

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 26 January 2023 commencing at 7.00 pm

Present: Cllr. Pett (Vice Chairman in the Chair)

Cllrs. Ball, Cheeseman, Perry Cole, Edwards-Winser, Hogarth, Hudson, Layland, McGarvey, Raikes, Reay, Williams and Streatfeild

Apologies for absence were received from Cllrs. Barnett, Brown, P. Darrington, Purves and Williamson

Cllrs. Grint and Dr. Canet were also present.

Cllr Thornton was also present via a virtual media platform.

56. Minutes

Resolved: That the Minutes of the Development Control Committee meeting held on 5 January 2023, be approved and signed by the Chairman as a correct record.

57. Declarations of Interest or Predetermination

Cllr Perry Cole declared for Minute 59 - 19/05000/HYB - Fort Halstead, Crow Drive, Halstead, Sevenoaks TN14 7BU that he was the local Member for Kent Country Council within a division that was mentioned within the report.

Cllr Williams declared for Minute 59 - 19/05000/HYB - Fort Halstead, Crow Drive, Halstead, Sevenoaks TN14 7BU that under a previous position as a Parish Councillor he had considered the application but remained open minded in considering the application afresh.

58. Declarations of Lobbying

There were none.

59. 19/05000/HYB - Fort Halstead, Crow Drive, Halstead Sevenoaks TN14 7BU

The proposal sought planning permission for a hybrid application comprising, in outline: development of business space (use classes B1a/b/c) of up to 27,773 sqm GEA; works within the X enclave relating to energetic testing operations, including fencing, access, car parking; development of up to 635 residential dwellings; development of a mixed use village centre (use classes A1/A3/A4/A5/B1a/D1/D2); land safeguarded for a primary school; change of use of Fort Area and bunkers to Historic Interpretation Centre (use class D1) with workshop space and; associated landscaping, works and infrastructure. In detail: demolition of existing buildings;

Development Control Committee - 26 January 2023

change of use and works including extension and associated alterations to buildings Q13 and Q14 including landscaping and public realm, and primary and secondary accesses to the site.

The application had been referred to the Committee at the discretion of the Chief Planning Officer, as the development was of a significant and sensitive nature.

The Development Manager set out the history to the application and Members' attention was brought to the main agenda papers and late observation sheet which corrected the reported S106 Head of terms, clarified provision for affordable housing and amended the recommended conditions.

The Committee was addressed by the following speakers:

Against the Application:	Cllr Grint (on behalf of Knockholt Parish Council)
For the Application:	Alison Tero
Parish Representatives:	-
Local Members:	Cllr Grint (Halstead, Knockholt & Badgers Mount)

Members asked questions of clarification from the speakers and officer which centred around water supply (managed by conditions) Heavy Good Vehicles (HGVs) movements and the build time. It was confirmed that the build would be in phased developments and the transport assessment had taken into account a best and worst case scenario with HGV movements. As it was a phased development, any Community Infrastructure Levy (CIL) payments would also be phased. In response to further questions Members were advised that the legal agreement allowed for additional contributions for affordable housing if the viability changed in the future.

It was moved by the Chairman that the recommendations within the report and late observations sheet be agreed.

Members discussed the application giving consideration to the answers from questions of clarification and that planning permission had previously been granted on the site. Members discussed the conditions surrounding the water supply and sewage and traffic movements.

The motion was put to the vote and it was

Resolved: That if the requirements of resolution A below are not met, resolution B be followed:

A) That planning permission be granted subject to

Development Control Committee - 26 January 2023

- i) The conditions set out below, subject to any minor changes to wording being agreed in writing by the Chief Officer for Planning and Regulatory Services, and
- ii) A satisfactory legal agreement made under section 106 of the Town and Country Planning Act 1990 (as amended) being completed no later than 31 January 2023, unless in accordance with a new timescale otherwise agreed in writing by the Chief Officer for Planning and Regulatory Services. Except to the extent that the Deputy Chief Executive and Chief Officer for Planning and Regulatory Services is satisfied that the requirements are secured through the conditions.

Section 106 Agreement

The Section 106 Agreement shall include the following requirements:

- 20% affordable housing with a mix of 65% for Social Rent/ Affordable Rent 25% for First Homes and 10% Intermediate housing, plus early and late review mechanisms.
- Safeguarding of land for a school, to revert to employment use if not required;
- Ecological mitigation works and management of habitats;
- Provision, protection and management of all open spaces and the green infrastructure
- Safeguards for heritage assets including provision of a Heritage Management Plan and delivery of a Historic Interpretation Centre and a Heritage Trail;
- Management and maintenance plans for the open spaces within the site;
- Highways and transport improvements including works under a Section 278 agreement as required, to include :
- Access junction improvements including new roundabout to Polhill access to include pedestrian and cycling infrastructure and alterations to Star Hill Road and its access to include enlarged visibility splays, new warning signage, anti-skid surfacing, tapers on the junction corners; enlarged splinter island; safety enhancements to the bend of Star Hill Road to the south east of the site including white lining/ hatching; best endeavours to deliver a 40mph speed limit on Star Hill Road;
- Improved cycling links to Knockholt Station including best endeavours to prevent parking in the cycle lane on Old London Road and creation of an advisory cycle lane in both directions on the A224 between the new roundabout at Otford Lane and land south of Polhil Garden Centre, commitment to a cycle hire scheme;
- Upgrades to public rights of way and bridleways (including Polhill to Twitton bridleway and footpath to Knockholt Village);
- Details and provision of a community bus service;
- Compliance with Travel Plans and associated monitoring fees.
- Best endeavours to provide floorspace for the community or a health facility use

Development Control Committee - 26 January 2023

Planning Conditions

Definitions:

For the avoidance of doubt, these conditions rely on the following definitions:

“Detailed Permission”- relates to the area identified by plan 00556I_S01 Rev.P3 as “Detailed Planning Application boundary”.

“X Enclave”- relates to the area outlined in red on plan 00556I_S04 Rev.P2 and annotated as “QinetiQ’s red line boundary”.

1. The development to which this permission relates must be begun not later than whichever is later of the following dates: a) the expiration of 3 years from the date of this permission; or b) the expiration of two years from the approval of the final Reserved Matters permission.

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

2. The first application for the approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission.

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

3. No development shall take place until details of a Phasing Plan of the development has been submitted to and approved in writing by the Local Planning Authority.

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

4. The final Reserved Matters application shall be made to the Local Planning Authority not later than 10 years following the approval of the first Reserved Matters application.

Reason: In pursuance of section 92(2) of the Town and Country Planning Act 1990 and to provide certainty over the delivery of the development.

5. For each Phase of Development identified by Condition 3, approval of details of the scale, layout, landscaping and appearance of the proposed development (hereinafter called the “Reserved Matters”) shall be obtained from the Local Planning Authority in writing before any development in that Phase is commenced.

Development Control Committee - 26 January 2023

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

6. The plans and particulars of each relevant reserved matters application shall not exceed the maximum parameters of the development set out in the parameter plans: 005561_: PP01 Rev.P3, PP02 Rev.P3, PP03 Rev.P3, PP04 Rev.P4, S02 Rev.P3.

Reason: To ensure the development is within the parameters assessed in the Environmental Statement accompanying the application.

7. For each phase of the submission of Reserved Matters applications pursuant to this permission, a "Compliance Report" shall be submitted that states how the Reserved Matters comply with the approved parameter plans and Mandatory Design Principals at Condition 11. If required an updated Phasing Plan shall also be submitted for approval in writing.

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

8. Access to the site shall be carried out in full accordance with the details shown on drawings 41290/5501/044 Rev. A and 41290/5501/041 Rev.A in so far as they relate to the access to the site only.

Reason: To ensure safe access to the site and to comply with policy EN1 of the ADMP and the NPPF.

9. Before each phase of development identified pursuant to condition 3 is commenced the details submitted pursuant to reserved matters shall include, but not be limited to, 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 to be retained and removed;
 - d) Where applicable, retention of not less than a 15m buffer to the ancient woodland and trees labelled T136 and T137 within the report titled 'Arboricultural Impact Assessment Updated' ref RT-MME-152162 Rev.E (June 2020)
 - e) The layout, character, structure and types of the proposed planting, together with an indicative schedule of planting species and tree retention.
 - f) The layout and character of the proposed hard surfacing areas together with an indicative schedule of materials.

Development Control Committee - 26 January 2023

- g) Details of any earthworks proposed, contours to be formed and representative cross/long-sections.
- h) Location of lighting for roads, footpaths and other areas.
- i) Appropriate provision and distribution of play spaces.
- j) a strategy and design for street furniture which shall include, street lighting, waste bins, seating and any non-highway signage.
- k) Boundary treatments.
- l) The incorporation of measures to design out crime as part of the matters referred to above.

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

10. The area of the Detailed Permission (defined by plan 00556I_S01 Rev.P3 as 'Detailed Planning Application boundary') shall be carried out in accordance with the following approved plans: 00556J_MP_: S01 Rev.P1, S02 Rev.P1, S03 Rev.P1, S04 Rev.P1, 6699_101i. 00556J_Q14-13_: S07 Rev.P1, S08 Rev.P1, S09 Rev.P1, S10 Rev.P1, S11 Rev.P1, S12 Rev.P1, S13 Rev.P1, S14 Rev.P1, S15 Rev.P1, S16 Rev.P1, S17 Rev.P1, S19 Rev.P2.

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

11. The development shall be carried out in accordance with the Mandatory Design Principals as detailed in the document titled "Fort Halstead: Design Principles Application Revision 1 May 2020" and which are indicated therein as mandatory.

Reason: To ensure that the details of the development are acceptable to the Local Planning Authority and to ensure the development conserves and enhances the special landscape character of the AONB and the setting of the designated heritage assets, to comply with policies EN1, EN4 and EN5 of the Sevenoaks ADMP.

12. Prior to commencement of works (including demolition and site clearance) on land comprising the Detailed Permission (being the area of the detailed planning application defined by plan 00556I_S01 Rev.P3 as 'Detailed Planning Application boundary'), a detailed ecological mitigation strategy for that part of the development shall be submitted to, and approved in writing by the Local Planning Authority. This will include the relevant proposals within the Framework Ecological Mitigation Strategy Rev A (by Middlemarch Environmental, May 2020).

Reason: To ensure appropriate mitigation for biodiversity, to comply with policy SP11 and the NPPF.

13. With the submission of the first reserved matters application (excluding reserved matters relating to the X Enclave), a site-wide Outline Mitigation Strategy shall be submitted to, and approved in writing by,

Development Control Committee - 26 January 2023

the Local Planning Authority. The strategy will incorporate the measures within the Framework Ecological Mitigation Strategy Rev A (by Middlemarch Environmental, May 2020).

Reason: To ensure appropriate mitigation for biodiversity, to comply with policy SP11 and the NPPF.

14. With the submission of reserved matters for each phase identified pursuant to condition 3, an updated detailed mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy will accord with the details within the Outline Mitigation Strategy as agreed as Condition 13. The strategy will be adhered to thereafter.

Reason: To ensure appropriate mitigation for biodiversity, to comply with policy SP11 and the NPPF.

15. With the submission of a Reserved Matters application for each phase identified pursuant to condition 3, a detailed Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The document shall demonstrate compliance with the agreed Outline Landscape and Ecological Management Plan (by Middlemarch Environmental, June 2020) and shall include, where applicable, details for the management of the ancient woodland and management of public access within it. It shall also include details of how public footpaths within it will be maintained. The development shall be carried out in accordance with the approved details.

Reason: To ensure appropriate mitigation and management for biodiversity and the landscape, to comply with policy SP11 and the NPPF.

16. Before each phase of development identified pursuant to condition 3 is first occupied details of a scheme for external lighting and a programme of implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure appropriate mitigation for biodiversity and to ensure the development conserves and enhances the special landscape character of the AONB, to comply with policies EN1 and EN5 of the ADMP, SP11 of the Core Strategy, and the NPPF.

17. Before each phase of development identified pursuant to condition 3 is commenced a detailed Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) for that phase shall be submitted to, and approved in writing by, the Local Planning Authority. The content of the CEMP shall adhere to and support the principles of the approved overarching Landscape and Ecological Management Plan for that phase.

Development Control Committee - 26 January 2023

The development shall be carried out in accordance with the approved details.

Reason: To ensure adequate protection and mitigation for biodiversity during the construction process, to comply with policy SP11 of the Core Strategy and the NPPF.

18. Before each phase of development identified pursuant to condition 3 is commenced, details of all trees to be retained within (and immediately adjacent to) each phase, the 15m ancient woodland buffer and trees T136 and T137 (as identified in the report titled 'Arboricultural Impact Assessment Updated' ref RT-MME-152162 Rev.E June 2020) if they fall within or immediately adjacent to, that phase, shall be protected by a fence erected in accordance with the guidance contained in BS 5837:2012 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.

Reason: To ensure the protection of the retained, protected, ancient and veteran trees on the site during the construction process, to comply with policy EN1 of the ADMP and the NPPF.

19. No development shall commence (except for development within the X Enclave) until a site wide strategy to deal with potential risks associated with any contamination of the site has been submitted to, and approved in writing by the Local Planning Authority. This strategy will include the following: 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, and; potentially unacceptable risks arising from contamination of the site.

Reason: To ensure appropriate investigations are undertaken to inform a scheme of investigation and remediation as required, to ensure the development is safe for future users and to comply with the aims of the NPPF.

20. No development shall commence (except for development within the X Enclave) until a site investigation scheme, based on the findings of condition 19 and to provide information for a detailed assessment of the risk of all receptors that may be affected, including those off site, has been submitted to and approved in writing by the Local Planning Authority.

Development Control Committee - 26 January 2023

Reason: To ensure appropriate investigations are undertaken to inform a scheme of investigation and remediation as required, to ensure the development is safe for future users and to comply with the aims of the NPPF.

- 21.No development on any phase identified pursuant to condition 3 (except for development within the X Enclave) shall be commenced until details of an options appraisal and remediation for that phase, based on the results of conditions 19 and 20, has been submitted to and approved in writing by the Local Planning Authority. Those details shall include: full details of the remediation measures required and how they are to be undertaken; details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete, and; details of any longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The development shall be carried out in accordance with the approved details.

Reason: To ensure appropriate remediation is carried out as required, to ensure the development is safe for future users and to comply with the aims of the NPPF.

- 22.Prior to the occupation of any residential unit or the first commencement of any use within any phase (except for development within the X Enclave), a verification report, demonstrating the completion of works set out in the approved remediation strategy for that phase, and details of the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure appropriate remediation is carried out as required, to ensure the development is safe for future users and to comply with the aims of the NPPF.

- 23.If, during development on any part of the site (except for development within the X Enclave), contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out on that part of the site until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by the Local Planning Authority. The approved remediation strategy shall be implemented as approved.

Reason: To ensure appropriate remediation is carried out for any unexpected contamination, to ensure the development is safe for future users and to comply with the aims of the NPPF.

24. No development shall commence (except for development within the X Enclave) until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall be based on the FRA and Drainage Strategy (Hydrock, September 2019) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk off site, and shall include details of measures relating to the drainage of highways and accesses. The drainage scheme shall also demonstrate (with reference to published guidance):

- That silt pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters;
- Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development does not increase the flood risk elsewhere, to comply with policy SP1 of the Core Strategy and the NPPF.

25. No development on any phase identified pursuant to condition 3 shall be occupied until a Verification Report, pertaining to the surface water drainage system for that phase, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority. The report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure the drainage systems are installed as approved to ensure the development does not increase the flood risk elsewhere, to comply with policy SP1 of the Core Strategy and the NPPF.

26. No infiltration of surface water drainage into the ground is permitted other than with the written approval of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Development Control Committee - 26 January 2023

Reason: To ensure the development does not contribute to, or is not put at unacceptable risk from, water pollution caused by mobilised contaminants, to comply with the NPPF.

- 27.No development shall be commenced (except for development within the X Enclave) until a site wide foul drainage strategy, detailing how the developer intends to ensure that appropriate foul drainage is implemented with a connection to foul sewer, has been submitted to and approved in writing by the Local Planning Authority in consultation with the water undertaker and the Environment Agency. The development shall be constructed in accordance with the agreed detailed design and recommendations of the strategy.

Reason: To ensure the development does not contribute to, or is not put at unacceptable risk from, water pollution caused by mobilised contaminants, to comply with the NPPF.

- 28.Piling or other foundation designs using penetrative methods shall not be permitted other than in accordance with details first submitted to and approved in writing by the Local Planning Authority, where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater.

Reason: To ensure the development does not contribute to, or is not put at unacceptable risk from, water pollution caused by mobilised contaminants, to comply with the NPPF.

- 29.No construction traffic shall be permitted to use the Star Hill Road access at any time.

Reason: In the interests of highway safety, to comply with policy EN1 of the ADMP and the NPPF.

- 30.No development on any phase identified pursuant to condition 3 (including demolition and site clearance on any phase) shall be commenced until details of a construction traffic management plan for that phase have been submitted to and approved in writing by the Local Planning Authority. Those details shall include but not be limited to:
- Routing of vehicles;
 - Employee parking;
 - Delivery vehicle unloading and turning;
 - Wheel washing facilities, and;
 - Any requirements for traffic management.

The development on that phase shall be carried out only in accordance with the approved details.

Reason: To protect highway and pedestrian safety during the construction phases, to comply with policy EN1 of the ADMP and the NPPF.

Development Control Committee - 26 January 2023

31. Prior to the occupation or use of the first phase of the development identified pursuant to condition 3, full details of the Demand Responsive Transport service to serve the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that options for encouraging sustainable means of transport from the site are delivered, to comply with policies EN1 of the ADMP and SP1 of the Core Strategy, and the NPPF.

32. Prior to the occupation or use of each phase identified pursuant to condition 3, updated details of the Demand Responsive Transport service shall be submitted to and approved in writing by the Local Planning Authority. The service shall operate in accordance with the approved details.

Reason: To ensure that options for encouraging sustainable means of transport from the site are delivered, to comply with policies EN1 of the ADMP and SP1 of the Core Strategy, and the NPPF.

33. Prior to the occupation or first use of any part of the development (except for development within the X Enclave), details of a Bus Management Plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall outline the services that will serve the site and how demand will be monitored and how the bus service will respond to demand.

Reason: To ensure that options for encouraging sustainable means of transport from the site are delivered, to comply with policies EN1 of the ADMP and SP1 of the Core Strategy, and the NPPF.

34. Prior to commencement of any phase identified pursuant to condition 3, details of a scheme of electrical vehicle charging points within that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details and those charging points shall be available for use prior to the occupation of the buildings they serve.

Reason: To ensure the delivery of electrical vehicle charging points, to comply with policy T3 of the ADMP.

35. Prior to commencement of development on any phase identified pursuant to condition 3, a building retention and demolition management plan for that phase shall be submitted to and approved in writing by the local planning authority. This shall include: a) details of the methods of protection of the buildings to be retained and b) the details of a demolition management strategy. Demolition shall occur only in accordance with the approved details and all buildings to be retained shall be protected in full accordance with the approved details for the duration of construction on that phase.

Development Control Committee - 26 January 2023

Reason: To preserve the historic site and its designated and non-designated heritage assets as supported by Policy EN4 of the ADMP and the NPPF.

36. No development on any phase identified pursuant to condition 3 shall take place until a method statement for the salvage, secure storage and re-use of items of historic interest including: original street lamps, other street furniture, building numbers, street name signs and, 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.

Reason: To preserve the heritage and historical importance of the site in accordance with policy EN4 and EMP3 of the Sevenoaks ADMP and the NPPF.

37. No development shall take place pursuant to any phase identified by condition 3 until methodology for recording the architecture and/or archaeology buildings prior to and during demolition on that phase 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.

Reason: To preserve the heritage and historical importance of the site in accordance with policy EN4 and EMP3 of the Sevenoaks ADMP and the NPPF.

38. Prior to commencement of development on any phase identified pursuant to condition 3, an archaeological impact assessment and archaeological landscape survey shall be submitted to and approved in writing by the Local Planning Authority, including a written specification and timetable. The development shall be implemented in accordance with the approved archaeological impact assessment.

Reason: To preserve the heritage and historical importance of the site in accordance with policy EN4 and EMP3 of the Sevenoaks ADMP and the NPPF.

39. Prior to commencement of development on any phase identified pursuant to condition 3, details of archaeological field evaluation works, shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording if necessary. The development shall be carried out in accordance with the approved details.

Development Control Committee - 26 January 2023

Reason: To preserve the heritage and historical importance of the site in accordance with policy EN4 and EMP3 of the Sevenoaks ADMP and the NPPF.

40. Prior to the first occupation of any dwelling or use of any community or employment floorspace (except for development within the X Enclave), written confirmation shall be provided to the Local Planning Authority to demonstrate that either: a) all water network upgrades required to accommodate the additional flows to serve the development have been completed; or b) a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: To ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development, to comply with policy EN2 and the aims of the NPPF.

41. No development (except for development within the X Enclave) 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, a suitable connection point and a programme of implementation for any works. No development shall be carried out otherwise than in accordance with the approved scheme.

Reason: 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 ADMP and the NPPF.

42. Prior to commencement of development on any phase identified pursuant to condition 3, a demolition and construction environmental management plan (CEMP), specific to amenity issues, for that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The CEMP shall include:
- a. Details of the proposed working hours;
 - b. Details of the design and location of the construction access;
 - c. A site waste management plan
 - d. Details of temporary utilities
 - e. How the construction will comply with the sustainable use of soils on construction sites
 - f. 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.

Development Control Committee - 26 January 2023

- g. 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
- h. Details of means of suppressing dust during the construction process to include the regime for dust deposition measurement at the site boundaries;
- i. Details of the measures to mitigate the noise and vibration from construction;
- j. Details of a surface water drainage scheme for the temporary drainage of the Site.

Reason: To preserve highway safety and to protect residential amenity, to comply with policies EN1, EN2 and EN7 of the ADMP.

43. Prior to the commencement of development on any phase identified by condition 3 and which includes residential development, details shall be submitted to and approved in writing by the Local Planning Authority to demonstrate the provision of outdoor play space, including details of a scheme for its implementation. The development shall be carried out in accordance with the approved details.

Reason: To ensure delivery of adequate play facilities across the site and to comply with policy EN2 of the ADMP.

44. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended and the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, (or any order revoking, re-enacting or modifying that Order), all buildings and units occupied for commercial uses (all uses other than C3) within the development shall be used only for the purposes described in this application comprising uses falling within the Use Classes Order 1987 (as amended) prior to 1 September 2020, being A1, A3, A4, A5, B1a, D1 and D2 for the uses falling within the village centre, and use classes B1a/b/c for the business space. Those buildings shall only be used for those uses for which they are first occupied and will not benefit from use class permitted development subsequently.

Reason: To ensure delivery of a mixed use village centre and the delivery of appropriate employment uses on the site, and to protect highway safety, to comply with policies SP1 of the Core Strategy and EMP3 of the ADMP.

45. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting or amending those Orders with or without modification), planning permission shall be required in respect of development falling within Schedule 2, Part 7, Classes A, H, J, M, N.

Reason: To ensure protection of the ancient woodland, protected trees and habitats on the site, and to ensure that future development

Development Control Committee - 26 January 2023

conserves and enhances the special landscape character of the AONB and the setting of the designated heritage assets, to comply with policies SP1 and SP11 of the Core Strategy and EN4 and EN5 of the ADMP.

46. 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.

Reason: To preserve the historic significance of the Scheduled Ancient Monument as supported by Policy EN4 of the Sevenoaks ADMP.

Conditions Relating to the X Enclave

(relating to the area outlined in red on plan 005561_S04 Rev.P2 and annotated as "QinetiQ's red line boundary")

47. With the submission of the first reserved matters application relating to the X Enclave, an Ecological Mitigation Strategy for that part of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy will incorporate the measures within the Framework Ecological Mitigation Strategy Rev A (by Middlemarch Environmental, May 2020).

Reason: To ensure appropriate mitigation for biodiversity, to comply with policy SP11 and the NPPF.

48. No development shall commence within the X Enclave until a strategy to deal with potential risks associated with any contamination on that part of the site has been submitted to, and approved in writing by the Local Planning Authority. This strategy will include the following: 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, and; potentially unacceptable risks arising from contamination of the site.

Reason: To ensure appropriate investigations are undertaken to inform a scheme of investigation and remediation as required, to ensure the development is safe for future users and to comply with the aims of the NPPF.

49. No development shall commence within the X Enclave until a site investigation scheme, based on the findings of condition 48 and to provide information for a detailed assessment of the risk of all receptors that may be affected, including those off site, has been submitted to and approved in writing by the Local Planning Authority.

Development Control Committee - 26 January 2023

Reason: To ensure appropriate investigations are undertaken to inform a scheme of investigation and remediation as required, to ensure the development is safe for future users and to comply with the aims of the NPPF.

- 50.No development within the X Enclave shall be commenced until details of an options appraisal and remediation for that area, based on the results of conditions 48 and 49, has been submitted to and approved in writing by the Local Planning Authority. Those details shall include: full details of the remediation measures required and how they are to be undertaken; details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete, and; details of any longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The development shall be carried out in accordance with the approved details.

Reason: To ensure appropriate remediation is carried out as required, to ensure the development is safe for future users and to comply with the aims of the NPPF.

- 51.Prior to the occupation of any building within the X Enclave, a verification report, demonstrating the completion of works set out in the approved remediation strategy for that phase, and details of the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure appropriate remediation is carried out as required, to ensure the development is safe for future users and to comply with the aims of the NPPF.

- 52.If, during development within the X Enclave, contamination not previously identified is found to be present on that part of the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out on that part of the site until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by the Local Planning Authority. The approved remediation strategy shall be implemented as approved.

Reason: To ensure appropriate remediation is carried out for any unexpected contamination, to ensure the development is safe for future users and to comply with the aims of the NPPF.

- 53.No development shall commence within the X Enclave until a detailed sustainable surface water drainage scheme for that part of the site has been submitted to and approved in writing by the Local Planning

Development Control Committee - 26 January 2023

Authority. The detailed drainage scheme shall be based on the FRA and Drainage Strategy (Hydrock, September 2019) and shall demonstrate that the surface water generated by this part of the development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk off site, and shall include details of measures relating to the drainage Of highways and accesses. The drainage scheme shall also demonstrate (with reference to published guidance):

- That silt pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters;
- Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker. The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development does not increase the flood risk elsewhere, to comply with policy SP1 of the Core Strategy and the NPPF.

54.No development shall be commenced within the X Enclave until its foul drainage strategy, detailing how the developer intends to ensure that appropriate foul drainage is implemented with a connection to foul sewer, has been submitted to and approved in writing by the Local Planning Authority in consultation with the water undertaker and the Environment Agency. The development shall be constructed in accordance with the agreed detailed design and recommendations of the strategy.

Reason: To ensure the development does not contribute to, or is not put at unacceptable risk from, water pollution caused by mobilised contaminants, to comply with the NPPF.

Additional condition relating to the wider site:

55. For each phase of the submission of the reserved matters, the details submitted shall include a noise report indicating how noise levels from any part of the site occupied by Qinetiq can be addressed 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.

Reason: 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, to comply with policies EN5 and EN2 of the Sevenoaks ADMP.

Informatives

Development Control Committee - 26 January 2023

1. Please be aware that this development is also the subject of a Legal Agreement under Section 106 of the Town and Country Planning Act 1990.
2. Part of the development subject to this notice falls within a highlighted proximity of a mains gas pipe which is considered a major hazard. The applicant/ agent/ developer is strongly advised to contact the pipeline operator PRIOR to ANY works being undertaken pursuant to the permission granted/ confirmed by this notice. Address is: Southern Gas Networks Plc, SGN Plant Location Team, 95 Kilbirnie Street, Glasgow, G5 8JD. Tel: 01414 184093 OR 0845 0703497 Search online at: www.linesearchbeforeyoudig.co.uk . SGN personnel will contact you accordingly.
3. Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".
Earthworks: 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 End 4 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 formally agreed with the EA
 - 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;
 - The Environmental regulations page on GOV.UK Any re-use of excavated materials not undertaken formally using the CLAIRE DoWCoP would require an environmental permit for deposit, unless materials are solely aggregates from virgin sources, or from a fully compliant Quality Protocol aggregates supplier. Any deposit of materials outside of these scenarios could be subject to enforcement actions and/or landfill tax liabilities.

Fuel, Oil and Chemical Storage

Care should be taken during and after construction to ensure that all fuels, oils and any other potentially contaminating materials should be stored (for example in bunded areas secured from public access) so as to prevent accidental/unauthorised discharge to ground. The areas for storage should not drain to any surface water system. Where it is proposed to store more than 200 litres (45 gallon drum = 205litres) of any type of oil on site it must be stored in accordance with the Control of Pollution (oil storage) (England) Regulations 2001. Drums and barrels can be kept in drip trays if the drip tray is capable of retaining 25% of the total capacity of all oil stored.

- B) If the S106 legal agreement is not completed in accordance with the above recommendation (A), that planning permission be refused on the following grounds:
- 1 The proposal fails to make provision for affordable housing and is therefore contrary to the NPPF and the Sevenoaks Affordable Housing Supplementary Planning Document.
 - 2 In the absence of an affordable housing contribution which would contribute to meeting an identified affordable housing need in the District, the proposals would be inappropriate development in the Green Belt by definition, contrary to the NPPF.
 - 3 The proposal fails to provide appropriate safeguards to protect the ecology, bio-diversity and protected habitats on the site, to provide and manage open spaces and to conserve and enhance the Area of Outstanding Natural Beauty contrary to policies SP1, SP11 and L08 of the Core Strategy, policy EMP3 and EN5 of the ADMP and the NPPF.
 - 4 The proposal fails to provide safeguards to protect the designated and non-designated heritage assets on the site, contrary to policy SP1 of the Core Strategy, policies EMP3 and EN4 of the ADMP and the NPPF.
 - 5 The proposal fails to make provision for the appropriate and necessary highway and transport improvements required to mitigate the impacts arising from the development, contrary to policy SP9 of the Core Strategy, policies EMP3 and T1 of the ADMP and the NPPF.

THE MEETING WAS CONCLUDED AT 8.24 PM

CHAIRMAN