

CHILMINGTON GREEN, ASHFORD ROAD, GREAT CHART, TN26 2BQ

**S106B APPLICATION TO MODIFY/AMEND THE S106 AGREEMENT DATED 27
FEBRUARY 2017 (AS AMENDED) (PLANNING APPLICATION NUMBER 12/00400/AS)**

PINS Ref: APP/E2205/W/24/3345454

**Kent County Council Responses to Questions Raised by the Inspector During
Round Table Session – Schedule 16 Other KCC Services (Monday 14th April 2025)**

Question 8 – Why were anniversary dates included within this Schedule?

Anniversary dates would usually be connected to the applicant's housing delivery projection and ensure that services are available to the new population as they arrive. For example, in the case of library provision, this is to ensure for instance that those occupiers of the first 2000 dwellings do not lack library facility access for more than 10 years if the delivery of development slows. KCC has a statutory duty (under the Public Libraries and Museums Act 1964) and comprehensive planning policy requirements) to provide a comprehensive and efficient library service for its population. The anniversary triggers ((also at 17, 20 and 25 years from Commencement as the occupations commensurately increase), are necessary, long stop safeguards.. Such dates are linked to the provision of enabling contributions to be available to establish services within proposed community buildings in line with the delivery of that facility. This attempts to reduce any unnecessary disruption of internal construction/fitting out post opening.

The Appellants' application to amend this Schedule seeks only to discharge the obligations and therefore, amendments such as deletion of anniversary date triggers are not the subject of this appeal.

Question 9 – Provide an explanation of how the Adult Social Care (ASC) Client Numbers have been calculated.

Table 1 within CD 4/3/1 details the projected client demand arising from the 5,750 dwellings for each Adult Social Care (ASC) contribution area sought by the county council within it's Developer Contributions Guide 2023 (CD4/3). Demand from this Development is calculated as follows:

- Specialist Housing: 25.3 clients (0.0044 per dwelling)
- Assistive Technology and Home Adaptation: 54.05 clients (0.0094 per dwelling)

- Equipment (including Changing Places/Sensory facilities): 433.55 clients (0.0754 per dwelling)
- Day Care (Adapting community facilities): 17.25 clients (0.003 per dwelling)

The calculations above indicate a total of 531 instances of client need across these areas. It is important to note that this figure represents the demand for mitigation across all specified ASC provisions, rather than necessarily 531 separate individuals, as some clients may require support in multiple areas.

Question 10 – Does the calculation of client numbers for each service area take account of existing KCC clients who move into Chilmington Green?

The principle of developer contributions (s106) is to address the increased demand for local services directly resulting from new residential development where existing capacity is insufficient. In the case of the 5,750 dwellings at Chilmington Green, Kent County Council (KCC) has calculated the anticipated rise in client numbers across all service areas within Schedule 16.

While it is acknowledged that some future residents may currently access KCC's services, no discount has been applied for potential existing clients moving into the Development. This decision is based on the fundamental understanding that the introduction of a significant number of new dwellings will inevitably place additional and unmitigated pressure on KCC's services.

Furthermore, the scenario where residents relocate within the area to the new development does not negate this increased demand. Instead, it is anticipated that the vacated dwellings will be backfilled, leading to an overall net increase in the local population and consequently, the number of individuals requiring access to KCC's services. Discounting based on internal migration would fail to account for this inevitable population growth.

It is also important to note that the projected client numbers are, in some instances, based on conservative estimates:

- For libraries, a user rate of 0.29 per dwelling has been applied, despite the Development being a strategic development likely to attract a higher proportion of young families, who are typically significant library users.
- For Youth and Children's Family Services, the calculation targets only 25% of the anticipated child and young person population arising from the development, potentially underestimating the true demand.
- For Adult Social Care (under Family Social Care), the stringent eligibility criteria for KCC's services mean that the current client figures likely represent a fraction of the broader population who would benefit from the proposed measures necessitated by the increased population.

Therefore, the full s106 contributions as calculated are essential to ensure KCC can adequately meet the increased service demands generated by the new development at Chilmington Green, irrespective of the prior residency status of some future occupants. Discounting would undermine the fundamental purpose of s106 obligations and compromise the ability to provide necessary services to the expanded community.