



Late Observations Sheet (1)
DEVELOPMENT CONTROL COMMITTEE
10 September 2015 at 7.00 pm

Additional Information

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LATE OBSERVATIONS FORT HALSTEAD

These late observations relate to two main issues:

Comments received as a result of the latest consultations.

An additional recommendation following representations made about the S106 legal agreement, conditions and as a result of legal advice on this.

These issues will be commented on in turn.

Consultations

Additional consultations were carried out on this application, on changes that included the proposed roundabout at Polhill and revised parameter plans. This consultation expired on 4th September 2015. The comments set out below were received as a result of that consultation.

Further Representations

A letter has been received from Qinetiq in support of the proposal, outlining their wish to remain at Fort Halstead. The letter confirms that Qinetiq are not included in Dstl's migration from the site.

It is confirmed that Qinetiq have been working with the applicant to enable them to consolidate and grow their operations as part of the proposed scheme. Qinetiq state that it is "crucial that we are able to consolidate into our own secure enclave in advance of Dstl's departure, in order for our operations to run successfully, and for us to be able to secure and retain existing jobs, deliver results for our clients, and maintain the quality of our business. Therefore we emphasise the need for certainty now, so that we can begin planning our new office building and secure retention of our specialist facilities on site. With the certainty provided by planning, we can ensure there will be no disruption to our business activities and secure our future in Sevenoaks District at this employment site."

Total neighbour responses received 4 August – 4 Sept = 69

Total objections = 59

No specifically stated objection, but lots of concerns – 10

The following issues were raised in addition to those already set out at paras 298 to 307 of the committee report:

Highways/Traffic:

- Traffic will always use the quickest route, the use of the word 'secondary' access will not stop people using the Star Hill access
- 26 traffic movements entirely unrealistic
- Measures to reduce speed along Polhill must be introduced as the top of the hill and proposed roundabout would be hidden from vehicles approaching at 50mph
- Roundabout would still lead to unacceptable queues
- Roundabout would increase traffic using Otford Lane

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- More accidents and a fatality have occurred in recent weeks

Cycling:

- No one will cycle as the hills are far too steep

Housing

- Proposed housing number is too high, even half this number would have unacceptable strain on services etc

Miscellaneous

- The use of the word 'village' is a misnomer when referring to the site, it will be a housing estate
- A Freedom to Roam Area lies on the southern part of the site, this cannot be built on as it has been created by Statute
- How much did Qinetiq pay for the plot? The economics of the site and proposal seem incorrect as does the viability
- Applicants are maximising their position by proposing new additions while its the summer holidays, thus response numbers would be lower
- Concerns about the committee process for public speaking

Officer comment – part of the site on the south side is highlighted on the Right to Roam maps held by Natural England under the CROW Act. Land that is on these maps can still be excepted from the Right to Roam and be out of bounds for reasons including military byelaws.

Parish Councils

Badgers Mount Parish Council

Badgers Mount Parish Council only came into existence in May of this year, the area previously being a ward of Shoreham Parish Council. However, Shoreham Parish Council delegated responsibility for the Fort Halstead development to the ward councillors of Badgers Mount as it was that ward which was directly affected by the application, and it was two of the Badgers Mount ward councillors who made the comments submitted to SDC on behalf of Shoreham Parish Council. Also it was they who sat on the Fort Halstead Working Party, a consortium of all affected parishes,

As the ward became a parish, and the two ward councillors became parish councillors for the new parish, they have remained on the Fort Halstead Working Party and now express the views of Badgers Mount Parish Council in the same way that they expressed the views of the Badgers Mount ward on behalf of Shoreham Parish Council.

Therefore, the comments below on the proposed amendments refer directly to the comments previously submitted by Shoreham Parish Council.

Comments:

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We are pleased to see that our concerns regarding traffic lights at the junction between Crow Drive, Otford Lane and the A224 - London Rd, have been addressed and that a roundabout, as suggested for our preferred option, has now been adopted.

Our concerns regarding the heights of residential buildings have to some extent been addressed with the new criteria referring to number of storeys rather than the overall height.

We are pleased that some flexibility has been inserted into the plan to accommodate a possible variation in the anticipated percentages of business types if necessary. This could go some way to alleviating our concerns over the viability of the project.

We remain disappointed that this opportunity to address the residential parking issue, as commented on in our initial response, has been passed over.

Concerns also remain over the traffic estimates for Star Hill and the Star Hill/Crow Road junction. We discussed this point at the site meeting and suggested that steps were taken to deter or prevent commercial vehicles from using that junction; this does not seem to have been addressed, and cannot be unless a realistic assessment of vehicle numbers is made.

It is not difficult to imagine a far greater number of cars using the Crow Road/Star Hill junction than has been estimated. Bearing in mind the process for allocating school places it is quite feasible that a somewhat larger proportion of children from the development could, at some later date, be awarded places at St Katherine's Primary School, Knockholt, displacing pupils from Knockholt, Halstead and Badgers Mount. This in itself could well result in a greater number of 'trips' per day than the estimated 26.

Furthermore, Star Hill could easily be the preferred route to Bromley, Biggin Hill and Croydon, via Main Road, Knockholt, Cudham Lane and Shire Lane, to access the wider employment possibilities at those locations, thereby avoiding the daily morning and evening 'rush hour' congestion/stagnation that occurs on the A21 between Hewitt's Roundabout and Green Street Green.

Also, Star Hill would almost certainly become a 'rat-run' between the development and Pratts Bottom. The congestion is so great at certain times that it is unlikely that 'Traffic Calming' measures on Rushmore Hill would be a deterrent.

Halstead Parish Council

Halstead Parish Council objects to the recommendation that a roundabout should be positioned at the top of Polhill.

As mentioned in the Parish Council's response to the original outline planning application, Council stated that the decision concerning the introduction of either a roundabout or traffic lights should be left until a time when the overall effects of the proposed development and the crematorium traffic plus regular use can be assessed.

Affordable Housing.

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The developer has introduced a document 'proving' that there is no need for affordable housing in the area which is their reason why only 20% are to be built rather than 40% as per national guidance. No consideration has been made for the fact that Halstead Parish will be carrying out a new needs survey in the near future as the current one is out of date and one of the neighbouring Parishes has an active survey.

Contamination.

Halstead Parish Council is extremely concerned about this and believes that this is not being dealt with in an open and transparent manner. Requests for sight of the reports and findings have been refused and ignored. There have been many incidences over the years of an excess of people dying from cancer including at one time groups of young school children. Council would like to know how this substance will be transported and who will oversee the extraction and disposal and also who will decide that it is safe to transport.

Traffic movements

The applicant seems to have made a miscalculation on these. It is mentioned that 1800 people will be employed on the site, this will mean at least a minimum of 3,600 movements per day. This does not take into consideration the hotel with 80 bedrooms and staff. The impact on the roads in the vicinity will be chaotic and it appears that no real thought is being given to providing satisfactory infrastructure.

No demolition should be undertaken until such time as planning permission is given.

Officer comment:

- *Affordable housing – the reduction in the percentage of affordable housing on the site is related to the viability of the development and is not related to the need or otherwise of affordable housing in the area. Paras 595 to 600 comment on this issue.*
- *Contamination – See further comments from the Environmental Health Officer in these Late Observations.*
- *Highways – KCC Highways comments are set out at paras 152 to 171 of the report and further information is provided in these Late Observations. They have no objection to this proposal and conclude that there is unlikely to be any adverse impact on the local highway network to justify a refusal.*

Otford Parish Council

Otford Parish Council supports the amended application. We would like to see a Vehicle Impact Study carried out in Otford at the following locations: the bridge over the M25, Otford High Street, Shoreham Road and Sevenoaks Road as the application does not make any reference to possible impact of additional traffic in these areas that are already very busy.

Knockholt Parish Council

Knockholt Parish Council objects to the application for detailed approval to two access points at Otford Lane/Crow Drive (primary) and Star Hill (secondary).

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Star Hill exit

Several previously expressed areas of concern have been reviewed in this amended consultation, however, not the most important one for Knockholt village- the Star Hill exit. It remains defined as a secondary exit. Throughout its operational history, even during peak employment years, this exit has always been restricted. It would be dangerous to allow free flowing traffic to use this exit onto a derestricted road. Visibility is limited and traffic from the north is on a blind hill brow. Proposed speed limits on Star Hill are identified as unlikely to slow approaching traffic down.

Traffic estimates.

Knockholt Parish Council have no trust in the figures provided by the traffic survey, and the findings are an insult to residents who know this area extremely well. The increase in traffic predicted at peak times of 26 vehicles is unrealistic. As highlighted in D. Barton's report, this is a development remote from essential services including stations, schools and medical care, where car ownership will be essential. With 450 homes, each with at least one car, is it reasonable to expect that only 1 car in every 17 will be used at peak times? This development will be at the highest point in Kent, and neither Polhill nor Star Hill offer suitable commuter routes for the average cyclist.

Primary/secondary

The terminology of primary and secondary is wrong as the layout of the development means the majority of households are nearer Star Hill. Human nature means that drivers will take the shortest, quickest route. To expect hotel guests and staff to only use Polhill is unenforceable. Knockholt PC feels that the one way system proposed for buses should be used by all, leaving Star Hill for emergencies only.

Dangerous road

Appendix F table 3 states that between February 2009 and August 2014 there has already been 7 minor accidents. In fact, there was at least one life changing accident during this period and this year there has been a fatality on Star Hill.

Rushmore Hill

Knockholt Parish Council question the viability of putting traffic calming down Rushmore Hill and wonder at their necessity, if traffic level increases are predicted to be low.

Officer comment - KCC Highways comments are set out at paras 152 to 171 of the report and further information is provided in these Late Observations. They have no objection to this proposal.

Other Consultees

Kent Downs AONB Unit

While the objections and concerns raised in our previous response are maintained, please find below some additional comments in respect of consideration of conditions to be attached to any planning permission, in the event that permission is forthcoming for the proposal.

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Design

It is essential that a high standard of design is achieved with this development and maintaining the design quality over the lifetime of the project is vital to this major and long term development. As previously advised, the AONB unit would like to see the imposition of conditions that require the character areas to be refined and to develop the detailed landscape design to achieve a successful transition and connection between the various parts of the site. The landscape and green infrastructure strategy needs to be robustly integrated with the urban design 'character area guidance', for example in treating the plot layout, street network, boundary treatment and how the architectural character will respond to the existing and proposed landscape. We believe this is critical in creating unique character for the proposed neighbourhood.

It is therefore considered essential that any permission issued includes conditions that require character area based design codes to be submitted for each of the sub-areas. The phase one detailed design should be progressed at the earliest that can help address some of the AONB concerns. However, the planning application conditions should allow sufficient flexibility to be innovative and adapt to the changes in the planning policies and building regulations.

The Council should require character area based design codes to be submitted and approved prior to the submission of any of the reserved matters. This could be secured either within a S.106 agreement or through the imposition of an appropriately worded condition. A condition should also be attached which requires that the development complies with the approved code.

The preparation of the design code should take place within a clearly defined and agreed collaborative project management process that has direct involvement of all relevant stakeholders, including the Kent Downs AONB as well as the bodies who will be responsible for adoption, management and maintenance of the streets spaces and structures.

Landscaping

While the green infrastructure strategy should be integrated into the design codes, appropriately worded conditions also should be imposed to ensure protection of existing trees/woodland that have been identified to be retained and to ensure the appropriate implementation of the landscape strategy. The AONB Unit raised concerns about the appropriateness of some of the indicative species chosen for the site – often they are not characteristic of the Kent Downs AONB and this should be addressed in any reserved matters application.

Phasing

Carefully worded conditions will be required to ensure that the site development is phased in an appropriate manner. We would expect that establishing the village centre and communities facilities early would be a priority, along with the creation of green infrastructure and woodland planting.

Consideration should also be given to the need to ensure that cycle and footway links are provided prior to the completion of all of the residential units.

Sustainable development

The aspiration set out to achieve 'Excellent' BREEAM standard for all commercial buildings and Level 4 Code for Sustainable Homes on domestic properties in the application documentation should be secured through appropriately worded conditions. In addition, it is considered that conditions should be attached requiring proposals for monitoring the implementation of the Energy Strategy to be submitted prior to the commencement of each phase. The proposals should specify targets for incremental reductions in carbon emissions and on-site renewable energy production. Applications for Reserved Matters approval should be required to clearly demonstrate how the proposals will contribute to meeting the agreed targets.

Lighting

As advised in our original consultation response, while it is noted that the site is already lit, this does not preclude the applicant from supporting the Kent Downs AONB Management Plan policy on Dark Skies i.e. seeking to actively reduce the amount of lighting from what is there now, this would be in line with policy. The commitment to change the glow from orange to white does not sufficiently enhance the situation, wherever possible lighting should not be placed in a rural site like this, where lighting is necessary (rarely) it should have minimum impact – we recommend the use of interactive low intensity 'warm' LED lighting.

A condition should be attached requiring the submission of a lighting strategy for the site which seeks to minimise street lighting and where it is required to be of a design, as set out above, to minimise impact on dark skies. The lighting strategy should also cover any lighting required in connection with the employment uses. External lighting of private homes should also be controlled.

Infrastructure

Care will need to be taken to ensure that necessary infrastructure is satisfactorily integrated into the development. Accordingly it is recommended that conditions are attached that require all pipes, meter boxes, fibre wires, and cables required by statutory undertakers and all other appropriate bodies, including telephone cabling to be placed underground or in locations to be agreed with the local planning authority.

In addition, to ensure suitably designed and coherent signage across the Fort Halstead site, the submission of a Sign Strategy should be required. The Strategy should detail how destinations within and external to the site are to be signed to vehicular, pedestrian and cycle traffic, including street naming, and how Fort Halstead will be signed from outside the site and provide details of the proposed way finder and interpretation signs.

Fencing/boundary treatments

Full details of the design and location of any security fencing required in association with the commercial units should be required as well as all other boundary treatments.

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Officer comment – the recommendation includes conditions to ensure that the AONB is preserved and enhanced and to secure an integrated design strategy for the site. Conditions related to phasing, protection of ecology, protected habitats, Ancient Woodland, lighting, boundary treatment, infrastructure and BREEAM are proposed. Further protection is proposed with clauses in the legal agreement related to ecology and the management of the site.

NHS Property Services

NHS Property Services Ltd is now the body which will request Section 106 health care contributions on behalf of NHS England (Kent and Medway Area Team). Just as NHS West Kent had historically worked with Sevenoaks Borough Council our approach is the same in securing Section 106 (s106) healthcare contributions and working with our local partners on healthcare issues to ensure that healthcare provisions improve the health and wellbeing of our population.

NHS Property Services Ltd wishes to continue to apply for such assistance and a healthcare contribution is therefore requested in accordance with the recognised Planning Obligations Guidance for Communities and Local Government and the adopted Sevenoaks Borough Council development plans.

Inevitably, any increase in the local population has a knock-on effect in terms of health care and NHS Property Services Ltd would seek to apply this s106 contribution to meet these extra demands placed upon the local primary and community health service.

In terms of this particular application, a need has been identified for contributions to support the delivery of investments highlighted within the Strategic Service Development Plan. These improvements to the primary care infrastructure will enable support in the registrations of the new population, in addition to the commissioning and delivery of health services to all. This proposed development noted above is expected to result in a need to invest in the local surgery premises:

- Otford Medical Practice

The surgery is within a 2.5 mile radius of the development at Halstead. This contribution will be directly related to supporting the improvements within primary care by way of extension, refurbishment and/or upgrade in order to provide the required capacity.

NHS Property Services Ltd will continue with NHS West Kent formulae for calculating s106 contributions for which have been used for some time and are calculated as fair and reasonable. NHS Property Services will not apply for contributions if the units are identified for affordable/social housing.

The application identifies unit sizes to calculate predicted occupancy multiplied by £360 per person. When the unit sizes are not identified then an assumed occupancy of 2.34 persons will be used.

Predicted Occupancy rates

1 bed unit	@	1.4 persons
2 bed unit	@	2 persons
3 bed unit	@	2.8 persons

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4 bed unit @ 3.5 persons
 5 bed unit @ 4.8 persons

For this particular application the contribution has been calculated as such:

Predicted Occupancy rates	Total number in planning application	Total occupancy	Contribution sought (Occupancy x £360)
2.34	450	1053	£379,080

NHS Property Services Ltd therefore seeks a healthcare contribution of £379,080 plus support for our legal costs in connection with securing this contribution. This figure has been calculated as the cost per person needed to enhance healthcare needs within the NHS services.

Officer Comment: Sufficient space would exist in the community development within the site to accommodate some additional facilities on site if required if the NHS wished to make arrangements to use it in the future, but since Health facilities are on the Councils CIL Reg 123, funding would need to be sought in that manner rather than via a S106 contribution.

Kent Police

I have considered the planning application detailed above with regards to Crime Prevention Through Environmental Design (CPTED) matters and in accordance with the National Planning Policy Framework 2012 (Para's 7 & 8) and the DCLG Planning Practice Guidance March 2014 (Design Section – Para's 10 & 11) – Crime Prevention, the Kent Design Initiative (KDI) - Design For Crime Prevention document dated April 2013.

I understand that this is an outline planning application (with all matters reserved) there is however an indicative layout and some of the points from this I would like to discuss in more detail with the applicant/agent and any comments and recommendations to be taken into consideration to ensure that CPTED and the KDI protocol are fully addressed ,I also appreciate that the applicant/agent has considered crime prevention. See Section 6.6 page 73 of their Design and Access Statement (D&AS) and there they quote that they have incorporated the seven attributes of CPTED in their (D&AS), however to date I have had no communication from the applicant/agent and there are other issues that need to be discussed and addressed including a formal application for Codes, BREEAM and Secured By Design (SBD) if appropriate.

I would be grateful if you could draw the applicant's attention to the Kent Design Initiative (KDI), which will also assist them with Crime Prevention and Community Safety. I would welcome a meeting with the applicant/agent to discuss Crime Prevention in more detail and any notes from a meeting/consultation will be passed back to the Planning Officer dealing with the application as part of my full response to this planning application.

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If the applicant fails to contact us, this may have an effect the development with regards to Secure By Design (SBD), Codes for Sustainable Homes (CfSH) and BREEAM, as awarding these items retrospectively can prove difficult and costly. This could also have knock on effects for the future services and duties of the Community Safety Unit (CSU) and local policing.

If this planning application is given approval and no contact has been made to the Crime Prevention Design Advisors (CPDAs) by the applicant/agent, then we would wish to see a planning condition to be included as part of the planning approval to ensure that Crime Prevention is addressed effectively prior to the reserved planning application submission. If a condition is to be used we suggest something similar to :

The development hereby permitted shall incorporate measures to minimise the risk of crime. No development shall take place until details of such measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

Reason for the condition: In the interest of Security, Crime Prevention and Community Safety and in accord with the guidance within The Kent Design Initiative (KDI) and protocol dated April 2013 and with the principle of good design in compliance with NPPF.

Alternatively if you have already undertaken pre-application discussions with the applicant/agent you might want to consider issuing a letter including the below statement:

The applicant/agent is advised to seek the input of the Kent Police Crime Prevention Design Advisors (CPDAs) to ensure that all efforts are made to incorporate the principles of Designing out Crime (A Kent Design Guide for Developers Designers and Planners) into the high quality design of any proposal.

If neither a condition nor letter is appropriate, we suggest you consider using an informative, something similar to the below, to encourage the applicant/agent to contact the CPDA:

Prior to the submission of any reserved matters application, the applicant, agents, or successors in title, are encouraged to undertake pre-application (reserved matters) discussion with the local Planning Authority. As part of this pre-application discussion, it may well be necessary to consult with external bodies such as Kent Police Crime Prevention Design Advisors (CPDAs) to ensure that a comprehensive approach is taken to Crime Prevention and Community Safety.

Note that this informative would only be imposed upon outline planning permissions prior to the submission of reserved matters application.

The use of a condition, a letter or an informative will address both our statutory duties under Section 17 of the Crime and Disorder Act 1998 and will show a clear audit trail for Design for Crime Prevention and Community Safety.

Please be advised that the information contained within this response is provided by Kent Police Crime Prevention Design Advisors and refers to situational crime prevention. This advice focuses on Designing out Crime and improving Community Safety with regards to this specific development/planning application.

It is possible that you may receive additional comments from Mr Trevor Hall of Kent Police with regards Community Infrastructure Levy and 106 Agreements in response to core strategies and local/neighbourhood plans. Please note that such matters and any queries surrounding them need to be addressed with Mr Hall who coordinates these issues on behalf of Kent Police.

Officer comment – see condition 27 which relates to crime prevention.

Highways England

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long term operation and integrity.

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the Strategic Road Network (SRN), in this case the M25.

Having examined the above application, we do not offer any objections to this proposal.

MOD

Thank you for consulting the Ministry of Defence (MOD) again on the above proposed development which was received by this office on 07/08/2015. We previously commented on this application in July 2015 and had no safeguarding objections to the proposed development. We have assessed the amended application and can advise that our safeguarding position remains unchanged.

I can confirm that the MOD has no safeguarding objections to this proposal.

Environmental Health

Significant works to remediate contamination of the site has already taken place in order for the transfer of land from the MoD/DSTL to the developer. The land quality would be suitable for commercial use, however further investigation is necessary to ascertain if any contamination in the proposed residential areas meet requirements for use for residential purposes. If investigation shows the land is unsuitable then it can be remediated to national guidance and British Standards to ensure that any development

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does not have an unacceptable risk associated with it from either naturally occurring substances in the ground or material from the former uses of the site.

As the development progresses further intrusive investigation is likely as building and infrastructure are removed to delineate where soils require removal or onsite remediation, this can be covered by standard condition and I believe James Fox has already commented on the need for further information on the watching brief for unforeseen ground contamination. This covers the possibility that an undocumented activity or un-regulated waste disposal has taken place on site.

At this stage the exact extent and nature of contamination is not known at this site, what is important is that the developer has a robust method for identifying areas of contamination and the material can be either removed or treated to render it suitable for the intended use. The planning process has dealt with a number of heavily contaminated sites in the past and there is nothing to suggest this site poses any more risk than some of the other sites developed in the district. Guidance and British standards are required to be met when undertaking investigation and remediation of contaminated sites; it is normal practice to have key stages of the process overseen by specialist environmental consultants to aid the compliance process.

Removal or treatment of contaminated materials are again subject to specific guidance and legislation to protect both those working on the site and the public. Any material removed from the site for disposal requires specific testing prior to removal to ascertain that the intended site of disposal is suitably licensed to take the material with much of the process being licensed or regulated by the Environment Agency.

Whilst many people will have concerns due to what they have heard has happened on the site, the reality is that the planning process and other regulatory legislation ensure that dwellings, residential gardens and open space associated with any development are adequately protected.

KCC Archaeology

I welcome this opportunity to comment on the amendments. My comments do not relate to the Scheduled Monument of Fort Halstead because comments by Historic England and the District Conservation Officer would take precedent. I attended an additional site visit and had the opportunity to discuss various issues raised in my letter of 15 April. I note that included within the amendments is a response to my concerns by Waterman. It seems that some of my concerns, particularly regarding the consideration of buried and upstanding archaeology and consideration of historic landscape issues have not been addressed. As such many of my comments set out in my letter of 15 April are still outstanding.

The Built Heritage Assessment by Heritage Collective is an excellent report. There will be a need to update this report once internal access to buildings becomes more relaxed and I am sure this report will be a very useful guidance document as the scheme progresses.

However, I consider that the upstanding archaeology of this site has not been considered in a comprehensive and integrated manner. As such there are potentially archaeological structures which may be lost without suitable record

The DBA does not seem to cover the archaeology of the 20th century military establishment in any great detail. There are clearly upstanding remains; not just buildings but structures, fixtures and fittings, which have not been covered. For example, water management and utility developments on the site can be of archaeological interest and on the site visit, there were clearly large pipe and service systems across the site as well as street furniture which date potentially from each development phase of the military site. In addition, there needs to be a more thorough assessment of “lost buildings” and underground structures, and what is the potential for their remains to survive below the current ground level.

I note Waterman’s comments on the HER numbers but would repeat that the NMR and county HERs use the TQ or TR reference number and it would be preferable for the DBA to quote the nationally recognised system used by the NMR and HER.

I would also like to encourage a more detailed Archaeological Impact Assessment. There is mention of this issue in the DBA Truncation and Potential for Survival Section, 3.48, but this issue can be explored to a much greater degree. A greater understanding of the original ground levels across the site and how they have changed over the years would greatly facilitate the discussion on archaeological fieldwork mitigation. A topographical survey would be useful and a test pit assessment to provide a landscape deposit model.

At this stage I am not able to concur with Waterman’s conclusions that the site has low potential for archaeological remains. I suggest this needs to be considered in more detail. Certainly some areas are going to be occupied by sunken military structures, although the sunken features will be of heritage interest in themselves, and other areas will have been severely truncated for levelling and landscaping. There may be severe, existing disturbance in areas of the site which would affect the survival of archaeological remains but this needs to be clearly demonstrated. A historic landscape assessment should help clarify this and emphasises the need for an integrated historic environment assessment.

There has been no additional work on improving the assessment of the historic landscapes although we did discuss this positively during the site visit. Waterman seem to have decided to refer back to the LVIA but the LVIA does not consider the time depth and how changes to the use of the site over time is reflected in the current layout. An appropriate assessment of historic landscapes should involve assessment of the specimen tree planting (along avenues, retention of old trees etc) formal planting/gardens, roads and road layout, footpaths and routeways (formal and informal), open spaces, historic development of building layout across the site, some large structural features and the relationships of these features to each other etc.

An appropriate historic landscape assessment is needed to ensure the new development does not cause harm to significant elements of the historic landscape and to ensure that historic landscape assets are suitably and positively integrated into the new development. A development of this nature should be providing heritage enhancement measures across the site. During the site visit I believe we managed to agree the

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retention of some buildings as part of a heritage trail; reflecting the heritage across the site for the future community. Heritage interpretation through the retention of some of the heritage assets is very welcome but needs to be suitably informed and evidence-based. I consider there is no suitable evidence base to use yet to inform a robust and long term heritage interpretation and conservation strategy.

In summary:

the Historic Building Assessment by Heritage Collective is an excellent report. There has been further discussions on retention of key buildings to reflect the heritage of the site across the development area and I would welcome details of buildings retained for their heritage contribution. There are some buildings which may be of heritage interest but there has been no access to them yet, especially internally. Such buildings need to be included in a further phase of historic building assessment and recording, prior to demolition work commencing;

The assessment of “Buried Heritage” is not robust or comprehensive. I have still concerns regarding the loss of late 19th and 20th century upstanding archaeology and would encourage further assessment of this issue prior to widespread demolition work commencing. However, there are no indications of highly significant or sensitive buried pre-modern archaeology at this stage which could be a constraint on development. A full programme of archaeological investigation would be appropriate, including the investigation and recording of both upstanding and buried archaeology across the site;

There needs to be a historic landscape assessment, considering the heritage elements which have fallen in between “buried heritage” and “buildings”, such as the ancient routeways crossing the site, early 20th century military structures, open spaces, significant roads, specimen tree planting, utilitarian/military/research fixtures and fittings, views of historic aspects, including the Scheduled Fort. I note the coverage of landscape issues within the LVIA but there is not the time depth or historic development assessment to suitably inform an understanding of which elements are of heritage significance and should be retained.

There needs to be a more detailed Archaeological Impact Assessment which should include a topographic survey of the site and more information on original ground levels, possibly through test pitting. Archaeological monitoring of any geotechnical groundwork surveys would be very useful.

I currently do not agree with the mitigation measures for heritage. More detail is required setting out a fully informed mitigation strategy which should include: phased programme of archaeological fieldwork; retention of key heritage assets; long term conservation measures; and proposals for interpretation. Mitigation measures need to consider the entire site, not just the Scheduled Fort and the identified historic buildings. I welcome the proposals for the Fort to be a Heritage Centre and hope that further opportunities for a wider interpretation strategy can be brought forward as the development scheme progresses but details of this need to be guided by Historic England and the District Conservation Officer.

There needs to be interpretation of heritage, including a possible “Heritage Trail” across the entire site. This heritage interpretation programme needs to be suitably informed and evidence based.

Although these issues are important it may be that further assessment can be undertaken prior to detailed consents being determined. At this present time, subject to comments by Historic England, I consider none of the archaeological and historic landscape issues form a major constraint on the proposed broad re-development and hopefully the concerns can be addressed as part of mitigation measures.

It would be preferable for the above summarised issues to be more thoroughly addressed prior to determination of the application but if it is considered necessary to determine this outline application at this stage I recommend the following conditions are placed on any forthcoming consent:

1 No development, including demolition, shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that historic building features are properly examined and recorded.

2 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological impact assessment in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the archaeological mitigation is suitably informed.

3 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of
i archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and
ii following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason: Pursuant to Articles 35 (1) and (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority is satisfied that the requirements of this condition (including the timing of compliance) are so fundamental to the development permitted that such details must be submitted prior to the works, other than demolition works, commencing on site. This is because, at the time of granting permission, full details were not yet available but this information is necessary to ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

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4 *No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of*

i historic landscape survey and assessment in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

li following on from the historic landscape assessment, any safeguarding measures to ensure preservation in situ of important historic landscape features and/or further historic landscape recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason:Pursuant to Articles 35 (1) and (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority is satisfied that the requirements of this condition (including the timing of compliance) are so fundamental to the development permitted that such details must be submitted prior to the works, other than demolition works, commencing on site. This is because, at the time of granting permission, full details were not yet available but this information is necessary to ensure appropriate assessment of the historic landscape implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

5 *No development shall take place until fencing has been erected, in a manner to be agreed with the Local Planning Authority, about sensitive historic landscape features (as identified by the historic landscape survey); and no works shall take place within the area inside that fencing without the consent of the Local Planning Authority.*

Reason:To ensure that important historic landscape features are not adversely affected by demolition or construction works.

6 *No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of heritage interpretation strategy in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.*

Reason:To ensure that heritage of this site is suitably accessible to future generations.

Mitigation measures should be put forward as part of the application and these should include long term conservation measures and identification of visionary interpretation. We welcome the positive consideration of re-use of the Scheduled Fort but there needs to be more robust consideration of the heritage resource across the entire site. It may be considered appropriate to cover heritage interpretation issues as part of a S106 Agreement and I would be happy to discuss this further.

Officer comment – see conditions 14,15,20.23 and 31 that relate to archaeology and heritage.

Natural England

Thank you for your consultation on the above dated 03 August 2015 which was received by Natural England on the same date.

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Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. We previously responded to this application on 2 April (our reference 148932) and our previous comments still remain relevant. We note that the applicant has supplied further information including further detail on landscaping issues.

We would like to highlight that we advise you seek the advice of the Kent Downs AONB Unit for their view on the overall assessment of the proposal given their high level of knowledge of the AONB.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

KCC Highways

Further to my response to your consultation dated 6th August 2015, and as a result of recent discussions with yourselves and the applicant's agents, I would like to slightly amend my recommendation in respect of the proposed cycle route between the Pollhill access roundabout and the Shanklands roundabout to the north.

After undertaking some cursory investigation into the provision of an off-road cycleway, it would appear that it would be unlikely to be able to accommodate an off-road route along the whole length within the existing highway land. I still feel that the cycleway is essential to promoting sustainable travel between the site and Knockholt Station and therefore I am prepared to accept the provision of on-road cycle lanes on both sides of the carriageway, as suggested in Appendix Q and referred to in Appendix B of the Transport Assessment. This however should cover the whole length of the A224 between the two roundabouts and not partial as shown in Appendix Q.

In order to ensure that this is achievable prior to the Planning Committee on September 10th, I would ask the applicant to submit a draft design together with a Stage 1 Safety Audit prior to that Committee so that Members will be aware of the proposal details when making their decision.

The cycle lane works (1.5m wide) should be approved by KCC and completed prior to either the first occupation of the residential development or first occupation of a commercial unit and the works carried out under a Section 278 Agreement with KCC fully at the developer's expense. It should be included as a Clause(s) in the Section 106 Agreement.

My previous comments on other elements of the application remain unchanged and provided the above works are secured, I continue to raise no objection to this application.

Officer comment – The provision of an on road cycle route is an issue to be secured via the legal agreement.

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Southern Water

The development site is not located within Southern Water's statutory area for water supply, drainage and wastewater services. Please contact, the relevant statutory undertaker to provide water supply, drainage and wastewater services to this development.

Amended recommendation

During negotiations on the S106 legal agreement, the Council has been informed that the Secretary of State for Defence, as a landowner of the site will not agree to sign the legal agreement.

The National Planning Policy Guidance (NPPG) advises that:

Applicants do not have to agree to a proposed planning obligation. However, this may lead to a refusal of planning permission or non-determination of the application. An appeal may be made against the non-determination or refusal of planning permission.

A S106 legal agreement runs with the land and is enforceable against all those who have an interest in the land and their successors in title. Therefore, if one of the interested parties, in this case a landowner, decides not to sign a legal agreement, this can undermine the Council's ability to enforce the terms of the legal agreement.

It is for this reason that the recommendation in the main report includes a recommendation for refusal, if the legal agreement is not completed by all interested parties and with the terms listed in the recommendation.

As the Secretary of State as landowner does not wish to sign a S106 agreement, the applicants have requested that, as an alternative, a condition is imposed to require a S106 to be entered into.

The NPPG has advice about the imposition of conditions to require parties to enter into a S106 legal agreement, and for this purpose, the condition should be negatively worded:

A negatively worded condition limiting the development that can take place until a planning obligation or other agreement has been entered into is unlikely to be appropriate in the majority of cases. Ensuring that any planning obligation or other agreement is entered into prior to granting planning permission is the best way to deliver sufficient certainty for all parties about what is being agreed. It encourages the parties to finalise the planning obligation or other agreement in a timely manner and is important in the interests of maintaining transparency.

However, in exceptional circumstances a negatively worded condition requiring a planning obligation or other agreement to be entered into before certain development can commence may be appropriate in the case of more complex and strategically important development where there is clear evidence that the delivery of the development would otherwise be at serious risk. In such cases the six tests must also be met.

In this, case the applicant has suggested a condition they consider is appropriate. The Council's legal advice is that the condition suggested, which would relate to individual phases, could well undermine the ability of the Council to ensure that any development permitted is brought forward on a comprehensive basis, depending upon the future landownership structure and the future phasing of the project, which has yet to be committed to at this early stage. This is for the following reasons:

- The draft agreement is designed to secure the specification, provision, and availability of certain community facilities and affordable housing units, a programme of marketing for the employment land; continued maintenance and use of the community facilities in the village centre, open space and ecological areas; continuing use of affordable units for affordable housing unless acquired under statutory rights; as well as the opening of a heritage information centre and upkeep of the Fort; and adherence to travel plans.
- One key requirement of the draft legal agreement is for a management scheme and management company to be set up which would have power to levy a charge across the whole development (other than affordable housing) to pay for site-wide management and maintenance regimes for the heritage assets, protected habitats and the open space, which it would probably own and would manage under that scheme. The purpose of including the whole site within the chargeable area is to spread the costs across as wide a number of tenants as possible to reduce the likelihood that any particular units (particularly the B1 and B2 floorspace other than the Qinetiq enclave) would become burdened with unattractively high maintenance costs.
- The precise geographical extent of the Secretary of State's leasehold interest has not been established despite repeated requests for clarification, but it is believed to be carved out of a 299 year lease held by the applicant, whose title plan has been supplied to the Council and covers land on which the Qinetiq enclave, Employment Hub, Village Centre, Village Green, Chalk Grassland, ecologically managed grassland, and some of the Ancient Woodland and housing land would be situated.
- The Secretary of State's lease is understood not to expire until the year 2091.
- If the Secretary of State, or any tenant of his, were in possession of any of the areas whose management is supposed to be secured in perpetuity, but refused to co-operate, then the objects of the comprehensive redevelopment could not be achieved. The danger is that the remaining housing development would be permitted to go ahead without contributing towards the objectives of the comprehensive redevelopment, and without the employment hub or community facilities being provided.
- As such it is difficult to see how phases could be permitted to be built out without the Secretary of State's interests being bound and management of the managed areas having been secured.

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- There are conditions that apply site wide and which relate to key objectives such as ensuring an employment led development; protecting the heritage assets and natural beauty of the AONB.

As an alternative, legal advice is that a condition that related to the whole site, not per phase, could be appropriate, providing the requirements of the NPPG set out above were met, and that the Council's priorities for the site, as set out in the Development Plan and the main report, are not undermined.

To comply with the guidance in the NPPG, the applicants need to demonstrate that there are exceptional circumstances in this case and clear evidence that the delivery of the development would otherwise be at serious risk.

The Council has been advised on several occasions over the last few weeks, both verbally and in writing that the Secretary of State Defence, as landowner, does not intend to sign the legal agreement. In the absence of a completed S106 agreement, the recommendation in the main report is for refusal on the five grounds stated.

If the application were to be refused, the Council would not have secured an employment led development on the site, to allow for the replacement of the existing employment opportunities. It appears unlikely that the Secretary of State will change his view, if a different applicant was involved, so there is a risk that this development will not come forward as proposed in the ADMP.

We are advised that it is now possible that the DSTL will not leave the site in the timescale originally proposed, which may delay the development further. As some of the work required to comply with the conditions / legal agreement cannot easily be undertaken until DSTL have vacated the site, an amended wording for the condition to enter into a legal agreement is proposed, by the applicants. They also propose amending the time limits proposed in condition 3.

The proposed condition would include the ability for the applicants to undertake some specified enabling works before the legal agreement is entered into. The proposal is for demolition and remediation investigations to be carried out before the legal agreement is required to be signed, so that this work can be done without delay and whilst the Secretary of State still has an interest in the land, but he would not be bound by the legal agreement. The proposed conditions that are drafted as 'no development shall take place until' will still apply and need to be discharged before any demolition subject of this application could take place. A few conditions could be amended to allow some enabling works to take place before the rest of the development is commenced, without prejudice to the aims of those conditions.

The applicants had requested further exemptions, related to works to construct a site access, but KCC Highways are of the view that it is necessary for all those conditions and terms of the legal agreement that are currently drafted for compliance before development commences, to be applied on that basis.

The proposal for the amended time limit would provide the applicant with some flexibility to deliver the scheme, if there is a delay in DSTL leaving the site. Legal advice is for a

further amendment to condition 3 at (b) for clarity on the time limits that apply to the development as a whole.

Legal advice confirms that these circumstances are capable of being exceptional and it is considered that the risk of the development not coming forward, with replacement employment opportunities on the site, is a serious one.

Accordingly, it is proposed to amend the recommendation for permission to reflect this option, should the legal agreement not be signed. On legal advice, and based on the above discussion, amendments are also proposed to some of the conditions. The conditions proposed are set out in full below and the proposed changes are set out in red text for clarity. New conditions 3a and 3b are proposed to relate to the requirement to enter into a S106 agreement and to define what works would be enabling works that can be carried out prior to the commencement of the remainder of the development.

RECOMMENDATION A: That planning permission be GRANTED subject to: (amended wording is in red)

- a) The conditions set out below, subject to officers being authorised to make any appropriate amendments arising following negotiations and/ or in the light of legal advice.
- b) Subject to a satisfactory legal agreement made under section 106 of the Town and Country Planning Act 1990 (as amended) and any other appropriate legislation:
- i. being completed no later than 30 September 2015 (PROVIDED THAT if officers are satisfied that the applicant has agreed in writing to the extension of the statutory period for determination, officers are authorised to agree to the extension of the time for completion of the legal agreement and the issue of the decision notice).

OR

- ii. the S106 agreement is signed and executed by all willing interested parties before the decision is issued and completed before any development other than enabling works take place and as in accordance with the requirements of condition 3a below.
- c) The S106 legal agreement shall include the following requirements:
- i. 20% affordable housing provision.
 - ii. Ecological mitigation works and management of habitats.
 - iii. Provision, protection and management of all open space and the green infrastructure that would be protected from public access.
 - iv. Safeguards for heritage assets including provision and management of a Heritage Information Centre, Feasibility study for works to open up a part of the Moat, provision of a Heritage Trail.
 - v. Management and maintenance plan for the whole site.
 - vi. Highway and transportation improvements including:
 - Construction of a roundabout
 - Provision of speed limits

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- Provision and upgrading of pedestrian and cycle routes
- Upgrading of Polhill to Twitton bridleway.
- Star Hill road junction improvements.
- Provision of community bus
- Payment for the re-routing of a bus service for a period of 5 years.
- Travel plan

SUBJECT TO THE FOLLOWING CONDITIONS: (amended wording is in red)

1 For each phase of the development scheme referred to in condition 4 below, approval of details of the scale, layout and appearance of the proposed building(s) and the landscaping of the site (hereinafter called the "reserved matters") shall be obtained from the LPA in writing before any development in that phase is commenced.

In pursuance of section 92(2) of the Town and Country Planning Act 1990

2 Application for approval of the reserved matters shall be made to the District Planning Authority before the expiration of 10 years from the date of this permission.

No such details have been submitted and in pursuance of section 92(2) of the Town and Country Planning Act 1990

3 The development to which this permission relates must be begun before:

- a. The expiration of **five** years from the date of this permission; or
- b. **If applications for the approval of all reserved matters have been made before the expiration of 10 years from the date of this permission, the expiration of 2 years from the final approval of reserved matters.**

No such details have been submitted and in pursuance of section 92(2) of the Town and Country Planning Act 1990

3a **No development other than the Enabling Works shall take place unless and until it has been proved by an application to the Local Planning Authority that:**

(a) all persons interested in the Land and their proprietary interests in the Land have been bound by the Agreement dated [] made between Qinetiq Limited, Armstrong (Kent) LLP, Longbow Investment No.3 Sarl, the Council and the County Council ('the Agreement'); or

(b) that all persons interested in the Land and all their proprietary interests in the Land are bound by the Agreement save for an interest that may be exempted from this condition in relation to that development because the exemption would in no way compromise the object, indefinite efficacy and enforceability of any obligation, requirement or restriction imposed by the Agreement;

and the Local Planning Authority have stated in writing that:

- (i) they are satisfied which of conditions (a) or (b) are met and**
- (ii) have expressly stated which if any interests are exempted and in relation to what development operations.**

In this condition, 'the Land' means the land so defined in the Agreement, and 'persons interested' means persons interested for the purpose of section 106(1) of the Town and Country Planning Act 1990. The application must include sworn evidence from the

person making the application, and from all relevant interested persons, as to the extent and ownership of the proprietary rights or interests that are in existence, evidence of title or interest, the execution of relevant documents and the legal capacity of those executing or attesting them; as well as all executed deeds binding the interested persons and documentary evidence of title or capacity.

3b For the purposes of this planning permission, any reference to ‘the enabling works’ relates to the following works only:

- (i) Demolition works to slab level undertaken in accordance with conditions 14,15 and 20.
- (ii) Site investigation works to inform the site wide remediation strategy to be approved under condition 11a.

4 No development **other than the enabling works** shall take place until details of a scheme of phasing of the development providing an employment led scheme, has been submitted to and approved in writing by the Local Planning Authority. The development **other than the enabling works** shall be carried out in accordance with the agreed scheme of phasing.

In accordance with policy EMP3 of the Allocations and Development Plan

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

5 For each phase of the submission of reserved matters applications pursuant to this outline application a ‘Compliance Report’ shall be submitted that states how the reserved matters comply with the approved parameter plans and Design principles at Appx 5.1 of the Environmental Statement submitted for the outline permission SE/15/00628 and the Design Brief and Design Code to be approved pursuant to condition 6 below.

To comply with the requirements of Policy EMP3 of the Allocations and Development Management Plan (ADMP) and to conserve and enhance the AONB, heritage assets and protect the character and openness of the Green Belt, in accordance with policies LO8, SP1, SP2, SP3, SP5, SP7, SP8, SP9 and SP11 of the Core Strategy and policies EMP3, EN1, EN4, EN5, EN6, GB10 of the ADMP and the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

Whole site before commencement

6 No development **other than the enabling works** shall take place until a Design Brief and Design Coding for the site, including the Residential Character Areas, Village Centre and Commercial Area, as set out in the Design and Access Statement and Parameter plans and Environmental Statement, has been submitted to and approved in writing by the Local Planning Authority. The detailed design principles within the Design Brief shall include details of:

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- a. Constraints
- b. Topography
- c. Land use
- d. Massing and building heights
- e. Access and circulation
- f. Parking
- g. Public realm and amenity space
- h. Layout
- i. Appearance
- j. Architectural, landscape and sustainable construction guidelines.
- k. Existing and proposed levels
- l. Renewable energy provision and a low carbon development scheme
- m. A strategy for the layout of the affordable housing provision.
- n. A strategy for the layout of public open space including LEAPS and LAPS
- o. A lighting strategy
- p. Security and safety
- q. A materials strategy
- r. Power supply
- s. Broadband internet provision
- t. A strategy for the replacement, removal and retention of the existing security fencing
- u. A strategy to minimise noise from the proposed new buildings for Qinetiq
- v. Those parts of the site that are proposed to be adopted as public highway.

No development shall be carried out otherwise than in accordance with the approved details.

To comply with the requirements of Policy EMP3 of the Allocations and Development Management Plan (ADMP) and to conserve and enhance the AONB, heritage assets and protect the character and openness of the Green Belt, in accordance with policies LO8, SP1, SP2, SP3, SP5, SP7, SP8, SP9 and SP11 of the Core Strategy and policies EMP3, EN1, EN4, EN5, EN6, GB10 of the ADMP and the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

7 The details submitted for reserved matters and pursuant to condition 6 above shall demonstrate compliance with the following criteria:

- a. Shall provide not less than 27 000 sqm for Class B floorspace.
- b. A maximum height of 16 metres for the Qinetiq replacement headquarters and all other commercial floorspace **above existing ground levels**.
- c. A maximum height of 11.5 metres for the residential units **above existing ground levels**.

To comply with the requirements of Policy EMP3 of the Allocation and Development Management DPD and the National Planning Policy Framework.

8 No development **other than the enabling works** shall take place until a foul water drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved in writing by the Local Planning Authority in consultation. No discharge of

foul water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. This is supported by policy EN1 of the Allocations and Development Plan and the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

9 No development **other than the enabling works** shall take place until details have been submitted to and approved in writing by the Local Planning Authority of:

- a. the detailed design of the sustainable drainage system for the site
- b. a management and maintenance plan for the sustainable drainage system
- c. details of the implementation timetable

No development shall be carried out otherwise than in accordance with the approved details.

To minimise the risk of flooding and ensure the satisfactory means of surface water disposal using sustainable drainage methods for the lifetime of the development in accordance with paragraph 99 of the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

10 No development **other than the enabling works** shall take place until an impact study of the existing water supply infrastructure has been submitted to and approved in writing by the Local Planning Authority. The study should determine the magnitude of any new additional capacity required in the system and a suitable connection point a programme of implementation for any works. No development shall be carried out otherwise than in accordance with the approved scheme.

To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand. This is supported by policy EN1 of the Allocations and Development Plan and the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

11 No development **other than the enabling works** shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site have each been submitted to and approved, in writing, by the local planning authority:

- a. A preliminary risk assessment which has identified:-

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- all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- b. A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c. The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority.

No development shall be carried out otherwise than in accordance with the approved details.

To protect public health and comply with policy SC1 of the Core Strategy and paragraphs 120 and 121 of the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

11a No development shall take place until a remediation strategy for the enabling works that includes the following components, to deal with the risks associated with contamination of the site have each been submitted to and approved, in writing, by the local planning authority:

a. A preliminary risk assessment which has identified:-

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

b. A site investigation scheme for the areas of the enabling works, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c. The results of the site investigation for the areas of the enabling works and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages,

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maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority.

No development or enabling works shall be carried out otherwise than in accordance with the approved details.

To protect public health and comply with policy SC1 of the Core Strategy and paragraphs 120 and 121 of the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

12 No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority of:

- a. The road junction(s) splitting the residential associated traffic from the commercial associated traffic within the site.
- b. Details of proposed speed limits, visibility splays, surfacing and signage around the commercial part of the site.
- c. A programme of implementation.

No development shall be carried out otherwise than in accordance with the approved plans and details.

In the interests of Highway Safety as supported by T1 of the Allocations and Development Management Plan and the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

13 No development **other than the enabling works** shall take place until details of the following has been submitted to and approved in writing by the Local Planning Authority:

- a. a public recycling facility,
- b. a layby and hardstanding for the facilities,
- c. a timetable for the implementation of the works

No development shall be carried out other than in accordance with the approved details and timetable.

To contribute to the sustainability of the development as supported by policy SP2 of the Core Strategy and the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

14 No development shall take place until a method statement for the salvage, secure storage and re-use of items of historic interest including;

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- a. original street lamps,
- b. other street furniture, building numbers,
- c. street name signs,
- d. the red information board outside the M series/Bunkers,

has been submitted to and approved in writing by the Local Planning Authority. No development shall be carried out other than in accordance with the approved method statement.

To preserve the heritage and historical importance of the site in accordance with policy EN4 and EMP3 of the Allocations and Development Management Plan and paragraph 128 of the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

15 No development shall take place until methodology for recording the architecture and / or archaeology buildings prior to and during demolition has been submitted to and approved in writing by the Local Planning Authority. No demolition shall be carried out other than in accordance with the approved methodology and the records or reports shall be stored in accordance with the approved methodology.

To preserve the heritage and historical importance of the site in accordance with policies EMP3 and EN4 of the Allocations and Development Management Plan and paragraph 141 of the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

16 No development shall take place within 15m of the Ancient Woodland until a methodology has been submitted to and approved in writing by the Local Planning Authority to:

- a. Details of how the ancient woodland will be protected during the construction including the provision of a 15 metre buffer.

These details shall include a timescale for implementation. The works shall be carried out in accordance with the approved details.

To protect existing planting on site and to preserve the visual appearance of the area as supported by SP11 of the Core Strategy and EN1 of the Sevenoaks Allocations and Development Management Plan.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

17 No development shall take place within 15m of the Ancient Woodland until a methodology has been submitted to and approved in writing by the Local Planning Authority to:

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- a. Detail how the ancient woodland would be managed
- b. Detail how the public access to the ancient woodland would be managed

These details shall include a timescale for implementation. No development shall be carried out other than in accordance with the approved details.

To protect existing planting on site and to preserve the visual appearance of the area as supported by SP11 of the Core Strategy and EN1 of the Sevenoaks Allocations and Development Management Plan.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

18 No development shall take place until a demolition and construction environmental management plan (CEMP) for that Phase has been submitted to and approved in writing by the Local Planning Authority and thereafter implemented and maintained throughout the construction period in accordance with the approved CEMP. The CEMP shall include:

- a. Details of the proposed working hours
- b. Details of the design and location of the construction access:
- c. Details of proposed wheel washing facilities located adjacent the construction site access
- d. Details of an area for the storage of materials, parking for construction traffic and an appropriate turning area to be provided within the site clear of the public highway
- e. A site waste management plan
- f. Details of temporary utilities
- g. How the construction will comply with the sustainable use of soils on construction sites
- h. Details of a communication strategy to include the provision of a dedicated phone line for residents to contact the site manager directly with complaints which should be manned whenever site works are in progress.
- i. Details of a routing agreement for the site construction traffic and HGV traffic associated with the movement of bulk material to and from the site
- j. Details of means of suppressing dust during the construction process to include the regime for dust deposition measurement at the site boundaries;
- k. Details of the measures to mitigate the noise and vibration from construction
- l. Details of a surface water drainage scheme for the temporary drainage of the Site.

In the interests of highway safety and the amenities of neighbouring dwellings as supported by policies T1 and EN1 of the Allocations and Development Management Plan and the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

19 No development shall take place until a Landscape and Ecological Management Plan, in accordance with the principles contained in the Outline Landscape and

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Ecological Management Plan submitted in July 2015 of application SE/15/00628 has been submitted to and approved in writing by the local planning authority.

The Landscape and Ecological Management Plan (LEMP) shall provide the overarching approach to landscape and ecological management, and shall include details of the ecological mitigation measures to be delivered during the development and during the enabling works, and shall include the following details:

- a. Description and evaluation of features to be managed;
- b. Aims and measurable objectives of management;
- c. Appropriate management prescriptions for achieving aims and objectives;
- d. Preparation of a work schedule (including an annual work plan capable of being rolled forward over the duration of the Plan);
- e. Ongoing habitat and species monitoring provision against measurable objectives;
- f. Procedure for the identification, agreement and implementation of contingencies and/or remedial actions where the monitoring results show that the objectives are not being met;
- g. Details of the body/ies or organisation/s responsible for implementation of the plan.

No development shall take place otherwise than in accordance with the approved details.

To ensure that the proposed development will not have a harmful impact on landscape and ecology, and will enhance the wider biodiversity, in accordance with policies EN1 of the Sevenoaks Allocations and Development Management Plan, SP11 of the Core Strategy and guidance in National Planning Policy Framework 2012.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

20 No development shall take place until a building retention and demolition management plan has been submitted for and approved in writing by the local planning authority in accordance with the building retention and demolition management plan. This shall include:

- a. identify all buildings to be retained on site, including at least two air raid shelters and
- b. the means for their protection and
- c. the details of a demolition management strategy.

All buildings to be retained shall be so retained in accordance with the approved details and no demolition shall be carried out otherwise than in accordance with the approved details.

To preserve the historic site and its designated and non designated heritage assets as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan and paragraph 128 of the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

21 No development **other than the enabling works** shall take place until the details submitted in connection with the reserved matters shall include, for each phase of the development above slab level, a noise report indicating how noise levels **from any part of the site occupied by Qinetiq can be controlled so that noise levels do not exceed 55dba in the outdoor amenity areas across the site**. No development shall be carried out otherwise than in accordance with the approved details.

To conserve and enhance the natural beauty of the Kent Downs AONB, and to protect the amenity of future users and occupiers of the site, including residents. This is in accordance with policies EN5 and EN2 of the Allocations and Development Management Plan.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

22 No development shall take place until details have been submitted to an approved in writing by the Local Planning Authority of a strategy to implement the recommendations of the Slope Stability Assessment submitted for application SE/15/00628. The strategy shall include:

- a. Details of a watching brief for solution cavities and voids.
- b. Details of those parts of the site where ground levels should not be increased.
- c. Details of those parts of the site where new foundations should not be placed.
- d. Details of those parts of the site where the existing natural drainage needs to be protected.
- e. Details of the temporary support or battering works required during any excavation or filling works.
- f. Details of a programme for monitoring and assessment of slope stability across the site during the construction process.
- g. Details of an implementation timetable.

No development shall be carried out otherwise than in accordance with the approved details.

To protect the stability of the site as supported by Policy SP2 of the Core Strategy and Policy EN4 of the Sevenoaks Allocations and Development Management Plan and paragraphs 120 and 121 of the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

23 Prior to commencement of any works to the Scheduled Ancient Monument details shall be submitted to, and be approved in writing by the Local Planning Authority of any proposed landscaping works, including the removal of trees within the curtilage of the Scheduled Ancient Monument. No development will be carried out otherwise than in accordance with the approved details.

To preserve the historic significance of the Scheduled Ancient Monument as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan and the National Planning Policy Framework.

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The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

For each phase conditions

24 Before each phase of development identified pursuant to condition 4 is commenced a detailed Construction Environmental Management Plan: Biodiversity (CEMP: Biodiversity) for that phase shall be submitted to, and approved in writing by, the local planning authority. The content of the CEMP: Biodiversity shall adhere to and support the principles of the approved overarching Landscape and Ecological Management Plan, shall be in accordance with the Outline CEMP and shall include the following:

- a. Risk assessment of potentially damaging construction activities;
- b. Identification of “biodiversity protection zones”, including the use of protective fences, exclusion barriers and warning signs;
- c. Practical measures informed by further ecological surveys (both physical measures and sensitive working practices) to avoid or reduce ecological impacts during construction (may be provided as a set of method statements);
- d. The times during construction when specialist ecologists need to be present on site to oversee works;
- e. Responsible persons and lines of communication;
- f. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

No development shall be carried out other than in accordance with the approved details..

To ensure that the proposed development will not have a harmful impact on landscape and ecology, and will enhance the wider biodiversity, in accordance with policies EN1 of the Sevenoaks Allocations and Development Management Plan, SP11 of the Core Strategy and guidance in National Planning Policy Framework 2012.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

25 Before each phase of development identified pursuant to condition 4 is commenced details of all trees / bushes / hedges to be retained within (and immediately adjacent to) each phase shall be protected by a fence erected in accordance with the guidance contained in BS 5837:2005 and maintained during the course of development within that phase.

Within the protection areas erected in accordance with the guidance contained in **BS 5837:2012** the existing ground level shall neither be raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored within such areas without the prior written approval of the local planning authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree root encountered with a diameter of 25mm or more shall be left unsevered **unless otherwise agreed in writing by the Local Planning Authority.**

To protect existing planting on site and to preserve the visual appearance of the area and the existing trees on site as supported by EN1 of the Sevenoaks Allocations and Development Management Plan.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

26 Before each phase of development identified pursuant to condition 4 is commenced the details submitted pursuant to reserved matters shall include the following details:

- a. any proposed access road(s) including details of horizontal and vertical alignment
- b. the layout, specification and construction programme for:
 - any internal roads not covered by (a) above
 - footpaths
 - parking and turning areas (including visibility splays)
 - cycle parking areas and
 - cycle storage facilities;
- c. For the landscaping scheme:
 - Location of existing trees, hedges, shrubs and other vegetation.
 - The layout, character, structure and types of the proposed planting, together with an indicative schedule of planting species.
 - The layout and character of the proposed hard surfacing areas together with an indicative schedule of materials.
 - Details of any earthworks proposed, contours to be formed and representative cross/long-sections and
 - Location of lighting for roads, footpaths and other areas. The reserved matters for landscaping details shall show integration with the other reserved matters.

In the interests of highway safety and the amenities of neighbouring dwellings as supported by policies T1 of the Allocations and Development Management Plan and the National Planning Policy Framework.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

27 Before each phase of development identified pursuant to condition 4 is commenced the details submitted in connection with the reserved matters shall include measures to minimise the risk of crime. No development shall take place until details of such measures, corresponding to that phase, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied before the approved measures have been implemented and thereafter retained.

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To create a safe and secure environment for residents as supported by policy EN1 of the Allocations and Development Management Plan and the National Planning Policy Framework.

28 Before each phase of development identified pursuant to condition 4 is commenced the details submitted in connection with the reserved matters shall include the following details: a plan for the installation of electric vehicle charging points showing their proposed locations, type and specifications, and how they would relate to the access and layout of the scheme shall be submitted to and approved by the Local Planning Authority. No development shall be carried out otherwise than in accordance with the approved plans.

To ensure the sustainability of the site in accordance with policy T3 of the Allocations and Development Management Plan.

29 Before each relevant phase of development identified pursuant to condition 4 is commenced a scheme for the provision of secure cycle storage facilities shall be submitted to and improved in writing by the Local Planning Authority. No development shall be carried out otherwise than in accordance with the approved details.

To ensure the sustainability of the site in accordance with policy SP2 of the Core Strategy and EMP3 of the Allocations and Development Management Plan.

30 Before each phase of development identified pursuant to condition 4 is commenced the details submitted pursuant to reserved matters shall include details for internal and/or external spaces for the storage of recyclable materials for all buildings. No development shall be carried out otherwise than in accordance with the approved details.

To ensure the sustainability of the site in accordance with policy SP2 of the Core Strategy and EMP3 of the Allocations and Development Management Plan.

31 Before each phase of development identified pursuant to condition 4 is commenced no development shall take place until a written scheme of archaeological investigation has been submitted to and improved in writing by the Local Planning Authority. No development shall take place other than in accordance with the programme of archaeological work provided for in the written scheme of investigation. No development may take place in any area which is identified in the scheme of investigation (or by the work provided for by that scheme) as requiring a programme of archaeological investigation work until that programme has been completed in accordance with the scheme of investigation.

To investigate and record archaeological features as supported by Policy EN4 of the Sevenoaks Allocations and Development Management Plan and paragraph 128 of the National Planning Policy Framework.

32 Before each phase of development identified pursuant to condition 4 is commenced the details submitted pursuant to reserved matters shall include a strategy and design for street furniture which shall include, street lighting, waste bins, seating and any non-highway signage. This shall include a programme of implementation. The strategy and programme of implementation shall be submitted to and approved in writing

by the Local Planning Authority. No development shall be carried out otherwise than in accordance with the approved details.

To ensure good design and contribute to the character of the development as supported by policies EN1 and EMP3 of the Allocations and Development Management Plan.

33 Before each phase of development identified pursuant to condition 4 is commenced details of the boundary treatment for each phase shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a plan indicating the positions, design, height, materials and type of boundary treatment to be erected in accordance with the design brief and design coding approved pursuant to condition 6 and details of a timetable for their implementation. No development shall be carried out otherwise than in accordance with the approved details.

In the interests of visual amenity and the amenity of residents in accordance with policies EN1 and EN2 of the Allocations and Development Management Plan.

34 Before each phase of development identified pursuant to condition 4 is commenced the details submitted pursuant to reserved matters shall include details of hard and soft landscaping in accordance with the design brief and design coding approved pursuant to condition 6 shall be submitted for approval in writing by the local planning authority. These details shall include:

- a. Planting plans, including plants to be retained and new plants
- b. Written specifications including cultivation and other operations associated with plant and grass establishment.
- c. Schedules of new plans including species, size, stock at time of planting, and proposed densities
- d. A programme of implementation.

No development shall be carried out otherwise than in accordance with the approved details. If within a period of 10 years from the completion of the relevant phase any trees or plants that form part of the approved details are removed or become seriously damaged or diseased, they shall be replaced in the next planting season with others of similar size and species.

To ensure that the proposed development will conserve and enhance the landscape and ecology, and biodiversity, in accordance with policies EN1 of the Sevenoaks Allocations and Development Management Plan, SP11 of the Core Strategy and guidance in National Planning Policy Framework 2012.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

35 Before each phase of development identified pursuant to condition 4 is commenced the details submitted in connection with the reserved matters shall include a scheme for the construction of play equipment for **Locally Equipped Area of Play** (LEAPS) and Local Area of Play (LAP). This scheme shall include a programme of implementation. The scheme and programme of implementation shall be submitted to and approved in writing by the Local Planning Authority. No development shall be carried out otherwise than in accordance with the approved details.

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In the interests of the amenities of future residents as supported by policy EN2 of the Allocations and Development Management Plan and paragraph 73 of the National Planning Policy Framework.

36 Before each phase of development identified pursuant to condition 4 is commenced a scheme and programme of implementation shall be submitted of all proposed vehicular accesses, driveways and turning areas that serve residential units shall be submitted to and improved by the Local Planning Authority in consultation with the Local Highway Authority. No development shall be carried out otherwise than in accordance with the approved scheme and programme of implementation.

In the interests of highway safety and convenience in accordance with policies T2 and EMP3 of the Allocations and Development Management Plan.

37 Before each phase of development identified pursuant to condition 4 is first occupied details of a scheme for external lighting and a programme of implementation shall be prepared in accordance with the details contained in the approved LEMP shall be submitted to and approved in writing by the Local Planning Authority. No development shall be carried out otherwise than in accordance with the approved details.

To control light pollution, protect the amenities of the local area and ecology in accordance with policies EN1 and EN6 of the Allocations and Development Management Plan, SP11 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

38 Before each phase of development identified pursuant to condition 4 is commenced a detailed Landscape and Ecological Management Plan (LEMP) for that phase shall be submitted to, and approved in writing by, the local planning authority. Each detailed Landscape and Ecological Management Plan shall be written in accordance with the approved overarching Landscape and Ecological Management Plan and shall include details of the ecological mitigation measures to be delivered during the specified phase of the development. Where different from and/or additional to the overarching Landscape and Ecological Management Plan, the detailed Landscape and Ecological Management Plans shall include the following:

- a. Description and evaluation of features to be managed;
- b. Aims and measurable objectives of management;
- c. Appropriate management prescriptions for achieving aims and objectives;
- d. Preparation of a work schedule (including an annual work plan capable of being rolled forward over the duration of the Plan);
- e. Ongoing habitat and species monitoring provision against measurable objectives;
- f. Procedure for the identification, agreement and implementation of contingencies and/or remedial actions where the monitoring results show that the objectives are not being met;
- g. Details of the body/ies or organisation/s responsible for implementation of the plan.

No development shall be carried out otherwise than in accordance with the approved details.

To ensure that the proposed development will not have a harmful impact on landscape and ecology, and will enhance the wider biodiversity, in accordance with policies EN1 of

the Sevenoaks Allocations and Development Management Plan, SP11 of the Core Strategy and guidance in National Planning Policy Framework 2012.

The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted.

Before each phase is occupied

39 Before each phase of development identified pursuant to condition 4 is first occupied a verification report demonstrating completion of works set out in the approved remediation strategy approved pursuant to condition 10 and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include;

- a. results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
- b. any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan.

No development shall be carried out otherwise than in accordance with the approved details.

To protect human health and to comply with paragraphs 120 and 121 of the National Planning Policy Framework.

No x unless y

40 No impact piling shall take place until a piling method statement which includes;

- a. detailing the depth and type of piling to be undertaken,
- b. the methodology by which such piling will be carried out,
- c. measures to prevent and minimise the potential for damage to subsurface water infrastructure,

shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place otherwise than in accordance with the approved details.

The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. This is in accordance with paragraph 99 of the National Planning Policy Framework.

41 No road or footway that is to be a public highway shall be constructed as part of the development without having first entered into an agreement with the Local Highway Authority pursuant to a Section 38 and/or Section 278 Agreement of the Highways Act 1980 in respect of that road or footway.

In the interests of highway safety in accordance with policy T1 of the Allocations and Development Management Plan.

Other conditions requiring timing

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42 All non-residential buildings shall be constructed in accordance with a specification to be submitted for approval to and approved in writing by the Local Planning Authority. The specification shall include a commitment to build to a BREEAM 'very good' certification, or such equivalent scheme and standard that shall operate at the time of construction of that building. No development shall be carried out otherwise than in accordance with the approved details.

To ensure a high standard of sustainable development in accordance with Policies SP2 of the Sevenoaks Core Strategy and the National Planning Policy Framework.

Ongoing conditions

43 If, during development, contamination not previously identified is found to be present at the site then the Local Planning Authority must immediately be notified in writing and (unless otherwise agreed in writing with the Local Planning Authority) no further development within the relevant phase shall be carried out until a supplementary remediation strategy detailing how this unsuspected contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. No development shall be carried out otherwise than in accordance with the approved details.

To ensure that any possible land contamination related to historic site activities is addressed in line with current planning guidance. The site is located on a principal aquifer and has a history of use as a laboratory for weapons testing.

44 No infiltration of surface water drainage into the ground at the site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. No development shall be carried out otherwise than in accordance with the approval details.

To protect groundwater, ecosystems and human health in compliance with paragraphs 120 and 121 of the National Planning Policy Framework.

45 No noise generating machinery (other than any plant forming part of the building services comprised in the development and approved in accordance with this permission) shall be operated on the premises outside the following hours:-0800 - 1900 Mondays - Fridays 0900 - 1700 Saturdays and not at all on Sundays or Public Holidays'.

To conserve and enhance natural beauty (relative tranquillity) of the Kent Downs AONB, the biodiversity and landscape setting of the site, and to protect the amenity of future users and residents of the site'. This is in accordance with policies EN5 and EN2 of the Sevenoaks Allocation and Development Management Plan and the National Planning Policy Framework.

46 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 no external storage shall be carried out (excluding all residential units and their curtilages) without the prior consent in writing of the Local Planning Authority.

To enable the Local Planning Authority to retain control over future development given the location of the site in an AONB. In accordance with policies EN1, EN4 and EMP3 of

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the Sevenoaks Allocations and Development management Plan and the National Planning Policy Framework.

47 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, re-enacting or modifying that Order), the premises first built and occupied for uses falling within Classes A1-A3, D1, D2 and those falling within Classes B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 shall only be used for those purposes and no other purpose (including any other purpose falling within the same Use Class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

To enable the Local Planning Authority to retain control over future development given the location of the site in an AONB and the policy requirement for an employment led scheme. In accordance with policies EN1, EN4 and EMP3 of the Sevenoaks Allocations and Development management Plan and the National Planning Policy Framework.

48 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Figure 5.1 00556A_PP_01 Land Use revision P5
- Figure 5.2 00556A_PP_02 Residential Density revision P5
- Figure 5.3 00556A_PP_03 Proposed Building Heights revision P5
- Figure 5.4 00556A_PP_04 Access and Movement revision P6
- Figure 5.5 00556A_PP_05 Green Infrastructure revision P6
- Figure 5.6 00556A_PP_06 Demolition Plan revision P2
- Letter dated 27.7.15 from Waterman
- Environmental Statement and appendices and figures and non-technical summary
- Site location plan 00556A SV 01 Rev P1
- 26582/001/001 Star Hill access
- 26582 / 001 / 001B Star Hill Road access visibility splays.
- 26582 / 001 / 008D A224 Polhill / Otford Lane Junction Improvements
- 26582 / 001 / 030 Fort Halstead Roundabout option and pedestrian and cycle provision
- 5.1 Design Principles of Appendix 5.1 of the Environmental Statement
- Illustrative Masterplan 00556A S 01 revision P6
- Design and Access Statement
- Planning Statement
- Employment report
- AONB report
- Statement of Community Involvement
- Sustainability Statement
- Energy Statement
- Utilities statement / Strategy
- Land Stability Report
- Lighting Assessment

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For the avoidance of doubt and in the interests of proper planning.

Informatives

- 1) With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. This is required in order to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 2) The application form indicates that soakaways, ponds and sustainable urban drainage techniques will be used. The following points should be noted wherever soakaways or infiltration devices are proposed at a site:

Appropriate pollution prevention methods (such as trapped gullies or interceptors) should be used to prevent hydrocarbons draining to ground from roads, hardstandings and car parks. Clean uncontaminated roof water should drain directly to soakaways entering after any pollution prevention methods.

- No soakaway or infiltration device should be sited in or allowed to discharge into land impacted by contamination or land previously identified as being contaminated.

- There must be no direct discharge to groundwater, a controlled water. An unsaturated zone must be maintained throughout the year between the base of soakaways and the water table.

- Normally we advise that a series of shallow soakaways are preferable to deep bored soakaways, as deep bored soakaways can act as conduits for rapid transport of contaminants to groundwater. However, there is a significant unsaturated zone at this site and therefore this may not be as relevant.

Any potential surface water drainage should refer to the contamination reports to ensure that the drainage isn't located in land which could have been impacted by contamination.

- 3) Fuel, Oil and Chemical Storage

Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary containment that is impermeable to both the oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located

within the secondary containment.

The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

- 4) The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, we should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to :

- The position statement on the Definition of Waste: Development Industry Code of Practice and;
 - Our website at www.gov.uk/environment-agency for further guidance
- 5) Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:
- Duty of Care Regulations 1991
 - Hazardous Waste (England and Wales) Regulations 2005
 - Environmental Permitting (England and Wales) Regulations 2010
 - The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, we should

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be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at www.gov.uk/environment-agency for more information.

- 6) It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Note to Applicant

In accordance with paragraphs 186 and 187 of the NPPF Sevenoaks District Council (SDC) takes a positive and proactive approach to development proposals. SDC works with applicants/agents in a positive and proactive manner, by;

- Offering a duty officer service to provide initial planning advice,
- Providing a pre-application advice service,
- When appropriate, updating applicants/agents of any small scale issues that may arise in the processing of their application,
- Where possible and appropriate suggesting solutions to secure a successful outcome,
- Allowing applicants to keep up to date with their application and viewing all consultees comments on line (www.sevenoaks.gov.uk/environment/planning/planning_services_online/654.asp),
- By providing a regular forum for planning agents,
- Working in line with the NPPF to encourage developments that improve the improve the economic, social and environmental conditions of the area,
- Providing easy on line access to planning policies and guidance, and
- Encouraging them to seek professional advice whenever appropriate.

In this instance the applicant/agent:

- 1) Was updated with the progress of the planning application.

OR

RECOMMENDATION B: If the S106 legal agreement is not signed in accordance with the above recommendation, then planning permission be REFUSED on the following grounds:

1 The proposal fails to make provision for affordable housing and it is therefore contrary to Policy SP3 of the Sevenoaks District Council Strategy and the Sevenoaks Affordable Housing Supplementary Planning Document and the National Planning Policy Framework.

2 The proposal fails to provide safeguards to protect the ecology, bio-diversity, protected habitats on the site and to conserve and enhance the Area of Outstanding Natural Beauty contrary to Policies SP1, SP11, LO8 of the Core Strategy and Policies EMP3, EN5 of the Allocations and Development Management Plan DPD and the National Planning Policy Framework.

3 The proposal fails to make provision for open space and the management of it and to conserve and enhance the Area of Outstanding Natural Beauty contrary to Policies SP1, SP9, LO8 of the Core Strategy and Policies EMP3, EN5 of the Allocations and Development Management Plan DPD and the National Planning Policy Framework.

4 The proposal fails to provide safeguards to protect the designated and non-designated heritage assets on site and is therefore contrary to Policy SP1 of the Core Strategy and Policies EMP3, EN4 of the Allocations and Development Management Plan DPD and the National Planning Policy Framework.

5 The proposal fails to make provision for the appropriate and necessary highway and transportation improvements required to mitigate impact arising as a result of the development contrary to Policy SP9 of the Core Strategy and Policies EMP3, T1 of the Allocations and Development Management Plan DPD and the National Planning Policy Framework.

In this instance the applicant/agent:

1) Working in line with the NPPF, the application was refused as the proposal failed to improve the economic, social or environmental conditions of the area.

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