



Tunbridge Wells Borough Council  
Planning Services  
Town Hall  
ROYAL TUNBRIDGE WELLS  
Kent  
TN1 1RS

FAO: Marie Bolton

## Economic Development

Invicta House  
Maidstone  
Kent ME14 1XX

Phone: 03000 410842  
Ask for: Francis Carpenter  
Email:  
[francis.carpenter@kent.gov.uk](mailto:francis.carpenter@kent.gov.uk)

28 November, 2017

Your ref: TW/17/03780/FULL  
Our ref: K/E/TW/17/03780 FC

Dear Madam,

### Provision and Delivery of County Council Community Services

I refer to the above planning application which concerns proposed residential development at **Brook House, Cranbrook House, Hawkhurst, Cranbrook, Kent, TN18 5EE** and comprising: **25 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 the requirement is set out in the attached Appendix):

## Request Summary

	Per applicable flat	Per applicable house	Total	Project
<b>Primary Education</b>	Although there is a <b>Primary</b> need arising from this development, due to the CIL Reg 123 restriction, KCC are unable to pursue currently.			
<b>Secondary Education</b>	Although there is a <b>Secondary</b> need arising from this development, due to the CIL Reg 123 restriction, KCC are unable to pursue currently.			

	Per Dwelling (x25)	Total	Project
<b>Libraries</b>	£48.02	£1200.40	Towards bookstock at Hawkhurst Library to mitigate the demand from the new borrowers from this development
High Speed Fibre Optic <b>Broadband</b> connection:	<p><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></p>		
<i>Highways</i>	<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 the Appendix attached.

## **Primary and Secondary Education**

Whilst Kent County Council Education Authority can demonstrate a forecast lack of provision caused by this development which will require school expansions, due to the CIL reg 123 pooling restriction the County Council can now not collect contributions from every development.

.....

## **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.

Bookstock in Tunbridge Wells Borough at 1093 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 library books to meet the additional demand to borrow library books which will be generated by the people residing in these Dwellings.

The County Council therefore requests **£48.02 per household** to address the direct impact of this development and the additional stock will be made available at Hawkhurst Library as and when the monies are received.

.....

## **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 Tunbridge Wells Borough Council include 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.

.....

## **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 obligation. 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 faithfully,

*Francis Carpenter*

**Francis Carpenter**

Development Investment

*Kent County Council*

Cc Esquire Developments Ltd, c/o Consilium Town Planning Services Limited, Globe House, Eclipse Business Park, Sittingbourne Road, Maidstone, ME14 3EN – FAO Mr Andrew Street  
KCC Education, Invicta House  
KCC, Communities, Invicta House  
File

**Appendices:**

1. Library bookstock requirement