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Our Reference: 5010272

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Dear Mr Kemp,

MATTERS STATEMENTS FOR THE EXAMINATION OF THE TEWKESBURY BOROUGH PLAN

I am writing in on behalf of my client, Metacre in relation the Tewkesbury Borough EiP and specifically in relation to the County Council published document entitled 'Population Forecasting Study' dated 27th November 2019 following the pre-submission consultation on the Tewkesbury Borough Plan (TBP) which ran until 18th November 2019.

From the EiP evidence base, it is understood that when determining planning applications the Borough Council is applying the new formulaic approach of the County Council set out in the aforementioned document and that they are also seeking to secure educational infrastructure through s106 planning obligations rather than through CIL receipts. This is considered below, along with the fact that the population forecasting study that has informed the new formulaic approach adopted by the Council is considered flawed.

The reason for raising this matter relates to the fact that the positions the Borough are seeking to adopt are substantially different to the adopted Development Plan, and different to the position which was assumed in support of the operative CIL Charging Schedule agreed as part of the current Joint Core Strategy (JCS).

From review of the current CIL charging schedule agreed through the JCS, it is clear that this is in place to secure infrastructure, for matters such as education provision and that is not a consideration of the Borough Plan Examination. This is despite the Borough Council seeking to incorporate the education contributions set out in the population forecasting document when determining planning applications. This, in our opinion, will have significant implications for the soundness of the proposed policies within the submitted TBP as well as the deliverability of the proposed allocations set out in the plan and for windfall developments that might be advanced during the life of the plan.

From review of the evidence base associated with the Tewkesbury Borough EiP, the new approach the Borough are seeking to adopt in relation to education contributions is not currently before the examination. Therefore, if a different approach is being adopted, suitable justification and evidence relating to this needs to be made available, so those taking part in the EiP have the opportunity to respond to this and its consequential effects.

As you'll be aware, paragraph 34 of the NPPF states that Development Plans should set the contributions required from development including infrastructure requirements. This was done as part of the Joint Core Strategy (JCS) within the Infrastructure Delivery Plan of 2014 (IDP2014). This clearly sets out the infrastructure required to support

development across the JCS area and Policy INF6 of the JCS sets out that consideration should be given to the IDP2014 when making provision for infrastructure requirements. Within this document the approach for securing education contributions was tested through the JCS Examination and found to be sound.

In this case, in line with guidance on seeking planning obligations set out in the PPG, It is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination. In this case, no new formulaic approaches have been advanced by the Borough Council to this examination and cannot therefore be considered.

In relation to the increase in education contributions, the justification from GCC for the revised figures relates to an alleged increase in pupil yields. The updated pupil yields are based on a study of just seven developments across four Gloucestershire Districts and comprised interviews and surveys carried out in 2018 and 2019. It is not clear how many households responded but it seems that the sample was small. No developments of less than 300 dwellings were considered within the study and the emphasis on large development will have undoubtedly distorted the results.

By way of a comparison, the figures below show the substantial increase between the position in 2016 and now.

Child yield in April 2016:

School Type	Child Yield per 100 dwellings
Early Years	8.00
Primary School	28.00
Secondary School	15.00
16-17/Sixth Form	2.00

Child yield following a study of new developments in 2018

Child Yield per 100 dwellings	
Early Years	30.00
Primary School	41.00
Secondary School	20.00
16-17/Sixth Form	11.00

As can be seen, early years contributions rose by almost 275% and post-16 contributions by 450% and there is little justification for this increase from GCC.

A critique of the recent studies, which were not subject to broad consultation at the time, formed a major part of the response of the development industry to the consultation exercise which GCC held in 2020.

In summary, the main concerns highlighted were:

1. Flawed starting point – the original question posed was “how many will reside on a development” not “how many children residing on the development will need a new state school place creating”.
2. No independent verification of the child yield figures - following a Freedom of Information request to the County it does not appear that GCC had sight of the underlying data behind the child yield figures and has been able to provide the data to enable verification.

3. Overestimate of spaces when compared to census data – a comparison of census data between 2001-2011 shows an increase in the number of dwellings across the area of 16,373 and an increase in children of 1,100. Using GCCs proposed methodology, that increase in the number of dwellings would result in 4,994 school spaces being created! Far more than would actually be required.
4. No adjustment for child birth rates since 2010 – According to the Office of Natural Statistics, the number of live births in Gloucestershire was 6,875 in 2010. In 2018 it was 6,449. A reduction of 6.2%.
5. Weighting of sample size – according to the GCC research, the child yield from affordable homes is greater than from market homes. However, although a weighting exercise was carried out based on the number of bedrooms for each property, it does not appear from the information available the same exercise was done based on tenure. An overrepresentation in the number of affordable dwellings would have significantly impacted the child yield figures when calculated.
6. No adjustment for children who do not attend state school – In January 2019, 8,377 of the 95,299 children in Gloucestershire attended independent schools (8.79%). There is no evidence that the model made any adjustment to reflect this.
7. Assumption that children who move into a house never move again – the Wholly Moving households census data suggests that a family with children is more likely to move than the general population. However, because the GCC data was collected on one date only and does not reflect this possibility.
8. Children moving into development are not all from a different geographical area – movement of local families onto new developments may not result in new additional demand for school places. An analysis in Berkshire from 2005 showed that 80% of children living on new developments did not change school as a result of moving house. This data was not collected by GCC as part of their study.

There has not been any response to the development industry from GCC following the consultation exercise. However, it is clear that GCC are continuing to make substantial requests and to defend their position based on the flawed methodology outlined above.

Given the above, it is considered that the new formulaic approach that is sought to be adopted by the Borough Council falls outside of the scope of the current examination. Moreover, the evidence based used to inform the new formulaic approach is flawed starting point for considering revisions to education infrastructure provision.

I trust these matters will be brought to the attention of the Inspector given the implications the above has for the delivery of housing allocations across the Borough.

Yours sincerely,



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Partner
For Ridge and Partners LLP