

**Statement on behalf of Hertfordshire County Council services to
the Examination of the St Albans Draft Local Plan to 2041**



Matter 7: Residential Site Allocations

1. Background

1.1.1. Hertfordshire County Council (HCC) is the upper tier authority covering the area of St Albans City and District Council (SACDC) and Dacorum Borough Council (DBC). HCC has statutory responsibility for multiple local government services, including transport, school place planning, adult and children's social care, and advising on surface water drainage.

1.1.2. HCC has made representations to the most recent Regulation 18 and 19 consultations to the SACDC local plan. HCC also has two agreed Statements of Common Ground with SACDC [SADC/ED3, and another SOCG that is not yet referenced].

1.2. Issue 1: St Albans Site Allocations

1.2.1. ***Question 2: Where necessary, do the relevant site allocations include a requirement to provide and/or contribute towards new infrastructure for health care and education?***

1.2.2. Allocations B1 and B4 (and H1, H2, and H4, B2, and B3 in Hemel Garden Communities, Harpenden, and Redbourn respectively) contain policy, subject to proposed main modifications agreed between HCC and SACDC, to the effect that these sites should provide land and financial contributions towards new primary schools. No such wording is provided on sites not providing land for a new primary school.

1.2.3. At Regulation 19 stage HCC sought changes to policy, which have informed the proposed main modification to the plan, for two purposes relating to planning obligations that apply only to sites providing schools. The first purpose is to clarify that sites providing schools will need to both provide both the land and contributions. That is to say, the provision of land does not detract or deduct from the necessity to deliver a financial contribution proportionate to its pupil yield. The second is to clarify that schools will be built by HCC by a contribution of land and financial obligations rather than direct delivery by the developer. This aligns with how schools are delivered in Hertfordshire.

1.2.4. Strategic Policy 14 – Delivery of Infrastructure requires *inter alia* that development provide or make contributions towards infrastructure, mitigate the impact of both site-specific and cumulative impacts, and gives weight to the provision of infrastructure that is identified in the IDP. National policy, including the NPPF at paragraph 99, and the Planning Obligations PPG at paragraph 8, both also set out expectations for delivery of education infrastructure at decision-making stage.

1.2.5. It is HCC's understanding and position that the draft plan, read as a whole, and national policy are therefore sufficient to ensure HCC can seek planning obligations towards education where these are compliant with Regulation 122. Strategic Policy 14, the NPPF, and PPG, which applies to all sites, place an obligation on all sites, irrespective of whether they are providing a school, to contribute towards education, where a need can be demonstrated

pursuant to Regulation 122. Site specific policy requires the land transfer and conditions that this does not detract from the financial obligation.

- 1.2.6. This position is also broadly reflected in HCC responses to matter 6 issue 3 question 4 and issue 4 question 3.
- 1.2.7. However, if the inspectors take an alternate view that each allocation should specify that education (and other contributions, which must follow the same logic) contributions are payable, subject to the requirements of Regulation 122, a modification should be made to each allocation setting out that each allocation should provide a financial contribution.

2. Issue 1: St Albans Site Allocations

2.1. *Policy B1: North St Albans: Q6 Can a safe and suitable access to the site be achieved? Is it sufficiently clear to users of the Plan what any necessary highway improvements would entail, and where and how they would be delivered?*

- 2.1.1. It is reasonable to assume safe and suitable access to the North St Albans site can be achieved. The Highway Authority support the site-specific policy and relevant TIA to identify necessary infrastructure at a plan making stage. Modification to the working from *Funding* to *Funding and Delivery* removes former concerns and enables the correct (and common) approach of delivery mechanisms being determined at planning application stage when a TA is being or as been developed and that there will be reasonable expectations on sites to deliver off site highway measures through Section 278 processes in addition to section 106 funding being provided. Formerly the policy wording could have been interpreted as S106 funding only which would not have been acceptable to the highway authority.
- 2.1.2. It remains that this site will need to produce a transport assessment at planning application stage which would identify and evidence the sites impacts to the highway network and any further measures or mitigations that may be needed in addition to those set out in the plans policy and evidence base.

2.2. *Policy B5: Glinwell, Hatfield Road: Q3 Can a safe and suitable access to the site be achieved? Is it sufficiently clear to users of the Plan what any necessary highway improvements would entail, and where and how they would be delivered?*

- 2.2.1. It is reasonable to assume safe and suitable access to the Glinwell site can be achieved. Detailed transport requirements are contained within site policy and TIA and will be further developed at application stage.