

Tell us who you are

Ref: R033

Title

Miss

First name

Phoebe

Surname

Juggins

Email address

phoebe.juggins@education.gov.uk

Agent's details

Are you an agent?

Yes

No

Personal details

Title

Miss

First name

Phoebe

Last name

Juggins

Job title (optional)

Forward Planning Manager

Organisation (optional)

Department for Education

Address

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Postcode

SW1P 3BT

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07826 282679

Email (optional)

phoebe.juggins@education.gov.uk

Your representation

Please complete this set of questions for each representation you wish to make.

To which part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 does this representation relate? (identify specific reference if possible)

- Paragraph number
- Policy number
- Policies Map - map and/or table number

Please state policy number

D3

Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above is:

Legally compliant

- Yes
- No

Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, is not legally compliant. Please be as precise as possible

8. We support the reference to CIL being used to help deliver infrastructure, however, note that due to the revised CIL Regulations removing pooling restrictions, there is an advantage of using Section 106 relative to CIL for funding schools in that it is clear and transparent to all stakeholders what value of contribution is being allocated by which development to which schools, thereby increasing certainty that developer contributions will be used to fund the new school places that are needed. 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. Indeed, the Infrastructure Development Plan (2020) sets out that Section 106 can form part of LB Lambeth's infrastructure funding 'where it has been/will be needed to mitigate local impacts' (paragraph 1.8).

Sound

- Yes
- No

For which of following reasons do you consider that the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 you identified above, is unsound:

- It is unsound because it is not positively prepared
- It is unsound because it is not justified
- It is unsound because it is not effective
- It is unsound because it is not consistent with national policy

Please state why it is not consistent with national policy

as above.

Complies with the Duty to co-operate

- Yes
- No

If you wish to support the compliance with the duty to co-operate of the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, please give details

(optional)

Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, legally compliant or sound, having regard to the tests of soundness if applicable. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.)

(optional)

9. Therefore, we would propose the following minor amendment to part c) of the policy as follows:

c) Generally, Community Infrastructure Levy will be applied, alongside other investment, to help deliver infrastructure. Site-specific planning obligations may also be used to secure delivery of infrastructure where needed to mitigate local impacts.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify your representation and your suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he/she identifies for examination.

If your representation is seeking a change to the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, do you consider it necessary to participate at the oral part of the examination?

- No - I do not wish to participate at the oral examination
- Yes - I do wish to participate at the oral examination

Your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

Your representation 2

Do you want to submit a further representation for another part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020?

- Yes
- No

To which part of the Draft Revised Lambeth Local Plan Proposed Submission Version January 2020 does this representation relate? (identify specific reference if possible)

- Paragraph number
- Policy number
- Policies Map - map and/or table number

Please state policy number

Policy D4 – Planning Obligations

Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above is:

Legally compliant

- Yes
- No

Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, is not legally compliant. Please be as precise as possible

10. In addition to the changes proposed to policy D3, we would propose the following amendment to part b) i) of policy D4 – Planning Obligations to correspond with the above amendments:

i) on-site or off-site (where justified as related to the development effects) provision of infrastructure, such as transport, education, health, libraries, sport and leisure, waste, energy, emergency services and cultural and community provision;

11. You may also wish to make a minor amendment either to this policy or its supporting text, to clarify 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 minor amendment would help to demonstrate that the plan is positively prepared and deliverable over its period.

Sound

- Yes
- No

For which of following reasons do you consider that the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 you identified above, is unsound:

- It is unsound because it is not positively prepared
- It is unsound because it is not justified
- It is unsound because it is not effective
- It is unsound because it is not consistent with national policy

Please state why it is not consistent with national policy

as above

Complies with the Duty to co-operate

- Yes
- No

If you wish to support the compliance with the duty to co-operate of the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, please give details

(optional)

Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, legally compliant or sound, having regard to the tests of soundness if applicable. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.)

(optional)

we would propose the following amendment to part b) i) of policy D4 – Planning Obligations to correspond with the above amendments:

i) on-site or off-site (where justified as related to the development effects) provision of infrastructure, such as transport, education, health, libraries, sport and leisure, waste, energy, emergency services and cultural and community provision;

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify your representation and your suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he/she identifies for examination.

If your representation is seeking a change to the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, do you consider it necessary to participate at the oral part of the examination?

- No - I do not wish to participate at the oral examination
- Yes - I do wish to participate at the oral examination

Your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

Your representation 3

Do you want to submit a further representation for another part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020?

- Yes
- No

To which part of the Draft Revised Lambeth Local Plan Proposed Submission Version January 2020 does this representation relate? (identify specific reference if possible)

- Paragraph number
- Policy number
- Policies Map - map and/or table number

Please state policy number

Policy S1 – Safeguarding existing social infrastructure

Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above is:

Legally compliant

- Yes
- No

Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, is not legally compliant. Please be as precise as possible

12. Whilst the supporting text to the policies make clear that these policies do not apply to schools in D1 use as these are covered by policy S3 (further discussion below), we note that there is a restriction on the change of use of type of social infrastructure and requirement for 12 months' marketing. We would consider that this is too restrictive and could lead to social infrastructure and education uses being unable to be delivered in line with need and demand. It is important that there is flexibility within types of social infrastructure to enable best value for money for public services and agencies delivering these.

13. Such policy requirements can also be challenging to the public sector/third sector organisations required to meet the tests, given the intensity of resource and timescales involved. This places additional burden on such organisation who are already frequently stretched and need to be able to realise value for money and efficiency.

14. The current policy approach is not sufficiently flexible to allow for the expedient delivery of infrastructure changes.

15. We would therefore propose the following changes to the policy text:

d) Change of use between D1 and D2, and vice versa, will be supported, where a need can be demonstrated for the proposed use.

16. This would then be consistent with paragraph 7.9, which indicates that the restrictions apply for any change of use outside of D1/D2 only.

Sound

- Yes
- No

For which of following reasons do you consider that the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 you identified above, is unsound:

- It is unsound because it is not positively prepared
- It is unsound because it is not justified
- It is unsound because it is not effective
- It is unsound because it is not consistent with national policy

Please state why it is not justified

as above

Complies with the Duty to co-operate

Yes

No

If you wish to support the compliance with the duty to co-operate of the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, please give details

(optional)

Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, legally compliant or sound, having regard to the tests of soundness if applicable. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.)

(optional)

d) Change of use between D1 and D2, and vice versa, will be supported, where a need can be demonstrated for the proposed use

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify your representation and your suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he/she identifies for examination.

If your representation is seeking a change to the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, do you consider it necessary to participate at the oral part of the examination?

No - I do not wish to participate at the oral examination

Yes - I do wish to participate at the oral examination

Your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

Your representation 4

Do you want to submit a further representation for another part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020?

- Yes
- No

To which part of the Draft Revised Lambeth Local Plan Proposed Submission Version January 2020 does this representation relate? (identify specific reference if possible)

- Paragraph number
- Policy number
- Policies Map - map and/or table number

Please state policy number

Policy S3 – Schools

Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above is:

Legally compliant

- Yes
- No

Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, is not legally compliant. Please be as precise as possible

17. LB Lambeth will be aware of the DfE's role in the delivery of Free Schools directly, as well as the Local Authority. The NPPF (at paragraph 94) requires that: 'a sufficient choice of school places is available to meet the needs of existing and new communities... [to] widen choice in education.'

18. Therefore, we consider that the following amendment is required to the policy text to ensure consistency with the NPPF, positive planning to ensure that the ability for schools to be delivered to maximise choice, attainment and aspiration in Lambeth.

a) Proposals for new primary and secondary schools, or for the extension or expansion of existing schools, including for nursery, sixth form and Special Educational Needs (SEN) places, will be supported where they help to deliver additional state-funded school places in the borough and where they meet the requirements set out in London Plan policy S3B.

Sound

- Yes
- No

For which of following reasons do you consider that the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 you identified above, is unsound:

- It is unsound because it is not positively prepared
- It is unsound because it is not justified
- It is unsound because it is not effective
- It is unsound because it is not consistent with national policy

Please state why it is not consistent with national policy

as above

Complies with the Duty to co-operate

- Yes
- No

If you wish to support the compliance with the duty to co-operate of the part of the DRLLP PSV Jan 2020 or associated PCPM Jan

2020 that you identified above, please give details

(optional)

Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, legally compliant or sound, having regard to the tests of soundness if applicable. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.)

(optional)

a) Proposals for new primary and secondary schools, or for the extension or expansion of existing schools, including for nursery, sixth form and Special Educational Needs (SEN) places, will be supported where they help to deliver additional state-funded school places in the borough and where they meet the requirements set out in London Plan policy S3B.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify your representation and your suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he/she identifies for examination.

If your representation is seeking a change to the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, do you consider it necessary to participate at the oral part of the examination?

- No - I do not wish to participate at the oral examination
- Yes - I do wish to participate at the oral examination

Your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

Your representation 5

Do you want to submit a further representation for another part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020?

- Yes
- No

To which part of the Draft Revised Lambeth Local Plan Proposed Submission Version January 2020 does this representation relate? (identify specific reference if possible)

- Paragraph number
- Policy number
- Policies Map - map and/or table number

Please state policy number

Policy EN1 – Open space, green infrastructure and biodiversity

Do you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above is:

Legally compliant

- Yes
- No

Please give details of why you consider the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, is not legally compliant. Please be as precise as possible

19. Policy EN1 requires that where there is loss of open space, replacement (in terms of both quality and quantity) is required.
20. DfE made representations to and appeared at the London Plan Examination with regard to this policy element at a London-wide scale, and proposed changes to the original draft London Plan policy. These changes were agreed by the GLA and the draft London Plan (consolidated changes version July 2019).
21. The NPPF (2019) also sets out at paragraph 97 that:
97. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
22. It is important that the Lambeth Local Plan allows flexibility to allow the provision of educational facilities, where there is a clear overall benefit in terms of enhanced facilities provision (taking into account local needs), despite a limited loss in the quantity of existing facilities, such as a new school providing indoor and outdoor facilities for sport of significantly improved quality, accessibility and availability for shared use by the local community (secured through a community use agreement if appropriate). It should be acknowledged that enhancements can take the form of both quality as well as quantity and as such, any quantitative loss may be more than compensated by qualitative enhancements. This flexibility will enable greater benefits to health and wellbeing. Therefore, we propose that the policy is amended as follows:
- (i) Replacement open space of equivalent or better quality and/or quantity is provided within a suitable location in the local area.
23. And an added criterion as follows:
- (iv) The benefits of the alternative proposal outweigh the disbenefits of the loss of the open space, in recognition of the improved quality of provision.

Sound

- Yes
- No

For which of following reasons do you consider that the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 you identified above, is unsound:

- It is unsound because it is not positively prepared
-

- It is unsound because it is not justified
- It is unsound because it is not effective
- It is unsound because it is not consistent with national policy

Please state why it is not consistent with national policy

as above

Complies with the Duty to co-operate

- Yes
- No

If you wish to support the compliance with the duty to co-operate of the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, please give details

(optional)

Please set out what change(s) you consider necessary to make the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, legally compliant or sound, having regard to the tests of soundness if applicable. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination.)

(optional)

(i) Replacement open space of equivalent or better quality and/or quantity is provided within a suitable location in the local area.

23. And an added criterion as follows:

(iv) The benefits of the alternative proposal outweigh the disbenefits of the loss of the open space, in recognition of the improved quality of provision.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify your representation and your suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he/she identifies for examination.

If your representation is seeking a change to the part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020 that you identified above, do you consider it necessary to participate at the oral part of the examination?

- No - I do not wish to participate at the oral examination
- Yes - I do wish to participate at the oral examination

Your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

Your representation 6

Do you want to submit a further representation for another part of the DRLLP PSV Jan 2020 or associated PCPM Jan 2020?

Yes

No

Require further notification

Please tick relevant boxes if you require notification of any of the following to the address stated previously in personal/agent details

(optional)

- That the DRLLP PSV Jan 2020 and associated PCPM Jan 2020 have been submitted for independent examination
- The publication of the inspector's recommendations following the independent examination
- The adoption of the Revised Lambeth Local Plan and Policies Map.

Review your answers

Review your answers

Before submitting your form you can review all of the answers you have given so far by clicking on the link below.

[Open a read only view of the answers you have given \(this will open in a new window\)](#)

Declaration

By submitting this claim you are agreeing to the following declaration. To view this declaration please click on the link below

I declare that the information I have provided on this form is accurate

Now submit your form using the submit button below.

Our Ref: DfE/Local Plan/Lambeth 2020

13th March 2020

Dear Sir/Madam,

Re: Lambeth Local Plan

Consultation under Regulation 19 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. DfE previously made representations to the Regulation 18 consultation in December 2018, stating the following points:
 - The Local Plan should allocate sites to deliver the growth required and meet the need for the resulting school places;
 - Flexibility for site allocations and safeguarding policies to ensure the Plan can reflect to needs changing over time;
 - Evidence base for pupil yield and growth calculations.
3. 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 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.
4. We would like to offer the following comments in response to the above consultation document.

Soundness

5. In light of the increase in housing target (from 1,195 per annum in the previous draft Local Plan to 1,335), it is even more important that sufficient infrastructure is planned at the right time.

6. It is noted that with regard to the provision of school places, the position has changed as a result of the recent new openings and expansions of schools. LB Lambeth now considers there are sufficient places until 2025/6 and will monitor this position.
7. Therefore, it is important that a sufficiently flexible approach to school planning is taken, in order that the delivery of schools can be facilitated if required during later years of the plan period.

Policy D3 – Infrastructure

8. We support the reference to CIL being used to help deliver infrastructure, however, note that due to the revised CIL Regulations removing pooling restrictions, there is an advantage of using Section 106 relative to CIL for funding schools in that it is clear and transparent to all stakeholders what value of contribution is being allocated by which development to which schools, thereby increasing certainty that developer contributions will be used to fund the new school places that are needed. 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. Indeed, the Infrastructure Development Plan (2020) sets out that Section 106 can form part of LB Lambeth's infrastructure funding '*where it has been/will be needed to mitigate local impacts*' (paragraph 1.8).
9. Therefore, we would propose the following minor amendment to part c) of the policy as follows:

*c) Generally, Community Infrastructure Levy will be applied, alongside other investment, to help deliver infrastructure. Site-specific planning obligations may **also** be used to secure delivery of ~~on-site~~ infrastructure **where needed to mitigate local impacts**.*

Policy D4 – Planning Obligations

10. In addition to this, we would propose the following amendment to part b) i) of policy D4 – Planning Obligations to correspond with the above amendments:

*i) **on-site or off-site (where justified as related to the development effects)** provision of infrastructure, such as transport, education, health, libraries, sport and leisure, waste, energy, emergency services and cultural and community provision;*

11. You may also wish to make a minor amendment either to this policy or its supporting text, to clarify 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 minor amendment would help to demonstrate that the plan is positively prepared and deliverable over its period.

Policy S1 – Safeguarding existing social infrastructure

12. Whilst the supporting text to the policies make clear that these policies do not apply to schools in D1 use as these are covered by policy S3 (further discussion below), we note that there is a restriction on the change of use of type of social infrastructure and requirement for 12 months' marketing. We would consider that this is too restrictive and could lead to social infrastructure and education uses

being unable to be delivered in line with need and demand. It is important that there is flexibility within types of social infrastructure to enable best value for money for public services and agencies delivering these.

13. Such policy requirements can also be challenging to the public sector/third sector organisations required to meet the tests, given the intensity of resource and timescales involved. This places additional burden on such organisation who are already frequently stretched and need to be able to realise value for money and efficiency.
14. The current policy approach is not sufficiently flexible to allow for the expedient delivery of infrastructure changes.
15. We would therefore propose the following changes to the policy text:

*d) Change of use between D1 and D2, and vice versa, will be supported, **where a need can be demonstrated for the proposed use** ~~where it can be demonstrated that the tests in section (b) above have been met for the existing use.~~*

16. This would then be consistent with paragraph 7.9, which indicates that the restrictions apply for any change of use *outside* of D1/D2 only.

Policy S3 – Schools

17. LB Lambeth will be aware of the DfE's role in the delivery of Free Schools directly, as well as the Local Authority. The NPPF (at paragraph 94) requires that: *'a sufficient choice of school places is available to meet the needs of existing and new communities... [to] widen choice in education.'*
18. Therefore, we consider that the following amendment is required to the policy text to ensure consistency with the NPPF, positive planning to ensure that the ability for schools to be delivered to maximise choice, attainment and aspiration in Lambeth.

a) Proposals for new primary and secondary schools, or for the extension or expansion of existing schools, including for nursery, sixth form and Special Educational Needs (SEN) places, will be supported where they help to deliver ~~the council's agreed strategy for provision of~~ additional state-funded school places in the borough and where they meet the requirements set out in London Plan policy S3B.

Policy EN1 – Open space, green infrastructure and biodiversity

19. Policy EN1 requires that where there is loss of open space, replacement (in terms of both quality and quantity) is required.
20. DfE made representations to and appeared at the London Plan Examination with regard to this policy element at a London-wide scale, and proposed changes to the original draft London Plan policy. These changes were agreed by the GLA and the draft London Plan (consolidated changes version July 2019).¹

¹ See draft policy S5 Sports and recreation facilities BA Parts 1)-3) - https://www.london.gov.uk/sites/default/files/draft_london_plan_-_consolidated_changes_version_july_2019.pdf

BA Existing sports and recreational land (including playing fields) and facilities for sports and recreation should be retained unless:

1) An assessment has been undertaken which clearly shows the sports and recreational land or facilities to be surplus to requirements (for the existing or alternative sports and recreational

21. The NPPF (2019) also sets out at paragraph 97 that:

97. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

22. It is important that the Lambeth Local Plan allows flexibility to allow the provision of educational facilities, where there is a clear overall benefit in terms of enhanced facilities provision (taking into account local needs), despite a limited loss in the quantity of existing facilities, such as a new school providing indoor and outdoor facilities for sport of significantly improved *quality*, accessibility and availability for shared use by the local community (secured through a community use agreement if appropriate). It should be acknowledged that enhancements can take the form of both quality as well as quantity and as such, any quantitative loss may be more than compensated by qualitative enhancements. This flexibility will enable greater benefits to health and wellbeing. Therefore, we propose that the policy is amended as follows:

(i) Replacement open space of equivalent or better quality and/or quantity is provided within a suitable location in the local area.

23. And an added criterion as follows:

(iv) The benefits of the alternative proposal outweigh the disbenefits of the loss of the open space, in recognition of the improved quality of provision.

24. Given the significant cross-boundary movement of school pupils between LB Lambeth and adjoining Boroughs, DfE recommends that the Council covers this matter and the outcomes of cooperation to address it as part of its Statement of Common Ground.²

Forward Funding and Infrastructure Delivery

25. DfE loans to forward fund schools as part of large residential developments may be of interest, for example if viability becomes an issue. Please see the Developer Loans for Schools prospectus for more information.³ Any offer of forward funding would seek to maximise developer contributions to education

provision) at the local and sub-regional level. Where published, a borough's assessment of need for sports and recreation facilities should inform this assessment; or

2) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

3) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

² NPPF paragraph 27; and the PPG on Plan-Making - <https://www.gov.uk/guidance/plan-making#maintaining-effective-cooperation>

³ The Developer Loans for Schools prospectus is available here - <https://www.gov.uk/government/publications/developer-loans-for-schools-apply-for-a-loan>

infrastructure provision while supporting delivery of schools where and when they are needed.

26. 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 revisions to local planning policies or the CIL charging schedule. As such, please continue to engage with DfE and consult us on any relevant future consultations.

Conclusion

27. Finally, I hope the above comments are helpful in finalising LB Lambeth's Local Plan, with specific regard to the provision of land and developer contributions for new schools.
28. Please notify DfE when the Local Plan is submitted for examination, the Inspector's report is published and the Local Plan is adopted.
29. Please do not hesitate to contact me if you have any queries regarding this response. DfE looks forward to continuing to work with LB Lambeth to develop a sound Local Plan which will aid in the delivery of new schools.

Yours faithfully,

Phoebe Juggins MRTPI

Forward Planning Manager – South East

Tel: 07862282679

Email: phoebe.juggins@education.gov.uk

Web: www.gov.uk/dfes