

**Our Ref: DfE/Local Plan/Stroud 2020**

22<sup>nd</sup> January 2020

Dear Sir/Madam,

**Re: Stroud District Local Plan Review: Draft Plan for Consultation**

**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 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 school places, including those at sixth form, 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 have published guidance on education provision in garden communities and securing developer contributions for education, at <https://www.gov.uk/government/publications/delivering-schools-to-support-housing-growth>. You will also be aware of the corresponding additions to Planning Practice Guidance on planning obligations, viability and safe and healthy communities.
3. We would like to offer the following comments in response to the above consultation document.

**Policy approach to education**

4. DfE notes that significant growth in housing stock is expected in the district; the consultation document anticipates an annual housing requirement of 638 homes to the end of the plan period in 2040. This will place additional pressure on social infrastructure such as education facilities. The Local Plan will need to be 'positively prepared' to meet the objectively assessed development needs and infrastructure requirements.
5. The draft plan makes very little reference to education needs arising over the plan period. The provision of good school places alongside housing growth is not among the priorities and objectives of the plan, and DfE recommends that this is addressed in the next version.

6. We note that Core Policy CP3 (settlement hierarchy) includes education among the mixed uses of strategic sites at main settlements and local service centres, and we support this approach.
7. Core Policy CP4 (place-making) refers to various aspects of design including connectivity and access to services, a sense of place through materials and layout, and safety. A school has an essential role in any community, bringing people together and often providing shared community use of sports facilities. Its position in a strategic site and timing of delivery have a significant impact on place-making and public support for new development. We request that the next iteration of the plan recognise the importance of providing particular uses (including schools) for place-making, in addition to the standard design considerations around layout and positioning of buildings and roads.
8. We welcome the inclusion of schools in some of the draft site allocation policies, such as PS19a (Northwest of Stonehouse) and PS24 (West of Draycott). At the next stage of the plan's preparation, detailed policies should define the amount of land to be safeguarded for schools in the relevant sites, along with any necessary site characteristics, as advised by the county council.
9. Among the plan's priorities for delivery set out on page 19, there is a reference to "facilitating community infrastructure projects through innovative funding mechanisms." You may be interested in DfE's new pilot initiative, Developer Loans for Schools,<sup>1</sup> which offers a new way of forward-funding the delivery schools as part of large housing developments. Subject to approval of a business case, DfE is offering housing developers loans of up to £20 million to deliver schools earlier in a development than would have been possible otherwise, easing cashflow constraints and helping to accelerate housing delivery. I would be happy to meet you to discuss Developer Loans for Schools and any planned housing developments in Stroud district that may be eligible.

#### **Developer Contributions and Community Infrastructure Levy (CIL)**

10. Policy CP6 (infrastructure and developer contributions) commits the Council to the preparation and regular review of the Infrastructure Delivery Plan (IDP), and states that contributions will be sought towards infrastructure in accordance with the identified priorities and objectives for delivering sustainable communities. Therefore, it is essential that the priorities and objectives do include the provision of education facilities, based on evidence of the forecast need for school places as a result of planned development. No IDP or viability assessment have been published among the evidence base for the Local Plan Review, so there is nothing to demonstrate that education needs and costs have been factored into the Council's consideration of objectives, sites and the deliverability of the plan. An assessment of education needs should include all phases and types of education, including special educational needs.
11. Viability assessment should inform options analysis and site selection, with site typologies reflecting the type and size of developments that are envisaged in the borough/district. This enables an informed judgement about which developments would be able to deliver the range of infrastructure required, including schools, leading to policy requirements that are fair, realistic and evidence-based. In accordance with Planning Practice Guidance, there should be an initial assumption that applicable developments will provide both land and funding for the construction of new schools. The total cumulative cost of complying with all

---

<sup>1</sup> <https://www.gov.uk/government/publications/developer-loans-for-schools-apply-for-a-loan>

relevant policies should not undermine deliverability of the plan, so it is important that anticipated education needs and costs of provision are incorporated at the outset, to inform local decisions about site selection and infrastructure priorities.<sup>2</sup>

12. DfE expects local authorities to seek developer contributions towards the cost of new school places that are needed as a result of housing development. You will be aware of the revision to the CIL Regulations in September 2019, removing the 'pooling restriction' for Section 106 planning obligations and the requirement for R123 lists, and allowing for both CIL and S106 funding to be put towards the same item of infrastructure. DfE recommends that Policy CP6 and the use of CIL be reconsidered in the light of the revised regulations, taking into account the relevant Planning Practice Guidance and DfE's guidance on securing developer contributions for education.<sup>3</sup> DfE supports the use of planning obligations to secure developer contributions for education wherever there is a need to mitigate the direct impacts of development, consistent with Regulation 122 of the CIL Regulations.
13. The Council should set out education infrastructure requirements for the plan period within an Infrastructure Funding Statement<sup>4</sup>. Where additional need for school places will be generated by housing growth, the statement should identify the anticipated CIL and Section 106 funding towards this infrastructure. The statement should be reviewed annually to report on the amount of funding received via developer contributions and how it has been used, providing transparency to all stakeholders. We recommend that the next version of the plan takes account of the new requirement for Infrastructure Funding Statements.
14. We also request a reference within the Local Plan's policies or supporting text to explain that developer contributions may be secured retrospectively, when it has been necessary to forward fund infrastructure projects in advance of anticipated housing growth. An example of this would be the local authority's expansion of a secondary school to ensure that places are available in time to support development coming forward. This helps to demonstrate that the plan is positively prepared and deliverable over its period.
15. DfE would be particularly interested in responding to any update to the Infrastructure Delivery Plan/Infrastructure Funding Statement, viability assessment or other evidence relevant to education which may be used to inform local planning policies and CIL charging schedules. As such, please add DfE to the database for future consultations on relevant plans and proposals.

## **Conclusion**

16. Finally, I hope the above comments are helpful in shaping the Stroud District Local Plan, with specific regard to the provision of land and developer contributions for schools. Please advise DfE of any proposed changes to the emerging Local Plan policies, supporting text, site allocations and/or evidence base arising from these comments.

---

<sup>2</sup> PPG on viability and planning obligations: <https://www.gov.uk/government/collections/planning-practice-guidance>

<sup>3</sup> <https://www.gov.uk/government/publications/delivering-schools-to-support-housing-growth>

<sup>4</sup> PPG on Plan-Making: <https://www.gov.uk/guidance/plan-making#maintaining-effective-cooperation>

17. Please do not hesitate to contact me if you have any queries regarding this response. DfE looks forward to continuing to work with Stroud District Council to aid in the preparation of a sound Local Plan.

Yours faithfully,

