



Tonbridge & Malling Borough Council
Development Control
Gibson Building
Gibson Drive
Kings Hill
WEST MALLING
Kent
ME19 4LZ

FAO: Alda Song

Economic Development

Invicta House
County Hall
Maidstone
ME14 1XX

Phone: 03000 41 41 76
Ask for: Richard Kidd
Email: richard.kidd@kent.gov.uk

Thursday 5th May 2022

Your Ref: TM/22/00571/FL
Our Ref: K/E/TM/22/00571/FL RJK

Dear Alda,

Planning Application: TM/22/00571/FL
Provision and Delivery of County Council Community Services:

We refer to the above planning application, which concerns proposed residential development at **60A Priory Street Tonbridge Kent TN9 2AW** and comprising: **11 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 (x11)	Total	Project
Primary Education	£4,642.00	£51,062.00	Towards the expansion of Primary Schools in the Tonbridge South Planning Group
Secondary Education	£4,540.00	£49,940.00	Towards the 1FE expansion of Tunbridge Wells Grammar School for Boys

('applicable' means: all dwellings except 1 bed of less than 56sqm GIA).

	Per Dwelling (x 11)	Total	Project
Community Learning	£16.42	£328.40	Towards additional resources and equipment at Tonbridge Adult Education Centre
Library Bookstock	£55.45	£1,109.00	Towards additional services and bookstock at Tonbridge Library
Youth Service	£65.50	£1,310.00	Towards additional equipment and resources to enable the Tonbridge Town Youth Centre, and to provide street based youth support interventions local to the development through outreach work to encourage positive social behaviours.
Social Care	£146.88	£2,937.60	Towards the Priority areas of: Assistive Technology, Adapting Community facilities, Sensory facilities and Changing Places within the Borough.
	All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2)		
Waste	£183.67	£3,673.40	Towards improved HWRC and replacement of WTS facilities at North Farm to serve Tonbridge and Malling residents
Broadband:	<p>Condition: Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mbps) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.</p> <p>Reason: To provide high quality digital infrastructure in new developments as required by paragraph 114 NPPF.</p>		

Highways	Kent Highway Services will respond separately
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Please note that these figures:

- are to be **index linked by the BCIS General Building Cost Index from April 2020 to the date of payment** (Apr-20 Index 360.3)
- 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 below.

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Primary Education

The proposal gives rise to two 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 expansion of Primary Schools within the Tonbridge South Education Planning Group.

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 **£1,160.50 per 'applicable' flat** ('applicable' means: all dwellings except 1 bed of less than 56sqm GIA).

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 2022-26 and Children, Young People and Education Vision and Priorities for Improvement 2018-2021.

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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 two additional secondary school pupils from the date of occupation of this development. This need can only be met through the 1FE expansion of Tunbridge Wells Grammar School for Boys, which is a part of the established travel to school pattern for Tonbridge based school pupils and is also in the West Kent Selective Planning Group.

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 expansion of the Judd 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.

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 the cost of mitigation.

To accommodate the increased demand on KCC Adult Education service, the County Council requests **£16.42 per dwelling** towards the cost of providing additional equipment for new learners at Tonbridge Adult Education Centre.

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Libraries

KCC are 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.

Borrower numbers are in excess of capacity, and bookstock in Tonbridge and Malling Borough at 1,110 items per 1,000 population is below the County average of 1,134 and both the England and total UK figures of 1,399 and 1,492 respectively.

To mitigate the impact of this development, the County Council will need to provide additional services and stock to meet the additional demand which will be generated by the people residing in these dwellings.

The County Council therefore requests **£55.45 per household** to address the direct impact of this development, and the additional services and stock will be made available locally at Tonbridge Library, as and when the monies are received.

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Youth Service

The increased demand on the Kent Youth Service in Tonbridge and Malling means that KCC is adapting its delivery model to appropriately serve its client base. This is leading to a mixture of youth centre-based work, and projects and programmes provided via outreach teams within areas of particular need.

New Youth participation is assessed to be generated from this development. Therefore, the County Council requests **£65.50 per dwelling** towards additional resources and equipment to enable the Tonbridge Town Youth Centre, and to assist outreach Youth work in the immediate and surrounding area of the development to strengthen positive social behaviours.

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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 **£146.88 per household** (as set out in Appendix 3) towards specialist care accommodation, assistive technology systems, adapting Community facilities, sensory facilities, and Changing Places locally in the Borough.
- The **Ministry of Housing, Communities and Local Government** identified in June 2019 guidance *Housing for older and disabled people* the need to provide housing for older & disabled people is critical. **Accessible and adaptable housing** enables people to live more independently and safely. Accessible and adaptable housing provides safe and convenient homes with suitable circulation space and suitable bathroom and kitchens. Kent Social Care request these dwellings are built to **Building Reg Part M4(2) standard** to ensure they remain accessible throughout the lifetime of the occupants to meet any changes in the occupant's requirements.

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Waste

Kent County Council is a statutory 'Waste Disposal Authority', responsible for the safe disposal of all household waste arising in Kent, providing Household Waste Recycling Centres (HWRC) and Waste Transfer Stations (WTS). Each household produces an average of a quarter of a tonne of waste per year to be processed at HWRC's and half a tonne per year to be processed at WTS's. The existing HWRCs and WTSs are over capacity and additional housing is having a significant impact on the manageability of waste within Kent.

While development of new HWRC and WTS facilities is underway in the North of the borough, residents in the South of the borough are likely to access waste facilities at North Farm in Tunbridge Wells due to their closer proximity, and show a more desirable proximity to this application site.

Future housing growth/population increase from developments such as the proposed development indicates a significant increase in capacity will be required in the local area.

A contribution of **£183.67 per household** is therefore required towards an improved HWRC and replacement of WTS facilities at North Farm to serve Tonbridge and Malling residents from this proposed development to accommodate the increased waste throughput and mitigate the impact that will arise.

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Broadband: Fibre to the premise/gigabit capable

The NPPF (para 114) and The Department for Digital, Culture, Media and Sport requires full fibre connection to new developments being gigabit capable fibre optic to the premise connection for all.

Please include a Planning Condition to provide 'fibre to the premise' (FTTP) broadband connections to all premises of gigabit capacity.

Developers are advised to make early contact with broadband providers, as there can be a lead in time for cable installation and associated infrastructure.

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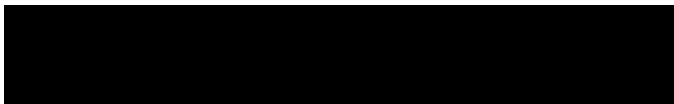
Implementation

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, and County monitoring fee of £500 for each trigger within the Agreement. We would be grateful if you could share at your earliest convenience a draft copy of any section 106 agreement or UU prior to its finalisation.

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.

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

Yours faithfully,



Richard Kidd
Development Contributions
Kent County Council

Cc Skillcrown Homes, Rolfe Judd Planning Ltd, Old Church Court, Claylands Road,
London SW8 1NZ
KCC Communities & Waste
File

Appendices:

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

1. Education Assessment
2. Communities Assessment
3. Social Care Assessment
4. Waste Assessment