

**HERTFORDSHIRE COUNTY COUNCIL**

**CABINET  
MONDAY 21 JULY 2003 AT 2.00 P.M.**

Agenda item no.

**8**

**SUB REGIONAL PLANNING: THE STANSTED M11 CORRIDOR STUDY, HARLOW OPTIONS STUDY AND DELIVERY VEHICLES TO REALISE DEVELOPMENT**

Local Members: - Mary Bayes, Tony Dodd, Bernard Engel, Nigel Copping, Michael Janes, Moyra O'Neill, Gerald Game, Alan Searing, John Morton, Dennis Clayton.

Report of the Director of Environment

Author: Steve Bailes Tel: 01992 556293

**1. Purpose of the report**

To inform Cabinet of progress on the Stansted M11 Corridor Study, publication of the Harlow Options Study and the issue of Delivery Agencies and obtain their views thereon.

**2. Summary**

- 2.1 The Stansted – M11 Corridor study will be published at the end of September as an input to the sub regional spatial strategy of the draft Regional Plan. It will take into account and potentially include the findings of the Harlow Options Study published in June. This study considered options for development in the Harlow and Broxbourne areas and the County Council as an important stakeholder has until the end of July to comment.
- 2.2 Harlow is an important town in the M11 corridor and growth there is seen by some as essential for its regeneration and future sustainable development. The study in terms of content and findings is disappointing in that it provides no clear strategy for potential development and the justification for the sites suggested in Hertfordshire and elsewhere is inadequate. A response highlighting the significant failings of the study is suggested.
- 2.3 Whatever the final sub regional strategy emerging from the studies, the Government Office envisage there being a 'step change' in housing provision. To realise this and the provision of affordable housing and funding for infrastructure it sees a need for a new local delivery agency, such as an Urban

Development Corporation. Such suggestions raise many issues including the issue of local democratic control and the role for local authorities. This aspect is considered in the Harlow study and in a separate consultation by Lord Rooker for the Government Office of the Deputy Prime Minister.

- 2.4 This report is to be considered by the Structure Plan and regional Issues Panel on 18 July 2003. The views of the Panel will be reported to Cabinet .

### **3. Conclusions**

- 3.1 The Report concludes that the Harlow Options Study is technically flawed and as such should not be simply taken forward as the basis for any development proposals in further studies, including the M11 Corridor Study.
- 3.2 The following issues illustrate the flawed nature of the report and should be adequately addressed:
- The tight timescale for the study made effective public involvement and consultation impossible and resulted in inadequate and questionable technical findings.
  - The regeneration objectives for Harlow and Broxbourne were not adequately analysed and the role of development to achieve the objectives is not clear.
  - The proposed development outlined in this study place significant areas of greenfields in Hertfordshire under threat- without sufficient analysis and justification of either the need for, or the quantity, of such growth
- 3.3 The report concludes that decisions on delivery vehicle would be premature. It is not appropriate to determine the type of delivery agency, if any, required to achieve the growth area objectives in advance of the strategy. In particular the models proposed vary in the extent of local government involvement. The County Council would wish to ensure that the democratic involvement of local communities is maintained. It is anticipated that there will be further involvement of the County Council in discussions with the Government Office concerning delivery agencies.
- 3.4 In response to a consultation exercise with a deadline of 30 June, an officer level letter has been sent to Lord Rooker. The Cabinet is asked to endorse this.
- 3.5 In summary, the proposed options would need substantial work, in the light of the comments above before the Options Study could be considered as part of the M11 Corridor study. Failing to do so, will result in this technically flawed study adversely impacting upon the robustness of the analysis and conclusions for the M11 Corridor Study.

## 1. Background

- 1.1 The London-Stansted-Cambridge area was included in the South East Regional Plan (RPG9) as a potential growth area. The recent statement by the Deputy Prime Minister on the Communities Plan confirmed it as one of 4 growth areas to meet a perceived shortage of housing in the region and particularly the shortage of affordable housing.
- 1.2 A study in 2002 on the whole of the growth area considered some of the implications of varying levels of growth. One of the findings was that Harlow, as a key town of the area between London and Cambridge and in need of regeneration, should play a major role in any development options for the area.
- 1.3 The London Stansted Cambridge study was not sufficiently detailed to provide the basis for a sub regional spatial strategy to feed into the future regional plan for the East Region (RPG14) so a more focussed study has been commissioned. The area under investigation includes East Hertfordshire, Broxbourne and parts of North Hertfordshire Districts.

### Stansted M11 Corridor Study

- 1.4 That study is the Stansted M11 Corridor Option study being undertaken by Colin Buchanans and commissioned by the Regional Assembly, the Government Office (GOEE), the Regional Development Agency (EEDA) the Countryside Commission and Essex, Hertfordshire and Cambridgeshire County Councils. The study will provide a suggested spatial strategy for RPG14 taking account of the natural growth pressures in the area, the implications of Stansted development to the maximum use of the existing runway and the Government's desire for additional housing development. It is due to be published in early September.
- 1.5 It will therefore recommend levels of development in terms of additional housing numbers for the eastern districts of the county. There will be no formal public consultation process to consider these proposals before they are incorporated in to the draft regional plan.

### Harlow Study

- 1.6 Prior to the M11 study being commissioned a study of the development needs and potential of the Harlow area was commissioned initially by Essex County Council. The study focussed on Harlow as an important regeneration area but the Hertfordshire, East Herts and Broxbourne authorities were represented as the area under consideration expanded to include the upper Lea Valley (Broxbourne east of the A10) which is also a regeneration area, and Ware.
- 1.7 The Harlow report was published in June for comments by the end of July. Those comments will be summarised by the consultant in an additional chapter to the report and the final document passed to the Regional Assembly

for consideration in formulating the regional plan. There has therefore been some opportunity for stakeholder comment but it has been limited and will not influence the detail of the report. The report will also be passed to Colin Buchanans so that the findings may be included the M11 Study.

- 1.8 The Harlow Options report is basically a capacity study looking at 2 strategic development options and suggesting sites to provide for 2 alternative levels of housing and employment growth. A summary has been produced by Essex County Council of the consultant's report and is attached as Appendix 1 and our draft response as Appendix 2. A copy of the full report has been placed in the member's room.

### Delivery Agencies

- 1.9 The Government sees that an important element of any growth area study is the local Delivery Agency necessary to achieve the growth. In some areas, particularly those in need of regeneration, this may mean the need to assemble land for redevelopment but elsewhere it will involve aspects such as obtaining the necessary obligations for affordable housing and infrastructure from private developers and ensuring funding is made available from other, particularly Government, sources.
- 1.10 The Government Office has been very keen that the growth area studies consider this issue. The Harlow Report evaluates 5 delivery options and cites the Urban Development Corporation (or New Town Development Corporation) as the most effective given the imperative of speed of delivery and because of its stronger orientation to regeneration and the need to address complex site development issues in existing urban environments.
- 1.11 Lord Rooker on behalf of the Office of the Deputy Prime Minister has also consulted councils on alternative agencies for growth areas. A summary of the types of delivery agency and their differences produced by an adviser to the Government Office is attached as Appendix 3 and our response as Appendix 4. The Urban Development Corporation meets 5 of the Government's benchmarks but not that of "accountability".

## **2. Issues arising from the Stansted M11 Corridor Study**

- 2.1 The study has not yet reported any initial findings. The study area is made up of whole Districts including Broxbourne, East Herts and North Herts but the main area for study will be that most affected by the urbanisation implications of Stansted Airport.
- 2.2 The study will first look at those implications arising from airport development of 1, 2, 3 or 4 runways. To this will be added the natural growth of the area to meet the region's targets agreed with EEDA. The spatial strategy that will be suggested will assume only the full use of 1 runway but the intention is that the chosen strategy could be continued if more runways are constructed.

- 2.3 The issues that will arise therefore will not only be the allocation of additional housing by district in the regional plan but the likely location of further housing if Stansted were to expand. Inevitably East Hertfordshire as one of the districts closest to Stansted is likely to feature strongly in any sub regional development strategy.
- 2.4 The study will be published in early September to feed directly into work on the draft RPG. There will be some opportunity for stakeholders comments before and after publication but it is very limited. There is therefore very little opportunity for the public to consider the implications of any development strategy before the publication of the draft RPG in February 2004. Experience of the Harlow Study would suggest that this level of public consultation and involvement is inadequate.

### **3. Issues arising from the Harlow Options Study**

- 3.1 The report of the Harlow Study can only be described as disappointing. The contents are summarised in Appendix 1 and a detailed draft response is set out in Appendix 2. The main issues are:
- The level of development in terms of housing and employment land and other infrastructure necessary to realise the regeneration of Harlow and make it a successful sub regional centre is not made clear.
  - The sustainable regeneration of Harlow and, if relevant, parts of Broxbourne should be at the centre of this study but the requirements, in terms of housing and employment growth and infrastructure, to achieve this regeneration are not apparent.
  - The reasons for the choice of sites to meet the different levels of growth, their assessment in terms of environmental impact and the positive role they could play to meet the vision for the area, are inadequate. The sites chosen changed during the study without full explanation.
  - The impact of the proposed development on the existing infrastructure, particularly surface access infrastructure, is not considered and the proposed new roads and new public transport access have not been adequately costed and their viability assessed.
  - The issue of water supply which has been cited as having major environmental implications as well as being a funding issue has not been adequately dealt with.
  - The public consultation process has been inadequate to give stakeholders confidence in the study's findings.
- 3.2 Some development in addition to that of existing policy is highly likely given the Government's view of the sub region's status as a growth area. The study shows that using Green Belt land but avoiding that with other major environmental constraints there is developable land along the A10 between Ware and Cheshunt sufficient for 10,000 dwellings and to the north of Harlow sufficient for 9,000 dwellings and nearly 90 hectares of employment land. Existing commitments in the Hertfordshire area are about 3,400 dwellings and the 2 key employment sites at Essex Road and Park Plaza.

- 3.3 The study does not explain what role these sites would play in achieving the regeneration of Harlow or Broxbourne or any other of the area's objectives. The A10 sites are likely to be car orientated whatever the level of affordable housing with any benefits to Hoddesdon and the other Lea Valley towns being at a cost of additional congestion. The viability of the proposed public transport link from Hoddesdon to Harlow and its likely success in diverting people away from the A10 corridor to Harlow must be questionable.
- 3.4 Expansion north of Harlow would, the study assumes, deliver the A414 – M11 link which is a policy aim of Hertfordshire contained in the draft Structure Plan. This would have the benefit of better linking Harlow and Broxbourne with Stansted Airport, which is seen as a key economic driver for the area, and would relieve the congestion caused by the A414 passing through Harlow.
- 3.5 The report however only includes the north of Harlow developments for the higher growth levels scenario so does not see these benefits as an essential element to its strategy. In addition, though discounted in the report, the area is directly under the westerly arrival flight path of Stansted Airport and the existing noise levels will only get worse. It seems quite wrong to chose to develop an area in such a situation when there are other areas seemingly available which are less affected.
- 3.6 In addition whichever peripheral areas around Harlow are chosen for major development their contribution to the regeneration of the town remains unproven. The centre of Harlow needs to be developed to be more attractive to attract shoppers and other users. The presence alone of more people on the periphery is not sufficient given the opportunity for travel elsewhere.
- 3.7 It is probable that none of the commissioning bodies, which in this case includes the District Councils, will be satisfied with the report. The problem this causes is that all the sites are now in the public domain as potential development areas but there is no cogent development strategy against which to assess them.
- 3.8 The Stansted M11 Study cannot now subsume the findings into its strategy. If it chooses to concentrate development growth in this area it will have the 'evidence' of available sites but can only proceed in the knowledge that many issues, including water supply, remain unresolved.

#### **4. Issues arising from local Delivery Agencies**

- 4.1 The Government expects there to be a 'step change' in housing provision in the 4 regional growth areas and sees a need for special local delivery agencies to deliver this change. The need to attain high levels of affordable housing plus funding for infrastructure means the planning process alone is insufficient.
- 4.2 From the evidence presented (Appendix 3) it is argued that the more successful the Delivery Agency the less the democratic control over it. The key issue for the County Council may be how to maintain its role in the

development process, together with the democratic involvement of local communities.

- 4.3 It is clear the Urban Development Corporation is favoured by both the Government Office and the Harlow study authors for delivering 'super growth' in complicated development areas.
- 4.4 In general without an understanding of the level and type of growth envisaged for the Harlow and M11 corridor areas it is difficult to comment on the applicability of such an agency in this region.
- 4.5 In addition the role any agency could play in capturing development value by purchasing land at 'no scheme' values needs further consideration. Certainly all the sites in Hertfordshire suggested in the Harlow study will already have some developer interest and the practicality and legality of acquiring such land at greenfield value prior to developing it must be questioned.
- 4.6 The officer response to Lord Rooker's consultation is attached as Appendix 4. It recognises that there will be a need to achieve a focus of resources, skills and political commitment to realise a very significant scale of development. However, the letter concludes that the most appropriate way forward to achieve the objective of creating sustainable communities is through the direct involvement of representatives of the local communities affected in any delivery mechanism. The Cabinet's endorsement of this approach is requested.

## **5. Conclusions**

- 5.1 The County Council has to respond on the Harlow Options Study and a response highlighting the failings of the study as set out in this report and Appendix 2.
- 5.2 The pressures for development in this area will be further considered in the on-going Stansted M11 Corridor Options Study on which the authority will wish to comment in September. The lack of opportunity for public debate on this study will detract from its value as part of the regional planning process.
- 5.3 The Government Office in looking for a 'step change' in housing provision in the M11 growth area see a need for a local delivery agency in order to achieve the growth and realise the necessary funding. This raises issues of democratic accountability which the County Council will need to consider in discussions on delivery of the future sub regional spatial strategy. It will be important to remain involved to ensure some measure of public accountability.
- 5.4 The endorsement of Cabinet to the officer response sent to ODPM on the delivery vehicles issue is requested.

## **6. Financial Implications**

- 6.1 There are none arising directly from this report but the future level of development in eastern Hertfordshire and the type of delivery agency chosen to deliver it will have significant implications.

### Background Information

Harlow Options Study Draft Final Report Atkins June 2003

## **APPENDIX 1 : HARLOW OPTIONS STUDY SUMMARY OF KEY POINTS FROM REPORT AND OF FUTURE PROCESS**

Produced by Essex CC.

The Consultants Draft Report for the Harlow Options Study has been published by the East of England Regional Assembly. The report invites comment from individuals and organisations by 1<sup>st</sup> August 2003. A seminar was held on 20<sup>th</sup> June in Harlow to discuss the report with community stakeholders.

The report was commissioned to inform the Regional Planning process, and will feed into a wider study of the 'Stansted/M11 Corridor' which reports in September. This Corridor is identified as a 'growth area' in the Government's 'Sustainable Communities Plan', published in February.

The Regional Plan will be published in draft in the Autumn and be presented to Government in February 2004. Full public consultation on the proposed strategy for the 'Stansted/M11 Corridor' will take place then. A Public Examination of the Plan, expected in autumn 2004, will allow people and organisations to express their views.

The Study, concludes that housing growth of between 29,000 and 38,000 dwellings would offer flexibility in planning for future growth in the Harlow area up to 2021. This range of growth is assessed as also requiring 213 and 276 hectares of additional employment land.

Currently identified sites for development in the area could accommodate 10,000 dwellings and 95 hectares of employment land. The Study therefore examines sites for locating the additional requirement – that is, 19,000 to 28,000 dwellings and 125 to 181 hectares of employment land.

The Study found that two spatial development patterns better meet agreed sustainable development criteria. One pattern (Sub-Regional Urban Focus) recognises Harlow as a major urban centre and concentrates development in and around the town. The other pattern (Transport and Regeneration Led Corridors) locates development around improvements to the transport network and creates links to key development drivers outside the study area.

Under the Sub-Regional Urban Focus pattern the vision for the study area is of the substantial expansion of Harlow to meet the future growth needs of the area. Through the phased regeneration of the town and its physical and services infrastructure, allied to greenfield development around the existing built-up area, Harlow would become an important sub-regional centre serving the study area. Building on the legacy of Gibberd's original master plan for the town it would be characterised by high density neighbourhoods bounded by Green Wedges or open countryside. The key elements of development options based on the Sub-Regional Urban Focus pattern are:

- Provision of 10,000 dwellings and 95 hectares of employment land on already identified sites and redevelopment to higher density of existing industrial areas in north east Harlow;

- An additional 2,600 dwellings and 20 hectares of employment land in existing developed areas of Harlow;
- Up to 16,400 houses to the east, south and west of Harlow;
- Up to 9,000 houses to the north of Harlow (higher growth level only);
- New employment sites on 105 hectares to the north and west of Harlow (rising to 161 hectares for the higher growth level only);
- Multi modal transport interchange at Harlow Town station;
- Southern Bypass from the M11 at Hastingwood running south and west of the town to rejoin the existing A414 between Roydon and Stansted Abbots;
- A new link road from a new junction on the M11 at Sheering to serve housing and employment development north of Harlow (higher growth level only);
- The capital costs of implementation are estimated at £494 million for the lower level of growth and at £702 million for the higher level of growth.

The Transport and Regeneration Led Corridors pattern also envisages the substantial expansion of Harlow to meet the future growth needs of the area. What differentiates this option is the inclusion of a new transport based development corridor between Epping and Harlow and development in the Lea Valley and at Waltham Abbey. Initially the focus would be on the phased regeneration of Harlow and its physical and services infrastructure, the development of the Epping-North Weald Bassett-Harlow corridor and the development of sites in the Lea Valley. Greenfield development, which would be necessary to achieve either of the suggested growth levels, would be programmed for later in the plan period so as to maximise the opportunities for regeneration in advance of the release of greenfield sites. The key elements of development options based on the Transport and Regeneration Led Corridors pattern are:

- Provision of 10,000 dwellings and 95 hectares of employment land on already identified sites and redevelopment to higher density of existing industrial areas in north east Harlow;
- An additional 2,600 dwellings and 20 hectares of employment land in existing developed areas of Harlow;
- A new community of up to 2,300 dwellings and 70 hectares of employment land at North Weald Bassett, served by new public transport linking the Central Line at Epping to Harlow town centre via the former North Weald station;
- Up to 10,000 houses on a variety of sites alongside the A10 between Waltham Cross and Hertford and Ware;
- Up to 2,400 houses to the east of Harlow;
- Up to 1,700 houses and 35 hectares of employment land at Waltham Abbey;
- Up to 9,000 houses to the east, south and west of Harlow (higher growth only);
- New employment site of 56 hectares west of Harlow (higher level growth only)
- Multi modal transport interchange at Harlow Town station;
- Southern Bypass from the M11 at Hastingwood running south and west of the town to rejoin the existing A414 between Roydon and Stansted Abbots (higher growth only), with park and ride facilities in association with dedicated public transport corridor and another to Harlow Town station;
- Improvements to the A414 east of the M11;

- The capital costs of implementation are estimated at £529 million for the lower level of growth and at £762 million for the higher level of growth.

The report acknowledges that the level of housing growth makes the loss of Green Belt land unavoidable. The Study has shown that non Green Belt sites could only accommodate between a quarter and a third of the development required by the growth levels. Both development patterns would necessitate the release of a substantial area of Green Belt land.

Development based on the Sub-Regional Urban Focus pattern would require between 511 and 825 hectares of Green Belt land. More Green Belt land would be required if development were based on the Transport and Regeneration Led Corridor pattern – between 613 and 965 hectares. This pattern would affect the Green Belt around a number of settlements whereas the Sub-Regional Urban Focus pattern would only affect the Green Belt around Harlow.

The Study concludes that the Transport and Regeneration Led Corridors option better meets regeneration options. This is because the new public transport facilities will improve accessibility and the attractiveness of the area for inward investment. It also spreads the benefits around the area rather than focusing benefits chiefly on Harlow itself. The report concludes that these benefits warrant the higher level of investment needed to implement this option.

The report also concludes that a dedicated delivery vehicle is required to deliver the vision for the area and the scale of development. It suggests that the vehicle should be based on the model of an urban development corporation. It would undertake the planning, marshalling of resources and essential co-ordination between the wide range of agencies to secure implementation within the timescale.

***This Draft Final Report is being made available by EERA to individuals and organisations so that they can formally comment on the study findings prior to consideration and action by EERA. The report invites written comment from individuals and organisations by 1<sup>st</sup> August 2003. Written comments and views on the report should be sent direct to: Paul White, Atkins Design Environment & Engineering, Woodcote Grove, Ashley Road, EPSOM, Surrey, KT18 5BW or E-mail: paul.white@atkinsglobal.com.***

Written comments received by 1 August will be compiled by the Consultants and set out and discussed in an additional chapter to be included in the published Final Report for the Study. This means that comment arising from this invitation will be available in time to inform the deliberations of the Regional Assembly as it prepares the Regional Planning Guidance for the East of England (RPG14). There will be a further separate opportunity to comment on proposals contained within the Regional Planning Guidance when it is published for public consultation in Spring 2004.

Copies of this report are available from: East of England Regional Assembly, Flempton House, Flempton, Bury St Edmunds, Suffolk, IP28 6EG or Telephone 01284 728151.

The Report will also be available for inspection on the East of England Regional Assembly website (at [www.eelgc.gov.uk](http://www.eelgc.gov.uk)), local libraries and County and District Council offices.

## Notes for Information

1. The Harlow Options Study is being undertaken as a background technical document to assist the preparation of draft Regional Planning Guidance for the East of England (RPG14) by the East of England Regional Assembly (EERA). EERA intends to submit draft Regional Planning Guidance to Government in February 2004. There will be a period of public consultation on the proposals in the draft Guidance during Spring 2004 followed by a Public Examination in Autumn 2004. Government is expected to approve the Guidance in 2005.
2. The study has been completed by the consultants Atkins Design Environment & Engineering (lead consultant and project manager) with Ancer Spa.
3. The consultants were assisted by a Steering Group comprising officers from the following organisations - East of England Regional Assembly, Government Office for the East of England, East of England Development Agency, Essex County Council, Hertfordshire County Council, Harlow District Council, Epping Forest District Council, East Hertfordshire District Council and Broxbourne Borough Council. However, the content of the report should not be held to represent the views of any of the organisations involved or their officers.
4. The study examined an area centred on Harlow but extending to the A10 in the west, the M25 to the south and a broad arc encompassing the settlements of Ware, part of Sawbridgeworth and Ongar to the north and east.
5. The purpose of the study is to:
  - Identify the further land-use development potential of the Harlow area over the long term up to the year 2021;
  - Set out the broad implications of further urban growth;
  - Provide guidance on how the area could be developed in the most sustainable way.
6. The Study establishes and evaluated four alternative growth levels:
  - Low Growth 20,000 dwellings  
Discarded because of its failure to address comprehensively the regeneration needs of the study area and its limited impact on accommodating the growth needs of the sub-region.
  - Low Intermediate Growth 29,000 dwellings
  - High Intermediate Growth 38,000 dwellings
  - High Growth 48,000 dwellings  
Discarded because of the scale and rate of development would be difficult to deliver by 2021; it would require investment in heavy rail, which is unlikely; it could lead to erosion of environmental quality; and it was not supported by stakeholders.

7. The Study identified four alternative development patterns to accommodate growth –
- Sub-Regional Urban Focus – concentrate development in and around Harlow
  - Incremental Dispersal – growth dispersed around settlements in proportion to their existing size.
  - Transport and Regeneration Led Corridors – growth promoted at high density hubs located along new public transport infrastructure.
  - Satellite Development – new, freestanding settlements established to accommodate a substantial proportion of future growth.

Discarded both the Incremental Dispersal and Satellite Development patterns because neither satisfactorily met the agreed sustainable development criteria for either growth level.

8. The Study does not set out a preferred option. For the purposes of inviting comment from individuals and organisations it sets out four spatial development options, based on the permutations of the two preferred growth levels and the two preferred development patterns.
9. The estimated capital costs indicated here are 30% above the actual sums indicated in the report. This is because the quoted capital costs are net of additional costs, including design and supervision fees, the cost of statutory services and contingencies. The report estimates these additional costs could add up to 30% to the capital cost estimates. There are also other costs that the Study has not been able to determine, but no additional allowance has been made for them, either in the report or here.

## **APPENDIX 2: HARLOW OPTIONS STUDY**

### **Initial Comments on Draft Final Report**

The Harlow Study covers the area east of the A10 from the M25 to Ware and east to south of Sawbridgeworth. It is based on the premise that Harlow is an important sub regional centre within the London-Stansted-Cambridge Growth Area which should be developed as a centre and so as to overcome its regeneration problem.

The consultation period, aimed at stakeholders, lasts to the end of July and the Final Report will be reissued with an additional chapter summarising comments.

The involvement of stakeholders in a consultation programme has been marginal. There have been significant concerns raised about this process and the limited extent to which the study addresses critical issues of local and county concern.

#### **1. Choice of Sites**

- 1.1 The study has carried out a sieve analysis to arrive at areas of search (Figure 4.4 of Report). It is unclear why some of the potential search areas (Figure 4.3) were excluded from the chosen areas of search particularly when some had been included as proposed development sites in earlier drafts.
- 1.2 Similarly within the areas of search some sites previously included and proposed are not included in the final report. The reasons for the choice of sites is therefore unclear.
- 1.3 The sieve process was carried out late in the study process with the result that one constraint, landscape conservation areas in East Hertfordshire, was missed out. This area though is not proposed as a development site.

#### **2. Growth Scenario**

- 2.1 The Study has 4 growth scenarios of differing levels of housing and employment land growth. The methodology for arriving at these levels is not adequately presented but alternative required growth levels for the sub region as a whole will be considered in the Stansted M11 Corridor study. The Harlow report discounts the Low, existing policy, figure as not meeting the regeneration needs of the area requirements and the High figure as it implies a scale and rate of delivery that would be difficult to deliver.
- 2.2 The benefits of the High Intermediate Growth Scenario over the Low Intermediate (Table 2.1 of the Report) are over exaggerated. More housing, employment land and transport infrastructure gives more scope for economic development but lower levels of growth may be adequate to meet actual needs and avoid congestion and other problems.
- 2.3 The evidence for the higher (beneficial) impacts of the High Intermediate Scenario is not apparent while some of the environmental impacts are questionable. For instance the higher growth scenario is seen as giving

significantly more development opportunities for business investment such as airport related businesses even though large amounts of new employment land is proposed for the lower growth scenario. The High Intermediate scenario is also claimed to allow development to take place with less damage to the environment and quality of life in the study area.

Table: Harlow Study Dwelling Figures 2003-2021 for Hertfordshire part of Study Area

|                      | Herts   | Study Area | Total Dwellings |
|----------------------|---------|------------|-----------------|
| Commitments          | 3400    | 10,000     | 10,000          |
| Additional Dwellings |         |            |                 |
| Low Intermediate     | 10,000* | 19,000     | 29,000          |
| High Intermediate    | 9,000** | 9,000      | 38,000          |

\* A10 sites in Transport Led Option

\*\* North of Harlow in Sub-Regional Urban Focus Option.

### 3. Development Options

3.1 The Study compares two chosen development options to accommodate the growth levels and expresses clear preference for one, the Transport and Regeneration Led Option. The reasons given are:

- The prospect of enhancing the attractiveness of the area for inward investment as a result of improved accessibility brought about by constructing new public transport infrastructure.
- The option spreads the potential regeneration benefits around the study area.

3.2 No preference can be expressed for either Development Option as both these assumptions can be questioned on the evidence provided. A transport link from Epping to Harlow would not overcome the problem of the A414 passing through the town and the impact that has on attractiveness to invest. A new public transport route from Hoddesdon to Harlow west, at a cost of £12.9 million, may have benefits but the level of likely patronage (revenue cost) is hard to assess.

3.3 Neither such a route nor housing sites along the A10 are likely to usefully address regeneration problems in Broxbourne. The housing sites are most likely to be car orientated and have no relevance to either a public transport or a regeneration option.

3.4 The Evaluation of Alternative Spatial Patterns, Table 3.4 seems overly biased to the Transport Led solution. Many of the advantages could be attained in the alternative Sub Regional Urban Focus Options.

### 4. Evaluation

- 4.1 The Harlow Study can be viewed as a housing (and employment land) capacity study to see what level of development could, if required, be accommodated with what implications. This does not require the detail of a Local Plan but the initial evaluation of the chosen sites in environmental and landscape terms is presently lacking. The justification for the chosen sites and the exclusion of others is not clear.
- 4.2 Paragraph 4.15 does make clear that it is for more detailed (i.e. local planning) studies to determine whether sites should be allocated for development. However it has to be recognised that once a Development Option and Growth Scenario are chosen in the Regional Plan a District will have limited choice regarding sites. This makes it essential that any findings of this Study are clearly based on reliable evidence.
- 4.3 At present this does not appear to be the case. The relative merits of for instance the various sites proposed along the A10, in terms of general environmental impact, contribution to congestion, buildability (i.e. need for expensive infrastructure) and role in the preferred spatial option, are not available. Similarly major development areas such as north of Harlow cannot be compared with alternatives, such as North Weald Airfield, or with those areas not considered for development, such as to the north of North Weald Airfield.

## **5. The Sub Regional Urban Focus Options (Figures 4.5 & 4.6 & Table 4.4)**

- 5.1 At the Low Intermediate level this option concentrates on Harlow with a southern bypass to relieve the town, open a new employment site to the west and new housing sites to the south and west. Such an option would have clear benefits in removing the A414 from the town reducing congestion.
- 5.2 The main existing employment area in north Harlow would see its access improved with less traffic on the A414 but the opportunity for employment sites near to the M11, referred to in an early Issues Report, is not taken. That proposed on the Eastwick Roundabout looks out of place and difficult to access from the M11 but would provide a rural business park setting (which is said to lacking in this option).
- 5.3 In the High Intermediate scenario there is major development, 9,000 dwellings and further employment land, north of Harlow. The required A414-M11 link appears to be under costed at £24.1 million (estimates by HCC in the early 1990s were about £50 million). The Highways Agency would also have to agree to a new junction on the M11, which is only likely if it were to be seen as a major east-west route.
- 5.4 There is also the issue of whether 9,000 dwellings can be constructed at one albeit large site in the 5 year period 2016-2021 as suggested. Even with a substantial element of affordable housing such a rate would be difficult for the private sector to realise.

## **6. Transport and Regeneration Led Corridors (Figures 4.7 & 4.8 & Table 4.5)**

- 6.1 The basis of this scenario is a new public transport link (suggested as a guided bus system) between Epping (Central Line) and Harlow Town Station supported by development at North Weald Bassett. The proposed development at North Weald however is 'only' 2,300 dwellings and 70 ha employment land which in itself would not warrant the £33 million expenditure on the transport link. No explanation is given as to why this development has been reduced from the potential 11,000 dwellings (with no employment land) shown in an earlier draft and on the area of search.
- 6.2 Ware, Hoddesdon and the Lea Valley would provide 10,000 houses with a public transport link from Harlow to Hoddesdon (£12.9 million) and one from A10, Hoddesdon to Waltham Cross (uncosted). The value of these sites and services and their role in improving the economic performance of the area is not evaluated. It is suggested they will encourage development on the County's key employment sites at Park Plaza and Essex Road but this should prove unnecessary.
- 6.3 The southern bypass, and the park and ride facilities, would only be provided in the High Intermediate scenario. The effect of the new bus link with the A414 still passing through Harlow is not evaluated but there would clearly be continued congestion problems which could detract from investment in the town. A park and ride would be provided at Junction 7 on the M11 and two more park and rides at Harlow West in the High Intermediate.
- 6.4 It is unclear why the M11 park and ride facility could not be provided in the Urban Focus option if it is of value. If 30,000 park and ride spaces are required for the Transport Led option when presumably more people are visiting Harlow using public transport the implication of providing this level or more parking in the town in the Urban Focus option needs further consideration.

## **7. Green Belt and Greenfield**

- 7.1 The impact on the Green Belt and the loss of greenfield land particularly at Harlow north and along the A10 needs further consideration. The reason (Table 4.7) Transport Led uses less greenfield land is only because it develops North Weald Airfield, a very active general aviation aerodrome which counts as brownfield land and is suggested for a relatively small amount of development.

## **8. Water Supply**

- 8.1 The provision of water for new development will have major costs and potentially long-term environmental implications. This aspect has not been sufficiently addressed apparently because the Water Company will not discuss the issue. The study therefore relies on initial verbal comments from the water company. However the longer-term implications for water supply and the reasons the costs (£35 million) are same for both levels of housing growth need to be explained.

## **9. Surface Access**

- 9.1 The vision for the study area intends there to be minimal road congestion due to the high level of public transport usage. The impact of the suggested developments on the road system, the A414 through Harlow and the other roads such as the A10 and A1184 through Sawbridgeworth, is not assessed nor is the increased usage of the rail line through the Lea Valley London.
- 9.2 Even with improved public transport the A10 sites are likely to be car orientated but will need to use local roads, e.g. the A1170, to access the A10. This will increase local congestion and detract from the public transport service on that road while congestion further south on the A10 itself could be a major problem. These aspects are not considered but would need funding.
- 9.3 There is no single transport strategy put forward to aid the development and regeneration of Harlow. The proposed southern bypass could form a new strategic route to link the M11 and the A414 to bypass Harlow. Such a road would seem essential to reduce congestion in the town but as the bypass is not included in the Low Intermediate Transport Led scenario the report presumably does not see this as being the case.
- 9.4 The southern bypass could unlock potential employment sites but does not improve access from Harlow to Stansted Airport. The report suggests (Section 2) that the expansion of activities at Stansted Airport would be an important driver for Harlow growth in that Harlow can provide both employees and sites for anticipated airport related industries. Having stated this none of the development options adequately address improving access between Stansted and Harlow.
- 9.5 A transport interchange at Harlow Station would allow improved public transport access but only with the construction of the A414 M11 link in the High Intermediate growth scenario would there be improved road access and accessible employment sites. This solution though is only part forward in the higher growth scenario in the unfavoured development scenario so is presumably not seen as of importance.

## **10. Community Infrastructure**

- 10.1 The study makes allowance for infrastructure needs in its estimates of land take. The disparate nature of the string of A10 sites, where development will inevitably be on a smaller scale than around Harlow, will raise problems over the provision of the larger elements of infrastructure such as secondary schools. The study could not look at such matters of detail but they will be important locally.

## **11. Aircraft Noise**

- 11.1 The report quite correctly points out that no proposed sites fall within the forecast 57 Leq dBA contours for the maximum use of the runway at Stansted. It assumes therefore in line with PPG24 that there is no constraint on major housing development.
- 11.2 The fact remains that Harlow north would be directly under the landing flightpath for Stansted within 10 miles of the runway with planes at or below 2000 feet. The County Council is well aware that such locations suffer serious impact from aircraft noise and development there should be resisted.
- 11.3 With a second runway there would be a similar problem for parts of Harlow East and any operational measures to mitigate over flying Harlow itself (or Bishop's Stortford with runway 3) would probably result in more traffic using the present landing route to the existing runway.
- 11.4 Major development should not be permitted in such a location particularly if there are alternative sites available.

## **12. Delivery Vehicles**

- 12.1 The Study considers various special delivery mechanisms (organisational administrations) to help the local authorities achieve the developments. It recommends an urban development corporation.
- 12.2 While some new delivery mechanism may be essential to achieve the regeneration developments in Harlow the need for such an all embracing mechanism to deliver private sector housing sites in Hertfordshire is less clear. Achieving sustainable developments and planning obligation monies for affordable housing, public transport, new roads etc. can be difficult under existing planning legislation but any new delivery mechanism must be very firmly based on existing local democratic authorities.
- 12.3 Until the nature of the development to be achieved it would seem unnecessary to choose any particular delivery mechanism.

## **13. Conclusions**

- 13.1 The report does not provide convincing reasons for proposing development for any particular level of growth, for either of the two strategic development options or for the sites included within them.
- 13.2 The need for regeneration in Harlow and the role it could play in the M11 growth corridor is made clear. The role of development in Hertfordshire to achieve these goals is not made clear and the specific problems, such as the A414 through Harlow and the regeneration needs of Waltham Cross, are insufficiently addressed.

## **APPENDIX 3: LOCAL DELIVERY AGENCIES**

Note by Government Adviser

Most components of the urban environment are best delivered through a local agency, including commercial, residential, primary health and education, local transport infrastructure and urban form including parks. In the context of wider large scale development in the Growth Areas the local agencies will also need a strong relationship the corresponding cross- or sub-regional delivery structure.

**This note suggests some benchmarks against which proposals for local delivery agencies can be judged, describes the three basic forms that they could take and proposes their five main functions.**

### **1) SIX KEY BENCHMARKS ARE SUGGESTED FOR LOCAL DELIVERY AGENCIES charged with managing the ‘super growth’ foreseen in the Communities Plan four Growth Areas:**

#### **1. Single purpose body committed to sustainable ‘super growth’**

Managing growth through multi-purpose organisations severely reduces the prospect of success. Key personnel are constantly drawn to short term ‘urgent’ issues or other equally key projects. Staff who possess key delivery skills are not attracted to this type of organisation, although consultants are.

Single mindedness is a great strength as long as it is accompanied by the other following qualities.

#### **2. Power to assemble land**

Development cannot proceed rapidly and to a sensible plan if landownership is not united. This may mean single ownership, or unification through a Joint Venture with binding agreements about the sharing of cost and returns. This type of agreement can be very difficult to achieve by market forces alone, and needs the intervention of a public body with compulsory purchase powers. The ‘big stick’ may not need to be used as long as all parties know that it exists, and that its owner is quite willing to use it is necessary.

#### **3. Power to capture development values**

Purchase of some or all of the land at ‘no scheme’ values will offer the prospect of capturing increased value as the planning, servicing and development proceeds. The scale and timing of value uplift in regeneration areas was researched as part of preparatory work for the English Cities Fund. In some of the ‘greener field’ sites involved in some growth areas the potential uplift will be much larger and will start to materialise at an earlier stage of the process.

By capturing some of this value uplift government will be able to repay loans/grants provided for infrastructure, or may even be able to raise large amounts of private finance in the early stages of the process thus reducing the scale of public finance required (see section).

However the scale of uplift will depend on buying at the right price. This depends on partly on early acquisition and partly on the legal interpretation of compensation law, which is very confused following several conflicting case law rulings over the last 40+ years

#### **4. Control of plan making and development control across relevant local authority boundaries**

This is important both for the obvious reason, of speedy efficient discharge of plan making, followed by site briefing and consistent development control decisions. It is also important because land value capture must be complemented by appropriate Section 106 arrangements, which extract proper payment for infrastructure but do not ask the land owner to 'pay twice' for the same items through each mechanism

#### **5. Ability to raise large scale long term funding**

The development agency will need to co-ordinate investment by public authorities, and contribute directly by provision of much of the pump priming infrastructure. Whether this is funded through government grant, loan or private finance it should be on the basis that returns will be made over a lengthy period, usually more than 10 years.

#### **6. Transparency and accountability**

The agency must be accountable to all those on whose support it relies. This included local, regional and central government, and wider local communities and commercial partners.

## **2) THERE ARE THREE BASIC FORMS OF LOCAL DELIVERY AGENCY**

### **(1) Statutory Bodies (Urban or New Town Development Corporations)**

**The most powerful and focussed local Agency option is the New Town Corporation or Urban Development Corporation. These are the only statutory types of delivery agency readily available under existing legislation. They are capable of satisfying all the six benchmarks listed above directly.**

The only one of the six benchmarks which might be questionable is accountability. This type of body 'belongs' unequivocally to central government, which also appoints its Board. However, it was normal in most New Towns to have at least half the members drawn from the locality, with most of these being from the Local Authority. This principle could be enshrined in an undertaking from Ministers. Other key infrastructure providers, such as Health Authorities, could also have positions on the Board.

The other quality which, though clearly present, can be contentious, is ownership of planning powers. This can be seen as unpalatable to the local planning authority(ies). However the Corporations can be directed to discharge their powers through various forms of partnership with the local authorities, as happened in several earlier New Town and Urban Corporations.

This type of Agency is particularly well placed to fight in a single minded way for the resources needed to provide high quality 'supergrowth'. It has no other function but delivery of that growth, and is quite capable of 'biting the hand that feeds it' when necessary.

**As a general rule, the bigger and more complex the vision for 'super growth' the more powerful and durable is the required delivery vehicle. This model therefore deserves serious consideration in some parts of the growth areas, and has already been selected for two areas within the Thames Gateway.**

## **(2) Non-statutory legal entities**

This category includes Urban Regeneration Companies (URCs), but can be varied in its precise form. Some variations, such as limited liability partnerships have particular attractions to private partners. I am no expert on the various pros and cons of each variation, and it would be worth getting a legal input to this note in order to address that weakness.

This type of Agency draws its strength from its membership. In the case of URCs these are generally the Local Authority(ies), the RDA and EP. In principle the membership could be more extensive, including for instance RSLs or private development partners.

In terms of the six benchmarks it does well on the first. For numbers 2-5 it relies on its co-owners to use their powers or provide funds etc, but has none of these directly. In terms of 6 it is essentially accountable to its co-owners and will be as transparent as they allow it to be.

This type of delivery agency is becoming increasingly popular, and in URC form is classed as being outside the public sector (though I gather that this is being reviewed).

**In nature this type of agency is essentially a partnership, which can be a great strength, but its lack of direct powers and funding may yet prove to be a problem at times.**

It is still relatively untested as a driver of major, complex long term delivery, although some encouraging results are now visible in early examples.

## **(3) Other Partnerships**

There is a multitude of partnerships involving public private and not-for-profit organisations, without legal form. They are now the preferred way of reaching consensus on many issues, and are particularly useful for bringing together disparate partners to define a vision for and action needed in local communities.

They are generally not well suited to operational delivery of large scale development, failing to hit most of the benchmarks. However they may be workable in certain conditions. For instance if the land is already effectively in the hands of a single

organisation, which then enters into a binding agreement with the local planning authority which in turn is complemented by a comprehensive Section 106 agreement, they may be able to score reasonably well against most of the benchmarks. Despite the virtues of working in partnership the last benchmark likely to prove most difficult is the last one, accountability.

There must also be doubts about the ability of this type of arrangement to stay the course through changes in local and national government, and through changes in market conditions, especially if there is no binding agreement between the partners.

### **3) FUNCTIONS OF LOCAL DELIVERY AGENCIES**

The main functions of a local agency should be:

- 1) to drive the growth of the area, in keeping with a strategic plan, using its land assembly and investment and planning powers to create confidence and stimulate private investment
- 2) To co-ordinate delivery of local infrastructure in co-operation with the respective statutory providers, possibly using pooled PFI credits.
- 3) To use returns from value uplift in development of land to provide further infrastructure, (in co-ordination with the use of Section 106 payments)
- 4) to make payments to regional suppliers of infrastructure in exchange for binding commitments to deliver. This could be facilitated by the cross regional Boards.
- 5) to ensure that exit/succession arrangements exist at an early stage for all assets created within its ownership or influence, including funding for ongoing responsibilities through capital or revenue arrangements

John Walker  
April 2003

#### **APPENDIX 4: LETTER RE GROWTH AREA DELIVERY VEHICLES FROM THE DIRECTOR OF ENVIRONMENT**

Dear Lord Rooker,

I write in connection with your letter of 9 May 2003, in which you request views on the possible delivery vehicles for the Growth areas affecting this and other Authorities in the South East. At this stage, these are officer level comments. However, I anticipate that Members will formally consider this issue during July, as part of their consideration of the draft Harlow Options Study, and a formal confirmation of the County Council's views will follow.

I would like to thank Go East for facilitating the seminar on this topic on 17 June, which has been helpful in framing this response.

The comments in this letter are mainly addressed to the issues generated by growth in the London – Stansted - Cambridge Growth area, which has the greatest potential impact on the County. However, many of these comments have applicability to all of the areas which are affected by proposals for significant growth.

The first point which I would like to raise is that until we know exactly what the scale and pattern of development is to be in the London - Stansted Cambridge Growth area, it is not appropriate to adopt a particular form of delivery vehicle. The John Walker paper which was attached to your letter emphasises that the approach to delivery vehicles should not be on a one size fits all basis. It should be an appropriate body, with appropriate powers and responsibilities, according to the issues which it is seeking to address.

As you will be aware, the London - Stansted Cambridge growth area is the most recent to be designated, and its potential is still being assessed. We are not in a position to identify the barriers to development at present, although we are aware of many significant infrastructure problems. Therefore, it is too early to make the decision on which delivery vehicle is best suited to the job.

Of critical importance in whatever model is adopted, is to retain the maximum level of local democratic control and engagement. The experience of the 1980s Urban Development Corporations demonstrated the folly of not engaging with democratically elected bodies in the areas affected and the damaging lack of local involvement in the development process that can result. If development in these areas is to be truly sustainable, it is critical that there is full and open involvement of the local community and its elected representatives.

One of the major concerns driving the need for special delivery vehicles appears to be the need to have a mechanism to accommodate "super growth". However, super growth should not take place at the expense of local democracy. There are thousands of people who live in the growth corridor already. If we want to ensure that high quality, enduring and sustainable communities are built and developed, we should not let speed be the overarching objective.

Another area of concern appears to be how to adequately fund the physical and social infrastructure required for the levels of growth anticipated. It is clear that the public purse cannot meet all the costs of such provision. Capturing all the uplift in land value created by the planning process and recycling that back into community provision and infrastructure investment is an ideal which has been sought through the planning process on many occasions.

However, the development of the London - Stansted - Cambridge corridor will not be the same as New Town development. Development is likely to focus on a large number of brown and green field sites, which will all have been examined for their development potential, through the planning system, over a number of years. Owners will have far greater expectations about the potential value of their land, which will make compulsory purchase at 'no scheme' values a difficult process to implement.

As an alternative to recouping the uplift in land prices, by all land passing through a development corporation, it would be possible to achieve significant infrastructure improvements through planning obligations. This could be achieved if there were a clear and strong sub regional planning strategy, with a clear costing of the infrastructure required, together with an understanding of all the elements of investment which Central Government might be willing to bring forward to support new infrastructure. Such an approach would be significantly assisted if the long overdue review of the way in which planning obligations work were to be completed, in parallel with any changes in Planning legislation.

One of the other advantages cited for the development corporation approach is that it would be stronger at lobbying Central and Regional Government for resources to support the development in any Growth Area. You have already met with key politicians in the Corridor to discuss the requirements for successful development. If a Joint Body representing the Local Authorities in the Corridor, together with key Agency partners such as English Partnerships and EEDA, came together to deliver development, I am sure that this body would be just as effective in putting forward the case for investment, as any Development Corporation.

In conclusion, it is my view that there will obviously be a need to achieve a focus of resources, skills and political commitment to realise a very significant scale of development. However, the most appropriate way forward to achieve the objective of creating sustainable communities is through the direct involvement of representatives of the local communities affected in any delivery mechanism.

