

Our Ref: DfE/Local Plan/NE Cambridge

7th March 2019

Dear Sir/Madam,

Re: North East Cambridge Area Action Plan

Consultation under Regulation 18 of Town and Country Planning (Local Planning) (England) Regulations 2012

Submission of the Department for Education

1. The Department for Education (DfE) welcomes the opportunity to contribute to the development of planning policy at the local level.
2. Under the provisions of the Education Act 2011 and the Academies Act 2010, all new state schools are now academies/free schools and the DfE is the delivery body for many of these, rather than local education authorities. However, local education authorities still retain the statutory responsibility to ensure sufficient schools, including sixth form places, and have a key role in securing contributions from development to new education infrastructure. In this context, we aim to work closely with local authority education departments and planning authorities to meet the demand for new school places and new schools. We do this through a variety of means, including by supporting the adoption of sound local plan policies, site allocations and guidance (all based on robust evidence) that facilitate the delivery of education infrastructure where and when it is needed and maximise developer contributions for schools. In this capacity, we would like to offer the following comments in response to the proposals outlined in the above consultation document.

General Comments on the Area Action Plan Approach to New Schools

3. The DfE notes that significant growth and regeneration is being planned for North East Cambridge through joint development of this area action plan by Cambridge City Council and South Cambridgeshire District Council (referred to as the Councils below). While the number of homes has not yet been defined, a significant growth in housing stock is expected in the area which will place additional pressure on social infrastructure such as education facilities. The area action plan will therefore need to be 'positively prepared' to meet objectively assessed development needs and infrastructure requirements.
4. The DfE welcomes reference within the plan to support the development of appropriate community facilities (section 10) and we note that the councils are in ongoing discussions with service providers on what these needs are.
5. In light of the requirement for all Local Plans to be consistent with national policy, you will have no doubt taken account of key national policies relating to the provision of new school places, but it would be helpful if they were explicitly referenced or signposted within the document. In particular:

- The *National Planning Policy Framework* (NPPF) advises that local planning authorities (LPAs) should take a proactive, positive and collaborative approach to ensuring that a sufficient choice of school places is available to meet the needs of communities and that LPAs should give great weight to the need to create, expand or alter schools to widen choice in education (para 94).

- The DfE supports the principle of safeguarding land for the provision of new schools to meet government planning policy objectives as set out in paragraph 94 of the NPPF. When new schools are developed, local authorities should also seek to safeguard land for any future expansion of new schools where demand indicates this might be necessary.

- The Councils should also have regard to the Joint Policy Statement from the Secretary of State for Communities and Local Government and the Secretary of State for Education on *'Planning for Schools Development'*¹ (2011) which sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system.

6. Given the above context and the Duty to Cooperate on strategic priorities such as community infrastructure (NPPF para 24-27)², the DfE encourages close working with local authorities during all stages of planning policy development to help guide the development of new school infrastructure and to meet the predicted demand for primary and secondary school places.
7. In planning for schools, the DfE commends, for example, the approach taken by the London Borough of Ealing in producing a Planning for Schools Development Plan Document (DPD, 2016)³. We are not suggesting that the Councils produce a separate DPD as Ealing have done, but we do believe that the systematic approach they have taken is informative for local plans. The DPD provides policy direction, establishes the Council's approach to providing primary and secondary school places and helps to identify sites which may be suitable for providing them (including, where necessary and justified, on Green Belt/MOL), whether by extension to existing schools or on new sites. It includes site allocations as well as policies to safeguard the sites and assist implementation and was adopted in May 2016 as part of the Local Plan. The DPD may provide useful guidance with respect to an evidence based approach to planning for new schools in the emerging AAP, securing site allocations for schools as well as providing example policies to aid delivery through Development Management policies.

Site Allocations

8. Ensuring there is an adequate supply of sites for schools is essential and will ensure that the Cambridge City and South Cambridgeshire District Councils can swiftly and flexibly respond to the existing and future need for school places to meet the needs of the borough over the plan period.
9. At this early stage of the emerging Local Plan site allocations have not yet been drafted. The next version of the Local Plan should seek to identify specific sites (existing or new) which can deliver the school places needed to support growth, based on the latest evidence of identified need and demand in the updated Infrastructure Delivery Plan. The site allocations and/or associated safeguarding policies should also

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740441/National_Planning_Policy_Framework_web_accessible_version.pdf

² NPPF paragraph 24-27 specifies that this collaborative working should include infrastructure providers.

³ https://www.ealing.gov.uk/info/201164/local_plans/1961/planning_for_schools_dpd

seek to clarify requirements for the delivery of new schools, including when they should be delivered to support housing growth, the minimum site area required, any preferred site characteristics, and any requirements for safeguarding additional land for future expansion of schools where need and demand indicates this might be necessary. For an example of the latter, see draft policy CC7 in Milton Keynes's Plan:MK Preferred Option draft from March 2017⁴.

10. These site specific policy requirements need to be set out clearly, informed by robust evidence of infrastructure need, so that they can be accurately accounted for in the viability assessment of the local plan (to ensure that the total cumulative cost of all relevant policies will not undermine deliverability of the plan)⁵, and in the price paid for land by developers and other parties.
11. While it is important to provide clarity and certainty to developers, retaining a degree of flexibility about site specific requirements for schools is also necessary given that the need for school places can vary over time due to the many variables affecting it. The DfE therefore recommend the Council consider highlighting in the next version of the Local Plan that:
 - specific requirements for developer contributions to enlargements to existing schools and the provision of new schools for any particular site will be confirmed at application stage to ensure the latest data on identified need informs delivery; and that
 - requirements to deliver schools on some sites could change in future if it were demonstrated and agreed that the site had become surplus to requirements, and is therefore no longer required for school use.
12. The DfE currently has one live central wave pipeline free school project for which a site has been identified in the AAP area: Cambridge Mathematics School, a mainstream sixth form with a specialism in Maths (200 pupils at full capacity). We have identified a site in the south east corner of the AAP area, located immediately west of the new Cambridge North station on vacant land that was formerly railway sidings. The site is central within an area proposed for residential, commercial and business uses.
13. The DfE believe that a D1 use, of the type and specialism proposed here, would be complementary to the high tech science park to the west, as well as the university and would fit in well as a community use within the proposed residential-led mixed use development of the wider site. A school with a Maths specialism will attract pupils from an area wider than the immediate city and district, therefore this location close to the new railway station is considered a highly suitable and sustainable site for this particular school. It will contribute to widening choice in the local education offer, as supported by the NPPF (see paragraph 5 above). To provide certainty around delivery of the school, we request that a site which can be brought forward early, be considered for formal allocation for D1 use to accommodate the proposed school in the next iteration of the AAP. We would be happy to provide further information about the school if required.

Forward Funding

14. In light of proposals for significant mixed use development proposed for NE Cambridge, emerging DfE proposals for forward funding schools as part of large residential developments may be relevant, for example if viability becomes an issue. The DfE aims to be able to clarify forward funding options for schools shortly, following recent

⁴ <https://www.milton-keynes.gov.uk/planning-and-building/planning-policy/plan-mk>

⁵ PPG on Viability: <https://www.gov.uk/guidance/viability#viability-and-plan-making>

approval from Treasury. We would be happy to meet to discuss this opportunity further once details of the plans for the area, including requirements for new schools, have been progressed. Any offer of forward funding would seek to maximise developer contributions to education infrastructure provision while supporting delivery of schools where and when they are needed.

Developer Contributions and CIL

15. One of the tests of soundness is that a Local Plan is 'effective' i.e. the plan should be deliverable over its period. In this context and with specific regard to planning for schools, there is a need to ensure that education contributions made by developers are sufficient to deliver the additional school places required to meet the increase in demand generated by new developments. The DfE notes that neither Cambridge City Council or South Cambridgeshire District Council currently have adopted a Community Infrastructure Levy; rather the Councils intend, through the AAP, to put in place a Section 106 regime specific to the area "*to ensure all proposed developments across NEC contribute equitably to the provision and/or funding of all appropriate infrastructure requirements*" (para 12.4). The DfE broadly support this approach to ensuring developer contributions address the impacts arising from growth.
16. The council should set out education infrastructure requirements for the plan period within an Infrastructure Funding Statement⁶. Where additional need for school places will be generated by housing growth, the statement should identify the anticipated section 106 funding towards this infrastructure. The statement should be reviewed annually to update the schedule and phasing of infrastructure requirements and report on the amount of funding received via developer contributions and how it has been used, providing transparency to all stakeholders.
17. The DfE would be particularly interested in responding to any update to the Infrastructure Delivery Plan or review of infrastructure requirements, which will inform any emerging CIL and/or amendments to the Regulation 123 list. As such, please add the DfE to the database for future CIL consultations.

Conclusion

18. Finally, I hope the above comments are helpful in shaping the NE Cambridge Area Action Plan, with specific regard to the provision of land for schools.
19. Please do not hesitate to contact me if you have any queries regarding this response. The DfE looks forward to continuing to work with Cambridge City Council and South Cambridgeshire District Council to aid in the preparation of a sound Area Action Plan.

Yours faithfully,



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⁶ PPG on Plan-Making: <https://www.gov.uk/guidance/plan-making#maintaining-effective-cooperation>