



# Education Contribution Methodology

## Infrastructure and Planning Annex 2

July 2025

This document sets out Lancashire County Council's methodology for assessing the potential impact of proposed housing developments on education provision within the local area of the development.



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## Introduction

New housing developments place additional pressure on a wide range of infrastructure in an area including roads, health, social services, leisure, recreation and education.

The Department for Education guidance 'Securing Developer Contributions for Education' advises that housing development should mitigate its impact on community infrastructure, including schools. This document sets out the Lancashire County Council methodology used to identify and secure education contributions against housing developments which are expected to create a shortfall school places.

Education services are managed through Lancashire County Council and the two unitary authorities of Blackpool and Blackburn with Darwen. For the purposes of this policy paper, the education services referred to are those covered by Lancashire County Council only.

As stipulated in [Section 14 of the Education Act 1996](#), Lancashire County Council has a statutory obligation to ensure that every child living in Lancashire is able to access a mainstream school place in Lancashire if they want one.

Planning applications are submitted to each of the 12 local planning authorities within Lancashire County Council's boundary. If you have any queries regarding contributions for school places, in the first instance you should contact the relevant local planning authority (the district council). We will work with them to provide further clarity on any education queries.

Pressure for additional school places can be created by an increase in the birth rate, new housing developments, greater inward migration and parental choice of one school over another. If local schools are unable to meet the additional demand, a new development can have a significant impact on the infrastructure of its local community and this impact must be mitigated against. In terms of housing development this mitigation would be in the form of the provision of additional school places, facilitated through education contributions, via either the Community Infrastructure Levy (CIL) Regulations 2010 (Amended 2019) or Section 106 of the Town and Country Planning Act 1990, in order that additional places can be made available. An education contribution could also include a school site.

Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 imposes a limitation on the use of planning obligations and provides that a planning obligation may only constitute a reason for granting planning permission if the obligation is:

- necessary to make the development acceptable in planning terms;
- directly related to the development;
- fairly and reasonably related in scale and kind to the development

Quality education provision is at the heart of sustainable communities and, therefore, should be a fundamental consideration of all new housing developments. Where new housing development creates a demand for school places in excess of those available, Lancashire County Council will expect the local planning authorities to work with the county council in seeking an education contribution from developers that is proportionate to the impact in order to mitigate against the effect of any new

development on local infrastructure. It is critical that developers make a contribution towards school places where a need is identified as, without one, the local authority will be unable to ensure school places are accessible, and this is likely to impact on the children and families who come to settle in new developments. This would, therefore, raise concerns about the sustainability of a new development.

An education contribution will only be sought where there is a projected shortfall of primary and/or secondary places at schools within the local area of a development.

This methodology has been produced in line with government guidance provided by the Department for Education ['Securing developer contributions for education'](#) August 2023.

Contextual information regarding Lancashire schools and the policy for expanding schools can be found within the current ['School Place Provision Strategy'](#).

## How to Request an Assessment

In most circumstances the local planning authority will request an education assessment as part of their assessment of a planning application. All requests should be emailed to the School Planning Team at Lancashire County Council via [schools.planning@lancashire.gov.uk](mailto:schools.planning@lancashire.gov.uk)

## Planning developments and the introduction of CIL

The 12 local planning authorities are currently at different stages in terms of the introduction of the Community Infrastructure Levy (CIL). Please contact the local planning authority for further information.

Regardless of whether a local planning authority has adopted CIL, Lancashire County Council provides an education contribution assessment to determine the impact of the development on local school places.

## Methodology for Assessing Primary and Secondary Contributions

All residential developments which result in a net increase of 10 dwellings or more will be assessed to determine whether the developments are expected to result in a shortfall of school places. It should be noted that if a development includes a number of planning applications that are less than 10 dwellings then these applications may be assessed in order to mitigate the overall impact of the development. Similarly, applications that are part of a wider development or additional to an existing permission will require an education contribution assessment.

The assessment will measure the projected impact of the development on surrounding primary and secondary schools within:

- 2 mile radius of the development for primary aged school pupils
- 3 mile radius of the development for secondary aged school pupils

These distances are based on [DfE Home to school travel and transport Guidance – July 2014](#), and [DfE Home to school travel and transport for children of compulsory school age statutory guidance for local planning authorities \(Consultation draft\) – July 2019](#), and are considered reasonable walking distances for pupils of compulsory school age.

Academy and Free Schools are included in assessments in the same way as any other maintained or aided school.

The assessment is based on the grid reference used for the planning application, provided by the local planning authority.

Where there are no schools within the 2 or 3 mile radius of the development, Lancashire County Council will assess on the nearest school.

## Exemptions

Contributions are not sought in respect of planning applications for:

Accommodation restricted to elderly residents. If part of a wider mixed dwelling development, the elderly element is to be removed, if conditioned or detailed in the s106

*Elderly accommodation is defined as age exclusive dwellings where residents must be over the age of 55.*

- Student accommodation

Contributions are sought in respect of:

- Affordable housing
- 1 Bedroom accommodation

## Pupil Projections

The county council uses 5 year pupil projections incorporating:

- Current and previous years' school census information containing numbers on roll
- Inward and outward migration of pupils
- School net capacity assessments
- Schools cumulative admission numbers
- ONS birth data
- Approved Planning Application Housing data obtained from the local planning authority's Housing Land Supply (HLS), Annual Monitoring Report (AMR), Strategic Housing Land Availability Assessment (SHLAA) or equivalent. (We consult with each local planning authority to obtain the appropriate housing information for their area).

Further information can be found in our [Pupil Projection Methodology](#).

Please note that we don't provide:

- school by school, year by year projections as this could compromise parental preference and conflicts with public interest
- information relating to the home address of children
- mapping information
- net capacity forms as they are not in the public domain

The 5-year projection figures are used to assess the capacity and expected demand within the local schools. 5 years is the period used in each of the local planning authorities' HLS (or equivalent) documents.

When considering the impact of larger strategic sites it may be necessary to consider pupil projections beyond the 5-year period in line with the build projections. These

longer term projections use data that is based upon certain assumptions, such as the birth rate remaining the same as current rates. The data used will be refined as more accurate information becomes available.

## Assessments

The contribution sought from developers will be used to mitigate the direct impact of the development and **not to address any existing shortfall**.

There are several stages to the assessment process. An education contribution assessment will be produced when a planning application is submitted, and this will provide the local planning authority and the applicant with an indication of the impact of the housing growth on primary and secondary school places. A further assessment will be provided when the application is being considered for approval to provide a more up to date position for the applicant and the local planning authority.

As the education contribution is based on actual demand for school places calculated using the housing mix of the development, for Outline applications the contribution requirement will be finalised once the Reserved Matters approval has been secured. The education contribution for a Full Application will be determined prior to the planning committee as the dwelling bedroom information will allow a final position assessment.

For Outline applications the requirement to reassess the contribution following Reserved Matters approval will mean that a formula will need to be included within the Section 106 agreement. In districts that have adopted the Community Infrastructure Levy, CIL funding applications for education contributions will need to be determined following Reserved Matters approval.

## Assessment Process

Using the 5-year pupil projections an assessment will be undertaken to ascertain whether the impact of a development will result in a shortfall of places in Lancashire primary schools within 2 miles and/or Lancashire secondary schools within 3 miles of the development.

If a shortfall is identified at this point, the contribution sought would be for the full potential pupil yield of the development.

Should there be sufficient places at this stage or only a partial shortfall of places identified, Lancashire County Council will need to consider the impact from approved housing developments not yet included in the 5 year Housing Land Supply, which will impact upon one or more of the schools in the catchment of the assessed development before reaching a conclusion on the expected number of surplus places. This will consider the impact of any developments which have received planning permission subsequent to the latest update of the Housing Land Supply and pupil projections. The position of some schools may be affected by planning applications in neighbouring districts, which are within 2 miles (primary schools) or 3 miles (secondary schools) of the development.

Should there be sufficient places, or only a partial shortfall of places is identified, Lancashire County Council will need to identify the impact from pending applications impacting on one or more schools in the catchment of the assessed development. This will provide an understanding of the impact of any developments receiving planning permission ahead of the development being assessed and will enable the planning committee to consider the latest information available. Once Reserved

Matters approval has been secured a further reassessment will be provided to determine the final education contribution, subject to application of indexation. The education contribution sought will be calculated considering approved applications only.

Lancashire County Council's assessment will work on the assumption that all of the development will be delivered within 5 years. The reason for this is that the data that Lancashire County Council uses in its pupil projections provides far more accurate information up to a 5-year period. To ensure that the contribution reflects the actual education requirement the methodology allows for Outline planning applications to be reassessed at the point of Reserved Matters, using the latest pupil projections. For this reason, we recommend the inclusion within Section 106 agreements for Outline applications the provision for the owner or developer to inform Lancashire County Council following Reserved Matters approval to allow Lancashire County Council to provide the updated position based on latest forecasts and the approved dwelling and bedroom mix.

To avoid any double counting the following developments that have a Section 106 which mitigates their impact on school place provision are excluded from the housing assessment process:

- Developments within the Housing Land Supply (or other housing document provided by the local planning authority)
- Developments approved subsequent to the Housing Land Supply update and prior to the submission of the application to be assessed

### Pupil Yield

The DfE has worked with the Office for National Statistics (ONS) to develop a recommended methodology for estimating pupil yields from housing development, to assist in the assessment of education requirements in Local Plan preparation and the consideration of planning applications. Pupil yield factors provide a means of estimating the number of schools places required to mitigate the increased demand from a housing development.

The DfE has devised the [Pupil Yield dashboard](#), which provides primary and secondary pupil yield factors for each local authority in England, at county and district level. Lancashire County Council uses the DfE Pupil Yields to assess the impact of a development based on the number of bedrooms in each dwelling within a development.

For each district the DfE Pupil Yield dashboard provides a primary and secondary pupil yield for each dwelling type (1, 2, 3 or 4 bedroom). In addition, the dashboard also provides an 'All' primary and secondary pupil yield for each district.

When assessing Outline applications, where the bedroom mix of dwellings is to be determined, LCC will apply the districts 'All' pupil yields. The application will then be reassessed once accurate bedroom information is provided in the Reserved Matters application.

To enable an appropriate assessment, an accurate bedroom mix should be provided for Full and Reserved Matters applications,

Where development proposals include dwellings of greater than 4 bedrooms in size, the primary and secondary four-bedroom pupil yield for the given district will be applied.

When assessing a development, the number of pupils calculated to arise from the development will be subject to rounding, either up or down, to the nearest whole figure.

Within the application process it is the responsibility of the local planning authority to notify Lancashire County Council of any changes to the application that may impact upon the assessment of the development impact upon local school places so that a reassessment can be undertaken. It is also the responsibility of the local planning authority to notify Lancashire County Council when an application is due to be considered by the planning committee. We would ask that a minimum of 10 working days is allowed for a reassessment to be completed.

An example calculation can be found in Appendix 2.

### Developments Remote from a Lancashire School

Where a planned development is located more than 2 miles from any existing primary school and/or over 3 miles from the nearest secondary school, Lancashire County Council would look at the nearest Lancashire school and, if there are no places at that school, a contribution for additional places would be sought. Any contribution sought would be used to provide places at the nearest Lancashire school where an infrastructure project can be delivered. In such cases Lancashire County Council will incur transport costs to ensure the school places are accessible.

If the places provided to address the impact of the development are at a school with accessibility constraints or if a walking route is unsafe Lancashire County Council acknowledge that it may be necessary to provide transport assistance in line with the Lancashire County Council Home to School Transport Policy.

Where transport assistance is required, the associated transport contribution requirements will be identified within the education contribution assessment

### Calculation - Cost Per Place

After assessing the impact of the development and a shortfall is apparent, a contribution will be sought based on the specific shortfall of places directly resulting from the impact of the development.

The calculation of the contribution uses the DfE national average cost per place, adjusted by the regional location factor as published in the latest DfE Local Authority Scorecard:

|   |   |                          |   |                  |
|---|---|--------------------------|---|------------------|
| DfE national average cost per place (for primary and/or secondary places) | X | Regional Location Factor | X | Number of Places |
|---|---|--------------------------|---|------------------|

The costs per place will be updated annually, within this methodology to reflect the latest national average costs per place, at the point that the methodology is updated.

However, where there is local evidence of higher costs for a particular project, such as a bespoke feasibility study or known site abnormalities, these costs may be used in preference to the adjusted national average.

All contributions will be adjusted by Building Cost Information Service (BCIS) All In Tender indexation at the point of payment.

***Department for Education 2024 Local Authority Scorecard Costs, published June 2025.***

In most cases the additional places to address the impact of a development will be provided through expansion of existing local schools, however where this is not possible a new school may be required. When the need for a new school has been identified as part of the assessment process, then the 'New Build' costs per place will be used to calculate the education contribution requirements. Where the education contribution has not identified a new school requirement the 'Permanent Expansion' costs per place will be used. The latest costs are provided below.

***National Primary***

| Type of School Place | Cost Per Place |
|----------------------|----------------|
| Permanent Expansions | £20,450        |
| Temporary Expansions | £9,668         |
| New Build            | £24,416        |

***National Secondary***

| Type of School Place | Cost Per Place |
|----------------------|----------------|
| Permanent Expansions | £28,127        |
| Temporary Expansions | £10,854        |
| New Build            | £29,579        |

***Lancashire Primary***

| Type of Place | DfE Cost |  | Regional Location Factor |  | Lancashire Cost Per Place as per DfE scorecard |
|---------------|----------|--|--------------------------|--|--|
|---------------|----------|--|--------------------------|--|--|



|                      |         |   |      |   |         |
|----------------------|---------|---|------|---|---------|
| Permanent Expansions | £20,450 | X | 1.00 | = | £20,450 |
| Temporary Expansions | £9,668  | x | 1.00 | = | £9,668  |
| New Build            | £24,416 | X | 1.00 | = | £24,416 |

### *Lancashire Secondary*

| Type of Place        | DfE Cost |   | Regional Location Factor |   | Lancashire Cost Per Place as per DfE scorecard |
|----------------------|----------|---|--------------------------|---|--|
| Permanent Expansions | £28,127  | X | 1.00                     | = | £28,127  |
| Temporary Expansion  | £10,854  | x | 1.00                     | = | £10,854  |
| New Build            | £29,579  | X | 1.00                     | = | £29,579  |

Lancashire County Council reserves the right to reassess the school place position in respect of a development in accordance with this methodology, to take into account changing circumstances up to the point where a Reserved Matters/Full planning application is approved.

An example calculation can be found in Appendix 2.

### Reassessments

For Outline applications, where dwelling bedroom information is often not available at this stage and provisional bedroom mix projections can be subject to change, the education contribution assessment will apply the 'All' DfE Pupil Yield for the district.

The position can vary significantly between the initial assessment and planning committee, depending on changing pupil projections and the impact from other pending and approved applications. For this reason a reassessment is required. A reassessment will be provided prior to an Outline/Full application being considered for approval, following notification of the planning committee by the local planning authority. At this point infrastructure projects will be identified, providing details of where additional places are intended to be provided to address the impact of the development.

For Outline applications a reassessment is also produced following Reserved Matters approval, once accurate bedroom information is available.

## Indexation

Indexation allows the cost per place to be adjusted to take into account the effects of inflation over time, which acknowledges that the contribution will be used to fund school places at a point in the future when the places are needed, where the cost of delivery is likely to have changed. For the education contribution for the provision of school places the Building Cost Information Service (BCIS) All in Tender Price Index will be applied.

Indexation will be applied to Section 106 agreements using the formula below.

|                        |   |   |   |   |
|------------------------|---|---|---|---|
| Education Contribution | X | BCIS All in Tender Price Index for the period immediately prior to the date of payment under the S106 agreement | ÷ | BCIS All in Tender Price Index for the period last published before the date of agreement |
|------------------------|---|---|---|---|

Where trigger targets are included in the S106, indexation will apply at each trigger point.

## School Site

If significant housing development is proposed in an area, it may not be feasible to expand one or more existing schools to meet the scale of demand. In such cases, Lancashire County Council will need to investigate whether a school site may be required, taking into account the existing school provision.

National Planning Practice Guidance advises how local planning authorities should account for development viability when planning for schools within housing developments, including an initial assumption that both land and construction costs will be provided by the developer. DfE guidance advises that as Basic Need allocations do not factor in the cost of land acquisition it is particularly important that any land required for schools is provided at no cost to the local authority wherever possible.

When the DfE central free schools programme is delivering a new school for a development, the DfE expects the site to be provided on a peppercorn (zero or nominal rent) basis and developer contributions towards construction costs.

School site requirements should be identified as part of the development of Local Plans. A school site requirement may be identified where the local planning authority have identified a number of housing developments which should be treated collectively as a strategic site.

Where a number of small developments are expected to come forward in an area with an aggregated requirement for a new school it may be that one developer would be required to provide the school land to address the collective demand. This would require applicants to provide pooled contributions towards the cost of the school site land, proportionate to the size of their development. Lancashire County Council would seek to work with local planning authorities to ensure that such equalisation

arrangements are established prior to the approval of any of the developments affected to ensure that the development 'hosting' a new school is not disadvantaged. Where additional school provision is required Lancashire County Council would expect the local planning authority to set out their expectations in their Local Plan and assist in the negotiations to secure a school site to accommodate the collective impact of the applications.

DfE guidance suggests that when establishing a new primary school consideration should be given to the inclusion of a nursery. This may require a larger site to be sought. Similarly, additional space may be required for post-16 provision and for special educational needs provision.

It may be necessary to safeguard additional land when new schools within development sites are being planned, to allow for anticipated future expansion or a reconfiguration of

schools to create a single site. 'Future proofing' can sometimes be achieved informally through a site layout that places open space adjacent to a school site. Where there is projected need for new school places that is not linked exclusively to a particular development, the development plan can allocate specific areas of land for new schools or school expansion, and safeguard specific parcels of land within wider development sites for education use. It is expected that the local planning authority would lead on these arrangements.

The size of this site would be determined in accordance with DfE school build guidance.

In the case of the provision of a school site Lancashire County Council would expect to be consulted as early as possible on the proposed location of the school site to ensure its suitability, to be coordinated by the local planning authority. Any land allocated for a school should be safe and fit for purpose, taking into account ground conditions, topography, contamination, flood risks and proximity of incompatible land used.

Where LCC is seeking provision of a school site, landowners/developers will be asked to provide site information to assist in the appraisal of suitability for school provision. LCC has produced a School Site Criteria document to be completed by landowners/developers.

The LCC School Site Criteria is provided at Appendix 4.

### **Garden Communities**

Lancashire County Council acknowledges that the 'Garden Communities' being proposed for Lancashire may be planned as distinct, self-contained and sustainable settlements where the infrastructure needs of residents, including school provision, is provided on site. The county council also acknowledges that new schools can be an important place making component of new communities and can provide core social infrastructure that can help a community to thrive and for this reason developers and local planning authorities are likely to encourage early provision.

In line with the DfE guidance ['Education provision in garden communities April 2019'](#), Lancashire County Council would welcome early engagement with the developer and local planning authority to identify school place requirements and the timing of

delivery, taking into consideration the viability of the new school and the potential impact of early provision on other local schools.

### **Developer delivery of new schools**

In line with DfE '[Securing developer contributions for education guidance](#)', in principle, Lancashire County Council supports developer delivery of schools and could represent good value for money, however, we recognise that local circumstances vary and it will not always be the preferred option.

Where developer delivery is considered a suitable local approach, Lancashire County Council would support a partnership approach between the local authority, academy trust (where relevant) and developer to negotiate a brief and design specification, acknowledging that such collaboration is good practice and helps to avoid disputes.

### **Forward Funding of Projects**

In some cases it may be necessary to forward fund infrastructure projects using Basic Need funding, although this approach would only be considered as a last resort. In such circumstances contributions would be secured retrospectively from either S106 of Community Infrastructure Levy contributions.

### **Declining to Contribute to Education Infrastructure – Objections to Planning Applications**

In identifying a shortfall in local provision and asking for a developer contribution, Lancashire County Council is, in effect, objecting to the application on sustainability grounds. A developer contribution that mitigates the impact of the development will, in most cases, overcome the objection.

If a developer does not agree to payment of the requested education contribution or the local planning authority does not pursue Lancashire County Council's request on its behalf, Lancashire County Council cannot guarantee that children yielded by the development will be able to access a school place within reasonable distance from their home, so the development could be considered to be unsustainable.

If the development is still approved without any education contribution or a reduced contribution, Lancashire County Council would be seeking clarification from the local planning authority on how the shortfall of education places will be addressed.

For infrastructure requirements that are to be funded by community infrastructure levy the School Planning Team will contact the CIL decision making authority to seek confirmation that the full education contribution requirements can be secured through housing developer contributions prior to the planning application being considered for approval. Should the confirmation of the full education contributions not be provided the School Planning Team would object to the planning application.

### **Approved Subject to Section 106**

Where a development is minded to be approved subject to the sealing of a Section 106 agreement, Lancashire County Council will treat the development as approved

when assessing future applications, based on the latest information provided by the local planning authority.

## Assessing Special Educational Needs, Early Years and Post-16 provision Contributions

The DfE 'Securing developer contributions for education' guidance advises that education contributions can be sought for the following provision:

- Special Education Needs
- Early Years
- Post-16

The assessment approach for each of these is under development as part of the relevant service strategies.

## Identifying Infrastructure Projects

Where a development is expected to result in local schools becoming oversubscribed, Lancashire County Council will seek contributions from the developer to pay a contribution towards the associated capital costs of an infrastructure project (school expansion or new school). Prior to the planning committee Lancashire County Council will identify potential infrastructure projects where additional places are intended to be provided. The county council will identify all primary and secondary schools in the pupil planning area in which the development is located, if any of the identified options would address the needs from development and comply with the Section 106 tests. Identifying more than one infrastructure project will help the county council to respond to changing circumstances and new information, such as detailed feasibility work leading one project being abandoned.

In circumstances where no schools in the pupil planning area would be suitable for expansion it would be necessary to identify alternative infrastructure projects. In such cases the reason for the alternative approach will be explained the education contribution assessment.

Where development results in the need for additional school places it should not be assumed that it would be the closest school to the development that is expanded. It may be that another school is expanded to free up capacity in the nearest school, as this reclaimed capacity would meet the need from the development (in compliance with the Section 106 tests) while balancing out admissions across the planning area and reducing school trips by car.

### Examples of Projects

- Provision of additional school places to address the impact of the development.
- Acquisition of additional land

- Project to increase the capacity of a school by a number of places towards providing a half form of entry.
- The provision or extension of a classroom
- The expansion of a hall required to provide more capacity
- Internal remodelling to provide additional capacity

### **How Lancashire County Council chooses which school to expand**

The process Lancashire County Council uses when choosing which school to expand is outlined in the latest [Strategy for School Places](#). When determining which schools are suitable for expansion, Lancashire County Council will consider the following criteria, in no particular order:

- Pupil attainment levels
- Levels of parental first preference
  
- Current size of the school
- Location of the school relative to population
- Practicalities of expansion on the existing or nearby site
- Costs of expansion and potential joint investment benefits

### **Limitations of Naming Projects**

By naming the projects Lancashire County Council cannot guarantee the named infrastructure project will go ahead. There will often be sometime between the naming of the project and the need to deliver places, during which factors which have identified the school as a feasible project may change. The following list are some of the risks we have to a project not proceeding. For example, a project may be subject to:

- The willingness of the school governing body to expand
- Suitability of the site
- Gaining Planning permission & compliance with Section 77 of the Schools Standards and Framework Act 1998 and Schedule 1 of the Academies Act 2010
- Consultation with local schools and the community
- Parental preference at the time that the places are required
- School standards and popularity at the time that the places are required
- Availability of other funding streams

- Changes in the overall capacity within the local schools
- Project cost being prohibitive
- Demand not materialising as projected
- Agreement timescale condition expires before demand materialises
- Being unable to find an academy sponsor

### Splitting contributions across projects

A contribution may be split across two or more projects to provide the number of places required

Should one project fail to progress resulting in the education contribution being returned, only the contribution allocated to the non-progressing project will be returned.

### Communication with Schools

When a particular school is identified within a Section 106 the school will be informed by Lancashire County Council, including details of the development that is providing the

education contribution. Any communication with schools about potential projects should be conducted via Lancashire County Council's School Planning Team.

### Specific Content Required in a S106 Agreement

We would request to include the following in any planning obligation agreement (also known as S106 agreement):

- A formula that allows for the calculation of the education contribution at Reserved Matters stage of the application process (LCC is able to provide standardised wording). This would be required for any application that is at Outline application stage and has not ascertained the bedroom mix of the development.
- The education contribution would be adjusted by BCIS Indexation from the date of the planning obligation agreement to the date of payment of the education contribution. The BCIS Indexation used will match the indexation used during the initial assessment.
- As Education Authority, the county council has a statutory responsibility to ensure that there are sufficient Lancashire school places available to accommodate every Lancashire pupil. For this reason education contributions secured within a S106 should be paid directly to the county council.
- The amount secured to be repaid to the developer if not spent within 5 years from final payment (This timescale will be subject to review for larger developments, in line with DfE Guidance).
- Any land secured to be returned to the developer if not used within an agreed timescale.

- A clause that states that Lancashire County Council will endeavour to spend any contributions secured on an infrastructure project at a specific school, detailed within the agreement. If the contribution is not spent on the identified infrastructure project the contribution will be returned and the County Council will be responsible for delivering school places at no cost to the housing developer.

Where we are not party to an agreement between a developer and district council, Lancashire County Council would ask the Local Planning Authority to ensure that the wording of the agreement is discussed with us.

### **Reassurance that Contributions will be Spent Locally**

Where the county council is proposing to significantly enlarge a school or establish a new school, there are strict guidelines and regulations which we must follow. Whilst the new School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and (Establishment and Discontinuance of Schools) Regulations 2013 which came into force on 28 January 2014 streamline some of the processes for school expansion, the process still involves consultation with interested parties before a decision can be taken.

Therefore, at the stage where we respond to a planning application, we are unable to predetermine where capital funds will be spent or to pre-empt the outcome of any

consultation. However, there is an obligation to meet the tests of Community Infrastructure Levy (CIL) and to demonstrate expenditure is used to mitigate the impact of the development and this means that we will aim to spend the money on the capital cost of providing the places within a three-mile radius of the development wherever possible.

The planning obligation agreement established with the developer will provide assurances about this. For more information, please refer to 'Specific Content Required in a S106 Agreement' section.

## **Lancashire Local Planning Authorities – CIL**

### **Adoption**

All local planning authorities, whether they have adopted the Community Infrastructure Levy (CIL), or not, will still require an education contribution assessment to determine the impact of the development on surrounding schools.

To identify whether your local planning authority has adopted CIL and how they will deal with your planning application, please contact them directly.

### **Local Planning Authorities Which Have Yet to Adopt CIL**

The local planning authorities which are still to move to the Community Infrastructure Levy will continue to require assessments and enter into agreements using Section 106s to secure contributions towards education infrastructure.

## Local Planning Authorities who have adopted CIL

In districts that have adopted CIL, infrastructure projects may receive funding from both CIL and Section 106. This could include a land contribution towards a new school.

To discover how your development will contribute to the education infrastructure in the area, please contact the relevant local planning authority.

## Windfall Sites for Authorities who have adopted CIL

Windfall sites for developments within local planning authority area who have adopted CIL may be dealt with in one of two ways:

- Using Section 106 agreements
- An amendment of the Regulation 123 List, Infrastructure Funding Statement or equivalent document at the discretion of the local planning authority

Clarification should be sought via the local planning authority on whether the site to be assessed constitutes a windfall site and the relevant arrangements in place.

## Other Matters

### Pre-Applications

As the school forecasts are continually updated to reflect the up to date position on births, migration and housing approvals, the forecast position used within a pre-application assessment is likely to change by the time the planning application is submitted. The School Planning Team would therefore encourage you to use the yield calculator on page 9 of the Education Contribution Methodology – <https://www.lancashire.gov.uk/council/planning/planning-obligations-for-developers/> to give you an indicative calculation of the impact of the development on school places.

If you intend to submit an Outline application at a later date then we would recommend calculating your impact on a 4-bed mix, as this is the mix calculation you will be provided with at Outline application stage, to be reassessed once the accurate mix is provided as part of the Reserved Matters permission. If you intend to submit a full application at a later date, then it is recommended that you use an indicative mix to provide you with a more accurate assessment of impact on school places.

Any calculation you produce is only an indication of impact. The assessment by the School Planning Team at planning application stage would specify the detailed education requirements from your development.

### Responding to Information Requests

Requests for information must be provided in writing to:

[schools.planning@lancashire.gov.uk](mailto:schools.planning@lancashire.gov.uk).

Lancashire County Council will endeavour to respond to enquiries within 10 working days.



## Contact Information

Please do not hesitate to contact us should you have any questions or would like to discuss any element of the methodology.

Name: School Planning Team  
Address: PO Box 78  
County Hall  
Fishergate  
Preston  
PR1 8XJ  
Tel: 01772 536289  
Email: [schools.planning@lancashire.gov.uk](mailto:schools.planning@lancashire.gov.uk)

Where your enquiry refers to a planning application, where available please provide:

- The name of the local planning authority
- The name of the development
- The planning reference number(s)
- The name of the local planning authority case officer

## Appendix 1: National Policy and Guidance

The following policy underpins the methodology for seeking education contributions in Lancashire.

### Education Act 1996

[Section 14 of the Education Act 1996](#) stipulates that local authorities must secure sufficient appropriate school places to serve their area. The policy refers to the provision of mainstream school places only. It does not relate to the planning of nursery, further education, special education need and disability, nor independent school provision.

### Education and Inspections Act 2006

[Part 1 of the Education and Inspections Act 2006](#) outlines the education functions of Local Authorities. It places Lancashire County Council as the appropriate authority to secure diversity in the provision of schools and increase parental choice opportunities.

### Expansion of an Existing School

Where an expansion of an existing school is considered to be significant, where more than 30 places are to be provided and will expand the school by more than 25% of the existing school capacity or 200 pupils, a statutory significant enlargement process will need to be followed. As the significant enlargement of an existing school or the establishment of a new school both require the authority to consult interested parties before making any decision, under [The School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013](#) and [The School Organisation \(Establishment and Discontinuance of Schools\) Regulations 2013](#).

### The Academy/Free School Presumption

In accordance with strategy, Lancashire County Council prefers to expand existing schools to accommodate additional pupils in an area, in some circumstances it may not be feasible to expand any schools in an area. The Education Act 2011 changed the arrangements for establishing new schools and introduced section 6A (the academy/free school presumption) to the Education and Inspections Act 2006. Where a LA identifies a need for a new school in its area it must seek proposals to establish an academy/free school.

### Statutory Walking Distances

The Department for Education specifies that "statutory walking distance is two miles for children aged under eight, and three miles for children aged eight and over" ([DfE Guidance on home to school travel and transport – July 2014](#)). This is reflected in Lancashire County Council's [Home to School Transport Policy](#). For this reason Lancashire County Council assesses primary schools within two miles and secondary schools within 3 miles of the development. For the purpose of planning developments, this is determined by applying a radius from the grid reference used for the planning application and not using travel distances to each individual school.

## **Town and Country Planning Act 1990**

[Section 106 of the Town and Country Planning Act 1990](#) introduced the ability to seek a contribution from developers by Local Authorities towards mitigating the impact of pupils living in the new development on local school capacity.

## **Community Infrastructure Levy**

The [Community Infrastructure Levy Regulations 2010, amended 2019 \(2\)](#)

## **Section 77 – Disposal or Change of Use of Playing Field and School Land**

[Section.77 of the School Standards and Framework Act 1998](#) as amended by the [Education Act, 2011](#) refers to the disposal or change of use of playing field and school land. Any changes to the use of school land requires consent of the Secretary of State.

## **National Planning Policy Framework & Guidance**

The latest version of the National Planning Policy Framework was published in February 2019 and sets out the Government's planning policies for England and how they are expected to be applied. Paragraph 94 specifically refers to the provision of school places:

*It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

## **Department for Education Guidance**

[Securing Developer Contributions for Education, August 2023](#) provides guidance for local authorities with a responsibility for providing sufficient school places under the Education Act 1996. It may also be a source of information for local planning authorities and other stakeholders involved in the delivery of schools.

[Education Provision in Garden Communities, April 2019](#) provides guidance to local planning authorities and their delivery partners involved in delivering Garden Villages and Garden Towns as part of the government's Garden Communities programme.

## Appendix 2: Example Calculation for Primary and Secondary Places

The following example is based on the pupil yields for Preston, as published in the DfE Pupil Yield Dashboard

If a housing development was to come forward with 100 houses, with the bedroom information broken down as:

| Number of Bedrooms | Number of Houses with that Number of Bedrooms |
|--------------------|---|
| 1                  | 10  |
| 2                  | 20  |
| 3                  | 40  |
| 4                  | 25  |
| 5+                 | 5   |

Calculate the number of children expected from the development

| No of Bedrooms | Yield per development - Primary | Yield per development - Secondary | Primary Pupils Expected | Secondary Pupils Expected |
|----------------|---------------------------------|-----------------------------------|-------------------------|---------------------------|
| 1              | 0.00                            | 0.00                              | 10 x 0.00 = 0.0         | 10 x 0.00 = 0.0           |
| 2              | 0.23                            | 0.06                              | 20 x 0.23 = 4.6         | 20 x 0.06 = 1.2           |
| 3              | 0.37                            | 0.2                               | 40 x 0.37 = 14.8        | 40 x 0.2 = 8              |
| 4              | 0.47                            | 0.49                              | 25 x 0.47 = 11.75       | 25 x 0.49 = 12.25         |
| 5+             | 0.47                            | 0.49                              | 5 x 0.47 = 2.35         | 5 x 0.49 = 2.45           |
| <b>Total</b>   |                                 |                                   | <b>33.5 (34 Pupils)</b> | <b>23.9 (24 Pupils)</b>   |

Next step - schools within 2 miles for primary and 3 miles for secondary of the development are identified and an assessment on the schools 5 year future capacity and 5 year future number of pupils expected in the school is completed.

### Primary

|                  | Future Net Capacity of School | Projected Number of Pupils on Roll |
|------------------|-------------------------------|------------------------------------|
| Primary School A | 210                           | 215                                |
| Primary School B | 315                           | 310                                |
| Primary School C | 198                           | 200                                |
| Primary School D | 210                           | 210                                |
| <b>Total</b>     | <b>933</b>                    | <b>935</b>                         |

For Primary Schools in the area, we are expecting a shortfall of 2 places (933 – 935 = -2) before the impact of this development, the pupils expected from this development will make the situation worse. Therefore, for this development we would be seeking a contribution for all the primary aged pupils i.e. 34pupils.

**Secondary**

|                    | <b>Future Net Capacity of School</b> | <b>Projected Number of Pupils on Roll</b> |
|--------------------|--------------------------------------|---|
| Secondary School A | 800                                  | 798                                       |
| Secondary School B | 650                                  | 627                                       |
| Secondary School C | 1,050                                | 1,028                                     |
| <b>Total</b>       | <b>2,500</b>                         | <b>2,453</b>                              |

For Secondary Schools in the area, we are expecting to have 47 spare spaces. However, there are 4 additional applications which have obtained planning permission prior to this assessment. Collectively these applications are planning to yield 44 children. These developments will use 44 of the spare places leaving a surplus of 3 places. The secondary impact of this development is 24 places, leaving a shortfall of 21 places. Therefore, an education contribution will be sought for this development for 21 pupils.

However, in addition to the applications which have obtained planning permission, there are also 2 pending applications, collectively contributing a further 5 places. Should these applications come forward ahead of this application the shortfall from this development would increase to 26 places, so an education contribution would be sought for 21 places but with the potential for the claim to increase to 24 places (the full yield of the development).

A reassessment should be undertaken at the point of decision to identify those developments which have gained planning permission prior to this application.

**Calculation**

In this scenario it is assumed that the additional primary and secondary places can be provided by permanent expansion of existing schools rather than establishment of a new school and, therefore, the 'Permanent Expansion' cost per place has been used.

Using the formula

|   |   |                  |   |      |
|---|---|------------------|---|------|
| Lancashire Cost Per Place (Permanent Expansion), as per DfE scorecard | X | Number of places | = | Cost |
|---|---|------------------|---|------|

**Primary**

|         |   |    |   |             |
|---------|---|----|---|-------------|
| £20,450 | X | 34 | = | £695,300.00 |
|---------|---|----|---|-------------|

**Secondary**

|         |   |    |   |          |
|---------|---|----|---|----------|
| £28,127 | X | 21 | = | £590,667 |
|---------|---|----|---|----------|



**Secondary up to**

|         |   |    |   |             |
|---------|---|----|---|-------------|
| £28,127 | X | 24 | = | £675,048.00 |
|---------|---|----|---|-------------|

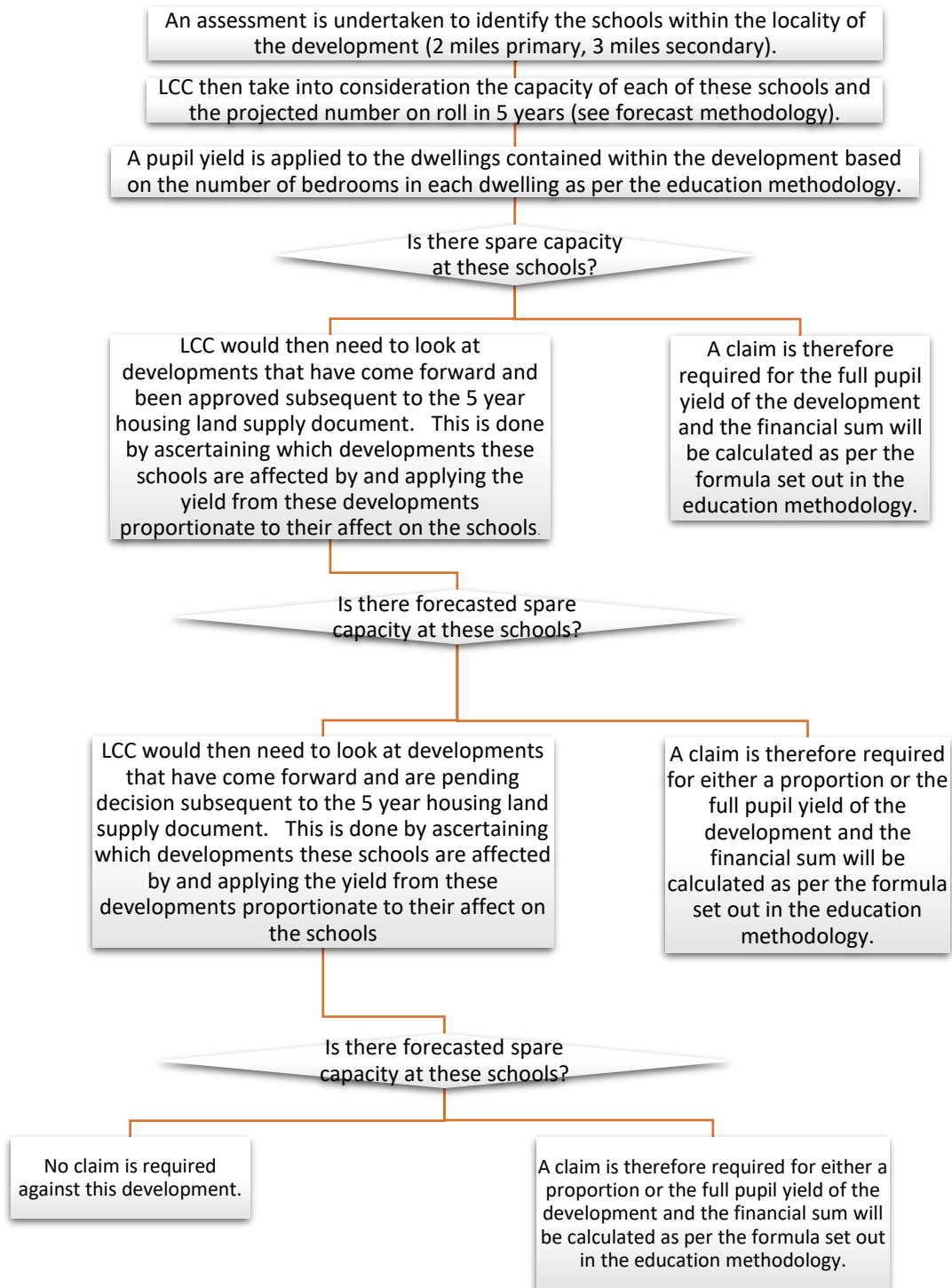
**In Summary**

Lancashire County Council would be seeking a contribution for 34 primary school places and 21 secondary school places.

However, as there are a number of applications that are pending a decision that could impact on this development should they be approved prior to a decision being made on this development the claim for secondary school provision could increase up to a maximum of 24 places.

BCIS All In Tender Price Indexation will be applied at the point of each payment.

## Appendix 3: Education Planning Assessment Process



## Appendix 4: LCC School Site Criteria

### LANCASHIRE COUNTY COUNCIL CRITERIA FOR SCHOOL SITES

Subject to Contract.

Date Applicant Completed School Site Feasibility Appraisal:

All school sites are expected to meet the following criteria:

| Topic                   | LCC Criteria   |
|-------------------------|--|
| <b>Location</b>         | <ul style="list-style-type: none"> <li>• Located to serve the proposed housing development</li> <li>• Not located close to other schools of the same nature</li> <li>• Not adjacent to major roads, or other facilities that would cause excessive noise and/or pollution</li> <li>• Must not be within a 60-meter buffer zone of overhead power lines.</li> <li>• Not close to a landfill site.</li> </ul>  |
| <b>Site size</b>        | <ul style="list-style-type: none"> <li>• Total site area to be in accordance with DfE Building Bulletin 103 Annex B (or any subsequent revision).</li> <li>• The site size calculation shall be made using the proposed pupil numbers and the maximum total site area formula until such time as a full feasibility study has been undertaken.</li> </ul>  |
| <b>Shape</b>            | <ul style="list-style-type: none"> <li>• A regular shape that will support school buildings, play areas including sports pitches, and car parking.</li> <li>• All school facilities are required to be provided on a single site.</li> <li>• LCC requires the flexibility to orient the building in a way that supports the authorities heat loading objectives. i.e., to support use of solar panels, and limit heat gain.</li> </ul>   |
| <b>Access</b>           | <p>Essential to have:</p> <ul style="list-style-type: none"> <li>• Adopted highway to be provided to the boundary of the school entrance.</li> <li>• Safe walking/cycling routes from the surrounding housing and be within reasonable walking/cycling distance</li> <li>• Suitable road access and allow for pupil drop off without disruption to the road network. Road access should not be from single access estate roads, a through route is strongly preferred.</li> <li>• Public transport nearby to support green travel objectives.</li> <li>• Licence for pretransfer success to facilitate surveys upon giving reasonable notice, and at a nil fee.</li> </ul> |
| <b>Utility Services</b> | <ul style="list-style-type: none"> <li>• All mains' services e.g., foul and surface water drainage, gas, 3 phase electricity supply, and fibre broadband must be provided to the school boundary.</li> <li>• All services to be of sufficient capacity to comply with the Building Regulations, and Environment Agency</li> </ul>  |

|                                      |  |
|--------------------------------------|--|
|                                      | <p>standards for the stated school capacity on the date of the freehold transfer.</p> <ul style="list-style-type: none"> <li>• A 150 ml mains fed fire hydrant to be provided within 90 metres of the school entrance.</li> <li>• For secondary school sites, the electrical services in the highway must have capacity to serve any new electricity substation that is likely to be required within the school site. (A substation within the school site would be part of the school building contract and funded by LCC).</li> </ul>  |
| <b>Proximity to other facilities</b> | <ul style="list-style-type: none"> <li>• Strong preference to be located close to other community facilities e.g., shops, community centre, library, public open space.</li> </ul>   |
| <b>Topography</b>                    | <ul style="list-style-type: none"> <li>• Reasonably flat sites are preferred, with no major changes of level.</li> </ul>   |
| <b>Landscape features</b>            | <ul style="list-style-type: none"> <li>• No ponds / ditches / protected hedges within the site.</li> <li>• No Tree Preservation Order protected species on site. NB. access to landscape features e.g. wooded area is desirable.</li> </ul>  |
| <b>Biodiversity Net Gain</b>         | <ul style="list-style-type: none"> <li>• Suitable land should be available to meet statutory Biodiversity Net Gain requirements. If on-site land is not available, the developer may be responsible for identifying off-site land. Conservation covenants or the purchase of credits may need to be considered.</li> <li>• The developer should provide a survey of the baseline value of the school site and any identified land.</li> </ul>  |
| <b>Public Rights of Way</b>          | <ul style="list-style-type: none"> <li>• No public rights of way across the site.</li> </ul>   |
| <b>Ground conditions</b>             | <ul style="list-style-type: none"> <li>• No adverse conditions preventing a normal strip foundation solution and capable of achieving an overall 5% CBR ground bearing capacity rating at 100 kN/m<sup>2</sup> under any proposed building footprint and car parking area.</li> <li>• The school site must not include any areas of compacted ground. It is important that the school site is not used as a contractor's compound for surrounding development prior to transfer.</li> <li>• LCC does not expect to incur increased construction costs due to nonstandard ground conditions.</li> </ul> |
| <b>Contamination</b>                 | <ul style="list-style-type: none"> <li>• The site must be transferred free from contamination (other than any naturally occurring features in a greenfield scenario) and including any groundwater.</li> <li>• LCC wishes to avoid sites with peaty soil, methane or elevated CO<sub>2</sub> readings.</li> </ul>  |

|   |   |
|---|---|
|   | <ul style="list-style-type: none"> <li>• Radon gas is considered to be a manageable criterion, but any other gases render the site unsuitable.</li> <li>• If the site is a brownfield site, it will not have previously used for mineral extraction or any industrial processes which impose a risk of contamination.</li> </ul>  |
| <b>Existing Underground Infrastructure</b>  | <ul style="list-style-type: none"> <li>• The site will not be traversed by any major pipeline infrastructure.</li> <li>• Underground culverts and the existence of mine shafts render the site unsuitable.</li> </ul>   |
| <b>Risk of Protected Ecological Status.</b> | <ul style="list-style-type: none"> <li>• Land to be offered to the local authority to be well managed prior to transfer eg mown at least once every 4 months to prevent the establishment of areas of ecological interest which could impair the design of the school.</li> <li>• Any hedgerows to be cut back regularly again to prevent the creation of areas of heightened ecological interest.</li> <li>• A site with an existing protected ecological status would not be acceptable.</li> </ul>   |
| <b>Shared Survey Data</b>                   | <ul style="list-style-type: none"> <li>• In cases where the school site has already been subject to ground surveys, the current landowner or developer will share the surveys with LCC. It is not expected that the survey company will hold any liability to LCC, but this initial data will support LCC's next stages of due diligence.</li> </ul>  |
| <b>Flooding</b>                             | <ul style="list-style-type: none"> <li>• The site must not within flood zone 2 or 3 or subject to ground water flooding.</li> </ul>   |
| <b>Heritage assets</b>                      | <ul style="list-style-type: none"> <li>• LCC requires a site without any known archaeological or heritage assets.</li> </ul>  |
| <b>Restrictive Covenants</b>                | <ul style="list-style-type: none"> <li>• The freehold title should not be burdened by restrictive covenants which impair any Educational or associated uses.</li> <li>• Once the land has been developed as a school, LCC require the flexibility to add other public sector users, subject to obtaining planning consent. For the avoidance of doubt, LCC require the flexibility to use the site to support educational objectives, even if the school is required to be replaced or relocated in the future. Some or all of the sites may be sold for development in the future and the proceeds directed towards a new educational facility.</li> </ul> |

|                                       |  |
|---------------------------------------|--|
| <b>Adverse Possession/Easements</b>   | <ul style="list-style-type: none"> <li>The current owner of the site must ensure it is actively managed so that potential claims for adverse possession or prescriptive rights do not become encumbrances on the freehold title.</li> </ul>  |
| <b>S106/ Agreed Transfer document</b> | <ul style="list-style-type: none"> <li>In cases where the school site is protected by a S106 agreement, the Transfer documentation is to be agreed and annexed to the S106. LCC to have the facility to serve a Trigger notice with a maximum period of one month.</li> </ul>  |
| <b>Consideration</b>                  | <ul style="list-style-type: none"> <li>Where the need for a site is based largely on pupils living in a new residential development, LCC will seek a freehold transfer at nil consideration. If a demand for school places is identified in addition to the new development, a pro rata payment will be considered.</li> </ul> |
| <b>Transfer Costs</b>                 | <ul style="list-style-type: none"> <li>Each party to bear their own legal and surveying costs of the Transfer.</li> </ul>  |