

Part 1: Issues Raised Through the Preferred Options Consultation

Issue Number	Policy/ Paragraph Number	Issue	Officer Response	Proposed Amendment
Introduction				
25.01	25.1.1	This paragraph is too vague. It should be clearer with regards to identifying the organisations that are responsible for infrastructure delivery.	It is not considered necessary to list all service and infrastructure providers in this chapter. The Infrastructure Delivery Plan identifies all infrastructure schemes that are required in order to facilitate growth, along with the organisation that is responsible for delivery.	No amendment in response to this issue
25.02	25.1.1	This section provides no certainty of delivery. Evidence is required that the sites will be delivered on time.	Prior to submission of the District Plan to the Secretary of State, the Council will seek to agree Statements of Common Ground with the site promoters/developers for each of the sites identified in the Plan. These documents will state when development is expected to start and, where relevant, how housing completions and infrastructure delivery will be phased.	No amendment in response to this issue
Infrastructure and Service Delivery				
25.04	DEL1	The Police and Crime Commissioner identifies that approximately £750,000 would be required from planning obligations by 2031 in order to contribute towards policing costs. Beyond 2031, around £3,000,000 maybe necessary in order to provide new facilities required to meet demands arising from development of the Gilston Area.	Planning obligations for policing and community safety are already sought for new developments on a case by case basis. The level of contributions required to meet demands arising from future growth are noted. The Planning Obligations SPD will be updated following adoption of the District Plan.	No amendment in response to this issue
25.05	DEL1	Stevenage Borough Council states that the Plan relies on the delivery of three Broad Locations which are currently uncertain due to the level of infrastructure requirements. Limited development to	Given the amount of evidence that is now available, it is the view of Officers that the three sites previously identified as Broad Locations should now be proposed for allocation within	No amendment in response to this issue

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		the east of Stevenage may assist in providing greater certainty of delivery.	the Pre-Submission version of the District Plan. However, given the need to be able to demonstrate a sufficient supply of sites in the first 5 years of the Plan period, it is also the view of Officers that a site to the east of Stevenage should be allocated for 600 homes.	
25.06	DEL1	The timetable for producing the Infrastructure Delivery Plan should be provided.	The Infrastructure Delivery Plan will be presented to the District Planning Executive Panel in September 2016 and will be submitted to the Planning Inspectorate alongside the District Plan in March 2017.	No amendment in response to this issue
25.07	DEL1	The Highways Agency recommends that further modelling is undertaken in order to understand what mitigation is required on the strategic highway network. Unless schemes are currently committed, it should not be assumed that the Agency would be able to fund them. Developers should therefore contribute towards the cost of such schemes.	<p>Following the Preferred Options consultation the Council has been closely engaged in further transport modelling which is being undertaken by Essex and Hertfordshire County Councils respectively. The modelling demonstrates that the road network can cater for the planned level of growth providing that key mitigation schemes are delivered. These include improvements to Junctions 7 and 8 of the M11 and the provision of a new Junction 7a within the plan period.</p> <p>Highways England (previously known as The Highways Agency) has been engaged in the ongoing work through attendance at the Co-op Member Board. The four authorities that comprise the housing market area are working closely with Highways England in order to agree how strategic interventions can be delivered. A Memorandum of Understanding (MoU) is being prepared, which will be signed</p>	No amendment in response to this issue

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			by Highways England, Essex and Hertfordshire County Councils and the four local authorities that comprise the housing market area (including East Herts). The MoU will confirm that the respective authorities will work collaboratively to identify, develop and deliver highway infrastructure schemes in order to support housing growth. In particular, the early delivery of a new Junction 7a on the M11 is key to unlocking development potential across the wider sub-region.	
25.08	DEL1	Essex County Council indicates that effective collaboration between the two authorities will be very important.	Noted. The four authorities that comprise the housing market area are engaged with both Hertfordshire and Essex County Councils through the Co-op Board. Infrastructure requirements that arise from these ongoing discussions will be identified within the Infrastructure Delivery Plan.	No amendment in response to this issue
25.09	DEL1	The Lee Valley Regional Park Authority supports identification of green infrastructure schemes as part of the Infrastructure Delivery Plan. The Authority's PDF Area Proposals may be able to feed into this process.	It is noted that the Park Development Framework is currently in preparation and that emerging work on areas within East Herts District was consulted on in early 2016. The Infrastructure Delivery Plan is a 'live' document which will be updated regularly. The Council will therefore continue to work with the Regional Park Authority in order to identify green infrastructure schemes that could be delivered through the use of Section 106 contributions.	No amendment in response to this issue

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25.10	DEL1	Thames Water supports this policy. Developers need to demonstrate that adequate wastewater capacity can be provided in tandem with development. Where necessary it may be necessary to ensure that development does not occur ahead of infrastructure delivery through the use of Grampian conditions.	Support noted and welcomed. The use of Grampian style conditions could be considered at the planning application stage if necessary. A Grampian condition is a planning condition attached to a decision notice that prevents the start of a development until off-site works have been completed on land not controlled by the applicant.	No amendment in response to this issue
25.11		Hertfordshire County Council indicates that serious consideration should be given to the introduction of a Community Infrastructure Levy in order to ensure that sufficient financial contributions can be secured.	The Council has not come to a view on whether to introduce the Community Infrastructure Levy (CIL). The considerations are complex and, given the experience of those Hertfordshire authorities who have introduced CIL, it is not necessarily the case that it would provide a greater amount of contributions than the existing S106 regime. However, the Council will continue to keep this situation under review over the coming months.	No amendment in response to this issue
Developer Contributions				
25.12	DEL2	There needs to be a mechanism by which local communities can claim some of the money which gets raised through planning obligations.	Under the current S106 arrangements there is no mechanism by which Parish and Town Councils can receive some of the funding received from developers. Should the Council choose to introduce a Community Infrastructure Levy in due course, Parish and Town Councils would receive a certain percentage of contributions received for developments in their areas. The amount of money passed on to local communities increases where a Neighbourhood Plan is in	No amendment in response to this issue

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			place. This will be one of the issues which the Council takes into account over the coming months when considering whether to introduce CIL.	
25.13	DEL2	The Environment Agency supports inclusion of nature conservation, landscaping improvements and flood mitigation on the list of infrastructure schemes listed in the policy.	Support noted and welcomed.	No amendment in response to this issue
25.14	DEL2	Care needs to be taken when introducing CIL that 'double counted' doesn't occur by seeking contributions for a project, both through CIL and S106.	Noted. It is recognised that this has been an issue elsewhere in the country and therefore would need to be carefully considered should the Council choose to introduce CIL.	No amendment in response to this issue
25.15	DEL2	The Council are reminded that S106 contributions can only be sought where they are necessary to address the unacceptable impacts of a proposal. Planning Obligations cannot be sought for desirable pieces of infrastructure.	Noted, the Council is aware of the relevant regulations.	No amendment in response to this issue

Part 2: Other Proposed Amendments

Location/ Paragraph/Policy	Issue	Proposed Amendment
Chapter title	Amend chapter title to reflect that the text covers monitoring as well as delivery.	25. Delivery <u>and Monitoring</u>
25.2.1	As this is the final version of the District Plan, the paragraph needs to be updated to state that an Infrastructure Delivery Plan has been prepared.	In order to guide the timely provision of infrastructure and services, and to provide evidence for the need for corrective action where necessary, an Infrastructure Delivery Plan (IDP) <u>has been</u> will be prepared. The IDP will identify <u>ies</u> both those facilities that are needed district wide and those that are needed to support particular strategic development.

25.2.2	The Annual Monitoring Report is now known as the Authority Monitoring Report.	The IDP will be updated as part of the Authority annual Monitoring Report (AMR) in cooperation with delivery partners.
DEL1	Update the policy to reflect that IDP has been prepared.	Prepare an Infrastructure Delivery Plan (IDP) to identify the timing, type and number of infrastructure projects required to support the objectives and policies of the strategy as well as the main funding mechanisms and lead agencies responsible for their delivery;
25.3	This section needs to be re-worded to reflect the fact that no decision has been taken with regards to introducing a Community Infrastructure Levy.	<p>There are two main mechanisms by which the District Council will seek developer contributions towards the provision of infrastructure and services to support development.</p> <p>The Community Infrastructure Levy (CIL) is a non-negotiable charge which will be used to fund a range of items which are not necessarily directly related to the development. A separate CIL Charging Schedule will be prepared using appropriate evidence. CIL is particularly helpful in addressing the cumulative impact of small and medium sized developments across an area. The Charging Schedule will contain the details of the proposed CIL.</p> <p>Planning Obligations <u>will</u> may also be sought under Section 106 of the Town and Country Planning Act <u>in order to secure financial contributions towards the provision of infrastructure and services to support development</u>. Planning Obligations will only be sought where they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. Planning obligations are particularly helpful on large development schemes where there are complex infrastructure needs.</p> <p>The District Council will monitor and challenge where appropriate, the financial viability of the cumulative planning costs on development. A level of contributions will be sought which does not jeopardise the implementation of the District Plan.</p> <p><u>In addition, the District Council will also give consideration to introducing a Community Infrastructure Levy (CIL) in order to support the provision of future infrastructure schemes.</u></p>
DEL2	As no decision has been taken with regards to the Community Infrastructure Levy, Policy DEL2 needs to be updated.	<p>DEL2 Community Infrastructure Levy (CIL) and Planning Obligations</p> <p>I. In accordance with the Community Infrastructure Levy (CIL) Charging Schedule, the Council will seek contributions for the provision of strategic infrastructure to support growth across East Herts, and beyond.</p>
25.4.2	Need to clarify that the Monitoring Framework will be	A Monitoring Framework has been prepared as part of the District Plan. Monitoring will be proportionate to the needs of an effective plan, and will be targeted at those areas where it

	reported annually through the AMR.	can add value to the development process. The proposed Framework is located at Appendix D. <u>Progress made against each of the indicators contained in the Monitoring Framework will be reported on an annual basis as part of the Authority Monitoring Report.</u>
25.4.3	Delete paragraph in order to avoid repetition regarding monitoring and preparation of an Infrastructure Delivery Plan.	The delivery of development and supporting infrastructure is one of the most important aspects of the plan. A housing trajectory showing the best available information in relation to the phasing of development at specific sites will be maintained, broken down by year for the first five years. An Infrastructure Delivery Plan (IDP) will be prepared and updated annually in parallel with the AMR, and will indicate whether and how the necessary infrastructure is on course for timely delivery alongside housing and other development. If monitoring reveals doubts about the timely delivery of supporting infrastructure, appropriate interventions will be necessary.