

STATEMENT OF COMMON GROUND

Between

**Welwyn Hatfield Borough Council and Hertfordshire County Council in relation to
Policy SP 14 New Schools**

1. Scope of this Statement

- 1.1 Following on from issuing the original version of this Statement of Common Ground (SoCG) in January 2018, (document EX57 in the Examination), it became apparent that procedurally, the content of the SoCG needed to be agreed via Hertfordshire County Council (HCC) Councillors. This was because there was an implied conflict between making the New Barnfield site available for a secondary school, as identified in the SoCG and the identification of the site as an allocated waste site in the Waste Local Plan, specifically within the Waste Site Allocations document, (July 2014).
- 1.2 The additional democratic processes considered necessary to validate the SoCG by HCC were executed in 2018. The matter has been considered by;
- The HCC Growth, Infrastructure, Planning and the Economy Cabinet Panel on 5th July 2018
 - HCC Cabinet on 9th July 2018
 - HCC County Council on 17th July 2018.
- 1.3 It was agreed that the previously agreed wording set out in the SoCG in January 2018 needed to be revised to ensure that if the allocated waste site at New Barnfield is made available for a secondary school when required, an alternative Household Waste Recycling Centre (HWRC) with a minimum site area of 1ha would be required. The identified site at Tewin Road (as a joint Welwyn Hatfield Borough Council (WHBC) depot and HWRC) including servicing area meets the agreed requirement in January 2018 for a minimum site area of 1ha. Through shared use and design of the available space, both Hertfordshire County Council and Welwyn Hatfield Borough Council are content that, the operation of both waste uses at the site will be possible and the site will be sufficient for their needs.
- 1.4 The effect of this is to alter the wording contained at paragraph 6.2 of the January 2018 SoCG.
- 1.5 This SoCG has also been revised to include subsequent updates from July 2018 until December 2020.
- 1.6 It is appreciated that the Hearings associated with the provision of infrastructure, most specifically, new schools – the subject of Policy SP14, were part of the Stage 3 hearings which took place on 22nd February 2018. However, given the likelihood of additional housing being added in to the Plan, HCC and Welwyn Hatfield Borough Council (WHBC) consider it will be helpful to the Examination to restate the circumstances under which the New Barnfield site could be made available for a new secondary school to provide additional secondary

school capacity necessitated by the Plan. It is intended that this will prevent the issue becoming a distraction at future Hearing Sessions.

- 1.7 It should also be noted that the processes referred to at 1.2 above also resulted in minor textual changes to the Hearing Statement submitted in relation to that Stage 3 Hearing Session. A revised version of that document to reflect the democratic processes was submitted for the record.
- 1.8 This SoCG has been prepared to confirm the extent of co-operation and understanding between Welwyn Hatfield Borough Council (WHBC) and Hertfordshire County Council (HCC).
- 1.9 This SoCG confirms the shared and common objective between the above parties of delivery of new school infrastructure within Welwyn Hatfield throughout the plan period and in particular of the commitment to provision of additional education capacity as set out in Policy SP 14 of the Draft Local Plan Proposed Submission 2016 (DLPPS).

2. The Need for Secondary Education Provision

- 2.1 This SoCG has been prepared in response to WHBC's DLPPS, which, as proposed to be modified, will cover the period up to 2036. As drafted, Policy SP14 of the Plan states that there is "*a requirement for additional secondary education capacity equivalent to three new secondary schools*" to cater for the housing growth planned in the Borough (part i of Policy SP14), and suggests that a sequential approach will be applied to identifying further school capacity required as a result of any additional housing growth, (part ii of Policy SP14).
- 2.2 Part i of Policy SP14 in the DLPPS is open to the misinterpretation that three new secondary schools are required to cater for the growth identified in the DLPPS, whereas in fact new capacity for 18 forms of entry (fe) is required, and a strategy agreed between WHBC and HCC exists for providing this capacity in two new secondary schools (see also the SoCG at Examination Document EX23).
- 2.3 The views expressed by the Inspector at the Local Plan examination to date, suggest that there is a strong likelihood that additional housing sites will need to be included to make the plan sound, over and above those in the DLPPS. If this were to be the case, then a third new secondary school would be likely to be required.

3. The Need for Primary Education Provision

- 3.1 All parties agree that it is necessary to meet education needs to support growth in the Local Plan. At paragraph 11.34 to 11.36 of its Regulation 19 consultation response, HCC objected to the soundness of the DLPPS. This was because;
 - i) Paragraph 11.34 and 11.35 identified that there was a 2fe primary shortfall identified in Hatfield and a new 2fe primary is required to serve the south of the town;

- ii) Paragraph 11.36 indicated that in HCC's view the approach to provision of additional primary capacity was considered unsound as it would not ensure that additional school capacity would be provided in locations well-related to the communities in which they are needed.

4. Detailed Statement

- 4.1 The issue of additional primary school capacity to serve South Hatfield (3.1 i) above) has been resolved in the separate Statement of Common Ground (Examination Document EX55) agreed between WHBC, HCC, Mrs C Horton 1974 Discretionary Settlement and Ptarmigan Land in connection with Housing Site HS11. In relation to the issue of planning additional education capacity to meet needs arising from further additional housing growth over and above that set out in the plan (3.1 ii) above), WHBC and HCC are committed to further ongoing proactive, collaborative joint working to ensure that new school places are provided in locations well-related to any additional housing growth that is proposed in the plan. The successful resolution of all other outstanding Duty to Co-operate and soundness issues between WHBC and HCC provides ample evidence that the two authorities will work co-operatively to ensure this is the case.
- 4.2 Policy SP14 will be amended to reflect the fact that the reference to three secondary schools actually means 18 forms of entry (fe) of additional secondary school capacity to meet the needs arising from the DLPPS. The second criterion will be amended to acknowledge that further housing growth will lead to the requirement for further primary as well as secondary education capacity. WHBC and HCC will work together to ensure that appropriate additional school places are provided alongside additional housing growth.

5. Changes to Submission Plan (DLPPS)

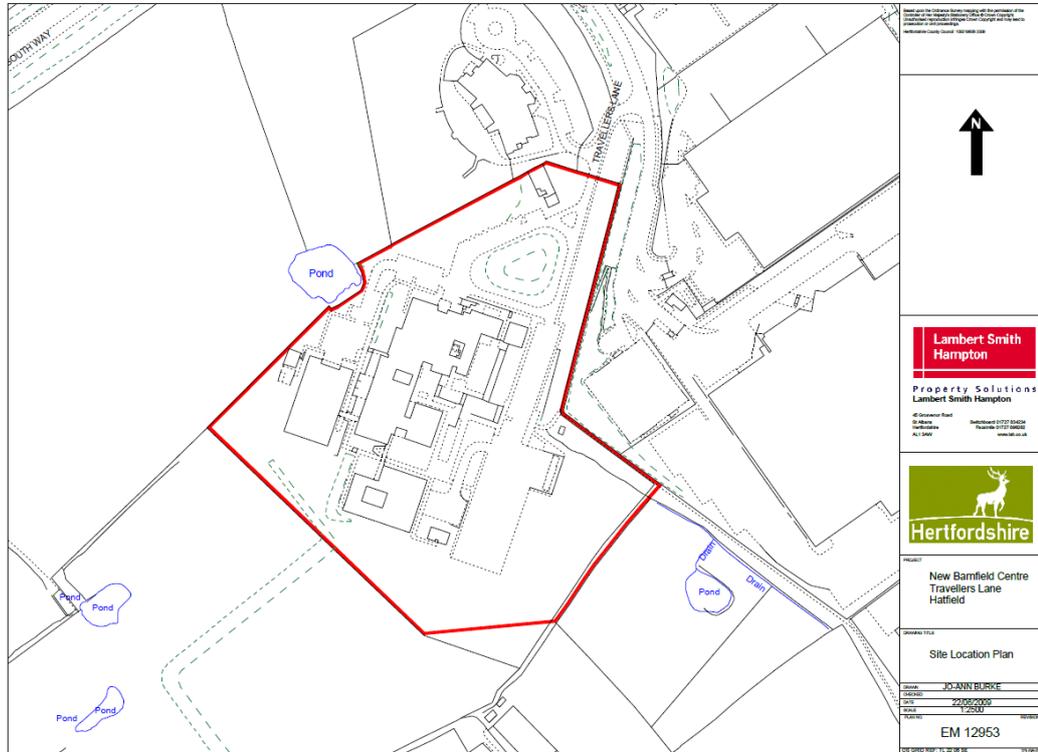
- 5.1 Policy SP14 sub-paragraph i. will be modified so that the first sentence reads: *"The Council's housing target for the plan period leads to a requirement for additional secondary education capacity equivalent to 18 forms of entry."*
- 5.2 Policy SP14 sub-paragraph ii. Will be modified to add a new sentence before the penultimate sentence, as follows: *"A new primary school site is also identified within housing site HS11"* also so that the penultimate sentence reads: *"Additional identified housing growth, however, may lead to the requirement for further primary education capacity."*
- 5.3 In the event that Council subsequently proposes changes to the housing target in the DLPPS through modifications, for example to include additional housing sites, then further modifications may need to be made to Policy SP14 to reflect a revised strategy for providing new education capacity.

6. Future Co-operation

- 6.1 WHBC and HCC agree to continue to work together to ensure that the impacts on requirements for education are factored into the identification of any additional housing allocations in the Local Plan. The wording of the following paragraph has been revised to reflect the revised position of Hertfordshire County Council in the light of the democratic processes referred to at Paragraph 1.2 above;
- 6.2 If additional housing is proposed, and an alternative HWRC site is identified in a mutually agreeable location elsewhere in the Welwyn-Hatfield area, the County Council would make the New Barnfield site available for a secondary school as part of a review of the education strategy and as and when it does so it would ensure that capacity of adjacent lands to contribute to the future needs of the borough is not prejudiced. In the event that the use of the site as a school becomes necessary WHBC and HCC would work together to secure an alternative location for an HWRC of at least 1 hectare and consider appropriate revision to the Infrastructure Delivery Plan to set out the approach to funding/planning obligations and/or CIL.
- 6.3 Planning permission was issued on 25 November 2020 for a HWRC at Tewin Road, Welwyn Garden City. This is to be a replacement for Cole Green HWRC currently located close to the borough of Welwyn Hatfield. It is now for WHBC and HCC to enter into discussions regarding the potential timing for delivery, size and scale of the secondary school to be provided should the Local Plan require additional housing provision in excess of the DLPPS.
- 6.4 Due to the poor condition of the buildings on the site at New Barnfield, there is a necessity to demolish and rebuild .It has not yet been possible to ascertain the exact size of the new secondary school to be provided on the site, due to continuing uncertainty over the proposed housing target in the DLPPS. A detailed feasibility study therefore is yet to be undertaken by HCC. HCC and WHBC however agree in principle that the buildings comprised in a new secondary school could be provided on the part of the site which is previously developed land (as defined in drawing 1 below) and which contains the Major Developed Site within the Green Belt, as defined in Policy SADM34 of the DLPPS.
- 6.5 Prior to the New Barnfield site being utilised for a new secondary school, there is a requirement for WHBC and HCC to agree a true record of existing buildings on the site prior to any demolition, to form a baseline position from which the authorities can work in relation to any future development of a secondary school. Further to this SoCG, a separate document will be produced for agreement between authorities, within which a record of the heights and volumes of all buildings on the New Barnfield site will be detailed.

WHBC and HCC agree that the extent of previously developed land (as defined in NPPF 2012) at the New Barnfield site, is as per the red line shown on drawing 1 as follows:

Drawing 1



Signed on behalf of Hertfordshire County Council

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Date: 22 December 2020

Name: Sass Pledger

Position: Assistant Director, Property

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Date: 22 December 2020

Name: Sarah McLaughlin

Position: Head of the Growth and Infrastructure Unit

Signed on behalf of Welwyn Hatfield Borough Council



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Date: 6th January 2020

Name: Sue Tiley

Position: Planning Policy and Implementation Manager