

Report to the Cabinet

Report reference: C-008-2023/24

Date of meeting: 10 July 2023



Portfolio: Planning & Sustainability – Cllr. Bedford

Subject: Approval of draft East of Harlow Masterplanning Guidance SPD for formal consultation

Responsible Officer: Nigel Richardson / Ione Braddick (01992 564 110).

Democratic Services: Vivienne Messenger (01992 564243).

Recommendations/Decisions Required:

- (1) To approve the draft East of Harlow Masterplanning Guidance SPD (Appendix A) for formal public consultation planned for summer 2023.**
- (2) To agree that the HGGT Director, in consultation with the Chair of HGGT Board be authorised to make minor amendments to the HGGT Stewardship Charter prior to publication for consultation.**
- (3) To note that, following consultation and any subsequent revisions, it is intended that the final East of Harlow Masterplanning Guidance SPD will be considered by Cabinet for adoption as a material planning consideration for assessing planning applications, pre-application advice, and any other development management purposes within the East of Harlow Masterplan Area.**

Executive Summary:

The Harlow and Gilston Garden Town aims to coordinate and enable delivery of 16,000 homes by 2033, along with associated infrastructure, in and around Harlow, East Herts and Epping Forest Districts, delivering the Garden Town Vision, principles and guidance that has been agreed by the five partner councils. 3,900 of these homes are allocated within Epping Forest District, making up over a third of the District's allocated housing to be built to the TCPA's Garden City Principles.

East of Harlow is one of Harlow and Gilston Garden Town's strategic sites. It sits across the Harlow District (HDC) and Epping Forest District Council (EFDC) border, with 2,600 homes proposed within Harlow and 750 homes within Epping Forest District, as allocated in the adopted EFDC Local Plan (2023). It also includes the proposed site for the new Princess Alexandra Hospital and is covered by Essex County Council (ECC) as the Highways Authority.

The masterplanning of the site has lacked sufficient progress, which could result in a potential impact on delivery timescales for homes and infrastructure on the site and, therefore, the risk increases of ad-hoc development coming forward within the masterplan area. This could, in turn, jeopardise the vision for the strategic site. The HGGT Partnership agreed to produce a document for the East of Harlow site (EFDC adopted Local Plan Policy SP4.3) to provide masterplanning principles.

The aim is to provide guidance for a developer producing a masterplan for the site, to ensure the masterplan reflects the vision for the site which is shared by the HGGT partners and meets the Garden Town Vision. The HGGT partners have worked collaboratively to prepare the draft consultation version. Work on the document progressed during 2022, including regular workshops to consolidate existing information and produce principles within it, and the work was reviewed by the HGGT Quality Review Panel in November 2022.

It is proposed that public consultation will take place between June and September 2023, with a finalised SPD being endorsed by the HGGT Board in December 2023, and subsequent adoption by both HDC and EFDC in early 2024.

Reasons for Proposed Decision:

- To ensure that the East of Harlow Masterplanning Guidance SPD is afforded suitable planning weight by following the relevant governance and consultation processes, to ensure that development proposals within the East of Harlow masterplan area come forward in line with the masterplanning principles as agreed by the HGGT partnership, and that clear parameters are established for future pre-application advice, assessing planning applications and any other development management purposes within the East of Harlow masterplan area.
- To comply with the Council's general obligations as a local planning authority and the requirements set out in national planning guidance.

Other Options for Action:

- Not to agree the draft East of Harlow Masterplanning Guidance SPD can be published for a 6 week consultation which would mean that there would be reduced masterplanning guidance to support the delivery of the East of Harlow masterplan and achieve the objectives set out in the HGGT Vision.

Report

Introduction

1. Please see accompanying HGGT Board Report and Draft East of Harlow Masterplanning Guidance SPD (Appendix A).

Resource Implications:

As set out in the 18 October 2018 Cabinet Report, the successful delivery of the Garden Town and the other strategic sites within Epping Forest District will require considerable commitment of officer time from EFDC. The noting of the contents of this report do not give rise to additional resource implications.

Legal and Governance Implications:

The work on East of Harlow Masterplanning Guidance SPD has been developed in accordance with Government policy (NPPF and NPPG) and Planning Law.

Safer, Cleaner and Greener Implications:

The Local Plan contains policies designed to promote the notion of making good places to live, work and visit. This includes principles around masterplanning and placeshaping, sustainable development, community engagement and development, and adopting garden city principles for the Harlow & Gilston Garden Town. The East of Harlow Masterplanning Guidance SPD will enable clear

guidance on site specific masterplanning principles to ensure these sustainable place-making measures are delivered in this strategic sites.

Consultation Undertaken:

See Appendix B HGGT Board Report for engagement that has taken place to date, including with the HGGT Quality Review Panel.

Background Papers:

None.

Risk Management:

If the Council was not to take a pro-active stance on setting clear masterplanning guidance for the East of Harlow site, there would likely be further impact on delivery timescales for homes and infrastructure on the site and, therefore, the risk increases of ad-hoc development coming forward within the masterplan area. This could, in turn, jeopardise the vision for the strategic site.

Equality Impact Assessment

1. Under s.149 of the Equality Act 2010, when making decisions, Epping District Council must have regard to the Public Sector Equality Duty, ie have due regard to:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sexual orientation.
3. In addition to the above protected characteristics you should consider the cross-cutting elements of the proposed policy, namely the social, economic and environmental impact (including rurality) as part of this assessment. These cross-cutting elements are not a characteristic protected by law but are regarded as good practice to include.
4. The Equality Impact Assessment (EqIA) document should be used as a tool to test and analyse the nature and impact of either what we do or are planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. Use the questions in this document to record your findings. This should include the nature and extent of the impact on those likely to be affected by the proposed policy or change.
6. Where this EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. **All Cabinet, Council, and Portfolio Holder reports must be accompanied by an EqIA.** An EqIA should also be completed/reviewed at key stages of projects.
8. To assist you in completing this report, please ensure you read the guidance notes in the Equality Analysis Toolkit and refer to the following Factsheets:
 - Factsheet 1: Equality Profile of the Epping Forest District
 - Factsheet 2: Sources of information about equality protected characteristics
 - Factsheet 3: Glossary of equality related terms

- Factsheet 4: Common misunderstandings about the Equality Duty
- Factsheet 5: Frequently asked questions
- Factsheet 6: Reporting equality analysis to a committee or other decision making body

Section 1: Identifying details
Your function, service area and team: Planning Service
If you are submitting this EqIA on behalf of another function, service area or team, specify the originating function, service area or team: N/A
Title of policy or decision: Progress of Strategic Masterplans & Planning Performance Agreements
Officer completing the EqIA: Ione Braddick Tel: - Email: ibraddick@eppingforestdc.gov.uk
Date of completing the assessment: 12/06/2022

Section 2: Policy to be analysed	
2.1	Is this a new policy (or decision) or a change to an existing policy, practice or project? No
2.2	Describe the main aims, objectives and purpose of the policy (or decision): The report is to seek approval from cabinet members to take the draft HGGT Stewardship Charter for formal 6 week public consultation. What outcome(s) are you hoping to achieve (ie decommissioning or commissioning a service)? For HGGT Stewardship Charter to go through formal consultation in order to be able to be endorsed to be a material planning consideration.
2.3	Does or will the policy or decision affect: <ul style="list-style-type: none"> • service users • employees • the wider community or groups of people, particularly where there are areas of known inequalities? Wider community Will the policy or decision influence how organisations operate? No

2.4	Will the policy or decision involve substantial changes in resources? No
2.5	Is this policy or decision associated with any of the Council's other policies and how, if applicable, does the proposed policy support corporate outcomes? It is associated to LPSV policies SP3, SP3 and SP4 and Statement of Community Involvement. Approval for consultation will not have any adverse effect on other Policies.

Section 3: Evidence/data about the user population and consultation¹

As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).

3.1	What does the information tell you about those groups identified? N/A
3.2	<p>Have you consulted or involved those groups that are likely to be affected by the policy or decision you want to implement? If so, what were their views and how have their views influenced your decision?</p> <p>The groups mentioned in 2.3 will be consulted as part of the formal public consultation.</p>
3.3	<p>If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary:</p> <p>Digital and non-digital engagement and consultation including events, Q&As and digital platform. This will take place in summer 2023.</p>

Section 4: Impact of policy or decision

Use this section to assess any potential impact on equality groups based on what you now know.

Description of impact	Nature of impact Positive, neutral, adverse (explain why)	Extent of impact Low, medium, high (use L, M or H)
Age	None	N/A
Disability	None	N/A
Gender	None	N/A
Gender reassignment	None	N/A
Marriage/civil partnership	None	N/A
Pregnancy/maternity	None	N/A
Race	None	N/A
Religion/belief	None	N/A
Sexual orientation	None	N/A

Section 5: Conclusion

		Tick Yes/No as appropriate	
5.1	Does the EqIA in Section 4 indicate that the policy or decision would have a medium or high adverse impact on one or more equality groups?	No <input checked="" type="checkbox"/>	
		Yes <input type="checkbox"/>	If ' YES ', use the action plan at Section 6 to describe the adverse impacts and what mitigating actions you could put in place.

Section 7: Sign off**I confirm that this initial analysis has been completed appropriately.****(A typed signature is sufficient.)**

Signature of Head of Service: Nigel Richardson

Date: 12/06/23

Signature of person completing the EqIA: Ione Braddick

Date: 12/06/23

Advice

Keep your director informed of all equality & diversity issues. We recommend that you forward a copy of every EqIA you undertake to the director responsible for the service area. Retain a copy of this EqIA for your records. If this EqIA relates to a continuing project, ensure this document is kept under review and updated, eg after a consultation has been undertaken.