

Part 2 Section 4

Primary and Secondary Education Facilities, Primary Health Care Facilities and Community Facilities

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Primary and Secondary Education Facilities, Primary Health Care Facilities and Community Facilities

Justification

2.4.1 The detailed policy and justification basis for seeking developer provision or contributions in respect of education, primary health care and community facilities is set out in national planning policy guidance (e.g. PPS1 and PPS7) and the development plan (Regional Spatial Strategy and the saved SDLP, particularly Policies ENV1 and CS6).

Land Use

2.4.2 As far as Education, Primary Health Care and Community Facilities are concerned, developer contributions will normally be sought in respect of residential development. However, the Council will consider seeking contributions for large retail and employment generating uses, where a direct impact on the need for the facilities or otherwise to mitigate the impact of major development on the local community in the area around the development can be clearly demonstrated.

Thresholds

2.4.3 The threshold for seeking provision or contributions in respect of primary education, primary health care and community facilities is sites of 25 dwellings or more in the three market towns: Selby, Tadcaster and Sherburn in Elmet and 15 or more dwellings in the rural areas. For secondary education, where the 'multiplier' (pupils in an age cohort resulting from the families moving into new housing developments) is lower, the minimum size of capital project identifiable with the needs arising out of a new development and the provision of schooling is less local, the threshold for seeking contributions will be developments of 150 dwellings or more.

2.4.4 In assessing whether a proposed development or a site is eligible for seeking the provision of or contributions towards Education and/or Primary Health Care facilities, the number of dwellings specified in this guidance will apply to or take into account the cumulative area to be developed for housing. For example, where a development is made up of two or more phases, or is the subject of two or more separate planning applications, the total number of dwellings will be the basis for determining whether provision will be sought. Thus developers should be aware that if it is considered that a contribution is justified, the requirement cannot be avoided by dealing with a site through more than one planning application.

Education Facilities

1. Methodology

- 1.1 With regard to contributions towards Primary school education facilities, North Yorkshire County Council has, since 1997, operated a policy and methodology that applies to all residential developments of over 25 dwellings, having regard to the impact they would have on local Primary education provision.
- 1.2 The established methodology (see detailed guidance below) for primary education facilities will be adapted to apply to contributions sought in accordance with the rural threshold of 15 dwellings. Similarly the existing methodology, using different formulae, will be applied to seeking contributions towards Secondary education facilities.

Planning Guidance for Education Facilities

Education Facilities

2. Calculating Developer Contributions to Education Facilities

- 2.1 There is a need to apply some rate, for example for the number of children per household, which is reasonable in the area, and apply cost formulae to that. Such formulae are not rigid as they reflect the impact of a particular development.
- 2.2 Contributions will not be sought for sheltered accommodation or genuine elderly person, student or holiday accommodation. Such accommodation will be that which clearly is incapable of occupation for general residential purposes by virtue of its internal layout, ownership or management or which has occupancy restricted by planning condition or legal agreement¹.
- 2.3 Contributions will not be sought for temporary housing or bedsits and one-bedroom dwellings, if they are clearly incapable of being enlarged to two-bedroom units.
- 2.4 Any planning permission granted for the change of use from sheltered or elderly persons, student or holiday accommodation or from one-bedroom flats to general residential units or two-bedroom flats and so on, would be subject to a contribution if the number of units exceeds the threshold

¹ Note: if such an 'occupancy condition' (or planning obligation) is removed, education contributions may be sought.

criteria set below. Contributions will not be sought for changes of use or conversion or redevelopment schemes where there is no net increase in the number of residential units to which contributions would apply.

- 2.5 The basis devised by the North Yorkshire County Council Children’s Services Authority (the “CSA” – previously the Local Education Authority or LEA) for calculating the contributions for Primary school places (age 5-11) as at April 2006² is as follows:

	£10372	(DfES’s cost multiplier)
x	0.97	(regional factor)
+	10%	(fees)
+	£383	(furniture/equipment)
=	£11450	per primary place

The equivalent calculation for Secondary education produces a figure of £17293 per Secondary place (11-16 year olds only).

- 2.6 The elements within this formula will be subject to annual review by the CSA in line with Central Government guidelines. The cost multiplier is the assessment made by the Government for the cost of a school place. The regional factor is an adjustment for local (County wide) costs of provision. The 10% addition represents an allowance for contingencies and fees.
- 2.7 The CSA will address accommodation needs at Secondary schools (as they apply to 11-16 year olds) caused by additional housing. The District Council will then, in conjunction with the CSA, where it is considered to be necessary and appropriate, seek Secondary school contributions in the light of changing circumstances and particularly in relation to large-scale developments.
- 2.8 Calculations are made on the basis that 0.25 Primary school places and 0.13 Secondary school places (11-16 year old pupils only) are generated per relevant house or residential unit. The number of children generated by residential development will vary depending on the type and size of dwelling and by the location of the development. In some cases a developer may argue that houses are built for a particular market, for example couples, starter homes or that a development is not within easy reach of a Primary school. The District Council and CSA will not normally reduce the basis for the calculations to account for variables such as these, because, over time, any dwelling (excluding sheltered,

² Note: these most up-to-date figures will be superseded so developers should always check with the District Council or CSA whether they still apply.

elderly person only, or one-bedroom units) in any location has the potential to accommodate children of Primary school age.

- 2.9 The Primary school contributions will normally apply to developments of 25 units or more in the three market towns of Selby, Tadcaster and Sherburn in Elmet and 15 or more dwellings in the rural areas regardless of site area. The Secondary school contributions will normally apply to developments of 150 dwellings or more and sites of 5 hectares or more. Care will be taken to ensure the total development site is not deliberately sub-divided and phased in an attempt to avoid this threshold.
- 2.10 Forecasts of future school capacity and national population growth are made by the CSA over a three-year period. If, following these calculations the local primary school is deemed to be at capacity in year 3, contributions will be sought at the full rate. If the school is “X” places short of capacity and the development generates “Y” places, contributions will be sought on the difference between “X” and “Y”. If “X” is greater than “Y” no contribution will be sought. Calculations will be based on the number of houses included in the detailed planning application. Any increase in the number of units approved through, for example, a revised application, will generate additional contributions. No account will be taken of the rate of house building on the site, as this is an uncertain variable.
- 2.11 The basis of the calculations set above will be subject to review, independent audit and change in the light of new demographic and other trends.
- 2.12 Contributions are only required where a local need is identified and, therefore, there is an obligation to show how funds received will be spent within a prescribed period, how they will deal with the identified impact, and in a manner which will be set out by the CSA. The CSA will incorporate provision for the return of contributions after 10 years if not spent. In the majority of cases funds will be spent on the local Primary or Secondary school. However, the CSA reserves the right to allocate the funds to other schools if overall education strategy or changes in catchments or parental choice so demand and the agreement of the District Council is secured.
- 2.13 In the event of increased costs of implementing additional school places, no additional contributions will be sought from developers. The contribution is a once-only payment linked to the planning permission. Contributions will be secured by direct payment or by way of a Section 106 Agreement.
- 2.14 An ‘in kind’ contribution to meeting identified need through the developer building classrooms for example to an agreed standard is a preferred

alternative to a financial contribution. The provision of temporary or mobile classrooms is not an acceptable alternative.

- 2.15 Normally, contributions will be required no later than the first occupation of the new dwellings. In certain circumstances (for example on large sites) payment of contributions may be delayed or phased by agreement with the CSA.

3. Procedure

- 3.1 Where development briefs are being prepared for large housing sites, the need for any commuted payment for education will be addressed through consultation with the CSA. Information on the likely position on the provision of school places over the next 5 years will be available from the County Council's School Organisation Plan. The CSA will also be able to respond to house-builders' queries for individual sites.
- 3.2 Upon receipt of a relevant planning application, the District Council will contact the CSA to establish whether contributions are necessary in the particular case. The applicant and the Council will be notified accordingly and negotiations will take place between the CSA and the applicant/developer. The decision on the application and therefore on the need for a Section 106 Agreement is a matter for the Council. As a general principle the Council will not issue a decision notice on the application until agreement has been reached between the two parties. Any contribution due will be made payable to the North Yorkshire County Council (as Children's Services Authority) and not the District Council as Local Planning Authority.

Figure 1 Assessment Form used by the CSA to determine the need for developer contributions towards Primary school buildings

ADVICE ONLY - PLEASE CONSULT RELEVANT PLANNING AUTHORITY

**Assessment of need for developer contributions
 towards Primary school buildings**

District/Borough Council	#N/A	Planning Application Number/Ref	0	Our Ref	Dev1
Site Address	0				
Contact Name	0	Contact Telephone No.	0	Contact Fax No.	0
Proposed Developer	0	No. of properties	0	Details requested for	(date)
School	#N/A	DFES No.	0		
Net Capacity of School (A)					#N/A
Number of pupils on roll as at May 2006					#N/A
Forecast pupils on roll 06/07 (B)					#N/A
Surplus/Deficit in academic year 06/07 (A-B)					#N/A
Estimated pupils from housing					0
Shortfall of places					#N/A
Anticipated need for new school places					#N/A
Amount per place					£11,450
Contribution sought					#N/A
Likely requirements					
Officer providing information	Nicola Howells				
Telephone Number	01609 532258				
Date					

A similar form of assessment will be carried out to determine whether contributions will be sought for Secondary school buildings or other facilities.

Primary Health Care Facilities

1. Methodology

1. The North Yorkshire and York Primary Care Trust (the PCT) has developed a methodology to assess developer contributions for primary health care facilities. This has been used in negotiations in respect of the large residential development at Staynor Hall, Selby and other large residential developments for sites allocated in the Selby District Local Plan. This methodology will be applied to smaller housing schemes and is described in more detail below.

2. Mechanism and Stages

- 2.1 The mechanism to inform negotiations with developers in respect of primary health care contributions are set out below in terms of the steps to be taken to determine the level of need and contribution when development schemes are in the planning stage.
- 2.2 Stage 1 – **Determination of health care need.** This requires an assessment of the scope and level of residential, commercial and related development proposed in the location. Details of the numbers of units proposed needs to be analysed along with the impact on the overall population in the locality and employment considerations. This stage will determine the envisaged overall population increase.
- 2.3 Stage 2 – **Determination of impact upon primary health care provision in primary, community and out reach requirements.** The total increase in population figures will be used to determine the impact primarily upon general practice and any increased need for additional family doctors. The general national guidance is that PCTs should aim to ensure that the maximum number of patients per list size (each doctor) is 1800. Taking this norm and comparing this against the additional population figures enables an estimate to be made of the increase in general practitioners (GPs) required. Given this assessment an analysis of attached PCT and/or hospital based services required to support the size of general practice will also be considered.
- 2.4 Stage 3 – **Determination of the design and estates solution.** Having determined the size of general practice required and identified a functional content for the facility development required, reference would be made to relevant NHS Design Guidance for Primary Care Facilities. This guidance includes “Primary and Social Care Premises Planning and Design Guidance”, “Statement of Fees and Allowances Schedule of Costs Limits and Building Location Factors” and “Health Building Note No. 36 Local Healthcare Facilities”. All these guidance documents are issued by NHS Estates. This process will determine the schedule of

accommodation required and the initial spatial assessment of the size of the facility required.

- 2.5 The initial proposed solution as a result of this assessment would relate to the location, condition and functional suitability of existing practice premises in the locality, in order to determine if a new build within the proposed development boundaries is the preferred solution. Alternatively the PCT may advise that extension and refurbishment of existing premises in the locality is the preferred option.
- 2.6 Stage 4 – **Determination of an initial capital feasibility cost.** Depending on the preferred solution, an estimate of capital costs will be made using the “Departmental Cost Allowance Guide” as issued by NHS Estates. This provides a cost per metres squared (m²) for new developments based on the estates solution and has sections that can be applied to primary care. The guidance is based upon cost intelligence on tendered construction schemes within the NHS.
- 2.7 Where the preferred solution is provision off-site, the starting point for assessing the scale of the contribution will be the cost of provision on-site. If the off-site provision involves land purchase, the developer contribution will be limited to the value of the land that would be taken if the facility were to be provided on-site, or the actual cost of the off-site land, whichever would be the lowest. If the off-site provision is in the form of new building works or capital works to refurbish or otherwise improve, re-equip, etc., existing buildings on sites already owned by the body receiving/using the contribution, the land value element of on-site provision would not necessarily be included in the monetary value of the contribution.

Community Facilities

1. Methodology

- 1.1 A tried and tested and sound methodology has been devised and applied to the provision of Recreation Open Space (ROS). ROS is simply one form of community facility, which happens to have a long history of being dealt with through the planning system (for example through policy guidance in PPG17). It is sensible, therefore to deal with the provision of other Community Facilities in a similar manner.
- 1.2 As with contributions relating to ROS, an assessment of the local need for community facilities will be made, in consultation with local organisations and other stakeholders. Where such a need can be directly related to the impacts of new development, negotiations will be undertaken to determine whether or not provision or contributions should be sought.
- 1.3 The types of facility to be considered in terms of seeking developer provision or contributions will include community/village halls, meeting rooms/parish council offices, indoor recreational or sporting facilities and community information points/boards/systems; though it must be stressed that these are just examples of the types of scheme that may come forward.
- 1.4 In considering contributions to community facilities the importance of seeking the co-location of all types of social, educational, health and community services may be taken into account. This could include the co-location of education and community based health activities or community facilities on school sites, through initiatives such as Children's Centres and Extended Schools; but such facilities would normally need to be linked to local community based initiatives and provide for access by the wider community.
- 1.5 The contributions could be used for both new build/provision and improvements requiring capital expenditure, but not repairs, maintenance and other revenue expenditure.
- 1.6 It is envisaged that the management of the distribution of contributions would be similar to how ROS contributions are dealt with. Thus the preference will be for on-site provision but there will be scope for off-site provision if this can be demonstrated to be clearly preferable.
- 1.7 Consideration will be given to the carrying out of an assessment of need for community facilities throughout the District, possibly in the form taken by the 'Selby District Recreation Open Space Strategy' and also to the

desirability of preparing further planning guidance for this subject area on the basis of a demonstration of need.

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