

Exhibit 5 - Education Impact Assessment

**Appeal ref: APP/ Q4245/
W/20/ 3258552**



ALFREDSON YORK
ASSOCIATES

Former B&Q Site, Great Stone Road, Stretford, M32 0YP
Appeal by Accrue (Forum) 1 LLP
LPA Ref: 100400/OUT/20
Appeal Ref: APP/Q4245/W/20/3258552
Exhibit 5: Education Impact Assessment
on behalf of Accrue (Forum) 1 LLP

11th November 2020

Report prepared by **John Powell**
for
Alfredson York Associates Ltd
The Henley Building
Newtown Road
Henley-on-Thames
Oxfordshire
RG9 1HG

Tel: 01491 525200

1. Introduction

1.1. Report Purpose & Scope

1.1.1. I have been asked to consider the proposed development for its likely impact on social infrastructure in the local area.

1.1.2. The purpose of this report is to act as a principal point of reference for future discussions with the relevant local authority to assist in the negotiation of potential Section 106 agreements pertaining to this site. This report includes an analysis of the request for contributions pertaining to local school places against the prescribed tests for such contributions.

1.1.3. It is acknowledged that if the impacts of the proposed development legitimately call for a S106 contribution due to capacity problems, that meet the requirements of the Community Infrastructure Levy (CIL) regulations, then a contribution should be offered.

1.2. Intended Audience

1.2.1. The report has been prepared on behalf of Accrue (Forum) 1 LLP, and may be shared with other interested parties, such as the local authority(ies) in the area local to the proposed development.

1.3. Research Sources

1.3.1. The contents of this report are based on publicly available information, including relevant data from central government and the local authority. Research for this report was conducted in August and September 2020.

1.4. Community Infrastructure Levy Regulations

- 1.4.1. The Community Infrastructure Levy (“the levy”) Regulations came into force in April 2010. The levy is intended to provide infrastructure to support the development of an area rather than to make individual planning applications acceptable in planning terms. As a result, there may still be some site-specific impact mitigation requirements without which a development should not be granted planning permission
- 1.4.2. However, in order to ensure that planning obligations and the levy can operate in an effectively complementary way, the regulations scale back the way planning obligations operate. Limitations are placed on the use of planning obligations in three respects.
- 1.4.3. The first of these, which is the relevant consideration in this matter, is putting the Government’s policy tests on the use of planning obligations set out in Circular 5/05 Planning Obligations on a statutory basis for developments which are capable of being charged the levy.
- 1.4.4. The regulations place into law for the first time the Government’s policy tests on the use of planning obligations. The statutory tests are intended to clarify the purpose of planning obligations in light of the levy and provide a stronger basis to dispute planning obligations policies, or practice, that breach these criteria. This seeks to reinforce the purpose of planning obligations in seeking only essential contributions to allow the granting of planning permission, rather than more general contributions which are better suited to use of the levy.
- 1.4.5. From 6 April 2010 it has been unlawful for a planning obligation to comprise a material consideration in a determination to grant planning permission, if the obligation does not 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.
- 1.4.6. From 1st September 2019, revised regulations came into force. Amongst other things these introduced a requirement on CIL charging authorities to produce an annual statement regarding sums received both through CIL and planning obligations.
- 1.4.7. These regulations also removed the limit of pooling no more than 5 planning obligations towards one item of infrastructure, which had been a particular issue with regards to the provision of education infrastructure.

1.5. Department for Education Guidance on Planning Obligations

1.5.1. In April 2019, the Department for Education (DfE) published “Securing developer contributions for education”, non-statutory guidance for local authorities regarding seeking planning obligations towards education provision from residential development. This guidance is attached at Appendix AYA01.

1.5.2. Whilst this is non-statutory, it is important to consider elements of this guidance, as it carries some weight in a planning context, although this clearly does not supersede or outweigh the CIL regulations as outlined above.

1.5.3. The purpose of the guidance is underpinned by four principles, as set out below:

- Housing development should mitigate its impact on community infrastructure, including schools;
- Pupil yield factors should be based on up-to-date evidence from recent housing developments;
- Developer contributions towards new school places should provide both funding for construction and land where applicable, subject to viability assessment when strategic plans are prepared and using up-to-date cost information;
- The early delivery of new schools within strategic developments should be supported where it would not undermine the viability of the school, or of existing schools in the area.

1.5.4. The second of these principles is of particular relevance to this report.

1.5.5. The guidance also states, with regards to costs per pupil place, the following:

15. We advise that you base the assumed cost of mainstream school places on national average costs published in the DfE school place scorecards.⁶ This allows you to differentiate between the average per pupil costs of a new school, permanent expansion or temporary expansion, ensuring developer contributions are fairly and reasonably related in scale and kind to the development. You should adjust the national average to reflect the costs in your region, using BCIS location factors.⁷ We recommend the use of index linking when developer contributions are discussed at planning application stage and in planning obligations, so that contributions are adjusted for inflation at the point they are negotiated and when payment is due.

1.5.6. However, it should be noted that nothing within this non-statutory guidance supersedes the tests set out at paragraph 1.4.5 above.

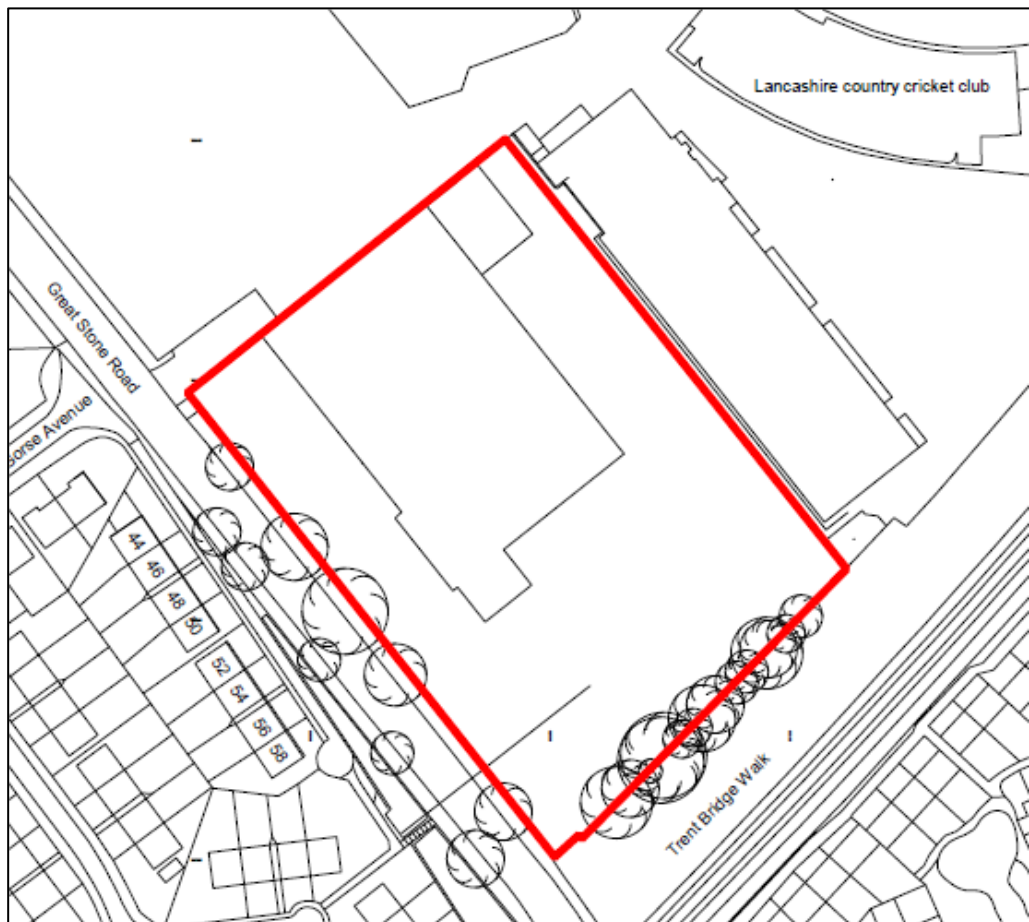
2. The Proposed Development

2.1. The Site

2.1.1. The proposed development site is at Former B&Q. The site lies within the planning remit of Trafford Council (TC).

2.1.2. The site lies within the primary and secondary catchment areas of schools for which the local education authority is Trafford Council (TC).

2.1.3. The location of the site is as indicated below:



[source: Site Location plan, attached at Appendix AYA02]

2.2. Proposed Mix

2.2.1. The current total number of units for the whole site is up to 333 residential dwellings. This site is the subject of a planning appeal on the grounds of non-determination.

2.2.2. The proposed mix of these dwellings is as follows:

Unit Type	Number
1-bed	110
2-bed	190
3-bed	33
Total	333

[*source*: Accommodation schedule taken from amended application form]

3. The Local Position

3.1. Trafford Council's Duty to Secure Sufficient School Places

3.1.1. The site lies within the area for which the responsible local education authority is Trafford Council (TC).

3.1.2. The Education Act 1996 (as amended) provides in section 14(1):

"A local education authority shall secure that sufficient schools for providing - (a) primary education and (b) secondary education ... are available for their area".

3.1.3. This duty applies in relation to all the children in the local education authority area, whether they have lived there all their lives or have just moved into a new development.

3.1.4. The residential component of the proposed development will include family housing. Family housing often includes school age children who will seek to enrol in local schools. Those schools may or may not be sufficient to accommodate these children without the need for additional capacity to be provided.

3.2. School Forms of Entry & Admissions Number

3.2.1. School capacity is often measured in terms of forms of entry ('FE'). A single class can typically accommodate up to 30 children. The Number on Roll ('NOR') is the number of children at a school.

3.2.2. Reception is the year of entry to primary school and is often referred to as "Year R". The subsequent year groups are often referred to as "Year 1" to "Year 6" respectively.

3.2.3. As primary schools have seven year-groups, a 2FE primary school would have capacity for 420 children [*calculation*: $30 \times 7 \times 2 = 420$]; with 1FE of primary education provision equating to 210 primary school places.

3.2.4. Similarly, as secondary schools have five year-groups (starting with entry into Year 7), a 6FE secondary school would have capacity for 900 pupils aged 11-16 [*calculation*: $30 \times 5 \times 6 = 900$]; with 1FE of secondary education provision equating to 150 secondary school places. Sixth form consists of two year-groups after secondary school.

3.2.5. All schools have a Published Admissions Number (PAN) which indicates the number of pupils the school can take in each year group. If this number is then multiplied by the number of year groups at the school, this gives an indicative capacity of the numbers that the school can theoretically accept.

3.3. Patterns of Pupil Migration

3.3.1. As there is likely to be movement of children between respective schools' catchment areas, pseudo-catchment areas (based on furthest distances of places offered), designated areas, or priority areas, our analyses include schools within a reasonable distance of the proposed development.

3.3.2. This movement of children due to parental preference and other factors is often referred to as "inflow" and "outflow".

3.4. Local School Catchment Areas

3.4.1. A home to school travel distance of greater than two miles (or the absence of a safe, accompanied, walking route) gives rise to a requirement for the provision of free transport by the local education authority for pupils under the age of 8, and the same applies, at a distance of three miles for those over 8 years of age, as indicated by the DfE in its document "Home to school travel and transport guidance" [*source*: Appendix AYA03].

3.4.2. In order to assess the likely impact of the proposed development regarding primary school place provision we have considered the impact on schools within a two-mile distance of the proposed development site. To consider the impact on secondary school place provision, this distance has been increased to three miles. For the purposes of this report, we have only considered those schools for which the responsible local education authority is TC.

3.4.3. We consider this approach is reasonable in assessing the likely overall impact on local places of the proposed development.

3.5. Local Primary Schools – Current Baseline

3.5.1. According to the latest data available in the public domain, in October 2020 the position at local primary schools (including infant and junior schools) in Trafford within 2 miles straight line distance of the proposed development is as shown:

School	Net Capacity (PAN)	Number on Roll (NOR)	Surplus Places
Gorse Hill Primary School	343 (60)	362	0
Kings Road Primary School	744 (90)	605	139
Moss Park Junior School	240 (60)	254	0
Moss Park Infant School	232 (60)	178	54
Seymour Park Community Primary School	560 (84)	588	0
Victoria Park Junior School	240 (60)	253	0
Victoria Park Infant School	232 (60)	180	52
St Matthew's CofE Primary School	235 (30)	201	34
St Hugh of Lincoln RC Primary School	315 (45)	312	3
St Teresa's RC Primary School	210 (30)	206	4
St Alphonsus RC Primary School	200 (30)	184	16
St Ann's RC Primary School	463 (60)	420	43
Old Trafford Community Academy	420 (60)	390	30
Barton Clough Primary School	210 (30)	184	26
St Hilda's CofE Primary School	341 (45)	246	95
TOTAL	4,995 (729)	4,990	496

Table: Primary School pupil places in Trafford within 2 miles straight line distance of the proposed development.

[Source: Number on Roll and Published Admission Number from FOI Response and Capacity from DfE website].

- 3.5.2. The above table uses the Audit Commission definition of Surplus Places, in line with best practice in this matter, which treats schools with a negative surplus as though they had a zero surplus. Since the number of pupils a school must admit in any year is directly related to its capacity, any school that chooses to admit numbers beyond that level must necessarily be deemed to be capable of accommodating those numbers.
- 3.5.3. On the above evidence it is clear that in October 2020 there were 496 surplus primary school places in Trafford within two miles of the proposed development.
- 3.5.4. The total surplus places as a percentage of primary school capacity was **9.93%** [calculation: $496 / 4,995$].
- 3.5.5. However, there are significant discrepancies between the stated Net Capacities and the schools' Published Admission Numbers. Using the PAN Capacity of 729 times 7-year groups, there are 5,103 places currently available within 2 miles in Trafford.

3.6. Primary School Admissions

3.6.1. It is also important to understand the availability of places within the local area.

3.6.2. The table below shows the Published Admission Numbers for the relevant schools, compared to the places allocated in Reception for September 2020, and the number of places available.

School	PAN	Year R Allocation	Available Places
Gorse Hill Primary School	60	42	18
Kings Road Primary School	90	63	27
Moss Park Infant School	60	60	0
Seymour Park Community Primary School	84	84	0
Victoria Park Infant School	60	60	0
St Matthew's CofE Primary School	30	30	0
St Hugh of Lincoln RC Primary School	45	45	0
St Teresa's RC Primary School	30	27	3
St Alphonsus RC Primary School	30	26	4
St Ann's RC Primary School	60	55	5
Old Trafford Community Academy	60	42	18
Barton Clough Primary School	30	29	1
St Hilda's CofE Primary School	45	29	16
TOTAL	729	637	92

Table: Primary School Reception places in Trafford within 2 miles straight line distance of the proposed development.

[Source: Places Allocated and Published Admission Number from FOI Response].

3.6.3. This shows that, of the 729 places available, 92 were unfilled, a percentage of **12.62%**.

3.7. The Trend in Annual Local Birth Numbers

3.7.1. This site falls within the electoral ward of Longford, and adjacent to the electoral ward of Gorse Hill.

3.7.2. The Office for National Statistics (ONS) birth rate figures show the total annual births within these ward areas is falling from its peak than in 2014 and 2015.

3.7.3. This is best illustrated by the table below:

2017 electoral wards	2013	2014	2015	2016	2017	2018	2019
E05000829 : Gorse Hill	181	188	194	197	174	154	175
E05000832 : Longford	176	175	169	149	170	159	153
Totals	357	363	363	346	344	313	328
Current / Future School Year			2020/21 Year R				2024/25 Year R

3.7.4. Those children born in 2015 births would now be in Year R and the 2018 births will be due to start school in September 2023.

3.7.5. This shows a fall in pupil numbers for Reception classes in forthcoming years from a peak this year.

3.7.6. Given that in the peak year, there are 12.62% of places unfilled, this figure is likely only to increase in the future.

3.8. Secondary Schools - Current Baseline

3.8.1. According to the latest data available in the public domain, in September 2019 the position at local secondary schools (including sixth form / Post 16 education) within 3 miles straight line distance of the proposed development is shown below:

Secondary School (11-18 unless stated)	Net Capacity	NOR	Surplus Places
Lostock High School (11-16)	740	328	412
Stretford Grammar School	798	853	0
Stretford High School (11-16)	825	913	0
Sale High School (11-16)	1050	841	209
Urmston Grammar Academy	1000	1043	0
Sale Grammar School	1341	1301	40
St Antony's Roman Catholic School, a Voluntary Academy (11-16)	650	*	*
Total	5,754 (excl St Antony's)	5,279	661

Table: Secondary School pupil places in Trafford within 3 miles straight line distance of the proposed development

[Source: Number on Roll and Capacity from DfE website].

3.8.2. The above table uses the Audit Commission definition of Surplus Places, in line with best practice in this matter, which treats schools with a negative surplus as though they had a zero surplus. Since the number of pupils a school must admit in any year is directly related to its capacity, any school that chooses to admit numbers beyond that level must necessarily be deemed to be capable of accommodating those numbers.

3.8.3. On the above evidence it is clear that in January 2020 there were 661 surplus secondary school places within three miles of the proposed development.

3.8.4. The total surplus places as a percentage of secondary school capacity was **11.49%** [calculation: 661 / 5,754].

3.9. Forecast Status of Pupil Places

3.9.1. Set out below are TC's forecasts for the local primary planning area up to January 2024, and includes an allowance for pupil yield from local housing growth.

Stretford Primary Forecast	Jan 24 YR Forecast	Jan 23 YR Forecast	Jan 22 YR Forecast GP Data	Jan 21 Yr Forecast	Jan 20 YR Forecast
	547	591	558	579	572
19 Totals					4507
20 Totals					
21 Totals				4420	
22 Totals			4325		
23 Totals		4237			
24 Totals	4104				
Housing F/C	371	365	359	353	353
Total	4475	4602	4684	4773	4860

Table: Forecast Primary School pupil places by academic year.

[Source: Primary school Forecast Data from FOI Response]

3.9.2. On the above evidence it is clear that for the academic year 2023/24 there will be an increased number of surplus primary school places available within the Stretford primary planning area which serves the proposed development.

3.9.3. Set out below are the forecasts for the relevant secondary planning areas which have schools serving the proposed development. As at January 2020 the forecasts show a total roll of 8,319 of which the relevant schools have a roll of 5,279 (at paragraph 3.8.1 above)

Sale Secondary	Jan 26 Y7 Forecast	Jan 25 Y7 Forecast	Jan 24 Y7 Forecast	Jan 23 Y7 Forecast	Jan 22 Y7 Forecast	Jan 21 Y7 Forecast	Jan 20 Y7 Forecast	Jan 19 Actual					
	695	689	710	708	682	695	673	Yr 7	Yr 8	Yr 9	Yr 10	Yr 11	
19 Totals									657	647	577	581	552
20 Totals							3135		3014				
21 Totals						3249							
22 Totals					3415								
23 Totals			3469										
24 Totals		3484											
25 Totals													
26 Totals	3484												
Housing F/C	19	19	19	17	14	12	12	12	12				
Total	3503	3503	3488	3432	3368	3261	3147	3014					
Stretford Secondary													
	Jan 26 Y7 Forecast	Jan 25 Y7 Forecast	Jan 24 Y7 Forecast	Jan 23 Y7 Forecast	Jan 22 Y7 Forecast	Jan 21 Y7 Forecast	Jan 20 Y7 Forecast	Jan 19 Actual					
	412	397	437	436	419	428	414	Yr 7	Yr 8	Yr 9	Yr 10	Yr 11	
19 Totals									406	377	436	374	360
20 Totals							2007		1953				
21 Totals						2061							
22 Totals				2103									
23 Totals			2134										
24 Totals		2117											
25 Totals	2101												
26 Totals	265	265	265	261	257	252	252	252					
Housing F/C	2366	2382	2399	2364	2301	2313	2259	1953					
Total													
Urmston Secondary													
	Jan 26 Y7 Forecast	Jan 25 Y7 Forecast	Jan 24 Y7 Forecast	Jan 23 Y7 Forecast	Jan 22 Y7 Forecast	Jan 21 Y7 Forecast	Jan 20 Y7 Forecast	Jan 19 Actual					
	551	580	610	629	597	609	600	Yr 7	Yr 8	Yr 9	Yr 10	Yr 11	
19 Totals									568	632	535	563	557
20 Totals							2898		2855				
21 Totals						2944							
22 Totals				3002									
23 Totals			3044										
24 Totals		3024											
25 Totals	2966												
26 Totals	16	16	16	15	15	15	15	15					
Housing F/C	2982	3040	3060	3017	3020	2959	2913	2855					
Total													

3.9.4. The forecast roll for January 2026 is 8,851, and applying the same proportional approach as for January 2020, the forecasts for the relevant local school could be considered to be 5,617 [Calculation: 5,279/8.319 x 8.851].

3.9.5. Commentary on the relevance of this position with regards to the education mitigation strategy is set out later in this Report. It is not clear what assumptions regarding housing delivery are included within the forecasts.

4. Impact & Mitigation regarding Primary & Secondary Education

4.1. TC Assessment of the Proposed Development

4.1.1. The child yield from the proposed development and associated request for S106 contributions has been calculated by TC and is based on the mix of 333 dwellings specified earlier in this Report

4.1.2. No contributions are sought in relation to secondary education.

4.1.3. A contribution of £641,973 is sought in respect of primary education.

4.1.4. Trafford's response, prior to the removal of the request for secondary school contributions is as set out in an email from Debra Harrison of TC to Victoria Welch of WSP and the salient points are below:

I have also received the following comments from the Schools Capital Projects Team requesting a contribution of £1,233,623 towards primary and secondary education:

"These are my comments on the education and health capacity assessment prepared by WSP Indigo.

- It refers to two scenarios of pupil yields based on other consultants formula of 54% (by Regeneris Consulting on the Carrington Village development) and 24% primary and 28% secondary (using Councils SDP1 Planning Obligations 2012)
- We currently use a formula based on 3 pupils per year group per 100 homes which gives 21% for primary yield and 15% for secondary yield.
- They have identified local schools however their capacity and number on roll data is out of date (2017-18). The Council hold the latest capacity data on Trafford Schools.
- They have acknowledged that Trafford schools are full or oversubscribed but have also referred to schools in the Manchester area which do have capacity. However the Trafford Council have a statutory duty to provide school places for every resident pupil within the borough.
- Trafford schools have excellent reputations and many have outstanding Ofsted ratings. Therefore we are a net importer of pupils rather than exporter. Parents living in the new apartments are more likely to choose Trafford Schools over Manchester schools. Over half the schools in Trafford are oversubscribed and what small amounts of vacancies there are need to be retained as a 5-10% operational surplus is recommended by the Department for Education.
- It concludes that S106 funding should not be sought for this project. However, we are asking that all developers contribute towards the pupil yield generated by their development, as this will be used to expand the existing Trafford schools that serve that development."

4.2. Appropriate mitigation

4.2.1. As indicated above at paragraph 4.1.3 TC is seeking £641,973 in contributions.

4.2.2. I have considered this contribution request and assessed it against the CIL Regulations tests.

4.2.3. At primary level, there is no evidence of any current shortfall of places within the area local to the development. Indeed, the evidence of recent admissions is that there are a significant number of places available in the Reception year group.

4.2.4. This shows that these schools are not oversubscribed, since if a school has applicants it must admit up to its Published Admissions Number.

4.2.5. Birth rates in the area are falling, which will reduce the number of places required still further, and TC's own forecasts for the local planning area indicate a fall in the number of primary age pupils.

4.2.6. Currently the level of surplus within the local area stands at 9.93%, and when looking at the admission year group alone this rises to over 12%. The need for any operational surplus, even if such an approach is valid, would therefore still be met.

4.2.7. Even if this were not the case, previous appeal decisions have determined that where pupils are attending local school from other local authority areas, then spare places within those areas are also relevant to the requirement for contributions.

4.2.8. This shows that there is no requirement for contributions towards primary provision.

4.2.9. At secondary level, I agree with TC that no contribution is required. Using the forecasts provided and taking a proportional view of these in the vicinity of the development, as set out above at paragraph 3.9.4, and including the capacity of the recently opened academy, it is clear that there will be sufficient places available to meet the impact of this development.

5. Conclusions

5.1. Commentary on Primary School Impact and Mitigation

5.1.1. TC's requested primary and secondary contributions have not been sufficiently justified, which means that the current contribution requests fail the tests set out in the CIL regulations.

5.1.2. Firstly, for primary places, it is clear that there are a number of surplus places within the local area. It is not clear how a request is necessary as a result of this proposed development. The forecasts for the planning area indicate an increase in this surplus, as does the fall in birth rates in recent years.

5.1.3. To this extent I disagree with TC's assessment that contributions of £641,973 are required in mitigation, since no contribution can be justified.

5.1.4. Secondly, for secondary school places, it is clear that there are a number of surplus places within the local area. It is not clear how a request is necessary as a result of this proposed development. The forecasts for the planning areas indicate a decrease in this surplus, but not to the extent that any further school places would be required.

5.1.5. To this extent I am in agreement with TC's decision not to seek secondary school contribution.

6. Appendices

6.1. The following Appendices accompany this document:

- APPENDIX AYA01 - DfE Guidance on Securing Developer Contributions, November 2019;
- APPENDIX AYA02 - Site location plan;
- APPENDIX AYA03 - DfE Guidance on Home to School Transport.