

**Draft Education Contributions SPD Consultation**

**Report of the Deputy Chief Executive**

**1. INTRODUCTION**

- 1.1. We have a statutory duty to ensure sufficient school places within the borough to meet the population's educational needs. However, we face significant challenges in providing school places due to a growing population caused by increased housing development and inward migration, condition issues within the school estate, and a growing cohort of children with special needs.
- 1.2. Although central government provides funding to support the supply of school places, this does not address all the challenges we are facing. Where housing development creates an unacceptable impact on school places, we will seek developer contributions to make sure there are adequate education provisions.
- 1.3. A draft Education Contributions supplementary planning document (SPD) has been prepared which clarifies how and when we will seek developer contributions. The purpose of this briefing note is to gain approval for consultation on the draft SPD.

**2. BACKGROUND INFORMATION**

- 2.1. In November 2019 (subsequently updated in August 2023), the Department for Education (DfE) published its guidance '[Securing Developer Contributions for Education](#)'. This guidance recommends local authorities seek developer contributions for school places where needs arise. This includes places for early years, primary, secondary, 16-18 years and those with special educational needs and disabilities (SEND).
- 2.2. Historically, we have not actively sought developer contributions towards education provisions. However, a number of planning applications are being received for large housing developments on sites which have not previously been identified as potential housing sites. It is anticipated that children will live on these new housing sites and will require access to education.
- 2.3. The emerging Stockport Local Plan will provide a robust and up-to-date policy approach to make sure sustainable development is delivered throughout the borough. It will include policies that seek to secure developer contributions towards education.

- 2.4. Notwithstanding the emerging policy approach proposed through the Local Plan, there is a pressing need to create additional school places now as a result of new ongoing housing development taking place across the borough. Recent updates to the National Planning Policy Framework and associated guidance have provided the opportunity to require developer contributions for education, without this being explicitly set out within the adopted development plan. This justifies the creation of an interim approach to support sustainable development and provide clarity to developers until the Local Plan is formally in place.
- 2.5. It is important to note that contributions sought from developers towards education must still consider viability and other established contributions required under adopted development plan policies such as those relating to open space and affordable housing. This means there may be cases where a contribution might be expected towards education but cannot be sought because it would make the development unviable or harm our ability to realise contributions under other established policy requirements. In implementing this SPD, decision-makers may also have to prioritise certain types of developer contributions on a case-by-case basis.

### **3. HOW AND WHERE S106 CONTRIBUTIONS WILL BE USED**

- 3.1. The draft SPD sets out that all major planning applications of 10 or more residential units, will be assessed. The assessment will establish whether it will have an unacceptable impact on education provision in their place planning area, or adjacent place planning area when close to a boundary. The assessment will include the following types of education provision:
- Early years
  - Primary
  - Secondary
  - Post 16
  - Special schools/alternative provision
- 3.2. A mechanism to calculate the estimated number of pupils that will be generated for each of the educational phases from a proposed residential development is set out within the draft SPD. Using these figures, Pupil Place Planning Officers will assess whether the proposal would impact capacity within local schools. If it is concluded that a proposal would have an impact on a shortfall in the area for one or more of the educational phases, a contribution would be sought on that basis. The draft SPD sets out the formula to calculate the contribution using the estimated pupil yield and up-to-date build cost data.
- 3.3. Where new development creates additional demand for places, we will aim to mitigate these impacts by seeking contributions to ensure sufficient provision within the same planning area where feasible. However, where development is sat on the boundary of multiple pupil planning areas, we will make a judgement about where the financial contributions will be spent to help mitigate the impacts of the development.

- 3.4. Contributions will typically go towards the physical expansion of existing schools in the area. However, investment may also be made which does not expand the physical size of a local school(s) but facilitates the creation of additional school places through works to improve the condition of buildings to bring them back into use, or by remodelling/repurposing existing space.
- 3.5. The SPD also sets out guidance for instances where it is not feasible to expand facilities on existing nearby schools or where temporary solutions may be needed to meet educational needs. It also sets out the circumstances where the development of a new school may be the most appropriate solution.

#### **4. A NOTE ON PUPIL YIELDS**

- 4.1. DfE's guidance 'Securing Developer Contributions for Education' sets out that evidence of pupil yield from housing developments should be based on up-to-date evidence from previous local housing developments. The supplementary guidance titled 'Estimating Pupil Yield from Housing Development' goes on to acknowledge that there are multiple ways in which local authorities estimate pupil yield from housing.
- 4.2. In August 2023, DfE published pupil yield data for all local authorities in England which links data on housing developments to pupil data. This is known as the 'Pupil Yield Dashboard'. The purpose of publishing this data was to reduce inconsistencies and improve the baseline data available to local authorities. The guidance makes clear that local authorities can choose to adopt, supplement and update this data over time. Alternatively, local authorities can produce bespoke pupil yield data.
- 4.3. Given that the DfE's pupil yield evidence is the most up-to-date data currently available, this will be used to calculate the estimated number of pupils to arise from new housing development. However, in line with DfE guidance, we will update pupil yields when this is refreshed. This will also be updated when more evidence is gathered locally.
- 4.4. While reviewing DfE's newly published data, an anomaly was detected within the post-16 category. Officers have raised this with DfE who are looking to clarify the issue. Should the resolution cause issue with how we intend to seek contributions for post-16 infrastructure, we will bring this back to your attention.
- 4.5. All the information discussed above can be found here:  
<https://www.gov.uk/government/publications/delivering-schools-to-support-housing-growth>

#### **5. CONSULTATION APPROACH**

- 5.1. The draft Education Contributions SPD has been prepared following the processes set out in the council's [Statement of Community Involvement](#) and the Town and Country Planning (Local Planning) (England) Regulations 2012. These set out that a draft SPD must be:
  - Screened to determine whether Strategic Environmental Assessment is required.

- Made available for public consultation for a 4-week minimum period (maximum 6 weeks).
- Be made available as an online copy and have hard copies available at the council's offices and deposit locations (libraries etc.)

5.2. The draft SPD has been subject to a Strategic Environmental Assessment (SEA) and a Habitat Regulations Assessment (HRA) screening. These screening assessments have determined that a full SEA and Appropriate Assessment are not required. These screening opinions will be published alongside the draft SPD and will also be subject to public consultation. Before this screening opinion is confirmed as final, it will also first require feedback from the three designated consultation bodies – Historic England, Natural England, and the Environment Agency.

5.3. If necessary, the SEA and HRA screening will be refreshed when a final version of the SPD is published for adoption. This should only be necessary if there is a major change to the purpose and content of the draft SPD.

5.4. Commencing public consultation is a decision for the Cabinet Member for Economy, Regeneration & Housing. The current work programme sets out that this will be undertaken in early September, with the consultation planned for Wednesday 13th September to Wednesday 25th October. As part of the public consultation, it is intended that the following will be undertaken:

- A notice will be placed in the MEN outlining the details of the consultation.
- A letter/email will be sent out notifying those who have subscribed to receiving Stockport Planning Policy updates.
- A report to Area Committees at the start, or slightly preceding consultation, to raise awareness.

5.5. Following the public consultation period, all responses received will be taken into consideration. A consultation statement will be prepared to outline any key issues highlighted through the consultation and how these have been addressed. Prior to active use, the final document will be approved for adoption by Cabinet. The work programme sets out that this will likely be either Tuesday 5<sup>th</sup> December or Tuesday 30<sup>th</sup> January dependent on the extent of consultation feedback received.

5.6. Once adopted, the SPD will be a material consideration in planning decisions. If development proposals do not comply, the contents of this SPD may be used as a reason for the refusals of planning permission.

## **6. IMPACT OF ACADAMISATION**

6.1. The council has an enduring duty to ensure there are sufficient schools places of quantity and nature to meet the future needs of its residents. To dispense its duties as the responsible commissioner it will continue to work with DfE, developers, and school leaders in Stockport regardless of their affiliations to coordinate and commission school places.

## **7. CABINET MEMBER INPUT**

- 7.1. Scrutiny committee are advised that the Cabinet Member for Economy, Regeneration and Housing has approved the draft Education Contributions Supplementary Planning Document for consultation.
- 7.2. The Cabinet Member for Children, Families and Education has also been briefed on and approved the proposed SPD.

## **8. RECOMMENDATIONS**

- 8.1. The Cabinet Member for Economy, Regeneration and Housing requested that this report and accompanying decisions be brought to the attention of the Economy, Regeneration and Climate Change Scrutiny Committee.
- 8.2. The Scrutiny Committee is recommended to comment on and note the report.

## **BACKGROUND PAPERS**

The *Strategic Environmental Assessment and Habitats Regulations Assessment: Screening Assessment* and *Equalities Impact Assessment* are attached as background papers.

Anyone wishing to inspect the above background papers or requiring further information should contact Hannah Mitchell on 07815 014590 or by email to [hannah.mitchell@stockport.gov.uk](mailto:hannah.mitchell@stockport.gov.uk).