

3 SEPTEMBER 2017

1. Stop Harlow North objects in the strongest possible terms to the CDF.
2. The Document presented for consultation is old, out of date and is identical to the document available prior to, and submitted as part of, the East Herts District Plan (EHDP) Consultation in 2016. It therefore adds nothing since that consultation and in our view, we and thousands of our supporters, have therefore already responded.
3. We note that since its original publication, the Appendices on phasing and viability described in the document are still missing and the document therefore remains incomplete despite the passage of 18 months since it was first produced.
4. The CDF is not a council originated document, but one written by the Developer with absolutely no involvement of local people. It is a glossy advertisement to support PfP's plans. It is pictorially deceptive and as such should never have been presented by the Council to the General Public purporting to be written by the Council.
5. The Consultation was badly publicised (again), suffered major technical difficulties (again) and as with the EHDP consultation last year, it required SHN to point out these failures. The CDF chapters were only accessible online by those with extremely fast broadband and even then, some chapters (eg Chapter 5) were especially difficult.
6. The website having been down for several days over the bank holiday weekend, the Council correctly extended the consultation period but did not publicise this adequately and on the contrary, the East Herts communications team subsequently sent out e-mails to the parish councils reminding them incorrectly of the original closing date.
7. The whole process was further confused by parallel consultations being run by the Developer. Those of us close to the issues were not entirely sure what was going on and the general public is completely confused.
8. The repeated habit of consulting in the holiday season is now beginning to look very deliberate. The rationale for consulting without explanation on an 18 month old document, written by the Developer, immediately before the Examination in Public, further undermines trust in the Council's motives.
9. It is the view of SHN that EHDC is going through the motions of consulting but in reality is not taking any views from local residents into account. Since the previous "consultation", absolutely no change whatsoever has been made to any of the Plan documents as a result of Consultation thereby indicating complete contempt for the feedback from local residents. To then consult on a document that existed prior to the EHDP Consultation adds further evidence of this contempt.
10. As with the consultation for the District Plan, the whole CDF consultation process is contrary to the aims of the Council's Statement of Community Involvement (SCI). In view of all of the above, the CDF should be withdrawn.

**Given that this document remains unchanged, in addition to the above points, there follows, in response to the CDF consultation, a repeat of Stop Harlow North's original submission to the EHDP**

## **Consultation:**

### **Chapter 3 The Development Strategy**

STOP Harlow North (SHN) objects to the Development Strategy set out in Chapter 3 of the District Plan. The main reason is the effect of the strategy of introducing a large amount of housing into the area of tranquil countryside to the north of Harlow. Details of the objection are contained in the response to Chapter 11 (The Gilston Area).

Despite the efforts of East Hertfordshire Council to fulfil its obligations in the duty to cooperate, the development strategy is not set in the context of planning for the sub-region centred upon Harlow. The joint work of the Strategic Housing Market Assessment (SHMA) provided a combined figure of housing needs across the four local authority areas. This figure has then been distributed proportionately between the areas, as a basis for site allocation policies in the respective development plans. The agreement is to be set out in a Memorandum of Understanding between the four local authorities (paragraph 3.2.4 of the District Plan refers). This may be "fair", but it results in an imbalance in the spatial distribution of housing in East Herts, with the loss of Green Belt and open countryside.

It is noted (in paragraph 3.2.7) that the District Plan has taken account of the latest Government household projections, released in July 2016. These projections are regularly updated, always upwards.

Under Regulation 13 of the Local Plans Regulations, local authorities must keep under review the matters which may be expected to affect the development of their area or the planning of its development. Accordingly, East Herts has regularly updated its levels of housing need based on population projections. It has omitted, however, to consider the risk implications of the decision to leave the European Union. The impacts of this decision are largely unknown, but there are two factors which merit consideration and which may affect the soundness of the District Plan.

The first is the possible effect on net in-migration to the UK, particularly to the Greater London area. A reduction in these flows could reduce the levels of housing need in East Hertfordshire and other districts in the Home Counties, governed by the "London Factor" of out-migration from the capital city.

The second factor is the economic impact of the decision to leave upon the construction industry, for the delivery of housing as well as infrastructure. In an uncertain financial market, there is a risk that developers and house builders will find it difficult to draw down funds to finance developments. In addition, there is a skills shortage in the construction industry, which may well be exacerbated by future restrictions on in-migration to the UK. In turn this may increase wage costs and the overall costs of construction.

Together these factors may reverse the upward trend in housing needs in East Hertfordshire. The impact of the decision to leave the EU does lead to uncertainty about the deliverability of large-scale projects such as the Gilston Area, not only in housing terms, but also the provision of strategic infrastructure support. SHN notes that the viability study documents for the Gilston area have not yet been published - they are missing from the Concept Framework Appendices. Accordingly it is difficult

to make an informed response, but their absence does cast some doubt on the deliverability of the housing in policy DPS3 and the infrastructure in policy DPS4.

The Local Plans Expert Group, in its report to the Government, suggested that a Local Plan could be found partially sound. In the case of the East Herts District Plan, SHN suggest that it could be provisionally recommended for adoption for the first five years of the plan period, with an immediate review, as proposed in policy DPS5. The review would cover the long term needs not only of East Herts but also the sub-region based on Harlow. This would be done by means of a joint project for the production of a DPD, which would be subject to full public consultation and examination.

**Modifications SHN consider necessary to make the Pre-Submission District Plan legally compliant, compliant with the duty to co-operate or sound.**

Delete the Gilston Area from Table 3.1, policy DPS3. In policy DPS4 II, delete (a) a new Junction 7a on the M11; and in (c) the words "provision of a second crossing". Add a new policy to strengthen policy DPS5, to state that an immediate review would be undertaken, plus a joint DPD of the sub-region centred on Harlow.

## **Chapter 11 The Gilston Area**

### **CONTEXT**

1. STOP Harlow North (SHN) objects to the proposed development at the Gilston Area. Development in this location, formerly known as North of Harlow, has been proposed by successive landowners and developers since the early 1980s, in response to the Hertfordshire County Structure Plan First Review. It was considered as a possible development by the London & South East Regional Planning Conference (SERPLAN), but was rejected on environmental grounds and on the amount of aircraft noise and disturbance. It did not feature in the final Regional Plan for South East England (RPG9), approved by the Government in 2003.

2. The proposal did re-appear as a policy in the draft Regional Spatial Strategy for the East of England in December 2004. This was subject to Public Examination in late 2005 and early 2006. SHN, which had been formed specifically to oppose development of the area, made representations to the Inspector at the Public Hearing Sessions. Significantly, East Herts Council also appeared at the Hearings, setting out their opposition to the policy. In 2006, the Examination Panel Report endorsed the objections and recommended that the policy be deleted from the East of England Plan. The recommendation, however, was not accepted by the then Secretary of State and was re-instated in the final version of the East of England Plan, published in June 2008.

3. Following the approval of the Regional Plan, the local authorities in the sub-region were directed jointly to prepare a Development Plan Document for the long-term planning of Harlow and the surrounding area. The project involved East Herts Council, and the District Councils of Harlow, Epping Forest, and Uttlesford. The project was not completed, however, and the East of England Plan was formally abolished by the Secretary of State in 2013. Some background work was undertaken, however. In an Issues and Options report produced by the consultants Scott Wilson, the preferred option for development rejected any development in East Hertfordshire to the North of Harlow. This conclusion was also reached by Timms Associates in the Hertfordshire Housing Study, which stated

that "This is unlikely to be the sustainable and could have serious consequences for balanced growth or development."

4. During this period, at the local level, it is clear that East Herts Council was consistent in rejecting the development of the area to the North of Harlow. At the examination of its Local Plan Second Review in 2006, the Inspector agreed that it should remain in the Green Belt - this was endorsed in the adoption of the plan in April 2007. At a meeting of the Council's LDF Executive Panel in April 2010, the Council was recommended to maintain its "total opposition" to any development to the North of Harlow. In the same year, the Green Belt policy in the adopted plan of 2007 was used by the Council to refuse permission for the re-location of two schools on the edge of Bishop's Stortford in 2010. An appeal against the decision was dismissed following a public inquiry in 2011, and endorsed by the Secretary of State in 2012.

5. The abolition of the Regional Plan, and the earlier withdrawal (in 2004) of County Structure Plans meant that each local authority was charged with the task of preparing its own up-to-date Local Plan, in the context of the National Planning Policy Framework (NPPF) and the Local Plans Regulations 2012. For housing, each local authority was required to provide for its own objectively-assessed needs (OAN). To ensure some measure of consistency between authorities, the NPPF introduced a "duty to co-operate".

6. Under the new local plans regime, East Herts abandoned its programme to prepare a Core Strategy and other Development Plan Documents. Instead, the Council decided to produce a District Plan, which would include detailed site allocations and development management policies. This would replace the East Herts Local Plan Second Review April 2007. A draft plan was published for public consultation in 2014. In the document, it became clear that the Council had changed its stance with regards to development to the North of Harlow. Development of the area (now referred to as the Gilston Area) was advanced as a "broad location for development." SHN re-stated its opposition to the proposal.

## **LEGAL COMPLIANCE**

7. Despite the considerable opposition to the proposal, East Herts Council has reintroduced the proposal as a firm policy (GA1) in this pre-submission draft plan. SHN objects not only to the policy, but also to the way East Herts and the other local authorities have collaborated on the Gilston Area with no reference to local communities. SHN notes that a public/private partnership - the London-Stansted-Cambridge Growth Commission - was set up to produce a planning strategy for the sub-region. Members of the Commission included East Herts Council and the other local authorities. The Commission produced a report in July 2016, containing a number of recommendations for the future planning of the sub-region. SHN is concerned that this work had proceeded with no reference to local communities. This democratic deficit is deplored.

8. At the same time, in July 2016, East Herts Council made a bid to the Department for Communities and Local Government for a Harlow and Gilston Garden Town. In September 2016, the Council and the principal landowners published a Concept Framework for the Gilston Area. Neither of these initiatives has been subject to public consultation. The intention to prepare the Concept Framework is set out in paragraph 11.1.4 of the District Plan "in consultation with local communities." In fact, the Framework has been introduced by East Herts Council as part of the evidence base for the District

Plan. In the view of SHN, this is contrary to the Local Plans Regulation 19, in that the public have had no chance to scrutinise the document and to comment upon it prior to the publication of the pre-submission District Plan. In taking this course of action, the Council is being unreasonable by pre-empting the democratic process and the local plans procedures.

9. In the draft District Plan 2014, East Herts Council stated clearly that the broad locations shown in the plan would be subjected to feasibility testing through further Development Plan Documents (DPDs). The DPDs would examine, amongst other major issues, financial viability and the delivery of all necessary infrastructure and be "prepared by the Council working with key stakeholders, including Hunsdon, Eastwick and Gilston, High Wych, and Wdiford Parish Councils." This has not been done. Instead, the Council, in this pre-submission draft, has moved straight to the allocation of 10,000 houses for the Gilston area. There is no reference to testing the proposal via a DPD, which has seemingly been substituted by the Concept Framework. Presumably, this is a Supplementary Planning Document (SPD), although this is not specifically stated. SHN considers that these changes are significant, as an SPD would not be subject to the scrutiny of a public examination. The removal from examination of financial viability would mean that it is unknown whether the proposals could be delivered. Moreover, the local community are denied the opportunity to make their views heard in full.

10. East Herts Council has always given the expectation that not only would a DPD be prepared for the Gilston area, but also that the Parish Councils would be involved in its preparation. No formal record can be found as to why this policy was changed, except for a line in the revised Local Development Scheme of May 2016. Yet as recently as February 2016, the Council were still stating their intention to undertake a DPD. The local community was not informed of the decision, nor was the Hunsdon, Gilston & Eastwick Neighbourhood Plan Group (HEG).

11. SHN considers that the decision to drop the DPD was made because of the time constraints imposed by the Government, to have the Plan ready for submission in March 2017. From a reading of meeting notes on the Duty to Cooperate and with developers, it would appear that the Council was under pressure from other stakeholders to avoid further investigation through a DPD. The whole process has lacked transparency, openness and accountability, with a lack of consultation and publicity.

12. The whole process is contrary to the aims of the Council's Statement of Community Involvement (SCI) which states that "the Council wishes to involve all sections of the community in the planning process and is committed to maximising publicity of its planning documents". In the case of the Concept Framework, this has not been done. After the exchanges on the 2014 draft District Plan, communities had been led to believe that there would be further opportunity to comment on the proposals for the Gilston area via the publication of a DPD. The Council's revised Local Development Scheme stated that the Regulation 19 pre-submission stage would not be a full public consultation. Although this is technically correct, the fact remains that the community have not been afforded the opportunity to comment on the Concept Framework as a DPD.

13. SHN is also aggrieved because of the lack of publicity about the pre-submission consultation. The plan was only publicised by East Herts Council in its Link Magazine, which was issued a full week after the consultation had started, and by a small advertisement in local newspapers. Although the Council sent out emails to those who had previously responded, many of these were intercepted as SPAM.

Thus, many people in the local community only became aware of the pre-submission consultation because of the activities of SHN.

## **"SOUNDNESS"**

14. Despite the glossy façade of the Concept Framework, SHN objects strongly to the District Plan on a number of grounds, which are elaborated in the ensuing paragraphs. The Plan is unsound in that it is not justified, nor is it effective.

## **GREEN BELT**

15. As shown on the District Plan and in the Concept Framework, the proposal would entail the removal of an important tract of Green Belt. The area is part of a tongue of Green Belt, centred on the valley of the River Stort. The concept was first approved in the Hertfordshire County Structure Plan 1979. Detailed boundaries, having regard to physical features on the ground, were shown in the East Hertfordshire District Plan, adopted in late 1981.

16. The extent of the Green Belt in this area thus has a long history. It fulfils a number of the functions which are set out in the NPPF (paragraph 80). In strategic terms, it has checked the outward spread of Metropolitan London. More locally, it has prevented the coalescence of towns in the Lee and Stort valleys. It has also safeguarded the countryside from encroachment - this is a particularly important feature of the Green Belt to the North of Harlow. Although there are no historic towns in the immediate area, the application of Green Belt policy has cumulatively contributed to the regeneration of London and other urban areas, including Harlow.

17. These functions were analysed in the East Herts Green Belt Study, produced for the Council by Peter Brett Consultants in 2015. The detailed analysis in the study found that the Green Belt to the north of Harlow was "paramount" in safeguarding the countryside from encroachment. It also concluded that it was of low suitability as an area of search for development and that the Green Belt was a constraint on development. Further, the Stort Valley formed a natural edge to the urban area of Harlow and that there was a clear distinction between town and country. Consequently, the area was of very low suitability for development in Green Belt terms.

18. SHN agrees with these views, which substantiate the representations which have been made to East Herts Council on the earlier consultation draft of the District Plan, and to the East of England Plan. Although the Peter Brett study considered that the Green Belt scored low on the coalescence function, the designation has clearly worked. There is a marked contrast between the characteristics of the Lee Valley to the south of Hoddesdon and the Stort Valley to the east. The former is now a continuous strip of urban development, whereas the latter is a tongue of tranquil countryside penetrating into East Hertfordshire. As can be seen from the District Plan diagrams and the Concept Framework, development of the Gilston Area would reduce the Green Belt to a narrow strip to the east and west of Harlow. The truncation of the Green Belt would render its functions ineffective.

19. The NPPF (paragraph 83) makes it clear that Green Belt boundaries should only be altered in exceptional circumstances. This is reinforced in Planning Practice Guidance (paragraphs 044 and 045) which states that Green Belt policies are a constraint which may limit the ability of local authorities to deliver their objectively-assessed needs. A letter (7th June 2016) from the former Minister for

Planning (Brandon Lewis MP) said that housing need alone would not change Green Belt boundaries. Whilst the letter does imply that local authorities, working with local communities, might take a different view, it is clear that the Gilston Area proposal has a long history of public opposition. It is submitted therefore that East Herts Council cannot demonstrate the "exceptional circumstances" to justify the development of this area.

## **DRAINAGE**

20. SHN considers that the District Plan is ineffective in terms of drainage capacity in the Harlow area. As shown in the Concept Framework, sewage disposal would be via the Thames Water trunk sewer, which runs westwards along the Stort Valley to the Rye Meads Sewage Treatment Works (STW), near Hoddesdon. It is stated that Thames Water have considered that there is sufficient capacity at the treatment works to deal with the additional effluent arising from proposed developments in housing to 2040. This includes the initial housing target in the Gilston Area, but it is questionable whether there would be capacity to cope with the cumulative effects of developments over the wider catchment area, which includes other parts of East Hertfordshire, Broxbourne, Welwyn Hatfield, Stevenage, and North Hertfordshire. In any event, there is unlikely to be sufficient capacity at Rye Meads to handle the consequences of large-scale development in the longer term - beyond 2040.

21. As SHN have pointed out in the past, the capacity of Rye Meads to expand is severely limited by the proximity of the Rye Meads SSSI, a site of European and international importance for wildlife, particularly migratory birds. The area has been designated as a RAMSAR site and a Special Protection Area (SPA). These designations are a severe constraint on further expansion of the STW. In 2006, a Habitats Regulation Assessment (HRA), prepared by Levitt-Therivel Associates, concluded that no development could take place unless that harmful effects on the Rye Meads had been mitigated.

22. More recently, the East Herts Strategic Sites Delivery Strategy (Peter Brett Associates, September 2015) refers to a proposal by the site promoters to manage waste water on site, using four waste water treatment plants. This concept was described in a Sewage Treatment and Drainage Strategy (AECOM, 2013). The technology is severely regulated by the Environment Agency, however, who would decide whether a permit would be required. This is questionable, as there are great concerns about increasing levels of phosphates draining into the River Stort, which is a BAP chalk stream (See SHN comments below about surface water drainage quality and its effects on Hunsdon Meads SSSI).

## **HIGHWAYS AND TRANSPORT**

23. As pointed out in the District Plan and the Concept Framework, the Gilston Area proposal is heavily dependent on investments in highways and transport infrastructure. SHN believes that key elements of the concept are speculative and cannot be delivered, rendering the District Plan ineffective. Outline plans are set out for the internal road system and for public transport, cycling, and walking routes. These may be delivered by developers as part of s106 Agreements or by the Community Infrastructure Levy (if adopted by East Herts Council). Delivery of the strategic elements of the scheme is more uncertain, however.

24. In terms of road traffic, the scheme is dependent on the diversion of the A414 to the North of Harlow, and its connection to a new junction 7a with the M11. In its current consultation on a transport vision for 2050, Hertfordshire County Council has stated its priority for the improvement of

the A414 as a cross-county route. There is no funding available, however, and it is highly unlikely that the scheme would be completed within the plan period. From the Concept Framework, it would appear that the route of the extended A414 would run to the south of Pye Corner, then along the alignment of Redricks Lane. The viability of this route is questionable, however, as it would appear to cross the area of the former Redricks Landfill site.

25. Essex County Council have pledged their support for the new junction 7a on the M11. At present there is no commitment to this from Highways England, who have consistently opposed motorway junctions in close proximity to each other. The proposed new junction is only two miles north of the existing junction 7. In addition, the M11 is well-used and the additional traffic from the Gilston Area would add to the existing problems of congestion.

26. The existence of the main railway line to London Liverpool Street is claimed to be an advantage in favour of the proposals. Usage of the line, however, is at capacity, especially during the peak hours for travel. Local services between London Liverpool Street, Harlow, Bishop's Stortford, and Cambridge have to compete for track space with the Stansted Express services. There are proposals to double the line to four tracks in the Lee Valley, from Coppermill Junction (south of Tottenham Hale) to Broxbourne. Beyond that point, there are no plans to expand track capacity in the Harlow area, as intimated in the Concept Framework and the District Plan. In any event, improvements would be constrained by technical and environmental problems and it seems certain that delivery would be unlikely during the District Plan period.

## **OTHER INFRASTRUCTURE**

27. The area lies within one of the most water-deficient regions of the UK. For many years, there have been long periods with below-average rainfall, and concerns about drought conditions and water shortages. Water supply is dependent on the underlying chalk aquifer, which at times has been severely depleted. Policy GA1 refers to "a satisfactory water supply", but there is no mention in the District Plan as to how this can be delivered in an area where water resources and water quality are under threat. The addition of at least 3,000 new dwellings is certain to exacerbate the problems of water supply. With water shortages likely to increase, there will be a demand to import water from other areas, with very high financial and environmental costs.

28. In the Concept Framework and Policy GA1 there are suggestions that surface water flooding can be dealt with by sustainable drainage schemes (SUDs), but these measures will not overcome the problems of water supply. It is understood that the surplus surface water flow would be channelled into the three tributary streams running southwards into the River Stort. This raises concerns about the capacity of the flood plain to absorb these excess surface water flows and the quality of the water itself (see below the SHN comments on the vulnerability of the Hunsdon Meads SSSI). Downstream, there are also concerns about flash flooding in the village of Roydon, which has been affected in recent years.

29. The policy also considers the need for other infrastructure provision, and the potential re-location of the Princess Alexandra Hospital from Harlow. This proposal is purely speculative, however, and there is no commitment from NHS England to such a scheme. Again, this casts doubts on the effectiveness of the District Plan and its deliverability.



## ENVIRONMENT

30. It is acknowledged in the Concept Framework that the proposal would remove a considerable area of open countryside (over 1100 hectares). The whole area is an important part of the attractive swathe of countryside the north east of Hertford and Ware. It is a tranquil area, largely unspoilt, and is in marked contrast to the busy route corridors of the M11, A10, and A414. The Gilston Area is particularly attractive because it is devoid of settlements. Local villages, including Eastwick, Gilston, Hunsdon, Widford, High Wych, and Allens Green, are on the edge of the proposed development area.

31. Much of the area consists of productive arable farmland, mostly of Grade 2 and 3a. The loss of these extensive areas of production would be contrary to the NPPF paragraph 102), which seeks to protect the areas of best and most versatile agricultural land from development.

32. The Gilston area and its surroundings contain no less than 16 Local Wildlife Sites, including a number of examples of ancient woodland. To the south there is the Stort Valley which is significant in terms of its landscape and environmental qualities. In a 1980 study, completed jointly by Hertfordshire and Essex County Councils, a number of important features were outlined, including herb-rich meadows, historic landscapes, and other areas of nature conservation value. The valley contains two Sites of Special Scientific Interest (SSSI). One of these areas - Hunsdon Meads- is particularly important, as it is one of the last areas of herb-rich lammas grass meadows in Hertfordshire. The integrity of this 66ha site is dependent on the regularity of winter flooding in the Stort Valley, which deposits nutrient-rich material onto the meadow. The eco-system of the site, and biodiversity, are maintained because of the quality of the alluvial deposits. There is a very real danger that contamination of these deposits, resulting from the intensity of urban development, could destroy the site for future generations. The District Plan and the Concept Framework describe the Stort Valley as "green infrastructure", which is an urban concept. It is not a park - it is an area of tranquil countryside, suitable for quiet recreation, The development of the Gilston Area would bring urban fringe pressures to the Stort Valley and the countryside to the north. Despite the measures described in the District Plan and the Concept Framework, this would no longer be a rural area.

33. The area is also significant in terms of its landscape quality. According to the Hertfordshire Landscape Character Assessment, there are three distinctive sub-areas to the North of Harlow. These are the Stanstead & Pishiobury Parklands (area 081), the River Stort (area 082), and the Hunsdon Plateau. The study describes the detailed topographical and landscape characteristics of these sub-areas, but on the whole the defining factor is the relative remoteness of the whole area, which is not affected by urban influences and is not crossed by any major road, except for the A414. For all three sub-areas, the recommended approach is to "improve and conserve" the landscape character. SHN agrees with its approach, and in October 2006 issued a proposal for Gilston Great Park, containing a series of positive measures for the conservation and development of the landscape (this is attached).

34. This rural quality was recognised by Sir Frederick Gibberd in his Master Plan for Harlow New Town, which referred to the "Hertfordshire Hills" as an important backcloth to the urban area. Gibberd designed the town as a semi-circle, with the River Stort as the base line. His vision remains clear today - it is still possible to stand in the town centre and look northwards to the countryside horizon. In the Concept framework, it would appear that the bulk of the urban development would occur on what are termed the "Eastwick Slopes", thus destroying the countryside setting of Harlow.

35. It should also be acknowledged that the proposed extension of the A414 would cause considerable harm to the landscape integrity of the valley. Previous studies have acknowledged the importance of the area in landscape terms. In a study of the relationship between transport and development in the London-Stansted-Cambridge-Peterborough growth area, land to the North of Harlow was considered to be the most sensitive, compared to the east west, and south (Colin Buchanan & Partners & GV A Grimley, August 2004). The Hertfordshire Landscape Assessment 2003 considered that the area is one to "conserve and enhance". At the same time, the Harlow Green Infrastructure Plan (Chris Blandford Associates 2004) acknowledged the importance of the environmental assets to the North of Harlow. The Grimley report of 2004 also stated that the land to the North of Harlow was the most sensitive location in terms of its environment and landscape.

36. The area is rich in heritage assets. Development would have a direct and indirect effect on three Scheduled Ancient Monuments, six Areas of Archaeological Significance and a number of historic gardens. There are 80 listed buildings in Hunsdon Parish alone; these include Hunsdon house and St. Dunstan's Church (near Eastwick), both of which are Grade I. At the heart of the area is Gilston Park House, a Grade II listed building and its surrounding parkland. Although not of national significance, these are extremely important features of East Hertfordshire and its heritage. The Concept Plan omits Gilston Park from the areas of housing development, but the indirect effects of urban development will threaten the integrity of the house and grounds. There are similar concerns for Hunsdonbury and Hunsdon House, near the western boundary of the proposed development area. There are also Conservation Areas at High Wych, Widford, and Hunsdon, all of which affected by the proposed development.

## **OTHER EFFECTS**

37. SHN has noted that the proposed development area lies directly under the flight path of Stansted Airport. This is used by about 30% of aircraft landing at the airport. The idea of building so much housing under a flight path is questionable, particularly as Stansted is likely to expand in the future. Passenger numbers are expected to rise from 23.2 million to 35 million over the next ten years. Development to the North of Harlow has previously been rejected (e.g. by SERPLAN in RPG9) because of its location beneath a major flight path, with its noise and safety issues.

38. One of the reasons advanced for development t the North of Harlow in the East of England Regional Plan was that it would stimulate the regeneration of Harlow. This argument is also put forward in support of the District Plan submission (in paragraph 11.2.6). SHN believes that the development of the Gilston area would proceed as a separate entity; there is no evidence to suggest that the housing would deliver the regeneration of Harlow. It would have little benefits for Harlow's most deprived neighbourhoods, which are located on the south side of the town.

## **SUMMARY**

39. In summary, SHN submits that the proposals for the Gilston Area are a major failure of the District Plan and cannot be justified. The development clearly exceeds the environmental capacity of the area to absorb it, without considerable damage. The removal of such a large area of Green Belt is a strategic decision, beyond the scope of a single Local Plan, and should be considered at a much higher level. 40. In terms of the issues, nothing has changed since the Regional Plan Examination in 2006. The Green Belt boundaries are the same, and the countryside and the landscape are largely unaltered.

What has changed is the level of urban activity which has affected the area, and will continue to grow. In particular, the levels of road traffic in and around Harlow have increased considerably, together with a doubling of air traffic on the Stansted flight path. The proposed development in the Gilston area would have a catastrophic effect, not only on the countryside and landscape but also on the quality of life of residents in East Hertfordshire and adjoining areas of West Essex. The arguments against are compelling.

**Modifications SHN consider necessary to make the Pre-Submission District Plan legally compliant, compliant with the duty to co-operate or sound.**

Deletion of Chapter 11 and policies GA1 and GA2. Introduction of the Gilston Great Park proposal into the District Plan.

#### **11.3.4 Paragraph**

SHN objects to the proposals for the Gilston Area, and policy GA1 - these comments are lodged elsewhere.

Section 11.3 and policy GA2 propose new crossings of the River Stort. SHN also objects to this policy as it is closely linked to the overall development package, which is neither justified nor effective.

SHN accepts that an improvement to the existing Stort crossing is necessary to ease the traffic congestion which occurs at the entrance to Harlow New Town. At peak times, this congestion causes long tail-backs of traffic on the A414 east-bound carriageway.

If policy GA1 and the development of the area to the North of Harlow is rejected, then there is no need for a second crossing, either to the east or the west of the existing route. A crossing to the west would have a particularly devastating effect on the landscape of the Stort Valley, which is a valued and tranquil feature of the countryside. There would also be a threat to the sensitive habitat of the Hunsdon Meads SSSI. Both new crossings would impact on the openness of the Green Belt to the North of Harlow.

The Council (in paragraph 11.2.3) maintains that the proposals would be in accordance with paragraph 90 of the NPPF for the new routes to cross Green Belt land. SHN refutes this argument. The NPPF also states (in paragraph 14) that there should be a presumption in favour of development unless "any adverse effects of doing so would significantly and demonstrably outweigh the benefits." As SHN has demonstrated, over a period of many years, the effects of massive housing development in this part of Hertfordshire would considerably outweigh any benefits. Thus policy GA2 cannot be justified.