

Education Planning Obligations Assessment

Worcestershire Children's Services have assessed the impact of this proposed development on local schools and wish to seek a planning obligation for education infrastructure. The assessment has been prepared in line with the Education Planning Obligations Policy.

The schools which have been identified as related to the development are listed below. We have considered a number of criteria by which the impact of the development and the ability of schools at each phase of education to manage it can be assessed.

Worcestershire has six district councils, each with a policy enabling the collection of developer contributions. To date, the South Worcestershire Councils are the only councils in Worcestershire to have adopted a Community Infrastructure Levy (CIL) charging schedule¹. For more information regarding CIL and the tests in which CIL is applicable, please see appendix at the end of this assessment.

This assessment has been carried out and is accurate as at 09/04/2024.

In response to the planning application, an assessment will be carried out to understand if a contribution is required towards Early Years/Primary/Secondary phases of education, along with SEND². This is calculated in line with the Worcestershire County Council Policy³ on S106 Education Contributions. Certain types of dwellings that are likely to be present on this development are excluded from the requirement for an education contribution, notably 1-bedroom dwellings, affordable rent and social rent properties, although properties categorised as 'intermediate rent' are still liable. These types of properties will be discounted from the contribution at reserved matters phase.

Any social rent and affordable rent dwellings are exempt from a contribution and therefore once the housing mix is confirmed at reserved matters stage, the below figures can be revised. However, should there be a proportion of intermediate housing included within the Social/Affordable housing then this would need to be included and the below amounts are subject to change.

About the development

Planning Application: MH/23/01711/OUT

Location: Land At (Os 7500 5952) Berrow Green Road Martley

Details: Outline planning permission for up to 55 dwellings (with means of access to the site be considered at this stage and all other matters reserved)

District/EPA: Martley, Malvern Hills

For any planning applications submitted to the three district councils that require mitigation of the education impact of the development, Worcestershire Children First will, from the 10th of February 2023, receive planning obligations via Section 106 means only within these districts.

Number of Dwellings: Fifty-Five (55) Dwellings

¹ Education Planning Obligations Policy Worcestershire, 2.2, pg 4.

² Special Educational Needs and Disability

³ [Education Planning Obligations Policy \(worcestershire.gov.uk\)](https://www.worcschildrenfirst.org.uk)

Other Agreed Applications Within Area of Development:

Planning Application	Name	Number of Dwellings	Early Years Pupil Yield	Primary Pupil Yield	Secondary Pupil Yield	SEND Pupil Yield
MH/21/02245/OUT	Berrow Green Lane, Martley	52	6	18	13	1
MH/23/00863/FUL	Hollins Lane, Martley	83	10	29	20	2
Total		135	16	47	33	3
Per Year Group			N/A	7	7	N/A

Worcestershire Children First incorporates a 5% surplus when assessing the impact of developments within Worcestershire. This is to allow for internal migration of students throughout the course of the academic year, and to allow for families moving into Worcestershire needing school places for children. Surplus is looked at over the area of the development with a surplus of 5% needed within each school, and a combined 5% surplus across 2-mile walking radius from the development for children below eight years of age and a 3-mile walking radius for children aged eight years and older.

Assessment of Impact

A development of this type is likely to attract young families that will have an impact on related schools and early years providers. The area of Martley, in which the proposed development is sited, is within the catchment area of Martley CE Primary and The Chantry School.

Related schools are the catchment schools for the location of the development, schools that are located within a two-mile safe walking route that offer education for children who are eight years or younger, schools that are located within a three-mile safe walking route that offer education for children who are nine years or older, and schools that can demonstrate a likely demand from families moving into the area⁴. There are no related schools to this development.

The total number of proposed dwellings on site will be fifty-five (55), as the tenure breakdown has not yet been finalised no one-bed dwellings have been made exempt. Therefore, fifty-five (55) dwellings is the number the assessment will be based on.

Pupil Yield

The mainstream Pupil Product Ratio (PPR) is based on evidence from recent housing developments, matching school census data and known children numbers to housing developments to determine average pupil numbers and characteristics over time⁵.

The SEND PPR is based on the average percentage of pupils in Worcestershire requiring specialist education provision. This is based on the average percentage of pupils in Worcestershire with an Education Health & Care plan over the last 5 years, which is 3%⁶.

⁴ Based on DFE Guidance on home to school travel and transport (July 2014)

⁵ Education Planning Obligations Policy Worcestershire, 5.6, pg 11.

⁶ Education Planning Obligations Policy Worcestershire, 5.7, pg 11.

2-Tier System	Early Years	Primary	Secondary and 6th Form	SEND Primary	SEND Secondary
Total FTE places	7	19	13	1	0
Per Year Group		3	3		

Early Years

The Local Authority has a statutory duty to secure, as far as is reasonably possible, sufficient places for children aged 2, 3 and 4 to claim their entitlement to funded nursery education. In addition, the Local Authority should secure sufficient childcare for working parents.

Early Years settings comprise a mix of providers including school-based nurseries, playgroups, private nurseries and childminders, and families have the right to obtain their funded hours entitlement at any early years setting across the county; therefore, the market is based entirely on parental choice with very little input from Worcestershire Children First in the distribution of children across settings. Instead of using Education Planning Areas as in mainstream education, wards are used as the smallest divisible segments of the county in which Early Years provision can be analysed. This approach is consistent with that used by other Local Authorities across the country.

The proposed development is located within the ward of Martley (Post-May 2023) and forecast to yield seven (7) children who may need childcare places at an early-years setting. Updated sufficiency figures for 2022 show there is a **sufficient** level of funded childcare places in three wards close to this development.

Primary School

Number on Roll by Year Group (October 2023 school census)

School	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL
Martley CE Primary	16	20	9	18	23	16	30	132
<i>Additional pupils from approved housing</i>	7	7	7	7	7	7	7	49
Total	23	27	16	25	30	23	37	181
Surplus / Deficit of places	-3	-7	4	-5	-10	-3	-17	-31

Other relevant information

School	School Capacity	Published Admission Number (Sept 2023)	PAN of largest year group minus NOR in that year group	Number of year groups	Average spare places per year group
Martley CE Primary	140	20	-17	7	-1

Forecast Information

Year of admission to Reception

School	Sept 2024	Sept 2025	Sept 2026	Sept 2027
Martley CE Primary	14	22	21	19
<i>Additional pupils from approved housing</i>	7	7	7	7
Total	21	29	28	26
Forecasted places per year group	-1	-9	-8	-6

* Catchment School

There are **insufficient** places for the nineteen (19) primary aged children expected from this development. Therefore, a contribution towards primary provision will be sought.

Primary School Contribution required: £420,318

Primary School Contribution Formula:

$(N \times 0.05 \times 7) \times 0.97$ (rounded up to a whole number) \times £22,122

$55 \times 0.05 = 2.75 \times 7 = 19.25 \times 0.97 = 18.67 = 19 \times £22,122 = £420,318$

To be used for the provision of additional education facilities at Martley CE Primary School, or any other school serving the development.

Secondary School and Sixth Form

Number on Roll by Year Group (October 2023 school census)

School	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Total
The Chantry School	181	180	178	180	166	-	-	1083
Spare places per year group	0	0	0	0	9			

Other relevant information

School	School Capacity	Published Admission Number (Sept 2023)	PAN of largest year group minus NOR in that year group	Number of year groups	Average spare places per year group
The Chantry School	875	175	-6	5	-2

* Catchment School

Forecast Information

Year of admission to Year 7

School	Sept 2024	Sept 2025	Sept 2026	Sept 2027
The Chantry School	181	166	179	176
<i>Additional pupils from approved housing</i>	7	7	7	7
Pupils from outside planning area	-7	-7	-7	-7
Total	181	166	179	176
Forecasted places per year group	-6	9	-4	-1

Over the past seven (5) years, between forty-nine (49) and sixty-six (66) pupils per year group attending The Chantry live outside the catchment area, with an average of seven to eight (7-8) pupils per year group attending from out of county. The potential to push future applicants for Year 7 places who live outside the catchment area back to their catchment secondary school still requires additional capacity to be available at The Chantry School. Therefore, a secondary education contribution will be required from this development.

Secondary School Contribution required: £420,318

Secondary School Contribution Formula:

$(N \times 0.04 \times 6) \times 0.97$ (rounded up to a whole number) \times £30,413

$55 \times 0.04 = 2.2 \times 6 = 13.2 \times 0.97 = 12.804 = 13 \times £30,413 = £395,369$

To be used for the provision of additional education facilities at The Chantry School, or any other school serving the development.

Specialist SEND Provision

An assessment will also be carried out regarding any SEND (Special Educational Needs and Disabilities) contribution required. Section 315 of the Education Act 1996 requires that arrangements for children with SEND be kept under review.

As explained within our Policy, where the impact of a development on educational infrastructure is such that it can be shown that there will be a requirement for additional provision for children with SEND, either within existing mainstream or specialist schools, or in the creation of a new school, a contribution for special needs and disability provision will be sought.

This is based on the average percentage of pupils in Worcestershire with an Education Healthcare plan over the last 5 years, which is 3%.

Any requirements for a contribution through S106 or CIL will be assessed and calculated on a case-by-case basis. A contribution directly required for SEND provision will not be sought on any developments of less than 50 dwellings⁷.

SEND places will be calculated at 4 times the cost of a place appropriate for the phase of education as per government guidance⁸.

There are **insufficient** places for the 1 primary aged child with SEND expected from this development. Therefore, a contribution towards SEND provision will be sought.

SEND Contribution required: £88,488

SEND Contribution Formula:

Step 1. (Primary Contribution) (N X 0.05 X 7 X 0.03) (rounded to the nearest whole number) x £22,122 X 4⁹

55 X 0.05 X 7 X 0.03 = 0.5775, therefore 1 X £22,122 X 4 = £88,488

Step 2. (Secondary Contribution) (N X 0.04 X 6 X 0.03) (rounded to the nearest whole number) x £30,413 X 4

Step 3. Step 1 + Step 2 = Total SEND Contribution

This contribution will be used to support education projects at SEND facilities either within mainstream schools or at stand-alone SEND settings within Worcestershire.

Total Contributions Required

Education Phase	Contribution Required
Early Years	N/A
Primary School	£420,318
Secondary School	£395,369
SEND	£88,488
TOTAL CONTRIBUTION	£904,175

The contribution rate is applicable from 1st April 2023 to 31st March 2024. If a planning decision is not reached within the current financial year it may be necessary to review the level of charges.

Financial contributions will be subject to indexation and interest on late payments. The calculation of indexation and interest will be set out in the legal agreement.

⁷ Education Planning Obligations Policy Worcestershire, 6.7, pg14

⁸ [Securing developer contributions for education \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

⁹ [Securing developer contributions for education \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) 17. Pg10.

Contribution to be paid on or before occupation of one third of dwellings, unless agreed otherwise.

Conclusion

We do not object to this application subject to a requirement for an education contribution as detailed in this assessment.

Contact Information

For further information please contact

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Appendix

CIL test compliance

Paragraph 57 and regulation 122 of the CIL Regulations 2010 set three tests for any planning obligation. The obligation must be:

1) **Necessary to make the development acceptable in planning terms**

All types of housing development will create additional households in the community in which they are situated. Except for developments aimed at specific sub-sections of the population, such as retirement apartments and one bed dwellings, these new households are likely to include children at some stage in the lifespan of the property. This increase in the child population will create additional demands on schools in the local area.

The mainstream Pupil Product Ratio (PPR) is based on evidence from recent housing developments, matching school census data and known children numbers to housing developments to determine average pupil numbers and characteristics over time. In Worcestershire this equates to an average of 0.11 FTE funded places for children aged 2-4 per dwelling, 0.05 children per dwelling per year group in the primary phase of education (Year R - Year 6), and an average of 0.04 children per dwelling per year group in the secondary phase of education (Year 7 - Year 13).

Additionally, all new developments are assessed for the impact on SEND provision. The SEND PPR is based on the average percentage of pupils in Worcestershire requiring specialist education provision. This is based on the average percentage of pupils in Worcestershire with an Education Healthcare plan over the last 5 years, which is 3%. This percentage is significantly lower for children under the age of 5, therefore SEND provision will not be sought for early education places. Contributions for SEND places will not be sought on developments of fewer than 50 dwellings.

2) **Directly related to the development**

The County Council has identified the schools and providers directly related to this development where they operate a catchment area as part of their admission criteria which covers the area in which the development is situated or where there are in close proximity to the development and can demonstrate a likely demand from families moving on to the development.

3) **Fairly and reasonably related in scale and kind to the development**

Education planning obligations will either be in the form of a financial contribution or as an in-kind payment by way of provision of land and/or school buildings. The level of contribution sought is determined by reference to a cost per pupil place, assessed on the size and type of dwellings proposed. One-bedroom dwellings and specialist accommodation are exempted in recognition of their low pupil yield. Affordable housing that is specifically for the rental market and classified as affordable or social rent will be exempt however, all other dwellings will be chargeable.

Monitoring Fees

When planning obligations for education infrastructure are included in a legal agreement, WCC will seek monitoring fees towards the monitoring of such obligations. The fees are based on a) the actual work undertaken to administer and ensure compliance with the agreement and b) the development size. Monitoring Fees are to be paid at the time of signing the S106 Agreement. For more information, please see the document on WCC website [Section 106 monitoring fees](#).