

Planning Committee Speech 12 November 2024

1. Good morning, my name is Stuart Dunn. I am addressing you today as Chair of Coxhoe Parish Council to oppose this application on behalf of the Council and residents of the area as we do not believe that a fair or accurate reflection has been made of the needs for primary education in line with NPPF paragraph 57 and Regulation 122(2) of the Community Infrastructure Levy 2010.
2. The Parish Council's objection is set out in paragraphs 59-72 of the report which hopefully you have had the opportunity to consider. We challenge the appropriateness of the application of the current DCC 2-mile policy for safe walk to school in this instance between villages with a requirement to walk over 1.7miles on often unlit busy rural roads and we ask the committee and developers if they really would want to walk these roads all year around with their children? The appropriate school for these children to attend is their village school 600 meters from the development.
3. In September 2020 DCC's Education Department expected a contribution of £441,090, by July 2024 with 17 less properties in the application no contribution is 'required' by them? It is the strict interpretation of Durham County Council's policy here which has led to this change, not the requirements of the NPPF paragraph 57. We therefore ask the planning committee, whether to 'require' a contribution or 'request' a voluntary contribution from the developer, that an appropriate contribution is made to the extension of Coxhoe Primary School,

otherwise, there won't be enough places for children from this development or other existing properties in the village to send their children to their village school. A not unreasonable expectation in a County Durham village?

4. I have supplied a copy of my correspondence with the planning officer over the last week for members. In the email 5 November 19:16 I queried the number of children on roll and the capacity of the 4 primary schools supplied by the DCC Education Officer referred to in pp100 and pp289 of your report, and whether additional demand from all of the recent development in and around these schools had been taken into account in the education officers forecasts.
5. You will see that the DCC education officer confirmed that the combined capacity of these schools was 1,044 and that the maximum number of pupils over the 10 year period is 789. You will see from my emails of yesterday and 5 November that the 4 headteachers have confirmed that the actual capacities for reception to year6 of these schools is 1,251 (not 1,044) and the current numbers on roll are already 1,021 (not 789 as stated by the education officer).
6. In other words the DCC education officer believes that there are 207 less places in these schools than the 4 headteachers have confirmed to me directly, and additionally there are actually 232 more pupils than the education officer has stated there are in your report, and they confirmed yesterday in writing that their figures were correct. Clearly therefore the headteachers must be wrong, and

not know how many children their schools can hold and that they are educating today?

7. Respectfully the information provided to you and the planning officer is factually incorrect. Their 10-year maximum forecast is already 232 real existing children short. Not only that, the education officer's forecast takes no account of the approved, unbuilt, and pending and latent demand from the many major developments in and around these schools. This could potentially saturate and exhaust all current spare capacity as set out in my email 5 November.
8. The planning officer sets out the planning test for this issue in paragraph:
'291...Officers are mindful of Paragraph 57 of the NPPF, which states that Planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.'
9. In pp 292 the planning officer sets out: 'Following the Education officer's **detailed advice** on capacity of other local primary schools, the contribution which has been requested by Councillor Anderson is not considered necessary to make the development acceptable in planning terms. **The amount which is being sought cannot be clearly justified to mitigate the impacts of these proposals, and cannot be considered fairly and reasonably related in scale and kind to the development.** Therefore, the request for a contribution does

not meet all of the tests under Paragraph 57 of the NPPF, meaning officers cannot reasonably secure the sum from the developer through the planning process in order to offset material impacts from the development.’ It is on the basis of factually inaccurate and significantly deficient information that the planning officer has given this advice and that you the planning committee are asked to consider the primary school places contribution.

10. The reasons given for no financial contribution being justifiable set out in paragraph 352 of your report are also based on factually incorrect information that is being presented and does not appear to be a sound basis for the committee to make this decision or accurately consider the requirement of NPPF 57?
11. We therefore ask the developer to either volunteer an appropriate contribution to avoid further delay to their application, or that an appropriate voluntary contribution is ‘requested’ on the basis that the 3 tests set out in NPPF 57 may be met if accurate information is provided for consideration, and that this application is deferred, or that this planning application is refused because an inadequate contribution to primary education is proposed.