

Proposed Development on Land adjacent to Oakhurst Rise, Cheltenham Education & Library Requirements – Summary of Appellants' Position December 2020

Education

1. EFM was appointed in June 2020 to review and advise on the education and library provision required to support the Proposed Development. This note sets out what is considered to be reasonable and appropriate based on information currently considered. Further work will be undertaken prior to the appeal itself, and it is recognised that some adjustment may be appropriate as a result of further information becoming available.
2. On 30 June 2020, further information was requested and a number of concerns about the education contributions being sought by Gloucestershire County Council (GCC) were formally raised with GCC by email, as set out in Appendix 1. A conference call took place on 15 July 2020, facilitated by the case officer at Cheltenham Borough Council (CBC). During the call GCC stated that it was not willing to reduce the contributions being sought for education. However, GCC did agree to seek further information from a survey company it had used. A formal response to the matters raised on 30 June has been requested from GCC, and is awaited.
3. In addition to matters including the availability of places in existing schools, pupil forecasts and details of the projects to which contributions might be allocated, the number of additional places required by GCC is a significant concern. The email of 30 June proposed an alternative approach based on existing pupil yields, evidenced from county-wide school pupil and housing information.
4. Although set out in its consultation draft Local Developer Guide Refresh, GCC is seeking to apply child yield/pupil product figures that are much higher than those published in its adopted Local Developer Guide – by between 52% (primary) and 300% (secondary, Post-16 stage) in this case.
5. The LDG Refresh was the subject of consultation in April 2020, and a substantial number of respondents expressed concern about the proposed updated figures. GCC places considerable store on the Pupil Product Ratio Survey that underpins the figures, and that the survey was jointly commissioned in association with Rapleys on behalf of housebuilders. However, the information from the survey company, referred to in paragraph 2 above, led GCC to accept that its Post-16 figure was in fact incorrect – affecting a considerable number of contribution claims GCC had made. It is considered the amended figure is also incorrect.

Libraries

6. In relation to library facilities, it appears there is a typo in GCC's response – a corrected figure is shown in the table below. Clarification has been sought about the justification for a contribution.

Appellants' Position

7. The table overleaf compares the contributions that would be payable under various PPR assumptions, assuming 38 qualifying dwellings, together with the Appellant's Current Position. The Local Developer Guide secondary figure is apportioned on the basis of a 50% average stay on rate in sixth form.

	Based on Local Developer Guide PPRs	GCC Proposed Contributions (LDG Refresh figures)	Appellant Potential Contributions	Appellant Current Position
Primary	£154,833.66	£235,117.78	£121,573.10	£0, capacity available
Secondary	£86,430.35	£148,124.00	£107,389.90	Clarification sought
Post-16	£20,374.82	£61,211.92	£23,610.31	Clarification sought
Library	£8,428.00	£8,428.00	£8,428.00	Clarification sought
Total	£270,066.84	£452,881.70	£261,001.31	Clarification awaited

8. The Appellant takes no issue with the principle of providing contributions towards education or library facilities if they are properly justified and comply with the legal requirements imposed by the CIL Regulations.
9. However, as reflected in the table above, the Appellants' position is that:
 - i) the evidence available does not support the need for a primary education contribution,
 - ii) the evidence supporting the need for secondary and post-16 education contributions is unclear and clarification has been sought from GCC. If a contribution is required then a more realistic pupil yield should be used, and
 - iii) the conclusion about the need for a library contributions is reserved, pending consideration of information requested.
10. Further work will be undertaken prior to the appeal and the further information provided by GCC will be taken into account in the Appellant's final position
11. A planning obligation will be submitted as part of the appeal, and is likely to be a unilateral undertaking rather than an agreement unless agreement can be reached with CBC and/or GCC. The planning obligation will provide flexibility for the decision maker to specify the education and library contributions that should be made, based on choices reflecting the alternative approaches of GCC and the Appellant