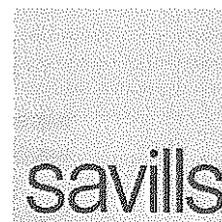


14 February 2013  
LDF Response



Head of Planning Policy

Sent by email to: [ldf@dartford.gov.uk](mailto:ldf@dartford.gov.uk)

c/o Thames Water  
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Vastern Road, Reading  
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savills.com

Dear Sir / Madam

**DARTFORD COMMUNITY INFRASTRUCTURE LEVY - DRAFT CHARGING SCHEDULE - JANUARY 2013**

Thank you for the opportunity for Thames Water Utilities Ltd. (Thames Water) to comment on the above. Thames Water Utilities Ltd (Thames Water) Property Services function is now being delivered by Savills (UK) Limited as Thames Water's appointed supplier. Savills are therefore pleased to respond to the above consultation on behalf of Thames Water.

Thames Water is the statutory water and sewerage undertaker for the majority of Dartford Borough and are hence a **"specific consultation body"** in accordance with the Town & Country Planning (Local Development) Regulations 2004 (as amended in May 2008). In our role as a statutory undertaker we provide new water and wastewater infrastructure, which can include new buildings, in order to support growth and deliver environmental improvements. In this context we have the following comments on the draft Community Infrastructure Levy (CIL) Charging Schedule.

**Summary**

Thames Water provides essential water supply and waste water treatment infrastructure that is required to support development and growth and to deliver environmental improvements. That infrastructure provision can incorporate the provision of buildings such as new sewage pumping stations or new water treatment buildings, for example. The provision of such infrastructure does not result in any impact or increased demand for other forms of infrastructure such as schools, open space and libraries. We therefore consider that water and wastewater infrastructure buildings should be exempt from payment of the Community Infrastructure Levy for the following reasons:

- It is our understanding that it is unlikely that the provision of water and waste water infrastructure could be funded through CIL. This infrastructure is ordinarily funded via the Water Industry Act and the Asset Management Planning (AMP) funding process that is regulated by OFWAT and ultimately comes from our customer's bills.
- The CIL was not taken into account in the submission of our Business Plan submitted to Ofwat for AMP5 covering the period from April 2010 to March 2015 and hence, if for any reason, we

were required to pay CIL this would impact on the ability to deliver important water and wastewater infrastructure required to support growth; and

- Water and wastewater infrastructure is by its nature essential to support growth and to deliver environmental improvement. The provision of such infrastructure usually does not result in any increased demand for other types of infrastructure such as schools, open space and libraries for example and therefore has no significant impact on wider infrastructure provision.

### **Purpose of the CIL**

The purpose of the CIL is to raise funds from developers of new building projects to help fund infrastructure that is needed as a result of increased demand arising from new development. As set out above water and wastewater infrastructure is also essential to support new development, however such development is unlikely to put additional pressure on the above mentioned other types of infrastructure.

The Communities and Local Government document entitled "*The Community Infrastructure Levy – An Overview*" sets out that the money raised by developer contributions should be spent in a way that developers feel is worthwhile namely on infrastructure to support development and the creation of sustainable communities. The document also sets out that "*the responsibility to pay the levy runs with the ownership of land on which the liable development will be situated. This is in keeping with the principle that those who benefit financially when planning permission is given should share some of that gain with the community. That benefit is transferred when the land is sold with planning permission, which also runs with the land.*"

The predominant aims of water and wastewater infrastructure development are to support growth (the same aim as the CIL) and to deliver environmental improvements, rather than to increase the financial value of land on a profit making basis. Consequently, Thames Water does not benefit in the same way as residential or commercial developers through the ability to sell operational sites with planning permission in place for operational buildings.

Given that the aim of new water or wastewater development is to provide the infrastructure required to support growth or to deliver environmental improvements it is considered that charging the CIL on such developments would be unreasonable.

Given the above we consider that the Dartford CIL Charging Schedule should make it clear that water and waste water developments will not be subject to CIL. As currently written the schedule applies CIL at a rate of £25 per square metre to any development types not identified elsewhere in the schedule. Water and waste water infrastructure developments are usually Sui Generis Use Class and for clarity and for the reasons set out above we consider that buildings required for water and wastewater infrastructure provision should not be subject to CIL.

We consider that the list of "Other Developments Types" that are identified in the draft Schedule as not subject to CIL charging should be extended, as follows, to include developments associated with the provision of water and waste water infrastructure:

*"Community uses where the development is provided for the public on a not for profit basis, these would include education; health; sports and leisure; social and social care facilities; waste collection and transfer facilities; and developments associated with the provision of water supply and waste water infrastructure."*

We trust the above is satisfactory, but please do not hesitate to contact me if you have any queries.

Yours sincerely

**Philip Jameson** BSc (Hons), Dip TP, MRTPI  
Town Planner