

SoCG Land west of Thieves Lane, Hertford (HERT3 South)  
Croudace Homes  
August 2017

**Appendix G: Email from Hertfordshire County Council (Education) 24 March 2016**

From: Sarah McLaughlin [REDACTED]  
Sent: 24 March 2016 15:27  
To: Richard Kelly  
Cc: Alexandra Stevens  
Subject: Land at junction of Thieves Lane and Welwyn Road, Hertford (HERT3)

Richard,

Further to your email I can confirm that, based on the information provided, the following information would currently be provided to a pre-application enquiry at the above site.

"I am writing in respect of planning obligations sought towards nursery, education, childcare, library, youth services and fire hydrant provision to minimise the impact of development on Hertfordshire County Council Services for the local community.

The CIL Regulations discourage the use of formulae to calculate contributions however, the County Council is not in a position to adopt a CIL charge itself. Accordingly, in areas where a CIL charge has not been introduced to date, planning obligations in their restricted form are the only route to address the impact of a development. In instances where a development is not large enough to require on site provision but is large enough to generate an impact on a particular service, an evidenced mechanism is needed to form the basis of any planning obligation sought. HCC views the calculations and figures set out within the Toolkit as appropriate base costs for the obligations sought in this instance.

Based on the information to date for the development of 250 dwellings with the following assumed mix we would seek the following financial contributions.

Assumed mix	Houses			Flats
	2 bed	3 bed	4 bed	2 bed
Number of Affordable	15	30	0	15
Number of Market Value/ Intermediate	48	94	38	10

Financial Contributions

Early Years Provision (a combination of nursery and childcare) £116,643 towards the expansion of early years provision at St Andrews School  
Primary Education £600,542 towards the expansion of Hollybush Primary School by 1 form of entry  
Secondary Education £512,689 towards the expansion of The Sele School by 1 form of entry  
Library Service £42,611 at a project to be identified  
Youth Service £9,854 towards the provision of a new Youth Facility in Hertford (site to be confirmed)

All calculations are based on Table 2 of the HCC Toolkit, PUBSEC index 175 and will be subject to indexation.

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Please note that current service information for the local area may change over time and projects to improve capacity may evolve. This may potentially mean a contribution towards other services could be required at the time any application is received in respect of this site.

#### Provision

Fire hydrant provision is also sought and should be secured by the standard form of words in a planning obligation.

All dwellings must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire-fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the need for hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

#### Justification

The above figures have been calculated using the amounts and approach set out within the Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet Panel on 21 January 2008 and is available via the following link:  
[www.hertsdirect.org/planningobligationstoolkit](http://www.hertsdirect.org/planningobligationstoolkit)

In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms.

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83). In addition, for education requirements, paragraph 72 of Section 8 of the NPPF states "The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education."

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The development plan background supports the provision of planning contributions. The provision of community facilities is a matter that is relevant to planning. The contributions sought will ensure that additional needs brought on by the development are met.

(ii) Directly related to the development;

The occupiers of new residential developments will have an additional impact upon local services. The financial contributions sought towards the above services are based on the size, type and tenure of the individual dwellings comprising this development following consultation with the Service providers and will only be used towards services and facilities serving the locality of the proposed development and therefore, for the benefit of the development's occupants. Only those fire hydrants required to provide the necessary water supplies for fire-fighting purposes to serve the buildings comprising this proposed at this site are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

(iii) Fairly and reasonable related in scale and kind to the development.

The above financial contributions have been calculated according to the size, type and tenure of each individual dwelling comprising the proposed development (based on the person yield). Only those fire hydrants required to provide the necessary water supplies for fire-fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal."

I trust the above is of assistance if you require any further information please contact me.

Kind regards

Sarah McLaughlin  
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Development Services  
Property, Resources Directorate  
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