

Planning Appeal by Barratt David Wilson and  
Hopkins Homes

**Land north-east of Humber Doucy Lane,  
Ipswich**

Statement of Common Ground on Early Years and Education,  
Libraries and Waste matters

PINS Ref: APP/X3540/W/24/3350673 (Lead Case)

LPAs Ref: AP/24/0059/REFUSE & IP/24/00172/OUTFL

13 December 2024

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# 1 Introduction

- 1.2 This Statement of Common Ground (the “Statement”) sets out the developer contributions position that has been agreed between Suffolk County Council (“SCC”) and Hopkins Homes and Barratt David Wilson (the “Appellants”) in relation to the proposed development, (the “Site”), PINS planning appeal reference APP/X3540/W/24/3350673 (the “Appeal”).
- 1.3 This Statement relates to the hybrid planning applications for up to 660 dwellings and associated development that are the subject of the Appeal.
- 1.4 The Appellants submitted the appeal following the refusal by of the planning applications under reference for the Proposed Development.
- 1.5 In this Statement, the Parties means SCC and the Appellants.
- 1.6 Contributions in this document are based on 660 houses with contribution figures expressed on a per dwelling basis. To note that Ipswich Borough Council have not adopted CIL so all infrastructure mitigation within the administrative area is covered by s106. Whereas for the East Suffolk Council area CIL has been adopted and implemented with a Charging Schedule covering most infrastructure. However, new build early years provision including land falls outside the ESC CIL charging arrangements and continues to be covered by s106.
- 1.7 Considerable progress has been made by the Parties on narrowing areas of disagreement and discussions are continuing with the aim of agreeing further details if possible.

## 2 Background

### Early Years and Education

- 2.1 The Parties agree that SCC’s methodology used for assessing the impact of the Proposed Development on primary, secondary school and sixth form education is appropriate and robust for assessing the implications of the Proposed

Development. Primary, secondary and sixth form pupil yields calculations are based on the published Department for Education dashboard data. SCC has provided its own early years child yield and SEND pupil yield calculations.

2.2 The Parties agree, for the purposes of this appeal based on 660 dwellings with two or more bedrooms, that the following child/pupil yields (which SCC regards as a minimum) would be generated by the Proposed Development, as follows:

2.2.1 Primary school age range, 5-11: 212 pupils.

2.2.2 Secondary school age range, 11-16: 99 pupils.

2.2.3 Sixth Form, 16+: 34 pupils, subject to further enquiries that EFM as consultant for the Appellant is making of DfE, based on the sixth form pupil yield appearing high relative to the secondary school figure.

Pupil yields taken from the 'headline' data for Suffolk provided by the Department for Education [Pupil Yield Data Dashboard](#) are identified below:

Dwelling Type	Primary pupil yield (2021/22)		Secondary pupil yield (2021/22)		Sixth Form pupil yield (2020/21 reporting year. DfE figures for the 2021/22 year are not available)	
	Per Dwelling	Per 100 Dwellings	Per Dwelling	Per 100 Dwellings	Per Dwelling	Per 100 Dwellings
Flats with 1 bedroom	0.03	3	0.02	2	0.015	1.5
Flats with 2 or more bedrooms	0.18	18	0.05	5	0.017	1.7
Houses with 1 bedroom	0.03	3	0.02	2	0.015	1.5
Houses with 2 or more bedroom	0.32	32	0.15	15	0.055	5.5

For early years, in Suffolk the generic yield is based on a need for 13 additional FTE places per 100 new dwellings which has been calculated by SCC from census data and DfE estimates of take up. Depending on the % of working parents and

disadvantaged 2 year olds for each ward the yield will be different. This is to account for varying demand across the wards.

#### Catchment Providers of Early Years Education, and Schools

- 2.3 The Parties agree that the Site lies within the catchment area of Rushmere Hall Primary School which provides primary education.
- 2.4 The Parties agree that the nearest mainstream secondary school is Northgate High School which provides secondary and sixth form education.

#### Early Years Places

- 2.5 The Parties agree that the Site lies within the wards of Rushmere and Calford and Fynn Valley. SCC maintains a 'live' system that assesses sufficiency of provision, and has confirmed that the ward sufficiency data shows there is a deficit of early years places in the local area. Moreover, in anticipation of the additional demand expected as a consequence of the Proposed Development, the Local Plan policies for the site allocation identify the need for on-site provision.

#### Primary Places

- 2.6 The Parties agree that Rushmere Hall Primary School has capacity to meet the demand for primary school places expected as a result of the development. Therefore, no primary education mitigation is required. However, SCC considers it important to establish that there are safe walking routes within 2 miles [for primary and 3 miles for secondary] – and this assessment is considered by the Appellant as part of its transport assessment. In the absence of there being safe walking routes within statutory walking distance may give rise to a s106 school transport contribution.

#### Secondary Places

- 2.7 The Parties agree that SCC's forecasts for Northgate High School and the next three closest secondary schools show sustained or increasing pressure on places

for the next few years. However, SCC's forecasts do not take into account underlying information about pupil numbers progressing from primary schools beyond the September 2028, and there is a degree of pupil movement taking place within the wider area including from schools that have spare capacity. The Appellant is considering the implications of these matters, and whether any places should be considered available to help meet the needs of the Proposed Development. SCC's view is that no capacity will be available to meet the needs of the Proposed Development.

- 2.8 SCC has recently reconsidered and updated its strategy for providing additional places to meet the needs of proposed housing development, including the Proposed Development and that at Ipswich Garden Suburb. SCC has moved away from provision of a new secondary school and has instead adopted a strategy of expanding existing schools. The Appellant agrees this strategy is appropriate to the circumstances. Two schools have been identified for expansion, by 300 places in each case, including Northgate High School.

The Parties agree the principle of any necessary secondary education mitigation being through the expansion of Northgate High School by 300 places which will provide places for the appeal site.

#### Sixth Form Places

- 2.9 Northgate High School provides sixth form education, as do a number of other schools and One Sixth Form College (located in south west Ipswich), The Appellant is considering SCC's forecast information. SCC's view is that no capacity will be available to meet the needs of the Proposed Development.
- 2.10 The Parties agree the principle of any necessary sixth form education mitigation being through the expansion of either Northgate High School or One Sixth Form College.

#### Arising Need

#### Early Years

- 2.11 The Parties agree that SCC's strategy for the provision of early years facilities, which is the delivery of a new on-site 90 place early years setting serving the Local Plan allocations, is an appropriate response and will mainly be meeting needs of the Proposed Development. The parties agree that if SCC is to procure the facility, this proposed development should make a proportionate contribution towards the build costs of the new early years setting in respect of the number of children to be generated by it which require funding.
- 2.12 Published guidance from the Department for Education *Securing developer contributions for education* [August 2023] states in Paragraph 36, *Developer contributions for early years provision will often be used to fund places at existing or new school sites, incorporated within primary schools. Therefore, we recommend that the per pupil cost of early years provision is assumed to be the same as for a primary school, unless you have alternative local/regional cost data for new or expanded standalone settings (either maintained or PVI sector) that more accurately reflect the type of new early years provision required in your area.*
- 2.13 The parties agree the most recent scorecard is 2023 and the national average new build primary school cost per pupil for primary schools is £23,865 (June 2024). When adjusted for regional location factors this gives a £23,626, and 10% uplift for sustainability measures as recommended by DfE, this produces a total of £25,989 per pupil for new primary schools in Suffolk. This cost per place is agreed by the Parties. Therefore, assuming funding is required for 86 FTE places arising from this development (SCC figure), 86 places x £25,989 per place, gives a proportionate contribution of £1,039,560 (2024 costs).
- 2.14 The Parties agree that SCC does not need to procure the facility and that the Appellants may procure the facility subject to satisfying SCC that the mechanism proposed will ensure that a suitable facility will be provided and operated for as long as the facility is needed to meet the needs of the proposed development. It is also agreed that if the Appellants are procuring the early years facility then no transfer of land or financial contributions will be required.

Early years land

- 2.15 The parties agree the adopted SCC [Developers Guide to Infrastructure Contributions in Suffolk](#) Topic Paper of Early Years and Childcare states in paragraph 7.1.4; “*Where a development proposal is anticipated to create over 20 FTE places, then a new provision will be sought. This will include the land and the construction of suitable premises for a new provision*”.
- 2.16 The parties agree the strategy will be to deliver a new early years setting within the Proposed Development, with an appropriate location to be determined via the reserved matters application. The size of the setting will need to be large enough to cover the whole proposed allocation beyond this application.
- 2.17 The East Suffolk IFS (page 66) and Suffolk Coastal Local Plan requires unencumbered freehold transfer of a fully serviced land for £1 for the new early years setting. SCC requires a minimum site area of 0.32 hectares. A fully serviced site will need to be available to be transferred to SCC prior to the first occupation of the 150th dwelling unless the Appellants are procuring the early years facility as described in paragraph 3.5 above – in which case no land transfer will be required.



## Primary Education

- 2.1 The Parties agree that the Proposed Development generates 212 primary aged pupils for which there are sufficient places to provide for all of the places arising from the growth being proposed.
- 2.2 The Parties agree that no primary education contribution is required.

## Secondary Education

- 2.3 The Parties agree that the Proposed Development generates 99 secondary age pupils, based on 660 houses with more than two bedrooms, for which there are insufficient places to provide for all of the places arising from the Proposed Development.
- 2.4 The education strategy for secondary students arising from this development is for the contribution to be made towards the costs of expanding Northgate Secondary School, or other secondary schools serving the proposed development.
- 2.5 Therefore if 99 pupil places are required the contribution would be calculated as  $99 \times £29,939 = £2,963,961$ .

## Sixth form Education

- 2.6 The Parties agree that 34 pupil places are required the contribution would be calculated as  $34 \times £29,939 = £1,017,926$ .

## SEND

- 2.7 The Parties agree on the principle of contributions towards the provision of SEND places.
- 2.8 The parties agree that existing SEND provision is at its limit or over-stretched and that additional provision should be made.
- 2.9 The parties agree that the cost per place to be used in calculating contributions is £96,806, as calculated by National School Delivery Cost Benchmarking (2023).
- 2.10 The parties do not agree on the amount of provision that should be funded by the Proposed Development.

## Libraries

## Background

- 2.11 The Parties agree that the site falls within the parishes of Rushmere St Andrew and Ipswich.
- 2.12 The Appellants do not dispute the existence of [guidance](#) from the Arts Council referred to be SCC, nor do they dispute the mechanics of SCC's calculations - save for observing that the assumption that the population of the Proposed Development will all be new and additional.

#### Library catchments

- 2.13 Ipswich County Library serves a catchment population of 61,575 that incorporates Ipswich and other parishes.
- 2.14 The Parties agree that the site falls within the Ipswich combined libraries catchment which, which is all of the Ipswich libraries.
- 2.15 The Appellant does not agree [the figures, or] the relevance of this calculation.

#### **Waste**

##### Background

- 2.16 SCC provides a network of 11 Recycling Centres which serve the total population of Suffolk (333,537 households). By 2043 this total is projected to increase to 383,196 households.

##### Waste catchments

- 2.17 The Foxhall Recycling Centre serves 52,854 households that incorporates Ipswich and surrounding parishes. The waste transfer station element covers 100,911 households. This accords with the East Suffolk [IFS](#) page 79.

##### Waste deficit

- 2.18 A combined contribution of £138 per dwelling is required, which is based on the existing (Census households 2023) and projected (Local Plan and undetermined planning applications) catchment households sharing the capital cost for the delivered project. For this development of 660 homes, the total contribution sought for waste is £91,080.

- 2.19 The Parties agree the contribution of £138 per dwelling is required for dwellings in the Ipswich Borough Council area.

### **Monitoring fee**

- 2.1 Government Guidance on Planning Obligations Paragraph: 036 Reference ID: 23b-036-20190901 Revision date: 01 09 2019 allows for s106 monitoring fees.
- 2.2 Suffolk County Council's monitoring fee is based on the proportion of staff time to monitor an annual average of triggers including software costs, and the production of the annual Infrastructure Funding Statement. Activities include but are not limited to; data entry, chasing outstanding payments, site visits where necessary, arranging bank transfers, checking compliance with status of development, compliance with time limits and clauses, and regular reporting.
- 2.3 The parties agree the principle of a monitoring fee for each separate trigger point in the Deed, with the amount and timing of payment to be agreed.

## **3 Planning Obligations**

- 3.1 It is agreed between SCC and the Appellant that the following planning obligations will be required:
- financial contributions towards the build costs of a new early years setting together with the associated land to enable SCC to deliver the setting, OR direct provision of a new early years setting that would be operated independently of SCC;
  - financial contributions towards expansion of existing secondary school provision including forward funding in anticipation of needs arising from the Proposed Development;
  - financial contributions towards expansion of existing sixth form provision including forward funding in anticipation of needs arising from the Proposed Development;

- financial contributions towards new (or expansion of existing) SEND provision including forward funding in anticipation of needs arising from the Proposed Development;
- waste provision including forward funding;
- a monitoring fee per trigger point.

- 3.2 The parties agree that a number of contributions need to be secured from ‘Ipswich Dwellings’ only, as the corresponding contribution from ‘East Suffolk Dwellings’ will be secured through the CIL charge. The CIL charge will only be levied on dwellings in East Suffolk, as Ipswich Borough Council does not operate CIL charging. It is understood that where a dwelling (including any garage) straddles the East Suffolk/Ipswich authority area boundary, CIL is charged on the floorspace within East Suffolk. It is therefore agreed that the planning obligation agreement contains a mechanism for calculating the percentage reduction that will apply to relevant contributions generated by each such dwelling, based on the percentage of the dwelling floorspace on which the CIL charge has been levied.
- 3.3 The Parties agree that each and all of the above contributions meet the three tests under Regulation 122 of the CIL Regulations 2010 (as amended), reproduced at paragraph 57 of the NPPF, and are agreeable to them in respect of the Proposed Development.
- 3.4 SCC will submit a CIL compliance statement to PINS in respect of the above planning obligations.

## **4 Areas of Dispute**

- 4.1 The need for contributions towards libraries is disputed, as is SCC’s assumption that all residents of the Proposed Development will be new and additional.
- 4.2 The principle of contributions towards the provision of (or direct provision of) the infrastructure identified in paragraph 5.1 is agreed, with discussion between the

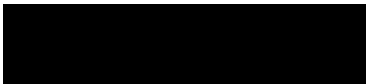
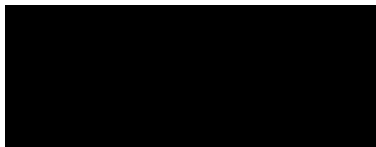
Parties continuing in relation to the following details that are not agreed at the time of this statement:

- Early years – whether an adjustment should be made to SCC's child yield calculation (adjusted to take account of when entitlements apply);
- Secondary/sixth – This is still being reviewed by the Appellants and it is not known at this stage if it can be a matter of agreement.
- SEND – the calculation of pupil yield. SCC's pupil yield is 0.016 pupil per dwellings resulting in a contribution of £1,548.90 per dwelling. The Appellant's pupil yield factor is 0.0047 per dwelling which results in a contribution of £454.99 per dwelling.
- Libraries - The Appellants do not agree the need for a library contribution. SCC relies on guidance from the Arts Council. The Appellants dispute the assumption that the need for contributions has been demonstrated by the evidence put forward by SCC, and considers SCC's calculations do not properly relate to the implications of the Proposed Development.

4.3 Whilst not a matter of dispute between the Parties, it can also be noted that clarification about sixth form pupil yields being sought from DfE could lead to adjustment of the contribution figures.

Signed on behalf of the Appellant  
Mr Jan Kinsman, CEng, MICE, BSc  
(Hons) ACGI

Signed on behalf of Suffolk County  
Council  
Mr Neil McManus BSc (Hons) MRICS



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Date:  
13 December 2024

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Position: Consultant for the Appellant

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Date:  
13 December 2024

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Position: Development Contributions  
Manager