

HERTFORDSHIRE COUNTY COUNCIL

CABINET

MONDAY 13 SEPTEMBER 2004 AT 2.00 P.M.

**EAST OF ENGLAND REGIONAL ASSEMBLY (EERA) REGIONAL
PLANNING GUIDANCE/REGIONAL SPATIAL STRATEGY (RPG/RSS14)
FOR THE EAST OF ENGLAND - RESPONSE TO EAST OF
ENGLAND REGIONAL ASSEMBLY 'REQUEST FOR ADVICE'**

Report of the Director of Environment

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Executive Member: Derrick Ashley

1. Purpose of Report

1.1 To advise Cabinet on the East of England Regional Assembly's (EERA's) 'Request for Advice' in relation to preparation of Regional Planning Guidance/Regional Spatial Strategy for the East of England (RPG/RSS14).

2. Summary

2.1 The district councils' collective view on urban capacity in the period 2001-2021 is 48,000 dwellings, whereas the County Council's is 56,700. An independent audit concludes that it would be appropriate to progress on the basis of a figure of 52,300 dwellings. When existing small scale greenfield allocations of 3,000 dwellings are added, the district councils' 'in the bag' figure rises to 51,000 dwellings, the County Council's to 58,700 dwellings and the independent audit to 55,300 dwellings.

2.2 At its meeting of 5th February 2004, EERA 'banked' an interim RPG/RSS14 proposing that Hertfordshire should provide 72,000 dwellings in the period 2001-2021. The 72,000 would be likely to require the provision of around 16,700 dwellings on greenfield land

2.3 However, there is every possibility that the overall scale of development and corresponding greenfield requirement will be even greater than that provided for in 'banked' RPG/RSS14, principally as a consequence of a Government requirement for it to consider an additional 18,000 dwellings in the London-Stansted-Cambridge-Peterborough Growth Area.

- 2.4 EERA's future decisions on the overall scale of development that will be required in Hertfordshire, how much of that will be necessary on greenfield land and where that development should take place will be informed by a number of studies being undertaken by EERA/ODPM.
- 2.5 In summer/autumn 2003 all Hertfordshire local authorities called on EERA to prepare a spatial strategy for Hertfordshire based on sustainability principles and a robust overall scale of development and involving democratic processes. EERA chose to commission consultants to undertake a 'Hertfordshire Housing Development and Spatial Strategy Audit'. That Study has failed to deliver a spatial strategy based on sustainability principles. Additionally, an ODPM study into the London-Stansted-Cambridge-Peterborough Growth Area (ODPM Growth Area Study) has failed to come to robust and transparent conclusions on matters that would have a significant bearing on a spatial strategy for the County. At the time of writing, other key studies are not available in final form.
- 2.6 EERA has issued a 'request for advice' of S4(4) authorities (these are principally the strategic planning authorities in the Region) under the provisions of the yet to be enacted Planning and Compulsory Purchase Act. The County Council will be a S4(4) authority when the Act is in force. The 'request' specifies matters upon which S4(4) authorities should offer advice and sets a prescribed period of time within which that advice should be provided.
- 2.7 Legal advice has been obtained in connection with the request. The advice confirms that as the Act has not yet come into force the 'request' is unlawful. Even if it were in force, S4(4) authorities cannot be restricted on the matters on which they offer advice. Given the current state of ODPM/EERA studies and other studies that are still being prepared, the timescale for response of 24th September 2004 is unrealistic.
- 2.7 Whilst the 'request' is unlawful, it would be appropriate for the County Council to respond in the interests of seeking to ensure that a robust RPG/RSS is submitted to the Secretary of State. As the range of studies that will inform any response are not yet fully available, section 7 of this report suggests some initial approaches which Cabinet may wish to come to a view on.
- 2.8 The issue of the request for advice will be discussed at the Joint Member Panel on 6 September and the Structure Plan and Regional Issues Panel on the 7 September. The outcome of these meetings will be made available to the Cabinet.

3. Conclusions

The Emerging RPG/RSS

- i. the overall scale of growth which EERA is planning for in the preparation of RPG/RSS14 will require significant releases of green field and Green Belt land in Hertfordshire.
- ii. EERA's Hertfordshire Study has failed to identify an overall scale of development for Hertfordshire or an appropriate spatial strategy for accommodating such development based on sustainability principles. A robust spatial strategy for Hertfordshire therefore does not exist to enable RPG/RSS to establish meaningful district level housing figures for Hertfordshire.
- iii. the EERA Hertfordshire Study has come to a view on potential urban capacity in Hertfordshire which represents a reasonable working assumption for the preparation of RPG/RSS14. However the approach it has taken to the identification of possible locations for greenfield development is flawed.
- iv. the ODPM Growth Area Study has failed to identify a robust spatial strategy for the Growth Area and the growth proposals within it are lacking adequate and transparent justification.
- v. The emerging RSS/RPG raises very important issues for the residents and businesses of Hertfordshire. The processes followed so far have given little scope for public engagement and consultation, or democratic input.

Request for Advice

- vii. EERA's 'request for advice' is unlawful. Even if the relevant provisions of the Act were in force, EERA cannot restrict the matters upon which S4(4) authorities offer advice. The timescale proposed for response to the questions set by EERA is inadequate:
 - to enable the County Council to offer S4(1)¹ advice in the spirit of the Act on the wide range of issues raised by the draft RPG/RSS, supporting studies and technical work.
 - to enable the County Council to offer S4(2)² advice in the spirit of the Act on the implications of the RPG/RSS, supporting studies and technical work on its 'functions'.

¹ In this context a requirement for the Regional Planning Body to seek the general advice of certain authorities (the County Council in the case of Hertfordshire), in preparing draft Regional Spatial Strategy.

- to enable the County Council to respond effectively to the questions set out in the 'advice', particularly given the lack of robustness and availability of key ODPM/EERA studies.
 - to enable proper consultation with district councils and adjoining authorities and to undertake any meaningful consultation with other stakeholders and communities.
- viii. EERA are working towards an unrealistic and unreasonable timescale for submission of draft RPG/RSS to the Secretary of State. Whilst having fundamental concerns regarding the status of the 'request' and the deadline imposed, the County Council as a responsible authority should do everything possible to respond. In doing so, the County Council should make it clear that the response does not represent advice under S4(1) and S4(2) of the Planning and Compulsory Purchase Act.
- ix. the range of studies which will need to inform any response are not yet fully available. Cabinet views are sought on an initial approach to a range of issues raised in the request. These are outlined in section 7 of the report.
- x. given the extent of outstanding information which will need to inform any County Council response, Cabinet may wish to consider whether the response should be prepared:
- on the basis of the initial approach outlined in section 7, with limited or no additions to take account of new information received.
 - Or whilst based on the general principles outlined in this report, in order to take account of new information received, agree that the preparation of the final submission be delegated to the Director of Environment, in consultation with the Executive Member.

² In this context, a requirement for the Regional Planning Body to seek the advice of certain authorities (the County Council in the case of Hertfordshire) on the implications of draft RPG on the functions of the County Council.

4. Background

EERA District Level Housing Figures

- 4.1 In summer/autumn 2003 EERA requested that 'county groupings' of local authorities prepare district level housing figures for different scales of development and specified a methodology that should be used to do so. For Hertfordshire the Authorities were asked to test 5,000 bands of between 66,000 and 86,000 additional dwellings. All Hertfordshire local authorities jointly responded that the methodology was flawed, the overall scales of development proposed completely unjustified and the timescale for undertaking the work completely unrealistic. There would also have been limited, if any, opportunity for meaningful democratic input. The authorities called for a spatial strategy for Hertfordshire to be prepared, based on sustainability principles and a robust overall scale of development and involving democratic processes. EERA chose to commission consultants to undertake a study 'Hertfordshire Housing Development and Spatial Strategy Audit' (see below).

'Banked' RPG/RSS14 and subsequent EERA/ODPM Studies

- 4.2 At its meeting of 5th February 2004, EERA 'banked' with the Secretary of State a draft RPG/RSS14. The current programme for preparation of RPG/RSS is contained within Appendix 1. 'Banked' RPG/RSS contains a figure for Hertfordshire of 72,000³ total dwellings to be provided within the period 2001-2021 and a distribution between districts. The County Council has yet to receive clarification on how EERA derived the 72,000 dwelling figure. This figure was, however, interim pending progress on a number of EERA/ODPM studies. Key studies for Hertfordshire are as follows:

- EERA's 'Hertfordshire Housing Development and Spatial Strategy Audit'
- ODPM's 'Relationship between Transport and Development in the London Stansted Cambridge Growth Area'

- 4.3 In addition to these, a range of other studies are in progress or nearing completion to inform RPG/RSS preparation. Appendix 2 contains a list of, and progress on, these and Appendix 3 contains some of the headline outputs from some of them. In the time available for reporting to Cabinet, it has not been possible to incorporate the outputs from these studies or prepare properly considered potential responses within this report. However, section 7 contains some possible initial approaches and the views of Cabinet are sought on these.

Milton Keynes South Midlands Sub-Regional Strategy

³ Current RPG rates for any twenty year period would equate to 66,000 dwellings.

4.4 Alongside the preparation of RPG/RSS 14, a Sub-Regional Strategy for the Milton Keynes South Midlands Growth Area has been under preparation. There are proposals within the draft Sub-Regional Strategy for a 'reserve' development site on greenfield and Green Belt land to the East of Luton at Cockernhoe in North Hertfordshire to meet the needs of the Luton/Dunstable/Houghton Regis Conurbation. The issue was discussed at the recent Examination in Public into the Strategy. The process will ultimately result in Alterations to RPG9 and will be the first element of the new RPG/RSS14 for the East of England to be put in place.

4.5 The County Council advised the EIP Panel that:

- it is beyond the remit of the Strategy to identify a site outside its administrative area, in Hertfordshire.
- there has not been a suitably robust case of need for a reserve site or satisfactory explanation of why the Cockernhoe site represents a more sustainable location for development than other options.
- given the above the identification of the Cockernhoe site within Alterations to RPG9 or within RPG/RSS14 would not be consistent with advice in PPG2 Green Belt or PPG3 Housing.

4.6 The Panel has concluded that the Strategy for Luton Dunstable and Houghton Regis has been both too prescriptive and too timid in its approach, by making specific proposals for development but also failing to deal explicitly with the Green Belt issue. The Panel concludes that there needs to be a more thorough and fully debated appreciation of the quantum of land that needs to be taken out of Green Belt and the detailed impacts of possible development sites need to be identified. It is also of the view that decisions on any northern bypass route needs to be based on a deeper understanding of landscape and other environmental factors. In these respects the Panel supports the position presented to it by the County Council. The Panel has concluded in relation to the choice of locations to expand the Luton/Dunstable/Houghton Regis that:

'The complexity of these matters goes far beyond the scope of the information available to us, the time available to examine it, or the proper context for community involvement in site-specific planning. Resolution can only be achieved through an appropriate LDD or LDDs. We therefore consider that it would be unhelpful for us to rank the directions of growth in any order or to express any preferences between them.'

4.7 If this approach were accepted by Government, it is difficult to envisage how any dwelling figure could be apportioned to Hertfordshire through RPG/RSS processes to reflect the needs of the Luton/Dunstable/Houghton Regis conurbation. The Panel's recommendations have relevance to some of the growth proposals for settlements emerging through the preparation of RPG/RSS14.

5. EERA's Request for Advice

5.1 The Planning and Compulsory Purchase Act, whilst removing the responsibility of County Councils to prepare countywide strategic planning policy in the form of the 'Structure Plan', provides them with an important role (as what is known as a 'S4(4) authority') in assisting Regional Planning Bodies in performing their functions. Within the context of this report the following two provisions of the Act are particularly relevant:

- S4(1)⁴ requires the Regional Planning Body to consult the County Council on the draft RPG/RSS – this is a general requirement to which the County Council can provide advice on anything it chooses.
- S4(2)⁵ places an obligation for the County Council to respond in relation to its functions. It 'must' do so.

The Act is not yet in force. Enactment is anticipated in September 2004, along with supporting legislation and policy guidance.

5.2 Following the July Regional Planning Panel, the County Council received (attached as Appendix 4) a 'request for advice' under the provisions of the Act, specifying a number of matters upon which advice was being sought, a range of studies which should be taken into consideration, an encouragement to engage district councils and other stakeholders and to co-operate with adjoining authorities. The 'request' specified a deadline of 24th September 2004 for the receipt of advice.

6. Should the County Council respond to EERA's Request for Advice?

6.1 Legal advice has been sought on EERA's 'request'. Amongst other matters, the advice is that:

- as the provisions of the Act are not yet in force, the request is 'wholly unlawful' and there is no obligation for the County Council to respond.
- it would be reasonable for the County Council to ask EERA to withdraw the 'request'.
- if it voluntarily chooses to provide advice, the County Council can provide advice on anything it wants to. The Regional Planning Body (RPB) cannot dictate what advice can be given.

⁴ In this context a requirement for the Regional Planning Body to seek the general advice of certain authorities (the County Council in the case of Hertfordshire), in preparing draft Regional Spatial Strategy.

⁵ In this context, a requirement for the Regional Planning Body to seek the advice of certain authorities (the County Council in the case of Hertfordshire) on the implications of draft RPG on the functions of the County Council.

- it is entirely open to HCC to indicate that it cannot provide the advice requested within the timescale set out by EERA.
 - EERA's proposals are open to legal challenge.
- 6.2 Given this, the most appropriate course of action is likely to be for the County Council to respond to the request as best it can on the information currently available and in a form that the deadline allows. As a responsible Authority, Officers have already informed EERA that the request is unlawful and the timescales required for response unreasonable, however no response has to date been received from EERA.
- 6.3 In any response the County Council should make it clear that it is not related to its responsibilities under S4(1) and S4(2) of the Planning and Compulsory Purchase Act.

7. The form and content of any County Council response to EERA's request for advice

- 7.1 The 'request' states that S4(4) authorities should have regard to a range of studies. At the time of writing, some studies are available in final form, others in draft and others not at all. At this stage all the necessary information is not available to come to a firm view on the questions raised within the 'request'. An illustrative approach to some of the issues within the request based on the 'headline' outcomes of the studies contained within Appendix 3 is outlined below. Cabinet views are sought on these. They do not include legal, timescale and other such process concerns that have been raised in this report and which Cabinet may consider should be raised within any response to the EERA 'request'.

Overall scale of growth for Hertfordshire

- 7.2 The Hertfordshire Study has failed to consider robust alternative levels of growth to those in 'banked' RPG/RSS. A satisfactory explanation as to how the Government's proposed increase in dwellings above current RPG rates (and the additional 18,000 dwellings above current 'banked' RPG/RSS rates) meets the needs of the Growth Area has not yet been forthcoming. The ODPM's Growth Area Study sets about delivering the target, not testing it. The RPG14 Strategy Review or 'Eminent' person study broadly agrees with this view.
- 7.3 The ODPM Growth Area Study does not contain a thorough explanation or justification for the growth locations contained within the Study, nor the scale of development proposed at these locations. The implications of the various options have on potential overall scale of development in Hertfordshire are not satisfactorily justified.

Urban capacity in Hertfordshire

- 7.4 The EERA Hertfordshire Study is of the view that there is likely to be sufficient urban capacity in Hertfordshire to 2021 to accommodate 52,300 dwellings (compared to the County Council's view of 56,700 dwellings and the district councils' collective view of 48,000 dwellings). When already identified small scale greenfield commitments are added, the Study 'in the bag' figure rises to 55,300 dwellings. Whilst the County Council still has some concerns about the assessment of capacity on employment land, and it must be recognised that this 'audit' is likely to become out of date and potentially represent an underestimate of capacity, it represents a reasonable working assumption in the preparation of RPG/RSS.

A spatial strategy for Hertfordshire

- 7.5 The EERA Hertfordshire Study has failed to identify a spatial strategy for Hertfordshire based on sustainability principles and the ODPM Study has failed to identify a robust spatial strategy for the Growth Area within which decisions can be made as to where would be the best locations for growth. The 'eminent' person study broadly agrees with this view. Until such time as a robust spatial strategy has been developed for Hertfordshire it would be inappropriate to identify district level housing figures.

EERA Hertfordshire Study approach to greenfield development

- 7.6 The EERA Hertfordshire Study's approach to greenfield development has been to:
- i. identify a list of greenfield sites – these are predominantly sites that have already come forward through the planning system in some form – for example, in response to consultations on the Structure Plan or local plans or identified by local authorities in those plans. Other sites have been included because developers/landowners or their agents have become aware that the Study had been commissioned. Others have been put forward by some district councils. Many of the sites in this list have previously failed due planning process.
 - ii. subject each greenfield site to appraisal against a set of basic criteria.
 - iii. score the performance of each site.
 - iv. use the outputs of the appraisal and scoring process to propose areas of Hertfordshire that might be suitable for development – i.e. translate assessments of specific sites and suggest that these site assessments can be applied to whole areas of the County.
 - v. publish the Study which presents views on iv, but not release the list of sites upon which the Study is based, nor the outputs of the assessment and scoring of the sites.
- 7.7 Given the questionable quality of the assessment 'criteria', the outputs from the process are fundamentally called into question. In the absence of a spatial strategy for Hertfordshire it is not possible to

establish whether the sites/locations assessed make any sense in terms of meeting Hertfordshire's dwelling requirements in the most appropriate and sustainable way. There may be other more suitable locations for greenfield development which have not been assessed and which may be more suitable for development. The assessment of specific sites cannot be translated into judgements about the suitability of whole areas of the County for greenfield development. The approach taken by the EERA Hertfordshire Study to the identification of potential locations for greenfield development is fundamentally flawed. The assessment of sites upon which the Study is based should be released for public scrutiny.

Harlow

- 7.8 The ODPM Growth Area Study identifies Harlow as a growth location, but does not come to robust and transparent views on what scale of growth would be desirable and achievable there and how this fits in with an overall spatial strategy for the Growth area. The Harlow Growth options Study has not yet come to firm conclusions.
- 7.9 The eminent person is of the view that it is not so much a question of whether Harlow should grow, but by how much and where. He proposes that at least 10,000 of the Government's additional 18,000 dwellings should be delivered at Harlow in the period up to 2021. This would contribute to the settlement developing a sub-regional centre role.
- 7.10 With regard to directions for Harlow growth the ODPM Study concludes that there are many overlapping constraints to the North of Harlow. At 'banked' RPG/RSS rates development should be concentrated at other locations around the settlement. However, the ODPM Study does set out that one option to accommodate the additional 18,000 would be to breach the overlapping constraints North of Harlow and provide 10,000 dwellings there. The Harlow Growth Options study is exploring growth options in some detail but has not yet reached any conclusions.
- 7.11 However, the 'eminent' person is of the view that a northern expansion would create a more coherent urban structure and would be facilitated by the fact that it is a large tract of land under single ownership. He is of the view that the conclusion of the ODPM's Growth Area Study that growth northwards would be environmentally damaging is 'arguable to say the least'. It is not known on what detailed technical basis he has come to this conclusion. He is also of the view that a northern bypass would enable access to Stansted and would require a new junction on the M11. It should be noted that in the past the Highways Agency has expressed reservations about the creation of any additional junctions on the M11.
- 7.12 A balanced approach might be to support the growth of Harlow at a scale which meets its regeneration needs and which is achievable and

deliverable, within the context of an overall spatial strategy for the Growth Area. With regard to directions for growth, there is no satisfactory explanation as to why the 'eminent' person does not agree with the ODPM Study in relation to the constraints to the north of the settlement. In relation to the manner in which peripheral expansion should be achieved, this might be best determined through Local Development Document processes, but excluding land to the North of Harlow, reflecting the many constraints which exist there.

Stevenage

- 7.13 The ODPM Study concludes that Stevenage would be an appropriate growth location for 8,000 of the 'banked' RPG dwellings and potential a further 3,000 of the Government's additional 18,000 dwellings. The EERA Hertfordshire Study identifies Stevenage for potential of up to 16,000 dwellings. Neither of these studies is based on an assessment of need. The 'eminent' person suggests that Stevenage could accommodate 5,000 of the additional 18,000 dwellings as such growth would contribute to it performing an effective sub-regional centre role (it is assumed this is on top of the 8,000 dwellings identified at Stevenage within the ODPM Growth Area Study to make up 'banked' RPG provision). Regeneration would require substantial investment including transport improvements. No details are available as to how these figures have been derived. What they would achieve and whether they could be delivered within an overall package of improvements and infrastructure provision for the settlement.
- 7.14 The 'eminent' person concludes that the location for Stevenage growth will need to be more fully explored by Local Development Documents, but issues of urban structure suggest that some development to the west may be appropriate despite undoubted problems of access, Green Belt, aircraft noise and environment.
- 7.15 Whilst accepting that development at Stevenage is required to meet its own and other needs, this should be based upon a thorough explanation and justification of the need for and overall scale of growth and how this sits within an overall spatial strategy for the Growth Area. An appropriate manner in which peripheral expansion should be considered could be through Local Development Document processes.

Stansted Airport

- 7.16 One Study (Halcrow) estimates direct airport employment in 2021 will increase from 13,600 – 18,400 jobs with 1 Runway to 27,900 – 34,900 with Runway 2. The other (Cambridge Econometrics) estimate an increase from 13,100 to 21,600. The projected increase in housing above banked RPG14 in the four districts nearest Stansted (Uttlesford, Braintree, Harlow and East Hertfordshire, the core area) vary from over 11,000 to 4,000. A Study in 2002 estimated a need for a little over 1,000 dwellings.

- 7.17 The 'eminent' person considers that it would be difficult to reconcile 'banked' RPG14 'economy-led' approach with opposition to second Stansted runway. The eminent person goes on to suggest that a two runway airport would offer stimulus to the Growth Area's economy and would be a major driver for the region. The Government's additional 18,000 dwellings would also help meet the economic needs of a second runway.
- 7.18 In light of the uncertainty that exists in relation to the employment and housing implications of an additional runway at Stansted, it may be inappropriate at this stage for the RPG/RSS to come to a view on these matters. A much more robust view will be determined through the processes involved in the consideration of any application for a second runway, informed by detailed technical work and the views of relevant organisations/stakeholders. It is that view which should be incorporated, along with other key factors, in any immediate review of RPG/RSS (see '*An approach to preparation of RPG/RSS*' below). The current EERA position is to support the maximum use of one runway at Stansted, and there would appear to be little need to change that position at this stage in the preparation of the RSS.

New settlement(s)

- 7.19 The ODPM Study concludes that options for small and large new settlements have not been adequately explored. It recommends that further work on the feasibility of a new settlement should be carried out before the next review of RPG/RSS by which time several issues will be clearer including the actual rate of growth achieved under RPG/RSS, the future scale and role of Stansted Airport and the success of the measures to bring about the regeneration of Harlow and other locations.
- 7.20 The 'eminent' person also considers that large new settlements are likely to be key to the future growth of the Growth Area and that these should be explored. However, he also says that new settlement proposals should not interfere with the short term regeneration process.
- 7.21 A position could be taken that until the potential for and role and location of new settlements has been fully explored, the Government's Growth area targets should not be fully accounted for within this RPG/RSS process. Full Government aspirations could be considered within an immediate review of RPG/RSS.

An approach to preparation of RPG/RSS

- 7.22 In the absence of a robust spatial strategy for the Growth Area, fully justified overall levels of growth, the implications of a Stansted second runway and a proper exploration of the role that new settlements

should play in the future of the Growth Area and the wider region as a whole, RPG/RSS should:

- at this stage not seek to accommodate in full Government targets for housing growth in the Growth Area. It should instead seek to achieve a moderate level of growth.
- commit itself to a programme of work to explore robust overall levels of growth and a spatial strategy to deliver that growth – to include opportunities for new settlements, robust assessments of the role of and level of growth desirable and achievable in a regional context .

Milton Keynes South Midlands Strategy

- 7.23 Given the conclusions of the MKSM EIP Panel, no provision should be made within RPG/RSS dwelling figure for Hertfordshire for development associated with the Luton, Dunstable Houghton Regis conurbation.

Regional urban capacity and minimising greenfield development

- 7.24 Only the scale of urban capacity within Hertfordshire has been subject to a detailed independent audit. No other area has been subject to a detailed audit of their urban capacity assessments. As such it is entirely possible that there may be considerable underestimates of urban capacity in the region. One consequence of this is that more greenfield and Green Belt land may be released for development than is required. This would potentially bring the RPG/RSS into conflict with PPGs 2 (Green Belt) and 3 (Housing). The robustness of urban capacity assessments throughout the region should be subject to scrutiny. Additionally, RPG/RSS needs to introduce mechanisms to ensure greenfield sites do not become 'easy targets' for development at the expense of potential within urban areas and on previously developed land.

Infrastructure

- 7.25 A consistent message from all the studies under preparation to inform the preparation of RPG/RSS14 is a fundamental requirement for current and future infrastructure requirements to be properly addressed. However none of the studies have been rigorous enough to clearly and specifically identify the necessary infrastructure required to enable development to take place successfully. In addition, there must be a concern that the Regional Transport Strategy no longer reflects the emerging priorities for growth locations. Certain of the studies, such as the ODPM Study have also concentrated on transport infrastructure only, whilst the Communities Plan agenda places great emphasis on ensuring that there is adequate social and community infrastructure for new development. This is likely to be a major element in any response to the 'request'.

Employment provision

- 7.26 The RPG14 Housing and Employment Alignment Study, whilst in draft form and subject to revision to take account of alternative projection and other technical data, concludes that the scale of housing and employment growth within the region as a whole are broadly consistent. There may, however, be issues relating to sub-regional compatibility. However, the employment growth targets incorporated within RPG/RSS are based on targets set within the Regional Economic Strategy to which the County Council originally objected. The recent consultation on revising the RES does not appear to maintain the target-based approach of the 'in force' RES. There are therefore questions as to whether the scale of economic growth assumed within 'banked' RPG/RSS remain appropriate.
- 7.27 The 'eminent' person notes that the employment rates within 'banked' RPG are consistent with, in fact somewhat less than, the last 20 years. This implies he is of the view that any reduction in RPG/RSS growth assumptions would represent a strategy representing a fall in economic growth which would not be in the spirit of the overall thrust of the RPG. He uses Stansted runway 2 employment growth to justify the Government's proposed additional 18,000 dwellings in the Growth Area.

8. District Councils' views and liaison with adjacent authorities

- 8.1 The response also encourages S4(4) authorities to engage or consult with District Councils and stakeholders in the areas of the various EERA/ODPM studies. Officers have liaised with district councils on the EERA Hertfordshire and ODPM Growth Area studies particularly. With regard to other stakeholders, in the timescale available it would be totally impractical to engage them in any meaningful way.

Hertfordshire Districts

- 8.2 The 'request' is being considered by a Joint Member Panel of County and district council members on 6th September 2004. The outcome of that meeting will be reported to Cabinet orally.

Adjacent Authorities

- 8.3 Officers are liaising with counterparts in adjoining authorities on matters of cross-boundary significance. The output of this process will be reported to Cabinet orally.

Structure Plan and Regional Issues Panel

- 8.4 The Structure Plan and Regional Issues Panel will be considering the request for advice at its meeting on 7 September. The output of the meeting will be reported to the Cabinet orally.

9. Community and Democratic input

- 9.1 It is clear that the various studies at the regional level that are likely to have fundamental implications for the region are being prepared in the absence of proper democratic input and without any meaningful consultation. There has been no public consultation on the EERA Hertfordshire Study, for example, and the Study is presented in a way that will not enable stakeholders and the public to consider the various sites on which the Study is based.

- 9.2 The independent Panel presiding over the Examination in Public into the Milton Keynes South Midlands Sub-Regional Strategy has made a number of conclusions on community engagement in that regional process. For example:

'giving a little more time to the preparatory process would allow better presented proposals, and greater understanding of their significance. Whilst we appreciate the urgency with which the growth areas needed to be approached, there is a danger of more haste – less speed.'

'The speed at which the exercise had to be done meant that consultants played a major part in making the proposals. More time in the preparation would have enabled a better and more consistent document to be pulled together. It would also have enabled a participatory process, and greater ownership of the strategy by the people and organisations who will have to implement it.'

'....the ingredients for a sound strategy are available but some aspects of the SRS need considerable improvement to make it so.'

'It is clear from many of the responses to consultation that there is a certain "community involvement deficit".'

'But in our view it is essential from here on that local communities, and the local planning authorities that represent them, are fully engaged in the process.'

'....we consider that more needs to be done to cultivate participation in the process. Despite the controversial nature of the SRS, many of the Examination sessions were sparsely attended by the general public. A concerted effort needs to be made to ensure thorough community involvement in RSS, not only to meet new statutory requirements, but

also to ensure that the decisions that are made have public confidence and support, without which they will prove difficult to implement.'

- 9.3 There are many parallels between the Milton Keynes Sub Regional Strategy process, and that being followed for the preparation of RPG/RSS 14. It is a matter of concern that given the scale and importance of the emerging proposals in the RPG/RSS, that people who live and work in the County should be properly informed about the issues and options currently being considered, and should be made aware of the opportunities to participate in the process, when consultation eventually takes place.

10. Financial Implications

- 10.1 The technical work involved in preparing a response to the request for advice can be met within existing budgets.

Background documents

Counsel advice 6th August 2004. Landmark Chambers.

A Study of the Relationship between Transport and Development in the London, Stansted, Cambridge, Peterborough Growth Area – ODPM

Hertfordshire Housing Development and Spatial Strategy Review – Roger Tym and Partners

RPG 14 Strategy Review (Draft) – Robin Thompson Associates

RPG 14 Housing and Employment Alignment Study (Draft) – EERA and EEDA

APPENDIX 1

EERA Current RPG/RSS14 PROGRESS/TIMETABLE

Draft EERA/ODPM studies	End July 2004
Completion of EERA and ODPM studies	August 2004
Publication of EERA/ODPM Hertfordshire and Growth Area Studies. No public consultation anticipated on the studies, however, the County Council may wish to make formal responses.	August 2004
Regional Planning Panel – to receive reports on the various studies underway/complete and other technical information	10 th September 2004
Deadline for receipt of advice from S.4(4) authorities	24 th September 2004
RPP meet but not to consider RPG/RSS as originally planned (but will be kept in the EERA programme, in case needed for other business such as consideration of Regional Economic Strategy	8 th October 2004
RPP consider draft RPG/RSS and referral to full EERA	15 th October 2004
Full EERA to approve final RPG/RSS and its submission to ODPM	5 November 2004
Probable date for formal launch of RPG/RSS14	10 December 2004
Formal consultation on RPG/RSS14	12-14 weeks during Dec/Jan/Feb
RPG/RSS Examination in Public	May 2005
RPG/RSS Modifications	Early 2006
Final RPG/RSS 2006	Mid 2006

APPENDIX 2

THE AVAILABILITY OF STUDIES THAT S4(4) AUTHORITIES SHOULD TAKE INTO CONSIDERATION IN PROVIDING ADVICE TO EERA

ODPM London-Stansted-Cambridge-Peterborough Study 2004 (Buchanan Study)	Final Study published August 2004.
EERA Hertfordshire Housing Capacity and Spatial Strategy Audit 2004 (Roger Tym)	Final Study published August 2004.
Peterborough Sub-Region Stage 2 Study 2004 (Roger Tym/Llewellyn Davies)	Not available.
Stansted Second Runway Studies 2004 (Halcrow/PACEC and Cambridge Econometrics/York Aviation)	Halcrow Final Report August 2004 Cambridge Econometrics – findings becoming available August 2004.
RPG14 Employment Policy Study 2004	Draft received August 2004.
Norwich Sub-Region (case study in SQW Study 2004)	Not available.
RPG14 Strategy Review 'eminent person' Study 2004	Not available, though draft conclusions presented to Regional Technical Advisors Group on 27 th August 2004.
Affordable Housing Study Stage 2 2004	Not available.
Other Harlow Area Studies 2004	Draft received August 2004.
Employment and Housing Implications of an Extended or Replacement Runway at Luton Airport.	Draft Final Report, August 2004.

APPENDIX 3

HEADLINE OUTPUTS FROM STUDIES UNDERWAY TO INFORM THE PREPARATION OF RPG/RSS 14

EERA's Hertfordshire Study⁶

The main purposes of the EERA Hertfordshire Study were to:

- undertake and audit of the County Council's and district councils' collective view on urban capacity potential in the period 2001-2021.
- consider different overall levels of growth.
- identify preferred development strategies for different potential levels of Greenfield development.

Urban Capacity

The district councils' collective view on urban capacity in the period 2001-2021 is 48,000 dwellings, whereas the County Council's is 56,700. The Hertfordshire Study concludes that it would be appropriate to progress on the basis of a figure of 52,300 dwellings. When existing small scale greenfield allocations of 3,000 dwellings are added, the district council 'in the bag' figure rises to 51,000 dwellings, the County Council's to 59,700 and the independent audit to 55,300.

Different overall levels of growth

The Study has failed to consider what levels of growth other than that contained within 'banked' RPG might be considered to be appropriate for Hertfordshire.

Locations potentially suitable for greenfield development

The approach taken on greenfield development issues has been as follows:

- identify a list of 69 greenfield sites, most of which have emerged previously through the planning system and failed or have been put forward by developers, landowners and their agents who have become aware that the Study was underway, along with others proposed by some district councils.
- assess and score the list of sites against a crude set of criteria.
- the assessment and scoring process eliminates 33 sites and suggests that there is 'good potential' for development of 17,000 dwellings, 'potential' for 14,600 dwellings, along with an additional 32,300 dwellings at sites which would be unlikely to come forward unless other sites were developed first.
- a total theoretical greenfield potential of 64,000 dwellings is identified, involving 4,400 hectares of land.

⁶ Hertfordshire Housing Development and Spatial Strategy Audit.

- on the basis of the assessment of sites, suggest ‘locations’ within the County that might be suitable for greenfield development.
- the study does not release the list of sites or the assessments made.

The distribution of the greenfield ‘directions for growth’ identified in the Study is presented in Table 1.

Table 1 Greenfield ‘Directions for Growth’

Direction for growth	Good potential	Potential	Developed if other area developed first	Total
Bishop’s Stortford	2,590		586	3,176
Cheshunt/Hoddeson/Ware		4,222		4,222
Harlow	5,453		21,560	27,013
Hemel Hempstead	4,937	239		5,176
East of Luton		1,432		1,432
Royston	184	368		551
Stevenage/Hitchin				
Stevenage	3,843	1,783	10,125	15,751
Hitchin		4,238		4,238
Welwyn Garden City/St Albans/Potters Bar		2,369		2,369
Total	17,000	14,650	32,270	63,900

ODPM’s Growth Area Study⁷

Separately the ODPM commissioned a study to explore how the London-Stansted-Cambridge-Peterborough (LSCP) Growth Area could accommodate:

- the scale of development contained within ‘banked’ RPG.
- the additional 18,000 dwellings required by the Government (there is a commitment within ‘banked’ RPG to finding it)

i. The scale of development contained within ‘banked’ RPG

The Study takes the overall ‘banked’ RPG total of the figures for the districts within the Growth Area and looks towards different ways of distributing it. The result of this approach ‘allocates’ Hertfordshire an additional 2,700 dwellings compared to ‘banked’ RPG. This increase is based on specific growth proposals which the consultants undertaking the Study consider to be options.

Table 2 Revised Banked RPG distribution

	Specific locations identified	‘Banked’ RPG Figures	Adjusted RPG Figures
Broxbourne	2,000 general, no specific location.	5,100	6,500
East Herts	0 ⁸ . The Study implies that whilst Harlow would expand at current ‘banked’ RPG rates, it would not do so North of Harlow into	9,700	11,000

⁷ A Study into the Relationship between Transport and Development in the London, Stansted, Cambridge, Peterborough Growth Area.

⁸ However, provision for 1,300 dwellings is implied at the Areas of Special Restraint at Bishop’s Stortford within the ‘adjusted’ RPG figures.

	Hertfordshire.		
North Herts	2,000, no specific location ⁹ .	9,300	8,900
Stevenage	8,000 at peripheral locations at Stevenage (including adjoining districts) and excluding any provision at West of Stevenage.	10,800	11,200
Total Growth Area districts		34,900	37,600
Total Hertfordshire, including 'banked' RPG figures for other 6 districts		72,000	74,700

ii. Accommodating the additional 18,000 dwellings required by the Government

The Study also takes the redistributed figures from i and explores how the Growth Area could accommodate the additional 18,000 dwellings required by the Government. The Study takes two approaches. The first is based on urban concentration at key settlements and the second based on a 'corridor' approach – concentrating development in corridors where there is, or could be, good access to public transport. Hertfordshire would get none of the additional 18,000 dwellings in the corridor approach. However, urban concentration adds an additional 3,000 to Stevenage and an additional 10,000 dwelling to Harlow, provision for which would be likely to require development to the north within Hertfordshire.

Table 3 RPG +18,000 – using the redistributed RPG figures above and adding 18,000 based on Urban concentration

	Specific locations identified	'Banked' RPG Figures	Adjusted RPG Figures (with N. Harlow)	Adjusted RPG Figures (without N. Harlow)
Broxbourne	As above	5,100	6,500	6,500
East Herts	Harlow (land to the north of Harlow)	9,700	21,000	11,000
North Herts	As above	9,300	8,900	8,900
Stevenage	Additional 3,000 at 'Stevenage' (including adjoining districts)	10,800	14,200	14,200
Total Growth Area Districts		34,900	50,600	40,600
Total Hertfordshire with 'banked' figures for other 6 districts		72,000	87,700	77,700

The implied total Hertfordshire figure taking account of the outputs from the ODPM Study ranges between 74,700 and 87,700. In relation to growth at Harlow and Stevenage, the Study proposes that the direction of peripheral expansion should be determined through LDD processes. With regard to Harlow, it suggests that there may be a requirement for two bypasses to accommodate growth – both north and south of the town.

New Settlement

⁹ Though it is implied in the Study that provision could be made at Royston and Letchworth

The Study recommends that further work on the feasibility of a new settlement should be carried out before the next review of the RPG (RSS) by which time several issues will be clearer including the actual rate of growth achieved under RPG (RSS) 14, the future scale and role of Stansted Airport and the success of the measures to bring about the regeneration of Harlow and other locations.

Harlow Growth Options (Draft as of 27 August)

The Harlow Growth Options Study was commissioned to explore the scale of development that might be appropriate at Harlow and the directions for growth, along with options for the directions that growth could follow. The Study has currently identified two possible development scenarios, as follows:

Scenario	Dwellings
<i>northern focus</i> – to include some growth to the east and the south of the settlement. This scenario would include development to the north of Harlow into Hertfordshire.	16,600
<i>southern focus</i> – with some growth to the west	11,000

Both options include the provision of 6,000 dwellings at North Weald. There is currently no preferred option.

RPG 14 Strategy Review - Eminent Person Study(Draft as of 27 August)

The Study has explored how, if at all, banked RPG14 should be amended in light of studies affecting the L-S-C-P Growth Area. The draft overall conclusions of the Study are as follows:

- the L-S-C-P corridor is not a coherent spatial entity – rather, it comprises three sub-region: Peterborough, Cambridge and ‘Southern’.
- the Study supports the provision of the Government’s proposed additional 18,000 dwellings on the basis that:
 - they would help meet economic needs, especially with a second Stansted runway – they would absorb the demand for housing created by a second runway
 - at the proposed economic growth rate, banked dwelling targets may not be high enough
 - EERA would struggle to demonstrate at EIP that they are not needed, especially since studies indicate that the capacity exists to accommodate them.
 - there is little in the various studies prepared and being prepared that would support the proposition that a further 18,000 dwellings are unnecessary. There is sufficient capacity to absorb that amount, provided appropriate investments are made.
- rate of economic growth in ‘banked’ RPG14 is in line with (indeed rather lower than) regional growth over previous 20 years
- difficult to reconcile ‘banked’ RPG14 ‘economy-led’ approach with opposition to second Stansted runway. A two runway airport would offer

stimulus to the Growth Area's economy and would be a major driver for the region.

- Peterborough regeneration requires substantial investment (ideally including a university). ODPM Growth Area Study proposals for 5,000 of the 18,000 dwellings to be located at Peterborough is inappropriate because it would outstrip the pace of job supply.
- the main spatial strategy objective should be to develop a more coherent spatial structure in the southern sub-region. Harlow and Stevenage are planned towns, which could be well suited to grow into fully effective sub-regional centres. Regeneration would require substantial investment including transport improvements.
- there is potential for further growth in Broxbourne and the Upper Lee valley, but there is a weak urban structure and no clear centre, along with congestion. Some development is needed to support regeneration to achieve a more coherent structure, but there are major environmental and Green Belt constraints.
- population increase from 80,000 to 100,000 at Harlow and Stevenage would achieve thresholds for higher level services – e.g. health and further education.
- some of the additional 18,000 dwellings should be allocated to Harlow and Stevenage to facilitate the restructuring process. Both currently perform a sub-regional centre role, but neither have adequate infrastructure.
- EERA needs to consider development options post 2021. A study is recommended to explore requirements beyond 2021. By then much of the urban capacity will have been identified and taken up and regeneration will hopefully have achieved its main targets. Urban extensions will be increasingly difficult to justify as pressures on towns accumulates. Small new settlements could make a contribution, but this would be nowhere near the scale of development needed as the area continues to grow. RPG should set out the process to be used to address this longer-term issue. A study is required to identify alternative sources of longer-term growth and in particular to fully explore the potential of larger new settlements.
- whilst a large new settlement may be plausible in the longer term, in the short term it might serve to deflect energy away from urban concentration and regeneration.

Stevenage

The 'eminent' person considers that 5,000 of the additional 18,000 dwellings should be accommodated to Stevenage, though this would require increased A1(M) and rail capacity. It would also require an urban regeneration company or urban development corporation. He concludes that the location for growth will need to be more fully explored by Local Development Documents, but issues of urban structure suggest that some development to the west may be appropriate despite undoubted problems of access, Green Belt, aircraft noise and environment.

Harlow

The eminent person is of the view that it is no so much a question of whether Harlow should grow, but by how much and where. He proposes that at least 10,000 of the additional 18,000 dwellings should be delivered at Harlow in the period up to 2021 and that a northern expansion would create a more coherent urban structure and would be facilitated by the fact that it is a large tract of land under single ownership. He is of the view that the conclusion of the ODPM's Growth Area Study that growth northwards would be environmentally damaging is 'arguable to say the least'. He is of the view that a northern bypass would enable access to Stansted and would require a new junction on the M11.

Stansted Runway 2 (Drafts as of 27 August)

There are two separate consultants reports on employment and urbanisation implications the finalised versions of which are not at the time of writing available. The third report drawing the previous two together is not yet published.

The reports consider airport employment, direct and indirect, the additionality of employment for a Second Runway compared with that expected, the availability of labour to meet the demand and the residual requirement for additional urbanisation. The results vary between reports and with variations award a 'most likely' estimate but are substantially higher than that of the Buchanan's 2003 report.

One Study (Halcrow) estimates direct airport employment in 2021 will increase from 13,600 – 18,400 jobs with 1 Runway to 27,900 – 34,900 with Runway 2. The other (Cambridge Econometrics) estimate an increase from 13,100 to 21,600. The projected increase in housing above banked RPG14 in the 4 districts nearest Stansted (Uttlesford, Braintree, Harlow and East Herts, the core area) vary from over 11,000 to 4,000. Buchanans (Bone Wells) in their 2002 Report estimated a need for a little over 1,000 dwellings.

East of England Regional Assembly RPG14 Housing and Employment Alignment, Draft Report, August 2001(Draft as of 27 August)

The study seeks to ascertain and improve the robustness of Policy E2 (Job Growth) and the alignment with Policy H1 (Dwelling Distribution) in banked RPG14.

In analysing the policy genesis process, it concludes that the policies have evolved largely separately, find little evidence to suggest any consistency or comparison, and conclude that the policies do not suggest any alignment. It also suggests that the absence of proposals to alter Policy E2 in light of changes to Policy H1 (discussed in Policy H1A) indicate that no policy mechanisms are currently in place to align the two.

The Study applies a testing methodology in order to create a link between dwellings and jobs. Under the Base Case scenario, which makes assumptions about factors such as vacancy rates, household size, working

age population, migration and double jobbing, the scenario concludes that, at the regional level, there is broad alignment between Policies H1 and E2. Within this conclusion however, significant imbalances exist between dwellings and jobs in some sub-regions. In subsequent scenarios, altering factors such as economic activity rates, commuting, migration and vacancy rates, can have a very significant impact on the balance between the policies. Despite this, the Study concludes that, in the base case and at a broad-brush regional level, the two policies are aligned and are broadly defensible at Public Examination.

It recommends that there is some scope to improve alignment, at the very least through common words in the opening paragraphs of each policy to ensure the relationship is more explicit. This should include reference to clearer guidance on monitoring arrangements.

APPENDIX 4

EERA REQUEST FOR ADVICE FROM THE COUNTY COUNCIL

RPG/RSS14

PLANNING AND COMPULSORY PURCHASE ACT, 2004

REQUEST FOR ADVICE FROM S.4(4) AUTHORITIES

PROJECT BRIEF

1. Background

1.1. The Regional Planning Panel of the East of England Regional Assembly resolved on 16 July 2004 to request advice from S.4(4) authorities to assist the completion of RPG14, in accordance with S.4(1) of the Planning and Compulsory Purchase Act 2004 (hereinafter referred to as 'the Act').

1.2. This document sets out the brief for this work. It addresses the following matters:

- The scope and nature of the advice being sought;
- Particular questions and issues that need to be addressed;
- The policy parameters for the advice;
- The required outputs;
- The deadline for supply of the advice;
- Other related issues and organisational matters.

2. Scope and nature of the advice

2.1. For the purposes of this request for advice, s.4(4) authorities are:

- Bedfordshire County Council
- Cambridgeshire County Council
- Essex County Council
- Hertfordshire County Council
- Luton Borough Council
- Norfolk County Council
- Peterborough City Council
- Southend-on-Sea Borough Council
- Suffolk County Council
- Thurrock Borough Council

2.2. EERA particularly wishes to receive advice from the S.4(4) authorities on the following matters, to enable the completion of draft revisions to the RSS by the due date:

- To recommend policy responses in the light of the following studies:
 - London-Stansted-Cambridge-Peterborough Study 2004 (Buchanan Study);
 - Hertfordshire Housing Capacity and Spatial Strategy Audit 2004 (Roger Tym);
 - Peterborough Sub-Region Stage 2 Study 2004 (Roger Tym/Llewellyn Davies);
 - Stansted Second Runway Studies 2004 (Halcrow/PACEC and Cambridge Econometrics/York Aviation)
 - RPG14 Employment Policy Study 2004;
 - Norwich Sub-Region (case study in SQW Study 2004)
- 2.3. The following studies are not included within this brief, but S.4(4) authorities may comment upon their implications for policy responses to the above studies if they consider that there are factors that should be taken into account:
- RPG14 Strategy Review 'eminent person' Study 2004;
 - Affordable Housing Study Stage 2 2004;
 - Other Harlow Area Studies 2004 (though these studies may be significant in ensuring that advice on the LSCP and Hertfordshire studies is underpinned by detailed, local level information)¹⁰.
- 2.4. It would be helpful if recommended policy responses should be presented in the form of suggested amendments to the existing policies of RPG14, and focused primarily on those policies specified in Annex A. The table at Annex A identifies the policies identified as most likely to require amendment in the light of policy responses to the studies, and secondary policies likely to need amended cross-referencing to those policies.
- 2.5. Additional policies may be recommended if it is considered that a policy deficit exists that is better addressed by such a solution than amending the existing policies.
- 2.6. S.4(4) authorities may suggest amendments to other policies of RPG14 if they consider it necessary in the light of amendments to the policies identified at Annex A, but should give clear reasons why such amendments are needed, and what policy benefits will be gained.
- 2.7. At a later stage, EERA may need to seek advice on two further issues:
- The future of waste disposal by landfill in the Marston Vale and in Thames Gateway. This will arise when the RWTAB recommendations on the issue are available, though EERA would urge strategic authorities to use their opportunities to contribute to this issue directly via RWTAB channels;
 - The future of Luton Airport. A second stage of the Stansted Second Runway study is to extend to Luton. This work will also become available later in the period, but again, we would urge strategic

¹⁰ Harlow Transport Study; Harlow Development Capacity Study; Harlow Regeneration Study

authorities to use their opportunities to contribute to this issue directly via consultation with EERA and the consultants.

3. Questions and Issues

- 3.1. It would be helpful for the following specific questions and issues to be addressed in the advice from s.4(4) authorities to EERA in respect of the studies identified at para 2.2 above. S.4(4) authorities may also wish to have regard to the questions set out in the brief for the RPG14 Strategy Review in addressing these studies:

London-Stansted-Cambridge-Peterborough Study

- Should banked RPG14 be amended to meet Lord Rooker's aspirations for an additional 18,000 dwellings, as requested in Lord Rooker's letter of 21 January 2004?¹¹
- If no, give reasons, and what are the implications e.g. for RSS review;
- If yes, how should such provision be made, in terms of:
 - The distribution of development at county, sub-regional and district levels;
 - The form of development (i.e. urban extensions or new settlements);
 - In the case of urban extensions, the directions of expansion or areas of search for development;
 - The provision of supporting infrastructure;
- In the particular case of Harlow, should a bypass be proposed, and if so, should it be to the north, or the south? If both routes are considered to be needed over time, how should they be phased? Are there any other transportation infrastructure needs?
- If Green Belt reviews will be needed:
 - Where should reviews be undertaken to release land for development, and land safeguarded for development beyond the RSS period?
 - Which broad areas should be considered as compensating additions for land removed from the Green Belt?
- What provision should be made for development needs arising from the expansion of Stansted (see also Stansted Second Runway Study questions);
- What measures should be proposed to ensure appropriate growth of employment to lead the growth of the area?

Hertfordshire Housing Development and Spatial Strategy Audit

- Does the Audit's recommendations on Urban Capacity offer a suitable basis for housing provision in Hertfordshire?
- What is the appropriate housing provision figure for Hertfordshire, in the light of the outcomes of the studies, the overall banked RPG14 regional housing provision figure, and Lord Rooker's aspiration for an additional 18,000 dwellings in the LSCP area?
- How can the distribution of development within Hertfordshire ensure a proper contribution both to Hertfordshire's housing provision needs and

¹¹ i.e. to deliver an overall increase in housing provision for 35-40,000 dwellings in LSCP over and above the continuation of RPG6/9 rates

to proper planning for cross-boundary relationships, particularly around Luton and Harlow?

- Which settlements should be specifically identified as focal points for development in final draft RPG14?
- What are the appropriate forms of and areas of search for development at these locations?
- If Green Belt reviews will be needed:
 - Where should reviews be undertaken to release land for development, and land safeguarded for development beyond the RSS period?
 - Which broad areas should be considered as compensating additions for land removed from the Green Belt?
- Should RPG14 specifically propose a spatial strategy for Hertfordshire, or should this simply be embodied with the district dwelling distribution?

Peterborough Sub-Region Stage 2 Study

- Does the Study recommend an appropriate strategy for Peterborough?
- Can the 'banked' RPG14 housing provision for Peterborough be achieved?
- Does the study provide a basis for the long-term planning of Peterborough as a strategic location, including providing for growth beyond the plan period?
- What are the appropriate forms of and areas of search for development at Peterborough?

Stansted R2

- Is there a need for additional development to support maximum use of the existing runway, principally in terms of:
 - Employment provision;
 - Housing provision;
 - Infrastructure provision/requirements;
 - Environmental safeguards.
- Is there a need for additional development to support provision of a second runway at Stansted, and how should this be allowed for in RSS14?
- Should development in relation to the airport be phased or made conditional on the expansion of the airport?
- How should development needed in association with Stansted be integrated with policy recommendations stemming from the London-Stansted-Cambridge-Peterborough Study and Hertfordshire Housing Development and Spatial Strategy Audit?
- Can potential catalytic employment generated by Stansted Airport be harnessed to support employment growth/aspirations, and if so, where should such employment be located?

Employment Policies Review

- Should Policy E2 be amended in the light of the outcomes of the Employment Policies Review?
- Should any employment provisions in sub-regional sections of RPG14 (Chapter 5) be amended in the light of this review?

Norwich Sub-Region

- In the light of the SQW Study and the case study of the Norwich Sub-Region, what extent and/or boundary should be proposed for the Norwich Sub-Region?
- Should any market towns be explicitly stated to be within it?
- Should any new sub-area or sub-regional provisions be made for any areas not included in the Norwich Sub-Region?

4. Policy parameters for the advice

4.1. All recommended changes will need to be in conformity with:

- The overall RPG14 Spatial Strategy;
- The East of England Sustainable Development Framework;
- PPG11 and PPS11 (when published) – particularly having regard to the acceptable level of detail/specificity appropriate for RSS policy.

4.2. They should also have regard to the RPG14 Sustainability Appraisal 2004, and, so far as is possible, to the emerging Strategic Environmental Assessment 2004.

4.3. Any recommended changes should also have regard to the following factors:

- The proposed total regional housing provision set out in Policies SS13 and H1 has been approved by EERA as the regional housing provision figure for RPG14. The recommended changes may propose additions to this figure or alternative district-level distribution, but should not propose any reduction unless clear evidence from the studies listed at para 2.2 above suggests that such action should be taken.
- It is recognised that the proposed county and district distribution of housing provision set out in Policy H1 may need amendment in respect of Essex and Hertfordshire and possibly also Cambridgeshire, to reflect the recommendations of the London-Stansted-Cambridge-Peterborough Study and Hertfordshire Housing Development and Spatial Strategy Audit. Similar amendment may be needed for the Peterborough area to reflect the recommendations of the London-Stansted-Cambridge-Peterborough Study and Peterborough Sub-Region Stage 2 Study. Beyond this it appears unlikely that the studies will justify any changes to housing provision or distribution for other areas. If authorities wish to make any such suggestions, they should be fully supported by evidence to indicate why such changes are needed.

4.4. Any recommended changes should demonstrate that they are realistic and capable of delivery, e.g. having regard to recommendations of the respective studies concerning the capacity of the market and the availability of or need for Local Delivery Vehicles, in accordance with EERA policy.

5. Required outputs

5.1. The most helpful form for outputs will be:

- Recommended amended wording for the policies identified in Annex A, with suggested alterations to supporting text where needed;
 - A clear and succinct commentary in respect of each recommended alteration, outlining how the recommendations have been arrived at and setting out the technical justification for the proposed changes, and details of alternative options considered.
- 5.2. In respect of any recommended changes that are accepted by EERA and approved in final draft RPG14, s.4(4) authorities will in due course be requested to prepare a full supporting technical statement for use at the RPG14 Public Examination in support of any changes subsequently accepted by EERA.

6. Deadline for supply of the advice

- 6.1. The deadline for the supply of the advice from all S.4(4) authorities is close of play on 24 September 2004. Email communication will be accepted for this purpose.

7. Other issues or organisational matters

- 7.1. This work falls within the provisions of sections 4(1) and (2) of the Act. It is thus a statutory duty of the s.4(4) authorities to undertake this work. It is therefore outwith the provisions of the Service Level Agreement between EERA and the strategic authorities, and no payment can be sought from EERA for undertaking this work.
- 7.2. EERA should be kept informed of progress with this work by means of regular progress reports, to be submitted at not less than two-week intervals. Email communications will be accepted for this purpose.
- 7.3. EERA must be directly involved, by means of membership of any steering or task groups established to undertake this work, in the consideration of the policy responses to the following studies:
- London-Stansted-Cambridge-Peterborough Study
 - Hertfordshire Housing Development and Spatial Strategy Audit
 - Peterborough Sub-Region Stage 2 Study
 - Stansted Second Runway Study
- 7.4. It would be helpful if GO-East and EEDA should also be invited to sit on any such groups.
- 7.5. It will be extremely helpful, to ensure integration and coordination of policy responses across administrative boundaries and overlapping study areas, for Cambridgeshire, Essex, and Hertfordshire County Councils to cooperate to submit a single joint statement of advice, or at the least to ensure cross-boundary cooperation, in respect of:
- The southern section of the London-Stansted-Cambridge-Peterborough Study (i.e. south of and including Cambridge City area);

- The Hertfordshire Housing Development and Spatial Strategy Audit (where it overlaps with the London-Stansted-Cambridge-Peterborough Study area); and
 - The Stansted Second Runway Study.
- 7.6. Similarly, it would be extremely helpful if the policy response relating to the Peterborough Sub-Region Stage 2 Study and the northern sector of the London-Stansted-Cambridge-Peterborough Study (i.e. north of but not including Cambridge City area) could be considered jointly by Cambridgeshire County Council and Peterborough City Council.
- 7.7. S.4(4) authorities are encouraged to engage or consult with District Councils and stakeholders in the areas of the studies as they see fit, within the requirement for response to EERA by the specified deadline.
- 7.8. It is for s.4(4) authorities to approve the advice to be supplied to EERA as they see fit in relation to their individual internal administrative procedures, within the requirement for response to EERA by the specified deadline.

<u>Policy</u>	<u>Comments</u>
<u>SPATIAL STRATEGY</u>	
SS2: Overall approach to the spatial strategy (ref to Stansted/M11 towns)	Amend only if assessment of sub-regional area only if policy responses to Sub-Regional Studies indicates that alterations are needed to ensure cross-referencing
SS7: Green Belt	Amend only if assessment of sub-regional area only if policy responses to Sub-Regional Studies indicates that alterations are needed to ensure cross-referencing
SS10: The regional economy (links to E2)	Amend only if Policy E2 is amended and requires cross-referencing
SS13: Overall housing provision (links to H1 and H1a)	Amend only if Policy H1 is amended and requires cross-referencing
SUB-REGIONAL AND SUB-AREA POLICIES	
Thames Gateway South Essex	
TGSE 2: Employment generating development	Amend only if Policy E2 is amended and requires cross-referencing
Haven Gateway HG1: Economic development	Amend only if Policy E2 is amended and requires cross-referencing
Norwich Sub-Region (boundary reference may change)	Amend definition of Sub-Region extent in response to EERA Sub-Regions Study (SQW)
Greater Peterborough Sub-Region	
GPSR3: Exploring growth at Peterborough City	Amend to reflect policy response to Peterborough Stage 2 Study
M11/Stansted Corridor	
ST2: Employment generation and economic regeneration	Amend only if Policy E2 is amended and requires cross-referencing
ST4: Strategic growth locations	Amend to reflect policy response to London-Stansted-Cambridge-Peterborough and Hertfordshire Housing Development and Spatial Strategy Audit
ST5: Stansted Airport	Amend to reflect policy response to Stansted Second Runway Study
ST6: Transportation	Amend to reflect policy response to London-Stansted-Cambridge-Peterborough
The London Arc	
LA1: London Arc	Amend if necessary to reflect policy response to London-Stansted-Cambridge-Peterborough Study and Hertfordshire Housing Development and Spatial Strategy Audit
Bedfordshire and Luton Growth	Amend in light of Panel Report on Milton

<p>Areas (<i>presentation of this section to be revisited in particular to ensure clarity about MKSM process</i>) BL1: Housing provision BL2: Key infrastructure requirements and phasing/delivery</p>	<p>Keynes and South Midlands Sub-Regional Strategy, and to ensure that there is no overlap or conflict between MKSM Strategy and RPG14</p>
<p>ECONOMIC DEVELOPMENT, RETAIL AND TOURISM</p>	
<p>E2: Job growth</p>	<p>Amend to reflect recommendations of EERA Employment Policies Review</p>
<p>HOUSING</p>	
<p>H1: Distribution of dwelling provision 2001-2021</p>	<p>Amend to reflect policy response to London-Stansted-Cambridge-Peterborough Study and Hertfordshire Housing Development and Spatial Strategy Audit</p>
<p>H1A: Dwelling provision Peterborough and Hertfordshire</p>	<p>Amend to reflect policy response to Hertfordshire Housing Development and Spatial Strategy Audit and Peterborough Sub-Region Study Stage 2</p>