

Comment

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Event Name	Tendring District Local Plan - Section 2 Main Modifications
Comment by	Essex County Council (Mr Matthew Jericho - 1007301)
Comment ID	11
Response Date	20/08/21 15:16
Status	Submitted
Submission Type	Web
Version	0.1

Please specify type of modification or associated document your comments relate to. Section 2 Proposed Main Modification

Main Modification Reference: 44.2 (MOD C)

With the inclusion of the Proposed Main Modifications, do you consider the Plan is Sound? No

If you do not consider the Local Plan is sound, please specify on what grounds:

- . Justified
- . Effective

Enter your full representation here:

MM44.2 (MOD C) rewords new criterion "c" to state "approximately 2.1 hectares of land for a new two-form entry primary school with co-located 56 place early years and childcare facility (D1 use) as required by the Local Education Authority through Section 106 Planning Obligations;". The reason for the Modification is stated as "Modifications to criteria b to f to remove overly prescriptive land-take requirements and instead indicate approximate amounts. Also to reflect latest evidence of education requirements from Essex County Council and to clarify expectations around the activities to be included in the proposed neighbourhood centre."

The County Council objects to the inclusion of the word "approximately" at the beginning of the criterion

and did not recommended its use. The 2.1 hectares specified reflects the land needed to provide the school and early years and childcare facility (nursery) and is not seen as being "overly prescriptive". The land size reflects the requirements detailed in the Essex County Council Developers' Guide to Infrastructure Contributions (EB10.1.4) and is an approach adopted in local plan policies across Essex. School site requirements are set out in appendix C of the guide and the process and evidence needed to agree a site are explained in Section 4 (Land, Building and Contributions in kind). The land size of 2.1 hectares must be the starting point, however, subject to evidence being provided by the applicant in accordance with the guide, land requirements may change. The inclusion of the word "approximately" implies there is an acceptable lower land size from the beginning, which is not the case.

The policy wording should also remove reference to D1 use which is no longer applicable. ECC notes that as of the 1 September 2020 changes to the Use Class Order were made in relation to schools and nurseries, which were previously covered by Use Class D1, but are now within separate use classes. Use Class D1 has been replaced by the new Classes E(e-f) and F1, with schools in use class F1(a) and nurseries in use class E(f). ECC is recommending, for simplicity, that no reference is made to use class in the policies throughout the Local Plan where education and EYCC uses are referenced.

This above would ensure consistency with Policy SAMU2 and MM43.4 (MOD C).

Please specify the changes needed to make the Plan sound:

Delete criterion "c" of policy SAMU3 and replace with the following (which provides consistency with MM43.4.

"c. 2.1 hectares of land for a new two-form entry primary school with co-located 56 place early years and childcare nursery and/or financial contributions towards primary school and secondary school provision as required by the Local Education Authority through Section 106 Planning Obligations".

Do you wish to be notified?

- . When the Inspectors' Report is published.
- . When the Plan is adopted.