

DEVELOPMENT CONTROL COMMITTEE

Minutes of the meeting held on 28 July 2022 commencing at 7.00 pm

Present: Cllr. Williamson (Chairman)

Cllr. Pett (Vice Chairman)

Cllrs. Ball, Barnett, Cheeseman, P. Darrington, Edwards-Winsor, Hogarth, Hudson, Layland, McGarvey, Osborne-Jackson, Pett, Purves, Raikes, Reay, Williams and Streatfeild

Apologies for absence were received from Cllrs. Brown and Perry Cole

Cllrs. McArthur and McGregor were also present.

Cllr. Thornton was also present via a virtual media platform that did not constitute attendance as recognised by the Local Government Act 1972.

22. Declarations of Interest or Predetermination

Cllr Streatfeild declared for Minute 25 - 20/0298/OUT - Land North of Town Station Cottages, Forge Croft, Edenbridge Kent, TN8 5LR that he was also a Member of Kent County Council.

Cllr Layland declared for Minute 25 - 20/0298/OUT - Land North of Town Station Cottages, Forge Croft, Edenbridge Kent, TN8 5LR that he was the local ward Member, but remained open minded.

Cllr Barnett declared for Minute 25 - 20/0298/OUT - Land North of Town Station Cottages, Forge Croft, Edenbridge Kent, TN8 5LR that he was the local ward Member.

23. Declarations of Lobbying

Cllr Ball declared that he had been lobbied in respect of Minute 24 - Tree Preservation Order (TPO) 3 of 2022.

All Members, with the exception of Cllrs Ball, and P Darrington declared that they had been lobbied in respect of Minute 25 20/02988/OUT - Land North of Town Station Cottages, Forge Croft, Edenbridge Kent, TN8 5LR
CHANGE IN ORDER OF AGENDA ITEMS

With the agreement of the Committee, the Chairman brought forward consideration of the Tree Preservation Order.

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24. Tree Preservation Order (TPO) 3 of 2022 - Bluebell Paddock is situated to the west of the A227 Gravesend Road, Hodsoil Street, between Oak Farm House and Rough Lea.

TPO 3 of 2022 was served to avoid unnecessary tree removal works as a result of the possible development and formalisation of the site. The case Officer detailed his responses to the objection made as detailed within the report.

Resolved: That TPO 3 of 2022 be confirmed without amendment.

RESERVED PLANNING APPLICATIONS

The Committee considered the following planning applications:

25. 20-02988-OUT - Land North Of Town Station Cottages, Forge Croft, Edenbridge KENT TN8 5LR

The proposal sought planning permission for the outline application for the erection of 340 dwellings, including affordable housing, land for a 4FE secondary school including playing fields, land for a new twin hall venue for Edenbridge Scout Group, Creation of a new car park for Edenbridge Town Station and associated infrastructure improvements, allotments, associated access from Four Elms Road, emergency access, open space, attenuation areas and landscaping and some matters reserved for means of access. The application had been referred to the Committee at the discretion of the Chief Planning Officer, as the Development was of a significant nature being major development within the Green Belt.

Members' attention was brought to the main agenda papers and late observation sheet which proposed an amendment to heads of terms of the Section 106 . The Development Manager set out the history of the application to Members highlighting that Counsel's advice had been sought following the deferral of the application in March 2022.

Members' attention was also brought to a late email which had been received from KCC, which stated: "KCC note with disappointment that Sevenoaks are proceeding to determine this matter without a recommendation that in order to alleviate the impact of this development:-

- a. CIL receipts should be ring-fenced for education; or
- b. a requirement should be imposed on the developer to enter into a s106 agreement to bridge any gap between CIL funding made available to KCC by Sevenoaks and the actual costs incurred to provide school places to meet the need arising from this development.

Given the recommendations in the report, KCC is left with no alternative but to maintain their objection to the grant of planning permission to this development.

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Please note that should planning permission be granted this evening, I am instructed to provide advice to KCC in relation to issuing judicial review proceedings against Sevenoaks District Council.”

The Development Manager went on to explain that the late representation did not affect the recommendation that was before Members, as nothing new was being raised, which had not been covered off in the officers report. He further highlighted the following key points, the application had previously gone to the Secretary of State for approval who had advised that the application could be determined at a local level. Following the Housing Delivery Results in January 2022, there was an even greater need for Housing in the District. The Planning Inspectorate’s decision at Broke Hill. Clarified that Sevenoaks District Council were the CIL Charging Authority and it was down to the CIL Spending Board to make recommendations on how the money should be spent following the bidding process.

He further advised that the S106 set out the requirements and, should Members resolve to grant permission , but KCC did not sign the s106 agreement then the development could still go ahead under recommendation B.

The Committee was addressed by the following speakers:

Against the Application:	Deepesh Makhija
For the Application:	Katherine Miles
Parish Representative:	Cllr McArthur
Local Members:	Cllr McGregor

Members asked questions of clarification from the speakers and officer. In response to questions Members were advised that out of the 340 units proposed, 136 units would be affordable housing and 88 of those would be at the affordable/social rent level. The 2.2million CIL figure had been calculations had been based on the Affordable Housing being taken out of those figures. The Development Manager advised that should permission be granted then when the Council’s Infrastructure Funding Statement is revised, CIL funding for the School would then be flagged as a priority for funding, if and when KCC decide to submit a funding bid for a specific project.

It was moved by the Chairman and duly seconded that the recommendations within the report, be agreed.

Members discussed the application giving consideration to the site earmarked for a school, the S106 and the matters that would be reserved for future consideration.

The motion was put to the vote and it was

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

- A) That Planning Permission be granted subject to
- i) Refer the application to the Secretary of State as major development in the Green Belt, to decide whether to call the application in, and
 - ii) 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
 - iii) A satisfactory legal agreement made under section 106 of the Town and Country Planning Act 1990 (as amended) being completed no later than 30 September 2022, unless in accordance with a new timescale otherwise agreed in writing by the Chief Officer for Planning and Regulatory Services.

Section 106 Agreement

The Section 106 Agreement shall include the following requirements:

- Affordable Housing comprising of 40% affordable housing to be provided on site of which 65% of the affordable properties to be provided as Affordable Rented / Social Rented - 35% of the affordable properties to be provided as Intermediate Housing;
- Highways Contributions comprising:
 - £20,000 towards relining and resurfacing works in the vicinity of the Four Elms Village crossroads;
 - £1,000 to be used by Edenbridge Town Council/Hever Parish Council to help fund traffic surveys in the village of Four Elms;
 - Travel Plan monitoring fee of £948;
 - £14,000 towards the provision of 2no. bus stops on the site;
 - £40,000 to be used for improvements to the sections of Public Right of Way of SR603 and SR604 adjoining the site and linking to the land;
- Provision of 0.29ha of land for new allotments - each plot to be 6m x 9m together with an associated allotment car park (to be provided and transferred to Town Council subject to them confirming required).

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- Open Space to be provided on site (and transferred to a management company for future maintenance) comprising of areas of land for amenity greenspace and areas of land for semi natural greenspace;
- 0.104ha of children's play space to be provided as 6 Local Areas of Play (LAP's) and 1 Local Equipped Area of Play (LEAP) unless otherwise agreed;
- The safeguarding and transfer (if called for during a specified period) of 0.37ha of land for the construction of a new scout hut for Edenbridge Scout Group; and £200,000 towards the construction of the scout hut and ancillary facilities (i.e. car-parking and outdoor facilities) thereon if the land is taken;
- The safeguarding of 5.3ha of land to accommodate a secondary school and associated sports facilities and playing fields and its transfer to an education provider if called for within a specified period of time;
- The creation of a new parking area for 36 spaces, pick-up and drop off area and a step-free access ramp leading to the platform at Edenbridge Town Station either through the direct provision by the developer or the provision of land and utilisation of the financial contribution referred to below;
- £1,000,000 contribution payable to Network Rail to be used for safety improvements to the Little Mowhurst level crossing and infrastructure improvements (including new ticket machines, barriers, signage, any project to provide a new passenger footbridge and (if delivered by Network Rail) the new parking area) at Edenbridge Town Station;
- Provision of land and creation of 12 parking spaces for use by residents of Town Station Cottages.

Planning conditions

- 1) Application for approval of the reserved matters for the first Phase of the development shall be made to the local planning authority not later than 3 years from the date of this permission. Application for approval of the reserved matters for all other Phases shall be made not later than 5 years from the date of this permission. For the purposes of this permission all references to a "Phase" or "Phase of development" shall be interpreted as being a reference to a Phase as defined on the phasing plan approved or subsequently updated pursuant to condition 4.

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

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- 2) The development shall be begun not later than whichever is the later of the following dates: - the expiration of 2 years from the date of approval of the last reserved matters application for the first Phase or the expiration of 5 years from the date of this permission.

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

- 3) Before any development in each Phase is begun plans showing the:
 - a) appearance;
 - b) landscaping;
 - c) layout, including any pedestrian access into and within the site , and vehicular access within the site which serves the Phase; and
 - d) Scale.

To accord with Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as amended.

- 4) As part of, or prior to, the submission of the application for reserved matters for the first Phase of development, a phasing plan setting out the boundaries of the proposed phases of the development across the whole site shall be submitted to and approved in writing by the local planning authority. The phasing plan shall include a programme for the layout out of the access roads into the site. Thereafter each reserved matters application for a Phase submitted pursuant to Condition 3 shall be accompanied by an updated phasing plan. The updated phasing plan shall set out any proposed changes from the phasing plan previously approved pursuant to this Condition. The development shall be carried out in accordance with the phasing plan as approved and updated or required by other conditions of this permission.

To ensure the satisfactory delivery of elements of the proposed development and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 5) Development shall not begin in any Phase 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 upon the Flood Risk Assessment compiled by WSP (September 2020, Version 2). The submission shall also 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 on or off-site.

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Phasing for the drainage scheme shall be submitted and approved, including any needed temporary works, specific provisions per phase or other strategic drainage infrastructure. The drainage scheme shall also demonstrate (with reference to published guidance):- that silt and 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 and proposed arrangements for future adoption by any public body or statutory undertaker. The drainage scheme shall be implemented in accordance with the approved details.

To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

- 6) No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved 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.

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

- 7) If, during the course of development of a Phase, contamination not previously identified is found to be present in that Phase, no further works shall be undertaken in the relevant area of that Phase and the contamination shall be reported to the local planning authority as soon as reasonably practicable (but within a maximum of 5 working days from the find). Prior to further works being carried out in the relevant area of that Phase, a further assessment shall be made and appropriate

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remediation implemented in accordance with a scheme submitted to and approved in writing by the local planning authority.

To ensure that the site is remediated appropriately for its intended use and to accord with the aims and objectives of the National Planning Policy Framework.

- 8) As part of, or prior to, the first application for reserved matters, a site-wide recreation and open space strategy for the entire site shall be submitted to and agreed in writing by the local planning authority. The strategy should be in broad accordance with the areas of open space identified in the section 8.3.3 of the Design and Access Statement and drawing no. 1590-P1-11 Rev.N. Thereafter subsequent Phases shall proceed in broad accordance with the approved strategy, and each reserved matters application submitted pursuant to Condition 3 shall be accompanied by an updated recreation and open space strategy which sets out any proposed changes from recreation and open space strategy previously approved pursuant to this Condition.

To ensure adequate provision of public open space to meet the needs of future occupiers of the development and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 9) No development within a Phase shall commence until the local planning authority has approved in writing the details of, and arrangements for, the setting out of on-site public open space as part of that Phase of the development. The on-site public open space shall broadly accord with the site-wide recreation and open space strategy pursuant to condition 8, and shall include the following matters in respect of the Phase:
 - a) The delineation and siting of the proposed public open space;
 - b) The type and nature of the facilities to be provided within the public open space including, where relevant, children's play provision;
 - c) The arrangements to ensure that the public open space is laid out and completed during the course of the development; and
 - d) An annual maintenance schedule.

The open space for that Phase shall be completed in accordance with the approved details and arrangements for that Phase.

To ensure adequate provision of public open space to meet the needs of future occupiers of the development and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

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- 10) Before any part of any Phase of the development is brought into use, the relevant proposed means of vehicular and pedestrian access hereby approved as part of that Phase shall be laid out, hard surfaced and drained in broad accordance with the approved plans and completed to a constructional specification approved in writing by the local planning authority.

To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 11) No development shall commence for the school playing fields and MUGA, until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England: (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and (ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation. The approved scheme shall be carried out in full and in accordance with the approved programme of implementation before first occupation of the educational establishment. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 12) No development shall commence for the school playing fields until a schedule of playing field maintenance including a programme for implementation for a minimum period of five years starting from the commencement of use of the development has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. Following the commencement of use of the development the approved schedule shall be complied with in full.

To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

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- 13) The school playing field/s and pitch/es shall be constructed and laid out in accordance with the condition 12 and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use before first use of the educational establishment of the development hereby permitted.

To ensure the quality of pitches is satisfactory and they are available for use before development and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 14) Use of the school playing fields, multi-use games area and athletic track shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to playing fields, multi-use games area and athletic track and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 15) The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref 3967-FRA-01, dated September 2020) and the following mitigation measures it details:

As part of the reserved matters details of a completely separate flood storage area to compensate the flood risk from river in the area where the finishing levels of the road, which falls within Flood Zone 3, will be raised above pre-development ground levels.

All Finished floor levels shall be set to whichever is the greater level of the following: a minimum of 300mm above the 1 % AEP (35% increased flow) climate change flood level or 50mm above the 1 % AEP (70% increased flow) climate change flood level.

Details to be provided that demonstrate finished site levels to be engineered in such manner to prevent ponding. Gradients of external areas to be designed to fall away from dwellings such that overland flow routes resulting from exceedance flood events follow the path of least resistance and be channelled away from proposed properties.

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These mitigation measures shall be fully implemented prior to occupation of the first residential unit.

To ensure that flood risks from development to the future users of the land and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 168 of the National Planning Policy Framework.

- 16) Any applications for approval of reserved matters pursuant to condition 2 shall broadly accord with the parameter plans land use [GIP (drawing ref no. 1590 P1-12 Rev.G)], proposed lighting parameters in the lighting strategy report, Noise and Vibration Assessment dated April 2020, Landscape and Ecological Strategy dated September 2020.

To ensure that the development achieves high quality design and is in accordance with paragraphs 124, 126 and 127 of the National Planning Policy Framework and policies

- 17) No development of a Phase, shall take place until a detailed 'Landscape, Ecology, Management and Monitoring Plan' (LEMMP) will be submitted to, and approved by, the local planning authority. This will be in accordance with the measures outlined in the Landscape and Ecology Strategy (Corylus Ecology September 2020) and the Biodiversity Net-Gain Report (Corylus Ecology March 2021).

To accord with policy SP11 of the Sevenoaks District Council Core Strategy and paragraph 180 of the National Planning Policy Framework.

- 18) Notwithstanding the provision of Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent legislation, prior to the commencement of each phase of development a plan specifying arrangements for the management of the construction site for that Phase shall be submitted to and approved in writing by the local planning authority. The construction plan for that Phase shall include the following details as appropriate:

- a) full details of the contractor's temporary means of access to the site;
- b) hours of delivery of materials and routing of construction and delivery vehicles to / from site;
- c) location of site management offices and/or sales office;
- d) location of materials storage compounds, loading/unloading areas and

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areas for construction vehicles to turn within the site;

e) car parking areas for construction workers, sales staff and customers;

f) the extent of and surface treatment of all temporary road accesses leading to compound/storage areas

g) temporary warning and direction signing on the approaches to the site including any temporary traffic measures;

h) implementation of mitigation measures as detailed in Section 7 in the Air Quality Assessment dated June 2020;

i) Provision of wheel washing facilities;

The construction plan details as approved shall be implemented before the development of that phase is begun and shall be kept in place, operated and adhered to at all times until the development of that Phase is completed. In addition, no vehicles involved in the construction of the development of that phase shall enter or leave the site of the development of that Phase except via the temporary means of access within the approved construction plan for that Phase.

To ensure the provision of proper site construction facilities in the interests of highway safety and amenity of the surrounding environment and its occupants and to accord with Policies EN1, EN2, T1 of the Sevenoaks Allocations and Development Management Plan.

- 19) Prior to first occupation of each dwelling with one or more dedicated vehicle parking spaces, that dwelling shall be provided with access to a fully operational 3 pin socket on a dedicated circuit, capable of providing a "trickle" charge to an electric vehicle. All Electric Vehicle Charging Points shall be provided either within garage space or via outdoor, weatherproof sockets within easy access of the off-road parking areas.

In accord with policy T3 of the Sevenoaks District Council Allocation and Development Management Plan.

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- 20) Prior to first occupation of each dwelling with non-dedicated parking, that dwelling shall be provided with Electric Vehicle Charging Points at a rate of no less than 1 per 10 communal parking spaces. This minimum requirement shall comprise access to a fully operational 3 pin socket capable of providing a "trickle" charge to an electric vehicle. All communal Electric Vehicle Charging Points shall be clearly marked with their purpose.

In accord with policy T3 of the Sevenoaks District Council Allocation and Development Management Plan.

- 21) All other types of development (other than housing, scout hut and allotments site) at the site shall provide Electric Vehicle charging facilities and shall include parking at the proposed education facility. Where provided, all Electric Vehicle charging facilities shall be fully operational prior to first occupation or use.

In accord with policy T3 of the Sevenoaks District Council Allocation and Development Management Plan.

- 22) Prior to the commencement of any Phase of residential development, a detailed Travel Plan for that Phase which is in broad accordance with the Framework Residential Travel Plan dated June 2021, and finalises the travel plan measures to be put in place for that Phase shall be submitted to and approved in writing by the local planning authority. The detailed Travel Plan for that Phase shall include reference to Travel Plan measures to be set out within the residents' welcome packs. The detailed Travel Plan for that Phase shall thereafter be carried out and operated as approved.

To promote sustainable travel options, minimise reliance on the private car and reduce traffic congestion and demand for on street parking in the locality, in the interests of pedestrian and highway safety and to accord with Policy

- 23) Six months prior to the occupation of the school, a detailed School Travel Plan which is in broad accordance with the School Sensitivity Impact & Zebra Crossing Feasibility Report dated July 2021, and finalises the travel plan measures to be put in place for the school shall be submitted to and approved in writing by the local planning authority. The School Detailed Travel Plan shall thereafter be carried out and operated as approved.

To promote sustainable travel options, minimise reliance on the private car and reduce traffic congestion and demand for on street parking in the locality, in the interests of pedestrian and highway safety and to accord with Policy T1 of the Sevenoaks Allocations and Development Management Plan.

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- 24) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of any necessary archaeological work:
- i) a desk top study exploring the archaeological potential of the site; and if necessary
 - ii) 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 if necessary iii) 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.

To ensure that features of archaeological interest are properly examined and recorded and that due regard is had to the preservation in situ of important archaeological remains, in accordance with Policy EN4 of the Sevenoaks Allocations and Development Management Plan.

- 25) Construction work shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless specifically agreed otherwise in writing by the local planning authority.

To protect the amenity of the occupants of nearby dwellings and to accord with policy EN1 of the Sevenoaks Allocation and Development Management Plan.

- 26) No development shall take place over the alignment of Public Footpath SR603 or SR604 until an Order for their permanent diversion has been made and confirmed, and the diverted route has been fully provided and certified, unless otherwise agreed in writing by the local planning authority.

To ensure that public rights of way are properly safeguarded in the public interest in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan.

- 27) Prior to the commencement of a relevant Phase that affects existing Public Right of Way SR603 and SR604, further details of their resurfacing shall be submitted to and agreed in writing by the local planning authority. The development shall accord with the approved details and implemented in full prior to the first occupation of a residential unit of a relevant phase, unless otherwise agreed in writing by the local planning authority.

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To ensure that public rights of way are properly safeguarded in the public interest in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan.

- 28) Prior to the commencement of any phase of the development hereby permitted shall implement mitigation measures in accordance with the Arboricultural and Method Statement and Manual for Managing Trees on Development Site.

To ensure that the appearance of the development enhances the character and appearance of the area as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 29) The applicant shall obtain a Secured by Design accreditation for the residential development hereby permitted, a copy of which must be submitted to, and approved in writing by the Local Planning Authority unless otherwise agreed within three months of the completion of the development hereby permitted.

In the interest of Security, Crime Prevention and Community Safety and in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 30) The development hereby permitted shall not be used or occupied until the visibility splays shown on the approved 70003967-SK-10 Rev. D have been provided and anything which obstructs visibility at any height greater than 0.6 metres above the surface of the adjoining carriageway has been removed. Thereafter the visibility splays shall be maintained free from obstruction at all times.

In the interest of highway safety as supported by Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 31) Prior to the commencement of each phase of development (or as part of the Reserved Matters application for that phase), further details of the design and the number of the residential dwellings to be constructed in accordance with Part M4(2) of the Building Regulations shall be submitted to approved in writing by the local planning authority. A total of 17 homes across the site shall be built in accordance with the M4 (3) b of Building Regulations.

In accordance with Policy SP5 of the Core Strategy.

- 32) The proposed scout hut and educational establishment hereby approved shall achieve a BREEAM minimum rating of 'Very Good' or alternative as agreed in writing by the local planning authority. Evidence shall be provided to the Local Authority in the following format and at the

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following times: i) Prior to first use of the educational/community element of the development, a final post-construction certificate certifying that the development has achieved a BREEAM minimum rating of 'Very Good' or alternative as agreed, shall be submitted to and approved in writing by the Local Planning Authority. Achievement of BREEAM 'Very Good' or alternative as agreed, must include at least a 10% reduction in the total carbon emissions through the on-site installation and implementation of decentralised, renewable or low-carbon energy sources.

In the interests of environmental sustainability and reducing the risk of climate change as supported in Policy SP2 of the Sevenoaks Core Strategy.

- 33) Prior to the first use of the educational establishment hereby permitted the off-site highway works as shown on drawing no. 70003967-SK10 Rev.10 (subject to any revisions thereto as may be agreed with the local highway authority through the detailed design process under the relevant highways agreement) shall have been completed in full to the satisfaction of the local planning authority.

In the interest of highway safety as supported by Policies EN1 and T1 of the Sevenoaks Allocations and Development Management Plan.

- 34) The development shall be constructed to provide on-site modern communication and technology infrastructure, which should include Broadband, high speed internet cabling and digital TV cabling. Details relating to the provision of such infrastructure shall be submitted prior to the commencement of each phase of the development. No residential unit in any phase shall be occupied until the approved infrastructure has been provided in each relevant phase, or in accordance with an alternative timescale agreed by the Local Planning Authority as part of the approved details.

To provide high quality technological infrastructure in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

- 35) The development hereby permitted shall be carried out in accordance with the following approved plans: P18099-001D, 7000 3967-SK-25 Rev.A, 7000 3967-SK-10 Rev.D.

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

- 36) Vehicular access arrangements to consist of a primary access onto the B2027 Four Elms Road as shown in principle on Drawing Number 70003967-SK-010 Rev D

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(subject to such revisions as may be agreed with the local highway authority as part of the detailed design process pursuant to the requisite highways agreement) and to be provided prior to occupation of any development and separate secondary access via the medical centre access and an emergency access via Forge Croft/Frantfields.

Reason: In the interests of highway safety and access in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

37) Save where the requisite traffic regulation order has already been sought or obtained through the highways agreement referred at condition 36 above, prior to occupation of the development, the applicant shall submit an application to the local highway authority seeking an extension to the 30mph speed limit along Four Elms Road sufficient to encompass the approved access pursuant to section 1 of the Road Traffic Regulation Act 1984 not Road Traffic Act 1984 (or such other enabling legislation as shall be applicable).

Reason: In the interest of highway safety.

38) In respect of the main estate / spine road serving the station car park any application to the local highway authority for the adoption of said road pursuant to s38 of the highways act 1990 shall include details of any measures or parking restrictions proposed by the applicant to restrict commuter parking on said roads in the event that the new station car park is brought into use.

Reason: In the interests of highway safety and access in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

39) Prior to commencement of development of the school site a Transport Assessment review shall be undertaken and completed. The completed review shall be submitted to and approved by the local planning authority and shall be

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implemented in accordance with the approved details prior to the first use of the school hereby permitted.

Reason: To assess any further impact upon the highway network and in the interests of highway safety, in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan

40) Prior to occupation of the school site:

- i) Additional space to be provided for the bus/coach drop off/pick area and a separate/segregated student drop off/pick up area to be provided prior to the occupation of the school.
- ii) Details of arrangements of a delivery management plan which includes details delivery vehicles to park and manoeuvre clear of the highway shall be submitted to and approved by in writing by local planning authority.

The development shall accord with the approved details.

Reason: In the interests of highway safety and access in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

Informatives

- 1) Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate
- 2) The proposed development has been assessed and it is the Council's view that the CIL is payable. Full details will be set out in the CIL Liability Notice which will be issued with this decision or as soon as possible after the decision.
- 3) 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.

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- 4) New build developments or converted properties may require street naming and property numbering. You are advised, prior to commencement, to contact the Council's Street Naming and Numbering team on 01732 227328 or visit www.sevenoaks.gov.uk for further details.
- 5) Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development 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.
- 6) The applicant should note that under the terms of The Conservation of Habitats and Species Regulations 2010, Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats which are also European Protected Species.

You should note that the work hereby granted consent does not override the statutory protection afforded to these and other protected species and you are advised to seek expert advice if you suspect that the demolition would disturb any protected species. Please note that a European Protected Species Licence will be required to allow the proposed development to proceed lawfully. Further details can be found at: <https://www.gov.uk/environmental-management/wildlife-habitat-conservation>

- 7) The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
- B) If Kent County Council does not sign up the trilateral Section 106 Agreement, then bilateral agreement shall be completed by the 30 September 2022 with the same heads of terms and conditions as detailed above in Recommendation B and the subject to the inclusion of an additional planning condition 41 as detailed below:

41. No development shall take place with the area outlined green on the plan referred to as Plan 5, titled P1-18 Rev A unless the land is bound into the Section 106 Agreement, either through a supplementary or confirmatory deed that can be appended to the Section 106 Agreement.

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Reason: To ensure that the site is development in a comprehensive manner, the secondary access to the site is provided and the full level of Section 106 contributions and provisions are secured.

THE MEETING WAS CONCLUDED AT 8.21 PM

CHAIRMAN