

Monetary S106 requests for Farthingloe/Western Heights

Infrastructure type	Infrastructure items requested	Issue Assessment	Officer Recommendation	Development Contributions Executive Committee Recommendation
Education	Provision of 130 new primary school places and 25% of a new site	KCC states there is little potential to expand primary schools in Dover on their existing sites, and that a 2.05 ha school site is required for the primary places. Need for a new school was not identified when the Core Strategy was prepared, possibly because this application would create a large number of dwellings in one place during a relatively short period of time. The number of dwellings proposed fulfils the residual figure for Dover in Table 3.1 of the Land Allocations Pre-Submission Local plan, but delivered over 7 years in one location rather than as a series of smaller sites across the settlement throughout the plan period (up to 2026).	Continue discussions with KCC regarding an appropriate level of contribution, having regard to the overall development viability and the priorities given to the other development contribution requests by the Planning Committee as informed by the S.106 Executive	
	Provision of either 93 or 29 secondary school places	<p>KCC uses a multiplier to translate the pupil product into requests for monetary contributions. These are derived by dividing the total cost of building or expanding a school by the number of pupils that would benefit from such a project. In this case application of relevant multipliers provides figures of £2,581,410 for primary education and £342,171 for secondary education. (The proposed reduced development would result in a lower request from KCC, although no figure is currently available).</p> <p>The applicant states 'Insufficient justification is provided for this contribution'. DDC and KCC officers have agreed an approach to calculating the need for additional school places that will arise from this proposed development. However it is not clear how this need will be met because the sums requested are not linked to project proposals. One option might be to delegate officers to resolve the appropriate KCC education contribution. Any agreed figure would need to have regard to the viability of the development (as required by the NPPF). This would give more time to KCC to hone their case, taking into account viability. One eventuality could be the seeking of a contribution for education, but held by the local planning authority until a relevant and fully costed education scheme emerges, at which point the monies could be released to KCC.</p>		
Family and Social Care	Community Hubs and building	KCC requested a contribution of £245,000, but has not supplied sufficient evidence to support the claim. For example, insufficient information has been	Reject the claim	

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	Community Capacity, Co-location with Health, Accommodation Solutions, Assistive Technology	<p>presented on the way in which the request was calculated; no reference is made to surpluses or deficits in existing services, nor to prevalence rates. In addition, there is no explanation of the location of possible projects and how they would specifically relate to this development.</p> <p>The applicant states 'Insufficient justification is provided for this contribution'. This position is agreed.</p>		
Libraries and archives	Additional stock/equipment and staffing support for Dover Discovery Library	<p>KCC requested a contribution of £131,400 for library services. The majority of this request relates to additional staff time, but a sum of £37,518.31 relates to additional library stock. The request was calculated using the Integrated Infrastructure Finance Model, which uses staffing rates and costings dating back to 2006, but since that time library operations have been radically reorganised. However, the book stock request is costed using current prices. (The proposed reduced development would result in a lower request from KCC).</p> <p>The applicant states 'Insufficient justification is provided for this contribution'. The Council has accepted KCC's rationale for contributions towards library stock in other recent applications (e.g. DOV/10/1012 at Sholden) because evidence can be presented to demonstrate that a requested contribution is proportionate to a proposed development.</p>	<p>Accept the claim of £37,518.31 for library stock at Dover Discovery Library, but reject the other element</p> <p>or</p> <p>£28,470 (pro rata estimate) with reduced scheme as recommended.</p>	
Community (adult) learning	Additional stock/equipment and class provision	<p>KCC requested a contribution of £34,500. However, insufficient evidence has been supplied by KCC to support this claim. For example no information has been received regarding existing deficits or surpluses and catchment areas.</p> <p>The applicant states 'Insufficient justification is provided for this contribution'. This position is agreed</p>	Reject the claim	
Sustainable travel	Pump priming a new or revised bus route to serve the development at	KCC Highways has requested £400,000 in total, phased as £100,000 per year starting on occupation of 75 <sup>th</sup> dwelling at Farthingloe. The proposed sum is sufficient to allow a flexible approach of either one bus for 5 years or 2 buses for 3 years. The option selected will depend upon the frequency of service required and the value of the on-bus revenue, both of which would in turn be	Accept the claim for £400,000	

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	Farthingloe	<p>determined by the pace and scale of development. In the 2 bus scenario it is assumed that there is more revenue generated on-bus. It is not possible to present a more detailed breakdown of the proposed sum due to lack of clarity over phasing of the development and timing of an internal link road between the two access points.</p> <p>The applicant includes specific provision for this in their viability assessment and states 'This contribution is not in dispute'.</p>		
Sustainable travel	Subsidy for a bus service to the proposed hotel at Western Heights	<p>KCC Highways has requested £100,000, triggered by the hotel opening for business. This would fund extension of an existing route with extra Monday – Saturday operating hours. The sum should be sufficient to support the service for 5 years until such time as revenue levels had built up enough to support the operation of the route'.</p> <p>The applicant includes specific provision for this in their viability assessment states 'This contribution is not in dispute'.</p>	Accept the claim for £100,00	
Sustainable travel	Travel plan monitoring	<p>KCC Highways has requested £5,000 in total, phased as £1,000 per year, commencing once two thirds of the development at Farthingloe has been occupied.</p> <p>No comment has been received from the applicant.</p>	Accept the claim for £5,000	
Sustainable travel	Mitigating possible impact of increased trips to the Western Heights	<p>The Travel Plan will include targets to address on-street parking / road safety issues arising from increased visitors to the Western Heights. KCC Highways have requested that the Travel Plan includes sanctions that will come into force should these targets not be met. If it transpires that the owner and/or developer has not met the targets contained within the Travel Plan then compensatory measures must be carried out (in support of sustainable transport) to the maximum sum of £100,000</p> <p>No comment has been received from the applicant.</p>	Accept the claim for £100,000	
Sustainable travel	Upgrade of informal tracks between the two development	<p>This will ensure that links between the two sites are strengthened, therefore supporting the composite nature of the proposals and the case for the S106 heritage payment. Payment will be triggered on or before occupation of the 75<sup>th</sup> dwelling at Farthingloe.</p>	Accept the claim estimated at £98,550.	

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	sites	Estimated capital costs of £65,700 to upgrade the existing informal track on DDC land between the two development sites, and an as yet undetermined contribution as commuted cost of maintenance (to obtain an initial estimate the commuted sum of £15 per m <sup>2</sup> for aggregate paths may be applied, which would amount to £32,850).		
Sustainable travel	Contribution towards the cost of adopting the track from Farthingloe to the ridge above the proposed development	<p>This will ensure that links between the two sites are strengthened, therefore supporting the composite nature of the proposals and the case for the S106 heritage payment. Also to provide a permanent link from the proposed development to the Countryside Access Area that comes as close as possible to making it accessible to people of all abilities. Payment will be triggered on or before occupation of the 75<sup>th</sup> dwelling at Farthingloe.</p> <p>An estimated contribution of £27,000 to KCC (including £1,000 towards legal costs for creating a new Public Right of Way). This would link the informal tracks on DDC land with the proposed development at Farthingloe. The track must first be upgraded to an adoptable standard, as specified by KCC.</p>	Accept the claim for £27,000	
Policing	Proportion of new custody cells, proportion of new officers and their start up costs	<p>Kent Police has requested £138,218, but did not demonstrate that the request is necessary to make this development acceptable in planning terms, therefore it does not satisfy CIL Regulation 122.</p> <p>The applicant states 'Insufficient justification is provided for this contribution'. This position is agreed.</p>	Reject the claim	
Primary Health Care	Extension / conversion of Pencester Health Surgery and St James' Surgery	<p>NHS Property Services provided costings for two possible projects that could increase capacity in the Dover urban area. The proposed project at Pencester Health Surgery would increase capacity by approximately 4,000 patients at a cost of £365,000. Given that the additional need arising directly from this development (less a fair apportionment of existing spare capacity) is 1,168 patients, a proportionate contribution towards this project would be £106,580. Appropriate phasing is yet to be determined. (A contribution of £72,544 would be appropriate for the suggested amendment to this proposed development)</p> <p>The applicant states 'Insufficient justification is provided for this contribution'. This position is not agreed and the claim is considered to be justified.</p>	<p>Accept the claim for £106,580</p> <p>or</p> <p>£72,544 with reduced scheme as recommended</p>	

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Outdoor sports	Improvements at Elms Vale Recreation Ground to increase capacity of sports pitches to meet the standard proposed and consulted upon in the Land Allocations Pre-submission Local Plan and Open Space Policy and Standards documents	<p>DDC has requested £289,200, which was calculated using Sport England methodology and predicted new population arising from the development. Could be phased in three or four payments – further detail on phasing of the development would help to define this. (A contribution of £221,400 would be appropriate for the suggested amendment to this proposed development).</p> <p>The applicant states ‘A contribution towards outdoor sports is considered reasonable’ but does not agree with the amount. No evidence has been put forward to support this position and the claim is considered to be justified.</p>	<p>Accept the claim for £289,200</p> <p>or</p> <p>£221,400 with reduced scheme as recommended</p>	
Affordable Housing	Policy DM5 of the adopted Core Strategy states that the Council will seek 30% affordable.	<p>30% affordable housing has been requested by DDC Housing section</p> <p>It has been agreed through the viability assessment that, subject to other available monies being used for necessary infrastructure, the scheme is unable to contribute towards affordable housing in addition to the £5m heritage payment. It is acknowledged that the heritage payment is central to the rationale for the application, as a composite regeneration package. To seek the use of the £5m for another purpose (such as affordable housing) would deconstruct the very aim of the submission. The absence of an affordable housing contribution in these circumstances can be exceptionally justified. If, after other necessary infrastructure payments have been accounted for, monies remain (from the £1.8m), they could be used to provide affordable housing.</p>	<p>Only seek a contribution where the funds (£1.8m) set aside by the developer for necessary infrastructure have not been fully allocated.</p>	
Green Infrastructure	Thanet Coast and Sandwich Bay SPA and Ramsar	<p>DDC has requested a contribution of £26,117.40 based on the numbers of bedrooms in the proposed development. Payment will be triggered on or before occupation of the 100<sup>th</sup> dwelling at Farthingloe.</p>	<p>Accept the claim for £26,117.40</p> <p>or</p>	

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	Mitigation Strategy.		£19,819 (pro rata estimate) with reduced scheme as recommended	

N.B. Calculations behind the education and sport contributions exclude the retirement village (use class C2), which will not be in mainstream residential use (C3), but the Primary Health Care calculations do take account of the retirement village.

Improvements to be secured under Section 278 of the Highways Act

Infrastructure items derived from statutory consultee responses	Request met (Yes, In Part, No)	Issue Sufficiently Resolved?	Officer Recommendation
Junction improvements on Elms Vale Road / Folkestone Road	Yes	Mitigation against increased traffic generated by the proposals will be required. This would be required once 50% of the development at Farthingloe has been occupied.  Provision has been made for the costs of these works in the applicant's viability appraisal. KCC Highways would prefer the necessary junction improvements to be delivered via a S278 agreement but if that is not possible the costs would form part of a S106 agreement	Accept
Junction improvements on York Street / Folkestone Road	Yes	Mitigation against increased traffic generated by the proposals will be required. This would be required once 50% of the development at Farthingloe has been occupied.  Provision has been made for the costs of these works in the applicant's viability appraisal. KCC Highways would prefer the necessary junction improvements to be delivered via a S278 agreement but if that is not possible the costs would form part of a S106 agreement.	Accept

<b>Developer Contributions Summary Table</b>		
<b>Contribution Type</b>	<b>Contribution based on submitted scheme</b>	<b>Contribution based on recommended scheme (lower density/quantum)</b>
Sustainable Travel/Linkages		
<i>Bus payment (Farthingloe)</i>	£400,000	£400,000
<i>Bus payment (W.Heights)</i>	£100,000	£100,000
<i>Travel Plan (monitoring)</i>	£5,000	£5,000
<i>Travel Plan (contribution)</i>	£100,000	£100,000
<i>Footpath (to PRoW in CAA)</i>	£27,000	£27,000
<i>Footpath (bet. F &amp; WH sites)</i>	£98,550	£98,550
Libraries	£37,518	£28,470 (est. tbc)
Health	£106,580	£72,544
Sport	£289,200	£221,400
HRA Mitigation	£26,117	£19,819 (est.
<b>Sub Total</b>	<b>£1,189,682</b>	<b>£1,072,783</b>
Education (to be confirmed)		
<i>Primary</i>	£2,581,410 (tbc)	To be confirmed
<i>Secondary</i>	£342,171 (tbc)	ditto
<b>Total</b>	<b>£4,113,263</b>	<b>To be confirmed</b>