

MEMORANDUM OF UNDERSTANDING

BETWEEN

NORTH HERTFORDSHIRE DISTRICT COUNCIL (NHDC)

AND

STEVENAGE BOROUGH COUNCIL (SBC)

IN RESPECT OF

THE NORTH HERTFORDSHIRE LOCAL PLAN, PROPOSED SUBMISSION VERSION,
OCTOBER 2016

1 Introduction

- 1.1 This Memorandum of Understanding (MoU) has been prepared jointly by North Hertfordshire District Council (NHDC) and Stevenage Borough Council (SBC).
- 1.2 The Statement sets out the confirmed points of agreement between NHDC and SBC with regard to the North Hertfordshire Local Plan and supporting evidence base, which will assist the Inspector during the Examination of the Local Plan.
- 1.3 Local Authorities are required through the Duty to Co-operate (the Duty) to engage constructively and actively on an on-going basis on planning matters that impact on more than one local planning area.
- 1.4 The National Planning Policy Framework (NPPF) sets out the requirement that public bodies should cooperate on planning issues that cross administrative boundaries and, at Paragraph 156, identifies a series of strategic priorities:
 - The homes and jobs needed in the area.
 - The provision of retail, leisure, and other commercial development.
 - The provision of infrastructure for transport telecommunications, waste management, water supply, wastewater, flood risk and coastal change management.
 - The provision of minerals and energy (including heat).
 - The provision of health, security, community and cultural infrastructure and other local facilities.
 - Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment including landscape.
- 1.5 The NPPF requires Local Planning Authorities to work collaboratively with other bodies to make sure that these strategic priorities are properly co-ordinated across local boundaries and clearly reflected in individual Local Plans.
- 1.6 Local Planning authorities are expected to demonstrate evidence of having effectively cooperated to plan for issues with cross- boundary impacts when their Local Plans are submitted for examination.

2 Background

- 2.1 This MoU relates to previous and on-going Duty to Co-operate meetings, the representations made by SBC to NHDC's Proposed Submission Local Plan (2016) regarding a number of matters and to other matters arising following the submission of SBC's own local plan in July 2016 of relevance to NHDC's plan, including matters addressed through the examination of the SBC plan.

3 Duty to Cooperate

- 3.1 As set out in the respective Councils' Duty to Cooperate statements, NHDC and SBC have co-operated constructively, actively and on an on-going basis of the plan's production.
- 3.2 SBC has continuously responded to public consultations and liaised with Officers as the Local Plan process has developed which has helped inform both the strategy and policy framework within the plan.
- 3.3 Comments received from SBC have been taken into account during the preparation of the plan so that it addresses the requirements of the Duty and the NPPF and supports sustainable development.

4 Agreed Matters

December 2016 Memorandum of Understanding

- 4.1 NHDC and SBC signed a MoU in relation to SBC's own local plan in December 2016. This is attached as Appendix A. It is **agreed** that a number of matters set out in that document are of equal relevance to NHDC's own plan. For simplicity and to avoid duplication, it is **agreed** that the December 2016 MoU should be read as being equally applicable to the NHDC plan (with substitution of references to SBC with references to NHDC and vice versa where necessary) on the following matters:

- That in a strategic sense, the plan has been prepared in accordance with the Duty and other relevant legal requirements and that it in that sense, it is sound (paragraphs 2.5 and 2.6 of the December 2016 MoU);
- The definition of relevant housing market area (HMA) geographies and the calculation of objectively assessed housing needs (OAHN) (4.3);
- That a new settlement is not a reasonable alternative for the current plan(4.5);
- That the necessary *exceptional circumstances* have been demonstrated to justify a review of Green Belt boundaries to release land for development (4.7 and 6.1 to 6.4);
- The principle of development to the west and north of Stevenage within NHDC (4.8, 4.10 & 11.1);
- The definition of the relevant Functional Economic Market Area (FEMA) geography (5.3);

- The existence of a shortfall in future employment land within SBC (5.3) and the 'in principle' appropriateness of land within NHDC at Baldock to help address this (5.5);
- The importance of the Managed Motorway scheme on the A1(M) (7.2) and the need for SBC, NHDC and Hertfordshire County Council (HCC) to work together to mitigate the adverse highway impacts of planned new development (7.3);
- Matters relating to wastewater (8.1 to 8.3)
- Arrangements for matters relating to development management, on-going liaison and dispute resolution (12.1 to 13.2)

4.2 Additional and / or updated points of agreement between the two authorities are set out below.

Employment

- 4.3 It is **agreed** that, having regard to updated evidence produced by SBC and the outcomes of the examination of the SBC plan to date, there is a current shortfall of 11.5 hectares of employment land arising from Stevenage.
- 4.4 It is **agreed** that, having regard to updated evidence produced by NHDC, the additional employment land identified in Policy SP3 of the plan could address these unmet needs in full. NHDC have proposed an additional modification to Policy SP3 to explicitly identify that their employment strategy makes provision for unmet needs from Stevenage. It is **agreed** that, subject to the inclusion of this modification in the final plan following examination, this would address the concerns raised by SBC in their representations on this policy.
- 4.5 It is **agreed** that the MOU between SBC and Central Bedfordshire Council, insofar as it relates to employment land provides flexibility to ensure that SBC's unmet need can still be met in the event of any change in the above situation.
- 4.6 It is **agreed** that this additional provision lies within the jointly identified FEMA.

Housing

- 4.7 The National Planning Policy Framework (NPPF) requires, at paragraph 47, authorities to "boost significantly the supply of housing". It is **agreed** that, in order to meet OAHN in full, housing completion rates across SBC, NHDC and surrounding areas will all need to rise significantly compared with historic averages. It is **agreed** that the existence of tightly drawn Green Belt boundaries around settlements in both SBC and NHDC's currently adopted plans is one factor which is likely to have inhibited past delivery.
- 4.8 It is **agreed** that the housing target of 14,000 homes in the NHDC plan slightly exceeds NHDC's own OAHN having regard to the updated 2014-based subnational population projections. It is **agreed** that the housing target of 7,600 homes set in the SBC plan (as submitted) meets SBC's own OAHN on the same basis and that, consequently, there is no shortfall in provision within the 'best fit' HMA measured against these figures.
- 4.9 It is **agreed** that both authorities may face capacity constraints in meeting future development requirements beyond the current plan periods to 2031.

- 4.10 It is **agreed** that land to the west of Stevenage in NHDC has the potential to contribute towards future housing needs. Land in this area has, following the relevant due process, been identified as a sustainable location for growth under previous planning regimes including the Hertfordshire Structure Plan and the East of England Plan.
- 4.11 In this context, it is **agreed** that it is appropriate to remove this land from the Green Belt and safeguard it for future development in the period after 2026.
- 4.12 It is **agreed** that this approach provides (insofar as is possible) a level of commitment and certainty that will allow both parties to jointly work with the landowners, infrastructure providers and other relevant bodies to address the constraints that it is **agreed** inhibit allocation of this part of the site for development at the current time. It is **agreed** that these constraints include (but are not necessarily limited to) the provision of appropriate access across the A1(M) to integrate any future development with the highway network in SBC.
- 4.13 It is **agreed** that the provision of seven permanent Gypsy and Traveller pitches at Pulmer Water will meet NHDC's identified needs in full over the plan period. In this context, it is **agreed** that NHDC is no longer seeking the potential assistance of SBC to help meet its identified Gypsy and Traveller requirements as had been suggested in NHDC's representations to the SBC plan. In turn, it is **agreed** that this addresses the concerns raised by SBC in their representations to Policy HS7 of the NHDC plan.

Transport

- 4.14 It is **agreed** that the representations of SBC on this matter to the NHDC plan arose following the completion of transport modelling evidence by HCC in August 2016.
- 4.15 It is **agreed** that the subsequent evidence submitted by SBC on mobility, and accepted by HCC, demonstrates that development within and adjoining SBC can be accommodated by adopting a multi-modal approach without a significant adverse impact upon highway infrastructure.
- 4.16 It is **agreed** that SBC and NHDC will continue to work with HCC and other relevant parties to ensure implementation of a sustainable transport strategy for Stevenage. This will include the extension of schemes and / or principles to sites adjoining the urban area of Stevenage, within NHDC.

Education

- 4.17 It is **agreed** that any requirements for additional secondary school provision to the north of Stevenage within NHDC must be supported by robust, up-to-date and objective evidence. It is **agreed** that SBC and NHDC will continue to work with HCC and East Hertfordshire District Council to ensure that the education needs of the Stevenage SPA are met in the most appropriate way.



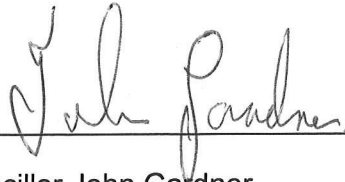
Councillor David Levett

Executive Member for Planning and Enterprise

Signed on behalf of

North Hertfordshire District Council

24 May 2017



Councillor John Gardner

Deputy Leader, Portfolio Holder for Environment
& Regeneration

Signed on behalf of

Stevenage Borough Council

25 May 2017

**Appendix A: Signed Memorandum of Understanding between Stevenage Borough Council
and North Hertfordshire District Council, December 2016**