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Response to the Land Allocation Provision West of Cockerham Road SA1/16 Draft Wyre Local Plan Examination

1 The site is identified in the Draft Wyre Local Plan (September 2017) and allocated for housing and deliverable in the period to 2031 (Policy SA1).

2 The policy at 1. requires a whole site masterplan and at 8. requires land to be made available for a primary school. No justification for the request is provided and the policy suggests the site to be fully delivered within the Plan period.

2.1 Taylor Wimpey is concerned in relation to the viability and deliverability issues associated with making land available for a new primary school on a 5.81ha site with an allocation for 100 units. An allocation for 100 units as set out in SA1/16 is insufficient to deliver the critical mass necessary to deliver a primary school. Taylor Wimpey considers that the school can only be delivered if the allocation is increased to the full 250 units previously promoted by Taylor Wimpey and substantial S.106 contributions from committed development in Garstang is used for its delivery.

2.2 Secondly, the proposed allocation comprises 5.81ha of land, of which we anticipate c.60% will constitute net developable land (3.49ha) once the necessary onsite infrastructure and open space is accounted for in the masterplan to comply with the policy at 2 and 3. A 1FE primary school with its pre-school classroom and with the recommended playing field provision, but with no potential for future expansion¹, would require circa 1.2ha of land which would leave only 2.29ha of land remaining for residential development. As such, if the current site is required to make land available for an onsite primary school, the site will only be able to accommodate c.60 residential units, notwithstanding the viability implications.

¹ This is not sound school place planning, especially as 2 forms of entry is generally considered to be the best economic unit for primary school size balanced against the scale of a school for young children.

3 Turning now to the LCC Statement EL5.009b (“Statement”). This identifies that the reason for the request is present enrolment patterns to local primary schools and seven extant planning applications totalling 627 dwellings and circa 208 additional pupils.

3.1 It is reasonable to conclude that LCC has hitherto failed to properly respond to the extant planning application consultations. For example, 16/00241 (West of A6) 269 dwellings and an additional 0.5 forms of entry of primary school place need (102 places). The Consultation notes that overall there would be a shortfall of primary school places in the area of more than 1 form of entry (-220 places) by 2022. The Consultation response requires a contribution towards school places but no requirement to either provide land for a school nor a contribution to acquire land. The same Consultation identifies a need for 156 places from other approved planning applications. There is a common thread that runs through the Consultation responses associated with the sites listed in the Statement, (15/00891: 15/00928: 16/00625; 16/00241: 15/00420: 16/00144: 16/00807) five of which appear as allocated sites in the Draft Local Plan. Namely; a requirement to fund places and in the absence to any reference for land a reasonable assumption that the places will be provided either through expansion of existing schools or that LCC has its own land available.

3.2 I conclude that realisation of this has triggered a requirement for a school site on SA1/16 that is totally disproportionate to the scale of development.

3.3 The proposal at a Local Plan Examination for a residential development to provide a school site out of proportion to the scale of development has occurred a number of times recently in other parts of the Country. I offer the Statement of Common Ground submitted to the Local Plan Examination for Rugby Borough Council as an appropriate example. (Appendix 1)

4 In the particular circumstances of Garstang, no housing site identified in the draft Local Plan is the school host site on the basis of sustainability. In all cases more children will be travelling in to the site with the school than will be travelling out were the school somewhere else. Thus, housing land used for a school is less relevant than in the circumstances of large housing sites.

5 Turning now to whether site SA1/16 is an appropriate location for a primary school to serve overwhelmingly the wider area.

5.1 The need for the school has not been demonstrated. At 3.1 (above) it is clear that a new school rather than expansion of existing is a very recent and belated position on the part of LCC. It is an understatement to say that, on the basis of a raft of consultation responses, that whilst the impending shortfall of primary school places has been unerringly

anticipated, the expectation specifically and generally is that expansion of existing capacity was the intended path.

5.2 Accepting that LCC has convinced itself that it needs an additional primary school, buying housing land for a school serving everywhere is unlikely to deliver value for money especially where developer contributions (a la Kent County Council Developer Guide) has not been sought for acquiring housing land. Parliament has anticipated this. Provisions within the Education Act 1996 allow LCC to acquire land (s531), by compulsory purchase if necessary (s530), and LCC's Regulation 3 powers as a planning authority allow it to give itself planning permission. Unimproved farmland or similar or even a lower value use land than residential makes more sense where the public purse is the funder.

5.3 Bearing in mind, much of the impending need for the primary school places is already in train, waiting for SA1/16 to come forward with a comprehensive masterplan and deliver a site could be way too late. Assuming 100 homes takes a major housebuilder, say, two to three years to deliver implies a planning application as late as 2026.

6 LCC identify seven planning applications in addition to SA1/16 with contributions towards the primary school. That is eight contributors to a project but CIL Regulation 123 limits the number of contributors to five. This, too, undermines the policy requirement.

**COTON PARK EAST (Phase C)
LAND ALLOCATIONS FOR SCHOOLS AND EARLY YEARS EDUCATION**

Prepared by:

Educational Facilities Management Partnership Ltd (EFM)

On behalf of:

A C Lloyd Group ("Developer")

And

**Infrastructure and Regeneration
Warwickshire County Council ("WCC")**

In relation to:

Coton Park East site allocation under Policy DS3 in the Rugby Borough Council Submission Local Plan, 2017

WCC anticipate a shortfall in secondary school places in the period 2018/19 – 2030/31 which is prior to the secondary schools at Houlton and South West Rugby being completed.

The preferred method for accommodating the shortfall is through expansion of the existing secondary school(s). However, all of the existing secondary schools are either academies (and outside of the control of WCC) or in one case a Foundation School (which is its own admissions authority). Thus, expansions have to be negotiated.

As a fall-back position, WCC has agreed with ACLloyd (Coton Park East) that 7.3ha of land allocated for housing can be identified for a 12-24 month period that WCC could acquire for a new school (an all-through school in combination with the land identified for a primary school) if WCC fails to secure capacity at existing school(s).

The terms are all as agreed between WCC and South West Rugby (and Lodge Farm) for the cost of land and provision of school places so as to provide equity across the Borough.

The Parties agree that during that 12 month window, a private contract between the Parties to acquire the land would need to be agreed. The Parties further agree that the terms would be land compensation terms as agreed and set out in the South West Rugby Statement of Common Ground under the sub-heading **Funding education provision** together with the planning obligations towards education to be set out in a section 106 agreement, too, as set out in that section of the South West Rugby Statement of Common Ground.

Funding education provision (from the SWR SoCG)

The funding of education infrastructure provision ~~across the SWR site to serve the pupil demand generated from the SWR allocation itself~~ will be met by <the Applicant> having to make a financial contribution based on the mechanism below, which provides a cost per dwelling based on whether or not the applicant has/ has not provided land upon which new school infrastructure is proposed to be located. Existing planning permissions are to remain outside of this arrangement.

The new schools will be delivered in line with Government policy. This currently requires all new schools to be Free Schools and Warwickshire County Council will work with colleagues from the Education Skills Funding Agency and the Regional Schools Commissioner to identify Academy Sponsors and the most appropriate mechanism for delivery of the new schools.

An education contribution cost per dwelling calculated as follows:

| | | | | | |
|----|---|--|--|--|--|
| A= | Education contribution cost per dwelling | | | | |
| B= | Adjusted education cost per dwelling | | | | |
| C= | Total school capital cost (excludes land costs and Ledge Farm) | | | | |
| D= | Total number of dwellings (site capacity as per illustrative masterplan) | | | | |
| E= | Development land value <Land Value + Development Profit> per hectare (school sites) | | | | |
| F= | Total development land value <Land Value + Development Profit> (school sites) | | | | |
| G= | Area of applicants' land provided for school site(s) (Ha) | | | | |
| H= | Number of dwellings on application site (Mechanisms #2 ONLY) | | | | |

Based on the applicants specific circumstance, the cost per dwelling is then calculated based on one of the following mechanisms

| Mechanism | Scenario | Formula |
|-----------|--|--|
| #1 | Where no land for education is provided by the applicant | $A = \left\{ \frac{(C+F)}{D} \right\}$ |
| #2 | Where land for education is provided by the applicant | $B = \left\{ \frac{(C+F)}{D} \right\} - (\text{capital cost } [A \times H] - \text{land value } [E \times G])$ |
| | | H |

Under mechanism #2, where the final value results in a negative figure Warwickshire County Council will reimburse the applicant to the same value with monies secured, as appropriate, via s106 Agreements attributable to other applicants <and its own resources where indicated>. at SW Rugby and also the proposed allocation at Ledge Farm. It is, however, the responsibility of the developer to provide free that portion of land which relates to the education infrastructure requirements arising from its own development.

In terms of land valuation for school sites, the Development Value or material consideration is equity <both land value and development profit> and not solely land value per se. That is, a Consortium Member gifting land for a school (or part thereof) gives up the opportunity to place housing on that land. Equally, a Consortium Member not giving land for a school (or part thereof) gains by being able to develop all developable land for housing. It is agreed that provided that this is the primary consideration, in the event of any disagreement between Consortium Members <the Parties>, the <RICS Chartered Valuation Surveyor or> District Valuer or any other mutually agreed expert will arbitrate.

In Addition

The Parties agree that in the event that a new secondary school is located at Coton Park East and is operational, prior to the infrastructure to access and service it has been provided for the housing development, the costs associated with making the school operational fall to WCC.

Warwickshire County Council

Educational Facilities Management Partnership Ltd

25th April 2018