

## CC187 Infrastructure Update September 2022

### Draft Calderdale Local Plan

#### Update on Transport and Secondary Education Infrastructure in the Southeast Calderdale Area

September 2022

##### Introduction

This note has been prepared following a message received from the Inspector dated 9 September 2022 relating to infrastructure funding (which was in turn prompted by a representation to the Inspector made by an interested party):

*"...Once the reps on the MMs [main modifications] have been received I will consider whether I need any further information from the Council. However, I would say that if there any significant changes in terms of key infrastructure funding plans or the Brighouse free school (further to the latest evidence in the examination library), it may be useful for the Council to alert me to these sooner rather than later." [Underlining added]*

##### Planning Policy and Practice Background

The glossary to the National Planning Policy Framework (2021) states that *"to be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged"*.

The above definition is echoed by the Government's Planning Practice Guidance: *"a site is considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period"* (Planning Practice Guidance Paragraph: 020 Reference ID: 3-020-20190722).

This note has been prepared mindful that the two paragraphs above set the context for examining the soundness of Local Plans.

##### Secondary School provision

On 8 August 2022, the Council received a letter from the Department for Education. The letter states that:

*I have now decided that it is appropriate to request that Trinity MAT withdraw their application to open the Trinity Academy Brighouse free school. As I appreciate this decision will be disappointing, I have outlined the reasons for this below.*

*The primary reason for this decision is the projected demand for school places in the area. Departmental officials have analysed the data provided by your officers, as well as the most recent SCAP [school capacity] data, in order to understand the projected levels of basic need. Following this review, I have concluded that a new secondary school is not required in this area.*

*While I appreciate that the Calderdale Local Plan has proposed various developments in the area, the data provided by your officers – which includes the projected increases in the demand for school places, which will be generated by the new housing developments - demonstrates that there is likely to be sufficient capacity in local secondary schools to meet this demand.*

*I have therefore concluded that it would be inappropriate to support the opening of a new secondary school in this area, due to a lack of basic need.*

The key outcome from the perspective of delivering the Local Plan is that DfE do not consider that planned development in Southeast Calderdale will generate a requirement for a new secondary school. On the basis that the DfE consider that the biggest anticipated shortfall over the next 10 years is 22 places, we would expect this to be soaked up across the wider Borough.

The Council's published evidence pertaining to the delivery of school places and financial viability is included within the documents below:

[HS8.1-Calderdale-Council-Growth-delivery-infrastructure-and-viability-Statement \(16\).pdf](#)

(See appendix 5 to the above hearing statement)

[CC84a-Updated-Note-to-Inspector-on-Prudential-borrowing-and-delivery.pdf \(calderdale.gov.uk\)](#)

The above evidence was prepared on the basis that secondary places were required in SE Calderdale and that they would either be externally funded through the delivery of a Free School or Section 106 agreement contributions would fund the expansion of the two existing secondary schools in the area.

If the DfE's position is that a significant number of additional secondary school places are not required, then it follows that not only is the financial burden not placed on developers/landowners, but also that the risk profile of delivering the Garden Suburbs is reduced.

#### West Yorkshire Plus Transport Fund

The current situation is set out in a report and resolution that can be viewed at: [WYCA - Modern Gov.](#)

In essence, WYCA agreed the fifth option set out in the report:

*“The fifth option is to pause projects that are at risk of not being delivered within reasonable timescales, have affordability issues or are not aligned with sustainability priorities. This option would prevent further costs being spent on development of projects which are high risk, allowing funding that has been indicatively allocated to return to the to reduce funding pressures overall. However, pausing them would ultimately lead to further delays on those projects. This approach would require a full review of infrastructure schemes across all capital programmes to finalise which projects are high risk and should/could be paused. Furthermore, these projects would stay in the programme subject to regular review to ensure they remain viable and deliverable strategically, financially, and timely. Projects could be moved to a pipeline project list to be delivered over a longer delivery period once funding becomes available and/or future funding opportunities arise.”*

In response to this, Calderdale has looked at our current contractual arrangements and we have suggested a number of schemes to the WYCA that may be paused. The outputs of this exercise are

not yet available; However, Calderdale is obviously prioritising those schemes that are considered important to the delivery of the Local Plan. More specifically, there is no suggestion at this time that the A641 will be affected by this exercise and in fact, in recognition of its strategic importance, we have specifically said that we do not want it to be considered within the present exercise. It should also be noted that in relation to affordability, up to date assumptions about inflation were incorporated into the recent Outline Business Case submission.

The Council therefore maintains the position that there is sufficient certainty around transport infrastructure funding for the Local Plan to be found sound and legally compliant.

### Conclusion

This note has set out the most recent position on transport and secondary education infrastructure in Southeast Calderdale. In the light of the note representors may wish to either withdraw, add to, or submit new comments relating to the issue of education infrastructure and/or the delivery of Garden Suburb sites.

The position of the Council is that the Garden Suburbs remain deliverable and viable in accordance with the paragraphs from the NPPF and NPPG quoted above.