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 Ask for: Liz Shier
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 Date: 14th February 2013

Dear Teresa,

Dartford Community Infrastructure Levy – Draft Charging Schedule

The County Council welcomes the opportunity to comment on Dartford Borough Council's Draft Charging Schedule for the Community Infrastructure Levy (CIL). The draft charging rates that the Borough Council proposes for zones in Dartford are as follows:

| Zone | Development Type | CIL Rate (£ per sq. m) |
|--------------------------------|---|-----------------------------------|
| Residential Development | | |
| A (south) | All residential development | £200 |
| B (north) | Residential development of less than 15 homes, providing solely market housing | £200 |
| B (north) | Residential development of 15 homes or more, providing a housing mix which includes a proportion of affordable housing | £100 |
| Retail Development | | |
| D (remainder) | All retail development above 500 sq. m. | £125 |
| C (town centre) | Supermarkets (above 500sqm) | £65 |
| C & D | All other retail development | £0 |
| Other Development Types | | |
| | Office, Industrial, Hotel, Leisure Any development types not identified elsewhere in the schedule | £25 |
| | Residential institutions (C2) Community uses where the development is provided for the public on a 'not for profit' basis; these could include education; health; sports and leisure; social and social care facilities; and waste collection and transfer facilities. | £0 |

Kent County Council's Response

Draft CIL Rates

The County Council notes that sites over 15 dwellings in the northern zone, including the major regeneration sites in Dartford, and which will include a proportion of affordable housing, are proposed to have a lower CIL charge of £100. KCC also notes that a lower charge of £65 is proposed for larger retail developments in the town centre. KCC welcomes these distinctions in that they reflect the real costs and therefore viability that in general may apply to development in such locations.

KCC welcomes the application of zero CIL charge to community and waste uses, but questions the qualification that the zero charge should apply solely to development provided "for the public on a not for profit basis". KCC suggests that such a distinction is not justified under the CIL Regulations since it is not based on a type of development but refers to a financial status that is hard to define. For example, a health development funded under a PPF contract and in part operated by the private sector will include an element of profit.

KCC proposed in its letter to the Borough Council of 16th May 2012 that eligible minerals uses should also be subject to a zero charge. This is because structures in minerals use are generally of low value and are provided for environmental and not commercial reasons, for example to suppress noise and dust, and should not be discouraged by the imposition of charge of £25 per sq m.

KCC requests the Borough Council to consider the possible unintended consequences from a charge of £25 on "any development types not identified elsewhere in the schedule". Unless the Borough Council has evidence to the contrary, the viability of agricultural structures for example, necessary for the protection of crops and livestock, could be undermined because they are extensive but of low value.

KCC would prefer an approach that identifies the development types on which CIL can be justified by viability evidence and is to be charged, and then applies a zero rate to all other development.

Section 106 and CIL

KCC would welcome the addition of a footnote to Table 1 (CIL Overview report) to make clear that in addition to the infrastructure mentioned, section 106 obligations will also be used to provide site specific infrastructure including education, community facilities and transport infrastructure. As currently drafted para 1.7 of the Charging Schedule could be interpreted as precluding contributions for anything other than that included in Table 1 and KCC believes this is not the intention. The *Infrastructure Cost Plan* makes it clear that other infrastructure (i.e. that which is site specific) will be provided through section 106, and this should be cross referenced in Table 1 to avoid doubt.

Infrastructure requirements

Education

KCC has reviewed the education projects identified in Dartford's IDP against the outputs from the IIFM for education, and against the current *School Commissioning Plan*. The IDP includes most of KCC's requirements, but those not identified are as follows:

- Both the School Commissioning Plan and the IIFM identify the potential need for two secondary schools. This is predicated on new development in the Ebbsfleet Valley not

being able to deliver an 8FE school, in which case an additional 4FE may be commissioned. The latest strategic population forecasts show a steady rise in the number of secondary school age cohort from 2016.

- Similarly, both outputs indicate a need for primary school provision in the town centre and north Dartford should new housing be delivered
- The IIFM also indicates a need for a 1FE primary school in the Dartford Urban Area, but the viability of the project in terms of need is difficult to justify

The IIFM was prepared in 2011 based on a housing trajectory provided by Dartford BC, and the outputs were signed off by the Area Education Officer in April 2011. It has been agreed that 2 further dwelling development scenarios will be run for Dartford based on lower and higher numbers. A meeting has been arranged for this purpose on 21st February.

Families and Social Care

The IDP appears to include all project requirements but the Borough Council is asked to clarify that the 'Village Hall/Community Centre' project for the North West Sub Station site includes dedicated space for Family and Social Care in line with the draft S106 agreement, a kitchen area compliant with the Disability Discrimination Act (DDA), and an adult changing place.

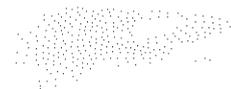
KCC welcome the inclusion of Assistive Technology as a project to be funded by S106.

Customer & Communities

The provision at Eastern Quarry is included, but not other projects. This was expected, and Note 3 at the end of the document is helpful.

I trust you will find these comments useful,

Yours sincerely,



On behalf of the Director of Planning and Environment