

REPORT TO:	Executive Board
REPORT NO:	HEP/95/18
DATE:	11 December 2018
LEAD MEMBER:	Councillor David Kelly (Organisation – Planning and Corporate Services)
CONTACT OFFICER:	Matthew Phillips (Tel: 298780)
SUBJECT:	Updated Local Planning Guidance Note 27: Developer Contributions to Schools
WARD:	All

1. PURPOSE OF THE REPORT

To seek approval for a revised and updated Local Planning Guidance Note (LPGN) 27 – Developer Contributions to Schools.

2. EXECUTIVE SUMMARY

- 2.1 This proposed revision to the supplementary planning guidance note (SPG) will provide guidance to applicants, developers and architects in respect of the requirement for developer contributions to schools. It will be taken into account by officers and the Planning Committee when determining relevant Planning applications.
- 2.2 The existing guidance note was adopted in 2004 and is in need of updating to take account of increases in build costs associated with providing additional school capacity and 2011 census statistics in respect of the number of pupils generated per new dwelling.
- 2.3 The guidance note has been updated in consultation with Members, the Education Department, Community Councils, agents and developers and has been publicised on Your Voice Wrexham.

3 RECOMMENDATIONS

- 3.1 **That the updated LPGN 27 – Developer Contribution to Schools, attached at Appendix 1 be adopted as supplementary Planning guidance.**

REASONS FOR RECOMMENDATIONS

- (i) To provide guidance and an up-to-date framework to enable the Council to secure Planning Obligation contributions to fund increased school capacity where this is necessary as a result of new housing developments of 4 or more dwellings.

4 BACKGROUND INFORMATION

- 4.1 The Local Planning Guidance Notes (LPGNs) are a series of topic-based documents that give direction to new development within the county borough. They are designed to be read in conjunction with the adopted Unitary Development Plan (UDP) policies, national policy and Technical Advice Notes (TANs) that are published and adopted by the Welsh Government (WG). They are a material planning consideration when deciding Planning applications.
- 4.2 This LPGN sets out revised criteria to be used to secure Planning Obligation payments towards additional school capacity where this is needed to off-set increased demand arising from new housing developments. The key changes proposed are as follows:
- Changes to the costs and design specifications in respect of providing additional school contributions
 - Changes to the number of pupils generated per dwelling to take account of 2011 census statistics
- 4.3 The merits of the revised LPGN are discussed in detail in the Consultation section (paragraph 6) below, along with responses to the particular issues raised.

5 IMPLICATIONS

- 5.1 **Policy Framework** - Amplifies existing policy within the Wrexham Unitary Development Plan and takes account of national Planning policy guidance.
- 5.2 **Budget** - No budget implications.
- 5.3 **Legal** - No legal implications.
- 5.4 **Staffing** - No staffing implications.
- 5.5 **Equality/Human Rights** – Members are advised of their duty to consider the full Equality Impact Assessment which is available at <http://vmwinsqld/equalityisalive/Menu.aspx> report number EP/EIA00079/2018. Members of the public can request a copy of the full Equality Impact Assessment from the Contact Officer named in the header box of this report. A summary of the Equality Impact Assessment can be found at **Appendix 2**.
- 5.6 **Risks** – If the revised guidance note is not updated then Planning decisions will be made based on out of date information that does not accurately reflect the likely demand for school places arising from new housing developments and the associated costs of providing additional school capacity.

6 CONSULTATION

- 6.1 Consultation took place between 16 July 2018 and 13 August 2018. Further consultation took place between 1 October 2018 and 26 October 2018. The following were consulted:
- i Community Councils
 - ii Members
 - iii Agents and developers (30 in total)
- 6.2 The draft LPGN27 was publicised on Your Voice Wrexham website. The revisions to the guidance note have been made in consultation with the Education Department.
- 6.3 Consultation responses are summarised in **Appendix 3**.

Post-Consultation Changes

- 6.4 One of the responses received during consultation identified that the guidance note was using out of date information in respect of the number of pupils generated per dwelling in Table 1: Cost Guidelines. Officers subsequently undertook a further review with reference to 2011 Census statistics and Table 1 has been updated accordingly. These revisions were subject to the further consultation that took place in October.
- 6.5 The current LPG27 applies the same pupil generation rate and therefore contribution tariff (£ per dwelling) to 2 and 3 bedroom dwellings and a 20% surcharge for dwellings with 4 or more bedrooms. Contributions are not sought for properties with 1 bedroom. No distinction is made between dwellings and flats with 2 or more bedrooms.
- 6.6 The findings of the review of the 2011 Census statistics are set out in **Appendix 4**, but, in summary, they demonstrate that:
- i 1 bedroom dwellings and flats generate very few pupils
 - ii Apartments on average generate a low number of pupils
 - iii That number of pupils per dwelling increases in line with the number of bedrooms per dwelling
- 6.7 In light of the above, Table 1 has been revised so that the per-dwelling contributions accurately take account of the average number of pupils generated by apartments, 2 bedroom dwellings, 3 bedroom dwellings and 4+ bedroom dwellings.
- 6.8 The 2011 Census statistics demonstrate that one bedroom properties generate very low numbers of pupils. For this reason it is proposed that the note continue to exempt such properties from any requirements to make financial contributions towards schools. The revised Table 1 is included below.
- 6.9 When undertaking the review of the 2011 Census statistics the possibility of exempting apartments with 2 or more bedrooms was also considered, based on the generally low numbers of pupils they generate compared to houses with the same number of bedrooms. However, this was discounted following discussions with Education. There are currently capacity issues at primary schools in Wrexham town where it might also be reasonably expected that higher density developments that

include 2 bedroom apartments are likely to be proposed. Apartments with 2 or more bedrooms will, therefore, continue to attract contributions – although at a rate that reflects the likely numbers of pupils that they generate.

- 6.10 Developments of apartments do take place elsewhere in the County Borough, particularly in the larger villages. It, therefore, follows that there is the potential for such developments to be proposed in areas outside Wrexham town where there are primary and/or secondary schools with capacity issues. The per-apartment tariffs will, therefore, also apply County Borough wide.
- 6.11 The pupil generation rate proposed in the revised LPG27 for apartments is derived on the 2011 census statistics for 2 bedroom apartments. Whilst apartments with 3 or more bedrooms generate more pupils on average, they represent around 6% of all flats and less than 1% of all dwellings in the County Borough. In comparison, 2 bedroom apartments account for half of all apartments and around 6% of all dwellings in the County Borough. Planning applications for developments that include new build flats containing more than 2 bedrooms are also rare.
- 6.12 The proposed revised Table 1 is set out below:

TABLE 1: Cost Guidelines				
School Type	No. of pupils generated per dwelling		Building Cost Multiplier £	Contribution £
Primary 4 - 11 years	Apartments with 2 or more bedrooms	0.07	12257	858
	2 bedrooms	0.12		1471
	3 bedrooms	0.23		2819
	4+ bedrooms	0.31		3800
Secondary 11 - 16 years	Apartments with 2 or more bedrooms	0.04	18469	739
	2 bedrooms	0.07		1293
	3 bedrooms	0.2		3694
	4+ bedrooms	0.31		5725
Post 16	Apartments with 2 or more bedrooms	0.02	12000	240
	All dwellings	0.06		720

- 6.13 A worked example setting out the levels of developer contributions that would be due under the existing and revised versions of LPG27 is included below.

Worked Example (Primary Contributions)			
Number of dwellings	Existing Contribution	Proposed Contribution	Difference
10 x 2+ bedroom apartments	£19600	£7390	-£12210
10 x 2 bedroom houses	£19600	£14710	-£4890
10 x 3 bedroom houses	£19600	£28190	+£8590
10 x 4 bedroom houses	£23520	£38000	+£14480
Total	£82320	£88290	+£5970

- 6.14 Developments of 2 bedroom apartments or houses will attract a lower rate of contribution than at present, but there is a significant increase in the rate of contribution from developments of 3 and 4+ bedroom developments, with the net effect being an overall increase in the rate of contribution. The worked example assumes an even mix of different house types, when in reality the mix will vary from site to site. Nevertheless, the contributions sought via the revised guidance note are considered reasonable in so far as they accurately reflect the fact that it is developments of larger dwellings that have the greatest impact on school capacity.
- 6.15 The consultation drafts included a list of school clusters and schools that are likely to require such contributions. School capacity is likely to fluctuate over the lifetime of the revised LPGN27 in response to parental choice and/or new developments. Therefore this section has the potential to be out of date shortly after the guidance note is adopted. The schools in need of contributions will be identified by Education on a case by case basis when consulted regarding individual planning applications. It is, therefore, recommended that the schools list and map be omitted from the revised LPGN27.

7 EVALUATION OF OPTIONS

7.1 Option 1 - To adopt LPGN27.

This option will ensure that the Council can secure developer contributions to schools based on up to date information.

7.2 Option 2 - To not adopt LPGN27.

This option would leave planning decisions being made in light of out of date cost and pupil generation figures. In respect of 3 and 4 bedroom properties it would mean the Council losing out on higher Planning Obligation contributions

8 SCRUTINY COMMITTEE COMMENTS

- 8.1 The proposals have not been considered by a Scrutiny Committee.

BACKGROUND PAPERS	LOCATION	WEBSITE INFO
None		