APPEAL BY TELEREAL TRILLIUM, TELE PROPERTY INVESTMENTS LTD

Former Wye College Buildings, High Street, Wye TN25 4AH

Full planning permission for the Conversion of former College buildings with associated restoration and alterations to buildings, demolition of later structures and rebuilding to provide 38 dwellings and community space; together with provision of 2 new dwellings, parking courts with car barns,

cycle storage and refuse stores on land to the north of the retained

buildings and associated landscaping; and change to parking arrangements

for Squires Cottages

**FINAL CIL COMPLIANCE STATEMENT**

**ASHFORD BOROUGH COUNCIL**

PINS Reference: APP/E2205/W20/3254950

Local Planning Authority Reference: 17/00567/AS

February 03 2021

CONTENTS:

1. Introduction
	1. Background 3
	2. Policies 3
	3. Proposed Planning Obligations 3
2. CIL Tests Summary 15
3. INTRODUCTION
	1. Background
		1. Paragraph 56 of the Framework and Regulation 122 of the Community Infrastructure Levy Regulations 2011(as amended) set tests in respect of planning obligations. Obligations should only be sought where they meet the following tests:
* Necessary to make the development acceptable in planning terms;
* Directly related to the development; and
* Fairly and reasonably related in scale and kind to the development.
	+ 1. Ashford Borough Council is not a “charging authority” for the purposes of the Regulations and currently does not have CIL Charging Schedule.
		2. This statement therefore considers compliance in respect of each of the obligations comprising the obligations proposed to the Local Planning Authority proposed in the s106 Agreement agreed between the Applicants and the Local Planning Authority.
		3. The Kent County Council is the Adult Social Care, Education, Highways and Libraries Authority and has filed their own CIL Justification Statement for their contributions and their justifications will therefore not be replicated below.
	1. Policies
		1. The development plan for the Borough is the Ashford Local Plan 2020 which was formally adopted in February 2019.

1.2.2 The relevant policies for each contribution are referred to in the table under paragraph 2 as a summary and the justification for the obligations are at paragraph 1.3

* 1. Proposed Planning Obligations
		1. All contributions, except for the KCC Highways and Monitoring Fee, are within the s106 as deferred contributions. The appellant has demonstrated that the required developer contributions cannot be met, and a ‘deferred contributions’ system is being used in the s106 agreement in accordance with policy IMP2. Using this approach, the Council has agreed the other Section 106 financial contributions can be foregone on the proviso that, should sales values increase beyond an agreed benchmark in future, some or all of the previously under-funded contributions will be made up.
		2. As it cannot be determined when such a benchmark will be reached, none of the ‘deferred contributions’ have triggers for payment within the s106 agreement and instead rely on the appellant providing a Gross Development Value report to the Council on Occupation of the 32nd Dwelling. This report will be reviewed by the Council who will then be able to advise whether any deferred contributions are due to be paid and which ones. Further Occupation is limited to 36 Dwellings until the deferred contributions (if advised by the Council) have been paid to the Council/County Council as appropriate.
		3. In parallel with the above, a chartered surveyor is to estimate the actual sale prices of the remaining units if the disposals were to occur on the review date and the deferred contributions total will include this figure.
		4. The proposed planning obligations included in the draft Unilateral Undertaking which is being negotiated, cover the following areas of infrastructure:
		5. **Informal/Natural Green Space –**

This provision is **Necessary** as informal/natural green space is required to meet the demand that would be generated by new residents and must be maintained in order to continue to meet that demand pursuant to the following Policies of the Ashford Local Plan:

*SP1 Strategic Objectives* including the requirement to deliver development supported by social, community, and physical infrastructure to promote healthier lifestyles as well as conserving and enhancing the Boroughs natural environment through green infrastructure.

*COM1 Meeting the community’s needs* including infrastructure and facilities including open space and play areas.

*COM2 Recreation Sport Play and open Spaces* seeking a quantum of development of recreation sport play and open spaces provision consistent with the standards established in the Public Green Spaces and Water Environment SPD,

 *IMP1 Infrastructure Provision* seeking the delivery of infrastructure to support new development

*IMP2, Flexibility Viability and Deferred Contributions* seeks to ensure that where proposals do not meet the policy and infrastructure requirements that this is supported by evidence establishing the reason. Where a deficit in infrastructure is deemed acceptable a deferred conditions approach will be adopted to claw back as much of any deficit as possible should market conditions improve.

*Public Green Spaces and Water Environment SPD*. Green spaces and the water environment provide multi-functional spaces which have significant health, environmental, economic and social benefits for those who live work and enjoy recreational facilities within the Borough. This SPD identifies at page 12 that Informal/Natural Green Space should be provided at the level of 2.0 hectares per 1000 persons. This SPD is attached at **Appendix 1** <https://www.ashford.gov.uk/media/1gonshe4/public-green-spaces-water-spd-july-2012.pdf>

Guidance within the *NPPF,* Paragraphs 91-101 in particular.

This site falls beneath the threshold for on site provision (50 units) and therefore a financial contribution is sought to contribute towards provision within the Parish Council area. An off-sitecontribution towards improved access to the riverbank at the village recreation ground, and to provide additional space, at a cost of £14,186.38 to be applied in the event of receipt towards either:

* the leasing of additional land adjacent to Lady Joanna Thornhill Endowed Primary School Bridge Street Wye Ashford TN25 5EA (including all necessary preliminary costs, site clearance, design and implementation of infrastructure works and/or Parish Council identified additional quality improvements to the informal and natural facilities on the Wye Village Hall and recreation ground and green spaces, Bridge Street Wye Ashford TN25 5EA; and/or
* the provision of informal recreation and natural areas on land alongside formal playing pitches and tennis courts in Bridge Street Recreation Ground and/or the provision of a surfaced area beside the MUGA for informal all-weather games activities, skills training and socialising.

To be paid from any deferred contributions.

 With regards deficiencies to open space for Wye, as per the Green Space SPD

 calculation, the parish has existing provision of 3.12 ha – Recreation Ground 1.88

 ha, and Churchfield Way Green 1.24ha. For the estimated population of 2563,

 5.13 ha of informal open space is required: there is a deficiency gap of 2.01 ha.

 The new development will put further stress on this deficiency. The Parish Council

 have identified both quantitative and qualitative improvements for the village as

 above and agreed with the District Council but there are no costings for either of

 these schemes.

* + 1. **Local Highways –** **Public Rights of Way** –

This contribution is **necessary** to accord with Policies SP1 ,TRA5 of the Ashford Local Plan 2030 and Policy WNP10 of the Wye Neighbourhood Plan 2016:

*Policy SP1 Strategic Objectives* includes the objective to promote

 access to a wide choice of easy to use forms of sustainable transport including....walking to encourage as much non car based travel as possible and to promote healthier lifestyles.

Policy TRA5 Planning for Pedestrians refers to development proposals demonstrating safe and accessible pedestrian access and movement routes being delivered and opportunities being taken to connect with and enhance public rights of way whenever possible.

*WNP Policy WNP10 Density and Layou*t: Development will be encouraged to provide links to safe walking and cycling routes to the village centre facilitating access to schools, the surrounding countryside and minimising the need for the car.

Kent County Council (“KCC”), the relevant highways authority, require the AE110 footpath to be resurfaced through the Churchyard between High Street along edge adjacent to allotments up to Olantigh Road at a cost of £10,000 to pay regardless of viability before Occupation of 20 Dwellings.

Kent County Council have submitted evidence regarding the costings associated with the works proposed and this is attached at **Appendix 2.**

This contribution is **Directly related** to the development insofar as residents would live in close proximity to the proposed works and have the opportunity to use the improved public right of way to access the surrounding area.

This contribution is **Fairly and reasonably related in scale and kind** since it is related to and proportionate to the scale of the development and would constitute a scheme capable of use by the future residents promoting sustainable modes of transport in accordance with the Walkable village concept of the Wye Neighbourhood Plan.

* + 1. **Allotments -**

A contribution is **necessary** to accord with the following policies of the Ashford Local plan 2030:

*SP1 Strategic Objectives* includes the objectives to conserve and enhance the Borough’s natural environment including designated

and undesignated landscapes and biodiversity and promote a connected green infrastructure network that plays a role in managing flood risk, delivers net gains in biodiversity and improves access to nature and

To ensure development is supported by the necessary social, community, physical and e-technology infrastructure, facilities and services and

to promote healthier lifestyles.

*COM1 Meeting the community’s needs* including infrastructure and facilities including allotments

*COM2 Recreation Sport Play and open Spaces* seeking a quantum of development of recreation sport play and open spaces provision consistent with the standards established in the Public Green Spaces and Water Environment SPD,

*COM3 Allotments* Are an increasingly popular leisure activity providing wildlife and species rich habitats and attractive areas of green space as well as making a contributions to the planning and promotion of healthy communities encouraging physical activity and social interaction. Where existing allotments meet the quantitative standards identified in the SPD referred to below, then monies can be spent to ensure the allotments comply with the design standards established in the Public Green Spaces and Water Environment SPD, as is the case in this instance.

*IMP1 Infrastructure Provision* seeking the delivery of infrastructure to support new development

*Public Green Spaces and Water Environment SPD* also referred to above in the Informal Green Spaces contribution. Green spaces and the water environment provide multi-functional spaces, including allotments, which have significant health, environmental, economic and social benefits for those who live work and enjoy recreational facilities within the Borough. This SPD identifies at page 12 that Allotments should be provided at the level of 02.hectares per 1000 population This SPD is attached at **Appendix** 1 above.

The *NPPF* at Section 8 addresses the importance of promoting healthy and safe communities referencing allotments in particular at paragraph 91.

In this instance whilst the number of allotments in Wye meet the identified provision standard, the Wye Parish Council have identified that the quality of the allotments does not comply with the standards for more users and design principles of the SPD, and works are required to ensure compliance with the design principles. Therefore a contribution of £12,880 to be applied in the event of receipt towards the provision and maintenance of land within the Parish of Wye for use as allotments. To be paid from any deferred contributions.

* + Improved fencing (including rabbit).
	+ ‘Grass guard’ type surfacing for all-year round user parking areas,
	+ improved access and construction of raised beds for wheelchair users,
	+ -water supply provision
* Conservation allotment plot mapping and boundary marking
* Other land management measures at Beanfield (Occupation road)
* and/or Churchfield allotments (between Churchfield Way and Bridge

 Street, Wye)

* + and/or towards the extension of Beanfield allotments to meet the demand generated by the site to be paid upon occupation of 75% of the dwellings.

These projects have been identified in agreement with the Wye and Hinxhill Parish Council.

The contribution is **Directly related** to the development insofar as future residents of the scheme could use the local allotments.

The contribution sought is **Fairly and reasonably related in scale and kind** by virtue of the fact that the contribution is derived from the standards identified within the Public Green Spaces and Water Environment SPD which forms part of the supporting evidence to the Adopted Ashford Local Plan 2030. They are proportionate to the number of future residents of the scheme.

* + 1. **Cemeteries** -

Contributions are **necessary** to comply with the following policies of the Ashford Local plan 2030:

*COM1 Meeting the community’s needs* including infrastructure and facilities including cemeteries

*COM4 Cemetery Provision* advises that proposals for new provision will be supported subject to provision of suitable land, no adverse impacts upon the water table and sympathetic impacts upon the wider landscape.

*IMP1 Infrastructure Provision* seeking the delivery of infrastructure to support new development

*Public Green Spaces and Water Environment SPD* also referred to above in the Informal Green Spaces contribution. Green spaces and the water environment provide multi-functional spaces, including cemeteries, which have significant health, environmental, economic and social benefits for those who live work and enjoy recreational facilities within the Borough. This SPD identifies at page 12 that Cemeteries should be provided at the level of 0.6hectares per 1000 population This SPD is attached at Appendix 1 above.

In accordance with the above SPD, the scheme is required to provide a contribution of £9,283.25 to be applied in the event of receipt towards the construction of an extension to Churchfield burial ground. To be paid from any deferred contributions. This would be applied in the event of receipt towards:

o The creation of direct and accessible access;

o A new garden of remembrance;

o Hard and soft landscaping;

o Signage;

o Seating and related works at the Cemetery (including the cost of the preparation of any necessary landscape design and management plan

For the estimated population of 2,563, 1.54 ha of cemetery provision is required in accordance with the standards specified in the Green Space SPD calculation; 1.31 ha is currently provided, leaving a deficiency gap of 0.23 ha. Further development will increase this deficiency and put pressure on existing provision.

The contributions are **Directly related to the development** insofar as the cemetery provision would be available for use by future residents.

It is **Fairly and reasonably related in scale and kind** to the proposed development insofar as the contributions are compliant with the scale identified in the relevant SPD which forms part of the supporting evidence for the Ashford Local Plan 2030 and are proportionate to the number of future residents of the scheme

* + 1. **Off-Site Equipped Open Space and Play Facilities Contribution –**

The contribution is **Necessary** to ensure compliance with the following policies of the – Ashford Local Plan 2030:

*COM1 Meeting the community’s needs* including infrastructure and facilities, including play space.

*COM2 Recreation Sport Play and open Spaces* seeking a quantum of development of recreation sport play and open spaces provision consistent with the standards established in the Public Green Spaces and Water Environment SPD.

*IMP1 Infrastructure Provision* seeking the delivery of infrastructure to support new development.

*The Public Green Spaces and Water Environment SPD* is also referred to above. Green spaces and the water environment provide multi-functional spaces, including Children’s and Young Peoples Play Space, which have significant health, environmental, economic and social benefits for those who live work and enjoy recreational facilities within the Borough. This SPD identifies at page 12 that Children’s and Young Peoples Play Space should be provided at the level of 0.5hectares per 1000 population This SPD is attached at **Appendix** 1 above.

The *NPPF* at Section 8 identifies the importance of achieving healthy, inclusive and safe places which promote social interaction, safely, to enable and support healthy lifestyles. Paragraphs 96-101 consider access to a network of high quality open space and opportunities for sport and physical activity

In accordance with the provisions of the Public Green Spaces and Water Environment SPD the scheme should deliver a contribution of £21,214.19 to be applied in the event of receipt towards either the leasing of additional land adjacent to the school playing field and/or the improvement of existing play facilities on the recreation ground to facilitate the provision of outdoor play facilities for 0 – 8 year olds and integrate accessible play equipment in the design for children with disabilities and special needs. To be paid from any deferred contributions.

The contributions **are Directly related** to the development insofar as he scheme provides for family housing where future residents are likely to have children who would use the facilities provided within the local area.

It is **Fairly and reasonably related in scale and kind** by virtue of the fact that the contribution is derived from the standards identified within the Public Green Spaces and Water Environment SPD which forms part of the supporting evidence to the Adopted Ashford Local Plan 2030. The contribution is proportionate to the number of future residents of the scheme.

* + 1. **Libraries –**

KCC require the sum of £1920.63 to be applied in the event of receipt as a contribution towards additional book stock at Wye Library I Upper Bridge Street Wye Ashford TN25 5AF. To be paid from any deferred contributions.

Kent County Council have submitted their own evidence to support this infrastructure request.

* + 1. **Primary School –**

KCC require the sum of £63,987 to be applied in the event of receipt towards the provision and maintenance of a new group room at Lady Joanna Thornhill Endowed Primary School Bridge Street Wye Ashford TN25 5EA. To be paid from any deferred contributions.

Kent County Council have submitted their own evidence to support this infrastructure request.

* + 1. **Secondary School –**

KCC requirethe sum of £79,220to be applied in the event of receipt towards the expansion of the hall at The Norton Knatchbull School Hythe Road Ashford Kent TN24 0QJ .To be paid from any deferred contributions.

Kent County Council have submitted their own evidence to support this infrastructure request.

* + 1. **Outdoor Sports –**

A contribution is considered **necessary** to accord with the following Local plan policies:

*COM1 Meeting the community’s needs* including infrastructure and facilities, including outdoor sports facilities.

*COM2 Recreation Sport Play and open Space*s seeking a quantum of development of recreation sport play and open spaces provision consistent with the standards established in the Public Green Spaces and Water Environment SPD.

*IMP1 Infrastructure Provision* seeking the delivery of infrastructure to support new development.

*The Public Green Spaces and Water Environment SPD is* also referred to above. Green spaces and the water environment provide multi-functional spaces, including outdoor sports provision, which have significant health, environmental, economic and social benefits for those who live work and enjoy recreational facilities within the Borough. This SPD identifies at page 12 that Outdoor Sports pitches should be provided at a rate of 1.6ha per 1000 persons. This SPD is attached at Appendix1 above.

The *NPPF*  at Section 8 identifies the importance of achieving healthy, inclusive and safe places which promote social interaction, safely, to enable and support healthy lifestyles. Paragraphs 96-101 consider access to a network of high quality open space and opportunities for sport and physical activity

In accordance with the provision of the Public Green Spaces and Water Environment SPD the sum of £51,940.44 is to be applied in the event of receipt, towards an extension to the existing recreation ground off Bridge Street , Wye. To be paid from any deferred contributions.

The Parish Council have identified a number of projects to which this contribution could be put:

A s106 contribution is necessary to meet the purchase cost of additional land on which to create physically and financially sustainable natural turf playing surfaces, in accord with guidance provided in Natural Turf for Sport (2011) Design Guidance Note, Revision 002, Sport England pp72. Further s106 funding is also necessary to meet necessary preliminary costs related to site acquisition. Formal pitch construction works will then be needed to convert the open of land to a playable sports surface which will meet Sport England’s construction methodology and guidance, e.g. for player safety, slope, infiltration rates and pitch dimensions.

The necessary preliminary works and costs will be site specific, but these works could reasonably include feasibility and needs studies, gap analysis, land, soil and drainage surveys, planning fees for change of use and new ancillary sports facilities, legal transaction fees, searches, wayleave negotiations, soil contamination studies, remediation works and professional pitch design consultancy and project management, CDM and related fees.

Playing surface construction works would include the associated site clearance, regrading, drainage, underground services, water management, parking, landscaping and fencing needed to facilitate and secure a high quality mixed sports facility. In summary, this would comprise natural turf surfaces which are attractive to use, economic to maintain, remain playable all year round, and be able to sustain a high frequency of play during the winter months. The investment of s106 in drainage works will provide long term public benefits.

The design and layout of the playing surfaces must anticipate and also enable the incorporation of other necessary capital sports-related works, when funds permit. To function effectively as a sports facility the acquired land will also need to be supported by some ancillary sports related facilities. These ancillary works may include: changing rooms, WCs, flood lighting to enable winter training, secure, grounds maintenance and sports equipment storage facilities and other security measures which may be necessary in an isolated rural location. Again, these ancillary sports related facilities will need to be designed to standards that meet Sport England specifications. Additionally, the facilities will need to be visually and functionally appropriate in the North Downs AONB or its setting.

In summary, the s106 required for additional land is necessary to supplement the existing land-limited sports facilities in Wye in public ownership (one 91m x 55m football pitch) at the recreation ground off Bridge Street Wye. This pitch size restricts play to U15/16 teams and is inadequate to meet minimum length requirement for U17/18 youth or senior (over 18) teams. This size constraint excludes the majority of Wye residents.

The new facility would support and extend existing sports club pitch needs, and benefit players of all ages in the established sports clubs e.g. Wye Monarchs, Wye Junior Football Club and Wye Cricket Club, extend their capacity to meet the sports needs of a growing population in Wye, and support their youth development work. However, the new sports field would be for general public use and benefit and not restricted to these clubs.

In summary, the s106 required for additional land is necessary to supplement the existing land-limited sports facilities in Wye in public ownership (one 91m x 55m football pitch) at the recreation ground off Bridge Street Wye. This pitch size restricts play to U15/16 teams and is inadequate to meet minimum length requirement for U17/18 youth or senior (over 18) teams. This size constraint excludes the majority of Wye residents.

The new facility would support and extend existing sports club pitch needs, and benefit players of all ages in the established sports clubs e.g. Wye Monarchs, Wye Junior Football Club and Wye Cricket Club, extend their capacity to meet the sports needs of a growing population in Wye, and support their youth development work. However, the new sports field would be for general public use and benefit and not restricted to these clubs

No evidence is however available regarding the costs of any parts of these works.

* + 1. **Clinical Commissioning Group Contribution -**

A contribution is **necessary** to accord with the following policies of the Ashford Local plan 2030:

*COM1 – Community needs*– infrastructure and facilities are required to meet the needs generated by new development including ...health provision. Some needs will be delivered in liaison with the relevant stakeholders and service providers to ensure that the provision is supplied in a way that meets their requirements and supports sustainability.

*IMP1 Infrastructure Provision:* seeking the delivery of infrastructure to support new development.

*IMP2:* *Flexibility Viability and Deferred Contributions* seeks to ensure that where proposals do not meet the policy and infrastructure requirements that this is supported by evidence establishing the reason. Where a deficit in infrastructure is deemed acceptable a deferred conditions approach will be adopted to claw back as much of any deficit as possible should market conditions improve.

The Council is advised by the CCG, as reported to the Planning committee in June 2018 that In this instance the additional patients this scheme could create would be in the region of 100 people. Wye is a discreet geographical community with health care provided by Wye surgery – there are no alternatives for Wye residents. The scheme will have an impact on the Wye surgery and the sum of £37,400 should be applied in the event of receipt towards the enhancement and increased capacity of Wye Surgery Oxentum Road Wye Kent TN25 5AY within the Clinical Commissioning Group to enable residents to gain access to quality health care. To be paid from any deferred contributions.

The NHS advice is that this would require an extension of 8 square meters to the Wye surgery to provide extra health care space.

Project – Increase capacity at Wye Surgery.

Should the CCG be unable to secure contributions, the following risks have been identified:

• Increase in patient list sizes beyond nationally recommended guidelines

• Services that become more difficult to access due to longer waiting times

• Impact on waiting times for routine GP appointments

• Removal of local services that are provided in GP settings and moved back to acute hospital settings in order to free up capacity within GP premises

• Services in the acute sector generally result in longer waiting times and are less convenient to access

• Closed GP lists with new patients having to go through an assignment process giving no guarantee of a practice of choice or that families can be kept together

The NHS calculation for the number of potential people living in the development assumes an average occupancy per dwelling as follows

• 1 bed dwelling = 1.4 persons

• 2 bed dwelling = 2 persons

• 3 bed dwelling = 2.8 persons

• 4 bed dwelling = 3.5 persons

This equates to 90.3 persons which the NHS/CCG rounded to 100 for ease of calculation, and gives the healthcare space requirement of 8sqm.

The CCG currently uses a benchmark cost of £3000 + VAT per sq m for the construction of healthcare space. Added to this is an additional 30% for development costs (architects, legal fees, planning etc) The 8sqm considered necessary as a result to mitigate the impact of this development would therefore cost an estimated 8 x 3000 + VAT = £28,800 Plus the additional 30% = £37,440 in total.

The contributions are **Directly related** to the development insofar as the scheme provides new accommodation for residents who would be likely to use local health care facilities.

It is **Fairly and reasonably related in scale and kind** being proportionate to the number of future residents and their anticipated impacts upon the local health care facilities.

* + 1. **Monitoring Fee –**

£1000 per annum until the development has completed towards the cost of monitoring compliance with the undertaking. The first payment to be paid upon commencement of the development and on the anniversary thereof each year subsequent. To be paid regardless.

This fee is **Directly Related** to the scheme insofar as it allows the monitoring of the costs associated with the development to ensure delivery of the infrastructure identified as necessary pursuant to his development.

The contribution is **Fairly and Reasonably related in Scale and Kind** being applicable to infrastructure needed to respond to the need generated by the level of the scheme.

All contributions are indexed in accordance with national price indices in accordance with the following <https://www.ashford.gov.uk/media/wy5hm0ut/national-price-indices.pdf> **Appendix 3.**

2. CIL TESTS SUMMARY

2.1.1 The following table summarises the above planning obligations and how they comply with the three tests set out in the Regulation 122 Assessment:

|  |  |
| --- | --- |
| **Planning Obligation** | **Compliance with Regulation 122 Assessment** |
| **Detail** | **Amounts (s)** | **Trigger Points (s)** |
| **Informal/Natural Green Space**Project: As above . | £14,186.38  | To be paid from any deferred contributions. | **Necessary** as informal/natural green space is required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies SP1, COM1, COM2, IMP1 and IMP2, Public Green Spaces and Water Environment SPD and guidance in the NPPF. It must be maintained for 10 years in order to meet the demand generated by the development.**Directly related** as occupiers will use informal/natural green space and the facilities to be provided would be available to them.**Fairly and reasonably related in scale and kind** considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years. |
| **Local Highways** *Site specific project:*AE110 Footpath to be resurfaced through the Churchyard between High Street along edge adjacent to allotments up to Olantigh Road |  £10,000 total | Before Occupation of 20 Dwellings | **Necessary** in order to meet the demand generated by the development and in the interests of highway safety pursuant to Local Plan 2030 Policies SP1, TRA1 , KCC Highways guidance and guidance in the NPPF. This is subject to any update KCC may have provided.**Directly related** as occupiers will use the footpath and the facilities to be funded will be available to them. **Fairly and reasonably related in scale and kind** as would be site specific requirement to enable site delivery. |
| **Accessible Housing** At least 20% of all homes shall be built in compliance with building regulations M4(2) as a minimum standard. | Provide on-site 20% of all units. | Dwellings required to be built in accordance with the standard to be approved prior to construction commencing.Prior to first occupation of 50% of the dwellings not required to be built in accordance with the standard. | **Necessary** as would provide accessible housing pursuant to policies SP1 and HOU14(a) of Local Plan 2030 and guidance in the NPPF. **Directly related** as accessible homes for those with reduced mobility would be provided on-site.**Fairly and reasonably** related in scale and kind as based on a proportion of the total number of housing units to be provided. |
| **Allotments**Project: As above | £12,880  | To be paid from any deferred contributions. | **Necessary** as allotments are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies SP1, COM1, COM2, COM3, IMP1 and IMP2, Public Green Spaces and Water Environment SPD and guidance in the NPPF.**Directly related** as occupiers may use allotments and the facilities to be provided would be available to them.**Fairly and reasonably related in scale and kind** considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years. |
| **Cemeteries**Project: proposed extension to the Churchfield Burial Ground  | £9,283.25  | To be paid from any deferred contributions | **Necessary** as cemeteries are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies COM1, COM4, IMP1 and IMP2, Public Green Spaces and Water Environment SPD and guidance in the NPPF.**Directly related** as occupiers will use cemeteries and the facilities to be provided would be available to them.**Fairly and reasonably related in scale and kind** considering the extent of the development and the number of occupiers and the extent of the facilities to be maintained and the maintenance period is limited to 10 years. |
| **Off-Site Equipped Open Space and Play Facilities Contribution** Project: As above | £21,214.19  | To be paid from any deferred contributions. | **Necessary** as children’s and young people’s play space is required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies COM1, COM2, IMP1 and IMP2, Public Green Spaces and Water Environment SPD, and guidance in the NPPF.**Directly related** as occupiers will use children’s and young people’s play space and the facilities to be provided would be available to them.**Fairly and reasonably related in scale and kind** considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years. |
| **Libraries**For additional book stock at Wye Library I Upper Bridge Street Wye Ashford TN25 5AF  | £1,920.63 | To be paid from any deferred contributions. | **Necessary** as more books required to meet the demand generated and pursuant to Local Plan 2030 Policies SP1, COM1 and KCC’s ‘Development and Infrastructure – Creating Quality Places’ and guidance in the NPPF. This is subject to any update KCC may have provided.**Directly related** as occupiers will use library books and the books to be funded will be available to them. **Fairly and reasonably related in scale and kind** considering the extent of the development and because the amount is calculated based on the number of dwellings.  |
| **Primary Schools** Projects: provision and maintenance of a new group room at Lady Joanna Thornhill Endowed Primary School Bridge Street Wye Ashford TN25 5EA | £63,987 | To be paid from any deferred contributions. | **Necessary** as no spare capacity at any primary school in the vicinity and pursuant to Local Plan 2030 Policies SP1, COM1, IMP1 and IMP2, KCC’s ‘Development and Infrastructure – Creating Quality Places’ and guidance in the NPPF. This is subject to any update KCC may have provided.**Directly related** as children of occupiers will attend primary school and the facilities to be funded would be available to them. **Fairly and reasonably related in scale and kind** considering the extent of the development and because the amount has taken into account the estimated number of primary school pupils and is based on the number of dwellings and because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly.  |
| **Secondary Schools**Project:Towards the expansion of the hall at The Norton Knatchbull School Hythe Road Ashford Kent TN24 0QJ  | £79,220 | To be paid from any deferred contributions.  | **Necessary** as no spare capacity at any secondary school in the vicinity and pursuant to, Local Plan 2030 Policies SP1, COM1, IMP1 and IMP2, Developer Contributions/Planning Obligations SPG, Education Contributions Arising from Affordable Housing SPG (if applicable), KCC’s ‘Development and Infrastructure – Creating Quality Places’ and guidance in the NPPF. This is subject to any update KCC may have provided.**Directly related** as children of occupiers will attend secondary school and the facilities to be funded would be available to them. **Fairly and reasonably related in scale and kind** considering the extent of the development and because the amount has taken into account the estimated number of secondary school pupils and is based on the number of dwellings and because no payment is due on small 1-bed dwellings or sheltered accommodation specifically for the elderly.  |
| **Outdoor Sports**Towards an extension to the existing recreation ground off Bridge Street Wye | £51,940.44 | To be paid from any deferred contributions. | **Necessary** as outdoor sports are required to meet the demand that would be generated and must be maintained in order to continue to meet that demand pursuant to Local Plan 2030 Policies COM1, COM2, IMP1 and Public Green Spaces and Water Environment SPD and guidance in the NPPF.**Directly related** as occupiers will use sports pitches and the facilities to be provided would be available to them.**Fairly and reasonably related in scale and kind** considering the extent of the development and the number of occupiers and the extent of the facilities to be provided and maintained and the maintenance period is limited to 10 years. |
| **Clinical Commissioning Group Contribution** Towards the enhancement and increased capacity of Wye Surgery Oxentum Road Wye Kent TN25 5AY | £37,400 | To be paid from any deferred contributions. | **Necessary** as additional healthcare facilities required to meet the demand that would be generated pursuant to Local Plan 2030 Policies SP1, COM1, IMP1 and guidance in the NPPF.This is subject to any update the CCG may have provided.**Directly related** as occupiers will use healthcare facilities and the facilities to be funded will be available to them. **Fairly and reasonably related in scale and kind** considering the extent of the development and because the amount has been calculated based on the estimated number of occupiers. |
| **Monitoring Fee**Contribution towards the Council’s costs of monitoring compliance with the agreement or undertaking | £1000 per annum until development is completed  | First payment upon commencement of development and on the anniversary thereof in subsequent years  | **Necessary** in order to ensure the planning obligations are complied with. **Directly related** as only costs arising in connection with the monitoring of the development and these planning obligations are covered. **Fairly and reasonably related in scale and kind** considering the extent of the development and the obligations to be monitored. |