

neighbourhood plans

From: PICKERING, Liz [REDACTED]
Sent: 15 December 2017 09:58
To: neighbourhood plans
Subject: Neighbourhood Plan consultation responses
Attachments: Torbay Paignton NP Reg 16 ESFA response.pdf; Torbay Brixham Peninsula NP Reg 16 ESFA response.pdf; Torbay Torquay NP Reg 16 ESFA response.pdf

Good morning,

Please find attached 3 consultation responses in relation to Neighbourhood Plan consultations for Brixham Peninsula, Torquay and Paignton, submitted on behalf of the Education and Skills Funding Agency.

I'd be grateful if you could send an acknowledgement of receipt.

Kind regards,

Liz Pickering MRTPI

Forward Planning Manager (South/South West), Planning Team, Free Schools Capital
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Education & Skills
Funding Agency



Our Ref: ESFA/Neighbourhood Plan/Torquay 2017

15/12/17

Dear Sir/Madam,

Re: Torquay Neighbourhood Plan

Consultation under Regulation 16 of The Neighbourhood Planning (General) Regulations 2012

Submission of the Education and Skills Funding Agency

1. The Education and Skills Funding Agency (ESFA) welcomes the opportunity to contribute to the development of planning policy at the local level.
2. The ESFA launched on 1st April 2017, bringing together the existing responsibilities of the Education Funding Agency (EFA) and the Skills Funding Agency (SFA), to create a single funding agency accountable for funding education and training for children, young people and adults. The ESFA are accountable for £61 billion of funding a year for the education and training sector, including support for all state-provided education for 8 million children aged 3 to 16, and 1.6 million young people aged 16 to 19.
3. Under the provisions of the Education Act 2011 and the Academies Act 2010, all new state schools are now academies/free schools and the ESFA is the delivery body for many of these, rather than local education authorities. As such, we aim to work closely with local authority education departments and planning authorities to meet the need and demand for new school places and new schools. In this capacity, we would like to offer the following comments in response to the proposals outlined in the above consultation document. The ESFA has also commented on the Paignton and Brixham Peninsula Neighbourhood Plans; those representations may also be relevant to the Torquay Neighbourhood Plan where there are cross-boundary issues to be considered.

Comments on the Neighbourhood Plan Approach to Education

4. The ESFA notes that the adopted Torbay Local Plan (2012-2030) outlines strategic delivery areas and a policy framework for neighbourhood plans, which are then expected to allocate sites to meet the objectively assessed needs (OAN) and infrastructure requirements identified in the Local Plan. The ESFA welcomes the Neighbourhood Plan's housing allocations set out in Policy H1, the delivery of which will facilitate strategic planning for schools.

5. While the ESFA welcomes the prominence of education in the Neighbourhood Plan, there should also be an assessment of available and suitable sites for schools, safeguarding land as appropriate through specific site allocations.
6. The ESFA advises caution in adopting policies which may have unforeseen consequences. In regard to Policy TR1 (access to primary schools) and various community aspirations for education throughout the plan, the ESFA suggests amendments which would allow for the expansion of existing schools where appropriate, as well as the provision of new primary schools. Policy TR1, as currently worded, states that planning permission for more than 20 homes will be refused unless there are sufficient primary school places or a new primary school will be built within walking distance of the development.
7. Schools are usually expanded by one form of entry (30 pupils) at a time. Currently, Torbay Borough Council (TBC) may pool up to five planning obligations for a school project, such as an additional classroom. For example, five developments of 25 dwellings would generate sufficient pupils and funds to expand an existing primary school. TBC has a duty to provide sufficient school places and an adopted Supplementary Planning Document sets out the approach for securing developer contributions for school provision. TBC can only require Section 106 planning obligations for education when they are necessary to make the development acceptable in planning terms, based on objective evidence of pupil yield from the development and current costs of providing school places. For example, it would not be possible for TBC to require a planning obligation to secure provision of a new primary school from a development of 21 homes, but could secure a contribution based on the number of pupils generated and pool this with other developments (up to a maximum of five), to expand an existing primary school.
8. The Neighbourhood Plan should be amended to ensure compliance with TBC's policies on this point. The ESFA recommends modifications to relevant sections of the plan, including Policy TR1 which could be reworded as follows:

Residential development will be permitted where there are sufficient primary school places to meet the need and demand arising from the development, or sufficient school places have been secured by a planning obligation, within walking distance of the development.

Conclusion

9. Finally, I hope the above comments are helpful in finalising the Torquay Neighbourhood Plan, with specific regard to the provision of land for new schools. Please advise the ESFA of any proposed changes to the emerging policies, supporting text, site allocations and/or evidence base arising from these comments.
10. Please notify the ESFA when the Neighbourhood Plan is submitted for examination, the Inspector's report is published and the plan is adopted/made. At present, the ESFA does not intend to attend the examination.
11. Please do not hesitate to contact me if you have any queries regarding this response. The ESFA looks forward to continuing to work with the Torquay Neighbourhood Forum.

Yours faithfully,



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