party land should be avoided.

Other Comments on Roydon Link

- 3.55 Section 2.1 utilises trip generation figures for V7, but overlooks the demand that is likely to be created from Villages 1-6 or indeed other areas in the vicinity of the GA, such as Hunsdon and Eastwick which will become integrated as a result of build-out of the development and the aspirations of these communities for linkages to Roydon Station (Policy TRA1 of Gilston Area Neighbourhood Plan). The figures referenced are continued into Section 2.3 'A414 Bridge' as a rationale for a bridge not being R122 compliant. We would ask that this is revisited with the addition of V1-6 trips before this position is solidified.
- 3.56 Further, it should be recognised that LTN 1/20 specifies minimum requirements for width based on cycling and walking usage on an 'up to' basis. These requirements are therefore not considered in the context of scale.
- 3.57 Section 2.2 refers to an allowance to reduce a two-way shared use track to 2m at constraints. This is acceptable in the context of applying a route into an existing environment but is not appropriate in the context of Gilston where it is a new development. Some flexibility may be acceptable in existing environments, however.
- 3.58 Section 3.0 identifies proposals to fund 20 cycle spaces at Roydon Station, however as shown in Section 2.1 up to 30 cyclists per hour may be expected along the Roydon Commuter Link, conflicting in part with the assumption that there will only be generated demand for up to 18 cycle spaces. Equally, the demand forecasts ignore the potential demand that may be created from V1-6 and areas in the vicinity. It therefore could be reasonably assumed more than 20 cyclists per day may wish to access Royston Station. We therefore would consider that funding for only 20 cycle spaces is insufficient and would seek either an increased figure or a mechanism to draw down

additional funding if 20 cycle spaces is demonstrated to be insufficient to meet demand.

Summary and Conclusions

- 3.59 The Highway Authority has reviewed the amendments made to the Village 7 planning application as submitted in December 2022. The applicant has sought to respond to comments made by the Highway Authority in the period between the previous submission and this revised application.
- 3.60 The amendments as proposed are considered to afford sufficient flexibility in the design to be progressed satisfactorily at the reserved matters stage for the purposes of Masterplanning and also in terms of the Section 278 application that will be required for the A414/Church Lane junction.
- 3.61 The Highway Authority is content that the through the planning conditions (as previously set out), and those detailed within this response that the Village 7 site is acceptable in highways and transportation terms.
- 3.62 As such, the Highway Authority does not wish to restrict the grant of planning permission subject to planning conditions.

4.0 ACS COMMENTS

- 4.1 It is noted that the application as revised, proposes the provision of 20 Extra Care /Assisted living units as part of the 195 affordable rent units proposed. (That represents 15% of the 130 unit ask articulated in February last year).
- 4.2 Since responding to the application in February of 2022, ACS as a service have provided additional clarity relating to their needs. They have identified a preference for the provision of those 130 Extra Care Units (not sheltered housing) across two sites within the GA 1 allocation. ACS state that their service delivery model and Extra Care Design Guide sees provision at a minimum of 50 units as their best practice model of provision. This should include an appropriate proportion of affordable Extra Care Units.
- 4.3 The Heads of Terms endorsed by the DMC on 28th February identified:
- “Not less than 130 of the total number of Dwellings across the Gilston Area to be restricted to use by Older Person's (55+) or for adults of any age known by the County Council to have learning disabilities who are entitled to be provided Extra Care Housing]. The LPA's preference is for this to be within two (2) facilities/locations. Unless provision is made within V7 then the full 130 units to be provided within V1-6. Detailed arrangements to be agreed as part of the section 106”.
- 4.4 The V7 proposal needs to dovetail with that requirement and the nature of provision within the GA1 allocation needs to be resolved. It is important that the issue is resolved in order to inform subsequent Masterplanning, but for now, HCC will be satisfied providing V7 is signed up to the same Heads of Terms in relation to the delivery of Extra Care Housing.

5.0 CHILDREN'S SERVICES (EARLY CHILDHOOD SERVICES)

- 5.1 HCC's expectations around Early Years provision were set out in section 4 of our February 2022 response, identifying a requirement for 275 square metres of floorspace being made available for private independent nursery provision – which could be part

of a community building in the village centre. The Housing and Infrastructure Delivery Statement continues to identify that 550 square metres would be provided, The fact that this might be a facility which could be a revenue generator for the stewardship body has also previously been identified. The desire of HCC Early Childhood Services to have some involvement in the marketing of such facilities has also been articulated.

- 5.2 Section 13 of the Heads of Terms document, endorsed by Committee on 28th February identifies the provision of Early Years provision of up to 300 square metres Gross External Area in each of villages 1 to 6 subject to an occupation trigger based on a number of dwellings with the trigger to be agreed.
- 5.3 HCC would suggest that the same approach be adopted in relation to the Early Years provision and marketing at V7, before any alternative use is considered.

6.0 CHILDREN'S SERVICES (SCHOOL PLACE PLANNING)

- 6.1 To briefly summarise, section 5 of our February 2022 consultation response identified the fact that Village 7 forms part of the holistic GA1 allocation, and that to be policy compliant, the village needs to deliver a primary school site with a capacity of up to 3FE and make contributions to the secondary provision in the PfP part of the site. Further, that V7 would need to make contributions to early off site temporary secondary provision, and transport costs, and if the early delivery of secondary capacity at Village 1 at 2FE is achieved, to revenue support for that secondary school. (See section 5 and 5.13 of the HCC response February 2022.
- 6.2 Notwithstanding assertions made about the phasing of delivery in the Housing and Infrastructure Delivery Statement, carried through alongside these amendments and in the covering letter to them, HCC has indicated that the applicants assertions around phasing of delivery of the primary school – which are carried through to these latest revisions, are incorrect. Given that delivery of the comprehensive allocation of all 7 villages could take 15 to 20 years, HCC needs to be able to consider the role played by the V7 school in considering its education strategy for the GA1 site in the future, not just in the short term. Further, HCC continues to reject the assertion that the Village development will only generate 1.5FE of secondary need. Given the uncertainty, it is appropriate to plan for the potential of it delivering up to 3FE of demand.
- 6.3 In any event the approach to primary school delivery should dovetail with the approach adopted in relation to Villages 1 to 6 and the dynamic approach to the delivery of school places which will be reported to the Education Review Group (ERG) which includes developer representation. HCC would therefore expect that the approach to the s106 legal agreement would reflect the Education Heads of Terms reported to the East Herts DMC on 28th February.
- 6.4 CS colleagues have also provided the following further comments. CS welcome the provision of up to 3fe of primary provision within V7 to meet the needs of that new community within the Housing Infrastructure Delivery Strategy. This outlines primary provision to be available prior to the occupation of the 250th dwelling in Village 7 or at an alternative trigger to be agreed and reported through the ERG.
- 6.5 HCC's previous responses to EHDC on the V1-6 application have outlined the inter-relationship between timing and delivery of new homes and the yield from village 1 and village 7, articulating that a whole site solution is required to meet that need from the outset. The strategy for delivery of the first primary school places needs to consider the timing of commencement of development and build out of V7 and the initial yield

arising from it and V1. It also needs to consider the implementation and timing of the sustainable transport corridor which would facilitate access between the two villages as well as the timing for the delivery of the interim off site walking and cycling link between Village 7 and Village 1 and its suitability as a route to access the school at V1. Triggers need to be in place so that village development cannot proceed without delivery of a school which serves both and sustainable transport links or a school in each of V1 & V7 from early occupations.

- 6.6 HCC challenges the statement in the amended application at para 4.13 [and repeated at Para 6.26 and at 4.16 in the HIDS] that *The demand for secondary school education which arises from Village 7 is expected to require 1.5 FE*. This should be 3fe. As outlined in our previous response in April 2021, Policy GA1 requires this to achieve 20FE of Primary and Secondary capacity as part of the allocation. HCC has previously indicated that the Village 7 proposals necessitate provision to deliver the potential for a 3 fe primary school **and the pro rata contribution of 3 fe towards secondary provision as part of the GA1 allocation**. This approach is also consistent with the approach to the Section 106 Agreement and Heads of Terms endorsed by the DMC on 28th February which relate to 85% of the housing delivery at the site and which make all the physical secondary school provision. It is reasonable to expect the Heads of Terms associated with Village 7 to dovetail with that approach.
- 6.7 The Planning statement acknowledges the role of the Education Review Group (ERG), which is key to delivery of a dynamic education strategy ensuring school places are provided at the right time to meet growing local demand. The applicant quotes pupil yield figures in Section 6 without any supporting evidence, and at para 21 states that *“beyond the projected eight year build-out period, the demand for primary school places is expected to fall.”* It will be for the ERG to monitor data relating to build out, occupations and pupil yield etc over the lifetime of the development, assessing the changing demographics over time and allowing the Local Authority to respond dynamically to ensure sufficient places are made available. The fact that Village 7 is not an island and that it is right and proper for HCC to be able to consider the role it makes to delivery of education across the GA1 allocation – for example relative to V6, must be recognised.
- 6.8 In relation to the proposed location & detail of the primary school in Village 7, we raise the following comment for consideration, which we accept will be picked up as part of Village Masterplanning, and will involve inputs from the applicants consultant team, the LPA and Highway Authority:
- a. How does proximity to main vehicle route and junction encourage parents and older children to walk or cycle? It's proposed location in close proximity to primary vehicle route and junction may encourage car use / discourage active travel
 - b. Distance to village hub and shops may reduce incentive for active travel
 - c. On a day to day basis proximity to the football hub will not offer an incentive to active travel for parents children attending school.
 - d. How is pedestrian friendly access objectively being assessed?
- 6.9 As outlined in our April 2021 response, new on-site secondary provision will be planned to meet the demand arising from the GA1 allocation to provide for the new Gilston Villages. Again, Policy GA1 requires provision of and to achieve 20FE of Primary and Secondary capacity as part of the allocation. HCC's dynamic education strategy, to be reported and updated to the ERG will ensure that secondary school

places are available to every child in Gilston who wants one. The availability of school places will contribute towards the LPA and developments' active travel/sustainability and modal share aspirations.

- 6.10 It is not proposed to mitigate the impact of the new homes off-site at existing schools as suggested in Para 4.17 of the HIDS. New secondary school provision on site will be established in line with demand, either initially at 4fe or at 2fe. Either option will require temporary off-site arrangements and associated transport to mitigate the initial yield arising from the development until new on-site school places are provided. The applicants for V7 will be obligated through the s106 to contribute proportionately towards these costs and it is welcomed that HIDS para 4.18 confirms that this principle is agreed by the developer. HCC would therefore expect that V7 makes its appropriate contribution to secondary school places as per the Heads of Terms endorsed by the DMC on 28th February.
- 6.11 Para 5.12 (k) of the planning statement references all schools providing for dual use of facilities for community purposes. To restate HCC's position in relation to community use agreements as outlined (most recently) in its response to the Gilston Area Stewardship and Governance Strategy, HCC cannot require a school academy operator to commit to a Community Use Agreement (CUA). An academy trust operator will have a 125-year lease with the Secretary of State, not HCC. Through the duration of the lease the operator may be changed at the SoS's discretion. Any new provider will have the right to decide their involvement in a CUA. Subject to the understanding that school sites are first and foremost for the delivery of education, and that the school will always have first call on the use of facilities, HCC is supportive of CUAs. It is also worth noting that HCC would not bear any added costs outside the DfE Balanced Scorecard envelope and provided for by the education provisions in the S106 agreement in delivery of a school.
- 6.12 It is noted that the HIDS, paragraph 4.18 confirms the applicants are prepared to make appropriate proportionate contributions to off site temporary secondary accommodation costs and associated transport costs. Contributions should be proportionate to the numbers of pupils arising from Village 7 which the applicants would like to be concurrent with Village 1. Those costs were set out at section 5.13 of HCC's consultation response dated February 2022. They are repeated here for convenience,

Scenario / Rate / (Yield Model)	Temporary buildings	Transport	Revenue Support	Total
2FE High Build Rate (QUOD)	£2.7m	£1.1m	£1.5m	£5.3m
4FE High Build Rate (QUOD)	£4.1m	£2.3m	£0m	£6.4m
2FE Medium Rate (QUOD)	£2.7m	£1.4m	£2.2m	£6.3m
4FE Medium Rate (QUOD)	£4.1m	£2.5m	£0m	£6.6m
2FE Slow Build Rate (HCC)	£2.7m	£1.5m	£3.5m	£7.7m
4FE Slow Build Rate (HCC)	£4.1m	£4.1m	£0m	£8.2m

Noting that for the purposes of the S106 agreement Heads of Terms, PfP and HCC agreed that, for the purposes of identifying cost, it is reasonable to assume a medium build out rate for the purpose of costs.

- 6.13 As stated at section 5.10 of HCC's February 2022 response, the potential for the early delivery of secondary school places at 2FE continues to be explored with PfP. If that early delivery does take place and V7 comes forward concurrently with V1, then V7 will

need to make appropriate proportionate contributions towards revenue support of that early secondary school delivery.

- 6.14 HCC would expect that the approach to the Section 106 agreement in relation to these education elements is consistent with the approach endorsed by the DMC on 28th February, to ensure comprehensive delivery of infrastructure and service provision across the GA1 allocation.
- 6.15 The approach to SEND provision outlined in para 4.11 is not consistent with v1 – V6 and needs to be revised to align. Nor does it positively respond to section 5.16 to 5.22 justifying the SEND ask in HCC’s consultation response dated 22nd February 2022.
- 6.16 Para 4.11 of the planning statement states: *Where provision for Special Educational Needs and Disabilities (“SEND”) is identified through capacity and feasibility testing at a more detailed design stage, this will form an integral part of the Village 7 Primary School. This will be secured through an obligation contained within the S106 Agreement and subject to further negotiation with EHC and HCC to ensure a coordinated and comprehensive approach to meeting the requirements across the Gilston Area.*

This wording is repeated at para 4.14 of the Housing Infrastructure Delivery Strategy document.

- 6.17 Capacity and feasibility testing is not required. HCC’s SEND ask is clear; it is expected that the requirement for SEN Specialist Places arising from the V1 – V7 development will be 60 places and Village 7 will be required through the s106 to fund the proportionate cost of these places.

SEND provision will be delivered through a number of settings to meet the diverse and complex needs including:

- i. Special School Places in the vicinity – (but not expected to be within GA1)
 - ii. SEND Provision linked to Primary and Secondary schools. This could be provision within up to 2 x primary schools and 1 x secondary school within GA1.
- 6.18 HCC expects that the approach to the Heads of Terms and the costs associated with that SEND provision for V7, should be consistent with the Heads of Terms endorsed by the DMC on 28th February. For the avoidance of doubt, footnote 6 to section 6 of that Heads of Terms schedule applies, with the cost of SEND provisions attributable to V7 being £857,976 – 15% of the total SEND contribution. (These costs based on an 85% 15% split V1 to 6 /V7 and that In line with Department for Education (DfE) guidance, the cost of SEND specialist provision places sought is four times the national average cost for the relevant phase (i.e. primary or secondary), published by the DfE in the local authority scorecards, regionally adjusted for Hertfordshire).

7.0 COMMUNITY PROTECTION (FIRE AND RESCUE SERVICES)

- 7.1 In addition to the Fire Hydrants section of our previous responses (see sections 11.14 of March 2020 and 6.1 of our February 2022 responses respectively), the Heads of Terms endorsed by Cttee on 28th February 2023 included provision of a financial

contribution or land, for the delivery of a blue light facility – with HCC representing the need for a new fire station at Gilston.

7.2 HCC has made previous representations to EHC that provision for such a facility should be made at Village 1, 2 or 7. Subsequently, and following further discussions with EHC and PfP, it has been identified that a location at V6 might also be made available subject to certain caveats.

7.3 Whether it is the proportionate financial contribution of £261,811 (index linked) or a site, - it must be one or the other. HCC would expect the Heads of Terms associated with any legal agreement for Village 7 to dovetail with the way in which Village 1 to 6 either contributes to, or delivers a site for Fire and Rescue needs.

7.4 We note and welcome the fact that both the HIDS and the covering letter with the application acknowledge the need.

8.0 LIBRARY PROVISION

8.1 The preparedness of the applicants to make an appropriate contribution to library provision in the HIDS is noted. This contribution is required in order to mitigate the impact of the development.

8.2 HCC would expect that the approach to the Heads of Terms for the library contribution dovetails with the Heads of Terms associated with the DMC resolution on 28th February – however we would note that, as per section 6.6 of the HCC response dated 2nd February 2022, that the amount of the contribution payable by V7 is £337,631 (index linked).

8.3 Triggers are to be agreed holistically with V 1 to 6, EHC and HCC.

9.0 WASTE MANAGEMENT PROVISION

9.1 As with the library contribution, we note that the applicant is prepared to make an appropriate proportionate contribution to waste. HCC accept that this should dovetail with the approach identified in the Heads of Terms endorsed by the DMC on 28th Feb, noting that for the waste contribution alone, the sum identified in the HGGT Infrastructure Delivery Plan 2019 should be used as the basis for the contribution. This means that the contribution towards recycling facilities for statutory waste disposal functions should be £249,310 (index linked).

9.2 Triggers are to be agreed holistically with V 1 to 6, EHC and HCC.

10.0 SERVICES FOR YOUNG PEOPLE

10.1 Provision is made for the delivery of a Youth Facility within Village 1, and the nature of that provision is included as part of the Development Specification. The applicants acknowledge that a contribution towards that provision should be made by V7. Therefore, as per section 9.1 of HCC's consultation response dated 22nd February 2022, and as per the Heads of Terms endorsed by Committee on 28th February 2023 a proportionate contribution of £73,568 (index linked) should be made available to support Youth Service delivery.

10.2 Triggers are to be agreed holistically with V1 to 6, EHC and HCC.

11.0 ARCHAEOLOGY (LANDSCAPE ECOLOGY ARCHAEOLOGY AND DESIGN SERVICES - LEADS)

- 11.1 Archaeology colleagues have reviewed the revised application material and make the following observations in relation to the amended application.
- 11.2 We are pleased to see that the applicant has now submitted a report on a recent geophysical survey of the proposed development site. This survey was carried out in two stages, in early 2022, and it identified new areas of significant archaeological potential (i.e. in addition to those areas known to possess archaeological potential already located by a previous, partial survey carried out in 2015). The new survey has therefore identified previously unknown archaeological remains (heritage assets) within Gilston Village 7.
- 11.3 We note that Chapter 20: Archaeology of the Environmental Statement has been updated to include the results of the geophysical survey carried out in 2022.
- 11.4 In previous advice to the Planning Authority we have consistently noted the potential for currently unknown archaeological remains (heritage assets) of medium to high significance to be present within Village 7 (within both the developable areas and in adjacent areas that may be used for sports provision and leisure facilities, and SUDs, etc.), and also the possibility that some of these might be a constraint on development (NPPF para 200, fn 68, etc).
- 11.5 We therefore advised that a further archaeological evaluation should be carried out, and that this programme of evaluation should comprise further geophysical survey to achieve a complete coverage of the site, followed by additional archaeological trial trenching. This trenching would provide an appropriate baseline minimum sample across the site, and thereby provide sufficient data to inform the scope and extent of the secondary archaeological mitigation that would be required by conditions, should outline planning consent be granted.
- 11.6 Thus far, only the geophysical survey has been completed. We therefore recommend that the additional trial trenching, is carried out at the earliest opportunity, both to achieve the recommended baseline minimum sample across the site, and to more fully determine the archaeological significance of the archaeological features identified by the 2015 and 2022 geophysical surveys, and by the limited programme of trial trench evaluation carried out in 2017.
- 11.7 We again emphasize that this trial trench evaluation should take place prior to, and to inform, the finalisation of the detailed Village Masterplan, and the submission of any planning applications for Reserved Matters consent.
- 11.8 **Should this information not be available prior to the submission of any planning applications for Reserved Matters consent we will be unable to assess the acceptability of the proposals, and we are likely to advise the Planning Authority that the applications should be refused.**
(Emboldened for emphasis by LEADS Archaeology).
- 11.9 Please note that, other than the recommendation that a geophysical survey is no longer required, the remainder of our advice remains unchanged from that previously provided to the Planning Authority.

11.10 Please do not hesitate to contact LEADS Archaeology should you have any queries.

12.0 ECOLOGY (LEADS)

- 12.1 It is difficult to summarise the ecology comments without losing any professional nuance so no attempt to do so comprehensively is made here. The detailed ecology comments are included at Appendix B to this response. It should also be noted that this included its own appendix which makes comments on the Governance and Stewardship Strategy from an ecological perspective.
- 12.2 Broadly however, it is worth noting that Herts Ecology conclude that the updated surveys are acceptable and follow best practice. Comments are also made around BNG metrics, but Herts Ecology conclude that there is no reason to object to the application being determined.
- 12.3 If the LPA or applicant have any queries relating to the ecological element of the consultation response then please raise them direct with Herts Ecology.

13.0 CONCLUSION

- 13.1 Since our original consultation response in 2020, HCC has continued to support East Herts Council as Local Planning Authority, in seeking to ensure that the approach to the GA1 Gilston allocation is comprehensively planned and delivered. It has engaged with both V7 and V 1 to V6 applicants on that basis and with that objective.
- 13.2 Together with the comments made in previous consultation responses, subject to the matters identified being positively addressed through a combination of both planning conditions and appropriate clauses in a Section 106 agreement the comprehensive approach to delivery can be secured. We believe that the infrastructure matters requested are compliant with the tests in Regulation 122 and that provision of the infrastructure requested to mitigate the impact of the development from both a service and highways perspective is justified and necessary as part of the delivery of the single entity which the GA 1 allocation represents – albeit as 7 villages. There are certain interlinked and supporting elements as well as elements of provision specifically associated with V7.
- 13.3 We believe that the Governance and Stewardship Strategy provides the foundation for positive discussions moving forwards, and the strategy acknowledges and reflects the iterative nature of discussions which will inevitably be informed by further detailed Masterplanning.
- 13.4 HCC look forward to supporting the LPA to concluding the S106 agreement, and HCC teams are happy to continue to discuss any of the matters raised in this consultation response which the LPA/applicants wish to discuss further.

Yours sincerely

Matt Wood MRTPI
Garden Town and Strategic Sites Lead, Growth and Infrastructure Unit
Sustainable Growth, Hertfordshire County Council

APPENDIX A
HCC COMMENTS ON GOVERNANCE AND STEWARDSHIP STRATEGY

PfP* Gilston Area Stewardship and Governance Strategy

*** Also submitted by TW**

Empowering the Community

November 2022

Replacement for the 'Governance Strategy' dated April 2019

HCC Comments

1.0 Introduction

- 1.1 Hertfordshire County Council, (HCC), welcome the opportunity to comment on the Gilston Area Stewardship and Governance Strategy, (the strategy), which has been submitted to replace the Governance Strategy which was originally submitted in 2019. Community ownership of land and the successful long term community management and stewardship of assets are key principles in:
- the Town and Country Planning Associations Garden Town Principles.
 - The aspirations for stewardship as defined in the Harlow and Gilston Garden Town Vision document 2018.
 - Policy GA1 III, 3rd bullet of the adopted East Herts Local Plan 2018.
 - The Gilston Area Neighbourhood Plan – Section 3.2, and Policy D2 – sustainable funding of assets in perpetuity in the interests of the whole community – noting the interrelationship and need for integration between green space and other community assets.
- 1.2 The strategy will cover a long timescale in the stewardship and management of Gilston. Its success in achieving its goals will ultimately be judged alongside comparators like Letchworth Garden City, and Welwyn Garden City as well as the current range of new Garden Towns. HCC welcomes the fact that the strategy has been prepared jointly by PfP and Taylor Wimpey for the GA1 allocation 'as a whole', ie covering all the villages and the substantial areas of open land and retained agricultural land forming the whole of the application site. It is worth remembering that this site is 951ha in area.
- 1.3 In addition to landscape, open space, land for ecology, land for recreation, community assets, non-adopted highways, Sustainable Urban Drainage Systems (SuDS) within the 7 villages commercial floorspace and other revenue generating assets comprising the GA1 allocation, the substantial areas of open and agricultural land to be covered by the Strategic Landscape Masterplan, (SLMP), will also be the responsibility of the stewardship body. The important interface with existing communities, landscapes and habitats seems to be recognised in the strategy. The SLMP also links various elements of infrastructure, for example SuDS, landscape/open space/ecological corridors as well as footpaths and cycleways to form the comprehensive GA1 allocation.
- 1.4 The stewardship body is not just about mitigation now, but fostering and developing the above relationships, considering new opportunities and challenges from emerging legislation and taking forward the long-term management of the land and other assets.
- 1.5 HCC note that the strategy has been submitted at a time when there is significant change on the horizon. This is not just associated with the Environment Bill and Biodiversity Net Gain (BNG), and strategies mitigating the impact of planning applications but also in relation to Local Nature Recovery Strategies/climate change

objectives. This emerging legislative backdrop will provide opportunities and challenges which could generate future revenue streams for the stewardship body.

- 1.6 As a fundamental principle, it is important that the issue of stewardship is not regarded as static. It must be a dynamic activity able to consider and respond to new challenges and opportunities over time. HCC is pleased to note that the strategy embraces that principle.
- 1.7 Throughout this brief document, comments are offered on the Stewardship and Governance Strategy using the paragraph and section reference numbers used by Places for People, (PfP) in the document. The comments are intended to be helpful, and HCC would welcome the opportunity to engage further with the applicants, EHC and other stakeholders in relation to the Gilston Area Community Management Trust, (GACMT) and the proposals for stewardship and governance at Gilston.

2.0 HCC Comments on the Content of the Strategy

(The following uses paragraph/section references from the PfP stewardship document)

- 2.1 Page 6 fifth paragraph – HCC note that the s106 will be used to identify trigger milestones for approvals defined and linked to the incremental development stages for each aspect of community infrastructure. This seems to us to reflect the reality and iterative nature of the planning process delivering the villages, (7 separate Village Masterplans (VMPs), and the Strategic Landscape Masterplan area (SLMP) which will in time deliver the totality of the GA 1 allocation.
- 2.2 The LPA and applicant are securing delivery of the development from the broad principle of development being agreed in the outline planning permission, with production of the SLMP and VMPs for each of the villages providing more detail and design codes, prior to the final detail of what is to be delivered coming through reserved matters planning applications. (Possibly a Regulation 3 application for schools and other HCC community infrastructure).
- 2.3 Para 1.6 – HCC welcomes the fact that the S106 agreement will set the overall framework for governance delivering on milestones consistent with Policy GA1. Establishing a shadow Community Board, initially involving PfP with a Community Board developing through membership of the villages as they are delivered over time seems to recognise the delivery of the allocation – ‘in sevenths’. The fact that assets will be transferred to the community body at agreed triggers on completion of phases of the development is also a pragmatic approach to a development which will take some time to deliver.
- 2.4 Para 1.11 – HCC welcomes the fact that there is recognition in the strategy that the management of the development is a significant liability and the applicant’s commitment to ‘sustained investment as well as an experienced management regime’.

Table of Stewardship Responsibilities

- 2.5 Figure at 1.12 - The table divides assets into Strategic/Village and Community wellbeing assets. Sustainable Urban Drainage Systems (SuDS) are identified as Village Assets. HCC has long put forward the view that SuDS must be regarded as a single integrated system. Fragmentation of responsibility for the management and maintenance of the non-highways SuDS network would see any failure in maintenance lead to issues with the SuDS network upstream.

- 2.6 The issue that not all highways will be adopted is not signalled or acknowledged in the table this omission requires correction. Clarity regarding which roads will and will not be adopted can only be achieved at the Village Masterplan and design code stage. HCC will only adopt roads with wider utility to the public.
- 2.7 Para 1.13 – Reiterating the comment at 2.5 above, HCC believe that SuDS must be regarded as Strategic infrastructure. The SuDS networks of the individual villages will connect between one another via the SLMP area. The need for a dynamic approach to the role of the SLMP, including in the way it accommodates and connects the SuDS of the individual villages, is a point that is likely to reoccur in further work on the SLMP and individual VMPs.

Stewardship Vision, Aims, Objectives and Principles

- 2.8 Para 2.4 – In saying that the Gilston Area Community Management Trust (GACMT) will take responsibility for community land and assets, it is also worth noting that they are also in some respects, liabilities. (For example, maintenance of non-highways SuDS).
- 2.9 Para 2.7 (1). a) – the references to ownership, management of green and blue infrastructure to improve ecology, enhance habitats and deliver BNG through management plans endorsed through the planning process is supported, likewise the commitment at c) to Green spaces SUDS and community assets complementing and enhancing the existing natural, semi natural and built community assets.

In addition, the GACMT needs to be receptive to, at least considering new opportunities for green infrastructure, biodiversity net gain, carbon sequestration and other new initiatives which may result from the Environment Bill/any emerging Local Nature Recovery Strategy for example. It is also worth noting the recent update to Planning Practice Guidance (PPG) that place greater emphasis on the “four pillars of SuDS” - water quantity, quality, biodiversity and amenity. The first two were already covered off well, but BNG and amenity are now given greater importance. Given the proximity of the significant open land forming part of the allocation, while it is in Hertfordshire, *it could* have a role in this respect in meeting any goals for Local Nature Recovery contained in an Essex LNRS.

Some of these opportunities/initiatives may be helpful in providing new revenue streams for the stewardship body.

HCC believe that this approach would itself align with the commitment at 2.7 (3) to ‘embed ambitious environmental practices’ in the stewardship body. Ambition would mean acknowledging and seeking to embrace opportunities provided by new relevant legislation.

- 2.10 Para 2.8 b) – The strategy states that one of the principles to be followed will be investment in creative, collaborative and innovative projects and assets which reflect local and neighbouring community interests and provide income generating opportunities to be re-invested in line with Garden Town principles. Again, this suggests potential alignment with initiatives which could flow from the LNRS and relate to wider BNG considerations.
- 2.11 Para 2.8 e) further amplifies why HCC believe that there is likely to be alignment between the role of the stewardship body, and the wider conversation it might have with those preparing the LNRS/and proposals to counter climate change in due course. The commitment to “Ambitious environmental, (ecology, climate mitigation, heritage), social (community cohesion and public health) and economic (job creation) targets which embed transparent and outcome focused monitoring and accountability through

consultation with stakeholders to ensure the stewardship benefits are realised and maintained – suggests there will be a relationship with emerging strategies.

Community Infrastructure

- 2.12 Table on page 15 identifies that SuDS comprises both Strategic and Village infrastructure. For the reasons outlined earlier at 2.5 management of SuDS is best not approached at multiple fragmented levels, and really does need to be approached as strategic infrastructure.
- 2.13 Table on page 15 Reference to Sports pitches being strategic community infrastructure are noted. HCC understands this reference to be to the dedicated sports provision as part of the GA1 allocation. It does not relate to school playing fields.
- 2.14 HCC cannot require a school academy operator to commit to a Community Use Agreement (CUA). An academy trust operator will have a 125-year lease with the Secretary of State, not HCC. Through the duration of the lease the operator may be changed at the SoS's discretion. Any new provider will have the right to decide their involvement in a CUA. Subject to the understanding that school sites are first and foremost for the delivery of education, and that the school will always have first call on the use of facilities, HCC is supportive of CUAs. It is also worth noting that HCC would not bear any added costs outside the DfE Balanced Scorecard envelope and provided for by the education provisions in the S106 agreement in delivery of a school. HCC colleagues in Children's Services and Estates agree the expectation to operate CUAs will form part of an invitation to an Academy Trust to deliver the schools at Gilston. Consideration is also being given to whether management of any federation of CUAs at schools could be in the hands of a third party. Issues around safeguarding and management mean that these are important considerations for the delivery, design and layout of new schools.

Highways Matters

- 2.15 HCC's policy on road adoption, as referenced above (see Roads in Hertfordshire), dictates that it is likely that not all roads within the Gilston allocation will be adopted and therefore the responsibility of HCC. This needs to be referenced within the Table on page 15.
Equally, consideration needs to be given for mobility hubs or other such sustainable travel infrastructure which can generate revenue for stewardship bodies.
- 2.16 Para 3.10, fourth paragraph. The significant scale (586ha) of the open land forming part of the Gilston allocation, and which will be delivered to the GACMT for the purposes of stewardship is an important point. The management of that open land references the various purposes that land will be put to, including retained tenanted agricultural land producing of food. The potential opportunities arising through the Environment Bill, LNRs, and addressing climate change are also worth noting and it is important that the stewardship body is receptive to considering the opportunities/challenges which may arise from those sources.
- 2.17 Para 3.11 first and second bullet point – whatever the asset being handed over to the GACMT, the fact that there will be a process to confirm the fitness for purpose of the asset, and that there is a management plan which has been prepared and approved by the LPA for the asset concerned considering its whole lifetime and replacement cost are fundamental. Given the range of assets this relates to, it will be important that the LPA has access to the necessary expert advice, and that there is a mechanism to resolve disputes.

- 2.18 Para 3.12 – currently the only reference to roads in the document and identifying that long term maintenance arrangements will need to be put in place, but GACMT ownership is not appropriate. Unadopted roads present further opportunity for SuDS (such as permeable paving etc) that typically would not be possible on adopted roads. If unadopted roads do end up being of permeable construction then their management in perpetuity will be important, as will how they will tie into the strategic network. The question of how those unadopted roads would be managed and maintained therefore arises.
- 2.19 Para 3.12, final sentence. The strategy says that “the S106 Agreement will set out the management and funding arrangements for all community infrastructure...”. Allied with the certification, and fitness for purpose process set out at 2.17 above, the identification of how it will be funded, in lifetime and replacement costs, will be important in ensuring the longevity of the stewardship body.
- 2.20 Para 3.14. The strategy notes that agricultural farmed land could lend itself to green infrastructure initiatives and could also lend itself to support stewardship and placemaking objectives including, recreation, sports, ecology and for plant, tree and food production. This may also extend to the opportunities which may arise from embracing other emerging initiatives, such as the Local Nature Recovery Strategy, climate change initiatives and the Environment Bill, which may generate revenues for the stewardship body.
- 2.21 Para 4.10 – Sustainable Transport. The strategy refers to the importance of sustainable travel in respect of success of the development and delivery of the HGGT sustainable transport strategy, which is positive, however it should be broader than just bolstering capacity and capability in respect of travel planning. As noted previously, GACMT is likely to need to provide and maintain a role in operating, maintaining and marketing some elements of the sustainable travel offer such as mobility hubs, footways and cycleways, and may be required in instances to implement new services. This needs to be referenced and considered.
- 2.22 Para 4.9 Sustainable Lifestyles – could local energy production be added to the list, for example community Ground Source Heat/Air Pumps?

Governance and Decision Making

- 2.23 HCC has no comments on this section of the strategy, other than to note that we would seek to support the establishment/discussions necessary as the stewardship body develops, and noting that greater clarity about stewardship matters will emerge as the VMPs and SLMP are prepared impacting on issues and matters associated with place making with which HCC can contribute to discussions.

Finance and Resources

- 2.24 Para 6.1 - The fact that the GACMT will be underpinned in the early years by revenue and start up funding by TW and PfP is noted. Opportunities to identify other potential revenue streams from the use of land, not directly associated with mitigating the impacts of the current planning application should also be considered. (LNRS and BNG).
- 2.25 Para 6.3 – The strategy states that “public open space and community assets will not be transferred to the GACMT until their operation, and management have been costed and funding arrangements agreed at key milestones, the framework and commitments

for which will be set out in the planning and stewardship documents and enshrined in the S106s. Until the point of transfer the applicants and future housebuilders will retain responsibility for their management and funding”. LLFA colleagues comment that the stewardship strategy is an important and impressive piece of work that ensure assets such as SuDS do not fall out of maintenance, as can be the case where ‘maintenance companies end up going bust or ceasing to exist. It will be important to have contingency plans here too.

- 2.24 It is important that this management and costing process, takes place, for every asset to be transferred, following the ‘fitness for purpose’ and ‘certification’ process described at 2.17 above. The analysis of the applicants, that based on their experience, the financial arrangements are still likely to rely on an index linked resident management charge, is noted.
- 2.25 The reference at 6.9 that the S106 will provide for the endowment of capital funding which can be invested by the GACMT to generate income is noted. In addition to the reference to “the GACMT Trustees will want to ensure an investment portfolio which contains a range of retail, commercial, residential and financial assets which protect against changes in the market and provide secure long term revenue”, the opportunities which could arise from engaging in LNRS, BNG and climate change initiatives are all areas which could not only benefit ecology/habitat protection, creation and enhancement /climate change objectives, but also generate revenues for the stewardship body.
- 2.26 Next Steps, Para 7.5 and explanatory flow chart. The relationship between the S106 agreement, and delivery of Outline business plans with Masterplanning progressing to detailed business plans and asset management plans with reserved matters applications is noted. It will be important that the S106 agreement associated with the outline application captures those committed outputs and that the fitness for purpose, asset management plan and detailed business plan identifies appropriate endowments and funding arrangements. HCC understand that these are matters for EHC as the Local Planning Authority, but the milestones and linkages contained in the strategy document seem logical. Again, we would suggest that some form of dispute resolution mechanism is likely to be helpful.

3.0 Conclusion

- 3.1 The above comments reflect the thoughts and opinions of many different HCC officers. If there are any questions in relation to any of the matters covered, we would be happy to meet with the LPA/applicants/other stakeholders with the aim of trying to achieve the best possible stewardship arrangements.
- 3.2 It is appreciated that the masterplan processes will be key in beginning to solidify exactly what is ‘stewarded’. However, subject to the comments above, principally in relation to highways and Highway adoption and in connection with SuDS being strategic infrastructure, the strategy submitted is considered to represent a good starting point with the outline application proposals and for the principles.
- 3.3 Please continue to use me as your principal HCC contact in terms of engaging on any of the points and comments mentioned above.

Matt Wood 10/01/22

LEADS – ECOLOGY – DETAILED COMMENTS

HERTFORDSHIRE ECOLOGY

Providing ecological advice to Hertfordshire's Local Authorities

Hertfordshire LEADS Environmental Sustainability | Hertfordshire County Council

County Hall, Pegs Lane, Hertford, SG13 8DE

ecology@hertfordshire.gov.uk

Tel: 01992 555220

Jenny Pierce
Gilston Area Team Leader
Planning and Building Control
East Herts Council
Wallfields,
Pegs Lane
Hertford, Herts SG13 8EQ

Your Ref: 3/19/2124/OUT

Ask for: M J Hicks

Tel: 01992 556158

Date: 14/02/2023

Dear Jenny

RECONSULTATION REGARDING MINOR AMENDMENTS TO PLANNING APPLICATION AND NOTICE UNDER REGULATION 25 – FURTHER INFORMATION AND EVIDENCE RESPECTING AN ENVIRONMENTAL STATEMENT

Application: Outline planning application for a residential led mixed use development comprising: up to 1,500 residential market and affordable homes; a mixed use local village centre; retail, business, commercial and community uses; primary school, early years and nursery facilities; leisure and sports facilities including a football hub; provision for up to 8 no. pitches for Gypsies & Travellers; open spaces, ecological areas, woodlands and public realm; and associated infrastructure. All matters reserved apart from detailed works to the A414 Church Lane junction (phased development).

Address: (Gilston Village 7), Land Off Church Lane, North of the A414, Hunsdon and Eastwick, Hertfordshire

Application No: 3/19/2124/OUT RECONSULTATION

Thank you for consulting Hertfordshire Ecology on the minor amendments for the above application for which I have the following comments:

1.1 The planning statement. This has been updated, although as usual with no clear indication of amendments. Whilst this is not helpful, there is nothing within this that would appear to raise any new concerns. Parameter Plan 3 outlines Green Infrastructure which includes natural and semi-natural greenspace including woodlands and allotments within Village 7 (V7) 4.23. Biodiversity enhancements including habitat corridors 4.40 are supported - although these are within an urban context and will, by default, be influenced by the uses and nature of that urban environment. Orchards are supported 4.41 although I suspect the implications of their creation or maintenance have not been considered thus far. 5.43 outlines 10m buffer zones; these are supported depending on what is being buffered - ancient woodlands need 15m, proposed as 20m in Parameter Plan 2.

1.2 The context of the site is described 6.179, HRA undertaken (no likely significant effects 6.180, protected ecology outlined with measures to retain and safeguard as shown on parameter Plan 2 &3, along with new habitats 6.181, an ecological management plan 6.182, and avoidance measures during construction 6.183. Farmland birds are considered to be The only cumulative ecological impact of any significance is considered to be on farmland birds 6.184. Whilst technically this may be true given the existing land uses which have

thoroughly degraded any historic ecological diversity, the development of 1,500 houses on open farmland will have an overwhelming impact on the ecological potential the land could otherwise have offered under different land management, as well as the context of existing features and the increased pressures on these which will result. The latter issues are a material consideration and are addressed accordingly.

1.3 In respect of sustainability, a Biodiversity Net Gain (BNG) has been demonstrated 6.197.

1.4 Appendix 2: outlines Village Centre Uses and Governance Strategy. The Gilston Area Concept Framework (July 2018) outlines how land ownership and management arrangements would guarantee independent control of the undeveloped parkland at Gilston Park Estate. Whilst transfer of assets to the community is supported in respect of engagement 6.9, the role of the landowners will reduce as development of the Gilston Area progresses and such assets are increasingly controlled by the community via a structure such as a Community Interest Company 6.10. This is also supported but must be based upon the aims of matters such as BNG requirements. The responsibility of delivery will fall onto bodies such as a CIC; this must be adhered to and not be influenced by subsequent alternative views, given any legal agreements will presumably be with existing landowners / applicant who in due course will absolve any such responsibilities.

1.5 Appendix 4: Gilston Area Neighbourhood Plan Policy Compliance Matrix includes AG2 - Creating a Connected Green Infrastructure Network. This shows how buffers on Parameter Plan 2 and DSS achieve policy compliance by protecting and enhancing GI assets, including Local Wildlife Sites, ancient woodland, retained hedgerows veteran trees and open space along watercourses. Further details at Reserved matters on GI as part of SLMP and VMP.

1.6 It also outlines LA1 - Landscape within the New Village Boundaries – stating that Parameter Plan 3 defines GI at V7 where features including hedgerows, woodland and veteran trees will be retained and buffered.

2. **Parameter Plans 2, 3 and 5** show retained features, proposed land uses and connectivity through the site, and these seem acceptable. However Plan 5 shows the proposed Traveller site within the Strategic Green Corridor - I believe this issue was raised in previous comments. Whilst I have no ecological views on the merits / need for this facility which is acknowledged, this area will need careful landscaping to ensure the corridor functionality is maintained as claimed on Parameter Plan 3.

3. **Development Specification Statement.**

3.1 The following principles are supported in respect of the football hub within the Community Park on the northern edge of the V7 (3.19):

- Strategic woodland planting to be provided along the northern site boundary
- Appropriate landscaping and planting for enhanced habitat links along this northern corridor;
- Reinforcement of existing vegetation along the eastern site boundary
- Lighting levels and extent of lighting serving the pitches to be minimised and commensurate with operational requirements.
- Mitigation measures to be designed into the facilities to minimise the potential for glare, light spill and sky glow (to include trees and woodland edges)

3.2 In respect of biodiversity, it is noted and supported that:

3.29 The proposed development builds upon the site's existing features as part of a strategy to mitigate ecological impact and achieve ecological enhancement, and proposes buffers;

3.30 The Applicant is committed to ensuring that the proposed development achieves a minimum net biodiversity gain of 10% across the site;

3.31

- The mitigation hierarchy has been applied;
- Protects Local Wildlife Sites, Ancient Woodland, woodland, retained hedgerows, veteran trees and open space along watercourses;
- Maintains ecological permeability through the development and links to the Stort Valley and surrounding context;
- Enables access to nature being mindful of avoiding disturbance to sensitive species and sensitive sites;
- Maximises opportunities to integrate appropriate biodiversity into the built development, landscape and active landscape management. This may include woodland management, bat and bird boxes, green and brown roofs, land for grazing animals, creation of log and brash piles, utilisation of SUDS features, tree planting, creation of species-rich grassland and wetland and the restoration of existing maintained features where required such as hedgerows and watercourse;
- Due regard is given to management and maintenance required to ensure all protection and enhancement measures will be effective in the long term.

Many of these issues will be fundamental to delivering BNG in any event, which itself is expected to become planning law by the end of 2023 and therefore a requirement of planning permission. Consequently I anticipate that all relevant Reserved Matters applications are likely to require this if determination is after this date.

3.3 Parameter Plan 2 – Buffers and Development Zones

The following are supported (4.5):

- Proposals to provide a 30m Village buffer to the development;
- Protection of woodlands, veteran and notable trees;
- 20m buffer to ancient woodland, 10m buffer to other woodlands;
- Retention of 65%-80% of existing hedgerows with a minimum of 5m buffer either side.

The 5m buffer proposed may be inconsistent with Policy NE3 which proposes at least 10m for hedgerows, trees and woodlands. However 5m has been agreed with EHDC, which does amount to a net buffer zone of 10m. Furthermore, every buffer zone area will also need to be managed to maintain some form of open feature if that is intended – otherwise it will be encroached by scrub in due course. This will depend upon its function or priority – amenity, biodiversity, landscape etc. - probably all three. This will need to be addressed within the detailed Masterplanning / Management Planning stages subject to RM applications.

3.4 Parameter Plan 3 – Green Infrastructure and Open Space

4.15 This is also informed by a Stage 1 Ecology Appraisal, supported by updated ecological surveys undertaken in 2022. Why these were not submitted as supporting information for the recent reconsultation given they were presumably available then - is not known. These are not minor issues.

4.16 GI includes natural and semi-natural Green Spaces – providing publicly accessible woodlands, urban forestry, scrub, grasslands and wetlands for wildlife conservation and informal recreation.

4.19 Strategic woodland planting will be provided within the Strategic Green Corridor, along the northern site boundary which adjoins the parkland of Hunsdon House to the north. A heathland habitat is proposed in the areas of the Strategic Green Corridor adjacent to the overhead powerlines to discourage recreational activity (such as kite flying) which could otherwise pose potential health and safety risks for users. Heathland is considered appropriate given it links back to the historical landscape of the site and its surroundings, but I consider this needs further work before a suitable habitat is developed – traditional heather ‘heathland’ was never a characteristic habitat in this area of Hertfordshire and there is no or little evidence of its existence here, although some acid grasslands may have existed on superficial gravel deposits in the east of the county (e.g. Patmore Heath SSSI).

4.24 Confirms the protection of Lord’s Wood as an ancient woodland, with a 20m buffer. Other woodland within the site will be retained.

5.1 Confirms the Strategic Landscape Masterplan for the whole Gilston area, as well as a Village 7 Masterplan.

4. Gilston Area Stewardship and Governance Strategy - November 2022 (replaces April 2019 document) On behalf of Places for People (PfP) and Taylor Wimpey (TW).

Details comments are provided in Appendix A. Key issues are highlighted below:

4.1 Commitments:

Transfer of parkland and open space to local people.

This must result in the responsibility of a suitable stewardship body to implement the stated objectives, as is proposed for the villages and strategic community infrastructure. Without this approach, the LPA can have little confidence the proposals will be delivered in the long term..

2.7 Key objectives will include:

1. *Owning, maintaining and effectively managing the public open spaces... This will include:*

a) Green spaces and blue infrastructure will be maintained and managed to improve the natural environment and deliver net biodiversity gain and enhanced habitats in accordance with management plans endorsed through the planning process.

b) Parkland, habitat corridors and other green spaces will be subject to special protections from future development.

c) Green spaces, SuDS and community assets will complement and enhance the existing natural, semi-natural and built community assets.

d) Any service charge and/or estate charge is to be set at and maintained at a reasonable level that is commensurate with the level of cost that is incurred in maintaining/servicing relevant assets.

e) Transfers of community infrastructure to the Stewardship Body to be freehold or subject to a long lease at peppercorn rent.

This approach is supported. It should ensure all open spaces will have a funded responsible body to deliver and fund the management objectives. Will this include the responsibility for the overseeing and delivering the arable agricultural land? Presumably according to 3.10 below.

2. Initiating, developing, co-ordinating and delivering community and cultural activities to create and maintain a thriving, inclusive community:

- a) *Local and neighbouring communities will be encouraged and enabled to participate in volunteering schemes linked to the stewardship of the assets, and community development to promote social cohesion.*
- b) *Local people and neighbouring communities will be encouraged and enabled to participate in skills development.*

This is supported, particularly in respect of engagement with local food growing and community orchards, or activities such as wildlife recording which could contribute to monitoring biodiversity changes.

4.2 Community Wellbeing

The proposals to generate a genuine sense of community associated with Gilston are supported.

4.5 includes GACMT will be an enabling organisation... It will provide a suitable vehicle to take forward practical responses, for example, encouraging residents to ...adopt greener lifestyles, get involved with biodiversity initiatives such as wildlife gardens and management of green corridors...

This is supported; as suggested earlier, this should also include wildlife recording. The extent to which local residents can get involved with the active management of large areas of open space needs further consideration. This may be desirable – but practically undeliverable.

4.3 Evolution of Governance Structure

5.13 There are currently two existing Parish Councils covering the Gilston development area, Eastwick and Gilston Parish Council and Hunsdon Parish Council. Given the scale of the new development both in terms of geography and numbers of new houses, it would be in the interests of both the existing parish councils and the new development for East Herts District Council to plan to create a new Parish Council for the Gilson Area to match the development area.

This should only be considered if the two existing PCs are in favour of this approach. However, the reality is that this development could easily overwhelm the existing PCs in terms of substantial increases in future resident numbers and represent a significant challenge to delivery of existing PC roles, namely:

- representing the local community;
- delivering services to meet local needs;
- striving to improve quality of life and community well-being.

4.4 Finance and Resources

6.1 The structure of finance for the Stewardship Strategy is a crucial aspect in determining its ability to be viable, both in the short and the long term.

6.2 Over the course of the development the GACMT's long term stewardship responsibilities will grow to include:

- *The management and maintenance of all the public open space.*

These responsibilities extend in perpetuity, meaning that GACMT must plan in the short term to maintain sufficient funds for longer term requirements

It would be helpful to clarify on a plan exactly where all of the public open space is expected to be. This different to GI or the provision of two large parks etc. as POS implies all such areas will have unrestricted access – and this may not be wholly desirable for some

management or sensitive biodiversity. This has implications for the success of BNG enhancement claims.

7.5 Implementation of the Stewardship Strategy can be split into three inter-related areas, all of which then lead to the ongoing long-term management of the land and facilities:

- *Planning approvals and S106s (securing the regulatory framework to ensure the organisational structure and delivery actions and resources are directly linked to when the necessary detail is available – i.e., at the determination of the Outline Planning Application, Strategic Landscape Masterplan, Village Masterplans and Reserved Matter Applications)*
- *Business planning and asset transfer*
- *Governance - Organisational set up*

This is supported. There is considerable overlap between some of the planning, documentation and delivery phases. This may be inevitable given the long-term 20-year Phasing of the development works, but the LPAs need to be satisfied that this enables sufficient checks and balances to be present to ensure the expected outcomes are ultimately achieved.

7.10 GACMT and its associated structures will be put into place through due process and in good time. The Outline Business Plan will set out the next steps which will cover off the implementation plan required to set up and implement the governance, finance and banking, staffing, and the asset development and transfer process.

The Stewardship Strategy will be delivered in stages. GACMT will be established prior to first occupation and respond clearly to the expectations of partners, stakeholders and local residents. The objectives for the first eighteen months leading to first occupation of the development are to:

1. Build the Trust infrastructure through engaging key partners, appointing Trustees, and building skills and capacity.
2. Plan and prepare the management arrangements for the open spaces and the timing of the transfer of responsibilities to the Trust.
3. Develop practical project initiatives that meet the Trust's aims with regard to the needs of the existing community and the arrival of the first new residents, to achieve demonstrable success(es).
4. Plan and prepare welcome packs, events and other activities as residents begin to occupy homes, as mentioned in section 4.
5. In conjunction with PfP/TW to refine the funding model for the Trust.

This approach is supported. However, as outlined above, there does need further clarification as to the extent and nature of open land management arrangements across the site's open spaces, and when these will be created and management implemented. In other words, will all of the parkland and more biodiverse areas be created and managed from the outset, or will these too be phased alongside the development of the Villages over 20 years? The when and where of practical land management does need to be clear as it will influence the practicalities of delivery and possibly funding streams. BNG for the whole site has been demonstrated, but this may not be delivered just in relation to Village 1 development. I consider the sooner the whole management is in place, the more robust this will be as the development proceeds, given its impacts will be incremental and should not be subject to subsequent changes in direction, given this is what BNG is proposing.

5. Ecological Survey updates 2022

5.1 Habitat and botanical survey 2022

3.2 The following broad habitat types were recorded within the Site: • Woodland • Scrub • Hedgerows • Grassland • Ponds and standing water • Arable • Developed land.

3.4 Approximately 82% of the Site is arable land used for cereal crops, with 13% of the Site comprised of species-poor grassland present on field edges, tracks, and where some land has been left fallow.

3.5 Small blocks of woodland of varying age are present, and small areas of scrub are present in managed edges and corners of the Site.

3.6 In the centre of the Site, Hunsdon lane and its associated verges cover approximately 0.98ha and includes the hard standing of the carriageway and the east and west verges.

3.7 To the south of the Site, the A414 and its associated verges cover approximately 2.15ha Hedgerows, trees of ecological interest and hydrological features are also recorded.

Evaluation

3.15 Habitats recorded were broadly unchanged from the baseline established within the ES, with the exception of a group of fields in the south and southeast of the Site. These are former arable fields which have been recently left aside to form a [acid] grassland from colonising species. These were comprised of a limited diversity of common grass and herb species and are not considered to be of importance beyond the Zone of Influence level.

3.16 As the ecological baseline remains substantially unchanged from the point of previous assessment, 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.

I consider the update surveys to be acceptable and follow best practice, consistent with BNG calculation requirements. I have no reason to disagree with the evaluation.

5.2 Bats 2022

3.13 As established during previous survey programmes, the cluster of buildings at Brickhouse Farm supports several minor pipistrelle and Brown Long-eared day roosts. The broader study area supports a relatively diverse assemblage comprising at least eight species of bat, including two rarer species, Leisler's Bat and Barbastelle, which occur at very low frequency. The former species had not been recorded during previous surveys of the Site but has been relatively widely recorded within the broader Gilston Area. Bat activity is relatively low across the Site, and largely confined to boundary habitats and marginal areas.

3.14 The results of the update assessment are consistent with the evaluation of the bat assemblage as presented in the ES: aside from the Barbastelle colony, which is considered to be of District importance, the bat assemblage is considered to be important at the Local level.

3.15 As the ecological baseline remains substantially unchanged from the point of previous assessment, 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

I consider the update surveys to be acceptable and follow best practice. I have no reason to disagree with the evaluation.

5.3 Badger survey 2022

A number of main setts and other types of setts were confirmed along the SE edge of the site, as well as the western edge / hedgerow and associated woodland. A total of 15 individual setts were recorded – one main sett, one annex sett, three subsidiary setts and 10 outlier setts. This is four more than recorded in the original ES report on badgers. It was considered that this represents one large family clan. However, given the distribution of setts on the E and W edges of this site, I would consider this could be two clans, with another main sett potentially offsite to the west. Bait marking would demonstrate this, if necessary, at a later date. This may be required depending on the potential impacts on the setts, although previously, no known setts were proposed to be lost as a result of the development.

It is considered that the ecological baseline remains substantially unchanged from the previous assessment, and that mitigation and compensation outlined in the Environmental Statement remain appropriate and proportionate to the impacts. There will be a substantial loss of arable foraging resource which was previously acknowledged, but this is low value. It is expected that new landscaping, open spaces and their appropriate management will compensate for this, although ultimately only future monitoring will demonstrate whether this is achieved. The Landscape and Ecology Management Plan will need to secure this.

I consider the update survey to be acceptable and follows best practice. I am satisfied that it appears badgers continue not to represent a fundamental constraint on the proposals.

5.4 Breeding birds 2022

Summary

*3.5 A total of 44 bird species were recorded across the Proposed Scheme during the course of the surveys plus Tawny Owl during the bat surveys. This included eight Red-listed species (Greenfinch *Carduelis chloris*, Grey partridge *Perdix perdix*, Herring gull *Larus argentatus*, Lapwing *Vanellus vanellus*, Linnets, Mistle thrush *Turdus viscivorus*, Skylark, and Yellowhammer), eleven Amber-listed species (Black-headed gull *Chroicocephalus ridibundus*, Dunnock *Prunella modularis*, Great black-backed gull *Larus marinus*, Lesser black-backed gull *Larus fuscus*, Mallard *Anas platyrhynchos*, Rook *Corvus frugilegus*, Song thrush *Turdus philomelos*, Tawny owl, Whitethroat *Sylvia communis*, Wood pigeon *Columba palumbus*, and Wren *Troglodytes troglodytes*), five Section 41 species (Herring gull, Lapwing, Linnets, Skylark, and Song thrush) and one species listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) (Red Kite *Milvus milvus*).*

Evaluation

3.8 ...the Site has seen an increase in Skylark, Song thrush, and Yellowhammer territories but a decline in Linnets territories (several key species of nationally declining farmland species).

3.9 Looking at the number of breeding pairs and the local status of the species, the farmland bird assemblage is thought to be favourable and improving. However, certain species, for example the Linnets, has seen a decline in numbers on site and this is in line with the local status of the species. In the absence of development or a change in land management this trend is unlikely to change for species.

3.10 With reference to the adapted criteria as set out in Section 2, the breeding bird assemblage is considered to be of District level Importance. This is due to the species diversity which the Site supports

3.11 This evaluation differs with the findings from previous surveys undertaken in 2016, however the mitigation and compensation measures as set out in the ES for breeding birds are considered to remain appropriate and robust

I consider the update surveys to be acceptable and follow best practice. I have no reason to disagree with the Summary and evaluation.

5.5 Wintering birds 2021/2022

3.5 A total of 36 species were recorded across the Site during the course of the surveys. This included five Red-Listed Species of Conservation Concern (Fieldfare, Greenfinch, Grey Partridge, Skylark and Starling) and 10 Amber-Listed Species of Conservation Concern (Dunnock, Kestrel, Mallard, Meadow Pipit, Redwing, Snipe, Song Thrush, Stock Dove, Woodpigeon and Wren, Five species are listed under Section 41 of the NERC Act 2006 (Dunnock, Grey Partridge, Skylark, Song Thrush and Starling).

3.6 Fieldfare, Red Kite and Redwing are all listed under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended).

Summary

3.9 The Site largely supports common and widespread species typical of rural and arable habitats, with low numbers of winter migrants recorded (Redwing and Fieldfare). The ability of the Site to support overwintering birds is dependent upon the agricultural practices employed across the Site at the time of the survey, [which] reduced its value to wintering birds with the recently ploughed fields and winter Wheat providing sub-optimal foraging habitats.

3.10 The majority of activity was recorded around the south of the Site, concentrated specifically around the poor semi-improved grassland. These habitats were more diverse than the rest of the Site, and as a result presented more foraging opportunities than the recently ploughed fields and winter Wheat.

3.11 Low numbers of Fieldfare and Redwing were observed foraging within the hedgerows and treelines on Site, but no significant flocks were recorded.

3.12 Several groups of Grey Partridge were recorded, with up to 22 individuals observed around the southern end of the Site. Grey Partridge are currently undergoing a rapid population decline as a result of agricultural intensification, with population losses of up to 92% in the last 50 years (Woodward et al, 2020b). Opportunities to maintain winter foraging opportunities for this species should therefore be considered throughout the Proposed Scheme.

3.13 In February, more significant numbers of Skylark were recorded. However, the behaviour of these birds indicated that they were establishing breeding territories and no large flocks of wintering Skylark were recorded. The importance of the Site for breeding Skylark will be established following further breeding bird surveys.

Evaluation

3.14 With reference to the evaluation criteria as set out in Section 2, the wintering bird assemblage is considered to be of District Level importance. This is due to the species diversity the Site supports.

3.15 As the ecological baseline remains substantially unchanged from the point of previous assessment, 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

I consider the update surveys to be acceptable and follow best practice. I have no reason to disagree with the Summary and evaluation, although given the relative significance for farmland species such as Grey partridge, I do not accept such species can be adequately compensated for within the context of Village 7. Farmland birds should be fully considered as part of the more specialised compensation aspects of this proposal.

5.6 Reptile survey 2022

3.6 Slow Worms and Grass Snakes were recorded on Site. Slow Worms were recorded mainly in the south-eastern corner of the Site, along the southern boundary. Adult and juvenile Grass Snakes were recorded along a hedgerow in the south-east of the Site and along woodland edge habitats in the north-west of the Site.

Evaluation

3.7 The Grass Snake population on Site is considered to be Low with an adult peak count of 1, while the Slow Worm population is considered to be Good with an adult peak count of 14. Juveniles of both species were recorded, confirming that both species are breeding on site.

3.8 The reptile population is considered to be of importance at the Zone of Influence level only.

3.9 This evaluation is in line with findings of previous surveys and there has therefore been no significant change from the baseline as set out in the ES.

3.10 As the ecological baseline remains substantially unchanged from the point of previous assessment, 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.

I consider the update surveys to be acceptable and follow best practice. I have no reason to disagree with the Summary and evaluation. For an intensively farmed area of land, the presence of reptiles at all reflects their ability to survive using suitable features within an otherwise hostile environment. I consider the continuity of habitats (streams etc) associated with the wider Stort Valley to the south to be significant in this respect.

6. Gilston Area Village 7 Environmental Impact Assessment Environmental Statement Volume 1 - Addendum

6.1 The original BNG calculations will now differ given the recent development of grasslands on former arable areas in the SE of the site. Such land management changes over long periods of time are not unexpected. This will increase the baseline value for the site compared to the 2019 Habitat Map and the original metric compilation, although the results of different metrics cannot be directly compared. Consequently, the metric may need to be recalculated.

However, I believe this may have been done given my previous comments (para 21 – see below) which noted an increase in grassland within the site as entered into the metric, a baseline figure which would not change between metrics. Given the habitats survey updates

were not submitted with the revised metric or previous application, this could not be confirmed. Furthermore, there is no indication of this recalculation within this EIA addendum, which does nevertheless list the updated surveys which would have informed the metric and BNG calculation.

6.2 The EIA addendum states 3.2. Biodiversity Baseline Surveys were undertaken to confirm whether or not the conclusions of the ES remain valid, or if any changes need to be made to the already proposed mitigation in order to discharge planning conditions. It is concluded that the ecological baseline is broadly unchanged and these updates do not alter either the assessment or findings of the Biodiversity assessment and the conclusions presented in the revised Biodiversity ES chapter.

Whilst I do not object to these views, clearly recent local land use changes have impacted upon the existing ecology, in particular influencing bird and reptile use of this site, and should now be fully considered in mitigation and BNG needs as necessary.

6.3 Biodiversity 4.14. states the minor update to the open space typologies and presentational changes to the Parameter Plans do not result in changes that would alter the assessment of potential effects, and the conclusions reached in the Biodiversity chapter of the revised ES.

Whilst I accept this view broadly, the issues raised above must be addressed. Consequently, if the LPA wishes to see the most valid BNG calculation prior to determination of this outline application, it should seek confirmation that the latest metric 3.0 as submitted previously is based upon the updated habitat surveys from 2022.


Previous HE comments: 21. The metric appears to reflect recent habitat changes within the site boundary since the original surveys were undertaken. Cropland and grassland areas were originally surveyed at 106.42ha and 0.83ha respectively, but in the metric they are assessed as 90.65ha and 18.67ha. The totals of these areas at the different times are roughly equal, suggesting some abandonment of arable cropping and reversion to grassland, when assessed using BNG Metric 3.0. This significantly increases the current baseline Biodiversity Unit score for these habitats alone from 241.42 to 363.73 BU, using V3 calculations. All of these habitats will be lost as a result of the development, and their value replaced and enhanced through BNG.

22. The full metric spreadsheet will need to be supplied as part of the Biodiversity Gain Plan information, not copies of it, as expected by NE.

7. Notwithstanding the BNG issues raised above, I acknowledge the updated ecology surveys and recently dated documents in respect of biodiversity as submitted in support of these 'minor' amendments. On this basis I have no reason to object to the application being determined accordingly.

I trust these comments are of assistance,

Regards,



Martin Hicks MCIEEM
Senior Ecology Officer, Hertfordshire Ecology

Appendix A

Gilston Area Stewardship and Governance Strategy - November 2022 (replaces April 2019 document) On behalf of Places for People (PfP) and Taylor Wimpey (TW).

Commitments:

2. **Transfer of parkland and open space to local people.** How will this work? And how will this enable the proposed land management requirements to be delivered more effectively, if at all? How will local people have 'ownership' of such land? This means they will be legally responsible for it. This may also make it vulnerable to fashion, self-interest or multiple views in respect of management objectives rather than what is recognised now as being legally required and will be subject to agreed plans? Representation on a 'partnership' with other expert bodies – such as Stort Valley Partnership – may be an option, but there is a clear responsibility on behalf of the applicant to address this issue in respect of the open spaces, given they are responsible for actions being proposed as part of the application. This must also be the responsibility of a suitable stewardship body to implement the stated objectives, as is proposed for the villages and strategic community infrastructure. Without this approach, the LPA can have little confidence the proposals will be delivered in the long term. Similar Examples could be as per Shenley or Highfield Park Trusts, or the Country Park proposals associated with the SRFI site in Sta Albans.

5. Wider consultation on the SLMP is supported.

8. Reporting and monitoring is supported; it will be a requirement of BNG in any event.

Summary

Management of the community infrastructure and Wellbeing: enabling the activation of the new community by facilitating community engagement and activities are supported.

However, does the former include all Green Infrastructure associated with the development? And how much / what is expected to be adopted by public authorities? Clearly some assets are (as implied 3.2 below)

Who is going to deliver / generate community engagement? There is no over-arching public body directly responsible for the villages other than the existing LPA and existing Parish Councils; is this to be delivered by the Trust as well?

To address the issues outlined above, it is proposed that a **Gilston Area Community Management Trust (GACMT)**, which will be funded to own the unadopted community infrastructure, is to be established. This will be responsible for managing a range of assets including the country parks, community centres, sports facilities, public open space, play areas, and allotments. It will do so with a sensitivity to the design and different use intent for each type of asset, whether close-cut grass or meadow, self-managed allotments, or a country park. This should enable assets to be cared for and achieve the environmental and ecological commitments.

This approach is supported.

1. Introduction

1.7 confirms this approach is required by Policy GA1 iii(h).

1.9 The **Gilston Area Neighbourhood Plan** (May 2021) Policy D2 requires the agreed governance structure to be "in place at the outset of development" with "active involvement of residents from the outset and the continued representation of existing and new communities". This is supported and vital to set the context for the development.

1.12 outlines Stewardship responsibilities as Strategic Assets, Village Assets and Wellbeing. This is supported. There is a direct and close relationship between the Strategic and Village Assets for ecology and landscape, given they provide a continuum of physical resource which generates ecological and visual connectivity and permeability in different settings.

Stewardship Governance Options

1.14 Numerous options for site management have been considered, primarily via adoption, Management Company, Trust or Third Party. All have benefits but some may only have a partial interest - e.g. Wildlife Trust may only be interested in the most significant ecologically valuable assets of the larger parkland areas.

1.15 proposes a **Community Management Trust** which would meet all of the site needs. This is supported; it doesn't preclude other management bodies from being involved with specific management delivery where appropriate.

2. Stewardship Vision, Aims, Objectives and Principles

2.1 This should reflect the objectives and principles agreed with EHDC for the direction and purpose of the **Stewardship Strategy**.

2.3 states *the proposed Stewardship Strategy for the Gilston Area is to create a new stewardship and legacy organisation accountable to residents and other relevant stakeholders, established as a charitable Community Management Trust, to take ownership and management responsibility for community land and assets, as well as facilitate a range of community activities for community development purposes.*

This is supported.

2.7 Key objectives will include:

1. *Owning, maintaining and effectively managing the public open spaces... This will include:*

a) Green spaces and blue infrastructure will be maintained and managed to improve the natural environment and deliver net biodiversity gain and enhanced habitats in accordance with management plans endorsed through the planning process.

b) Parkland, habitat corridors and other green spaces will be subject to special protections from future development.

c) Green spaces, SuDS and community assets will complement and enhance the existing natural, semi-natural and built community assets.

d) Any service charge and/or estate charge is to be set at and maintained at a reasonable level that is commensurate with the level of cost that is incurred in maintaining/servicing relevant assets.

e) Transfers of community infrastructure to the Stewardship Body to be freehold or subject to a long lease at peppercorn rent.

This approach is supported. It should ensure all open spaces will have a funded responsible body to deliver and fund the management objectives. Will this include the responsibility for the overseeing and delivering the arable agricultural land? Presumably according to 3.10 below.

2. *Initiating, developing, co-ordinating and delivering community and cultural activities to create and maintain a thriving, inclusive community:*

a) Local and neighbouring communities will be encouraged and enabled to participate in volunteering schemes linked to the stewardship of the assets, and community development to promote social cohesion.

b) Local people and neighbouring communities will be encouraged and enabled to participate in skills development.

This is supported, particularly in respect of engagement with local food growing and community orchards, or activities such as wildlife recording which could contribute to monitoring biodiversity changes.

Another suggestion could be create a Community Farm; at least one farm (albeit not livestock) will be lost as a result of the development. A community farm could provide local long-term infrastructure to help manage the large areas of open space which will require livestock management, and provide opportunities for engagement with the new local communities. There are examples in the county where a farm has been retained on-site to do just this (SRFI St Albans), as well as open or LEAF farms which engage with the public (e.g. Willows Farm London Colney, Church Farm Ardley, Thrales End Farm Harpenden).

3. *Community assets (both social and physical) will be, maintained, managed and promoted in accordance with the developer's approved management plans which embed ambitious environmental practices and support the following:*

- a) *Creation of an inclusive, high-quality development.*
- b) *Good health and wellbeing of the community.*
- c) *Social cohesion of the community.*
- d) *Enhancement of natural environment.*
- e) *Behavioural changes required to offset climate change.*
- f) *Conservation of heritage assets.*

This is supported.

2.8 Key principles have been drafted by EHDC and PfP/TW which define what will be required to deliver an effective Stewardship and Governance Strategy in order to achieve the objectives set out above.

a) Community-led stewardship and governance of public assets and community development, which are viable, effective, transparent and established in perpetuity.

b) Investment in creative, collaborative and innovative projects and assets, including meanwhile uses, which reflect local and neighbouring community interests, and provide income generating opportunities to be re-invested in line with Garden Town principles.

c) A long-term viable and prudent business plan which ensures the efficacy and success of the stewardship arrangements, ensuring financial sustainability, equitable service charge, value for money, and supported by sufficient capacity and expertise.

d) A representative governance structure and associated decision-making processes reflecting both local and neighbouring communities that proactively enables diversity, equality and inclusion and ensures full engagement in decision-making throughout all stages of stewardship development and delivery.

e) Ambitious environmental (ecology, climate mitigation, heritage), social (community cohesion, public health) and economic (job creation) targets which embed transparent and outcome-focused monitoring and accountability through consultation with stakeholders to ensure the stewardship benefits are realised and maintained.

This is supported.

3. Community Infrastructure

3.2 states *The public open spaces, including the parks...and community assets that are not to be adopted by public bodies will need robust and effective stewardship arrangements covering their long-term ownership, management, operation, maintenance...*

This is supported.

3.3 states *Land management includes all aspects of day-to-day maintenance of all the public open spaces, parks, SUDS, and sports pitches, covered by a routine warden service, regular grass cutting and tree pruning, through to more cyclical maintenance...*

This is supported.

3.6 states *The S106s will contain a definition of 'Community Infrastructure' referenced to the specific schedules which set out the detailed scope, plans and triggers for each of the community assets (including land).*

Strategic Community Infrastructure includes Strategic Open Space, including:

Eastwick Wood Park, Hunsdon Airfield Park, Home Wood, Gilston Fields, Gilston Park, Eastwick Valley Green Corridor, Eastwick Village Buffer, Eastwick Hall Green Corridor, Maplecroft Wood & Great Pennys Farm Corridor, Golden Brook Corridor, Channoeks Farm Green Corridor, Fiddlers Brook Green Corridor, Village 7 Strategic Green Corridor, Community Orchard(s). This includes all the assets within these areas i.e., play areas,

culverts, bridges, drainage, ecological habitats, shelter, SUDs/drainage and any visitor centre etc)

Village Community Infrastructure for Villages 1-7 includes Village amenity green space (including village green corridors and Village 1, 3, 5 and 6 ecological buffers) as well as village allotments/ orchards and productive gardens.

This is supported.

3.9 The S106s will contain a number of schedules which will set out the public open spaces and community assets required to be delivered under the Outline Planning Permission.

3.10. *A prime responsibility for GACMT will be to manage and maintain all the community land including public open spaces. Gilston Area includes circa 586 Ha of different typology but much of it will be natural and semi natural open space as well as circa 51 Ha of Community Parks.*

The community land (although not all will be open to the public, e.g., farmland) includes pathways, cycleways, planting and incidental play features, which will fulfil various functions including: areas for the production of food; habitats for wildlife; accessible natural green space; landscaping; SuDS...

This is supported.

3.11 *The community land, infrastructure or assets will be transferred or leased to GACMT once the assets have been created and:*

- *the relevant item has been provided as required and signed off i.e., are certified as being fit for purpose; and,*
- *a management plan has been prepared and approved by the LPA.*

This is supported.

The public open spaces, as well as the sports pitches, play areas and village greens, will require a range of landscape management requirements, all intended to ensure consistent quality maintenance regimes supporting the ecology and sustainability strategies. The ongoing maintenance requirements will be set out and agreed during the planning process and prior to transfer (see section 7.5).

This is supported.

3.14 *Given the length of the development timetable, there will be farming land which will continue to be commercially farmed during the early years of the development programme, as well as other land which could lend itself to intermediate uses prior to development for housing or green Infrastructure. There are numerous examples around the country where such land has been used very effectively on a short-term basis to support associated stewardship and placemaking objectives, including training, community development, community arts, sports, ecology, and for plant, tree and food production. This is something that the GACMT will explore with PfP/TW.*

This is supported, although should not deflect from the eventual land uses proposed within the SLMP and management plan. This may include whether all or the extent to which BNG is delivered incrementally as the development proceeds. This is because the direct impact of any Phase of the development will generate only a partial amount of BNG required for the whole development (as there will be no impact from Phases not yet developed), and resources generated by the development to enable delivery of the whole BNG (if dependent on these) will not yet be available. I consider the extent to which key components should be

required from the outset will need to be a matter for further consideration and clarification by the LPAs (if this has not already been presented), not just GACMT and PfP/TW. Whether this needs to be assessed in respect of this Outline application which determines the principle of land use change is a matter for the LPAs to consider.

4. Community Wellbeing

The proposals to generate a genuine sense of community associated with Gilston are supported.

4.5 includes *GACMT will be an enabling organisation... It will provide a suitable vehicle to take forward practical responses, for example, encouraging residents to ...adopt greener lifestyles, get involved with biodiversity initiatives such as wildlife gardens and management of green corridors...*

This is supported; as suggested earlier, this should also include wildlife recording. The extent to which local residents can get involved with the active management of large areas of open space needs further consideration. This may be desirable – but practically undeliverable.

Sustainable Lifestyles

4.9 *GACMT will also help ensure residents, businesses and visitors optimise sustainable lifestyle habits through such activities as supporting, enabling, and/or funding:*

...Community gardening and local food production.

This is also supported – see comments above re community farms.

5. Governance and Decision Making

PfP/TW propose a stewardship governance structure with an area of benefit covering the civil parishes of Hunsdon, Eastwick and Gilston, and based on two levels – Strategic and Village.

5.4 outlines the structure -

Gilston Area Community Management Trust - which would have the overall responsibility for stewardship across the Gilston Area.

Gilston Area CIC - a commercial trading subsidiary, owned by the Trust.

Gilston Area Community Forum - a wide and inclusive consultative group having formal input into the Trust's strategy. It is made of village and other representatives and is focussed on strategic, Gilston Area wide matters.

Seven (7) Village Advisory Groups - each group formed after the first occupations in each new village. Each group shall have formal input into the Trust's strategy, but will be focussed on local, village specific matters.

Importantly, this ensures that there is one legally accountable entity leading on stewardship and not separate bodies for each village.

This approach is supported.

5.6 The GACMT board will include two LPA members, which is supported.

5.7 Gilston Area CIC

This company would deal with all non-charitable areas of work arising from the stewardship remit, and in particular acting as the estate manager for GACMT, collecting the service charge and administering all the day-to-day operational functions of landscape and facilities management.

Presumably this would be responsible for Strategic assets within the Gilston Area.

5.8 Gilston Area Community Forum has a primarily consultative role. It will include 3 or 4 LPA members. This is supported.

5.9 *It will be very important at village level to ensure there is local involvement and engagement, which will be best done through a Village Advisory Group approach which would be a part of GACMT's governance structure.*

This is supported.

Evolution of Governance Structure

5.13 *There are currently two existing Parish Councils covering the Gilston development area, Eastwick and Gilston Parish Council and Hunsdon Parish Council. Given the scale of the new development both in terms of geography and numbers of new houses, it would be in the interests of both the existing parish councils and the new development for East Herts District Council to plan to create a new Parish Council for the Gilson Area to match the development area.*

This should only be considered if the two existing PCs are in favour of this approach. However, the reality is that this development could easily overwhelm the existing PCs in terms of substantial increases in future resident numbers and represent a significant challenge to delivery of existing PC roles, namely:

- representing the local community;
- delivering services to meet local needs;
- striving to improve quality of life and community well-being.

6. Finance and Resources

6.1 *The structure of finance for the Stewardship Strategy is a crucial aspect in determining its ability to be viable, both in the short and the long term.*

6.2 *Over the course of the development the GACMT's long term stewardship responsibilities will grow to include:*

- *The management and maintenance of all the public open space.*

These responsibilities extend in perpetuity, meaning that GACMT must plan in the short term to maintain sufficient funds for longer term requirements

It would be helpful to clarify on a plan exactly where all of the public open space is expected to be. This different to GI or the provision of two large parks etc. as POS implies all such areas will have unrestricted access – and this may not be wholly desirable for some management or sensitive biodiversity. This has implications for the success of BNG enhancement claims.

6.3 *Public open space and community assets will not be transferred to the GACMT until their operation and management have been costed and funding arrangements agreed at key milestones, the framework and commitments for which will be set out in the planning and stewardship documents and enshrined in the S106s.*

In respect of BNG, there is a draft SPD which outlines how BNG can be costed to deliver the Biodiversity Units proposed. In the absence of further Govt guidance on this matter – which is expected to be delivered by the open market – this provides a means of calculating the financial costs of the BNG proposals. However, this approach is not essential as BNG will be delivered within the site and not offsite, where funding arrangement must be demonstrated.

6.4 *The GACMT will receive income from a range of sources to meet the establishment and maintenance liabilities, including endowments from the Applicants and future housebuilders (monetary and income generating assets), income generating activities (such as the hiring out of community facilities) and a resident and commercial service charge. A financial model will be prepared in the Outline Business Plan which sets out the framework and timing for how the*

anticipated management and maintenance costs will be calculated and resourced, which will be refined as public open space and community assets are developed through the design and planning process.

This is supported.

Financial Strategy and Model

6.6 GACMT has to be viable in the long term. To be viable, it will need to ensure that it has sufficient income to meet its responsibilities and associated liabilities and in particular, to ensure that it has sufficient revenue to be able to maintain and manage the community infrastructure in perpetuity.

Short and Medium / long term income generating strategies are outlined to achieve this. This is supported.

6.8 PfP are currently in receipt of income from the existing farmland across the Gilston Area. Further work will be undertaken through the financial model to determine the scale and nature of this income, and its potential application to the delivery of the Stewardship Strategy.

Depending on the extent of existing farming operations as the development proceeds, this income will continue. The extent to which land management costs can be offset against income generated from future farming management (e.g. as part of any wider contracted cereal or livestock enterprise) could also help to contribute towards longer-term management, over and above estimated BNG costings.

7. Delivering the Stewardship and Governance Strategy

7.4 The four key pillars of a successful stewardship solution as set out above will further planning and development:

- Community Infrastructure
- Community Wellbeing
- Governance
- Finance and Resources

This establishes the key components of a functional development of this scale and complexity. This is supported.

7.5 Implementation of the Stewardship Strategy can be split into three inter-related areas, all of which then lead to the ongoing long-term management of the land and facilities:

- *Planning approvals and S106s (securing the regulatory framework to ensure the organisational structure and delivery actions and resources are directly linked to when the necessary detail is available – i.e., at the determination of the Outline Planning Application, Strategic Landscape Masterplan, Village Masterplans and Reserved Matter Applications)*
- *Business planning and asset transfer*
- *Governance - Organisational set up*

This is supported. There is considerable overlap between some of the planning, documentation and delivery phases. This may be inevitable given the long-term 20-year Phasing of the development works, but the LPAs need to be satisfied that this enables sufficient checks and balances to be present to ensure the expected outcomes are ultimately achieved.

7.7 All of the main outputs set out in this Stewardship Strategy will be integrated into the S106s for the Gilston Area to provide a framework which will define the trigger milestones for subsequent approvals linked to the incremental development stages for each aspect of the community infrastructure across the area. The S106s will also conclude the exact long stop dates for formation of the Shadow Board and GACMT.

This framework within the S106s will ensure delivery, management and that the associated detail required to progress and deliver the Stewardship Strategy comes forward at the right time.

This is supported.

7.8 There will effectively be three levels of **Business Planning** deliverables going forward:

- Outline Business Plan:
- Detailed Business Plan:
- Asset Management Plans

A robust and detailed approach to delivery of these as part of the planning process has been provided. This is supported. It should enable the long-term management of land assets to be delivered as per the SLMP.

7.9 The proposed stewardship governance structure will be implemented in stages to mirror the progression of the project and the transition from one stage to the next. As outlined, this is supported. Phases of Stewardship delivery also need to be mapped for accountability and monitoring.

7.10 GACMT and its associated structures will be put into place through due process and in good time. The Outline Business Plan will set out the next steps which will cover off the implementation plan required to set up and implement the governance, finance and banking, staffing, and the asset development and transfer process.

The Stewardship Strategy will be delivered in stages. GACMT will be established prior to first occupation and respond clearly to the expectations of partners, stakeholders and local residents. The objectives for the first eighteen months leading to first occupation of the development are to:

1. Build the Trust infrastructure through engaging key partners, appointing Trustees, and building skills and capacity.
2. Plan and prepare the management arrangements for the open spaces and the timing of the transfer of responsibilities to the Trust.
3. Develop practical project initiatives that meet the Trust's aims with regard to the needs of the existing community and the arrival of the first new residents, to achieve demonstrable success(es).
4. Plan and prepare welcome packs, events and other activities as residents begin to occupy homes, as mentioned in section 4.
5. In conjunction with PfP/TW to refine the funding model for the Trust.

This approach is supported. However, as outlined above, there does need further clarification as to the extent and nature of open land management arrangements across the site's open spaces, and when these will be created and management implemented. In other words, will all of the parkland and more biodiverse areas be created and managed from the outset, or will these too be phased alongside the development of the Villages over 20 years? The when and where of practical land management does need to be clear as it will influence the practicalities of delivery and possibly funding streams. BNG for the whole site has been demonstrated, but this may not be delivered just in relation to Village 1 development. I consider the sooner the

whole management is in place, the more robust this will be as the development proceeds, given its impacts will be incremental and should not be subject to subsequent changes in direction, given this is what BNG is proposing.

7.11 **GACMT staffing requirements** are outlined. This will include key partners, voluntary Trustees, CMT staff, community volunteers, service providers and users. Key tasks summarised as:

1. Setting up GACMT and its organisational infrastructure including trustee board, GACIC, Community Forum and the Village Advisory groups.
2. Liaising with PfP/TW over the specification and maintenance plans for the strategic open spaces, the village public open space, and for design and fitting of the community facilities.
3. Ensuring the effective asset transfer, maintenance and operation of the land and open spaces, any endowed assets, and the community facilities once they are transferred to the Trust to fulfil their uses and respond to community and leisure needs.

This will ensure open space management is delivered; however, the clarification required above is also essential to inform this adequately.

Appendix A Business Plan Contents

The Detailed Business Plan 3. Programme and Activities of the Trust includes;

- 3.2 Landscape Management and Maintenance.
- Appendix A Scope of Landscape Management

This should ensure land management responsibilities are properly embedded within GACMT. They will seek to deliver the SLMP – it would be helpful again if this was referred to within the GACMT objectives.