

- 1.1 This Hearing Statement sets out Essex County Council's (ECC) response to Matter 3 – Policy SAMU2 Hartley Gardens.
- 1.2 ECC wishes to see an amendment to Policy SAMU2 in order to reflect the requirements for early years and childcare (EYCC) provision generated by the development.
- 1.3 Under the Childcare Act 2006, ECC must ensure that there is sufficient high quality and accessible early years and childcare places within the local area. Responsibilities and how provision is assessed is set out in Section 5 of the [ECC Developers' Guide to Infrastructure Provision](#) (2020).
- 1.4 In January 2021, Tendring District Council (TDC) requested ECC review and update its assessment of education requirements (including EYCC) arising from Local Plan growth given the changes since the Local Plan was submitted in 2017. The updated assessment has been submitted to TDC who have included requirements in an update to the Local Plan Infrastructure Delivery Plan.
- 1.5 For Policy SAMU2 – Hartley Gardens, the updated EYCC assessment notes that development is in two stages; Plan period and beyond. The first stage will create the need for an additional 17 childcare places, and the second stage, a further 114 places. Demand created by the first stage can be met by existing or already planned provision. However, the second stage of this development will require two new 56 place EYCC facilities.
- 1.6 Policy SAMU2 makes provision for one 56 place EYCC facility as part of a co-located new primary school. The policy does not refer to the additional standalone 56 place EYCC facility that is required to meet need. Accordingly, it is requested that the policy is amended to include the following requirement:
  - *The provision of 0.13 hectares of land for a 56 place stand-alone early years and childcare nursery will also be required*
- 1.7 ECC also 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 Use Class D1 has been replaced by the new Classes E(e-f) and F1, with schools in use class F1(a) and nurseries in use class E(f).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.