



# **St Albans City & District Draft Local Plan 2041**

## **Duty To Cooperate Compliance Statement**

**29 November 2024**

## Executive Summary

The evidence clearly demonstrates that St Albans City & District Council (SADC) has met the Duty to Cooperate (DtC). SADC has engaged with the relevant bodies from the earliest stages in Plan-making all the way until Submission, in order to maximise the effectiveness of the preparation of the draft Local Plan (and other activities) so far as they relate to strategic matters. The engagement has been on-going, constructive and active.

This engagement has related to all “strategic matters” relating to the sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or the use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas.

No DtC body, including all relevant Local Authorities (including Hertfordshire County Council) or key statutory consultee (Natural England, Historic England, Environment Agency and National Highways) considers that the Council has not met the ‘Duty to Cooperate’.

There are demonstrable effective outcomes across the whole range of relevant matters. These include in particular:

- All the South West Herts Councils have agreed the joint South West Herts Housing Market Area and all South West Herts Councils support SADC’s approach to meeting SADC’s ‘Standard Method’ calculation of housing needs in full within SADC’s area.
- All the South West Herts Councils have agreed the joint South West Herts Functional Economic Market Area and all South West Herts Councils support SADC’s approach to meeting SADC’s employment needs in full and providing significant employment land within SADC’s area within Hemel Garden Communities that supports Dacorum Borough Council’s (DBC)’s and potentially wider South West Herts employment land needs.
- SADC and DBC have worked intensively and extensively together on the development of Hemel Garden Communities since it was awarded ‘Garden Town’ status by the Government in 2019. There is a joint SADC / DBC / HCC ‘Hemel Garden Communities’ delivery team. There has also been extensive and ongoing involvement on HGC with Homes England and Hertfordshire Futures.

The DtC Matrix since 2022 has been used as a key record of active and ongoing engagement in the DtC, including its evolution into an overarching Statement of Common Ground (SoCG).

SADC has from the start of this Local Plan 2041 process been very mindful of being in the rare position of having had to withdraw two Local Plans previously (in 2016 and 2020) due to issues with the DtC. This current situation is completely different,

with the DtC matters that impacted those previous two draft Plans having been wholly and successfully resolved.

SADC is now in the position that all DtC bodies including all the adjoining and nearby Councils and key stakeholders (including the key landowner SEGRO who are delivering the Government-permitted Strategic Rail Freight Interchange allocated in the Plan) consider that the DtC has been met. In the totality of the circumstances, that is considered to be the only reasonable conclusion on the DtC that can be reached.

## 1.0 Introduction

- 1.1 This introduction sets out key points from the law, PINS guidance, NPPF and PPG that have guided the DtC approach in St Albans since the inception of this draft Plan.
- 1.2 The Duty to Co-operate is a requirement of the Localism Act 2011. The Act inserted a new section 33A into the Planning and Compulsory Purchase Act 2004.
- 1.3 The DtC is commonly characterised as requiring Local Planning Authorities and other prescribed bodies to engage with a view to maximising the effectiveness of the preparation of development plan documents and other activities so far as they relate to strategic matters. This is normally most important in considering strategic issues such as the potential location of development and provision of strategic infrastructure.
- 1.4 It requires on-going, constructive and active engagement on the preparation of development plan documents and other activities. It is a 'duty to co-operate' not a 'duty to agree', but there must be genuine, positive and continuous dialogue.
- 1.5 The Duty sets out:

### ***110 Duty to co-operate in relation to planning of sustainable development***

...

*(1) Each person who is—*

*(a) a local planning authority,<sup>4</sup>*

*(b) a county council in England that is not a local planning authority, or*

*(c) a body, or other person, that is prescribed or of a prescribed description, must co-operate with every other person who is within paragraph (a), (b) or (c) or subsection (9) in maximising the effectiveness with which activities within subsection (3) are undertaken.*

*(2) In particular, the duty imposed on a person by subsection (1) requires the person—*

*(a) to engage constructively, actively and on an ongoing basis in any process by means of which activities within subsection (3) are undertaken, and*

*(b) to have regard to activities of a person within subsection (9) so far as they are relevant to activities within subsection (3).*

*(3) The activities within this subsection are—*

*(a) the preparation of development plan documents,*

...

*(d) activities that can reasonably be considered to prepare the way for activities within any of paragraphs (a) to (c) that are, or could be, contemplated, and*

*(e) activities that support activities within any of paragraphs (a) to (c), so far as relating to a strategic matter.*

*(4) For the purposes of subsection (3), each of the following is a "strategic matter"—*

*(a) sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas*

- 1.6 The PINS Procedure Guide for Local Plan Examinations sets out:

**Has evidence to demonstrate compliance with the Duty to Co-operate been prepared?**

1.15. *In order to demonstrate compliance with the duty to co-operate (section 33A of the PCPA), the most helpful approach is for the LPA to submit a statement of compliance with the duty. The statement of compliance should identify any relevant strategic matters and how they have been resolved – or if they have not, why not. It should detail who the LPA has co-operated with and on which strategic matter(s), the nature and timing of the co-operation (e.g. by including meeting notes), and the outcomes of the co-operation, including how it has influenced the plan. As part of this process, NPPF paragraph 27 advises that the LPA should prepare one or more statements of common ground with relevant bodies. The PPG on Plan-making contains guidance on preparing such statements.*

1.16. *The Inspector will need to be satisfied that the LPA has met the duty to co-operate by engaging with neighbouring authorities and other bodies constructively, actively and on an ongoing basis, in order to maximise the effectiveness of the plan preparation process (See PCPA, section 33A and Regulation 4 which define the duty to co-operate and the bodies with which the LPA is required to co-operate).*

1.7 The NPPF (2023) sets out:

*Maintaining effective cooperation*

24. *Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.*

25. *Strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans. They should also engage with their local communities and relevant bodies including Local Enterprise Partnerships, Local Nature Partnerships, the Marine Management Organisation, county councils, infrastructure providers, elected Mayors and combined authorities (in cases where Mayors or combined authorities do not have plan-making powers).*

26. *Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.*

27. *In order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency.*

- 1.8 The relevant sections of the PPG set out:

<https://www.gov.uk/guidance/plan-making>

### **Maintaining effective cooperation**

#### **How are plan-making bodies expected to cooperate?**

*Strategic policy-making authorities are required to cooperate with each other, and other bodies, when preparing, or supporting the preparation of policies which address strategic matters. This includes those policies contained in local plans (including minerals and waste plans), spatial development strategies, and marine plans.*

*The National Planning Policy Framework sets out that these authorities should produce, maintain, and update one or more statement(s) of common ground, throughout the plan-making process. Local planning authorities are also bound by the statutory duty to cooperate. [Neighbourhood Planning bodies](#) are not bound by the duty to cooperate, nor are they required to produce or be involved in a statement of common ground.*

*Paragraph: 009 Reference ID: 61-009-20190315*

*Revision date: 15 03 2019*

- 1.9 Several further sections in this part of the PPG are relevant but are not necessary to be reproduced here.
- 1.10 The PPG sets out further:

### **Duty to cooperate**

#### **How is the duty to cooperate different from the statement of common ground?**

*The statement of common ground is the means by which strategic policy-making authorities can demonstrate that a plan is based on effective cooperation and that they have sought to produce a strategy based on agreements with other authorities.*

*The duty to cooperate was introduced by the [Localism Act 2011](#), and is set out in [section 33A of the Planning and Compulsory Purchase Act 2004](#). It places a legal duty on local planning authorities and county councils in England, and prescribed public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plan and marine plan preparation in the context of strategic cross boundary matters.*

*Paragraph: 029 Reference ID: 61-029-20190315*

*Revision date: 15 03 2019*

#### **Are other public bodies subject to the duty to cooperate?**

Certain other public bodies are also subject to the duty to cooperate. These are prescribed in the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) as amended.

*These organisations are required to cooperate with local planning authorities and county councils in England, and the other prescribed bodies. All parties should approach the duty in a proportionate way, tailoring cooperation according to where they can maximise the effectiveness of plans.*

*Local Enterprise Partnerships and Local Nature Partnerships are not subject to the requirements of the duty, but local planning authorities and county councils in England, and prescribed public bodies must cooperate with them. Local planning authorities must have regard to their activities when they are preparing their local plans, so long as those activities are relevant to plan-making.*

Paragraph: 030 Reference ID: 61-030-20190315

Revision date: 15 03 2019

### **How will the duty to cooperate be considered at local plan examination?**

*The local plan examination will first assess whether a local planning authority has complied with the duty to cooperate and other legal requirements. The Inspector will use all available evidence including statements of common ground, [Authority Monitoring Reports](#), and other submitted evidence (such as the statement of compliance prescribed by Planning Inspectorate's examination procedure guidance) to determine whether the duty has been satisfied.*

*As the duty to cooperate relates to the preparation of the plan it cannot be rectified post-submission, so if the Inspector finds that the duty has not been complied with they will recommend that the local plan is not adopted and the examination will not proceed any further. The most appropriate course of action is likely to be for the local planning authority to withdraw the plan and engage in the necessary discussions and actions with other relevant local planning authorities and bodies. In these circumstances the local planning authority will need to re-publish the revised plan for consultation before it is re-submitted for examination.*

*If the Inspector finds that the duty and other legal requirements have been complied with, the examination will then test whether the local plan is sound.*

Paragraph: 031 Reference ID: 61-031-20190315

Revision date: 15 03 2019

### **How can 2 or more strategic policy-making authorities cooperate on local plan preparation to satisfy the duty to cooperate?**

*[Section 33A\(6\) of the Planning and Compulsory Purchase Act 2004](#) enables local planning authorities and other public bodies to consider entering into agreements on joint approaches, so local planning authorities should demonstrate this has been considered at examination. Local planning authorities can agree to prepare a joint*

plan with neighbouring authorities under [section 28 of the Planning and Compulsory Purchase Act 2004](#), or form a joint committee (to include one or more county councils) under [section 29 of the Planning and Compulsory Purchase Act 2004](#).

*If plans are not being brought forward at the same time, authorities can enter into formal agreements, which are expected to be set out in a statement of common ground.*

Paragraph: 032 Reference ID: 61-032-20190315

Revision date: 15 03 2019

### **Are other public bodies subject to the duty to cooperate?**

*Certain other public bodies are also subject to the duty to cooperate. These are prescribed in the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) as amended.*

*These organisations are required to cooperate with local planning authorities and county councils in England, and the other prescribed bodies. All parties should approach the duty in a proportionate way, tailoring cooperation according to where they can maximise the effectiveness of plans.*

*Local Enterprise Partnerships and Local Nature Partnerships are not subject to the requirements of the duty, but local planning authorities and county councils in England, and prescribed public bodies must cooperate with them. Local planning authorities must have regard to their activities when they are preparing their local plans, so long as those activities are relevant to plan-making.*

Paragraph: 030 Reference ID: 61-030-20190315

Revision date: 15 03 2019

## **2.0 Duty to Co-operate bodies**

2.1 As set out above, the legal basis for the Duty is set out in Section 110 of the Localism Act. It applies to all local planning authorities, National Park authorities and county councils in England, and to several other public bodies. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012 specify which bodies this duty applies to.

2.2 In the context of St Albans City & District the Council has the Duty to Co-operate with neighbouring local authorities and a range of prescribed bodies:

- Hertfordshire County Council
- Dacorum Borough Council
- Hertsmere Borough Council
- Three Rivers District Council
- Watford Borough Council
- Welwyn & Hatfield Borough Council
- Central Bedfordshire Council
- North Herts District Council



- Luton Borough Council
- Environment Agency
- Historic England
- Natural England
- Civil Aviation Authority
- Homes England
- Hertfordshire and West Essex Integrated Care Board
- NHS England
- Marine Management Organisation
- Office of Rail Regulation
- National Highways
- Mayor of London
- Transport for London

2.3 In addition, although not defined by statute in the same way as the above listed organisations, Local Enterprise Partnerships and Local Nature Partnerships are bodies defined in the Regulations as bodies that local authorities have a duty “to have regard to”. In respect of St Albans these are:

- Hertfordshire Local Enterprise Partnership (now known as Hertfordshire Futures)
- Hertfordshire Local Nature Partnership

### **3.0 DUTY TO CO-OPERATE HISTORY AND CHRONOLOGY**

#### Draft Strategic Local Plan – withdrawn over DtC 2016

3.1 St Albans has a specific history with regard to the DtC. In very concise form, the former draft Strategic Local Plan (SLP) failed the DtC test in 2016. This was essentially because of the DtC objections from the other four South West Herts Group of LPAs (St Albans was not part of the South West Herts Group at that time). The Council then addressed the reasons for that failure directly. It has joined the South West Herts Group and has accepted the five LPA Housing Market Area and Functional Economic Market Area. The five LPAs have since 2017 been jointly working on evidence, on individual Local Plans and working towards a statutory Joint Strategic Plan.

#### Draft Local Plan (2019) - withdrawn over DtC 2020

3.2 As set out in their letter to the Council in 2020, the appointed Inspectors considered essentially that there was a failure to engage constructively and actively with neighbouring authorities on the strategic matters of (a) the Radlett Strategic Rail Freight Interchange proposal and (b) their ability to accommodate St Alban’s housing needs outside of the Green Belt. This has been addressed directly since the start of the new Local Plan process. After due consideration of all the relevant evidence at the beginning of the process, the draft Local Plan allocates the Radlett Strategic Rail Freight Interchange site. There has also been full and explicit discussion of the potential for neighbouring authorities to accommodate St Alban’s housing needs

outside of the Green Belt. This was explicitly part of Councillor DtC meetings with all neighbouring and nearby authorities in 2021, in 2023 at Regulation 18 stage and in 2024 at Regulation 19 stage.

### Draft Local Plan 2041 – key DtC Activities - Chronology

3.3 SADC has undertaken a comprehensive series of activities in order to meet the DtC.

3.4 There are regular ongoing meetings that address Local Plan matters and potential strategic cross-boundary matters that have taken place since the withdrawal of the previous draft Plan in 2020. These include quarterly officer meetings at a South West Herts and Hertfordshire geography. There are numerous regular and one-off meetings involving SADC, DBC, HCC, Hertfordshire Futures, National Highways and Homes England regarding HGC.

3.5 Early DtC engagement specifically on SADC's approach to the new draft Local Plan and its associated evidence included:

#### 2021

3.6 Councillor (Portfolio Holder) level DtC meetings with surrounding authorities and Hertfordshire County Council between January – March 2021, which included: Updates on Local Plan production and associated evidence base work to be provided; discussions on potential strategic cross boundary issues to be considered; agreed future arrangements for DtC liaison.

3.7 Consultation on the draft Local Plan Vision and Objectives between January – March 2021.

3.8 Consultation on the draft Local Plan Sustainability Appraisal scoping report between January – March 2021. Responses received from the Environment Agency, Hertfordshire and Middlesex Wildlife Trust, National Highways, and Historic England.

3.9 Consultation on the draft Green Belt Review Methodology between April – June 2021. Responses received from Central Bedfordshire Council, Dacorum BC, Hertsmere BC, and Welwyn Hatfield BC.

#### 2022

3.10 Invitations were sent in July 2022 to key DtC bodies asking them to attend a Local Plan DtC Workshop in September 2022 (invitation letter at Appendix A; attached to the invitation was a DtC Scoping report July 2022 at Appendix B; post-workshop meeting notes are at Appendix C).

3.11 As discussed at the September 2022 workshop, SADC sent a DtC letter asking if neighbouring / nearby authorities could help SADC meet our development needs in November 2022 (at Appendix D).

3.12 A post-Workshop updated draft DtC Matrix is at Appendix E.

## 2023

- 3.13 At Regulation 18 stage in September 2023 another round of DtC Councillor meetings were held with all adjoining / nearby Councils (meeting notes example at Appendix F).
- 3.14 As discussed at the 2023 DtC meetings, SADC then sent a DtC letter asking if neighbouring / nearby authorities could help SADC meet our development needs in November 2023 (example at Appendix G).
- 3.15 A round of officer DtC meetings were also held with DtC bodies including Natural England, the Environment Agency, Historic England and National Highways to discuss their Regulation 18 responses and to agree next steps and actions for SADC to address the matters raised.

## 2024

- 3.16 At Regulation 19 stage in October 2024 another round of DtC Councillor meetings were held with all adjoining / nearby Councils. This included discussion regarding whether or not the authorities could help SADC meet our development needs in November 2023 (example at Appendix H).
- 3.17 A round of officer DtC meetings were also held with DtC bodies including Natural England, the Environment Agency, Historic England and National Highways to discuss their Regulation 19 responses and to agree next steps and actions for SADC to address the matters raised.
- 3.18 An updated DtC Matrix was sent out to key DtC bodies alongside the Regulation 19 (Appendix I).
- 3.19 The DtC Matrix and an overarching SoCG were published with the Regulation 19, setting out in the public domain where discussions over the DtC Matrix and key cross-boundary matters had reached at that point in time.
- 3.20 A process of finalising the DtC Matrix and bilateral SoCGs was undertaken in October/November 2024. There was no in principle objections to the key substance from any DtC body and, as per their Regulation 19 representations, all consider that SADC has met the DtC.
- 3.21 As of 29 November 2024, several bilateral SoCGs have been signed and returned as fully complete (two examples at appendix J). Several SoCGs are still undergoing a process of finalising details and going through relevant clearance / signing channels in the different organisations, some of which take a considerable period of time.
- 3.22 The fundamental DtC conclusion for all of the DtC bodies is that SADC has met the DtC and none contend otherwise.

## **4.0 Effective DtC Engagement and Effective Outcomes**

- 4.1 There are demonstrable effective outcomes across the whole range of relevant matters. These include:

### Effective Outcome 1 – agreed strategic geography

1. <b>Strategic</b>	SADC, along with Watford, Dacorum, Hertsmere and Three
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<p><b>geography</b></p>	<p>Rivers are adjoining authorities in Hertfordshire and together form the group of five South West Hertfordshire local authorities.</p> <p>SADC also borders Welwyn Hatfield and North Hertfordshire local authorities, and Central Bedfordshire. All neighbouring authorities bar Central Bedfordshire lie within Hertfordshire.</p> <p>The five South West Hertfordshire local authorities fall within the same Housing Market Area (HMA) and Functional Economic Market Area (FEMA). The local authorities within the HMA and FEMA have a history of positively cooperating on spatial planning and related matters and as part of the South West Hertfordshire Group (SWHG) of local authorities are working together on the production of a Joint Strategic Plan for South West Hertfordshire (JSP).</p> <p>St Albans District is very well connected by railway and road, and is close to international airports. The Midlands Main Line from London to Nottingham and Sheffield passes through the District, with the fast Thameslink service connecting directly to central London. There is also a low-service local rail route (branch line) known as the Abbey Line that connects St Albans and Watford. The rail options to London underpin the popularity of commuting out of the District. The District is also very well connected by key national road routes, with the M25 running east west through the south of the District, paralleled by the A414 dual carriageway, while the M1 runs down the west and the A1M is just outside the District to the east. Luton Airport is approximately five miles north of the District. As such the strategic geography for the impacts of planned growth and infrastructure requirements extend to all neighbouring local authorities and Luton Borough.</p> <p>Parts of the District lie within the Zone of Influence for the Chilterns Beechwood Special Area of Conservation (SAC). The Chilterns Beechwood SAC zone of influence extends into Dacorum Borough, Central Bedfordshire and Buckinghamshire.</p>
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Effective Outcome 2 – relationship between JSP and LP

**Relationship between emerging Local Plans and the JSP**

- Ensuring consistency and alignment in the production of emerging Local Plans alongside the production of the JSP - noting that some Local Plans may not be adopted until after the adoption of the JSP and that plan periods may differ.

- Strategic matter between:
  - SW Herts local authorities
  - Hertfordshire County Council

#### Effective Outcome 3 - SADC meeting Standard Method for housing need in full

##### **Planning for housing needs**

- Approach to accommodating unmet housing needs that may exist within the wider Housing Market Area.
- Strategic matter between:
  - SW Herts local authorities
  - Luton Borough Council

#### Effective Outcome 4 – SADC meeting SADC’s employment needs in full and providing significant employment land within SADC’s area within Hemel Garden Communities that supports DBC’s and potentially wider SW Herts employment land needs.

##### **Planning for employment needs**

- Joint work has been undertaken on employment needs across South West Hertfordshire.
- Strategic matter between:
  - SW Herts local authorities
  - Luton Borough Council
  - Hertfordshire Futures

#### Effective Outcome 5 – appropriate planning for retail

##### **Approach to retail provision**

- Approach to meeting retail related needs in the area and considering any impacts of proposals on retail provision in other areas.
- Strategic matter between:
  - SW Herts local authorities

#### Effective Outcome 6 – appropriate approach to Gypsy & Traveller accommodation

##### **Planning for gypsy & traveller needs**

- Approach to accommodating unmet traveller needs.
- Strategic matter between:
  - SW Herts local authorities
  - Hertfordshire County Council
  - National Highways

#### Effective Outcome 7 – appropriate approach to the green Belt

##### **Approach to Green Belt**

- Approach to exceptional circumstances.
- Strategic matter between:
  - SW Herts local authorities

- Welwyn Hatfield Borough Council
- North Hertfordshire District Council
- Historic England

Effective Outcome 8 – appropriate approach to the Chilterns Beechwoods SAC, including the joint approach to SAMMS contributions

**Mitigating the impact of development on Chiltern Beechwoods SAC**

- 12.6km Zone of Influence announced by Natural England where mitigation for new residential development will be required with SANGs and SAMMs.
- Strategic matter between:
  - SADC
  - Dacorum Borough Council
  - Central Bedfordshire Council
  - Buckinghamshire Council
  - Natural England

Effective Outcome 9 - appropriate approach to primary and secondary school provision, including provision within and beyond Hemel Garden Communities that is providing land for education within SADC's area that supports DBC's education land needs.

**Primary and secondary school provision.**

- Need for secondary school provision arising from new development.
- Strategic matter between:
  - SW Herts local authorities
  - Hertfordshire County Council

Effective Outcome 10 - appropriate approach to transport infrastructure

**Planning for transport infrastructure**

- Plans for a Hertfordshire Essex Rapid Transit (HERT) which will run along the A414 corridor. It will also be necessary to consider the potential impacts of growth on traffic congestion on the highway network, including the M1 and M25.
- Strategic matter between:
  - SW Herts local authorities
  - Central Bedfordshire Council
  - Hertfordshire County Council
  - Luton Borough Council
  - National Highways
  - Homes England
  - Hertfordshire Futures

Effective Outcome 11 - appropriate approach to the Government-permitted Strategic Rail Freight Interchange

### **Strategic Rail Freight Interchange**

- The Government-permitted Strategic Rail Freight Interchange at the former Radlett Aerodrome site on Green Belt land and any potential alternative locations.
- Strategic matter between:
  - SW Herts local authorities
  - Hertfordshire County Council
  - Network Rail
  - National Highways

### Effective Outcome 12 - appropriate approach to Hemel Garden Communities

#### **Hemel Garden Communities**

- Joint bid for Hemel Garden Communities approved in March 2019 for official garden town status and funding. Aims to deliver up to 11,000 homes and 10,000 jobs, subject to the Local Plan process. Approach to housing, employment and infrastructure delivery.
- Strategic matter between:
  - SADC
  - Dacorum Borough Council
  - Hertfordshire County Council
  - Homes England
  - Hertfordshire Futures
  - Natural England

### Effective Outcome 13 – appropriate approach to Green and Blue infrastructure

#### **Green and blue infrastructure**

- Approach to the provision of green and blue infrastructure, and consideration of county-wide strategy.
- Strategic matter between:
  - SADC
  - Dacorum Borough Council
  - Hertfordshire County Council
  - Environment Agency
  - Natural England

### Effective Outcome 14 – appropriate approach to water and wastewater, including using the higher option standard for new development of 110 litres per person per day that can be applied where there is an evidence based need that the area is water stressed.

#### **Water and wastewater capacity**

- Consideration of the supply of water and the wastewater capacity to accommodate the future needs of development.
- Strategic matter between:
  - SADC

- Dacorum Borough Council
- Watford Borough Council
- Environment Agency

Effective Outcome 15 – appropriate approach to Household Waste Recycling facilities

**Household waste recycling facilities**

- Arrangements for future facilities linked to growth across the county and potentially to service future growth of Hemel Hempstead.
- Strategic matter between:
  - SADC
  - Dacorum Borough Council
  - Hertsmere Borough Council
  - Hertfordshire County Council

Effective Outcome 16 - appropriate approach to minerals

**Minerals**

- Existing and potential future mineral extraction – primarily sand and gravel.
- Strategic matter between:
  - SADC
  - Dacorum Borough Council
  - Welwyn Hatfield Borough Council
  - Hertfordshire County Council

Effective Outcome 17 – appropriate approach to cross-boundary growth locations, particularly regarding BL8 Harper Lane, near the boundary with Hertsmere

**Other cross-boundary growth locations**

- Consider the approach to the planning and delivery of any other growth (outside of Hemel Garden Communities) located cross-boundary or adjacent to neighbouring local authorities.
- Strategic matter between:
  - SADC
  - Hertsmere Borough Council
  - Central Bedfordshire Council



## Appendix A – Example of September 2022 Workshop Invitation Letter



STRATEGY, POLICY & TRANSFORMATION  
DALE PHILLIPSON  
STRATEGIC DIRECTOR  
DEPUTY CHIEF EXECUTIVE

My Ref:  
Please ask for: Chris Briggs  
Telephone: 01727 866100  
E-mail: [Chris.Briggs@stalbans.gov.uk](mailto:Chris.Briggs@stalbans.gov.uk)

Date: 21 July 2022

Dear Sir / Madam

### St Albans Local Plan – Duty to Cooperate Workshop Invitation

St Albans City and District Council is currently producing a new Local Plan, which is proposed to be published for Regulation 18 public consultation in 2023. To support the production of the new Local Plan and associated evidence base, and to ensure that the proposed approach to producing the Plan meets the requirements of the Duty to Cooperate, the Council is undertaking an online workshop at 11.00-12.00 on Tuesday 6<sup>th</sup> September 2022. I would like to invite you and / or an appropriate colleague from your organisation to attend. Please could you confirm your attendance to me by email by 18 August 2022.

The Council is at an early stage in the production of the new Local Plan. The purpose of the workshop is therefore to ensure that the Council's proposed approach to meeting the requirements of the Duty to Cooperate, and the Council's current understanding of the relevant strategic cross boundary matters and issues for the Plan, is consistent with those of our Duty to Cooperate partners.

In addition to presenting the Council's approach to meeting the requirements of the Duty to Cooperate, the workshop will also be used to provide updates on other key items of ongoing work which will inform the production of the new Local Plan. This includes the draft Site Selection Methodology, the emerging Settlement Hierarchy Study, the approach to undertaking the Local Plan Sustainability Appraisal, and the approach to developing the spatial strategy.

In advance of the workshop I am pleased to provide you with our Duty to Cooperate Scoping Report and Draft Site Selection Methodology for your review. There will be an opportunity to provide feedback on the content of these documents during and immediately following the 6<sup>th</sup> September workshop.

Please do not hesitate to contact me if you have any questions or you require any further information.

Yours faithfully

Chris Briggs

Spatial Planning Manager  
Strategy, Policy & Transformation

St Albans City & District Council District Council Offices, St Peter's Street, St Albans, Herts AL1 3JE  
Tel: 01727 866100 [www.stalbans.gov.uk](http://www.stalbans.gov.uk)

100% Recycled Paper



# Appendix B - St Albans Local Plan Scoping Report Approach to Meeting the Duty to Cooperate July 2022

## St Albans Local Plan Scoping Report Approach to Meeting the Duty to Cooperate

July 2022

### 1. Introduction and purpose

- 1.1 This Scoping Report sets out the proposed approach to meeting the requirements of the Duty to Cooperate (DtC) associated with the emerging St Albans Local Plan. The Council is seeking views on the approach presented within this Report from relevant DtC bodies, including neighbouring local planning authorities. Following engagement and discussion on the content of this Scoping Report, the Councils approach to meeting the requirements of the DtC will be finalised.
- 1.2 To begin to consider how the Council will engage with relevant DtC bodies, this Scoping Report presents the initial proposed strategic cross-boundary planning matters considered to be relevant to the production of the Plan at this stage, together with the proposed governance arrangements, and the approach and mechanisms for taking forward joint work and discussions relating to each matter. The Report also sets out the proposed approach to recording engagement through the production of statements of common ground and a DtC Statement of Compliance.

### 2. Contextual review

#### National planning policy context

- 2.1 It is imperative for the Council to ensure that the DtC is met in producing the Local Plan. Any failure to meet the DtC cannot be remedied through the independent examination process.
- 2.2 Paragraphs 24-27 of the National Planning Policy Framework (NPPF) provide requirements relating to maintaining effective cooperation. Requirements include:
  - The need to collaborate with other relevant authorities to identify the relevant strategic matters which need to be addressed in plans;
  - Effective and on-going joint working to produce a positively prepared and justified strategy;
  - Joint working should help to determine whether additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere; and
  - Preparing and maintaining one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these (these should be made publicly available throughout the plan-making process to provide transparency).

- 2.3 Paragraph 35 of the NPPF relates to the tests of soundness for local plans. To be 'effective' a local plan must be based on effective joint working on cross-boundary strategic matters, as evidenced by the statement(s) of common ground.
- 2.4 Paragraphs 11, 60 and 61 require local plans to provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas as established through the statement(s) of common ground.
- 2.5 Paragraph 141 requires local planning authorities to discuss the potential for neighbouring authorities to accommodate identified need for development as demonstrated through the statement(s) of common ground before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries.
- 2.6 A summary of the relevant DtC related sections of the Planning Practice Guidance (PPG) is provided in Appendix 1.
- 2.7 The Procedure Guide for Local Plan Examinations<sup>1</sup> provides practical guidance on the procedural aspects of the examination of local plans. In relation to demonstrating compliance with the Duty to Co-operate, the Guide<sup>2</sup> suggests that:

*In order to demonstrate compliance with the duty to co-operate (section 33A of the PCPA), the most helpful approach is for the local planning authority (LPA) to submit a statement of compliance with the duty. The statement of compliance should identify any relevant strategic matters and how they have been resolved – or if they have not, why not. It should detail who the LPA has co-operated with and on which strategic matter(s), the nature and timing of the co-operation (e.g. by including meeting notes), and the outcomes of the co-operation, including how it has influenced the plan. As part of this process, NPPF paragraph 27 advises that the LPA should prepare one or more statements of common ground with relevant bodies.*

- 2.8 In May 2022 the Government published the Levelling-Up and Regeneration Bill setting out proposed reforms to the planning system. As part of the Bill the Government proposes to repeal the DtC and replace it with a 'flexible alignment test' to be set out in national policy. The details of the flexible alignment test and the timescales for its introduction are unclear at the time of writing. However, the Bill does make clear that consultation will take place on proposed changes to national planning policy, and that it is anticipated that planning procedure changes will begin to take place from 2024. The implementation of the Bill will require Royal Assent. In the meantime, the Government has expressed its desire for plans to continue to come forward. As a result, the DtC is likely to continue to apply for the foreseeable future.

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<sup>1</sup> The Procedure Guide for Local Plan Examinations, 7th Edition, Planning Inspectorate, February 2022

<sup>2</sup> See paragraph 1.15

### Sub-regional planning policy context

- 2.9 The South West Hertfordshire authorities (St Albans City and District Council, Dacorum Borough Council, Hertsmere Borough Council, Three Rivers District Council and Watford Borough Council, with the support of Hertfordshire County Council) have agreed to work together to produce the South West Hertfordshire Joint Strategic Plan (JSP). This will provide a South West Hertfordshire integrated strategic planning framework and supporting evidence base to support sustainable growth to 2050. A [Governance Structure](#) was agreed in relation to the production and progression of the JSP in 2019.
- 2.10 The JSP will be a statutory planning document, prepared under Section 28 of the Planning and Compulsory Purchase Act 2004 (as amended). The Plan will identify the overall quantum of housing and economic growth within South West Hertfordshire to be planned for to 2050 and its broad distribution across the area. The plan will identify strategic allocations and priorities, as well as the strategic infrastructure necessary to deliver the spatial strategy.
- 2.11 Each of the South West Hertfordshire authorities is in the process of updating their individual Local Plans, which currently run to between 2031 and 2038. The JSP will not affect the content of this current round of Local Plans. Rather these Local Plans will help inform the JSP by establishing the medium term planning strategy for the area. The Joint Strategic Plan will then look further ahead in a more co-ordinated way, to 2050, to help provide a longer-term framework for the area. When each authority comes to review their Local Plan again, they will be able to frame those new policies in the context of the jointly developed policies in the Joint Strategic Plan. The next round of Local Plans will also add more detail to the policies of the Joint Strategic Plan and facilitate their delivery. Working in the context of the jointly developed Joint Strategic Plan policies, these more detailed Local Plan policies will be more effective in delivering the overall policy aims for the South West Hertfordshire area.
- 2.12 In August 2021 the South West Hertfordshire authorities signed a [statement of common ground](#) (SoCG) to establish the areas of common strategic interest within which the authorities will work together to prepare the JSP, and the methodology that they will use to prepare it. The statement of common ground has been prepared to support the DtC and also sets out the project management arrangements for the JSP. The SoCG identifies the following strategic policy matters that are common across all five local planning areas which will form the scope of the JSP:

- 1: An appropriate spatial strategy for South West Hertfordshire (SWH);** distribution of growth, town centre hierarchy;
- 2: Strategic areas for growth** and the role of each;
- 3: Strategic housing need** and distribution across SWH, Local Plan requirements and provision;
- 4: Strategic and long term approach to Green Belt,** areas of Outstanding Natural Beauty (AONB) and blue and green infrastructure across SWH;



**5: Strategic employment need** across SWH, Local Plan requirements and provision, including any priorities and spatial implications of the emerging Local Industrial Strategy;

**6: Strategic transport and infrastructure priorities** across SWH to support sustainable and good growth, Local Plan requirements and provision;

**7: Climate change mitigation and energy use;**

**8: Cross-cutting themes:** including zero carbon, promoting social cohesion; healthy and inclusive growth; high quality development and design; supporting sustainable development; and

**9: Implementation and Monitoring Framework** for the above.

- 2.13 While it will be beneficial that the JSP intends to address these strategic matters, the Council will still need to consider these matters separately to determine the implications for the emerging Local Plan and associated growth strategy.

#### Local planning policy context

- 2.14 The Council is currently producing a new Local Plan which will cover the Plan period of 2020 to 2038. Upon adoption it will replace the saved policies of the District Local Plan (1994).

#### Emerging draft St Albans Local Plan

- 2.15 The Planning Policy Committee report Local Plan – Vision, Strategic Priorities and Objectives, dated 2 February 2021, sets out the draft Local Plan vision, strategic priorities and strategic objectives. The draft vision seeks ‘A thriving, inclusive and sustainable community which is a great place to live and work and has a vibrant economy’. The draft Local Plan strategic priorities and objectives presented in Appendix 2 are informed by objectives in the NPPF, the Sustainability Appraisal Scoping Report and the draft Corporate Strategy (2020), and the declaration of a Climate Emergency on July 2019 at Full Council.
- 2.16 The Council held a Call for Sites from January to March 2021, and work is underway to develop the draft Local Plan. The Council anticipates that the Draft Local Plan will be published for Regulation 18 consultation in summer 2023.

### 3. Our approach to meeting the requirements of the Duty to Cooperate

- 3.1 Based on the DtC requirements and guidance summarised above, the Council will seek to undertake the following key DtC tasks to support the production of the emerging Local Plan.

#### *Duty to Cooperate key tasks*

Type of engagement / consultation	Key DtC tasks	Stage	Period*
DtC engagement	Workshop with all DtC bodies to present the Councils approach to the DtC, and to agree potential strategic cross boundary matters	Pre Reg 18	Sept 2022
DtC engagement	Development needs correspondence	Pre Reg 18	Autumn 2022
DtC engagement	Share relevant emerging draft Local Plan material and evidence base documents with DtC bodies for informal review and comment	Pre Reg 18	Spring 2023
Formal consultation	Consultation on draft Local Plan	Reg 18	Summer 2023
DtC engagement	Meet with DtC bodies to discuss consultation comments and inform the next stage of Local Plan drafting	Post Reg 18	Autumn 2023
n/a	Produce a report summarising DtC activities to date. This information will later be included within the DtC Statement of Compliance (see below).	Post Reg 18	Winter 2023
DtC engagement	Workshop with DtC bodies to present emerging draft Local Plan, prepare bodies for engaging in the finalisation of the Plan and associated evidence base	Pre Reg 19	2024
DtC engagement	Share relevant emerging draft Local Plan material and evidence base documents with DtC bodies for informal review and comment	Pre Reg 19	2024
DtC engagement	Produce and circulate draft Reg 19 DtC Statements of Common Ground (SoCG)	Pre Reg 19	2024
DtC engagement	Meetings/correspondence with DtC bodies to discuss emerging Plan, evidence base, and draft DtC SoCG	Pre Reg 19	2024
n/a	Produce DtC Statement of Compliance (SoC)	Pre Reg 19	2024
Formal consultation	Finalise and publish draft Local Plan, DtC SoCG, and DtC SoC	Reg 19	2024
DtC engagement	Produce and circulate draft Local Plan SoCG	Post Reg 19	2024
DtC engagement	Meetings/correspondence with DtC bodies to discuss Reg 19 Local Plan comments and draft a Local Plan SoCG	Post Reg 19 / pre submission	2024/5
n/a	Produce updated DtC SoC	Post Reg 19 / pre submission	2024/5
n/a	Finalise and publish submission draft Local Plan, Local Plan SoCG, and DtC SoC	Submission	2024/5

\*Timescales to be confirmed in due course through an update to the Local Development Scheme.

#### Development needs correspondence

- 3.2 To support the identification of an appropriate growth strategy for the new Local Plan, the Council will contact all surrounding local authorities to gain an understanding of unmet development needs in the area, and to determine where necessary if any surrounding authorities would be capable of accommodating any unmet development needs from the St Albans area.
- 3.3 Contact will be made through Member level correspondence. All responses provided will be included within the DtC evidence base, which will be appended to the DtC Statement of Compliance.

#### Statements of common ground

- 3.4 The PPG recommends the publication of statements of common ground (SoCG) prior to the Regulation 19 publication of the Local Plan, in order to inform stakeholders about engagement activities which have supported the production of the Plan. SoCG will also be required to accompany the submission of the Local Plan to assist the Inspector(s) in understanding the status of strategic cross boundary matters and how they may need to be considered through the examination. The Council therefore intends to produce two types of SoCG, a DtC SoCG and a Local Plan SoCG.

#### Duty to Cooperate Statement of Common Ground

- 3.5 A DtC SoCG will be produced prior to the Regulation 19 publication of the Local Plan, which will set out the DtC activities and engagement with each DtC body which have taken place to support the production of the Plan to date, and will summarise all strategic cross boundary matters which have been considered with DtC bodies. Through the SoCG, the Council will seek agreement from each DtC body that the summary of DtC activities and engagement presented within the SoCG is accurate, and a signed DtC SoCG will be published alongside the draft Local Plan and associated evidence base for Regulation 19 publication.

#### Local Plan Statement of Common Ground

- 3.6 A Local Plan SoCG will be drafted following the Regulation 19 publication, based on comments provided by DtC bodies and the outcomes of ongoing engagement. The content of this SoCG will focus on strategic cross boundary matters and issues relating to the content of the draft Local Plan. Where possible, the Council will seek to address any issues raised through Regulation 19 Local Plan representations from DtC bodies prior to the submission and examination of the Plan.
- 3.7 The Council will seek agreement from each DtC body that the Local Plan SoCG is accurate, and a signed SoCG will be published and submitted alongside the draft Local Plan and associated evidence base.



### Production of the Duty to Cooperate Statement of Compliance

- 3.8 The Procedure Guide for Local Plan Examinations<sup>3</sup> recommends the production of a DtC Statement of Compliance (SoC), which outlines how the Council has met the requirements of the DtC through the production of the Local Plan. To assist the Council in demonstrating the engagement with DtC bodies which has taken place, the Council will publish the DtC SoC alongside the agreed DtC SoCG at the Regulation 19 publication of the draft Local Plan. This version of the DtC SoC will summarise the DtC activities and engagement which have taken place to date between the Council and relevant DtC bodies, to demonstrate how the Council has sought to meet the requirements of the DtC through the production of the Plan. The DtC SoC will summarise all strategic cross boundary matters considered during the production of the Plan, and will include evidence of all DtC activities which have taken place.
- 3.9 The collation of information for the DtC SoC will include a DtC summary report produced following the Regulation 18 Local Plan consultation and associated proposed DtC engagement in autumn 2023. In addition, the Council will be collating evidence of all DtC related engagement through the maintenance of a DtC Activities Register, which will be appended to the DtC SoC.
- 3.10 The DtC SoC will be updated following the Regulation 19 publication of the Local Plan to accompany the submission of the Plan for examination. The updated DtC SoC will include details of the engagement with DtC bodies which has taken place following the Regulation 19 publication of the Local Plan. The update will also summarise matters and issues which have been addressed since the Regulation 19 representations were submitted and any strategic cross boundary matters and issues which are continuing to be considered between relevant parties. The updated DtC SoC will include evidence of all DtC activities which have taken place since the Regulation 19 publication of the Local Plan.

## 4. Prescribed Duty to Cooperate bodies

- 4.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the following prescribed bodies relevant to St Albans to which the Duty to Cooperate applies:
- Environment Agency
  - Historic England
  - Natural England
  - The Mayor of London
  - Civil Aviation Authority
  - Homes England
  - Clinical Commissioning Group / NHS

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<sup>3</sup> The Procedure Guide for Local Plan Examinations, 7th Edition, Planning Inspectorate, February 2022



- Office of Rail and Road
- National Highways
- Hertfordshire Local Enterprise Partnership
- Hertfordshire Local Nature Partnership
- Surrounding authorities:
  - Dacorum Borough Council
  - Hertsmere Borough Council
  - Three Rivers Borough Council
  - Watford Borough Council
  - Welwyn Hatfield Borough Council
  - North Hertfordshire District Council
  - Central Bedfordshire Council
  - Luton Borough Council
  - Buckinghamshire Council
  - Hertfordshire County Council

- 4.2 The Council therefore intends to engage as proposed in section 3 above with all of the DTC bodies listed above as required.

## 5. Identification of strategic cross boundary matters

- 5.1 The Council will take a flexible approach to engagement with DTC bodies, and will seek to agree an appropriate level of engagement with each DTC body subject to the extent of identified strategic cross boundary matters which are relevant.
- 5.2 To inform our approach to engaging with DTC bodies, the Council has prepared an initial list of potential strategic cross boundary matters which are considered to be relevant to the production of the Local Plan. These are presented in Appendix 3.
- 5.3 The DTC bodies which are considered to be relevant to each of the matters listed are indicated. It is anticipated that each of the identified strategic cross boundary matters would be included within a SoCG with each DTC body where a connection is identified. The Council will seek to refine the identified strategic cross boundary matters and issues through engagement with the DTC bodies.

## 6. Duty to Cooperate progress to date

- 6.1 There has been active engagement on DTC matters since the start of the new Local Plan process. Initial engagement in relation to the production of the new Local Plan has included:

- Councillor (Portfolio Holder) level DtC meetings with surrounding authorities<sup>4</sup> and Hertfordshire County Council between January – March 2021, which included:
  - Updates on Local Plan production and associated evidence base work to be provided.
  - Discussions on potential strategic cross boundary issues to be considered.
  - Agreed future arrangements for DtC liaison.
- Consultation on the draft Local Plan Vision and Objectives between January – March 2021.
- Consultation on the draft Local Plan Sustainability Appraisal scoping report between January – March 2021.
  - Responses received from the Environment Agency, Hertfordshire and Middlesex Wildlife Trust, National Highways, and Historic England.
- Consultation on the draft Green Belt Review Methodology between April – June 2021.
  - Responses received from Central Bedfordshire Council, Dacorum BC, Hertsmere BC, and Welwyn Hatfield BC.

## 7. Governance arrangements

- 7.1 The Council will seek to agree appropriate and where necessary bespoke approaches to agreeing SoCG with each DtC body at the outset of the DtC engagement. With surrounding authorities the Councils preference would be for SoCG to be signed by an appropriate portfolio holder or leader. For other organisations we would seek SoCG to be signed by an appropriate director or equivalent.
- 7.2 Attendance at DtC meetings will be subject to the matters and issues being discussed and the stage of DtC engagement. It is likely that meetings with surrounding authorities will require Member level attendance and input at agreed stages.
- 7.3 To reduce the potential for delays in the progression of DtC engagement, the Council would encourage participating authorities to obtain delegated authority where possible to finalise the completion of DtC and Local Plan SoCG.

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<sup>4</sup> Including Hertsmere BC, Luton BC, North Hertfordshire DC, Three Rivers DC, Watford BC and Welwyn Hatfield BC.

## 8. Next Steps

- 8.1 The Council will invite all DtC bodies to a workshop in September 2022 to present the Councils approach to the DtC outlined within this Scoping Report, and to provide DtC bodies with the opportunity to comment on the identified potential strategic cross boundary matters. DtC bodies will be invited to provide further comments on the workshop materials presented, and the outputs will be used to inform the approach to DtC engagement to support the drafting of the Local Plan.
- 8.2 In late September / early October the Council will send out development needs related correspondence (see section 3 above) to all surrounding local authorities. This will request a response from all authorities which will inform the Councils approach to planning for development needs within the new Local Plan.
- 8.3 The Council will continue to develop the emerging Local Plan and associated evidence base with the intention of undertaking further DtC engagement in Spring 2023.

## 9. Appendices

**Appendix 1: Summary of Planning Practice Guidance relating to the Duty to Cooperate (July 2022)**

**Appendix 2: Emerging draft Local Plan strategic priorities and objectives**

**Appendix 3: Duty to Cooperate potential strategic cross boundary issues matrix**

**Appendix 1: Summary of Planning Practice Guidance relating to the Duty to Cooperate (July 2022)**

Planning Practice Guidance (PPG) '[Maintaining effective cooperation](#)' elaborates further on national planning policy requirements, including expectations for the statement(s) of common ground. The PPG (Paragraph: 011 Reference ID: 61-011-20190315) sets out that a statement of common ground is expected to include the following:

- a. a short written description and map showing the location and administrative areas covered by the statement, and a brief justification for these area(s);*
- b. the key strategic matters being addressed by the statement, for example meeting the housing need for the area, air quality etc.;*
- c. the plan-making authorities responsible for joint working detailed in the statement, and list of any additional signatories (including cross-referencing the matters to which each is a signatory);*
- d. governance arrangements for the cooperation process, including how the statement will be maintained and kept up to date;*
- e. if applicable, the housing requirements in any adopted and (if known) emerging strategic policies relevant to housing within the area covered by the statement;*
- f. distribution of needs in the area as agreed through the plan-making process, or the process for agreeing the distribution of need (including unmet need) across the area;*
- g. a record of where agreements have (or have not) been reached on key strategic matters, including the process for reaching agreements on these; and*
- h. any additional strategic matters to be addressed by the statement which have not already been addressed, including a brief description how the statement relates to any other statement of common ground covering all or part of the same area.*

*The level of cooperation detailed in the statement is expected to be proportionate to the matters being addressed. The statement is expected to be concise and is not intended to document every occasion that strategic policy-making authorities meet, consult with each other, or for example, contact prescribed bodies under the duty to cooperate. The statement is a means of detailing key information, providing clear signposting or links to available evidence on authorities' websites.*

The PPG (Paragraph: 012 Reference ID: 61-012-20190315) states that:

*When authorities are in a position to detail the distribution of identified needs in the defined area, the statement will be expected to set out information on:*

- a. the capacity within the strategic policy-making authority area(s) covered by the statement to meet their own identified needs;*
- b. the extent of any unmet need within the strategic policy-making authority area(s); and*
- c. agreements (or disagreements) between strategic policy-making authorities about the extent to which these unmet needs are capable of being redistributed within the wider area covered by the statement.*



## Appendices

The PPG goes on to explain (Paragraph: 015 Reference ID: 61-015-20190315) that the Council is expected to document the activities undertaken when in the process of addressing strategic cross-boundary matters. These will include:

*working together at the outset of plan-making to identify cross-boundary matters which will need addressing;*

*producing or commissioning joint research and evidence to address cross-boundary matters;*

*assessing impacts of emerging policies; and*

*preparing joint, or agreeing, strategic policies affecting more than one authority area to ensure development is coordinated, (such as the distribution of unmet needs or policies relating to county matters).*

The PPG makes clear (Paragraph: 020 Reference ID: 61-020-20190315) that statements of common ground need to be prepared and then maintained on an on-going basis through the plan making process.

*As a minimum, a statement needs to be published when the area it covers and the governance arrangements for the cooperation process have been defined, and substantive matters to be addressed are determined. If all the information required is not available (such as details of agreements on strategic matters) authorities can use the statements to identify the outstanding matters which need to be addressed, the process for reaching agreements on these and (if possible) indicate when the statement is likely to be updated.*

*Authorities should have made a statement of common ground available on their website by the time they publish their draft plan, in order to provide communities and other stakeholders with a transparent picture of how they have collaborated.*

Appendices

**Appendix 2: Emerging draft Local Plan strategic priorities and objectives**

Draft Strategic Priorities		Draft Objectives
A. Climate Change and Spatial Strategy (low carbon)	Climate change	Combatting the Climate Emergency by promoting adaptation and mitigation to climate change, including working towards net zero by 2030, promote the use of renewable resources, reduce carbon emissions, protect natural resources and reduce waste
	Sustainable use of land / Green Belt	Prioritise the effective use of land by locating new development on previously developed land first, where appropriate; and protecting and enhancing the Green Belt
B. Housing	Housing	Provide a sufficient amount of good quality housing, including social housing, which meets the needs of all sections of society in sustainable locations
C. Economy and Employment	Economy and employment	Encourage strong and resilient economic growth, employment and skills opportunities; including supporting growth in green and creative sectors; enhancing local businesses and supporting new ways of working across the district
	Town and Village Centres and retail	Support the role that the town, village and neighbourhood centres play at the heart of local communities, sustainable lifestyles and the visitor economy, by taking a positive approach to their growth, management and adaptation.
D. Infrastructure	Community Infrastructure	Support our communities by making sufficient provision for and access to community infrastructure and facilities in sustainable locations
	Transport	Encourage the use of active and sustainable means of transport and reduce the need for people to travel
	Utilities infrastructure	Ensure that essential utilities infrastructure, including broadband, is delivered to support our existing residents and services as well as growth.
E. Natural and Historic Environment	Natural environment and biodiversity	Protect, maintain enhance and connect the natural environment, including biodiversity, the landscape, green infrastructure and our waterways
	Heritage	Conserve and enhance our rich and varied historic assets and their settings, celebrating their local distinctiveness and character
F. Healthy Places and High Quality Design	High quality design	Achieve high quality, innovative, well designed and locally distinctive developments in existing and new places
	Public Health and Wellbeing	Promote active, healthy and sustainable communities, healthy homes and a high quality of life.

Appendix 3: Duty to Cooperate potential strategic cross boundary issues matrix

Potential strategic cross-boundary issues	Description / summary of issues	Duty to Cooperate bodies																							
		Dacorum BC	Hertsmere BC	Three Rivers DC	Watford BC	Welwyn Hatfield BC	North Hertfordshire DC	Central Bedfordshire Council	Hertfordshire County Council	Luton BC	Buckinghamshire Council	Mayor of London	Civil Aviation Authority	Natural England	Environment Agency	Historic England	Network Rail	National Highways	Transport for London	Homes England	NHS England	Herts Valleys CCG	Office of Rail Regulation	Hertfordshire Local Enterprise Partnership	Hertfordshire Local Nature Partnership
<b>Relationship between emerging Local Plans and the JSP</b>	Ensuring consistency and alignment in the production of emerging Local Plans alongside the production of the JSP - noting that some Local Plans may not be adopted until after the adoption of the JSP and that plan periods may differ	✓	✓	✓	✓				✓																
<b>Planning for housing needs</b>	Approach to accommodating unmet housing needs that may exist within the wider Housing Market Area.	✓	✓	✓	✓																				
<b>Planning for employment needs</b>	Further joint work is required on employment needs across South West Hertfordshire. Also, any economic links to Luton Airport should be considered.	✓	✓	✓	✓					✓														✓	
<b>Approach to retail provision</b>	Approach to meeting retail related needs in the area, and considering any impacts of proposals on retail provision in other areas.	✓	✓	✓	✓																				
<b>Planning for gypsy &amp; traveller needs</b>	Approach to accommodating unmet traveller needs	✓	✓	✓	✓				✓																
<b>Approach to Green Belt</b>	Approach to exceptional circumstances.	✓	✓	✓	✓		✓																		
<b>Mitigating the impact of development on Chiltern Beechwoods SAC</b>	12.6km zone of influence announced by Natural England where mitigation for new residential development will be required with either SANGs or SAMMs.	✓		✓				✓		✓															
<b>Primary and secondary school provision</b>	Need for secondary school provision arising from new development. The 2018/2019 IDP identified a need for new secondary and primary school(s).	✓	✓	✓	✓				✓																
<b>Planning for transport infrastructure</b>	Plans for a Hertfordshire Essex Rapid Transit (HERT) which will run between Hemel Hempstead and West Watford along the A414 corridor. It will also be necessary to consider the potential impacts of growth on traffic congestion on the highway network, including the M1 and M25.	✓	✓	✓	✓			✓	✓	✓							✓		✓				✓		

Appendices

Potential strategic cross-boundary issues	Description / summary of issues	Duty to Cooperate bodies																							
		Dacorum BC	Hertsmere BC	Three Rivers DC	Watford BC	Welwyn Hatfield BC	North Hertfordshire DC	Central Bedfordshire Council	Hertfordshire County Council	Luton BC	Buckinghamshire Council	Mayor of London	Civil Aviation Authority	Natural England	Environment Agency	Historic England	Network Rail	National Highways	Transport for London	Homes England	NHS England	Herts Valleys CCG	Office of Rail Regulation	Hertfordshire Local Enterprise Partnership	Hertfordshire Local Nature Partnership
Strategic Rail Freight Interchange	Plans for a Strategic Rail Freight Interchange at the former Radlett Aerodrome site on Green Belt land, and potential alternative locations.	✓	✓	✓	✓			✓								✓									
Luton Airport and other Airport /airspace impacts		✓					✓	✓	✓																
Hemel Garden Communities (HGC)	Joint bid for HGC approved March 2019 for official garden town status and funding. Aims to deliver up to 11,000 homes and 10,000 jobs, subject to the Local Plan process. Approach to housing, employment and infrastructure delivery.	✓						✓												✓			✓		
Strategic impacts of planned growth	The impacts of the proposed growth strategy will be assessed to determine any strategic and cross boundary issues.	✓	✓	✓	✓	✓	✓	✓	✓																
Strategic infrastructure requirements of planned growth	The infrastructure requirements of the proposed growth strategy will be assessed to determine any strategic and cross boundary issues.	✓	✓	✓	✓	✓	✓	✓	✓																
Other cross-boundary growth locations	Subject to the outcome of the site selection and plan-making process, it may prove necessary to consider the approach to the planning and delivery of any other growth (outside of Hemel Garden Communities) located cross-boundary or adjacent to neighbouring local authorities	✓	✓			✓		✓																	
Green and blue infrastructure	Approach to the provision of green and blue infrastructure, and consideration of county-wide strategy							✓																	
Water and wastewater capacity	Consideration of the supply of water and the wastewater capacity to accommodate the future needs of development				✓																				
Household waste recycling facilities	Arrangements for future facilities linked to growth across the county and potentially to service future growth of Hemel Hempstead	✓	✓					✓																	
Climate change Infrastructure provision Affordable housing	Potential issues to be identified through the production of the draft Local Plan	Potential associated DtC bodies to be determined through the production of the draft Local Plan																							



## Appendix C – September 2022 Workshop Notes

### St Albans City and District Local Plan

### Duty to Cooperate Workshop

11am, Tuesday 6<sup>th</sup> September, MS Teams meeting

#### Attendance

Organisations in attendance:

Name	Organisation
Chris Briggs (CB)	St Albans City and District Council
James Gummery	St Albans City and District Council
Phil Dodshon (PD)	St Albans City and District Council
Tim Parton	DAC Planning (St Albans City and District Council)
Janice Burgess	National Highways
Jennifer Searl	National Highways
Kelly Milburn	National Highways
Nigel Gorski	Jacobs, National Highways
Debbie Coates	North Herts District Council
Henry Thomas	North Herts District Council
Gianluca Guerriero	Central Bedfordshire Council
Lynsey Hillman-Gamble	Central Bedfordshire Council
Laura Wood	Lead for Joint Strategic Plan (JSP)
Mark Silverman	Hertsmere Borough Council
Marko Kalik	Three Rivers District Council
Momina Ahmed	Three Rivers District Council
Andrew Marsh	Historic England
Martin Ross	Hertsmere Borough Council
Matthew Wilson	Welwyn Hatfield Borough Council (WHBC)
Adam Wood	Hertfordshire Local Enterprise Partnership
Kai Mitchell	Environment Agency (EA)
Rosie Brake	Buckinghamshire Council
Jack Green	Watford Borough Council
Tom Sharp	Watford Borough Council

Invited organisations not in attendance:

Dacorum Borough Council, Luton Borough Council, Network Rail, Civil Aviation Authority, Natural England, NHS, Hertfordshire Local Nature Partnership, Mayor of London

#### Meeting agenda

1. Welcome and introductions
2. Production of the new Local Plan
3. Proposed approach to meeting the requirements of the Duty to Cooperate
4. Site Selection Methodology
5. Settlement Hierarchy Study
6. Sustainability Appraisal
7. Questions / AOB / Next Steps

## Presentation (Chris Briggs, St Albans)

### 2. Production of a new Local Plan:

- Background information provided on the progression of the Plan to date, including the outcomes of the previously withdrawn 2020 Local Plan.
- Summary of the vision and objectives of the new Local Plan.
- Summary of housing needs for the area.
- Summary of how the Council will be developing the spatial strategy for the new Local Plan.
- Summary of the evidence base being developed to support the new Local Plan.
- Key tasks and next steps for progressing the Local Plan, and proposed updates to the Local Plan production timetable.

#### *Questions / comments*

No comments or questions provided from attendees on the proposed approach to progressing the new Local Plan.

### 3. Proposed approach to meeting the requirements of the Duty to Cooperate

- Summary of approach to cross-boundary work currently ongoing.
- Summary of Duty to Cooperate (DtC) activities undertaken to date.
- Proposed next steps for DtC activities.
  - Consideration of likely strategic and cross boundary issues, such as logistics development, residential development, infrastructure etc.
- Presented the Councils understanding of the relevant prescribed DtC bodies relevant for the St Albans Local Plan.
- Strategic cross boundary matters presented.
  - Initial assessment matrix of cross boundary matters presented to demonstrate the Councils views and understanding of strategic cross boundary matters at this time.
- Encouraged comments from workshop participants on the 'Approach to meeting the Duty to Cooperate Scoping Report' (July 2022) circulated with the workshop invitation.

#### *Questions / comments*

Mark Silverman – Regarding the political structure, how does the new committee system at St Albans Council affect the progression of the Plan?

- CB - Cllr White is in effect the equivalent of a portfolio holder for decision making. Policy Committee makes decisions regarding the progression of the Plan.

Marko Kalik – Slide should state Three Rivers District Council, not Borough Council.

- CB – Noted, this will be amended in our material.

Laura Wood – Guidance on relevant DtC bodies which the SWH JSP received advised that the Marine Management Organisation (MMO) and the Coal Authority should be consulted for completeness. The Coal Authority then asked to be taken off the mailing list.

- CB – Noted.

Janice Burgess:

- Would like to see National Highways considered within Traveller needs discussions. National Highways have concerns regarding the location of Traveller sites near their network.

- National Highways would like to be included in work related to the strategic rail freight interchange (SRFI) relevant to them.
- Interested in what the Plan will say on the provision for HGVs? Responses from National Highways will refer to this issue.
  - CB – The production of the Plan is not yet progressed sufficiently to know how this issue will be presented in the Plan. Understand that this is a wider and live issue, and welcome any comments National Highways may have throughout the Local Plan production process.

Matthew Wilson

- The approach to Green Belt (GB) could be something which WHBC may be interested in.

Adam Wood

- The LEP would be interested in planning for transport and employment needs associated with the Hemel Garden Communities.

Andrew Marsh:

- Clarification sought on whether it is the main bodies or just prescribed bodies presented by the Council.
  - CB – The Council will double check the wording which should be used. May refer to ‘key’ bodies.
- Historic England have been participating in habitat mitigation and GB work in other areas. They would like to participate in these topics for St Albans given its setting as a historic town.
- Will Hertfordshire minerals and waste be considered through the production of the Plan?
  - CB – Yes, working with the County Council.

Tom Sharp

- Watford Council share green and blue infrastructure related issues with St Albans, including nature recovery strategies and Colne Valley.
  - CB – Have taken a high level view on this so far, and happy to have other organisations included.

Kai Mitchell

- EA are not linked to any matters in the matrix. Would recommend including the EA in strategic and cross boundary matters relating to water and waste water, and green and blue infrastructure.

#### 4. Site Selection Methodology

- Summary of the site selection methodology.
- Summary of extent of sites being considered in the area.
- Encouraged comments from workshop participants on the ‘Draft Site Selection Methodology (July 2022) circulated with the workshop invitation. Comments were invited during and after the workshop.

#### *Questions / comments*

Tom Sharp

- Where there are sustainable locations in St Albans District which have not been put forward, will the Council be proactive in contacting landowners.
  - CB – Most potentially sustainable sites known to the Council have come forward.

- PD – The Council is currently contacting landowners in urban areas which could form part of the consideration of sites for the Local Plan.

## 5. Settlement Hierarchy Study

- Summary of the approach being undertaken to produce the Study.
- Presented how this will consider areas close to the District boundaries.

### *Questions / comments*

No comments or questions on the proposed approach to the Settlement Hierarchy Study.

## 6. Sustainability Appraisal

- Summary of the approach that is being undertaken by AECOM, and the work which has been undertaken to date.

### *Questions / comments*

No comments or questions on the proposed approach to progressing the Sustainability Appraisal.

## 7. Questions / AOB / Next Steps

- Any comments on the material provided in advance of, and presented during the workshop, to be sent to Chris Briggs, Spatial Planning Manager, [christopher.briggs@stalbans.gov.uk](mailto:christopher.briggs@stalbans.gov.uk)
- Please provide all comments by the end of September 2022.
- No comments provided will be assumed to be support for the matrix as currently drafted – for this early stage in the process.

### *Questions / comments*

Matthew Wilson

- How will the St Albans Local Plan align with the SWH Joint Strategic Plan (JSP).
  - CB – The Council will seek to make sure that the drafting of the Plan can acknowledge the direction of travel coming out of the JSP. It is recognised that there will be a cross over with the JSP, and that this will inform the back end of the Plan.
  - Laura Wood – The JSP will not be seeking to second guess what will be in the St Albans Local Plan. The JSP should inform the next round of local plans produced in the future. At this stage, the JSP is not sufficiently progressed to inform the drafting of the Local Plan.

Tom Sharp

- How will the comments received be used and shared / distributed to the wider group in attendance today?
  - CB – The Council will make a note of the meeting, and this will be included in the DtC evidence base. We are likely to share the note of the meeting and the responses received on the material to the wider group.

Janice Burgess

- National Highways have two regional authorities for the area - East of England and South East England. They will be coming together to support the progression of the Plan.

- National Highways are supportive of the proposed approach to meeting the requirements of the DtC and producing a statement of common ground (SoCG).
- National Highways would like to work more closely with the Council on the provision of highways infrastructure to support the emerging Local Plan growth strategy.

Nigel Gorski

- National Highways look at issues regarding the location of sites. They would seek to locate sites away from junctions which could require improvements to strategic road network (SRN) junctions. Will need to consider the viability of sites near SRN junctions, where improvement / mitigation can be significantly more expensive.
- CB – acknowledged the point. There is also a need to achieve a balance between the County Council and National Highways.

CB - Thanked everyone and said we still welcome additional thoughts.

## Appendix D – Example of Post-Workshop DtC Letter



STRATEGY, POLICY & TRANSFORMATION  
DALE PHILLIPSON  
STRATEGIC DIRECTOR  
DEPUTY CHIEF EXECUTIVE

My Ref:  
Please ask for: Spatial Planning  
Telephone: 01727 866100  
E-mail: [planning\\_policy@stalbans.gov.uk](mailto:planning_policy@stalbans.gov.uk)

Date: 4 November 2022



Dear Alex,

### St Albans Local Plan – Duty to Cooperate

I wrote to you previously in my letter of 21 July with regard to attending our Duty to Cooperate workshop on 6th September at which we presented the Council's approach to the DtC and discussed strategic cross boundary matters.

Whilst you were unable to attend, please review the attached notes from the event.

Following the workshop we received some further comments that we have used to inform our Duty to Cooperate process. Based on the feedback received we have updated the Scoping Report Approach, in particular the Strategic Cross Boundary Issues Matrix. Those elements that have been added are highlighted. As raised in the meeting, we intend to take the Matrix as agreed for now, and will look to update at Reg 18, at Reg 19, and at submission, with a Statement of Common Ground where appropriate as well at submission.

Whilst work on our new Local Plan is at a relatively early stage, there are already key themes on which we seek a response from neighbouring planning authorities. In particular we seek to address the Duty to Cooperate matters raised by the Inspectors of St Alban's withdrawn plan in their letter of 1 September 2020.

Experience from our withdrawn Plan, and the work already undertaken for our new Local Plan, clearly indicates that to meet the growth needs of the District (based primarily upon the Government's 'Standard Method' for housing need and the levels of infrastructure that flow from that) will mean identifying sites within St Alban's Green Belt. Paragraph 141 of the National Planning Policy Framework states that '*before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development*'. The NPPF goes on to say that a planning authority's strategy must be '*informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development*'.

We are now asking if your Borough could reasonably provide any suitable sites regarding St Albans need for the following:

- Housing need
- A Strategic Rail Freight Interchange (SRFI)



- Employment uses
- Education needs
- Other community infrastructure needed to support growth
- Gypsy and Traveller Accommodation needs

We note that you previously wrote to us on 6 May 2020 regarding [REDACTED] potential development needs.

We would be very grateful if you could respond to our request by Friday 9 December 2022.

If you have any queries relating to the above request, please do not hesitate to contact me.

Yours sincerely,

|

Chris Briggs  
Spatial Planning Manager  
Strategy, Policy & Transformation

## Appendix E – Updated Matrix Issue Following September 2022 Workshop

### Duty to Cooperate potential strategic cross boundary issues matrix

Potential strategic cross-boundary issues	Description / summary of issues	Duty to Cooperate bodies																							
		Dacorum BC	Hertsmere BC	Three Rivers DC	Watford BC	Welwyn Hatfield BC	North Hertfordshire DC	Central Bedfordshire Council	Hertfordshire County Council	Luton BC	Buckinghamshire Council	Mayor of London	Civil Aviation Authority	Natural England	Environment Agency	Historic England	Network Rail	National Highways	Transport for London	Homes England	NHS England	Herts Valleys CCG	Office of Rail Regulation	Hertfordshire Local Enterprise Partnership	Hertfordshire Local Nature Partnership
<b>Relationship between emerging Local Plans and the JSP</b>	Ensuring consistency and alignment in the production of emerging Local Plans alongside the production of the JSP - noting that some Local Plans may not be adopted until after the adoption of the JSP and that plan periods may differ	✓	✓	✓	✓				✓																
<b>Planning for housing needs</b>	Approach to accommodating unmet housing needs that may exist within the wider Housing Market Area.	✓	✓	✓	✓																				
<b>Planning for employment needs</b>	Further joint work is required on employment needs across South West Hertfordshire. Also, any economic links to Luton Airport should be considered.	✓	✓	✓	✓					✓														✓	
<b>Approach to retail provision</b>	Approach to meeting retail related needs in the area, and considering any impacts of proposals on retail provision in other areas.	✓	✓	✓	✓																				
<b>Planning for gypsy &amp; traveller needs</b>	Approach to accommodating unmet traveller needs	✓	✓	✓	✓				✓									✓							
<b>Approach to Green Belt</b>	Approach to exceptional circumstances.	✓	✓	✓	✓	✓	✓									✓									
<b>Mitigating the impact of development on Chiltern Beechwoods SAC</b>	12.6km zone of influence announced by Natural England where mitigation for new residential development will be required with either SANGs or SAMMs.	✓		✓																					
<b>Primary and secondary school provision</b>	Need for secondary school provision arising from new development. The 2018/2019 IDP identified a need for new secondary and primary school(s).	✓	✓	✓	✓					✓															
<b>Planning for transport infrastructure</b>	Plans for a Hertfordshire Essex Rapid Transit (HERT) which will run between Hemel Hempstead and West Watford along the A414 corridor. It will also be necessary to consider the potential impacts of growth on traffic congestion on the highway network, including the M1 and M25.	✓	✓	✓	✓				✓	✓								✓		✓				✓	



Potential strategic cross-boundary issues	Description / summary of issues	Duty to Cooperate bodies																							
		Dacorum BC	Hertsmere BC	Three Rivers DC	Watford BC	Welwyn Hatfield BC	North Hertfordshire DC	Central Bedfordshire Council	Hertfordshire County Council	Luton BC	Buckinghamshire Council	Mayor of London	Civil Aviation Authority	Natural England	Environment Agency	Historic England	Network Rail	National Highways	Transport for London	Homes England	NHS England	Herts Valleys CCG	Office of Rail Regulation	Hertfordshire Local Enterprise Partnership	Hertfordshire Local Nature Partnership
<b>Strategic Rail Freight Interchange</b>	Plans for a Strategic Rail Freight Interchange at the former Radlett Aerodrome site on Green Belt land, and potential alternative locations.	✓	✓	✓	✓				✓								✓	✓							
<b>Luton Airport and other Airport/airspace impacts</b>		✓					✓	✓		✓															
<b>Hemel Garden Communities</b>	Joint bid for Hemel Garden Communities approved in March 2019 for official garden town status and funding. Aims to deliver up to 11,000 homes and 10,000 jobs, subject to the Local Plan process. Approach to housing, employment and infrastructure delivery.	✓							✓											✓				✓	
<b>Strategic impacts of planned growth</b>	The impacts of the proposed growth strategy will be assessed to determine any strategic and cross boundary issues.	✓	✓	✓	✓	✓	✓	✓		✓															
<b>Strategic infrastructure requirements of planned growth</b>	The infrastructure requirements of the proposed growth strategy will be assessed to determine any strategic and cross boundary issues.	✓	✓	✓	✓	✓	✓	✓		✓															
<b>Other cross-boundary growth locations</b>	Subject to the outcome of the site selection and plan-making process, it may prove necessary to consider the approach to the planning and delivery of any other growth (outside of Hemel Garden Communities) located cross-boundary or adjacent to neighbouring local authorities	✓	✓			✓		✓																	
<b>Green and blue infrastructure</b>	Approach to the provision of green and blue infrastructure, and consideration of county-wide strategy				✓				✓								✓								
<b>Water and wastewater capacity</b>	Consideration of the supply of water and the wastewater capacity to accommodate the future needs of development				✓												✓								
<b>Household waste recycling facilities</b>	Arrangements for future facilities linked to growth across the county and potentially to service future growth of Hemel Hempstead	✓	✓						✓																
<b>Minerals</b>	Existing and potential future mineral extraction – primarily sand and gravel	✓				✓			✓																

Potential strategic cross-boundary issues	Description / summary of issues	Duty to Cooperate bodies																					
		Dacorum BC	Hertsmere BC	Three Rivers DC	Watford BC	Welwyn Hatfield BC	North Hertfordshire DC	Central Bedfordshire Council	Hertfordshire County Council	Luton BC	Buckinghamshire Council	Mayor of London	Civil Aviation Authority	Natural England	Environment Agency	Historic England	Network Rail	National Highways	Transport for London	Homes England	NHS England	Herts Valleys CCG	Office of Rail Regulation
Climate change	Potential issues to be identified through the production of the draft Local Plan	Potential associated DTC bodies to be determined through the production of the draft Local Plan																					
Infrastructure provision																							
Affordable housing																							

## Appendix F - Example of DtC Meeting Notes 2023



### Duty to Cooperate meeting between St Albans DC and North Herts DC

**VENUE: Via MS Teams**

**DATE: 6 September 2023 @ 11.15**

#### AGENDA

1. Introductions  
SADC – Cllr White, Chris Briggs (CB)  
NHDC – Cllr Brown, Debbie Coates (DC), Henry Thomas (HT)
2. Update on St Albans Local Plan
  - a. Timetable for new Local Plan  
CB – Outlined SADC’s current LDS and its timescales – Reg 19 summer 2024, submission by end of 2024 and adoption by end of 2025
  - b. SADC current Local Plan Reg 18 consultation  
CB – Current SADC LP Reg 18 is essentially a full draft Local Plan with full draft Policies and a full set of draft allocations  
CB – LP approach to Housing - meeting Government’s Standard Method in full – which is circa 900 homes per annum and circa 15,000+ homes over the Plan period to 2041  
CB – the approach to housing in the urban areas is to ‘leave no stone unturned’ – but only amounts to circa 5,000 of the 15,000  
CB - A further circa 5,000 homes directly from the Green Belt Review  
CB - A further circa 5,000 homes from sites which acknowledge further Green Belt harm, but provide significant Economic, Social and Environmental advantages  
Cllr Brown/DC – query about where the Green Belt sites are  
CB – largest is Hemel Garden Communities, then urban extensions mostly to the larger existing settlements including St Albans and Harpenden, with some at smaller settlements  
CB - LP approach to Employment – meeting SADC need and because of two large sites – the Government permitted Strategic Rail Freight Interchange (SRFI) and East Hemel Central  
Cllr Brown – query about SRFI – CB – confirm SADC understanding is the all the land necessary for its delivery has been sold to the developer and the permission has been partly implemented

- c. Evidence base update
  - CB – SADC are doing further work on Gypsy & Traveller need and provision – will likely need significantly more allocations by time of Reg 19
  - DC – looking to update G&T work - potential for discussion about consultancies and how best to carry out this work– CB – happy to give details for consultants and discuss this with NHDC officers

### 3. Update on North Herts Local Plan

- a. Local Plan update
  - CB – congratulations on NHDC Plan adoption
  - DC – taking a paper to look at a full LP review after elections in 2024
  - DC – in meantime – SPDs – Sustainability, Biodiversity, Design Code work
  - DC – starting off looking at meeting Standard Method for housing needs going forward in new LP full review
  - Cllr Brown – some of the adopted LP strategic sites starting to come through Masterplanning and into planning applications
  - Cllr Brown – Baldock site is the biggest – HCC owned and HCC have appointed Urban and Civic
- b. Evidence base update  
(Covered above)

### 4. Potential Strategic Cross Boundary Issues, inc.

- a) SADC DtC officer workshop 6 September 2022 and SADC letter 4 November 2022
  - CB – thanks for previous attendance at the workshop. SADC assumed no response from NHDC meant no capacity to provide for SADC needs – DC – correct, no capacity to assist from NHDC.
  - CB - will write formally again on potential unmet need after this meeting
- b) SADC Updated Local Plan Reg 18 version of the DtC Matrix
  - CB – briefly outlined the matrix and hope NHDC agree it is a reasonable reflection of the relevant issues
  - Cllr Brown/DC – Yes - SADC DtC Matrix supported and in line with expectations – fewer cross-boundary matters than with South West Herts Councils
- c) Potential unmet needs from St Albans DC
  - CB – asked if any capacity to provide for SADC potential unmet needs
  - DC – no, as before
- d) Potential sites near LPA boundaries
  - CB – briefly outlined in SADC draft LP the relatively small Gustard Wood site allocation and that Gustard Wood is intended to stay as a washed over Green Belt village; previously there had been discussions

with NHDC about their approach to potentially excluding the NHDC part of Gustard Wood from the Green Belt through their new Local Plan. SADC don't think there should be any concerns about the approach to the allocation or the 'washed over' Green Belt notation for the village within SADC, but wanted to draw it to the attention of NHDC DC – will look at the SADC allocation and check the history and end result of the NHDC approach to Gustard Wood and the Green Belt and will get back to us as appropriate – but initially agree both aspects are unlikely to be a significant issue

5. Arrangements for future DtC working and SOCG

a) Timetable for producing

CB – Aim to have an updated draft DtC Matrix and a draft SoCG by time of Reg 19 in 2024 and to get a signed SoCG by time of LP submission end of 2024 – DC – support this approach

6. A.O.B and Date of Next Meeting

CB – intention for next Cllr DtC meeting alongside SADC LP Reg 19 in September 2024

Cllr Brown/DC – support this timing

CB – SADC will draft Notes and send draft Notes, DtC Matrix and new 'unmet needs' letter altogether after SADC LP consultation finishes

## Appendix G - Example of Post-Regulation 18 DtC Letter



COMMUNITY & PLACE DELIVERY  
CHRISTINE TRAILL  
STRATEGIC DIRECTOR

My Ref:  
Please ask for: Spatial Planning  
Telephone: 01727 866100  
E-mail: [planning.policy@stalbans.gov.uk](mailto:planning.policy@stalbans.gov.uk)

Date: 24 October 2023



Dear Jack,

### St Albans Local Plan – Duty to Cooperate

I wrote to you on 4 November 2022 regarding the St Albans Local Plan and the Duty to Cooperate and you responded on 20 January 2023. In essence, that letter of 4 November 2022 asked if [REDACTED] Borough Council could assist St Albans Council in meeting potential unmet needs outside of the Green Belt. In essence, your response of 19 May 2023 was that [REDACTED] Council could not meet St Albans Council's needs.

As discussed at our Councillor Duty to Cooperate meeting on 6 September 2023, we are now writing to you again. As before, in particular we seek to address the Duty to Cooperate matters raised by the Inspectors of St Alban's withdrawn plan in their letter of 1 September 2020.

Experience from our withdrawn Plan, and the work undertaken for our new Local Plan, clearly indicates that to meet the growth needs of the District (based primarily upon the Government's 'Standard Method' for housing need and the levels of infrastructure that flow from that) will mean identifying sites within St Alban's Green Belt. Paragraph 141 of the National Planning Policy Framework states that '*before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development*'. The NPPF goes on to say that a planning authority's strategy must be '*informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development*'.

We are now asking if your Borough could reasonably provide any suitable sites regarding St Albans need for the following:

- Housing need
- A Strategic Rail Freight Interchange (SRFI)
- Employment uses
- Education needs
- Other community infrastructure needed to support growth
- Gypsy and Traveller Accommodation needs

We would be very grateful if you could respond to our request by Friday 22 December 2023. If you have any queries relating to the above request, please do not hesitate to contact me.

Yours sincerely,

Chris Briggs  
Spatial Planning Manager  
Community & Place Delivery



## Appendix H - Example of DtC Meeting Notes 2024



### Duty to Cooperate meeting between St Albans DC and Hertsmere BC

**VENUE: Via MS Teams**

**DATE: 1 November 2024 @ 12.00**

### Meeting Notes

#### 7. Introductions

SADC – Cllr De Kort, Chris Traill, Chris Briggs, James Gummery  
HBC – Cllr Oakley, George Pavey, Mark Pengelly

#### 8. Update on St Albans Local Plan

##### d. Timetable for new Local Plan

CB – outlined LP Regulation 19 Publication now live from 26 Sep until 8 Nov; aiming to Submit 29 November

##### e. SADC current Local Plan Reg 19 Publication

CB – LP content largely similar to Regulation 18 Consultation version in 2023 – same Broad Locations but capacities for some updated; policies largely similar but updated

CB – outlined also had Local Plan Reg 19 documents available in Radlett library as agreed with HBC officers

CB - responding to a request met recently with a local Radlett HBC councillor and representatives of the '5 roads' group in recently to clarify what is and is not proposed

Cllr Oakley – raised transport concerns in relation to B8 Harper Lane

CB – Key development requirement for B8 Harper Lane include significant improvements necessary for walking, cycling and bus provision into Radlett

##### f. NPPF paragraph 146 - *Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries<sup>1</sup>*

CB – as in previous DtC discussions, outlined SADC have limited non-Green Belt capacity so the draft LP allocates circa 10,000 houses and

other uses in the Green Belt – can HBC assist SADC so SADC will not need to use Green Belt?

Cllr Oakley – as HBC have set out before in DtC discussions, there is no HBC capacity to meet SADC needs

Cllr Oakley / GP – do SADC have any capacity to help HBC meet its needs without using Green Belt land? – CB – currently SADC no capacity to help HBC meet its needs

g. Statement of Common Ground inc. updated DtC Matrix

CB – outlined the SoCG and DtC Matrix

Cllr Oakley / GP – HBC has no issues with the SoCG

CB – return by 20 Nov would be helpful so SADC can Submit with the Plan on 29 November

9. Update on Hertsmere Local Plan

c. Timetable for new Local Plan

Cllr Oakley – HBC behind SADC regarding Local Plan timetable – officers working towards Reg 19; new draft NPPF impacting timescales for HBC Local Plan; have written to the Minister about transition arrangements; will make a decision on Local Plan timetable once Minister has replied and NPPF update finalised.

d. HBC draft Local Plan

As above.

10. A.O.B and Date of Next Meeting

All – agreed no need to schedule another meeting at this time.

*<sup>1</sup> NPPF paragraph 146 - Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy... has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.*



**Appendix I – DtC Matrix Sent Out During Regulation 19 Stage**

Duty to Cooperate potential strategic cross boundary issues matrix

Potential strategic cross-boundary issues	Description / summary of issues	Duty to Cooperate bodies																							
		Dacorum BC	Hertsmere BC	Three Rivers DC	Watford BC	Welwyn Hatfield BC	North Hertfordshire DC	Central Bedfordshire Council	Hertfordshire County Council	Luton BC	Buckinghamshire Council	Mayor of London	Civil Aviation Authority	Natural England	Environment Agency	Historic England	Network Rail	National Highways	Transport for London	Homes England	NHS England	Herts Valleys CCG	Office of Rail Regulation	Hertfordshire Local Enterprise Partnership	Hertfordshire Local Nature Partnership
<b>Relationship between emerging Local Plans and the JSP</b>	Ensuring consistency and alignment in the production of emerging Local Plans alongside the production of the JSP - noting that some Local Plans may not be adopted until after the adoption of the JSP and that plan periods may differ	✓	✓	✓	✓				✓																
<b>Planning for housing needs</b>	Approach to accommodating unmet housing needs that may exist within the wider Housing Market Area.	✓	✓	✓	✓					✓															
<b>Planning for employment needs</b>	Joint work has been undertaken on employment needs across South West Hertfordshire.	✓	✓	✓	✓					✓														✓	
<b>Approach to retail provision</b>	Approach to meeting retail related needs in the area, and considering any impacts of proposals on retail provision in other areas.	✓	✓	✓	✓																				
<b>Planning for gypsy &amp; traveller needs</b>	Approach to accommodating unmet traveller needs	✓	✓	✓	✓				✓									✓							
<b>Approach to Green Belt</b>	Approach to exceptional circumstances.	✓	✓	✓	✓	✓	✓									✓									
<b>Mitigating the impact of development on Chiltern Beechwoods SAC</b>	12.6km zone of influence announced by Natural England where mitigation for new residential development will be required with SANGs and SAMMs.	✓						✓			✓			✓											
<b>Primary and secondary school provision</b>	Need for secondary school provision arising from new development. The 2018/2019 IDP identified a need for new secondary and primary school(s).	✓	✓	✓	✓				✓																
<b>Planning for transport infrastructure</b>	Plans for a Hertfordshire Essex Rapid Transit (HERT) which will run between Hemel Hempstead and West Watford along the A414 corridor. It will also be necessary to consider the potential impacts of growth on traffic congestion on the highway network, including the	✓	✓	✓	✓			✓	✓	✓								✓		✓				✓	

Potential strategic cross-boundary issues	Description / summary of issues	Duty to Cooperate bodies																							
		Dacorum BC	Hertsmeire BC	Three Rivers DC	Watford BC	Welwyn Hatfield BC	North Hertfordshire DC	Central Bedfordshire Council	Hertfordshire County Council	Luton BC	Buckinghamshire Council	Mayor of London	Civil Aviation Authority	Natural England	Environment Agency	Historic England	Network Rail	National Highways	Transport for London	Homes England	NHS England	Herts Valleys CCG	Office of Rail Regulation	Hertfordshire Local Enterprise Partnership	Hertfordshire Local Nature Partnership
	M1 and M25.																								
<b>Strategic Rail Freight Interchange</b>	Plans for a Strategic Rail Freight Interchange at the former Radlett Aerodrome site on Green Belt land, and potential alternative locations.	✓	✓	✓	✓				✓								✓	✓							
<b>Luton Airport and other Airport/airspace impacts</b>	Impacts from flights – eg noise and air quality – and from access – eg road and rail network impacts.	✓						✓	✓		✓			✓											
<b>Hemel Garden Communities</b>	Joint bid for Hemel Garden Communities approved in March 2019 for official garden town status and funding. Aims to deliver up to 11,000 homes and 10,000 jobs, subject to the Local Plan process. Approach to housing, employment and infrastructure delivery.	✓								✓				✓							✓			✓	
<b>Strategic impacts of planned growth</b>	The Local Plan growth strategy primarily impacts DBC through the joint SADC DBC approach to Hemel Garden Communities, but there are also more limited cross-boundary strategic matters with other authorities.	✓	✓	✓	✓	✓	✓	✓			✓														
<b>Strategic infrastructure requirements of planned growth</b>	The Local Plan infrastructure requirements of planned growth primarily impacts DBC through the joint SADC DBC approach to Hemel Garden Communities, but there are also more limited cross-boundary strategic matters with other authorities.	✓	✓	✓	✓	✓	✓	✓			✓														
<b>Other cross-boundary growth locations</b>	Consider the approach to the planning and delivery of any other growth (outside of Hemel Garden Communities) located cross-boundary or adjacent to neighbouring local authorities		✓						✓																
<b>Green and blue infrastructure</b>	Approach to the provision of green and blue infrastructure, and consideration of county-wide strategy	✓			✓				✓					✓	✓										
<b>Water and wastewater capacity</b>	Consideration of the supply of water and the wastewater capacity to accommodate the future needs of	✓			✓										✓										

Potential strategic cross-boundary issues	Description / summary of issues	Duty to Cooperate bodies																							
		Dacorum BC	Hertsmere BC	Three Rivers DC	Watford BC	Welwyn Hatfield BC	North Hertfordshire DC	Central Bedfordshire Council	Hertfordshire County Council	Luton BC	Buckinghamshire Council	Mayor of London	Civil Aviation Authority	Natural England	Environment Agency	Historic England	Network Rail	National Highways	Transport for London	Homes England	NHS England	Herts Valleys CCG	Office of Rail Regulation	Hertfordshire Local Enterprise Partnership	Hertfordshire Local Nature Partnership
	development																								
<b>Household waste recycling facilities</b>	Arrangements for future facilities linked to growth across the county and potentially to service future growth of Hemel Hempstead	✓	✓						✓																
<b>Minerals</b>	Existing and potential future mineral extraction – primarily sand and gravel	✓				✓			✓																
<b>Chilterns National Landscape</b>	Consideration of the Chilterns National Landscape in its current boundary and from its potential extension, including into St Albans City & District.	✓											✓												
<b>Climate change</b>	Potential issues to be identified through the production of the draft Local Plan	Potential associated DtC bodies to be determined through the production of the draft Local Plan																							
<b>Infrastructure provision</b>																									
<b>Affordable housing</b>																									

# Statement of Common Ground – St Albans District Council with Watford Borough Council

The National Planning Policy Framework (NPPF) sets out that strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these.

This Statement of Common Ground (SoCG) sets out the strategic geography and strategic matters as agreed between St Albans City and District Council (SADC) and Watford Borough Council (WBC).

This SoCG is based on a template produced by the Planning Advisory Service and takes into account relevant sections of the NPPF, NPPG, Planning & Compulsory Purchase Act 2004 (as amended) and the Localism Act 2011.

## Context

SADC and WBC have worked collaboratively over a long period of time reflecting the cross boundary matters that exist as well as general good practice to best consider local and strategic issues. Engagement has included a programme of discussions that includes different levels of the organisation seeking to achieve the best outcomes for each authority and the wider area.

The programme of engagement for the Duty to Co-operate has included specific 'Duty-to Co-operate' meetings alongside other meetings to discuss cross-boundary matters that are not necessarily under the title of 'Duty to Cooperate'. These meetings have also been supplemented by more informal meetings between the two authorities. Additionally, cross boundary matters have regularly been discussed and actioned through jointly commissioned evidence bases that have considered local and strategic issues including housing, employment, retail and leisure and flooding.

Other cross boundary matters include those under the remit of Hertfordshire County Council such as transport and education and both SADC and WBC have a good working relationship with HCC to address these strategic matters.

## Introduction

This statement is provided without prejudice to other matters of detail that parties may wish to raise during the Examination.

## Duty To Cooperate

SADC has continuously engaged with WBC through the evolution of the draft Local Plan 2041. The parties agree that SADC has discharged its Duty to Cooperate for the Local Plan 2041.

<b>1. List of parties involved</b>	St Albans City and District Council (SADC) Watford Borough Council (WBC)
<b>2. Signatories</b>	WBC – Cllr Glen Saffery – Portfolio Holder for Planning, 18 November 2024.  SADC – Cllr Paul De Kort – Leader  18 November 2024
<b>3. Strategic geography</b>	<p>SADC, along with Watford, Dacorum, Hertsmere and Three Rivers are adjoining authorities in Hertfordshire and together form the group of five South West Hertfordshire local authorities.</p> <p>SADC also borders Welwyn Hatfield and North Hertfordshire local authorities, and Central Bedfordshire. All neighbouring authorities bar Central Bedfordshire lie within Hertfordshire.</p> <p>The five South West Hertfordshire local authorities fall within the same Housing Market Area (HMA) and Functional Economic Market Area (FEMA). The local authorities within the HMA and FEMA have a history of positively cooperating on spatial planning and related matters and as part of the South West Hertfordshire Group (SWHG) of local authorities are working together on the production of a Joint Strategic Plan for South West Hertfordshire (JSP).</p> <p>St Albans District is very well connected by railway and road, and is close to international airports. The Midlands Main Line from London to Nottingham and Sheffield passes through the District, with the fast Thameslink service connecting directly to central London. There is also a low-service local rail route (branch line) known as the Abbey Line that connects St Albans and Watford. The rail options to London underpin the popularity of commuting out of the District. The District is also very well connected by key national road routes, with the M25 running east west through the south of the District, paralleled by the A414 dual carriageway, while the M1 runs down the west and the A1M is just outside the District to the east. Luton Airport is approximately five miles north of the District. As such</p>

	<p>the strategic geography for the impacts of planned growth and infrastructure requirements extend to all neighbouring local authorities and Luton Borough.</p> <p>Parts of the District lie within the Zone of Influence for the Chilterns Beechwood Special Area of Conservation (SAC). The Chilterns Beechwood SAC zone of influence extends into Dacorum Borough, Central Bedfordshire and Buckinghamshire.</p> <p>In view of the above, SADC consider that the area covered by this SoCG (principally the South West Hertfordshire local authorities and Hertfordshire; but also extending for some matters to include North Hertfordshire District, Welwyn Hatfield Borough, Central Bedfordshire, Buckinghamshire and Luton Borough) is the most appropriate strategic geography of the area.</p>
<p><b>4. Strategic matters</b></p>	<p><b>Status of Local Plans</b></p> <ul style="list-style-type: none"> <li>• St Albans – Local Plan adopted 1994</li> <li>• Watford – Local Plan adopted October 2022</li> <li>• Hertfordshire <ul style="list-style-type: none"> <li>○ Waste Strategic Policies and Development Management Policies adopted 2012</li> <li>○ Waste site allocations adopted 2014</li> <li>○ Minerals Local Plan adopted 2007</li> </ul> </li> <li>• SW Herts Joint Strategic Plan – Reg 18 consulted on autumn 2022</li> </ul> <p><b>Relationship between emerging Local Plans and the JSP</b></p> <ul style="list-style-type: none"> <li>• Ensuring consistency and alignment in the production of emerging Local Plans alongside the production of the JSP - noting that some Local Plans may not be adopted until after the adoption of the JSP and that plan periods may differ.</li> <li>• Strategic matter between: <ul style="list-style-type: none"> <li>○ SW Herts local authorities</li> <li>○ Hertfordshire County Council</li> </ul> </li> </ul> <p><u>Conclusion</u> SADC and WBC both support the emerging SWH JSP.</p> <p><b>Planning for housing needs</b></p>

- Approach to accommodating unmet housing needs that may exist within the wider Housing Market Area.
- Strategic matter between:
  - SW Herts local authorities
  - Luton Borough Council

**Conclusion**

SADC and WBC both support the approach in SADC's Regulation 19 draft Local Plan to meeting SADC's housing needs as set out in the Government's 'Standard Method' in full.

**Planning for employment needs**

- Joint work has been undertaken on employment needs across South West Hertfordshire.
- Strategic matter between:
  - SW Herts local authorities
  - Luton Borough Council
  - Hertfordshire Futures

**Conclusion**

SADC and WBC both support the approach in SADC's Regulation 19 draft Local Plan to meeting SADC's employment needs in full and providing significant employment land within SADC's area within Hemel Garden Communities that supports Dacorum Borough Council's (DBC)'s and potentially wider SW Herts employment land needs.

**Approach to retail provision**

- Approach to meeting retail related needs in the area and considering any impacts of proposals on retail provision in other areas.
- Strategic matter between:
  - SW Herts local authorities

**Conclusion**

SADC and WBC both support the approach in SADC's Regulation 19 draft Local Plan to retail provision.

**Planning for gypsy & traveller needs**

- Approach to accommodating unmet traveller needs.
- Strategic matter between:
  - SW Herts local authorities
  - Hertfordshire County Council
  - National Highways

**Conclusion**

SADC and WBC both support the strategic approach in SADC's Regulation 19 draft Local Plan to Gypsy and Traveller provision to meeting needs within SADC's area.

**Approach to Green Belt**

- Approach to exceptional circumstances.
- Strategic matter between:
  - SW Herts local authorities
  - Welwyn Hatfield District Council
  - North Hertfordshire District Council
  - Historic England

**Conclusion**

SADC and WBC both support the approach in SADC's Regulation 19 draft Local Plan to amending Green Belt boundaries as necessary to accommodate development needs, demonstrating 'Exceptional Circumstances'.

**Primary and secondary school provision.**

- Need for secondary school provision arising from new development.
- Strategic matter between:
  - SW Herts local authorities
  - Hertfordshire County Council

**Conclusion**

SADC and WBC both support the approach in SADC's Regulation 19 draft Local Plan to primary and secondary school provision.

**Planning for transport infrastructure**



- Plans for a Hertfordshire Essex Rapid Transit (HERT) which will run along the A414 corridor. It will also be necessary to consider the potential impacts of growth on traffic congestion on the highway network, including the M1 and M25.
- Strategic matter between:
  - SW Herts local authorities
  - Central Bedfordshire Council
  - Hertfordshire County Council
  - Luton Borough Council
  - National Highways
  - Homes England
  - Hertfordshire Futures

Conclusion

SADC and WBC both support the approach in SADC's Regulation 19 draft Local Plan to planning for transport infrastructure.

**Strategic Rail Freight Interchange**

- The Government-permitted Strategic Rail Freight Interchange at the former Radlett Aerodrome site on Green Belt land and any potential alternative locations.
- Strategic matter between:
  - SW Herts local authorities
  - Hertfordshire County Council
  - Network Rail
  - National Highways

Conclusion

SADC and WBC both support the approach in SADC's Regulation 19 draft Local Plan to the allocation of the Government-permitted Strategic Rail Freight Interchange.

**Strategic impacts of planned growth**

- The Local Plan growth strategy primarily impacts Dacorum Borough Council (DBC) through the joint SADC DBC approach to Hemel Garden Communities,

but there are also more limited cross-boundary strategic matters with other authorities, as set out in more detail elsewhere in this SoCG.

- Strategic matter between:
  - SW Herts local authorities
  - Welwyn Hatfield District Council
  - North Hertfordshire District Council
  - Central Bedfordshire Council
  - Luton Borough Council

Conclusion

SADC and WBC both support the approach in SADC's Regulation 19 draft Local Plan to strategic impacts of planned growth.

**Strategic infrastructure requirements of planned growth**

- The Local Plan infrastructure requirements of planned growth primarily impacts DBC through the joint SADC DBC approach to Hemel Garden Communities, but there are also more limited cross-boundary strategic matters with other authorities, as set out in more detail elsewhere in this SoCG.
- Strategic matter between:
  - SW Herts local authorities
  - Welwyn Hatfield District Council
  - North Hertfordshire District Council
  - Central Bedfordshire Council
  - Luton Borough Council

Conclusion

SADC and WBC both support the approach in SADC's Regulation 19 draft Local Plan to strategic infrastructure requirements of planned growth, most notably in relation to Hemel Garden Communities.

**Water and wastewater capacity**

- Consideration of the supply of water and the wastewater capacity to accommodate the future needs of development.

	<ul style="list-style-type: none"> <li>• Strategic matter between: <ul style="list-style-type: none"> <li>○ SADC</li> <li>○ Dacorum Borough Council</li> <li>○ Watford Borough Council</li> <li>○ Environment Agency</li> </ul> </li> </ul> <p><u>Conclusion</u> SADC and WBC both support the approach in SADC’s Regulation 19 draft Local Plan to water and wastewater capacity.</p> <p><b>Green and blue infrastructure</b></p> <ul style="list-style-type: none"> <li>• Approach to the provision of green and blue infrastructure, and consideration of county-wide strategy.</li> <li>• Strategic matter between: <ul style="list-style-type: none"> <li>○ SADC</li> <li>○ Dacorum Borough Council</li> <li>○ Hertfordshire County Council</li> <li>○ Environment Agency</li> <li>○ Watford Borough Council</li> <li>○ Natural England</li> </ul> </li> </ul> <p><u>Conclusion</u> SADC and WBC both support the approach in SADC’s Regulation 19 draft Local Plan to green and blue infrastructure.</p>
<p><b>5. Common ground</b></p>	<p>There is common ground between SADC and WBC on the strategic geography and what comprises the strategic cross-boundary matters.</p> <p>Further details of Common Ground are set out under section 4 above.</p>
<p><b>6. Matters of disagreement</b></p>	<p>There are currently no matters of disagreement between SADC and WBC on the strategic geography or what comprises the strategic cross-boundary matters.</p>
<p><b>7. Ongoing review and co-operation</b></p>	<p>SADC will continue to work with WBC on strategic and cross-boundary matters up to and beyond adoption of the new SADC Local Plan.</p>

Duty to Cooperate potential strategic cross boundary issues matrix

Potential strategic cross-boundary issues	Description / summary of issues	Duty to Cooperate bodies																							
		Dacorum BC	Hertsmere BC	Three Rivers DC	Watford BC	Welwyn Hatfield BC	North Hertfordshire DC	Central Bedfordshire Council	Hertfordshire County Council	Luton BC	Buckinghamshire Council	Mayor of London	Civil Aviation Authority	Natural England	Environment Agency	Historic England	Network Rail	National Highways	Transport for London	Homes England	NHS England	Herts Valleys CCG	Office of Rail Regulation	Hertfordshire Local Enterprise Partnership	Hertfordshire Local Nature Partnership
<b>Relationship between emerging Local Plans and the JSP</b>	Ensuring consistency and alignment in the production of emerging Local Plans alongside the production of the JSP - noting that some Local Plans may not be adopted until after the adoption of the JSP and that plan periods may differ	✓	✓	✓	✓				✓																
<b>Planning for housing needs</b>	Approach to accommodating unmet housing needs that may exist within the wider Housing Market Area.	✓	✓	✓	✓					✓															
<b>Planning for employment needs</b>	Joint work has been undertaken on employment needs across South West Hertfordshire.	✓	✓	✓	✓					✓														✓	
<b>Approach to retail provision</b>	Approach to meeting retail related needs in the area, and considering any impacts of proposals on retail provision in other areas.	✓	✓	✓	✓																				
<b>Planning for gypsy &amp; traveller needs</b>	Approach to accommodating unmet traveller needs	✓	✓	✓	✓				✓									✓							
<b>Approach to Green Belt</b>	Approach to exceptional circumstances.	✓	✓	✓	✓	✓	✓								✓										
<b>Mitigating the impact of development on Chiltern Beechwoods SAC</b>	12.6km zone of influence announced by Natural England where mitigation for new residential development will be required with SANGs and SAMMs.	✓						✓				✓		✓											
<b>Primary and secondary school provision</b>	Need for secondary school provision arising from new development. The 2018/2019 IDP identified a need for new secondary and primary school(s).	✓	✓	✓	✓				✓																
<b>Planning for transport infrastructure</b>	Plans for a Hertfordshire Essex Rapid Transit (HERT) which will run between Hemel Hempstead and West Watford along the A414 corridor. It will also be necessary to consider the potential impacts of growth on traffic congestion on the highway network, including the M1 and M25.	✓	✓	✓	✓			✓	✓	✓							✓		✓				✓		

Potential strategic cross-boundary issues	Description / summary of issues	Duty to Cooperate bodies																							
		Dacorum BC	Hertsmere BC	Three Rivers DC	Watford BC	Welwyn Hatfield BC	North Hertfordshire DC	Central Bedfordshire Council	Hertfordshire County Council	Luton BC	Buckinghamshire Council	Mayor of London	Civil Aviation Authority	Natural England	Environment Agency	Historic England	Network Rail	National Highways	Transport for London	Homes England	NHS England	Herts Valleys CCG	Office of Rail Regulation	Hertfordshire Local Enterprise Partnership	Hertfordshire Local Nature Partnership
<b>Strategic Rail Freight Interchange</b>	Plans for a Strategic Rail Freight Interchange at the former Radlett Aerodrome site on Green Belt land, and potential alternative locations.	✓	✓	✓	✓				✓								✓	✓							
<b>Luton Airport and other Airport/airspace impacts</b>	Impacts from flights – eg noise and air quality – and from access – eg road and rail network impacts.	✓						✓	✓		✓			✓											
<b>Hemel Garden Communities</b>	Joint bid for Hemel Garden Communities approved in March 2019 for official garden town status and funding. Aims to deliver up to 11,000 homes and 10,000 jobs, subject to the Local Plan process. Approach to housing, employment and infrastructure delivery.	✓							✓					✓						✓				✓	
<b>Strategic impacts of planned growth</b>	The Local Plan growth strategy primarily impacts DBC through the joint SADC DBC approach to Hemel Garden Communities, but there are also more limited cross-boundary strategic matters with other authorities.	✓	✓	✓	✓	✓	✓	✓		✓															
<b>Strategic infrastructure requirements of planned growth</b>	The Local Plan infrastructure requirements of planned growth primarily impacts DBC through the joint SADC DBC approach to Hemel Garden Communities, but there are also more limited cross-boundary strategic matters with other authorities.	✓	✓	✓	✓	✓	✓	✓		✓															
<b>Other cross-boundary growth locations</b>	Consider the approach to the planning and delivery of any other growth (outside of Hemel Garden Communities) located cross-boundary or adjacent to neighbouring local authorities		✓						✓																
<b>Green and blue infrastructure</b>	Approach to the provision of green and blue infrastructure, and consideration of county-wide strategy	✓			✓				✓				✓	✓											
<b>Water and wastewater capacity</b>	Consideration of the supply of water and the wastewater capacity to accommodate the future needs of development	✓			✓									✓											
<b>Household waste recycling facilities</b>	Arrangements for future facilities linked to growth across the county and potentially to service future growth of Hemel Hempstead	✓	✓						✓																

Potential strategic cross-boundary issues	Description / summary of issues	Duty to Cooperate bodies																							
		Dacorum BC	Hertsmere BC	Three Rivers DC	Watford BC	Welwyn Hatfield BC	North Hertfordshire DC	Central Bedfordshire Council	Hertfordshire County Council	Luton BC	Buckinghamshire Council	Mayor of London	Civil Aviation Authority	Natural England	Environment Agency	Historic England	Network Rail	National Highways	Transport for London	Homes England	NHS England	Herts Valleys CCG	Office of Rail Regulation	Hertfordshire Local Enterprise Partnership	Hertfordshire Local Nature Partnership
Minerals	Existing and potential future mineral extraction – primarily sand and gravel	✓				✓			✓																
Chilterns National Landscape	Consideration of the Chilterns National Landscape in its current boundary and from its potential extension, including into St Albans City & District.	✓												✓											
Climate change	Potential issues to be identified through the production of the draft Local Plan	Potential associated DtC bodies to be determined through the production of the draft Local Plan																							
Infrastructure provision																									
Affordable housing																									

# Statement of Common Ground – St Albans District Council with Historic England

The National Planning Policy Framework (NPPF) sets out that strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these.

This Statement of Common Ground (SoCG) sets out the strategic geography and strategic matters as agreed between St Albans City and District Council (SADC) and Historic England (HE).

This SoCG is based on a template produced by the Planning Advisory Service and takes into account relevant sections of the NPPF, NPPG, Planning & Compulsory Purchase Act 2004 (as amended) and the Localism Act 2011.

## Context

SADC and HE have worked collaboratively on a number of matters that are relevant. Engagement has included discussions relating to the Historic Environment and the Green Belt.

## Introduction

This statement is provided without prejudice to other matters of detail that parties may wish to raise during the Examination.

## Duty To Cooperate

SADC has continuously engaged with the Historic England through the evolution of the draft Local Plan 2041. The parties agree that SADC has discharged its Duty to Cooperate for the Local Plan 2041.

<b>1. List of parties involved</b>	St Albans City and District Council (SADC) Historic England (HE)
<b>2. Signatories</b>	HE – Debbie Mack – Historic Environment Planning Advisor 20 November 2024  SADC – Chris Briggs – Spatial Planning Manager 20 November 2024
<b>3. Strategic</b>	SADC, along with Watford, Dacorum, Hertsmere and Three

<p><b>geography</b></p>	<p>Rivers are adjoining authorities in Hertfordshire and together form the group of five South West Hertfordshire local authorities.</p> <p>SADC also borders Welwyn Hatfield and North Hertfordshire local authorities, and Central Bedfordshire. All neighbouring authorities bar Central Bedfordshire lie within Hertfordshire.</p> <p>The five South West Hertfordshire local authorities fall within the same Housing Market Area (HMA) and Functional Economic Market Area (FEMA). The local authorities within the HMA and FEMA have a history of positively cooperating on spatial planning and related matters and as part of the South West Hertfordshire Group (SWHG) of local authorities are working together on the production of a Joint Strategic Plan for South West Hertfordshire (JSP).</p> <p>St Albans District is very well connected by railway and road, and is close to international airports. The Midlands Main Line from London to Nottingham and Sheffield passes through the District, with the fast Thameslink service connecting directly to central London. There is also a low-service local rail route (branch line) known as the Abbey Line that connects St Albans and Watford. The rail options to London underpin the popularity of commuting out of the District. The District is also very well connected by key national road routes, with the M25 running east west through the south of the District, paralleled by the A414 dual carriageway, while the M1 runs down the west and the A1M is just outside the District to the east. Luton Airport is approximately five miles north of the District. As such the strategic geography for the impacts of planned growth and infrastructure requirements extend to all neighbouring local authorities and Luton Borough.</p> <p>Parts of the District lie within the Zone of Influence for the Chilterns Beechwood Special Area of Conservation (SAC). The Chilterns Beechwood SAC zone of influence extends into Dacorum Borough, Central Bedfordshire and Buckinghamshire.</p> <p>In view of the above, SADC consider that the area covered by this SoCG (principally the South West Hertfordshire local authorities and Hertfordshire; but also extending for some matters to include North Hertfordshire District, Welwyn Hatfield Borough, Central Bedfordshire, Buckinghamshire and Luton Borough) is the most appropriate strategic geography of the area.</p>
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<p><b>4. Strategic matters</b></p>	<p><b>Status of Local Plans</b></p> <ul style="list-style-type: none"> <li>• St Albans – Local Plan adopted 1994</li> <li>• Hertfordshire <ul style="list-style-type: none"> <li>○ Waste Strategic Policies and Development Management Policies adopted 2012</li> <li>○ Waste site allocations adopted 2014</li> <li>○ Minerals Local Plan adopted 2007</li> </ul> </li> <li>• SW Herts Joint Strategic Plan – Reg 18 consulted on autumn 2022</li> </ul> <p><b>Approach to Green Belt</b></p> <ul style="list-style-type: none"> <li>• Approach to exceptional circumstances.</li> <li>• Strategic matter between: <ul style="list-style-type: none"> <li>○ SW Herts local authorities</li> <li>○ Welwyn Hatfield District Council</li> <li>○ North Hertfordshire District Council</li> <li>○ Historic England</li> </ul> </li> </ul> <p><u>Conclusion</u></p> <p>SADC and HE both support the approach in SADC’s Regulation 19 draft Local Plan to amending Green Belt boundaries as necessary to accommodate development needs, demonstrating ‘Exceptional Circumstances’.</p>
<p><b>5. Common ground</b></p>	<p>There is common ground between SADC and HE on the strategic geography and what comprises the strategic cross-boundary matters.</p> <p>Further details of Common Ground are set out under section 4 above.</p> <p>As a statutory consultee, Historic England consider that the Council has consulted fully with and, where appropriate, provided sufficient opportunities to engage with Historic England at all stages in the preparation of both the Local Plan and its accompanying Sustainability Appraisal.</p> <p>Historic England consider that the authority has complied with the requirements of the Duty insofar as Historic England is concerned.</p>
<p><b>6. Matters of</b></p>	<p>Although Historic England considers that SADC has complied with the Duty to Co-operate, for the reasons set out in their</p>

<b>disagreement</b>	Regulation 19 response to the Plan, Historic England consider that, in some areas, the document is unsound.
7. <b>Ongoing review and co-operation</b>	<p>SADC will continue to work with HE on strategic and cross-boundary matters up to and beyond adoption of the new SADC Local Plan. In light of the ongoing Duty, Historic England and SADC will continue to work closely and seek to resolve these detailed matters in the lead up to the EiP through a further, more detailed, SOCG.</p> <p>In light of the ongoing Duty, Historic England and SADC will continue to work closely and seek to resolve these detailed matters in the lead up to the EiP through a further, more detailed, SOCG.</p>

Duty to Cooperate potential strategic cross boundary issues matrix

Potential strategic cross-boundary issues	Description / summary of issues	Duty to Cooperate bodies																							
		Dacorum BC	Hertsmere BC	Three Rivers DC	Watford BC	Welwyn Hatfield BC	North Hertfordshire DC	Central Bedfordshire Council	Hertfordshire County Council	Luton BC	Buckinghamshire Council	Mayor of London	Civil Aviation Authority	Natural England	Environment Agency	Historic England	Network Rail	National Highways	Transport for London	Homes England	NHS England	Herts Valleys CCG	Office of Rail Regulation	Hertfordshire Local Enterprise Partnership	Hertfordshire Local Nature Partnership
<b>Relationship between emerging Local Plans and the JSP</b>	Ensuring consistency and alignment in the production of emerging Local Plans alongside the production of the JSP - noting that some Local Plans may not be adopted until after the adoption of the JSP and that plan periods may differ	✓	✓	✓	✓				✓																
<b>Planning for housing needs</b>	Approach to accommodating unmet housing needs that may exist within the wider Housing Market Area.	✓	✓	✓	✓					✓															
<b>Planning for employment needs</b>	Joint work has been undertaken on employment needs across South West Hertfordshire.	✓	✓	✓	✓					✓														✓	
<b>Approach to retail provision</b>	Approach to meeting retail related needs in the area, and considering any impacts of proposals on retail provision in other areas.	✓	✓	✓	✓																				
<b>Planning for gypsy &amp; traveller needs</b>	Approach to accommodating unmet traveller needs	✓	✓	✓	✓				✓									✓							
<b>Approach to Green Belt</b>	Approach to exceptional circumstances.	✓	✓	✓	✓	✓	✓								✓										
<b>Mitigating the impact of development on Chiltern Beechwoods SAC</b>	12.6km zone of influence announced by Natural England where mitigation for new residential development will be required with SANGs and SAMMs.	✓						✓				✓		✓											
<b>Primary and secondary school provision</b>	Need for secondary school provision arising from new development. The 2018/2019 IDP identified a need for new secondary and primary school(s).	✓	✓	✓	✓				✓																
<b>Planning for transport infrastructure</b>	Plans for a Hertfordshire Essex Rapid Transit (HERT) which will run between Hemel Hempstead and West Watford along the A414 corridor. It will also be necessary to consider the potential impacts of growth on traffic congestion on the highway network, including the M1 and M25.	✓	✓	✓	✓			✓	✓	✓							✓		✓				✓		

Potential strategic cross-boundary issues	Description / summary of issues	Duty to Cooperate bodies																							
		Dacorum BC	Hertsmere BC	Three Rivers DC	Watford BC	Welwyn Hatfield BC	North Hertfordshire DC	Central Bedfordshire Council	Hertfordshire County Council	Luton BC	Buckinghamshire Council	Mayor of London	Civil Aviation Authority	Natural England	Environment Agency	Historic England	Network Rail	National Highways	Transport for London	Homes England	NHS England	Herts Valleys CCG	Office of Rail Regulation	Hertfordshire Local Enterprise Partnership	Hertfordshire Local Nature Partnership
<b>Strategic Rail Freight Interchange</b>	Plans for a Strategic Rail Freight Interchange at the former Radlett Aerodrome site on Green Belt land, and potential alternative locations.	✓	✓	✓	✓				✓								✓	✓							
<b>Luton Airport and other Airport/airspace impacts</b>	Impacts from flights – eg noise and air quality – and from access – eg road and rail network impacts	✓					✓	✓		✓				✓											
<b>Hemel Garden Communities</b>	Joint bid for Hemel Garden Communities approved in March 2019 for official garden town status and funding. Aims to deliver up to 11,000 homes and 10,000 jobs, subject to the Local Plan process. Approach to housing, employment and infrastructure delivery.	✓							✓					✓						✓				✓	
<b>Strategic impacts of planned growth</b>	The Local Plan growth strategy primarily impacts DBC through the joint SADC DBC approach to Hemel Garden Communities, but there are also more limited cross-boundary strategic matters with other authorities.	✓	✓	✓	✓	✓	✓	✓		✓															
<b>Strategic infrastructure requirements of planned growth</b>	The Local Plan infrastructure requirements of planned growth primarily impacts DBC through the joint SADC DBC approach to Hemel Garden Communities, but there are also more limited cross-boundary strategic matters with other authorities.	✓	✓	✓	✓	✓	✓	✓		✓															
<b>Other cross-boundary growth locations</b>	Consider the approach to the planning and delivery of any other growth (outside of Hemel Garden Communities) located cross-boundary or adjacent to neighbouring local authorities		✓						✓																
<b>Green and blue infrastructure</b>	Approach to the provision of green and blue infrastructure, and consideration of county-wide strategy	✓			✓				✓				✓	✓											
<b>Water and wastewater capacity</b>	Consideration of the supply of water and the wastewater capacity to accommodate the future needs of development	✓			✓									✓											
<b>Household waste recycling facilities</b>	Arrangements for future facilities linked to growth across the county and potentially to service future growth of Hemel Hempstead	✓	✓						✓																

Potential strategic cross-boundary issues	Description / summary of issues	Duty to Cooperate bodies																							
		Dacorum BC	Hertsmere BC	Three Rivers DC	Watford BC	Welwyn Hatfield BC	North Hertfordshire DC	Central Bedfordshire Council	Hertfordshire County Council	Luton BC	Buckinghamshire Council	Mayor of London	Civil Aviation Authority	Natural England	Environment Agency	Historic England	Network Rail	National Highways	Transport for London	Homes England	NHS England	Herts Valleys CCG	Office of Rail Regulation	Hertfordshire Local Enterprise Partnership	Hertfordshire Local Nature Partnership
<b>Minerals</b>	Existing and potential future mineral extraction – primarily sand and gravel	✓				✓			✓																
<b>Chilterns National Landscape</b>	Consideration of the Chilterns National Landscape in its current boundary and from its potential extension, including into St Albans City & District.	✓											✓												
<b>Climate change</b>	Potential issues to be identified through the production of the draft Local Plan	Potential associated DtC bodies to be determined through the production of the draft Local Plan																							
<b>Infrastructure provision</b>																									
<b>Affordable housing</b>																									