

Former B&Q Site, Great Stone Road, Stretford, M32 0YP

Appeal by: Accrue (Forum) 1 LLP

PINS reference: APP/Q4245/W/20/3258552

Education Issues Rebuttal Statement

Sarah Butters on behalf of Trafford Council

1. Summary

1.1. I have read the Proof of Evidence of Mr John Powell and my rebuttal seeks to deal with these key matters he raises:

- Changes to PAN cannot be made for existing cohorts in schools.
- The impact of the appeal scheme will simply limit the number of out of borough pupils in Trafford schools by pushing them back to their home authority but this is not the case.
- The developer contribution methodology does not take into account places funded by CIL and s106 but this is not true as none of the developments included had to provide funding for education.
- Reliance on live births.
- Future SCAP forecasts should be utilised within the contribution assessment.

Changes to PAN

Mr Powell states:

3.5.4. This means that any building project to expand a school, whether primary or secondary, can only alter the PAN for the first year of entry after the building project, and cannot alter the PAN for cohorts already within the school.

1.2. This is incorrect, it is possible to alter the PAN of cohorts already within a school and it is an approach frequently adopted by Trafford. The Council has expanded 30 existing schools and in doing so many projects have increased PANs across the school. For example Worthington Primary School expanded the PAN in all year groups on completion of the permanent expansion from 45 to 60 PAN in 2020.

2. Out of Borough Pupils

Mr Powell states:

6.1.5. The yield from the appeal site is less than the number of pupils currently obtaining places in local school from outside Trafford. In future admission years, the pupils from the appeal site would take precedence and Trafford would meet its statutory duty without the necessity of providing additional places.

6.3.26. The Council has been clear that its statutory duty is to educate pupils resident in Trafford. The impact of this scheme would simply be to limit the number of pupils from out of Trafford obtaining a place at Trafford schools, and would not necessitate an increase in the number of places in Trafford schools.

- 2.1. This is not correct because of the complexities of cross border supply and demand in Trafford. Overall Trafford is a net importer of pupils. The only planning area where this is not the case is Stretford.

Stretford – Primary migration

- 2.2. There is a broad range of faith and non-faith primary schools in the Stretford area. For reception admissions, the 3 year average indicates that for the Stretford area Trafford import 37 pupils and export 45 pupils. This gives net out migration of 8 pupils.
- 2.3. Some of this migration is due to priority in faith schools being given to pupils resident in the parish boundaries which span the Trafford-Manchester border. This effectively means Manchester postcodes are included in the Trafford faith school catchment areas. For example, the appeal site is just outside the parish boundary for two of the Trafford Catholic primary schools. This means that pupils from the appeal site would not push Manchester residents who live in the parish boundary out of the Trafford schools.
- 2.4. The remainder of this migration is because the nearest or most convenient community school may not be in the home authority, especially for those who live closest to the border. The 2 non-faith schools in Manchester primarily accessed by Trafford residents are both full. If pupils from the appeal site were to push Manchester resident pupils back into their home authority, this would mean Trafford resident pupils in these Manchester schools would be displaced back into Trafford schools. The result is that the provision of additional primary places in Trafford would still be required.

Stretford – Secondary migration

- 2.5. There are only 3 secondary schools in the Stretford planning area, 1 selective school and 2 non-selective schools. For Year 7 admissions, the 3 year average indicates that for the Stretford area Trafford import 77 pupils and export 125 pupils. This gives net out migration of 48 pupils.
- 2.6. The imported pupils are almost 90% attributable to the selective school. Its oversubscription criteria includes 32 pupil premium places and the 20 top scoring candidates in the entrance examination, both of which are regardless of home residency. Its catchment area includes postcodes which are outside of Trafford, but closer than the appeal site. For these reasons, pupils from the appeal site will not push out of borough pupils out of this school.
- 2.7. Of the 125 exported pupils, 26 go to faith schools, 30 go to single sex schools and 7 go to out of area grammar schools. The majority of the remaining 62 exported pupils attend 2 community schools close to the border in Manchester which are both full. In comparison, only 10 out of borough pupils attend community schools in Stretford. If pupils from the appeal site were to push these out of borough pupils back into their home authority, this would mean a similar number of Trafford resident pupils in Manchester schools would be displaced back into Trafford schools so the additional places would still be required.

Parental preference

- 2.8. Mr Powell notes the Council has been clear that its statutory duty is to educate pupils resident in Trafford. Sometimes Trafford parents do not apply for their local school where they have the best chance of achieving a place which can result in places having to be allocated to out of borough pupils who did apply. The School Admissions Code 2021 paragraph 15d states:

In the normal admissions round parents apply to the local authority in which they live for places at their preferred schools. Parents are able to express a preference for at least

*three schools. The application can include schools outside the local authority where the child lives: a parent can apply for a place for their child at any state-funded school in any area. If a school is undersubscribed, any parent that applies **must** be offered a place. When oversubscribed, a school's admission authority **must** rank applications in order against its published oversubscription criteria and send that list back to the local authority.*

- 2.9.** A Trafford applicant who did not express a preference for a particular school can only be offered a place at that school after allocations have been made to all those who did express a preference, regardless of where they live. This point highlights that parental preference is a strong factor in pupil placement and whether out of borough pupils can be pushed back to the home authority.

3. Developer Contribution Methodology

Mr Powell states:

5.1.14. The methodology also fails to make allowance for places funded by such developments either through S106 or payments through CIL to provide additional education infrastructure.

5.1.15. To include the pupil yield from such developments in the calculation but not the places funded amounts to double counting.

6.1.4 The assessment provided by Trafford allows for the impact of prior approved development but ignores the fact that Council will be in receipt of funds already paid as Levy or S106 contributions to mitigate this impact and has not accounted for the additional places funded in its calculations.

- 3.1.** The Council's education contribution methodology utilises a snapshot assessment of surplus capacity reduced by the number of surplus places already allocated to other developments. Mr Powell is incorrect - none of the developments included in my calculation have had to provide funding for education places through either CIL or s106.

- 3.2.** DfE Securing Developer Contributions for Education describes the mechanisms for securing contributions in paragraphs 1 and 2:

1. Developer contributions for education are secured by means of conditions attached to planning permission, a planning obligation under Section 106 of The Town and Country Planning Act 1990, or the Community Infrastructure Levy (CIL).

2. The CIL Regulations (as amended in September 2019) no longer impose a 'pooling restriction' on the use of planning obligations to fund the same type of infrastructure or infrastructure project, and an infrastructure project may receive funding from both CIL and Section 106. We advise you to work with local planning authorities in devising their approaches to securing developer contributions, to consider the most appropriate mechanism (Section 106 planning obligations and/or CIL) to secure contributions from developers towards education alongside other infrastructure funding priorities.

- 3.3.** This means that in addition to CIL, the Council can secure financial contributions through s106 agreements to mitigate site specific harm. There is no prospect of any double counting because a democratic decision was taken to use the entirety of the initial CIL receipts to fund a Metrolink extension and for the foreseeable future they are likely to be spent on the Carrington Relief Road. There is no realistic prospect of schools being funded by CIL. Where s106 funding has been secured, for example for the 42 primary places for the Elsinore Road development 100270/FUL/20, both the pupil yield and the additional places that will be created are excluded from the education contribution calculation so as to avoid double counting.

Completed developments

- 3.4.** Evidence indicates that in Trafford it takes between 12 and 24 months following completion for a development to fully yield pupils. In the methodology, developments to which surplus places have been allocated are removed from this list at the lower end of this range, 12 months after completion. I have reviewed the position and identified 3 developments in the list which are complete or partially complete:
- 90799/FUL/17 Manchester Waters Phase 1 – Fully complete July 2020
 - 90738/FUL/17 No. 1 Old Trafford – Fully complete February 2021
 - 95723/FUL/18 Itron – Estimated 36% Completion November 2021 and a proportion of these are 1-bed properties which are not expected to yield pupils.
- 3.5.** My review indicates that the pupil yield for Manchester Waters Phase 1 should be removed from the list as more than 12 months has elapsed since completion. I also identified that in the October 2021 census, there are 5 primary pupils and 4 secondary pupils already yielded from No. 1 Old Trafford and Itron developments. To avoid double counting, I have reduced the pupil yield used in the calculation by this amount and issued a revised calculation dated 23 December 2021, Appendix 1. The result of this is that primary surplus increases from 2.9% to 3.7% and secondary surplus increases from 5.9% to 6.7%. This change does not impact the contributions sought.

4. Pupil Forecasts

- 4.1.** Mr Powell shows the ONS live birth data for 8 of the 30 small geographic areas which comprise the Stretford Planning Area, between 2013 and 2020, to illustrate a small reduction in live births. This is one raw input which could feed into pupil forecasts but it is not the input used by the Council. GP registration data is utilised in the established pupil forecast methodology as it accounts for migration into Trafford between a child being born and starting school which is a significant factor in Trafford.
- 4.2.** Trafford Joint Strategic Needs Assessment (JSNA) gives overarching information on the current and future needs of local communities and provides an evidence base to inform future planning of services. Projected population data based on assumed levels of future fertility, mortality and migration indicates a relatively constant future cohort size for Age 0. Trafford-wide a small decrease of 18 children is projected between 2021 and 2023 but after this small increases are forecast every year up to and including 2028, Appendix 2.
- 4.3.** Mr Powell indicates that it would be more appropriate to utilise the SCAP pupil forecast in the surplus capacity assessment rather than the current snapshot. The SCAP forecasts cover all future demand for places whatever the source and no matter how the need is to be met. As with any forecasts, they are less reliable the further into the future they go. The Trafford SCAP 2021 forecasts are potentially expected to under forecast for the following reasons:
- Delay in new born babies being registered with a GP because of the pandemic may result in an under forecast for primary in 2025/26.
 - Significant surge in number of in-year primary applications between May and September 2021, with an estimated 372 from Hong Kong families relocated under the government's visa scheme. DfE confirmed Trafford received the highest number of school place applications from this group. Due to these exceptional circumstances, DfE permitted a late SCAP adjustment in August 2021. It was a simple adjustment to account for the significant increase in actual numbers on roll in primary since the original SCAP submission. There was not adequate time to understand the potential impact of this influx on the secondary sector in the future as the model would need to be adapted. This will be likely to result in an under forecast for secondary pupils in the future. Work is underway to revise the model for SCAP 2022 and to understand the longer term impact of this inbound migration.

4.4. A generic approach to accounting for pupil yield is used in the SCAP forecasts for all developments with planning permission on a sliding scale. This differs to the conservative approach in the contribution methodology which only reduces the snapshot capacity assessment by places allocated to housing developments which are under construction. Developments with planning permission are excluded and only brought into the calculation once underway, despite the fact they will also utilise surplus places once complete. Due to the differing methodologies, it is not possible to slot the SCAP forecast figures straight into the contribution assessment without first adjusting to align the methodology that accounts for housing developments.

Trafford Education Contribution Assessment

Development: Former B&Q Site (100400/OUT/20)
School place planning area: Stretford
Date: 23 December 2021 (updated)

Pupil Yield Calculation

Type of unit	Qty of units	Primary Yield (21%)	Secondary Yield (15%)
Studio	0	0	0
1 bed	110	0	0
2 bed	189	40	28
3 bed	33	7	5
Total	332	47	33

No. of 2 bed units reduced by 1

A pupil yield of 3 per year group per 100 homes is applied to all units of more than 1 bedroom.

Primary School Capacity Assessment

Trafford primary schools within 2 mile statutory walking distance from the site

Planning Area	School Name	Net Capacity May 2021	PAN	No. Year Groups in School	Total PAN	NOR Oct 2021	Comparing Total PAN to NOR	
							No. Vacancies	% Vacancies
Stretford	Gorse Hill Primary School	420	60	7	420	327	93	22.1%
Stretford	Kings Road Primary School	630	90	7	630	598	32	5.1%
Stretford	Moss Park Infant School	172	60	3	180	180	0	0.0%
Stretford	Moss Park Junior School	233	60	4	240	256	0	0.0%
Stretford	Old Trafford Community Academy	380	60	7	420	381	39	9.3%
Stretford	Seymour Park Primary School	588	84	7	588	586	2	0.3%
Stretford	St Alphonsus RC Primary School	210	30	7	210	180	30	14.3%
Stretford	St Ann's RC Primary School	379	60	7	420	412	8	1.9%
Stretford	St Hilda's CE Primary School	315	45	7	315	228	87	27.6%
Stretford	St Matthew's CE Primary School	209	30	7	210	195	15	7.1%
Stretford	St Teresa's RC Primary School	210	30	7	210	172	38	18.1%
Stretford	Victoria Park Infant School	169	60	3	180	180	0	0.0%
Stretford	Victoria Park Junior School	199	60	4	240	247	0	0.0%
		4,114	-	-	4,263	3,942	344	8.1%

Primary surplus places allocated to other developments

Planning Area	Development	Reference	No. places allocated
Stretford	Manchester Waters Phase 2	93779/FUL/18	66
Stretford	No. 1 Old Trafford*	90738/FUL/17	50
Stretford	Itron, Talbot Road*	95723/FUL/18	49
Stretford	Paragon House	102507/PRO/20	4
Stretford	Bankside Manufacturing	97677/FUL/19	2
Stretford	Royal Canal Works	91948/FUL/17	7
Stretford	Insignia	88792/FUL/16	13
	Total		191

Less pupils yielded Oct 21 (*partial completions) 5
Revised Total 186

Primary capacity assessment summary

Total surplus places	344
Allocated to other developments	186
No. remaining surplus places	158
% remaining surplus places	3.7%
Surplus places to be allocated	0

Secondary School Capacity Assessment

Trafford secondary schools within 3 mile statutory walking distance from the site

Planning Area	School Name	Net Capacity May 2021	PAN	No. Year Groups in School	Total PAN	NOR Oct 2021	Comparing Total PAN to NOR	
							No. Vacancies	% Vacancies
Stretford	Lostock High School	740	148	5	740	281	459	62.0%
Urmston	St Antony's RC School	661	130	5	650	650	0	0.0%
Stretford	Stretford Grammar School	686	128	5	640	766	0	0.0%
Stretford	Stretford High School	1,014	190	5	950	946	4	0.4%
		3,101	-	-	2,980	2,643	463	15.5%

Secondary surplus places allocated to other developments

Planning Area	Development	Reference	No. places allocated
Stretford	Trafford Waters	85282/OUT/15	9
Stretford	Manchester Waters Phase 2	93779/FUL/18	47
Stretford	No. 1 Old Trafford*	90738/FUL/17	35
Stretford	Itron, Talbot Road*	95723/FUL/18	35
Stretford	Paragon House	102507/PRO/20	3
Stretford	Bankside Manufacturing	97677/FUL/19	2
Stretford	Royal Canal Works	91948/FUL/17	5
Stretford	Insignia	88792/FUL/16	9
Stretford	Kelloggs	99795/OUT/20	93
Stretford	Elsinore Road	100270/FUL/20	30
	Total		268

Secondary capacity assessment summary

Total surplus places	463
Allocated to other developments	264
No. remaining surplus places	199
% remaining surplus places	6.7%
Surplus places to be allocated	0

Less pupils yielded Oct 21 (*partial completions) 4
Revised Total 264

Developer Contribution Calculation

	Primary	Secondary
Calculated pupil yield from the development	47	33
Less surplus places available to be allocated	0	0
No. places for which a contribution is required	47	33
Rate per place (DfE School Places Scorecard 2019)	£15,737	£21,872
Calculated Contribution	£739,639	£721,776
TOTAL CALCULATED CONTRIBUTION	£1,461,415	

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official labour market statistics

Population projections - local authority based by single year of age

Population projections - local authority based by single year of age

Projected Year then geography by Age

Units: Persons

Measures value

	Age 0
----- 2021 Trafford -----	2,619
----- 2022 Trafford -----	2,604
----- 2023 Trafford -----	2,601
----- 2024 Trafford -----	2,616
----- 2025 Trafford -----	2,626
----- 2026 Trafford -----	2,636
----- 2027 Trafford -----	2,640
----- 2028 Trafford -----	2,645