

Essex County Council  
Planning and Development  
CG05, County Hall  
Chelmsford  
Essex CM1 1QH



The Planning Inspectorate  
Environmental Services, Central Operations, Temple Q  
Bristol  
  
BS1 6PN

Our ref: 34319  
Your ref: S62A/2023/0026  
Date: 10/01/2024

Dear Sir or Madam

**Rush Lane (Land South Of), Elsenham  
Without Prejudice - UTT/23/90026**

Without Prejudice – UTT/23/2622/PINS

Thank you for providing details of the above Outline Section 62A planning application proposing [40 x residential dwellings]. As the unit size and mix has not been advised, I have assumed they will all be houses of 2 or more bedrooms.

When estimating the number of children that a new housing development will generate, and that will require a school place (yield), ECC takes account of the number of houses and flats that are suitable to accommodate children. One-bedroom units and some dwellings, such as student and elderly accommodation, are excluded from the education calculation.

With reference to the details above, a development of this size can be expected to generate the need for up to 3.60 Early Years and Childcare (EY&C) places; 12.00 Primary School places, and 8.00 Secondary School places.

Please note that any developer contribution figures referred to in this letter are calculations only, and that final payments will be based on the actual dwelling unit mix and the inclusion of indexation.

**Early Years and Childcare**

Essex County Council has a statutory duty under the Childcare Act 2006 to ensure that there is sufficient and accessible high-quality early years and childcare provision to meet local demand and parental choice. This includes provision of childcare places for children aged between 0-5 years as well as wrap around provision for school aged children (5-11 or up to 19 with additional needs).

The proposed development is located within Elsenham and Henham ward (postcode CM22 6TF) and will create the need for an additional 3.6 childcare places.

According to latest available childcare sufficiency data, there are 9 early years and childcare providers within the ward. Overall a total of 0 unfilled places were recorded.

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additional needs).

Although there is some EY&C capacity in the area, the data shows insufficient provision to meet the additional demand created by this development. It is thereby proposed that a contribution towards the creation of 3.6 new places is requested.

The demand generated by this development would require a contribution towards the creation of additional places. A developer contribution of £69,930.00 index linked to Q1-2023, is sought to mitigate its impact on local Early Years & Childcare provision. This equates to £19,425 per place.

#### Primary Education

Capacity of primary school places in the catchment of this development is volatile. In the absence of a Local Plan it is difficult for the Education Authority to forecast demand and capacity over a longer period of time due unpredictable levels of windfall housing delivery. It is necessary to keep this situation under review to avoid any shortfall arising which would put pressure on communities. Therefore Essex County Council requests that the legal agreement supporting this development includes a review mechanism to enable the demand for primary school places to be considered as the development progresses. The clauses within this mechanism should enable a review of existing primary education capacity at the point of commencement and at 50% completion and a mechanism for calculating the contribution due based on the latest cost per place and indexation based on the latest Essex Developer Guide.

#### Secondary Education

The Priority Admissions Area secondary school for this development would be Forest Hall, which has a Published Admissions Number of 132 places per year. The school currently has some unfilled capacity but, according to data provided by the Department for Education, the number of children for whom this is their nearest school is already far higher than the number of available places. Action has not, so far, been required due to parental preference. As permitted housing development in the area is completed, in particular in Bishop's Stortford, it is anticipated that Forest Hall will fill and may need to expand. The latest forecasts and plans for the area are set out in the Essex Education Ten Year Plan

The demand generated by this development would require a contribution towards the creation of additional places. A developer contribution of £213,736.00 index linked to Q1-2023, is sought to mitigate its impact on local Secondary School provision. This equates to £26,717 per place.

#### Post 16 education

A contribution toward Post16 education is not required at this time. However, in accordance with the Essex County Council Developers' Guide to Infrastructure Contributions (Revised 2023), an Employment and Skills Plan (ESP) should be prepared to set out how the developer will engage with and maximise local labour and skills opportunities.

#### School Transport

Having reviewed the proximity of the site to the nearest Primary & Secondary schools, Essex County Council will not be seeking a School Transport contribution at this time. However, the developer should ensure that safe direct walking and cycling routes to local Primary and Secondary Schools are available. Where appropriate, engagement with Essex Highways is advised to ensure this is achieved. All sites will be suitably assessed in accordance with the current climate and national and local drive to provide more sustainable modes of travel and to meet the initiative towards active travel provision.

## Libraries

ECC may seek contributions to support the expansion of the Library Service to meet customer needs generated by residential developments of 20+ homes.

The provision of a Library Service is a statutory duty under the 1964 Public Libraries and Museums Act and it's increasingly become a shared gateway for other services such as for accessing digital information and communications.

The suggested population increase brought about by the proposed development is expected to create additional usage of Stansted Library. A developer contribution of £3112.00 is therefore considered necessary to improve, enhance and extend the facilities and services provided and to expand the reach of the mobile library and outreach services. This equates to £77.80 per unit, index linked to April 2020.

## Monitoring Fees

In order to secure the delivery of the various infrastructure improvements and to meet the needs arising from development growth, ECC needs to monitor Section 106 planning obligations to ensure they are fully complied with on all matters. ECC has a resultant obligation to ensure the money is received and spent on those projects addressing the needs for which it was sought and secured. To carry out this work, ECC employs a staff resource and charges an administration/monitoring fee towards funding this requirement. The Monitoring Fee will be charged at a rate of £700 per obligation (financial and otherwise). On large developments the Monitoring Fee will be calculated using a bespoke approach.

## Employment and Skills

Both Central and Local Government have a crucial role to play in identifying opportunities to maximise employment, apprenticeships, and to invest in skills to realise personal and economic aspirations.

ECC has a role to play in supporting Local Planning Authorities and helping to ensure that the development industry has the necessary skills to build the homes and communities the county needs. ECC supports Uttlesford Council in securing obligations which will deliver against this crucial role in supporting employment and skills in the district.

In the current economic climate and national skills shortage, ECC supports Uttlesford Council in requiring developers to prepare an 'Employment and Skills Plan' (ESP) seeking to drive forward an increase in construction employability levels and workforce numbers. These plans will help to address negative perceptions of the sector and develop a strong future pipeline. This is referred to as the 'development phase'. ECC also supports Uttlesford Council in requiring landowners to produce an ESP for commercial developments, to enable wider employment opportunities for those requiring additional support to enter the job market. This is referred to as the 'end-use phase'. Additionally, ECC encourages Uttlesford Council to consider the inclusion of other requirements, including financial contributions, to support appropriate employment and skills outcomes as a result of this development.

In view of the above, I request on behalf of Essex County Council that if planning permission for this development is granted it should be subject to a section 106 agreement to mitigate its impact on EY&C, Primary, Secondary Education and Libraries.

The contributions requested have been considered in connection with the CIL Regulations 2010 (as Amended) and are CIL compliant. Our standard formula s106 agreement clauses that ensure the contribution would be necessary and fairly and reasonably related in scale and kind to the development are available from Essex Legal

Services.

If your council were minded to turn down the application, I would be grateful if the lack of surplus primary education provision, secondary education and early years & childcare and library provision in the area to accommodate the proposed new homes can be noted as an additional reason for refusal, and that we are automatically consulted on any appeal or further application relating to the site.

Thank you for consulting this authority in respect of this application.

Yours faithfully

Samantha Blackwell  
Infrastructure Planning Officer

Telephone

E-mail



CC Ref: UTT/23/2622/PINS