



# **SUBMISSION DRAFT CRAVEN LOCAL PLAN**

## **REGULATION 22 DRAFT DOCUMENT FOR SUBMISSION**

**29<sup>th</sup> March 2018**

### **APPENDIX B: TO DRAFT POLICY INF6: EDUCATION PROVISION**

## **1. Justification**

- 1.1 The detailed policy and justification basis for seeking developer provision or contributions in respect of education is set out in national planning policy framework and practice guidance and the development plan (Draft Policy INF1: Planning Obligations).

## **2. Land Use**

- 2.1 In relation to Education provision, developer contributions will normally be sought in respect of residential development. However, the Council will consider seeking contributions from large retail and employment generating uses, where a direct impact on the need for the facilities or otherwise to mitigate the impact of major development on the local community in the area around the development can be clearly demonstrated.

## **3. Thresholds**

- 3.1 The threshold for seeking provision or contributions in respect of primary education is sites of 25 dwellings or more in the principal town service centre of Skipton and 15 or more dwellings in the remaining areas within Craven. For secondary education, where the 'multiplier' (pupils in an age cohort resulting from the families moving into new housing developments) is lower, the minimum size of capital project identifiable with the needs arising out of a new development and the provision of schooling is less local, the threshold for seeking contributions will be developments of 100 dwellings or more.
- 3.2 In assessing whether a proposed development or a site is eligible for seeking the provision of or contributions towards Education, the number of dwellings specified in this guidance will apply to or take into account the cumulative area to be developed for housing. For example, where a development is made up of two or more phases, or is the subject of two or more separate planning applications, the total number of dwellings will be the basis for determining whether provision will be sought. Thus developers should be aware that if it is considered that a contribution is justified, the requirement cannot be avoided by dealing with a site through more than one planning application.

## **4. Methodology**

- 4.1 With regard to contributions towards Primary school education facilities, North Yorkshire County Council has operated a policy and methodology that applies to all residential developments of over 25 dwellings, having regard to the impact they would have on local Primary education provision.

- 4.2 The established methodology (see detailed guidance below) for primary education facilities will be adapted to apply to contributions sought in accordance with the threshold of 15 dwellings outside of the principal town service centre of Skipton. Similarly the existing methodology, using different formulae, will be applied to seeking contributions towards Secondary education facilities.

## **5. Calculating Developer Contributions to Education Facilities**

- 5.1 There is a need to apply a rate, for example for the number of children per household, which is reasonable in the area, and apply cost formulae to that. Such formulae are not rigid as they reflect the impact of a particular development.
- 5.2 Contributions will not be sought for sheltered accommodation or genuine elderly person, student or holiday accommodation. Such accommodation will be that which clearly is incapable of occupation for general residential purposes by virtue of its internal layout, ownership or management or which has occupancy restricted by planning condition or legal agreement<sup>1</sup>.
- 5.3 Contributions will not be sought for temporary housing or bedsits and one-bedroom dwellings, if they are clearly incapable of being enlarged to two-bedroom units.
- 5.4 Any planning permission granted for the change of use from sheltered or elderly persons, student or holiday accommodation or from one-bedroom flats to general residential units or two-bedroom flats and so on, would be subject to a contribution if the number of units exceeds the threshold criteria set below. Contributions will not be sought for changes of use or conversion or redevelopment schemes where there is no net increase in the number of residential units to which contributions would apply.
- 5.4 The basis devised by the North Yorkshire County Council Children's Services Authority (the "CSA" – previously the Local Education Authority or LEA) for calculating the contributions for Primary school places (age 5- 11) as at April 2016 is as follows:

---

<sup>1</sup> Note: if such an 'occupancy condition' (or planning obligation) is removed, education contributions may be sought.

## Primary School

Department for Education (DfE) cost multiplier (£12,257) x regional factor (0.98) + 10% fees, plus furniture / equipment (£383) = **£13,596 per primary pupil place**

- 5.5 The basis for calculating the contributions at 2016 for secondary school places (age 11-16) is as follows:

## Secondary School

DfE cost multiplier (£18,469) x regional factor (0.98) + 10% fees, plus furniture / equipment (£383) = **£20,293 per secondary pupil place**

- 5.6 Calculations are then summed on the basis that 0.25 (1 in 4) primary school places, and 0.125 (1 in 8) secondary school places are generated per relevant residential unit within the development.
- 5.7 The elements within this formula will be subject to annual review by the CSA in line with Central Government guidelines. The cost multiplier is the assessment made by the Government for the cost of a school place. The regional factor is an adjustment for local (County wide) costs of provision. The 10% addition represents an allowance for contingencies and fees.
- 5.8 The CSA will address accommodation needs at Secondary schools (as they apply to 11-16 year olds) arising from additional housing. The District Council will then, in conjunction with the CSA, where it is considered to be necessary and appropriate, seek Secondary school contributions in the light of changing circumstances and particularly in relation to large scale developments.
- 5.9 Calculations are made on the basis that 0.25 Primary school places and 0.13 Secondary school places (11-16 year old pupils only) are generated per relevant house or residential unit. The number of children generated by residential development will vary depending on the type and size of dwelling and by the location of the development. In some cases a developer may argue that houses are built for a particular market, for example couples, starter homes or that a development is not within easy reach of a Primary school. The District Council and CSA will not normally reduce the basis for the calculations to account for variables such as these, because, over time, any dwelling (excluding sheltered, elderly person only, or one-bedroom units) in any location has the potential to accommodate children of Primary school age.

- 5.10 The Primary school contributions will normally apply to developments of 25 units or more in the principal town service centre of Skipton and 15 or more dwellings in all other areas regardless of site area. The Secondary school contributions will normally apply to developments of 100 dwellings or more.
- 5.11 Care will be taken to ensure the total development site is not deliberately sub-divided and phased in an attempt to avoid this threshold.
- 5.12 Forecasts of future school capacity and national population growth are made by the CSA over a three-year period. If, following these calculations the local primary school is deemed to be at capacity in year 3, contributions will be sought at the full rate. If the school is “X” places short of capacity and the development generates “Y” places, contributions will be sought on the difference between “X” and “Y”. If “X” is greater than “Y” no contribution will be sought. Calculations will be based on the number of houses included in the detailed planning application. Any increase in the number of units approved through, for example, a revised application, will generate additional contributions. No account will be taken of the rate of house building on the site, as this is an uncertain variable.
- 5.13 The basis of the calculations set above will be subject to review, independent audit and change in the light of new demographic and other trends.
- 5.14 Contributions are only required where a local need is identified and, therefore, there is an obligation to show how funds received will be spent within a prescribed period, how they will deal with the identified impact, and in a manner which will be set out by the CSA. The CSA will incorporate provision for the return of contributions after 10 years if not spent. In the majority of cases funds will be spent on the local Primary or Secondary school. However, the CSA reserves the right to allocate the funds to other schools if overall education strategy or changes in catchments or parental choice so demand and the agreement of the District Council is secured.
- 5.15 In the event of increased costs of implementing additional school places, no additional contributions will be sought from developers. The contribution is a once-only payment linked to the planning permission. Contributions will be secured by direct payment or by way of a Section 106 Agreement.
- 5.16 Normally, contributions will be required no later than the first occupation of the new dwellings. In certain circumstances (for example on large sites) payment of contributions may be delayed or phased by agreement with the CSA.

## **6. Procedure**

- 6.1 Where masterplans are being prepared for large housing sites, the need for any commuted payment for education will be addressed through consultation with the CSA. Information on the likely position on the provision of school places over the next 5 years will be available from the County Council. The CSA will also be able to respond to house-builders' queries for individual sites.
- 6.2 Upon receipt of a relevant planning application, the District Council will contact the CSA to establish whether contributions are necessary in the particular case. The applicant and the Council will be notified accordingly and negotiations will take place between the CSA and the applicant/developer. The decision on the application and therefore on the need for a Section 106 Agreement is a matter for the Council. As a general principle the Council will not issue a decision notice on the application until agreement has been reached between the two parties. Any contribution due will be made payable to the North Yorkshire County Council (as Children's Services Authority) and not the District Council as Local Planning Authority.

**Figure 1: Assessment Form used by the CSA to determine the need for developer contributions towards Primary school buildings**

**EXAMPLE**



**ADVICE ONLY - PLEASE CONSULT RELEVANT PLANNING AUTHORITY**

**Assessment of need for contributions towards school buildings from development sites - 2016**

District/ Borough Council	Craven	Site Address	<i>site location</i>	Our Ref	Pri 2016 Dev 103
---------------------------	--------	--------------	----------------------	---------	------------------

Planning Application Number/ Ref	99/2016/12345 example
----------------------------------	-----------------------

Contact Email	<a href="mailto:housebuilder@example.org">housebuilder@example.org</a>	Contact Telephone Number	01234 567890
Contact Name/ Case Officer	John Smith	Developer / Agent or District/Borough	House Builder
		Details requested for	ASAP

School	An example Primary School		DFE No.	9999
Current Net Capacity of School (A)			210	
Number of pupils on roll			200	
Forecast pupils on roll 2021/2022 (B)			205	
Surplus/Deficit in academic year 2021/2022 (A-B)			5	
Estimated pupils from a development of	60	2+ bedroom dwellings	15.00	
Shortfall of places			10	
Anticipated need for new school places from the proposed number of properties as shown above			10.00	
Amount per pupil place			£13,596.00	
Contribution sought.			£135,960.00	

Notes:	
CYPS Strategic Planning Officer for above school	<b>John Lee</b>
	☎ 01609 533182
Officer providing information	Nicola Howells (01609 532258)
Date	10 October 2016

**Pupil numbers are revised on a termly basis, this can result in a change to the number of pupils both actual and forecast every term. The figures shown above are current as at the date shown and additional requests will be subject to re-calculation. Please be aware that this may result in the contribution sought increasing or decreasing. PLEASE NOTE that in some circumstances additional land may also be required.**