

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure)
(England) Order 2015 (as amended)
Town and Country Planning (Inquiries Procedure) (England)**

An Appeal by Bovis Homes Ltd and Robert Hitchins Ltd against non-determination by Cheltenham Borough council – application no. 20/01069/OUT – Outline application for development comprising of up to 250 residential dwellings including provision of associated infrastructure, ancillary facilities, open space and landscaping, demolition of existing buildings and formation of new vehicular access from Harp Hill. All matters reserved except for means of access to site from Harp Hill.

Appeal reference: APP/B1605/W/21/3273053

**ADDENDUM STATEMENT OF CASE of GLOUCESTERSHIRE COUNTY COUNCIL
(EDUCATION AND HIGHWAYS, TRANSPORTATION)**

JULY 2021



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1.0 INTRODUCTION

1.1 This is an addendum to the Statement of Case submitted on behalf of Gloucestershire County Council (“GCC”) in the exercise of its statutory functions for Education and Highways in relation to the appeal that has been lodged against the failure of Cheltenham Borough Council (the Local Planning Authority “LPA”) to determine the application for planning permission within the statutory period. During the course of this Statement, we will separate the County Council’s case in respect of its relevant statutory function.

1.2 Pursuant to paragraph 4.17 of that Statement of Case, GCC have reviewed and updated their Education Pupil Product Ratios (PPRs) in light of the Coombe Hill, Tewkesbury decision (App ref: APP/G1630/W/20/3257625). This addendum seeks to address this point only and to assist in further production of evidence for all parties.

2.0 EDUCATION UPDATE

2.1 In light of the Coombe Hill appeal decision, GCC have sought to review the PPRs and have produced an interim position, pending a full review of the PPRs over the next six months to a year. Thus enabling a robust approach to education contributions to continue, whilst having regard to the appeal decision, which is a material consideration.

2.2 Based on GCC education records, including elective home education registrations, school census data 2020, Council Tax records and the Independent Schools Council 2019 census report, discounts to the PPRs have been made for the potential for home education, independent school education, vacant homes and second homes within new developments. Accordingly, the following discounts are being applied to GCC's PPRs, until such time as a comprehensive review of the PPRs is undertaken:

- Primary - 6.2%
- Secondary & Post 16 – 13.8%

2.3 In respect of household formation, a concern expressed by the Inspector in the Coombe Hill case, particularly having regard to household fragmentation, delays in family formation and the greater longevity of elderly households whose children have left school, GCC have reviewed the evidence within their Cognisant Report November 2019 (**Appendix 1**) and the Census 2011 and consider that the GCC evidence already has regard to this element.

2.4 There are no specific national datasets or survey reports that consider such fragmentation of families or household formations that result. However, the Census 2011 and the Cognisant Report November 2019 both provide data on the number of households that do not have any children, this would include households resulting from family fragmentation, where children have left home (or are no longer in the education system), elderly residents and adults that do not have children (i.e. not from fragmented households).

2.5 Across Gloucestershire the Census identifies an average of 61 dwellings per 100 that do not have children residing within them. With an average of 70 children per 100 dwellings (including pre-school age).

2.6 The 2019 Cognisant report records 43 dwellings per 100 dwellings that do not have children residing within them. With an average of 68 children per 100 dwellings (excluding pre-school age).

2.7 With a larger proportion of affordable housing per 100 dwellings on new build estates, as a result of planning policies, a greater proportion of children are generated on average across the development, as can be seen from the data sets within the Cognisant report November 2019.

2.8 Accordingly, the PPRs are considered to be conservative and reflective of a national position set out in Census data.

2.9 The Interim PPRs for Gloucestershire, are to be applied as follows:

Phase of education	PPR Nov 2019	Discount	Interim PPR June 2021
Primary	41 places per 100 dwellings	6.2%	38.5 places per 100 dwellings
Secondary	20 places per 100 dwellings	13.8%	17 places per 100 dwellings
Post 16	7 places per 100 dwellings	13.8%	6 places per 100 dwellings

2.10 At this interim stage GCC will not be asking for any pre-school contributions. Full details of the Interim Position are set out in Appendix 2 to this Addendum.

2.11 As set out in the GCC Statement of Case (paragraphs 4.22 – 426) schools within the Primary and Secondary Place Planning Areas are at capacity and as such GCC are seeking full contributions to Primary, Secondary and Post 16 places. The contributions being sought are as follows:

Primary	96.25 places x £15,091	= £1,452,508.75
Secondary	42.50 places x £19,490	= £828,325.00
Post-16	15.00 places x £23,012	= £345,180.00
Total		£2,626,013.75

2.12 GCC will set out the CIL justification for this payment separately.

APPENDIX 1

Interim Statement
on
Pupil Product Ratios from new housing developments
June 2021

Gloucestershire County Council (GCC), as Local Education Authority, has a statutory duty to ensure adequate school places are available to meet the needs of the County. This is particularly important when considering the direct impact arising from housing developments.

Following a recent Planning Appeal Decision¹, GCC have undertaken to review their Pupil Product Ratios (PPRs) which are used to calculate the impact of new development on school capacity and in turn justify the developer contributions being sought towards the provision of additional education infrastructure.

GCC is committed to undertaking a full review of its PPRs over the next six months, which will subsequently be consulted upon. In the meantime, GCC has reviewed its PPRs, taking account of comments made by the Planning Inspector in the above appeal, and, using information that is currently available, proposes to adjust its calculations per 100 dwellings.

School Place Planning Areas and associated forecasts are contained within the School Places Strategy 2021-2026. These forecasts take account of completed development but not committed development. Regard will need to be had to developments that are under-construction when considering available capacity.

Cognisant Report

It was suggested that the Cognisant Report, used to formulate the GCC PPRs was self-selecting and not necessarily representative of residents of housing developments as a whole.

It has subsequently been confirmed by Cognisant that they conducted a separate assessment of whether children were resident at a random selection of 10% of the sample households. This was based upon a visual assessment of the property. For example, were there children's bicycles or toys in the garden, or were there stickers or children's artwork in the windows, etc.

This assessment was used to judge the likelihood of 'differential participation' by households with or without children, and to weight the results of the survey.

1 APP/G1630/W/20/3257625 Land Off the A38, Coombe Hill, Gloucestershire.

2 2 and 3 miles are walking distances from the development to the school.

Consequently, the survey responses were confirmed to be representative of the housing developments as a whole and no adjustment to PPRs is required for this item.

Home Education

GCC Education records of elective home education registrations show that in 2019, 271 out of 48,020 (0.6%) primary pupils and 503 out of 33,082 (1.2%) secondary pupils were home educated.

The average length of time for elective home education was 18 months with 62% of pupils returning to GCC state-funded schools each year.

It is not the case therefore that all children who are home educated, remain home educated through their statutory school age. Over half of the children subsequently return and require a school place.

Consequently, the discount allowed for this item is conservative and exceeds the likely reduction in demand due to home education.

Independent School Education

GCC School Census data 2020 and the Independent Schools Council 2019 census report (www.isc.co.uk) show that in 2019, 799 out of 48,020 (2.0%) primary and 7189 secondary pupils attended independent schools in the GCC area.

The Independent Schools Council 2019 census report shows that between 6% and 9% of GCC pupils residing in the County attend an independent school so a discount of 9% will be applied to the secondary PPR until more information is available.

Vacant Homes

Council Tax records (<https://www.gov.uk/government/statistics/council-taxbase-2020-in-england>) for all dwellings in Gloucestershire as at October 2020 show that 2.1% were vacant. The vacancy figure for each GCC District varies between 1.2% and 2.7%. A discount of 2.1% will be applied.

Second Homes

Council Tax records (<https://www.gov.uk/government/statistics/council-taxbase-2020-in-england>) for all dwellings in Gloucestershire as at October 2020 show that 1.5% were second homes. The figure for second homes for each GCC District varies between 0.6% and 4.0%. A discount of 1.5% will be applied.

1 APP/G1630/W/20/3257625 Land Off the A38, Coombe Hill, Gloucestershire.

2 2 and 3 miles are walking distances from the development to the school.

Accordingly a 6.2% discount to the Primary School PPRs and 13.8% discount to the Secondary PPRs, as established through the Cognisant Report November 2019, and set out on the County Council's webpage will be applied.

Phase of education	PPR Nov 2019	Discount	Interim PPR June 2021
Primary	41 places per 100 dwellings	6.2%	38.5 places per 100 dwellings
Secondary	20 places per 100 dwellings	13.8%	17 places per 100 dwellings
Post 16	7 places per 100 dwellings	13.8%	6 places per 100 dwellings

Household Formation

Concerns were raised by the Planning Inspector that the PPRs take no account of the fact that house moves take place over short distances with the result that many prospective children are already in attendance within Gloucestershire schools. The Inspector considered that *"the County's view that such house moves would be backfilled by new residents with equal demands on the school system is mistaken because, as is well known, average household sizes nationally are falling as a result of the fragmentation of families, delays in family formation and the greater longevity of elderly households whose children have left home."*

There are no national datasets or survey results that consider such fragmentation of families or household formations that result. However, both the Census 2011 and the Cognisant report November 2019, provide data on the number of households that do not have any children, this would include households resulting from family fragmentation, where children have left home (or are no longer in the education system), elderly residents and adults that do not have children (i.e. not from fragmented households).

1 APP/G1630/W/20/3257625 Land Off the A38, Coombe Hill, Gloucestershire.

2 2 and 3 miles are walking distances from the development to the school.

Across Gloucestershire the Census identifies an average of 61 dwellings per 100 that do not have children residing within them. With an average of 70 children per 100 dwellings (including pre-school age).

The 2019 Cognisant report records 43 dwellings per 100 dwellings that do not have children residing within them. With an average of 68 children per 100 dwellings (excluding pre-school age).

With a larger proportion of affordable housing per 100 dwellings on new build estates, as a result of planning policies, a greater proportion of children are generated on average across the development, as can be seen from the data sets within the Cognisant report November 2019.

Accordingly, the PPRs are considered to be conservative and reflective of a national position set out in Census data.

Methodology

In order to better understand how GCC will approach education contributions the adopted Local Developer Guide 2021 sets out in detail the approach to be taken. It should be noted, however, this document was adopted in March 2021 before the Coombe Hill Appeal decision and the LDG will also be reviewed and updated once the wider review relating to PPR's has been undertaken.

<https://www.gloucestershire.gov.uk/planning-and-environment/planning-policy/gloucestershire-local-development-guide/>

For the avoidance of doubt, the approach for assessing the impact of a development proposal on local education infrastructure will be as follows:

- GCC will assess all planning applications seeking developments of 10 or more dwellings.
- Where the housing mix is identified, 1-bed dwellings will be exempt.
- The relevant Primary and Secondary Place Planning Area will be identified.
- Any Primary or Secondary schools within adjacent Place Planning Areas, but within 2 miles² for Primary schools or 3 miles² for Secondary schools will also be identified and included.
- Forecast data 3 years from the current academic year will be used to ascertain capacity, i.e., in 2020/2021, forecast year 2023/2024 will be used, thus being more reflective of when the development is likely to impact on capacity within schools.

¹ APP/G1630/W/20/3257625 Land Off the A38, Coombe Hill, Gloucestershire.

² 2 and 3 miles are walking distances from the development to the school.

- Capacity is deemed to be full when the Place Planning Area and other schools included are at 95% of available capacity.
- A full developer contribution will be sought when the Place Planning Area and other schools being considered is at 95% or greater.
- Appropriate discounts will be applied if the capacity is below 95%.
- At this interim stage only, no pre-school contributions will be sought.
- Where the nearest schools are over 2 miles² for Primary and 3 miles² for Secondary from the development site, GCC will seek contributions to school transport provision.

¹ APP/G1630/W/20/3257625 Land Off the A38, Coombe Hill, Gloucestershire.

² 2 and 3 miles are walking distances from the development to the school.