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31 January 2019

Your Ref: 18/01822/AS  
Our Ref: K/E/AS/18/01822 AG

Dear Sue,

**Provision and Delivery of County Council Community Services:  
Court Lodge North, Pound Lane, Kingsnorth, Ashford  
Planning Application: AS/18/01822**

We refer to the above planning application which concerns proposed residential development at **Court Lodge North, Pound Lane, Kingsnorth** and comprising: **Up to 1000 new households.**

The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

1. Necessary,
2. Related to the development, and
3. Reasonably related in scale and kind

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements (the evidence supporting these requirements is set out in the attached Appendices).

## Request Summary

	Per Applicable House (1000)	Per Applicable Flat (0)	Total	Project
<b>Primary Education</b>	£4,535.00 per house	£1,134 per flat	Up to £4,535,000.00	Contributions towards a new 2FE Primary School at Court Lodge
<b>Primary Education - Land</b>	Freehold transfer at 'nil' cost to KCC of a 2.05ha site in accordance with our General Site Transfer Requirements, attached See Appendix 4 for KCC's site transfer requirements			
<b>Secondary Education</b>	£4,687.00 per house	£1,172.00 per flat	Up to £4,687,000.00	Contributions towards the new Chilmington Green Secondary School – Additional 2FE

'Applicable' excludes 1 bed units of less than 56 sqm GIA. Please confirm that 29 of the flats are under 56sqm GIA.

	Per Dwelling (1000)	Total	Project
<b>Community Learning</b>	£34.45	£34,451.65	IT and Equipment to enable outreach provision and increased capacity within existing local centres
<b>Libraries</b>	£108.32	£108,320.49	Bookstock, IT and enhanced services at Stanhope Library
<b>Youth Service</b>	£27.91	£27,908.39	Equipment and mobile vehicle to enable the provision of outreach services in the area.
<b>Adult Social Care</b>	£77.58	£77,580.00	Fairlawns Respite Care, Ashford
	KCC requests that the On-site Community facility is DDA compliant (Wheelchair accessibility requirements of the Equalities Act 2010 and Building Regulations approved document Part M), incorporates a dementia friendly design and Changing Place Facility (as per <a href="http://www.changing-places.org/install_a_toilet/design/changing_places_standards.aspx">http://www.changing-places.org/install_a_toilet/design/changing_places_standards.aspx</a> )		

	<b>10 Wheelchair Adaptable Homes</b> as part of the on site affordable homes delivery
<b>High Speed Fibre Optic Broadband connection:</b>	<b>INFORMATIVE:</b> Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband. We understand that major telecommunication providers are now offering Next Generation Access Broadband connections free of charge to the developer. For advice on how to proceed with providing access to superfast broadband please contact <a href="mailto:broadband@kent.gov.uk">broadband@kent.gov.uk</a>
<b>Highways</b>	<i>Kent Highway Services will respond separately</i>

Please note that these figures:

- are to be **index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment** (Oct-16 Index 328.3)
- are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.

#### **Justification for infrastructure provision/development contributions requested:**

The County Council has modelled the impact of this proposal on the provision of its existing services and the outcomes of this process are set out in Appendices **1, 2 & 3** attached.

#### **Primary Education**

The proposal gives rise to **210** additional primary school pupils during occupation of the development. This need, cumulatively with other new developments in the vicinity, can only be met through the provision of a new 2FE Primary School within the applicant site boundary.

This proposal has been assessed in accordance with the KCC Development Contributions Guide methodology of '*first come, first served*' assessment; having regard to the indigenous pupils, overlain by the pupil generation impact of this and other new residential developments in the locality.

The County Council requires a financial contribution towards construction of the new school at **£4,535.00 per applicable house for each 'applicable' house** and **£1,134.00 per applicable flat for each applicable flat** ('applicable' means: all dwellings except 1 bed of less than 56sqm GIA –please confirm the 2 x 1 bed flats proposed are below this threshold?).

A **Primary School site of 2.05ha** is required to accommodate a school capable of being expanded to 2 Forms of Entry in accordance with KCC policy. The Site should be in accordance with the attached KCC General Site Transfer Requirements (Appendix 4), with a

Licence for early access to allow County Surveyor site investigations prior to transfer and provided at nil cost.

Please note this process will be kept under review and may be subject to change (including possible locational change) as the Local Education Authority has to ensure provision of sufficient pupil spaces at an appropriate time and location to meet its statutory obligation under the Education Act 1996 and as the Strategic Commissioner of Education provision in the County under the Education Act 2011

KCC will commission additional pupil places required to mitigate the forecast impact of new residential development on local education infrastructure generally in accordance with its Commissioning Plan for Education Provision in Kent 2018-22 and Education and Young People's Services Vision and Priorities for Improvement 2017-20, March 2017.

Additional notes:

- Kent County Council welcomes the provision of the primary school within Phase 1 of the development, accompanied by early access to the site.
- The indicative position of the primary school within the draft Masterplan, appears to show the location being outside of the flood zone. The applicant should be mindful of KCC's site transfer requirements (Appendix 4), which requires the school site to be outside of the floodzone.
- Overhead cables and phone masts – the applicant should refer to KCC's Site Transfer requirements and ensure that these are met.
- Section 6.7 of the Design & Access Statement refers to the school site containing public realm. KCC cannot agree to this. School sites need to be secure and therefore, cannot take responsibility for land which is open to anyone to enter. In addition, schools do not have the revenue budget to maintain these areas.

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## **Secondary School Provision**

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 1.

A contribution is sought based upon the additional need required, where the forecast secondary pupil product from new developments in the locality results in the maximum capacity of local secondary schools being exceeded.

The proposal is projected to give rise to **150** additional secondary school pupils from the date of occupation of this development. This need can only be met through the provision of accommodation at a new secondary school in the area.

Please note where a contributing development is to be completed in phases, payment may be triggered through occupation of various stages of the development comprising an initial payment and subsequent payments through to completion of the scheme.

The new secondary school accommodation will be provided through the additional 2FE at the new Chilmington Green Secondary School and delivered in accordance with the Local Planning Authority's Infrastructure Delivery Plan (where available); timetable and phasing.

Please note this process will be kept under review and may be subject to change as the Local Education Authority will need to ensure provision of the additional pupil spaces within the appropriate time and at an appropriate location.

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### **Community Learning**

There is an assessed shortfall in provision for this service: the current adult participation in both District Centres and Outreach facilities is in excess of current service capacity, as shown in Appendix 2, along with cost of mitigation.

To accommodate the increased demand on KCC Adult Education service, the County Council requests **£34.45 per dwelling** towards the cost of providing additional equipment for outreach classes, local to the development.

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### **Libraries**

KCC is the statutory library authority. The library authority's statutory duty in the Public Libraries and Museums Act 1964 is to provide 'a comprehensive and efficient service'. The Local Government Act 1972 also requires KCC to take proper care of its libraries and archives.

To mitigate the impact of this development, the County Council will need to provide IT, Equipment and additional library books to meet the extra demand to borrow library books which will be generated by the people residing in these Dwellings.

The County Council therefore requests **£108.32** per household to address the direct impact of this development, and the additional stock/equipment will be made available locally as and when the monies are received.

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### **Youth Service**

To accommodate the increased demand on KCC services the County Council requests **£27.91 per dwelling** towards equipment and vehicle to enable outreach provision in the area.

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### **Social Care**

The proposed development will result in additional demand upon Social Care (SC) (older people, and also adults with Learning or Physical Disabilities) services, however all available care capacity is fully allocated already, and there is no spare capacity to meet additional demand arising from this and other new developments which SC are under a statutory obligation to meet. In addition, the Social Care budgets are fully allocated, therefore no spare funding is available to address additional capital costs for social care clients generated from new developments.

To mitigate the impact of this development, KCC Social Care requires:

- a proportionate monetary contribution of **£77.58 per household** (as set out in Appendix 3) towards the Fairlawn Respite Care centre in Ashford.
- Ashford Borough Council is to ensure the delivery of **10 Wheelchair Adaptable Homes** (as part of the affordable housing element on this site), with nomination rights given in consultation with KCC Social Care; need as evidenced below:

Local Authority	High priority applicants needing wheelchair accessible housing	Comments on waiting time	Any other observations (Kent Agency Assessment: KAA)
Ashford BC	19	3 years	KAA

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### Superfast Fibre Optic Broadband

Broadband Delivery UK (BDUK), part of the Department for Culture, Media and Sport, requires delivery of superfast broadband to all.

It is requested that Ashford Borough Council includes within any Planning Consent the requirement to provide 'fibre to the premise' (Superfast fibre optic broadband) to all buildings (residential, commercial, community etc) of adequate capacity (internal min speed of 100mb to each building) for current and future use of the buildings, as set out in the above Request Summary.

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### Implementation

The County Council is of the view that the above contributions comply with the provisions of CIL Regulation 122 and are necessary to mitigate the impacts of the proposal on the provision of those services for which the County Council has a statutory responsibility. Accordingly, it is requested that the Local Planning Authority seek a section 106 obligation with the developer/interested parties prior to the grant of planning permission. The obligation should also include provision for the reimbursement of the County Council's legal costs, surveyors' fees and expenses incurred in completing the Agreement.

Would you please confirm when this application will be considered and provide us with a draft copy of the Committee report prior to it being made publicly available. If you do not consider the contributions requested to be fair, reasonable and compliant with CIL Regulation 122, it is requested that you notify us immediately and allow us at least 10

working days to provide such additional supplementary information as may be necessary to assist your decision making process in advance of the Committee report being prepared and the application being determined.

Kent County Council confirms, in accordance with CIL Regulation 123, there are no more than 4 other obligations towards these projects.

We look forward to hearing from you with details of progress on this matter.

Yours sincerely

***Vicky Thistlewood***

Development Contributions  
Kent County Council

Appendices:

The following Appendices contain the technical details of the County Council's assessment process.

1. Education Assessment
2. Community Learning & Youth Service
3. Social Care Assessment
4. General Transfer Requirements