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Development Control
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FAO: Andrew Gambrill

BY EMAIL ONLY

**Development Investment
Team**

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11 May 2023

Your Ref: **CA/23/00484**
Our Ref: **K/E/CA/23/00484**

Dear Andy

Planning Application: CA/23/00484
Provision and Delivery of County Council Community Services:

We refer to the above planning application which concerns proposed residential development at **Land At The Hill, Bekesbourne Lane, East Of Bekesbourne Hill, Bekesbourne, CT4 5EA** and comprising: up to **300 Residential Dwellings**.

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. These impacts 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	Per applicable flat	Total - Maximum Contribution Scenario (Based on all Dwellings being Houses)	Project
	300	0		
Primary Education (New)	£7,081.20	£1,770.30	£2,124,360.00	Provision of additional places at the expansion of Littlebourne Primary School and/or provision of places in the planning group/neighbouring planning group, including a new school.
Primary Education Land	£3,377.03	£844.26	£1,013,109.00	Proportionate contribution towards a new Primary school site required to provide additional places.
Secondary Education (New)	£5,587.19	£1,396.80	£1,676,157.00	Provision of additional places within the district and/or at a new secondary school.
Secondary Education Land	£4,392.89	£1,098.22	£1,317,867.00	Proportionate contribution towards a new secondary school site required to provide additional places.
SEND	£559.83	£139.96	£167,949.00	Provision of additional SEND places within the district.

SEND Land	£398.01	£97.69	£119,403.00	Proportionate contribution towards a new SEND school site required to provide additional places.
'Applicable' excludes: 1 bed units of less than 56 sqm GIA, and any sheltered accommodation. Please confirm non-applicable unit numbers.				
	Per Dwelling	Total		Project
	300			
Community Learning & Skills	£34.21	£10,263.00		Contributions requested towards additional equipment and resources for Adult Education Centres and outreach provision serving the development.
Integrated Children's Services	£74.05	£22,215.00		Contributions requested towards additional resources for Integrated Children's Services to enable expansion of capacity within the hubs and provision of outreach work in the vicinity of the development.
Library Services	£62.63	£18,789.00		Contributions requested towards additional library equipment, stock, services including digital infrastructure, infrastructure improvements to increase capacity, shelving and resources for the new borrowers at libraries serving the development, including Canterbury and

			Herne Bay libraries.
Social Care	£180.88	£54,264.00	Specialist Housing Provision in the District, adaptation of community facilities, technology to promote independence, multi sensory facilities and changing place facilities in the vicinity of the development.
			All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2)
Waste Disposal	52	£15,600.00	Towards expansion of Household Waste Recycling Centre Capacity serving the development.
Highways	<i>Kent Highway Services will respond separately</i>		

Please note that these figures:

- are to be **index linked by the All-In Tender Price Index from 1Q 2022 to the date of payment.**
- 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 below and in the attached appendices.

Education

Kent County Council is the Statutory Authority for Education and is the Strategic Commissioner of Education Provision.

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

Primary Education

The proposal gives rise to 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 Littlebourne Primary School and/or provision of places in the planning group/neighbouring planning group, including a new school.

Build Contribution

The County Council requires a financial contribution towards construction of new places at **£7,081.20 per 'applicable' house** and **£1,770.30 per 'applicable' flat** ('applicable' means: all dwellings except 1 bed of less than 56sqm GIA –please confirm whether any of the 1 bed flats proposed are below this threshold).

Land Contribution

The County Council also requires proportionate contributions towards the Primary School land acquisition cost at **£3,377.03 per 'applicable' house** and **£844.26 per 'applicable' flat**.

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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 additional secondary school pupils from the date of occupation of this development. This need can only be met through the provision of new accommodation within the district, including a new school/s and will be provided and delivered in accordance with the Local Planning Authority's Infrastructure Delivery Plan (where available); timetable and phasing.

Build Contribution

The County Council requires a financial contribution towards construction of the new school at **£5,587.19 per 'applicable' house** and **£1,396.80 per 'applicable' flat** ('applicable' means: all dwellings except 1 bed of less than 56sqm GIA –please confirm the number of 1 bed flats proposed below this threshold).

Land Contribution

The County Council also requires proportionate contributions towards the Secondary School land acquisition cost at **£4,392.89 per 'applicable' house** and **£1,098.22 per 'applicable' flat**.

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Special Education Needs and Disabilities Provision

The Children's and Families Act 2014, Equality Act 2010 and Children and Families Act 2014 sets out the county council's responsibilities for children and young people with special educational needs and disabilities (SEND) aged 0-25 years. KCC's [SEND Strategy \(2021-2024\)](#) sets out its vision and priorities in respect of this area of its service.

The number of children and young people with SEND in Kent is 13.4% of the total -school population (January 2019), with the majority educated in mainstream school environments. However, children with more complex needs are supported through an Education, Health and Care Plan (EHCP) which sets out the provision they are entitled to. January 2019 figures for England show that 3.7% (4.1% for Kent) of the total school population were subject to an EHCP. The proportions have been rising both in Kent and nationally and this trend is set to continue. School-age pupils with EHCPs are educated in mainstream school classes, in Specialist Resourced Provisions (SRPs) on mainstream sites and in stand-alone special needs schools.

Mitigation of Need

All SEND infrastructure in Kent is currently at capacity. KCC will, therefore, seek contributions from all housing proposals that meet the threshold to mitigate this new demand.

The SEND pupil product ratios are **0.0110** per house and **0.0027** per applicable flat.

This proposal gives rise to additional pupils with Education and Health Care Plans (EHCPs) requiring extra support through specialist provision. This need will be met through the provision of additional SEND places within the district.

Build Contribution

A proportionate expansion / new build contribution is therefore required of **£139.96 per 'applicable' flat** and **£559.83 per 'applicable' house**.

Land Contribution

A proportionate land contribution of **£97.69 per 'applicable' flat** and **£398.01 per 'applicable' house** is required towards the provision of a new site.

Please note that the process of providing additional education places 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 2023-27 and Children, Young People and Education Vision and Priorities for Improvement 2018-2021.

The site acquisition costs are based upon current local land prices and any section 106 agreement would include a refund clause should all or any of the contribution not be used or required. The school site contributions will need to be reassessed immediately prior to KCC taking the freehold transfer of the site to reflect the price actually paid for the land.

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Community Learning

KCC provides community learning facilities and services for further education in line with KCC policies as set out in its [Strategic Statement Increasing Opportunities, Improving Outcomes](#) (adopted Spring 2015). Community Learning and Skills (CLS) helps people moving to a new development overcome social isolation and encourages community cohesion, as well as improving skills in a wide range of areas.

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 Community Learning, the County Council requests **£34.21 per dwelling** towards the cost of providing additional resources and equipment for Adult Education Centres and outreach provision serving the development.

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Integrated Children's Services

KCC has a statutory duty to provide Youth Services under section 507B of the Education Act 1996. This requires KCC, so far as reasonably practicable, to secure sufficient educational leisure-time activities and facilities to improve the well-being of young people aged 13 to 19 and certain persons aged 20 to 24.

Under the statutory guidance '[Working Together to Safeguard Children](#)', KCC is also required to safeguard and promote the welfare of children, assess their needs and provide help through inter-agency working from pre-birth to 19 years (or 24 years for young people with additional needs).

To accommodate the increased demand on Integrated Children's Services, the County Council requests **£74.05 per dwelling** towards additional resources for Integrated Children's Services to enable expansion of capacity within the hubs and provision of outreach work in the vicinity of the development.

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Library Service

KCC is the statutory Library Authority. Under the Public Libraries and Museums Act 1964, KCC has a statutory duty 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 book stock in the **Canterbury District** at **658** items per 1000 population is below the County average of 1134 and both the England and total UK figures of 1399 and 1492, respectively.

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

The County Council, therefore, requests **£62.63 per household** towards additional resources, equipment and book stock (including reconfiguration of space) at local libraries serving the development, including Canterbury and Sturry libraries.

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Adult Social Care

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 3.

Kent County Council is the Statutory Authority for Adult Social Care. The proposed development will result in additional demand upon Adult Social Care Services (ASC), including older persons and adults with Learning/Neurodevelopmental/Physical Disabilities and Mental Health Conditions. Existing care capacity is fully allocated, with no spare capacity to meet additional demand arising from this and other new developments.

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

- a proportionate monetary contribution of **£180.88 per household** (as set out in Appendix 3) towards specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting Community facilities, sensory facilities, and Changing Places locally in the District.
- The **Department for Levelling Up, Housing and Communities** identified in June 2019 guidance *Housing for older and disabled people*, that the need to provide housing for older & disabled people is critical. **Accessible and adaptable housing** enables people to live more independently and safely, providing safe and convenient homes with suitable circulation space, bathrooms, and kitchens. Kent Adult Social Care requests these dwellings are built to **Building Reg Part M4(2) standard** (as a minimum) to ensure that they remain accessible throughout the lifetime of the occupants, meeting any changes in the occupant's requirements.

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Waste

Kent County Council is the statutory 'Waste Disposal Authority' for Kent, responsible for the safe disposal of all household waste, 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. Existing HWRC's and WTS's are running at capacity and additional housing will create a significant burden on the manageability of waste in Kent.

A contribution of **£52.00 per household** is required towards HWRC Recycling Centres serving the development to mitigate the impact arising from this development and accommodate the increased waste throughput within the District.

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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 £300 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 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 sincerely

Vicky Thistlewood

Vicky Thistlewood
Development Contributions
Kent County Council

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KCC, Education & Communities,
File

Appendices:

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

1. Education Assessment
- 1a. School Land Contribution Assessment
2. Communities Assessment
3. Social Care Requirement
4. Waste Assessment