

Hertfordshire County Council CIL Compliance Statement

Statement in support of planning obligations sought towards Hertfordshire County Council (non-highways) services.

Appeal by Richborough under S78 of the Town and Country Planning Act 1990 (as amended) against the decision of Three Rivers District Council to refuse planning permission in respect of the Outline planning application for development of up to 600 residential dwellings (Use Class C3(a)), construction of a 5-bedroom property for childrens social care and supported living (Use Class C3(b)). Two vehicular access points from Little Green Lane and further pedestrian / cycleway accesses. A one form entry primary school (Use Class F1(a)) (plus expansion land for a two form entry primary school). A mixed use local centre including provision for NHS health and social care services (Use Class E(e)), community building (Use Class F2), retail and cafe provision (Use Class E(a-c)), car parking and associated infrastructure. A country park, areas for play and recreation, allotments, community orchard and landscaping with associated infrastructure including sustainable urban drainage systems. (Layout, scale, appearance and landscape as reserved matters).

Land To North Of Little Green Lane, Croxley Green WD3 3SP

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On behalf of Hertfordshire County Council (non-highways) services

28 April 2026

Appeal reference: 6004972

Application reference: 24/2073/OUT

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2.0 Introduction

- 2.1 The purpose of this statement is to set out Hertfordshire County Council's (HCC) requested planning obligations in relation to the appeal at **Land To North Of Little Green Lane** and to demonstrate compliance with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) (the CIL tests)¹.
- 2.2 HCC is the upper-tier authority for Hertfordshire and is responsible for a range of public services for which planning obligations may be sought to secure infrastructure and mitigate the impacts of development. These services include education, transport, libraries, waste disposal, fire and rescue, adult care services, and childcare.

3.0 Local and National Policy

- 3.1 Both the National Planning Policy Framework (the NPPF)² and the CIL tests require that planning obligations be:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 3.2 The NPPF recognises the importance of providing supporting infrastructure, including local services, and for 'local strategies to improve health, social and cultural well-being' in connection with new housing. This applies to both plan-making and development management.³ In relation to education, the NPPF supports 'a proactive, positive and collaborative approach' to ensuring a 'sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities'. It also gives 'great weight' to the creation, expansion, or alteration of early years, school and post-16 facilities.⁴
- 3.3 The requirement for financial contributions and the provision of appropriate infrastructure is established under Policy CP1 - Overarching Policy on Sustainable Development and Policy CP8 – Infrastructure and Planning Obligations of the Three Rivers District Council Core Strategy (adopted October 2011).

¹ [The Community Infrastructure Levy Regulations 2010](#)

² [National Planning Policy Framework](#), paragraph 58

³ [National Planning Policy Framework](#), paragraphs 7, 8a, 35, 98a, 98b, 101, and 156b (in relation to Grey Belt sites)

⁴ [National Planning Policy Framework](#), paragraph 100.

4.0 HCC's Approach to Planning Obligations

HCC Policy

- 4.1 HCC's overall approach to planning obligations is set out in its *Guide to Developer Infrastructure Contributions* and the accompanying technical appendices.⁵ The approach to securing planning obligations through an appropriate legal agreement is set out in *the Guide to Developer Infrastructure Contributions Legal Pack*.⁶

Projects

- 4.2 New housing will result in an increase in population service users within the local area served by individual pieces of community infrastructure. HCC may therefore require additional capacity to accommodate these new residents and mitigate the impact of development. A planning obligation is often necessary to make the development acceptable in planning terms.
- 4.3 Where additional capacity is required, it will typically be provided at the school, library or other service serving the community in which the new development is located, usually the closest facility. This approach ensures that obligations are directly related to the development.
- 4.4 In some cases, where there is no deliverable project, HCC may not seek a planning obligation. Alternatively, HCC may seek an obligation for a facility that is not the closest if creating capacity elsewhere releases capacity locally to the development.
- 4.5 To ensure some flexibility, particularly as the names, locations, and strategies for individual facilities may change over the lifetime of a development and during the ten-year period in which an obligation is held, HCC includes the wording 'and/or provision serving the development' in the definition of projects. This ensures contributions can still be spent in the event of a change in service delivery strategy, provided the requirement that the obligation is directly related to the development continues to be met.
- 4.6 Further information justifying the choice of project and its compliance with the tests of necessity and directness is set out in the relevant sections for each obligation below.

Non-Education Contributions

- 4.7 Where a project is identified to mitigate the impact of development, HCC calculates contributions based on the population forecast anticipated to arise from a development, based on its characteristics and the per place costs for the type of project the obligation is funding using the Non-Education Tool

⁵ See Appendix 1: Guide to Developer Infrastructure Contributions.

⁶ See Appendix 2: Guide to Developer Infrastructure Contributions Legal Pack.

(NET). This approach ensures that each contribution is fairly and reasonably related in scale and kind to the development.

- 4.8 To forecast the population or service users arising from development, HCC uses Census 2021 data on the all-household and migrant household populations of Hertfordshire as evidence for the following services:
- Childcare (0-2 and 5-11)
 - Libraries
 - Waste disposal (recycling centres and transfer stations)
 - Youth
- 4.9 HCC has calculated a person-per-unit value for housing units by type, tenure, and bedroom number. This is achieved by identifying the number of Hertfordshire residents by unit, bed-size, type and tenure in the Census 2021 data. The total resident population by unit type, tenure and bed-size is then divided by the total number of dwellings in Hertfordshire of the same unit type, tenure and bed-size. This generates a person-per-unit value for each housing typology.
- 4.10 For certain services, such as childcare, HCC adjusts the person-per-unit values by a take-up rate to reflect that not all members of the population are potential service users.
- 4.11 To calculate a proportionate obligation, the NET multiplies the person-per-unit value by the cost-per-person for the relevant service. This figure is then multiplied by the number of units proposed, categorised by type, tenure and bed-size. This resulting calculation provides the contribution for each unit type, tenure and bed-size, which, when aggregated, provides the final total contribution for a given service.
- 4.12 This methodology is explained in greater detail in the *Guide to Non-Education Model and Indicative Section 106 Contributions Calculator*.⁷

Education Contributions

- 4.13 HCC's agreed method for calculating developer contributions for mainstream and Special Educational Needs and Disabilities (SEND) education services is through the Hertfordshire Demographic Model (HDM). This approach ensures that contributions are fairly and reasonably related in scale and in kind to the development by calculating obligations based on the number of pupils forecast to arise from the proposed development.
- 4.14 For each school phase, the HDM projects the peak average number of pupils likely to arise from a development based on the proposed dwelling mix by type, tenure, and bedroom number. The model ages these cohorts' year-on-year to reflect how pupil yield changes over time as children progress through

⁷ See Appendix 3: Guide to Non-Education Model and Indicative Section 106 Contributions Calculator.

different school phases. It then multiplies this peak yield figure by the average per-pupil cost to give a planning obligation.

- 4.15 HCC seeks contributions based on the peak average yield of each main school phase. This approach is supported by the Department for Education (DfE) guidance, which states that “[the DfE] advise [local authorities] to respond to forecast peaks in demand”.⁸
- 4.16 To calculate the peak pupil yield, the HDM uses Census 2021 data that is calibrated against school uptake rates in Hertfordshire and observed yields from HCC's Pupil Yield Study (PYS). The PYS is HCC's long-term, ongoing study of pupil yield from recently completed housing developments in Hertfordshire. This evidence base provides pupil yields for different housing types based on the type, tenure, and bedroom number, ensuring that forecast pupil yields are fairly and reasonably related in scale and kind to the development.
- 4.17 The DfE guidance on estimating pupil yield from housing development advises that local evidence bases be accepted where they are transparent, based on a representative sample of housing developments, clearly explained, and well-reasoned.⁹ To meet this requirement, HCC's methodology is set out in full for both the HDM and the PYS.¹⁰
- 4.18 The HDM and PYS have both been considered at planning appeals, most recently in appeal reference APP/J1915/W/24/3340497, Land east of A10, Buntingford, Hertfordshire. As published in Inspector's report for this appeal, HCC's methodology was found to result in “education requirements [that] meet the tests within the regulations and as such are necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.”¹¹
- 4.19 DfE guidance provides clear support for the use of local evidence bases when assessing pupil yields likely to arise from a development. Paragraph 13 further states that “when pupil yield evidence has been tested and validated through a local plan or CIL Charging Schedule examination, planning appeal, or Judicial Review, it should be accepted without further challenge unless there has been a significant material change in circumstances since that time.”¹²
- 4.20 To calculate the planning obligation, the pupil yield for the proposed development mix is multiplied by a per-place cost. The HDM uses the DfE's published national average costs from its local authority school place scorecards.¹³ To reflect the additional costs of delivering sustainable schools, including buildings that are net zero carbon in operation and incorporate climate resilience measures that are not accounted for in the scorecards, HCC

⁸ See Appendix 5: Securing Developer Contributions for Education, paragraph 67.

⁹ See Appendix 6: Estimating Pupil Yield from Housing Development, paragraph 13.

¹⁰ See Appendix 7: Guide to the Hertfordshire Demographic Model and Appendix 8: Pupil Yield Survey Methodology.

¹¹ See Appendix 9: Appeal Decision: Land east of A10, Buntingford, Hertfordshire, paragraph 61.

¹² See Appendix 6: Estimating Pupil Yield from Housing Development, paragraph 13.

¹³ See Appendix 4: Department for Education School Scorecards.

applies a 10% uplift. This approach, including the 10% uplift, accords with DfE advice to use the scorecards to assume per pupil costs.¹⁴

- 4.21 The methodology behind the HDM is set out in detail in *Appendix 7: Guide to the Hertfordshire Demographic Model* and *Appendix 8: Pupil Yield Survey Methodology*. DfE guidance, with which HCC's methodology accords, is provided in *Appendix 5: Securing Developer Contributions for Education* and *Appendix 6: Estimating Pupil Yield from Housing Development*.

Indexation

- 4.22 HCC will apply indexation to contributions to ensure they retain their value in real terms between the point of calculation and the point of payment.
- 4.23 Indexation should be applied from the point that the base costs are set, rather than the point the application is determined or the point the S106 agreement is signed. This approach prevents contributions from losing value in real terms during the period between the calculation of the base costs and the determination of the application or signing of the agreement.
- 4.24 The appropriate index to be used is identified in Table 2: Summary of HCC's requested planning obligations and in the substantive sections below.
- 4.25 For education contributions Primary, Secondary, and SEND regional indexation will also be applied. Contribution requests are based on DfE scorecard costs for pupil places, which apply nationally. To reflect higher build and material costs in Hertfordshire, this regional indexation is included in addition to the national costs.

Trigger Points

- 4.26 HCC has a responsibility to ensure that appropriate mitigation measures are in place before the need generated by a development site arises. HCC therefore seeks payment of financial contributions at the earliest possible trigger point and in advance of the need being generated. To do otherwise would risk delaying the delivery of projects, particularly where they rely on pooled contributions from multiple applications. Early payment also reduces the risk associated with later trigger points, which may be significantly delayed or never reached, although an element of the impact would have arisen.

Monitoring and compliance

- 4.27 HCC's approach to the allocation and spending of Section 106 contributions is robust to ensure compliance with the S106 agreement and Regulation 122. This process includes sign-off from finance officers and, where necessary, legal officers.

¹⁴ See Appendix 5: Securing Developer Contributions for Education, paragraphs 32 and 33.

5.0 HCC's Requested Planning Obligations

5.1 The development mix for this application is as shown in Table 1 below:

Table 1: Application development mix

Type	Tenure	Bedrooms	Units
Houses	Open Market and/or Shared Ownership*	1	0
		2	15
		3	153
		4+	56
Flats	Open Market and/or Shared Ownership*	1	51
		2	115
		3	0
		4+	0
Houses	Affordable Rent and/or Social Rent**	1	0
		2	8
		3	59
		4+	8
Flats	Affordable Rent and/or Social Rent**	1	46
		2	89
		3	0
		4+	0

5.2 HCC's requested planning obligations, based on the indicative development mix, are set out in Table 2: Summary of HCC's requested planning obligations below.

Table 2: Summary of HCC's requested planning obligations

Contribution	Project	Contribution	Indexation
Primary Education	a new 1fe primary school on-site	£6,289,830	BCIS Q1 2024 Additionally, contributions will be subject to BCIS Regional Indexation using the Building Cost Information Service Tender Price Study by location (based on 2000 boundaries)

Contribution	Project	Contribution	Indexation
			data) for the East of England.
Secondary Education	towards the expansion of Croxley Danes School	£4,376,834	BCIS Q1 2024 Additionally, contributions will be subject to BCIS Regional Indexation using the Building Cost Information Service Tender Price Study by location (based on 2000 boundaries data) for the East of England.
SEND	new Severe Learning Difficulty (SLD) special school places (WEST) for pupils aged 2 to 19 years old, through the relocation and expansion of Breakspeare School	£784,006	BCIS Q1 2024 Additionally, contributions will be subject to BCIS Regional Indexation using the Building Cost Information Service Tender Price Study by location (based on 2000 boundaries data) for the East of England.
Land Transfer	Land transfer for the delivery of a new primary school. This land transfer, and coverage of any abnormal cost to HCC to develop the land as a school, will need to be secured within the S106 agreement.		
Waste (Transfer Station)	increasing capacity by expansion of Waterdale Transfer Station	£63,947	BCIS Q1 2024
Children's Home	Provision of a children's home		
Monitoring		£420 Per trigger in s106	RPI January 2024

- 5.3 These requirements were provided to Three Rivers District Council on 11 November 2025, and an updated cost for the primary provision was provided on 22 January 2026. All of the contributions requested were either included in the officer's report or provided as verbal update¹⁵ at the Committee when the site was refused on 22 January 2026.¹⁶
- 5.4 As this is Outline application, HCC's requested planning obligations in the S106 agreement will be included with a corresponding table showing contributions per unit by type, tenure, and bedroom number, replicated in Table 3. This ensures that the contribution remains proportionate and related in scale and kind to development, as the contribution paid will reflect the development mix as permitted by the subsequent Reserved Matters applications.

Table 3: Contributions per unit by type, tenure, and bedroom number outlined in the S106 agreement.

Service	Type	Tenure	Bedroom Numbers:			
			1	2	3	4
Secondary Education (Including Post-16 Provision)	Flat	Affordable Rent and/or Social Rent**	£2,240	£14,617	£13,196	£14,607
Secondary Education (Including Post-16 Provision)	Flat	Open Market and/or Shared Ownership*	£2,393	£5,246	£4,843	£5,839
Secondary Education (Including Post-16 Provision)	House	Affordable Rent and/or Social Rent**	£932	£12,891	£17,544	£19,552
Secondary Education (Including Post-16 Provision)	House	Open Market and/or Shared Ownership*	£2,907	£5,560	£8,969	£10,935
SEND Primary and Secondary Education	Flat	N/A	£669	£669	£669	£669
SEND Primary and Secondary Education	House	N/A	£1,949	£1,949	£1,949	£1,949

¹⁵ The case officer confirmed with HCC that the applicant accepted the revised figure (email dated 22 January 2026, 14:50).

¹⁶ See Appendix 10: Response to Planning Application 24/2073/OUT dated 11 November 2025 11 November 2025 and Appendix 11: Officer's Report for Planning Application 24/2073/OUT dated 22 January 2026.

Service	Type	Tenure	Bedroom Numbers:			
			1	2	3	4
Waste Management Transfer Station (Waterdale)	Flat	Affordable Rent and/or Social Rent**	£55.24	£109.58	£147.09	£122.71
Waste Management Transfer Station (Waterdale)	Flat	Open Market and/or Shared Ownership*	£64.76	£91.37	£119.25	£140.25
Waste Management Transfer Station (Waterdale)	House	Affordable Rent and/or Social Rent**	£56.76	£101.89	£142.45	£196.86
Waste Management Transfer Station (Waterdale)	House	Open Market and/or Shared Ownership*	£68.46	£88.78	£116.25	£141.63
<i>The tenure terms set out in the tables reflect the terminology used with the submitted Application. Should alternative definitions/types of tenure of units be applicable in the future (e.g. at such time that Reserved Matters applications are submitted and/or as reflected in updated Hertfordshire County Council guidance) then they should be characterised and included as follows:</i> <i>* Tenure characteristics similar to open market dwellings and dwellings provided for sale that offers a route to ownership for those who could not achieve home ownership through the market (or other tenures which display these types of characteristics)</i> <i>** Tenure characteristics of 100% rented, reflecting needs assessed dwellings for which the rent is set below local market rents (or other tenures which display these types of characteristics)</i>						

6.0 Mainstream Education - Primary

Necessity

- 6.1 To meet the test of necessity, HCC has sought a planning obligation because the additional population resulting from development within the local area will require additional infrastructure to provide public services.
- 6.2 HCC has a statutory responsibility to provide sufficient school places for Primary age pupils. Ensuring access to good local schools also supports the sustainability of sites and communities, contributes to local wellbeing, and gives children the best possible start in life.
- 6.3 HCC assesses school capacity within designated school planning areas. Land To North Of Little Green Lane is located on the boarder of the Sarratt, Croxley

Green and Watford West Primary Planning Areas. The forecast for these school planning areas are set out in Figure 1 to 3 below.

19.1 Sarratt										
School Code	School Name	Places Available 2025-26	Actuals			Forecast				
			2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
3037	Sarratt Church of England Primary School	26	19	20	24					
Total Year R Pupil Demand			19	20	24	21	22	17	23	24
Total Year R Places Available		26				26	26	26	26	26
Surplus or Shortage of Year R Places (No.)						5	4	9	3	2
Surplus or Shortage of Year R Places (%)						19.2%	15.4%	34.6%	11.5%	7.7%
Surplus or Shortage of Year R Places (FE)						0.2	0.1	0.3	0.1	0.1

Figure 1: Forecast for the Sarratt, Croxley Green and Watford West Primary Planning Area for 2025/26.

19.3 Croxley Green										
School Code	School Name	Places Available 2025-26	Actuals			Forecast				
			2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
2079	Yorke Mead Primary School	60	51	51	45					
2082	Harvey Road Primary School	30	30	30	30					
2084	Malvern Way Infant and Nursery School	60	80	79	61					
Total Year R Pupil Demand			161	160	136	143	140	137	148	153
Total Year R Places Available		150				150	150	150	150	150
Surplus or Shortage of Year R Places (No.)						7	10	13	2	-3
Surplus or Shortage of Year R Places (%)						4.7%	6.7%	8.7%	1.3%	-2.0%
Surplus or Shortage of Year R Places (FE)						0.2	0.3	0.4	0.1	-0.1

Figure 2: Forecast for the Sarratt, Croxley Green and Watford West Primary Planning Area for 2025/26.

20.4 Watford West										
School Code	School Name	Places Available 2025-26	Actuals			Forecast				
			2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
2049	Lanchester Primary School	60	44	45	30					
2354	Cassiobury Infant and Nursery School	90	88	87	90					
2991	Nascot Wood Infant and Nursery School	60	60	60	60					
3985	Holy Rood Catholic Primary School	60	60	60	60					
Total Year R Pupil Demand			252	252	240	255	245	237	245	245
Total Year R Places Available		270				270	270	270	270	270
Surplus or Shortage of Year R Places (No.)						15	25	33	25	25
Surplus or Shortage of Year R Places (%)						5.6%	9.3%	12.2%	9.3%	9.3%
Surplus or Shortage of Year R Places (FE)						0.5	0.8	1.1	0.8	0.8

Figure 3: Forecast for the Sarratt, Croxley Green and Watford West Primary Planning Area for 2025/26.

- 6.4 **Land To North Of Little Green Lane** is forecast to yield 0.94 FE at Primary stage. It is therefore appropriate that the development provides a new 1FE primary school on site in order to directly mitigate the needs of the development.
- 6.5 The forecasts show a close match in the supply and demand for school places within the area, with only a small surplus capacity forecast in some years. Moreover, these forecasts do not extend beyond four years into the future,

meaning they do account for the longer-term impacts of housing growth, which typically take more than four years to materialise at primary stage.

- 6.6 It is therefore unlikely that sufficient school capacity will exist in the local area to appropriately meet the needs of **Land To North Of Little Green Lane**. Without new education capacity, children would be unlikely to secure a local school place.
- 6.7 Providing an on-site 1FE primary school ensures the development is appropriately served and aligns with strategic principles for sustainable infrastructure planning. Furthermore, there are strong justifications for a new 1FE primary school on site in terms of placemaking and sustainable development principles. Schools delivered in this context are intended to meet the needs of the development, enabling children to walk or wheel to school in a safe and healthy environment and contribute towards the creation of a new community.
- 6.8 The provision of a new on-site 1FE primary school is therefore necessary to make this application acceptable in planning terms.

Directness

- 6.9 Given that the school will be located on-site, this clearly demonstrates that the project is “directly related” to the development and therefore meets this part of the statutory tests.

Scale

- 6.10 0.94FE of primary aged pupils are likely to arise from this site, based on HCC’s Pupil Yield Methodology. Given that there are no other developments proposed to come forward in the area, and the county council doesn’t deliver schools of 0.94FE, there is a need for this development to fully fund a new 1FE primary school. Without this approach the project would not be fully funded and would not be delivered.
- 6.11 HCC’s requested planning obligation is £6,300,360 index-linked to BCIS Q1 2024 and including BCIS Regional Factor. This is the standard DfE score card cost for a new 1FE primary school including nursery provision (including a 10% sustainability uplift as set out in paragraph 4.20).
- 6.12 DfE guidance recommends that all new schools include nursery places for 3–4-year-olds.¹⁷ The calculation therefore includes the nursery-stage pupils forecast to arise from the development. Further information about nursery provision is provided at Section 9.0 Nursery (3–4 year olds).
- 6.13 The contribution of £6,300,360 (index-linked BCIS 1Q2024 and including BCIS Regional Factor) is a minor update to the s106 primary education contribution which was included within the committee report. The reason for this, is that there was an incorrect assumption at the time made about the land costs.

¹⁷ See Appendix 5: Securing Developer Contributions for Education, paragraph 23.

- 6.14 As the site is providing land to enable the delivery of a school, the land transfer must also be secured as part of the planning obligation. To ensure the school is deliverable, the land must be serviced and transferred in a condition that enables its development. The S106 agreement therefore requires compliance with HCC's land specification and site servicing works. Further details are provided in *Appendix 12: Technical Appendix 11 – Land Matters*.
- 6.15 The contribution is therefore based on the pupil yield arising from the development, taking account of its characteristics, and appropriate per-pupil costs, and is thus related in scale and kind to the development.
- 6.16 Further information on HCC's approach to mainstream education contributions is set out in Appendix 13: Technical Appendix 3 – Education (Mainstream Schools).
- 6.17 To ensure that the delivery of the on-site primary school is aligned with the yield arising from the development, HCC will be required to take ownership of the serviced school land parcel within the first three years of the site becoming operational. Consequently, the servicing of the school land must commence immediately to ensure it is delivered in the necessary timeframe. Details of the servicing and transfer requirements of the school land will need to be identified and secured in the S106 Agreement.
- 6.18 As set out in the further comments stated in the Committee minutes¹⁸, HCC was satisfied that the land allocated was of a sufficient size to deliver a 1FE primary school and raised no objection to the allocation of the potential school site identified within the parameter plan. This is still the case, subject to it conforming to HCC's standard land specification requirements which need to be included in the s106 legal agreement to the satisfaction of the county council.
- 6.19 It is expected that any abnormal costs associated with undertaking works required to bring the site up to HCC's specification will be borne entirely by the developer.

7.0 Mainstream Education Secondary

Necessity

- 7.1 HCC has a statutory responsibility to provide sufficient school places for Secondary Primaryage pupils. Ensuring access to good local schools also supports the sustainability of sites and communities, contributes to local wellbeing, and gives children the best possible start in life.
- 7.2 HCC assesses school capacity within designated school planning areas. **Land To North Of Little Green Lane** is located within the Rickmansworth SecondaryPrimary Planning Area. The forecast for this school planning area is set out in Figure4 below.

¹⁸ [Committee Minutes from 22nd January 2026](#)

19 Rickmansworth												
School Code	School Name	Places Available 2025-26	Actuals			Forecast						
			2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32
4007	The Reach Free School	120	151	127	122							
4025	Croxley Danes School	180	182	180	180							
5400	Rickmansworth School	240	270	241	238							
5418	Saint Joan of Arc Catholic School	210	209	216	203							
5421	St Clement Danes School	240	240	240	240							
Total Year 7 Pupil Demand			1,052	1,004	983	962	976	970	920	947	916	908
Total Year 7 Places Available		990				990	990	990	990	990	990	990
Surplus or Shortage of Year 7 Places (No.)						28	14	20	70	43	74	82
Surplus or Shortage of Year 7 Places (%)						2.8%	1.4%	2.0%	7.1%	4.3%	7.5%	8.3%
Surplus or Shortage of Year 7 Places (FE)						0.9	0.5	0.7	2.3	1.4	2.5	2.7

Figure 4: Forecast for the Rickmansworth Secondary planning area for 2025/26.

- 7.3 **Land To North Of Little Green Lane** is forecast to yield 0.80 FE at Secondary stage.
- 7.4 The forecasts show a close match in the supply and demand for school places within the area, with only a small surplus capacity forecast in some years. Moreover, secondary education places take a significant time to arise and therefore, the impact of the housing growth on secondary education places will be predominantly beyond these forecasts.
- 7.5 It is therefore unlikely that sufficient school capacity will exist in the local area to meet the needs of **Land To North Of Little Green Lane**. Without new education capacity, children would be unlikely to secure a local school place, leading to unsustainable patterns of movement.
- 7.6 A planning obligation is therefore necessary to make this application acceptable in planning terms.

Directness

- 7.7 The project identified to mitigate the impact of this development is the expansion of Croxley Danes Secondary School.
- 7.8 Both the development site and the identified mitigation project are located within the Rickmansworth Secondary School Planning Area. This is illustrated in Figure 5 below.

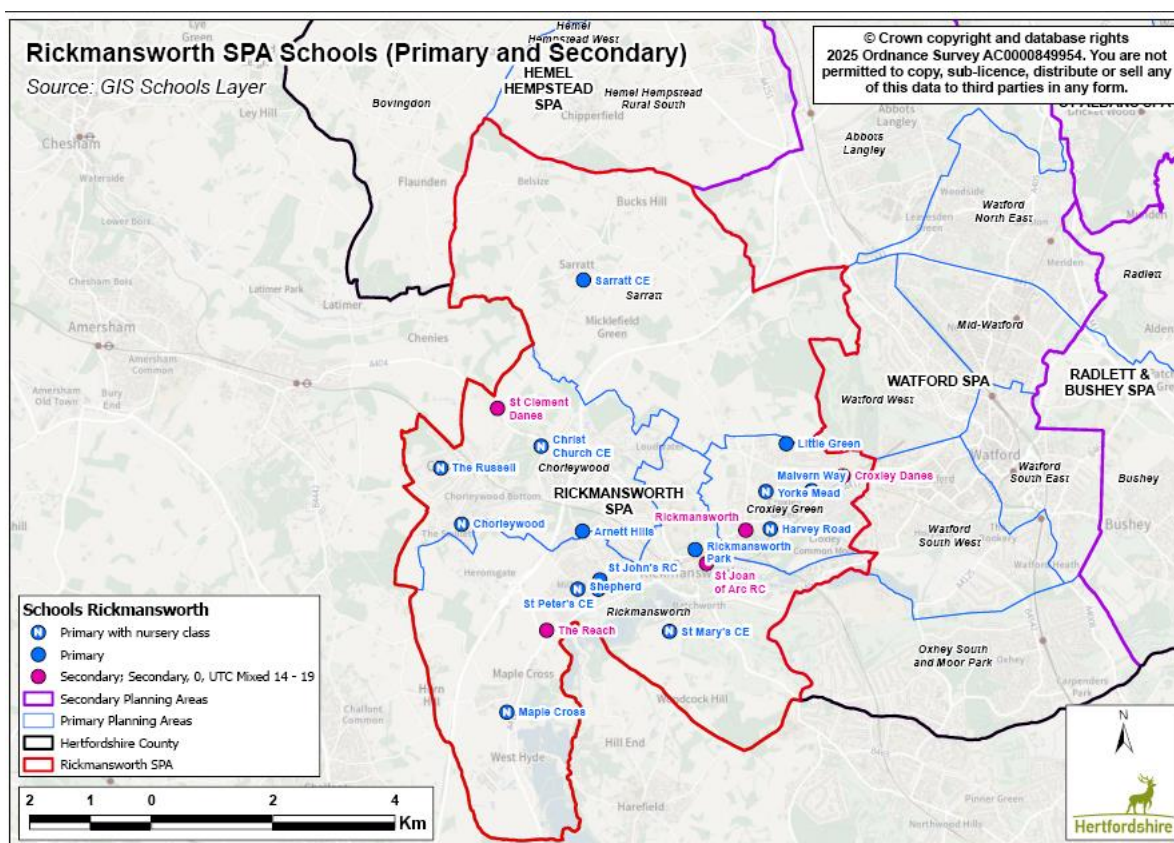


Figure 5: Map of Rickmansworth Secondary School Planning Area

- 7.9 HCC can reasonably expect that secondary aged children from this development will attend £4,376,834 Croxley Danes Secondary School and therefore, a planning obligation towards the expansion of Croxley Danes School is directly related to the development.

Scale

- 7.10 HCC's requested planning obligation is £4,376,834 Secondary index-linked to BCIS Q1 2024 and BCIS Regional Factor. The methodology for calculating this contribution is set out below.
- 7.11 The development mix set out in Table 1: Application development mix as assessed using the HDM, forecasts a peak pupil yield of 120 or 0.80FE at the Secondary stage, and 25 at the Post-16 stage.
- 7.12 The DfE school scorecards maintain benchmark costs for both new schools and expansions. As this project is an expansion the most appropriate per-place scorecard costs are the expansion costs. The applicable scorecard costs for a Secondary and Post-16 place are therefore £27,492 per place, index-linked to BCIS Q1 2024 and BCIS Regional Factor.
- 7.13 The subsequent calculation is set out in **Error! Reference source not found.** below. Note that the calculation shown is rounded for illustrative purposes.

Table 4: Calculation of the Secondary planning obligation.

Phase	Pupils	Cost Per Place	Contribution
Post-16	2525	£30,241£27,492	£756,030
Secondary	120	£30,241	£3,628,920
Total			£4,384,950

- 7.14 The contribution is based on the pupil yield arising from the development, taking account of its characteristics, and the appropriate per-pupil DfE scorecard costs. Therefore, the contribution is related in scale and kind to the development.
- 7.15 Further information on HCC's approach to mainstream education contributions is set out in Appendix 13: *Technical Appendix 3 – Education (Mainstream Schools)*.

8.0 Special Education Needs (SEND)

Necessity

- 8.1 HCC has a statutory responsibility to provide sufficient school places for pupils with SEND requirements. Access to SEND education services is essential to ensure fairness and equal opportunities for all pupils and parents.
- 8.2 HCC's SEND Special School Place Planning Strategy identifies the need for additional special school places in Hertfordshire.¹⁹ It highlights a shortfall in provision across several categories, including Physical and Neurological Impairment, Severe Learning Difficulties, Social Emotional and Mental Health, Learning Difficulties, and Hearing Impairment/Deaf. Furthermore, there is currently no special school provision for the Communication and Autism category.
- 8.3 Demand for SEND provision continues to grow, and the additional new dwellings will place further pressure on an already stretched service, exacerbating an already problematic situation. HCC plans to deliver new special schools covering various SEND categories and has secured planning permission for the expansion and reprovision of Breakspeare School in Croxley Green (WEST) and towards a new special school in Buntingford (EAST).
- 8.4 S106 contribution are sought from new developments to mitigate the additional demand placed upon the SEND education system in Hertfordshire.
- 8.5 A planning obligation is therefore necessary to make this application acceptable in planning terms.

¹⁹ See Appendix 14: SEND Special School Place Planning Strategy.

Directness

- 8.6 The project identified to mitigate the impact of development is towards new Severe Learning Difficulty (SLD) special school places (WEST) for pupils aged 2 to 19 years old, through the relocation and expansion of Breakspeare School.
- 8.7 **Land To North Of Little Green Lane** is adjacent to the where Breakspeare School is being relocated. HCC can therefore reasonably expect that the identified project would serve the development.
- 8.8 A planning obligation towards new Severe Learning Difficulty (SLD) special school places (WEST) for pupils aged 2 to 19 years old, through the relocation and expansion of Breakspeare School is therefore directly related to the development.

Scale

- 8.9 HCC's requested planning obligation is £784,006, index-linked to BCIS Q1 2024 and includes BCIS Regional Factor. The methodology for calculating this contribution is set out below.
- 8.10 DfE guidance²⁰ states that it is reasonable and fair to seek developer contributions for SEND provision in direct proportion to the needs arising from a housing development, specifically in relation to pupils requiring provision in a special school, specialist provision within a mainstream school, a pupil referral unit, or other alternative provision
- 8.11 HCC calculates contributions for SEND provision using a flat-rate per dwelling type, multiplied by the number of proposed dwellings. This approach is simpler and more appropriate given the smaller number of SEND pupils compared to mainstream pupils.
- 8.12 These rates are calculated based on the observed yields of SEND pupils in the PYS and the per-place costs for SEND pupils, which are four times higher than the DfE per-place scorecard costs for mainstream pupils.
- 8.13 The subsequent calculation, based on the development mix set out at Table 1: Application development mix, is presented in Table 5 below. Note that the calculation shown is rounded for illustrative purposes.

Table 5: SEND contribution calculation

Phase	Type	Number of Units	Cost Per Place	Contribution
Primary	Houses	299	£821	245,479
Primary	Flats	301	£336	101,136
Secondary	Houses	299	£1,128	337,272

²⁰ Paragraph 25-30 of Securing Developer Contributions for Education

Phase	Type	Number of Units	Cost Per Place	Contribution
Secondary	Flats	301	£333	100,233
Total				£784,120

- 8.14 The contribution is based on the pupil yield arising from the development, taking account of its characteristics, and the appropriate per-pupil DfE scorecard costs. Therefore, the contribution is related in scale and kind to the development.
- 8.15 Further information on HCC's approach to special school contributions is set out in Appendix 15: Technical Appendix 4 – Education (Special Schools and Specialist Provision).

9.0 Nursery (3–4 year olds)

Necessity

- 9.1 HCC has a statutory duty to ensure there are sufficient childcare places for working parents and for parents who are studying or training for employment. This duty covers children aged 0 to 14, and up to 19 for children with SEND. This includes a duty to secure free provision for all 3–4-year-olds for 15 hours during term time plus a further 15 hours for working parents.
- 9.2 While provision can be at a variety of different settings, providing nursery education at primary schools offers several advantages. It facilitates a smoother transition into full time education, gives children a headstart in the foundation stage curriculum, and provides convenience for parents. DfE guidance recommends that new schools include a nursery class serving 3–4-year-olds and acknowledges that securing developer contributions has a role to play in delivering this aspect of government policy.²¹ Therefore, new nursery provision should be made alongside new primary education capacity.
- 9.3 A planning obligation is therefore necessary to make this application acceptable in planning terms.

Directness

- 9.4 Since the nursery obligation follows the primary education contribution, it is also directly related to the development.

Scale

- 9.5 As new nursery provision is made alongside new primary education capacity, the calculation is set out in Section 6.0 Mainstream Education above.

²¹ See Appendix 5: Securing Developer Contributions for Education, paragraph 23.

- 9.6 Further information on HCC's approach to Early Years contributions is set out at Appendix 16: Technical Appendix 2 – Education (Early Years).

10.0 Waste (Transfer Stations)

Necessity

- 10.1 HCC, as the Waste Disposal Authority (WDA) is responsible for bulking, segregating and securing the onward disposal of residual waste collected by the districts and boroughs, as well as waste collected at the county's Recycling Centres (RCs). This is primarily undertaken at a Waste Transfer Station (WTS).
- 10.2 Waterdale TS currently handles most of Hertfordshire's residual waste; however, there is insufficient spare capacity to cope with demand, and work is being forward funded to increase capacity at this WTS. Additional WTSs are planned to more sustainably support the north and east of the county, with work for the new Eastern Transfer Station already underway and also being forward funded by HCC, on the basis that proportional S106 contributions are still sought from subsequent developments in the area. The additional WTSs will ensure that there is sufficient capacity in the network and that no main population centre in the county is more than 20 minutes' drive time from the nearest WTS²².
- 10.3 Due to lack of service capacity, a planning obligation is therefore necessary to make this application acceptable in planning terms.

Directness

- 10.4 **Land To North Of Little Green Lane** is within the catchment area of the Waterdale TS. Therefore, a planning obligation towards increasing capacity by expansion of Waterdale Transfer Station is directly related to the development.

Scale

- 10.5 HCC's requested planning obligation is £63,947, index-linked to BCIS Q1 2024. The methodology for calculating this contribution is set out below.
- 10.6 The development mix set out in Table 1, assessed by the NET, forecasts 1,399 service users arising from the development.
- 10.7 Given that the geographical catchments and the works to be undertaken for Hertfordshire WTSs vary, there will be a different project cost for each facility and project. Costs per project are therefore based on the individual catchment areas. The cost of the project is divided by the number of existing residents as well as the projected number of additional residents in the catchment area to get a cost-per-person rate for the project.

²² See Appendix 1717: Collected Waste Spatial Strategy

- 10.8 The subsequent NET calculation is set out in Table6 below. Note that the below calculation shown is rounded for illustrative purposes.

Table 6: Waste TS planning obligation calculation

Service Users	Cost Per Place	Contribution
1,399	£45.73	£63,976

- 10.9 Accordingly, a contribution of £63,947 (index-linked to BCIS Q1 2024) is sought towards increasing capacity at increasing capacity by expansion of Waterdale Transfer Station.
- 10.10 Further information on HCC's approach to Waste contributions is set out at Appendix 1818: Technical Appendix 7 – Waste Management.

11.0 Fire Hydrants

- 11.1 As the statutory Fire & Rescue Authority under the Fire and Rescue Act 2004, HCC seeks to ensure that all new developments are adequately served by fire-fighting water supplies. To fulfil this duty, all new developments must be designed to include appropriate fire hydrants. As the provision of fire hydrants is not secured through Building Regulations, they must instead be secured through the planning process. Without this, both people and property would be at increased risk in the event of a fire.
- 11.2 Operationally, all new housing must be located within 90 metres of a fire hydrant to enable Hertfordshire Fire and Rescue Service to reliably extinguish fires. Fire hydrants should be incorporated at the masterplanning stage. The precise number and location of hydrants will be confirmed at the detailed design stage, once the internal layout and water service infrastructure are finalised.
- 11.3 The existing hydrant network does not provide sufficient coverage to meet this operational requirement. New fire hydrants are therefore essential to ensure the development can be safely and effectively served.
- 11.4 No financial contribution is requested, but fire hydrants should be secured via planning condition. A planning condition requiring the submission, approval, and implementation of a fire hydrant water supply scheme is therefore necessary and reasonable. If the developer does not provide the hydrants required as a direct result of their development the responsibility and cost would fall upon HCC.
- 11.5 To secure the necessary provision the following condition is required:

Condition:

No above-ground works shall take place until a scheme for the provision of adequate water supplies and fire hydrants necessary for firefighting purposes has been submitted to and approved in writing by the Local Planning

Authority. The development shall not be occupied until the approved scheme has been fully implemented.

Reason:

To ensure sufficient water infrastructure is provided on site to enable the Fire and Rescue Authority to discharge its statutory firefighting duties.

- 11.6 This condition is necessary, relevant, enforceable, precise, proportionate, and directly related to the development, and therefore fully meets the six tests for planning conditions.
- 11.7 Further guidance is available in Appendix 1919 - Technical Appendix 8 – Fire and Rescue Service.

12.0 Looked After Children

Role of the County Council

- 12.1 Under the Children Act 1989, local authorities must take all reasonably practicable steps to ensure that children and young people in their care are provided with suitable accommodation within the authority's area, unless there is a compelling reason to do otherwise. When a child enters care, the County Council acts as the corporate parent and has a statutory responsibility to provide safe, appropriate and supportive accommodation which meets the child's needs.
- 12.2 Children's homes play a critical role in the care system, providing both short- and long-term accommodation for children who are unable to live with their families. Homes must no longer reflect outdated institutional models of provision and instead be domestic-scale dwellings that resemble family homes, providing a safe and nurturing environment to that supports positive outcomes for young people in care.

Need and Justification

- 12.3 The South West Hertfordshire Local Housing Need Assessment (LHNA) Update (March 2024)²³ identifies a clear current and future need for children's homes, informed by evidence that demand is increasing and that there are benefits to accommodating children within the communities they know, close to family networks and support services. The assessment confirms a strategy to broaden the geographic spread of children's homes across Hertfordshire in order to meet this need and reduce reliance on placements outside the county.
- 12.4 In Three Rivers, the LHNA identifies a projected need for additional children's home bedspaces up to 2041. This demonstrates that new residential development contributes, at least in part, to the wider pressures that necessitate the delivery of additional children's homes and supports the

²³ See Appendix 20: South West Hertfordshire Local Housing Need Assessment Update (March 2024)

principle that future provision should be planned as part of a sustainable, plan-led approach to growth.

- 12.5 HCC deploys children's social care provision on a Hertfordshire-wide basis; however, it is a strategic objective to accommodate need at a more local level where possible. Delivering children's homes within residential communities helps ensure placements are accessible to education, health services, transport networks and local amenities, and supports children remaining closer to their families and social networks.
- 12.6 The need identified within the LHNA is directly related to population growth and housing development across the area. As such, Local Plan policies provide an appropriate mechanism to secure suitable locations and opportunities for the delivery of children's homes in response to these pressures. The Written Ministerial Statement of 23 May 2023 confirms that Local Planning Authorities should give due weight to, and be supportive of, proposals for accommodation for looked after children that reflect identified local needs.

Specification

- 12.7 Children's homes must meet specific locational and design criteria to ensure they are suitable for their intended use. HCC's Service Provision and Place-Making Guide²⁴ sets out clear expectations, including that homes should be located within residential areas, avoid areas of deprivation or high levels of anti-social behaviour, have access to public transport and local services, and provide appropriate internal and external space, staff facilities and parking. These requirements ensure that any provision secured is directly related to, and appropriate for, the needs arising from development.

Delivery

- 12.8 HCC welcomes the inclusion of a children's home to be accommodated within the Land to North of Little Green Lane development. The provision of a children's home as part of the scheme is recognised as a positive contribution towards meeting identified need and supporting the delivery of care provision within local communities.
- 12.9 Where a need for additional children's homes can be demonstrated, HCC will seek to support their delivery through both strategic planning and the development management process. While the Local Plan provides an important framework for identifying need and guiding suitable locations, children's homes may also be delivered and secured through a planning obligation, including via a Section 106 agreement, once a planning application is submitted.
- 12.10 HCC welcomes the opportunity to work with the applicant on the drafting of the s106 legal agreement.

²⁴ [Service Provision and Place-Making Guide 2024](#)

12.11 Further guidance is available in Appendix 21: [Technical Appendix 10 - Children's Homes \(PDF 6.93Mb\)](#)

13.0 Monitoring Fees

- 13.1 Local authorities are permitted to charge monitoring fees to recover their costs in monitoring planning obligations, provided these fees are proportionate, reasonable, and reflect the actual cost of monitoring.²⁵
- 13.2 HCC charges £420, index-linked to January 2024 RPI, per individual trigger point. This figure is derived from the cost of expected time required by a Monitoring Officer and Senior Planning Officer to undertake tasks associated with monitoring that trigger.
- 13.3 Further information on HCC's approach to monitoring is set out at Appendix 1: Guide to Developer Infrastructure Contributions.

14.0 Conclusions

- 14.1 HCC is seeking the financial contributions set out in this Statement, together with fire hydrant provision to be secured through a planning condition, to mitigate the impact of this proposed development.
- 14.2 It is considered that these requirements meet the tests set out within Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended 2019) and paragraph 58 of the NPPF.
- 14.3 Therefore HCC, respectfully requests that the Inspector accepts these obligations.

²⁵ See [Planning Obligations Planning Practice Guidance](#) paragraph 36.

15.0 Appendices

Appendix 1	Guide to Developer Infrastructure Contributions
Appendix 2	Guide to Developer Infrastructure Contributions Legal Pack
Appendix 3	Guide to Non-Education Model and Indicative Section 106 Contributions Calculator
Appendix 4	Department for Education School Scorecards
Appendix 5	Securing Developer Contributions for Education
Appendix 6	Estimating Pupil Yield from Housing Development
Appendix 7	Guide to the Hertfordshire Demographic Model
Appendix 8	Pupil Yield Survey Methodology
Appendix 9	Appeal Decision: Land east of A10, Buntingford, Hertfordshire
Appendix 10	Response to Planning Application 24/2073/OUT dated 11 November 2025
Appendix 11	Officer's Report for Planning Application 24/2073/OUT dated 22 January 2026
Appendix 12	Technical Appendix 11 – Land Matters
Appendix 13	Technical Appendix 3 – Education (Mainstream Schools)
Appendix 14	SEND Special School Place Planning Strategy
Appendix 15	Technical Appendix 4 – Education (Special Schools and Specialist Provision)
Appendix 16	Technical Appendix 2 – Education (Early Years)
Appendix 17	Collected Waste Spatial Strategy
Appendix 18	Technical Appendix 7 – Waste Management
Appendix 19	Technical Appendix 8 – Fire and Rescue Service
Appendix 20	South West Herts Local Housing Needs Assessment
Appendix 21	Technical Appendix 10 – Children's Homes