

Statement of Common Ground
East Herts Council and Hertfordshire County Council Property (Development Services)

- 1.1. This Statement of Common Ground establishes the outcomes of co-operation between East Herts Council and Hertfordshire County Council Property (Development Services) on behalf of the County Council's services.
- 1.2. Local Authorities are required through the Duty to Co-operate to engage constructively and actively on an on-going basis on planning matters that impact on more than one local planning area. The NPPF sets out the requirement that public bodies should cooperate on planning issues that cross administrative boundaries particularly those which relate to the following strategic priorities:
 - The homes and jobs needed in the area.
 - The provision of retail, leisure, and other commercial development.
 - The provision of infrastructure for transport telecommunications, waste management, water supply, wastewater, flood risk and coastal change management.
 - The provision of minerals and energy (including heat).
 - The provision of health, security, community and cultural infrastructure and other local facilities.
 - Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment including landscape.
- 1.3. The NPPF requires Local Planning Authorities to work collaboratively with other bodies to make sure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual Local Plans. Local Planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross- boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development.
- 1.4 This Statement seeks to demonstrate how co-operation has been undertaken, both in respect of cross boundary issues (as required by the Duty), but also non- cross boundary issues that have also influenced the content of the District Plan.

2. Parties to the Memorandum

- 2.1. The Statement is agreed by the following authorities:
 - East Herts Council
 - Hertfordshire County Council (HCC) Property (Development Services).

3. Limitations

- 3.1. The Local Authorities recognise that there might not always be full agreement with respect to all the issues on which they have agreed to cooperate. For the avoidance of doubt the Statement will not restrict the discretion of any of the Local Authorities in the determination of any planning application, or in the exercise of any its statutory powers and duties or in its response to consultations and is not intended to be legally binding.

4. Objectives

- 4.1. The Statement has the following broad objectives:
- To demonstrate that the District Plan has been informed by the views of the other local authority.
 - To ensure compliance with the Duty to Co-operate.

5. Matters Agreed

- 5.1. The matters identified below have been discussed and agreed through Officer level meetings between the two local authorities.
- 5.2. The areas where there is agreement with regards to the proposed development strategy are identified on a settlement/site specific basis below, including the wording of agreed main modifications where relevant.

Bishop's Stortford

- 5.3. As part of its representations to the Pre-Submission District Plan, HCC objected to the proposed strategy for Bishop's Stortford on the basis that Policy BISH6 does not identify that part of the site will be required to deliver a 1FE expansion to Thorley Hill Primary School.
- 5.4. It is agreed that a main modification to the policy is required in order to reflect the wording of Paragraph 5.3.15 which does confirm that land should be set aside for the expansion of Thorley Hill Primary School. As a result of this modification, it is therefore agreed that this objection has been resolved.

Policy BISH6, Part III (c) - subsequent policy provisions to be re-lettered as appropriate.

(c) land set aside to accommodate the expansion of Thorley Hill Primary School by one form of entry.

- 5.5. It is also agreed that the wording of the existing Part III (c) should be amended as follows.

Policy BISH6, Part III (d)

(d) retention and enhancement of part of the school outdoor playing pitches in the western parcel of the site as public open space for community purposes, commensurate with the amount of residential development, and providing connections to neighbouring residential areas where possible;

- 5.6 In addition, HCC also suggested amendments to Policy BISH5 (Bishop's Stortford South). The following main modifications are therefore agreed.

Policy BISH5, Part III (e)

land for a six form entry secondary school (~~co-educational or single sex~~),

Policy BISH5, Part III (f)

(f) indoor and outdoor facilities will be delivered provided as part of the secondary school, which should provide for the dual use of facilities for community purposes (~~where available for community use~~) and/or by other means;

Policy BISH5, Part III (h)

(h) ~~a 4-5 hectares~~ of new employment land ~~business park~~ of landmark design, in an accessible location;

The Council's aspiration is to deliver a high quality business park in this location, but it is considered that the amendment to Part III (h) provides greater flexibility.

- 5.7 Amendments to Policy BISH3 (Bishop's Stortford North) have also been agreed in order to reflect the planning permission that has been secured.

Policy BISH3, Part II (b)

Land for a A secondary school of ~~at least six forms of entry~~, ~~with potential to expand to eight forms of entry to accommodate future needs~~. The layout of the schools should be designed to accommodate community provide for the dual use of indoor and outdoor sports facilities. The school should provide for the dual use of facilities for community purposes.

Buntingford

- 5.8 As part of its representations to the Pre-Submission District Plan, HCC objected on the basis that a deliverable site had not been allocated for a new First School in Buntingford. A site has been allocated within the District Plan in order to deliver a First School (Policy BUNT2). However, at present, the preference of the County Council is to locate the First School on land to the east of London Road on a site that has received planning permission for development. Negotiations are currently ongoing between the County Council and the developers, and as such this issue will be resolved through the identification of a main modification as part of the Examination process.

Hertford

- 5.9 It is agreed that there are no objections in relation the policy wording or supporting text for Chapter 7 of the District Plan (Hertford).

Sawbridgeworth

- 5.10 As part of its representations to the Pre-Submission District Plan, HCC objected to the proposed strategy for Sawbridgeworth on the basis that Land to the North of Sawbridgeworth (SAWB4) has been identified for development in the period 2022 - 2027, whereas the expansion of Mandeville Primary School has been identified for 2017 – 2022. In the view of HCC, all three proposed developments in the town would need to provide financial contributions towards the school expansion in order for it to be considered deliverable. The site was identified as coming forward later in the plan period on the basis that, at the time the District Plan was submitted to the Planning Inspectorate in March 2017, there was no developer involved with the site. However, Countryside Properties now have an agreement in place with the landowners. As such, it is considered appropriate to make a main modification to Policy DPS3 in the District Plan to identify the site as coming forward in the period 2017-2022.
- 5.11 HCC has also requested that the extent of the Policy SAWB5 allocation be amended to reflect the ownership of Leventhorpe School, on which they have an aspiration to deliver new school buildings. It is agreed that a main modification be made to the Policies Map to reflect this position.

Land North and East of Ware

- 5.12 It is agreed that the preferred approach to secondary education in Hertford and Ware is to provide a new school as part of development to the North and East of Ware. It is also agreed that main modifications should be made to Policy WARE2 as detailed below.

Policy WARE2, Part V (m)

(m) ~~land for up to 3FE~~ **three forms of entry** primary school/s **provision** (including Early Years Provision) ~~commensurate with the level of development to serve both the development and appropriate surrounding catchment area/s.~~ **The school/s should provide for the dual use of facilities for community purposes;**

Policy WARE2, Part V (n)

(n) ~~land for up to 8FE~~ **eight forms of entry** secondary school provision ~~commensurate with the level of development within a site suitable for the provision of at least six forms of entry to serve the development and the wider Hertford and Ware Schools Planning Area.~~ **The school should provide for the dual use of facilities for community purposes;**

Gilston Area

5.13 Policy GA1 requires the provision of 14FE of Secondary education and 15FE of Primary education in order to cater for the needs of the full 10,000 home development. This assessment was undertaken using HCC's child yield model and was based on assumptions with regards to housing type, tenure and phasing provided to the County Council in February 2014. However, given that the Plan is still emerging, and definite information regarding these inputs will not be forthcoming until more detailed masterplanning has taken place, HCC is of the view that Policy GA1 should require up to 20FE of provision for both primary and secondary education, subject to further modelling, based on their standard formula of child yield from new developments of 1FE per 500 dwellings.

5.14 The following main modification has been agreed and the objection has been resolved.

Policy GA1, Part III (k)

(k) land for twenty forms of entry for both primary and secondary education, including Early Years facilities, subject to more detailed modelling. All schools should provide for the dual use of facilities for community purposes; education facilities, including Early Years facilities, 15FE of primary school provision and 14FE of secondary school provision;

5.15 In addition, it is agreed that Policy GA1, Part II be amended to reflect the fact that the Concept Framework has been prepared in consultation with local communities and other stakeholders. This amendment is also to be reflected within paragraph 11.1.4.

Policy GA1, Part II

II. A Concept Framework ~~has~~ will be ~~en~~ jointly prepared by the landowners and the Council, in consultation with local communities and other stakeholders, which ~~will identify~~ iesy design principles, potential land uses, infrastructure requirements and phasing.

Land East of Stevenage

5.16 It is agreed that Paragraph 12.2.3 should be updated to remove reference to Barnwell East Secondary School, in order to provide greater flexibility.

Paragraph 12.2.3

Secondary education will be provided within the wider Stevenage Education Planning Area at the new school planned for the nearby former Barnwell East Secondary School site, towards which the development will contribute.

- 5.17 It is agreed that East Herts will continue to work with HCC, as well as Stevenage and North Herts Councils, in order to identify the most suitable solution for meeting cumulative needs in the Stevenage Education Planning Area.

Land East of Welwyn Garden City

- 5.18 As part of its representations to the Pre-Submission District Plan, HCC objected to the proposed strategy for East of Welwyn Garden City on the basis that Policy EWEL1 does not identify that the primary school located within the East Herts element of the site should be able to be expanded to 3FE.
- 5.19 It is agreed that a main modification to the policy and paragraph 13.2.4 is required as detailed below. As a result of this modification, it is therefore agreed that this objection has been resolved.

Policy EWEL1, Part VI (f)

Education facilities, including land for a one -two form entry primary school with Early Years Provision in Welwyn Hatfield; and ~~an all-through school~~ land in East Herts ~~for comprising a 2 form entry primary~~ a primary school of up to three forms of entry with Early Years Provision and a secondary school of up to eight forms of entry. All ~~S~~ schools should provide for the dual use of facilities for community purposes;

Paragraph 13.2.4

Education: Land for a ~~A~~ two-form entry primary school, with early years provision, will be located within the Welwyn Hatfield part of the site, while ~~an all-through school of six forms of entry at secondary level and two forms of entry at primary level with early years provision will be located within the East Herts part of the site. Importantly, the through school site will provide sufficient flexibility to accommodate up to eight forms of entry at secondary level and three forms of entry at primary level should future needs arise.~~ land for a three form entry primary school, with early years provision, will be provided on the East Herts part of the site, along with land for an eight form entry secondary school.

Policy CFLR1

- 5.20 The following amendments are agreed in relation to Policy CFLR1:

Policy CFLR1, Part VI (b)

(b) The loss resulting from the proposed development would be replaced by enhanced provision in terms of quantity and /or quality in a suitable location prior to the commencement of development (in the case of school playing fields, the timing of delivery will be negotiated on a case by case basis in accordance with Policy CFLR10); or

5.21 In addition, the following amendment is agreed in relation to Policy CFLR7:

Policy CFLR7, Part VI

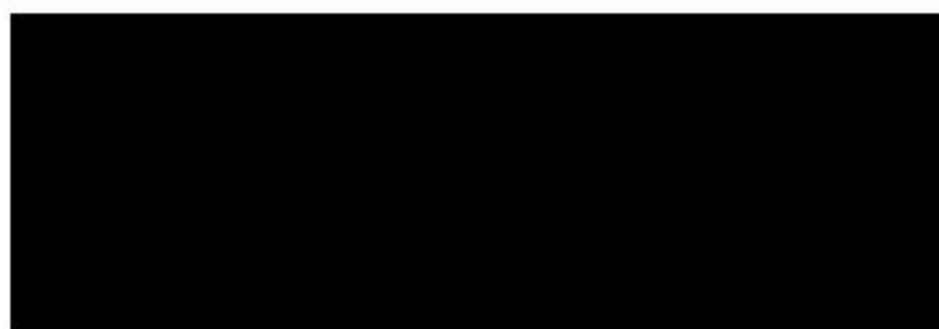
VI. As part of proposed strategic development, consideration will be given to the need to provide new Household Waste Recycling Centres in suitable locations, taking account of neighbouring uses.

6. Outstanding Matters

Villages

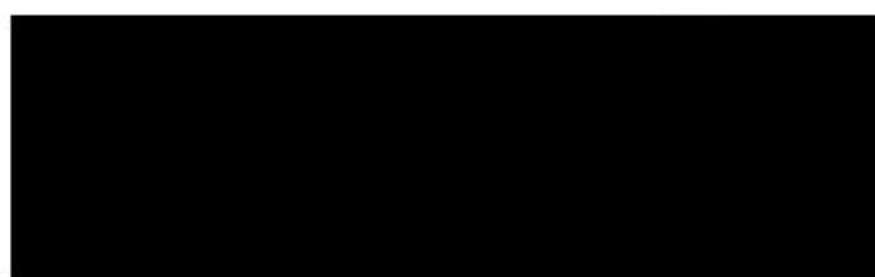
- 6.1 As part of its representations to the Pre-Submission District Plan, HCC objected to the proposed village development strategy on the basis that it does not provide sufficient certainty with regards to the amount of future development to be delivered in those locations. East Herts is not proposing to amend this policy approach and so this issue remains as an outstanding objection. However, it is agreed that HCC should be kept informed with regards to the progress of Neighbourhood Plans as this is where the development sites will be identified.
- 6.2 It is not considered that there are any further outstanding objections to the District Plan.

Signed on behalf of East Herts Council:



Cllr Linda Haysey, Leader

Signed on behalf of Hertfordshire County Council:



Mark Handford-Jones, Assistant Director Property.

September 2017.