

4.1 - 22/01961/FUL

Date Expires: 30/12/2022

PROPOSAL: The construction of a training academy facility, a groundskeeper building and a security building, an indoor pitch and outdoor football pitches including an artificial football pitch and associated training areas, car and cycle parking and hard and soft landscaping. New access to Fawkham Road.

LOCATION: Land East Of Westfield Cottages, Fawkham Road, West Kingsdown, Kent, TN15 6AY.

WARD(S): Fawkham & West Kingsdown.

ITEM FOR DECISION

This application is referred to Development Control Committee at the discretion of the Chief Planning Officer, as the development is of a significant nature being major development in the Green Belt.

RECOMMENDATION A: That planning permission be GRANTED subject to:

- a) Refer the application to the Secretary of State as major development in the Green Belt, to decide whether to call the application in, and
- b) The conditions set out below, subject to any minor changes to working being agreed by the Chief Officer for Planning and Regulatory Services, and
- c) 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 agreed in writing by the Chief Officer for Planning and Regulatory Services.

Section 106 Agreement

The Section 106 Agreement shall include the following requirements:

- Community Benefit Plan for the District and West Kingsdown in particular, to support the objectives of the Council's Community Plan
- Community Liaison Officer
- An Economic Development Strategy to maximise opportunities for residents of Sevenoaks District for employment, skills, training, and volunteering and support the objectives of the Sevenoaks Economic Development Strategy
- Funds to improve the Public Right of Way to Hever Road, West Kingsdown
- Travel Plan Monitoring
- Shuttle bus - as part of an overall travel plan.

Planning conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:

Drawings	Documents
AFL-Z2-00-DR-A-20100 P01	Design & Access Statement (all parts) (July 2022)
AFL-Z2-01-DR-A-20101 P01	Air Quality Assessment (July 2022)
AFL-Z2-XX-DR-A-20201 P01	Arboricultural Impact Assessment (July 2022)
AFL-Z2-XX-DR-A-20202 P01	Archaeological Desk Based Assessment (July 2022)
AFL-Z2-RF-DR-A-20103 P2	Phase 1 Preliminary Contamination Assessment (all parts) (July 2022)
AFL-Z3-XX-DR-A-20100 P01	Ecological Appraisal (July 2022)
AFL-Z4-00-DR-A-20100 P01	Energy and Sustainability Statement (July 2022)
AFL-ZZ-ZZ-DR-A-00910 P01	Heritage Impact Assessment (July 2022)
EDL-ZZ-XX-DR-L-0100 P1	Interim Travel Plan (July 2022)
AFL-ZZ-ZZ-DR-90300 P2	Landscape Design and Access Statement (all parts) (July 2022)
AFL-Z1-00-DR-A-20100 P3	Planning Statement (all parts) (July 2022)
AFL-Z1-01-DR-A-20101 P3	Statement of community involvement (July 2022)
AFL-Z2-XX-DR-A-20201P3	Transport Assessment (all parts) (July 2022)

AFL-ZZ-ZZ-DR-A-20911 P01	Flood Risk Assessment and Sustainable Drainage Strategy (August 2022)
AFL-Z4-XX-DR-A-20201 P01	Noise Impact Assessment (August 2022)
	Landscape and Visual Impact Assessment (July 2022)

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

3. Prior to commencement of works (including site clearance), a Landscape and Ecological Management Plan (LEMP) will be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP will be based on the recommendations and proposals within the Landscape Design Statement (EDLA, July 2022), Landscape Masterplan (EDLA, June 2022), Ecological Appraisal report para. 6.2.3-13 (Aspect Ecology, July 2022) and the Biodiversity Net Gain report (Aspect Ecology, July 2022) and include the following:

- Description and evaluation of features to be managed;
- Constraints on site that might influence management;
- Aims and objectives of management;
- Appropriate management prescriptions for achieving aims and objectives;
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- Details of the body or organisation responsible for implementation of the plan, and;
- Ongoing monitoring and remedial measures (with reference to Biodiversity Net Gain targets).

The LEMP will include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason: To preserve and enhance ecology and biodiversity in accordance with policy SP11 of the Sevenoaks Core Strategy.

4. Prior to commencement of works (including site clearance), a construction environmental management plan (CEMP) will be submitted to and approved in writing by the local planning authority. The CEMP will be based on the recommendations in section 6.1 of the Ecological Appraisal report (Aspect Ecology, July 2022) and include the following:

- Risk assessment of potentially damaging construction activities;
- Identification of 'biodiversity protection zones';

- Practical measures (both physical measures and sensitive working practises) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person, and;
- Use of protective fences, exclusion barriers and warning signs. The approved CEMP will be adhered to and implemented throughout the construction period in accordance with the approved details. Landscape and ecological management plan (including a proposed buffer planting)

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

5. Prior to the commencement of any works (including site clearance), a mitigation strategy for hazel dormice will be submitted to, and approved by, the local planning authority. This will be informed by the completed surveys for hazel dormice. The approved strategy will be implemented thereafter.

Reason: To ensure the development does not result in any harm to protected species and to accord with policy SP11 of the Sevenoaks Core Strategy.

6. Prior to commencement of works a Construction Management Plan shall be submitted to the Local Planning Authority, it will include the following:
 - (a) Routing of construction and delivery vehicles to / from site
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel
 - (c) Timing of deliveries
 - (d) Provision of wheel washing facilities
 - (e) Temporary traffic management / signage
 - (f) Provision of measures to prevent the discharge of surface water onto the highway

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

Reason: To ensure the construction of the development preserves highway safety for all users in accordance with Policy T1 of the Sevenoaks Allocations and Development Management Plan.

7. Prior to commencement of development the application, or their agents or successors in title will secure the implementation of

- i) Archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the local planning authority and
- ii) Following on from the evaluation any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording with a specification and timetable which has been submitted to and approved by the local planning authority.

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

Reason: 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. And to accord with policy EN4 of the Sevenoaks Allocations and Development Management Plan.

8. Prior to the commencement of any engineering operations a detailed sustainable surface water drainage scheme for the site shall be submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment and Sustainable Drainage Strategy dated 5th July 2022 prepared by Herrington Consulting Limited 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 on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance):

- i) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- ii) 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 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.

9. Prior to the commencement of any engineering operations details of the proposed materials for the access, pathways, car park and other areas of hardstanding 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 the proposed hard landscaping is suitable to the rural context and to accord with policy EN1 of the Sevenoaks Allocations and Development Management Plan.

10. Prior to the commencement of any engineering operations full details of the soft landscape proposals, including size, species, a programme of implementation and a schedule of landscape maintenance for a minimum period of 10 years, shall be submitted to and approved in writing by the local planning authority. The approved landscape scheme shall be implemented prior to the occupation of the development hereby approved unless otherwise agreed in the programme of implementation and thereafter retained in accordance with the approved details.

Reason: To preserve the character of the countryside and to accord with policy EN1 of the Sevenoaks Allocations and Development Management Plan.

11. Prior to the commencement of any engineering operations, a scheme for securing the site during construction shall be submitted for approval in writing. The development shall be carried out in accordance with the approved details.

Reason: To ensure the site is secure and safe, and to avoid trespassing by unwarranted persons. In accordance with Crime Prevention regulations and policy EN1 of the Allocations and Development Management Plan.

12. Prior to the commencement of any engineering operations details of existing and proposed finished site levels, finished floor and ridge levels of the buildings to be erected, and finished external surface levels shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In order to safeguard the character of the area and the amenities of the occupiers of neighbouring properties in accordance with Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

13. If, during development, 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 (LPA) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the LPA. The remediation strategy shall be implemented as approved.

Reason: to ensure that the development does not contribute to or is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 174 of the National Planning Policy Framework (NPPF).

14. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the LPA. The development shall be carried out in accordance with the approved details.

Reason: to ensure that the development does not contribute to or is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the NPPF.

15. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared by suitably qualified and accredited persons, and shall be submitted to and approved in writing by the local planning authority.

The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that, after remediation, as a minimum, the site should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be prepared by suitably qualified and accredited persons and submitted to the local planning authority for written approval.

Reason: To ensure the development is free from contamination in accordance with policy EN1 of the Sevenoaks Allocations and Development Management Plan.

16. No external lighting, whether temporary or permanent, shall be placed or erected within the site unless details are submitted to and approved in writing by the local planning authority. Any details to be submitted shall be in accordance with the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005 (and any subsequent revisions), and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. Any details to be submitted shall also follow the recommendations within the Bats and artificial lighting in the UK document produced by the Bat Conservation Trust and Institution of Lighting Professionals. The development shall thereafter be carried out in accordance with the subsequently approved details and maintained as such thereafter.

Reason: To ensure the use of the site does not result in harm to ecology and protected species or residential amenity in accordance with policy SP11 of

the Sevenoaks Core Strategy and policies EN1 and EN2 of the Allocations and Development Management Plan.

17. The development shall not be brought into use until a Travel Plan, to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.

Reason: In the interests of highway safety as supported by Policies EN1 and T2 of the Allocations and Development Management Plan.

18. The parking spaces shown on the approved plans shall be provided and retained prior to the first occupation.

Reason: To ensure the development has sufficient off road parking provisions in accordance with policy T2 of the Sevenoaks Allocations and Development Management Plan.

19. The Electric Vehicle Charging Infrastructure shall be provided prior to the use of the site commencing. All Electric Vehicle chargers provided in developments must be provided to Mode 3 standard (providing up to 7kw or 50kw for rapid charge).

Reason: To accord with policy T3 of the Sevenoaks Allocations and Development Management Plan.

20. The following works between development and the adopted highway shall be completed prior to occupation:

- (a) footways and/or footpaths, with the exception of the wearing course
- (b) carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

Reason: In the interests of highway safety as supported by Policies EN1 and T2 of the Allocations and Development Management Plan.

21. Prior to occupation, the applicant, or their agents or successors in title, will secure the implementation and completion of a programme of archaeological post excavation and publication work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that results of archaeological investigation are properly assessed and disseminated in accordance with NPPF

22. No development shall be occupied until confirmation has been provided that either:

- i. Foul water Capacity exists off site to serve the development, or
- ii. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or
- iii. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development.

23. 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 that the drainage system constructed is consistent with that which was approved under condition 8. 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 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.

24. Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

Reason: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

25. Prior to first occupation details of refuse storage and collection shall be submitted to and approved in writing. The development shall be carried out in accordance with the approved details.

Reason: To accord with policy EN1 of the Sevenoaks Allocations and Development Management Plan.

26. The hedgerows on the periphery of the site as shown on drawing EDL-ZZ-XX-DR-L-0100 P1 shall be retained unless otherwise agreed in writing by the Local

Planning Authority in accordance with the approved landscaping scheme pursuant to condition 10 of this permission.

Reason: To preserve the character of the area and to preserve neighbour amenity in accordance with policy EN1 and EN2 of the Sevenoaks Allocations and Development Management Plan.

27. Notwithstanding the provision of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the use of the site and buildings shall be incidental to the use of the site as a football training ground and academy and for no other purpose or use including uses in Class E, F1 or F2 of the (Use Classes) Order 1987 (as amended)

Reason: To preserve the amenity of neighbouring residents and highway safety in accordance with policies EN1, EN2 and T2 of the Sevenoaks Allocations and Development Management Plan.

Informatives:

1. It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway. Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted.
2. The CLAIRE definition of Waste- Development Industry Code of Practice (Version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste.
3. It is recommended the applicant contact Thames Water Developer Services and request a capacity check.
4. 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.

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

1. The proposed buildings would be inappropriate development in the Green Belt, harmful to its openness and the character of the area, due to the proposed size, scale, and bulk. Inappropriate development is, by definition, harmful to the maintenance of the Green Belt. A S106 Agreement has not been agreed to secure the benefits of the scheme and therefore there are no very special circumstances that clearly outweigh the harm identified. As such the proposals are contrary to the National Planning Policy Framework

1. The application site is an agricultural field located to the east of West Kingsdown between Fawkham Road and the M20 motorway. The site has a largely rectangular shape, albeit an irregular one. The site measures approximately 430m at its widest extent, with a length of approximately 570m, in total it occupies an area of 22.31 hectares.
2. The site slopes gently down to the north-east, from an elevation of approximately 160 Above Ordnance Datum (AOD) to 144 AOD. The site has been used for agricultural purposes for over 150 years, as such it is largely open save for a couple of scattered trees. The periphery of the site has greater vegetation coverage, particularly along the M20 border where tall mature trees are present before the land falls away. The land sits at a higher level than the M20, which cuts into the countryside creating a valley. Running across the centre of the site in a south easterly direction is a power line with telegraph poles reaching heights of approx. 15m.
3. The site is located outside the confines of West Kingsdown and is therefore within the Metropolitan Green Belt. It does not reside within an Area of Outstanding Natural Beauty, however Gallows Wood to the north is a designated Ancient Woodland as is the woodland opposite the site to the south west. The application site lies within an area of archaeological potential and is on the periphery of the setting of a Grade I Listed Church to the south west known as St Edmund King And Martyr Church.

Description of proposal

4. It is proposed create a football training ground for Millwall Football Club and their academy, this will comprise of a redevelopment of the existing agricultural field. The development comprises of 14 outdoor football pitches in the following breakdown: 8 full sized grass pitches, 1 artificial pitch, 3 junior grass pitches and 2 goalkeeping pitches/areas.
5. In addition to the above there are four buildings proposed, the largest of which is the indoor football pitch which has a footprint of approximately 112m by 80m. In addition to this a pavilion building is proposed, which will house the reception, gyms for the first team and academy, changing rooms, class rooms, meeting rooms and various offices. To the west of the pavilion, is the security hut adjacent to the access road. Lastly, it is proposed to site a groundskeepers building to the south for the maintenance of the entire site.
6. The site is split in two halves with the northern area for the first team and the southern area for the academy, similarly the main pavilion is split into two halves. The separation is due to different focuses in terms of roles, education, training needs and there are different safeguarding and health and safety and business and support interests that need to be considered. The layout and design of the building enables the facilities to be laid out as economically as possible whilst providing the separation needed.
7. Access to the site is located on Fawkham Road, over 100m away from the end property of Westfield Cottages and opposite a service road/emergency access for Brands Hatch race circuit.

Relevant planning history

8. 22/01071/RG5 - EIA Screening opinion application. Screening Opinion not required.

Policies

9. National Planning Policy Framework (NPPF)

- Core Strategy (CS)
- LO1 Distribution of Development
- LO8 The Countryside and the Rural Economy
- SP1 Design of New Development and Conservation
- SP11 Biodiversity

10. Allocations and Development Management Plan (ADMP)

- EN1 Design Principles
- EN2 Amenity Protection
- EN4 Amenity Protection
- EN6 Outdoor Lighting
- EN7 Noise Pollution
- EMP5 Non-allocated Employment Sites
- T1 Mitigating Travel Impact
- T2 Vehicle Parking
- T3 Provision of Electrical Vehicle Charging Points

11. Other:

- Development in the Green Belt SPD
- Sevenoaks Landscape Character Assessment (2017) - West Kingsdown Settled Downs
- Green Belt Assessment 2017 - Parcel 84

Constraints

The following constraints apply:

- Metropolitan Green Belt.
- Archaeological Notification Area.
- Listed Building in the area.
- Public Rights of Way near the site.
- Ancient Woodland to the north and west of the site.
- Agricultural Land classification - Good to Moderate.
- Outside settlement confines.

Consultations

West Kingsdown Parish Council

12. The site is in the Green Belt, the most important aspect of which is openness. The height and bulk of the indoor pitch and the length of the main pavilion are clearly in conflict with this policy.
13. The Parish Council questions the need for a building with a height of 14.3m with its consequent impact on the Green Belt and neighbouring properties. Likewise, members question need for a building of the 75m length of the proposed pavilion. The parish council would expect the floodlights to be well shielded to minimise light pollution, taking into account of drivers on the motorway, as well as residents of neighbouring properties. Members also question whether it is necessary to have 89 bollards to illuminate the driveway and around the car parks, bearing in mind the rural green belt location. The main source of nuisance would be the increased traffic in Fawkham Road. However, this would be resolved by accessing the site directly from the M20. The Crowhurst Lane Bridge was consulted for this purpose, with extra supports to enable slip roads to be taken off at this point. Among the many previous application son this site, the three for motorway service stations all proposed to use this facility for access.
14. The last one also used it to reduce visual impact by lowering the level of the buildings. In this case earth on site has to be moved around anyway. Failing this, the parish council requests a condition that all traffic, including service vehicles, must access the site from the busy A20/Scratchers Lane junction and would request a traffic plan that ensures this happens. As it serves as the main access on to the A20 for residents of New Ash Green, Hartley and Fawkham there are already congestion problems at this point due to the volume of traffic. The likely increase in vehicle movements generated by the proposed development may well result in the need for traffic lights at the A20/Scratchers Lane junction. Attention should also be drawn to the flooding problems at the junction of Fawkham Road with brands Hatch Road and therefore access via Scratchers Lane would at times be impeded. With the best will in the world, any drivers coming from the Maidstone direction would still use the Portobello route, thus saving about 3 miles on their journey. Fawkham Road is narrow and has no footway so it unsuitable as a route for children walking or cycling due to the amount of traffic on it already. The traffic problems in the area of the school are well documented. The southern entrance to the site is on a dangerous bend, witness the damage to the oak tree on the opposite site of the road that has claimed at least five lives. In bad weather the ice takes longer to thaw along this section of road due to the shade from the trees. Perhaps consideration could be given to using the main entrance to gain access to the groundsman's store rather than an access on a hazardous bend. It should also be pointed out that sewage from Westfield Cottages does not flow directly into the main sewer but is pumped across the field to join the existing West Kingsdown foul water drainage system. The Parish Council questions whether a pumping system designed for 20 or so dwellings would be able to cope with the additional load from a development of this size. Members question the value of the traffic survey carried out in December 2021, which coincided with a quiet time, where little activity took place at Brands hatch.
15. Members are supportive of the proposed sustainable drainage system. The parish council is concerned that were this to go ahead of the designation of the land would be changed from agricultural to recreation and members would like some reassurance designation would remain should the project fail at some future

date. The parish council is concerned and disappointed that West Kingsdown, the village that will be most affected by the development, was not brought into the consultation process earlier. It is also noted that the applicants do not even regard West Kingsdown Parish council as a stakeholder. In addition to previous comments members would also add that they wouldn't want to see an escalation in noise and would ask for monitoring and a noise management plan to be implemented as a condition to the application.

Fawkham Parish Council

16. Fawkham Parish Council objects to this proposal on the basis of harm to the Green Belt and lack of benefits to the local community. FPC notes Sports England's comment, "given its location is it unlikely to provide any appreciable wider community benefit" and that Kent Policy state a boundary fence is a prerequisite.
17. Given the Ecology report findings, FPC would wish to see a condition regarding the retention of hedgerows should this application be granted. FPC is concerned about the increase of traffic on local roads and should this application be granted, request a traffic plan which includes Valley Road, Fawkham not being used as a route to/from the site. An increase in traffic along that road has been stated by KCC Highways in 2018 as "undesirable" and that a similar condition is made regarding construction traffic given the 7.5T except for access restriction along the length of Valley Road. In discussions with FPC, Millwall FC described floodlights as 'optional' and FPC would prefer to see no floodlights used at this site for the amenity of neighbours and to protect wildlife.

Environment Agency

18. Due to the scale, nature and setting of this proposal and the supporting information submitted, we do not object to the proposal in principle providing the following conditions are placed on any permitted development. Without these conditions, the proposed development poses an unacceptable risk to the environment and we would object to this application.

Condition 1: If, during development, 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 (LPA) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the LPA. The remediation strategy shall be implemented as approved.

Reason: to ensure that the development does not contribute to or is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 174 of the National Planning Policy Framework (NPPF).

Condition 2: No infiltration of surface water drainage into the ground is permitted other than with the written consent of the LPA. The development shall be carried out in accordance with the approved details.

Reason: to ensure that the development does not contribute to or is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the NPPF.

Drainage from artificial playing surfaces must ensure that there are no pollutants entrained within run-off that can pass directly into the underlying aquifer. Relevant pollution attenuation mechanisms may therefore be required.

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

- Excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- Treated materials can be transferred between sites as part of a hub and cluster project formally agreed with us
- Some naturally occurring clean materials can be transferred between sites as part of a hub and cluster project formally agreed with us
- 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

Further comments: We concur with the conclusions of the reports and are satisfied that the proposed methods of surface water drainage are acceptable and do not present an unacceptable risk to groundwater.

SDC Environmental Health

Initial comments

19. Air quality: the assessment has identified that during the development stage, dust created as a result of earthworks will be a high risk to nearby residential premises, and dust from track out will give rise to a medium risk. Therefore, it will be necessary for the applicant to implement a package of measures in order to mitigate the impact of dust from these activities. Should you be minded to grant permission for the proposed development, the applicant should submit a full dust management plan as part of a construction management plan for the development of the site. With regards to the impact on air quality from the operation of the proposed development, the assessment identifies that there will be an increase in vehicle movements on the local road network. It states that this will not lead to increases in levels of pollutant above the air quality objectives and as a result no mitigation is necessary. Given that the assessment

is indicating that road traffic impacts will be 'not significant', it would be useful to see a damaged cost analysis in order to assist in appraising the impact of the proposed scheme.

20. Contaminated land: The phase 1 assessment identified that the site has two historic, discrete locations where there is potential for contamination. Therefore it is necessary for the applicant to provide a phase 2 intrusive investigation to consider the location of the former tank, central to the site, and the former building to the south of the site. The phase 1 assessment recommends trial pitting at the two locations identified with soil logging and sampling followed by lab analysis for a suite of contaminants including heavy metals, hydrocarbons and asbestos.
21. On completion of that study, if necessary the applicant should provide a remediation strategy to be agreed in writing by the local planning authority prior to implementation. On completion of any remedial works, the applicant shall submit a verification report, to be agreed in writing by the local planning authority, prior to first use of the proposed site.
22. Noise: the noise impact assessment has been completed following consultation with an EHO at Sevenoaks over the scope of works. The assessment quotes the EHO recommendations as:

"A justification for any evaluation proposal may be required, as is often the case with unusual applications such as this is, an evaluation that considered not just the finite levels of noise from any activity within the existing sound scape but the perception of noise by those likely to be affected".
23. Using the Sport England AGP Guidance Document to assess the merits of the proposed development, the assessment demonstrates that noise arising from the use of the proposed pitches is likely to give rise to a negligible impact. The guidance document frames the assessment so that a comparison is made between the predicted levels of noise (at a receptor) and the existing ambient noise levels over 1 hour, to provide a change in overall ambient noise levels. Whilst this method does achieve one element of the agreed scope of work, i.e., it considers the finite level of noise, it does not consider the perception of noise that will be audible at neighbouring premises. In cases such as this, where the dominant noise sources arising from the proposed development are voices and whistles, a 2 assessment of the perception of noise at receptor locations is important as average noise levels (LAeq, 1hour) will simply not reflect this. In order for us to have confidence that the proposed development will not have an adverse impact on neighbouring amenity, I would request that the applicant provides assessment of the impact of voices and whistles, and the likely perception of those noises, on those receptors likely to be affected.

Re-consultation comments

24. Contamination: I have no new observations and stand by the previous comments made, however I agree with the comments made by the Environment Agency in that should permission be granted then a contaminated land

condition to address the discovery of ground contamination not previously discovered.

25. Noise: I have reviewed the submission it is clear that on occasion the activities at the training ground will be noticeable however it does not appear that noise will be obtrusive. I therefore have no objection to the proposal on noise grounds.

SDC Communities, Health, Leisure, Arts and Tourism

26. The Health & Communities Team which includes the Community Safety Unit would welcome the new proposal of the Millwall Development.

27. The work of the Millwall Community Trust will be of benefit to the local residents of West Kingsdown as well as the District. They do a high number of community work in West Kingsdown as well as other areas and have engaged with us as a Team and worked with us on a number of initiatives including:-

- Community event in West Kingsdown - Football Fever Morning
- They provide mentors for a Youth Mentoring Programme and are working with 4 young people across the District
- They attended and presented an award at our Making it Happen Community & Voluntary Awards
- Will be delivering estate leagues in Swanley and Edenbridge as part of a bid to deter anti-social behaviour. This pilot will then hopefully be rolled out in West Kingsdown and neighbouring areas
- We are looking at Walking Football in West Kingsdown and neighbouring villages

28. The Club and the Community Trust also link into our new Community Plan (Better Together) and our Community Mobilisation work which is all about Community Empowerment. Their work links to this in the help and set up of local initiatives. The Community Plan aims are shared vision, shared values and collective action. Millwall Community Trust have aligned their work to link in with the Community Plan and the priorities which are Our Place, Our Economy, Our Communities and Our Environment. Having seen their work they do link into all of the above.

KCC Ecology

29. We have reviewed the ecological information submitted by the applicant and advise that further ecological information is required prior to determination with regard to the following:

- Provision of breeding and wintering bird survey data
- Clarification of wintering bird survey methodology.

30. This is in alignment with paragraph 99 of ODPM 06/2005, which states “*it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision*”. The submission must provide appropriate and achievable mitigation measures for any Schedule 1 species recorded within the site.
31. The National Planning Policy Framework (NPPF) (2021) paragraph 179 states that to protect and enhance biodiversity and geodiversity, plans should: ‘*promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity*’. We therefore advise that further information is required as to the bird assemblage present within the site.

Ancient Semi-Natural Woodland

32. ASNW lies immediately beyond the site’s northern boundary. Church Wood and Hever/Westfield Wood lie immediately to the west of Fawkham Road beyond the site’s western boundary. In accordance with Natural England’s Standing Advice, a minimum 15m buffer has been proposed between the development and the edge of all woodland areas within and bordering the site. This buffer is to be planted with native trees and scrub. We confirm that the requirement for a minimum 15m buffer between the proposed development and areas of ASNW woodland has been met. We advise that the proposed buffer planting be secured by condition as part of the Landscape and Ecological Management Plan, as detailed below.

Ecological information

33. The site is dominated by a large arable field, with small areas of dense scrub, tall ruderal and scattered trees. The boundary is formed of Priority Habitat native hedgerows and an area of Priority Habitat ‘Lowland Mixed Deciduous Woodland’ is located in the south-east of the site. A single waterbody is located within the centre of the site. The habitats within the site are understood to be potentially suitable for badger, bats, dormice, great crested newts, reptiles and breeding and wintering birds. Comments on the survey and mitigation information are provided below:

Badger

34. The survey information has been reviewed and no further information is required at this time. Mitigation measures for the construction period have been proposed, including a pre-works update survey. We advise that this information be included within the site Construction and Environment Management Plan (CEMP) and that this be secured via condition.

Breeding bird assemblage

35. The proposed retention of the majority of hedgerow network and mature trees, the protection of the woodland and the creation of additional scrub and woodland habitat would protect and enhance the site for the majority of

breeding bird species other than ground-nesting species associated with the arable fields.

36. Three visits to undertaken Breeding Bird surveys were undertaken during April, May and June 2022 and a summary of the species recorded has been provided in Paragraph 5.9.4 of the Ecological Appraisal report. A breakdown of the survey data is required to enable a full assessment of the suitability of the proposed habitat mitigation -we request that a copy of the survey data is provided.

Wintering bird assemblage

37. A wintering bird survey was conducted at the site in 2022 following the methodology set out in Scottish Natural Heritage (SNH) Guidance designed for the assessment of onshore windfarms; a total of three surveys were undertaken during the three week period between 20th February 2022 - 7th March 2022. The standard approach to winter bird surveys (Gilbert et al., 1998; Bibby et al. 2000; BTO EWBS) involves up to four visits being undertaken throughout the winter months, generally November-February. A breakdown of the wintering bird survey data is required to ensure the suitability of the proposed mitigation - we request that a copy of the survey data is provided, together with the rationale behind the chosen survey method.

Hazel Dormouse

38. A total of 30m of hedgerow H1 will be removed to facilitate access, together with removal of small bramble scrub areas within the site. Presence/likely absence surveys for Hazel Dormouse are currently in progress. To date, presence has been confirmed through the recording of nests and an individual Dormouse within hedgerow H1.
39. Surveys are due to be completed in September 2022; mitigation and compensation proposals have been described within Section 5.5 and 6.1.10 and an EPS Licence application has been proposed. We are satisfied that sufficient information has been provided to enable an assessment of the likely impacts of the development on Hazel Dormouse. If planning permission is granted, we advise that a condition for a Hazel Dormouse Mitigation Strategy is attached, to include completed survey information, and that this informs the CEMP; suggested wording will be provided on receipt of the additional information detailed above.
40. A European protected species mitigation (EPSM) licence will be required to carry out the proposed development due to the impacts upon Hazel Dormouse. The Conservation of Habitats and Species Regulations 2017 (as amended) requires Sevenoaks District Council, the competent authority, to have regard to the requirements of the Habitats Directive in the exercise of their functions. As such, Sevenoaks District Council must consider whether it is likely that an EPSM Licence from Natural England will be granted, and in so doing must address the three tests when deciding whether to grant planning permission for the proposed development.
41. The three tests are that:

- i) Regulation 55(2)(e) states: a licence can be granted for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”.
 - ii) Regulation 55(9) (a) states: the appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”.
 - iii) Regulation 55(9) (b) states: the appropriate authority shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.”
42. We can only advise on the third test as the first two tests are planning matters. We advise that we are satisfied that the proposed mitigation is sufficient for SDC to be satisfied that the favourable conservation status of the dormouse population will be maintained.

Great Crested Newts (GCN)

43. A concrete-sided waterbody is present within the site; a Habitat Suitability Index assessment identified this as ‘Unsuitable’ for GCN and no further surveys have been undertaken. There are no other waterbodies within 250m of the site and the majority of the site does not provide suitable terrestrial habitat. The CEMP should include details of the procedure to be followed in case of unexpected occurrence of GCN during the destructive search of scrub and hedgerow habitats.

Bats

44. Activity surveys of the site for foraging and commuting bats are currently ongoing, including active transect surveys and passive surveys using static detectors; surveys are due for completion by September 2022. To date the species assemblage using the site includes common, soprano pipistrelle and possibly serotine, and woodland species including noctule and Whiskered/Brandt’s; activity levels have been low across all surveys to date. The highest levels of bat activity were recorded along the northern boundary of the site adjacent to the ancient woodland, and along the western boundary hedgerow.
45. Seven trees will be removed from the centre of the site including one goat willow, three silver birch, three ash trees and a group of shrub trees G3. While the Methods chapter of the ecological report describes an assessment method and the trees have been identified on Plan 6407/ECO3, no specific data has been provided in terms of the suitability of these trees to support roosting bats. We do require confirmation as to whether any of the trees proposed for removal have any bat roosting potential, including reference to evidence within the Bat Tree Habitat Key - however we are satisfied this can be provided within the Method Statement referred to below. One tree - a mature oak T1 - has been confirmed as supporting Moderate suitability features for roosting bats; the tree is located in the south-western corner of the site and will be retained

under the proposals. It is understood that no additional artificial lighting impacts are proposed in this part of the site.

46. If planning permission is granted, we advise that a Method Statement for bats be included within the CEMP and secured via condition. Subject to full survey information being submitted within the Method Statement, including Preliminary Ground Level Roost Assessment data for all trees to be removed, and details of any mitigation and EPS licensing requirements regarding the proposed tree removal, we are satisfied that any mitigation proposed will be sufficient to ensure the development avoids an impact on the bat population. The Method Statement should also include procedures to be followed in the event of any disturbance of tree-roosting bats during works undertaken close to retained trees with suitable features.

Reptiles

47. A Low population of common lizard has been recorded within the site; adult and juvenile individuals were recorded along the northern, eastern and western site boundaries. Details of a precautionary approach to vegetation removal have been provided, specifically hedgerow removal. As the proposals will involve works in the proximity of all site boundaries, a Reptile Method Statement is required to ensure the protection of animals during the construction period; this should include location details of log pile refugia to be created pre-works, in which any rescued animals can be placed. The Method Statement should be included within the CEMP and secured by condition, as detailed below.

Lighting

48. The National Planning Policy (2021), paragraph 185 states that “...*planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation*”. Bats are considered likely to roost and/or commute and forage within the adjacent woodland areas and along the boundary hedgerows and lighting therefore has potential to have negatively effects bats. It is understood from the Horizontal Illuminance plan in Appendix 13 of the Design and Access Statement that floodlighting will be restricted to one pitch located in the south-east of the site, such that flood-lighting levels of 2-50lux will effect a section of the eastern boundary vegetation only. The access routes and pedestrian areas will be lit by bollard lighting which will impact on the immediately adjacent vegetation only. Use of LED lighting has been proposed to avoid attracting insects and the associated disturbance of bat foraging behaviour. While an area of the eastern boundary will be subject to increased levels of lighting to c. 2lux, the proposals include provision of additional unlit foraging and commuting routes. As the lighting scheme refers to the one floodlit pitch, road access routes and built area only, we understand that the remainder of the site will be unlit and that there will be no additional lighting impacts beyond those detailed within the Horizontal Illuminance Plan. This lighting plan should be secured by condition and suggested wording will be provided. We advise that if planning permission is granted and additional lighting to what is detailed above is required, there will be a need for the

applicants ecologist to review the lighting impacts subject to any subsequent planning application/condition variation.

Construction and Environment Management Plan

49. Together with species information as detailed above, the mitigation measures for the protection of the ASNW, Priority Habitat woodland and hedgerows proposed within Section 6.1 of the ecological appraisal should be included within a Construction Environmental Management Plan (CEMP) and secured via condition. Suitable wording will be provided following receipt of the further information requested above. The Noise Assessment report has identified 'Negligible increase in noise levels through pitch use and states that adverse impacts through mechanical plant noise have been minimised in accordance with NPPF. We have no further comment in this regard. With regard to non-native invasive plant species, the initial Phase 1 habitat survey was undertaken outside of the optimum botanical survey period and the ecological report also stated that 'all of the species that occur in each habitat would not necessarily be detectable during survey work carried out at any given time of the year, since different species are apparent during different seasons'. The CEMP should include details of mitigation measures for non-native invasive species should they be identified during the construction period.

Landscape and Ecological Management Plan

50. The Landscape Design Statement, Landscape Masterplan and the Biodiversity Net Gain report provide details of the habitat creation and enhancement measures proposed throughout the site. We advise that a Landscape and Ecological Management Plan is submitted and secured by condition. Suggested wording can be provided once the additional requested information has been provided. With regard to the landscaping proposals and LEMP, it is advised that the following factors are taken into account:

- The ecological report states that 70-80% of planting is proposed to be native species or local provenance. Native species planting is strongly advised in order to protect the ecological integrity of the Ancient and Priority Woodland habitats within and adjacent to the site. Non-native species landscape planting should be limited to species of known value to pollinating insects;
- During the operational period, the Design and Access Statement states that '*rain water and run-off is intended to be captured and retained through a series of SuDs interventions, such as swales, ditches and retention ponds*'. The LEMP should include further details of the creation and management of these features to ensure protection of the adjacent woodland habitats against polluted run-off;
- There is potential for the proposed meadow grassland in the south of the site to be frequently driven over due to the adjacent bend in the road which will restrict visibility. We recommend use of native hedging or tree planting along roadsides wherever there is a risk of uncontrolled parking.

Biodiversity Net Gain

51. The current development design is expected to result in a 35.3% net gain in area habitats and a 215.98% net gain in linear habitats. A Biodiversity Net Gain Monitoring report should be secured by condition, to be submitted in years 5, 10, 20 and 30, to monitor actual net gain resulting from the development.

Biodiversity Enhancements

52. Under section 40 of the NERC Act (2006), paragraph 174 of the NPPF (2021) and the Environment Act (2021), biodiversity must be maintained and enhanced through the planning system. Paragraph 180 of the NPPF 2021 states that “opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity”. Habitat enhancement measures stipulated within the Landscape Design Statement and Paragraphs 6.2.3-13 of the ecological report should be included within the LEMP, to be secured by condition as detailed above.

Re-consultation comments:

53. We have reviewed the ecological information submitted by the applicant and advise that sufficient information has been provided. If planning permission is granted, we advise that the conditions below are included:
- Hazel dormouse- we advise that a hazel dormouse mitigation strategy to be submitted prior to commencement and secured by condition.
 - Construction and environment management plan- as per our previous comments on the application, mitigation measures for protected/priority species (including bats, breeding and wintering birds, badger, reptiles and GCN), ancient woodland, priority habitat woodland, hedgerows and non-native invasive plant species should be included within a construction and environment management plan (CEMP) and secured via a condition.
 - Lighting design strategy- as per our previous comments, we advise that the lighting design strategy for the site as shown within the horizontal illuminance plan is secured by condition.
 - Landscape and ecological management plan- we advise that a landscape and ecological management plan (LEMP) is submitted and secured by condition. The LEMP should include reference to our previous comments regarding landscaping proposals, biodiversity net gain and biodiversity enhancements.

KCC Highways

54. Site Access: It is proposed that a new priority junction will be implemented from Fawkham Road onto the site serving the training facilities. The kerb radii will be 10 metres on the northern side of the access and 6 metres on the southern side, to encourage vehicles to travel to and from the site from the north, towards A20 and ultimately to M25/M20 junction Swanley Interchange. Appendix D and detail within supplied Transport Assessment show that visibility splays can be achieved from the proposed site access. 85th percentile speeds of 45.7mph northbound and 45.5mph southbound have been used, this is

satisfactory option when recorded speeds are lower than signed unrestricted limits. Drawing 16245-H-01 Rev P2 shows that 2.4 x 102.3m to the north and 2.4 x 112.3m to the south can be achieved and conforms to the standards set out in Manual for Streets. A road safety audit has been undertaken on the proposed access junction with no safety concerns identified. Vehicle Swept Path analysis has been provided - refuse vehicle, car, fire tender and coach have all been used to replicate the type of vehicles accessing the development. The existing field access will be retained as an emergency access only.

55. **Parking:** It is proposed that a total of 200 car parking spaces across the entire site, which includes 12 mobility impaired spaces, 52 overflow spaces, 3 spaces adjacent to the security gatehouse and 6 spaces for maintenance staff. These numbers have been justified within the Transport Assessment from Table 5-1 and evidenced against the approved Tottenham Hotspur Training Ground planning application within London Borough of Enfield. Provision will be available for 14 bicycles and 10 motorcycles across the development. Ten percent of the car parking spaces will be provided with active Electric Vehicle Charging Points, with the remainder to be delivered as demand grows.
56. **Trip Generation:** Survey data has been collected within Table 5-1, during the peak AM hour it is expected that there will be 8 arrivals and 0 departures in peak AM hour and with nil arrivals or departures in the conventional PM peak hour. It is expected that 80 arrivals will occur during 16:00-17:00, with those departures happening between 19:00-20:00. This information corresponds to the data provided by the approved Tottenham Hotspur Training Ground planning application. The applicant proposes to run a shuttle bus between development and Swanley Rail Station to reduce car trips.
57. **Junction Modelling:** As part of this application the following junctions were modelling - A20 London Road / Fawkham Road / School Lane, A20 Main Road Gorse Hill / Scratchers Lane, and Fawkham Road / Site Access. All junctions were modelled in PICADY software and results can be seen in Tables 7-1, 7-2 and 7-3 within the Transport Assessment. To offer resilience to the network, the applicant has modelled 16:00-17:00 which is when significant arrivals to the site will occur. Ratio of Flow to Capacity (RFC), queue and junction delay indicate that they operate well and offer plenty of spare capacity.
58. **Personal Injury Collisions-** Section 2.5 of the Transport Assessment provides five years of personal injury collisions which have occurred on the highway network. The report indicates no single cause relating to possible highway layout or weather conditions.
59. **Summary:** I refer to the above planning application and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-
(summarised)
 - Submission of a Construction Management Plan before the commencement of any development on site.
 - The development shall not be brought into use until a Travel Plan, to reduce dependency on the private car, has been submitted.

- Provision and permanent retention of the vehicle parking spaces.
- Provision of Electric Vehicle charging.
- Completion of footways and/or footpaths, highway drainage, visibility splays, street lighting, street nameplates and highway structures prior to occupation.
- Informatives regarding works to highway land and relevant permissions required - see informatives above.

KCC Public Right of Way

60. As a general statement, KCC's Public Rights of Way and Access Service are keen to ensure that their interests are represented with respect to our statutory duty to protect and improve Public Rights of Way (PROW) in the County. The team is committed to working in partnership with the applicant to achieve the aims contained within the Rights of Way Improvement Plan (ROWIP) and Strategic Statement for Kent. Specifically, these relate to quality of life, supporting the rural economy, tackling disadvantage and safety issues, and providing sustainable transport choices. KCC PROW Team have identified two PROWs, which we feel would benefit from developer contributions:
- SD264 Footpath - Hever Road to Fawkham Road- Enhance existing unsurfaced footpath with all-weather surfacing to provide improved walking link from proposed development to West Kingsdown. KCC PROW Team would seek £30,000 developer contributions to complete these works with the caveat cost of materials may increase, final cost figure to be clarified nearer to completion of Section 106 agreement.
 - SD269 Footpath from Fawkham Road to Crowhurst Road - Upgrade Footpath to a Bridleway to provide extended equestrian and cycle access link from Church Rd, West Kingsdown to Crowhurst Lane. Upgrade would provide future opportunities to extend further links to the bridleway network in Ash. KCC PROW Team would seek £40,000 developer contributions to complete these works with the caveat cost of materials may increase, final cost figure to be clarified nearer to completion of Section 106 agreement.
61. Please ensure that the applicant is made aware that any planning consent given confers no consent or right to close or divert any Public Rights of Way at any time without the express permission of the Highway Authority.
62. No furniture, fence, barrier or other structure may be erected on or across Public Rights of Way without the express consent of the Highway Authority.

KCC Archaeology

Initial comments:

63. The site lies in an area of archaeological potential associated with prehistoric, Roman and Medieval activity. This area has not been subject to formal investigations and although it lacks formal HER records, this may reflect lack

of investigation rather than lack of archaeology. There is potential for prehistoric and Romano-British occupation, settlement and activity.

64. To the south west of the application site lies the Church of St Edmund. This is a Grade I designated church and has an associated graveyard. The church is considered to date from the Anglo-Saxon period although construction of the main current church seems to be more 12th century and later. This possible Saxon origin is of particular significance and makes this church of special importance.
65. This church may be part of a manorial complex or it may be the foci of a Medieval or earlier settlement. There are indications of earthworks within the woodland and these are currently interpreted as manorial rather than larger settlement. However, the church retains its comparatively large grave yard.
66. To the south of the proposed development site lies the remains of Portobello House which is identifiable as an extensive farm on the 2nd Ed OS map and has been highlighted in the Historic England Farmstead Survey. Although much of this distinctive farm has been demolished remains may survive below ground surface and within the development site. The farm included long greenhouses which suggests special horticultural interest rather than straight forward agrarian.
67. I note that this application is supported by the DBA by RPS. As mentioned for the pre-app discussion, this DBA provides a basic description of heritage assets but there is no in depth assessment of the significance of the heritage assets, particularly the Grade I church and its church yard. There is no assessment of Portobello House farm either in though it has been identified by Historic England.
68. I recognise that heritage and archaeology are both considered in the Planning Statement. I am not sure why they have been separated because heritage, including archaeology, is all covered in Section 16 NPPF. Heritage assets can include buildings, buried archaeology, landscapes etc and they can be all interconnected and directly associated with each other. For the Planning Statement to separate these issues suggests a lack of understanding of heritage issues and the relationship of above ground and below ground heritage assets.
69. I note the Planning Statement mentions Portobello House farm (paragraph 8.125). As mentioned in my earlier comments, I am aware that Portobello House farm was demolished but there is still potential for associated remains to survive although they may be buried. This is a farmstead recognised by Historic England and even though it possibly survives below ground, there is still a need to assess its survival within the application site and whether any mitigation is needed.
70. I note that Historic England are happy to leave heritage comments to the local level but this does not mean that the applicant no longer needs to consider impact on St Edmunds Church. This is an important and sensitive heritage asset and is still very much part of the local landscape and community. I welcome the “Millwall Community Trust” and suggest that this positive initiative should

include consideration of the key local heritage and archaeological elements which contribute to the quality and diversity of the landscape. The church, its churchyard and its associated archaeological setting are a key part of the landscape in which the proposed football ground is situated. It is acknowledged that there may be some impact and I suggest there is going to be a marked impact from increased noise, lighting and traffic. I would welcome additional information on how these impacts are going to be mitigated for the church and the peaceful churchyard.

71. Archaeology is covered in the Planning Statement but it suggests in paragraph 8.205 that the DBA “found no designated heritage assets” within the study area. But this is not correct as the Church of St Edmunds is designated and is a heritage asset (including with an archaeological dimension). The RPS DBA rather assumes the absence of known archaeological remains is evidence of absence. This is not always the case and I suggest there is potential for as yet unknown buried archaeology.
72. It would be preferable for further archaeological assessment to take place prior to determination of the application. There should preferably be further assessment of St Edmunds Church character and setting and the potential for associated remains to extend towards the application site.
73. It would also be preferable for there to be further assessment of the potential for buried archaeology, including remains associated with Portobello House farm. Further assessment should include a geophysical survey of the site. This requirement for fieldwork is considered in paragraph 189 NPPF and I suggest it is applicable in this case with the lack of HER data for the site itself.
74. I recommend that prior to determination of this application, further heritage assessment is carried out. These further assessments should include:
 - i. Targeted assessment of St Edmund’s Church its character and archaeological setting;
 - ii. Geophysical survey of the entire application site.

Re-consultation comments:

75. I note the comments submitted by RPS and I welcome their consideration of my concerns. I am disappointed at the refusal to undertake further pre-determination archaeological assessment because this approach will mean there is limited flexibility for the applicant to follow a sustainable and positive approach to archaeology. However, at this stage, there are no designated or known non-designated significant archaeology on the application site itself and as such I accept the need for the applicant to address archaeological issues if they arise. I also note that Historic England have no concerns over the impact on the Grade 1 church of St Edmund. I accept that archaeological concerns can be covered by conditions and recommend the following conditions are placed on any forthcoming consent:
 - Prior to commencement of development the application, or their agents or successors in title will secure the implementation of

- 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
- Following on from the evaluation any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording with a specification and timetable which has been submitted to and approved by the local planning authority.

Reason: 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.

- Prior to occupation, the applicant, or their agents or successors in title, will secure the implementation and completion of a programme of archaeological post excavation and publication work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that results of archaeological investigation are properly assessed and disseminated in accordance with NPPF

Lead Local Flood Authority

76. Kent County Council as Lead Local Flood Authority have reviewed the Flood Risk Assessment and Sustainable Drainage Strategy dated 5th July 2022 prepared by Herrington Consulting Limited and have the following comments:
77. It is understood from the report that the drainage arrangements proposed for the new development intend to utilise a range of SuDs including Permeable surfacing system, a cellular crate soakaway, infiltration basins and swales. British Geological Survey Information available to KCC suggests that there may be significant potential for one or more geohazards associated with infiltration in this area. Therefore, we would emphasize that additional ground investigation possibly including additional infiltration testing (adhering to BRE: 365 guidance) and further analysis of the areas proposed for infiltration may be required should the locations of infiltration features change from those shown. Further to this we would also expect for the infiltration rates used in the hydraulic analysis to be reflective of the areas where the testing was undertaken (particularly with regards to basin A). It is also advised that a geotechnical report be provided, produced by a specialist, confirming that items such as the suitability of the receiving strata with regards to items such as dissolution features, required separation distances from soakaways, etc.
78. Further to this, the site is also located in a groundwater Source Protection Zone. Consultation with the Environment Agency early in the planning process is recommended to identify any constraints or specific requirements in this area that may impact the proposed SuDs methods and we would seek adherence to the Ciria SuDs manual 2015 part E section 26 in regards to required pollution treatments.

79. Should the Local Planning Authority be minded to grant planning permission for this development, the LLFA would advise the following conditions are attached:
80. 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 and Sustainable Drainage Strategy dated 5th July 2022 prepared by Herrington Consulting Limited 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 on or off-site. 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 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 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.

- 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 that the drainage system constructed is consistent with that which was 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 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.

- Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts

of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

Reason: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

81. This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Forestry Commission

82. As a Non-Ministerial Government Department, we provide no opinion supporting or objecting to an application. Rather we are including information on the potential impact that the proposed development would have on the ancient woodland. One of the most important features of ancient woodlands is the quality and inherent biodiversity of the soil; they being relatively undisturbed physically or chemically.
83. This applies both to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS). Direct impacts of development that could result in the loss or deterioration of ancient woodland or ancient and veteran trees include:
- damaging or destroying all or part of them (including their soils, ground flora or fungi)
 - damaging roots and understory (all the vegetation under the taller trees)
 - damaging or compacting soil around the tree roots
 - polluting the ground around them
 - changing the water table or drainage of woodland or individual trees
 - damaging archaeological features or heritage assets
 - changing the woodland ecosystem by removing the woodland edge or thinning trees - causing greater wind damage and soil loss It is therefore essential that the ancient woodland identified is considered appropriately to avoid the above impacts.
84. Planning Practice Guidance emphasises: *'Their existing condition is not something that ought to affect the local planning authority's consideration of such proposals (and it should be borne in mind that woodland condition can usually be improved with good management)'*.
85. *If this application is adjacent to or impacting the Public Forest Estate (PFE):*

Please note that the application has been made in relation to land near the Public Forest Estate and Forestry England, who manage the PFE, is a party to the application. They therefore should also be consulted separately to the Forestry Commission. If the planning authority takes the decision to approve this application, we may be able to give further support in developing appropriate conditions and legal agreements in relation to woodland management mitigation or compensation measures. Please note however that the Standing Advice states that *“Ancient woodland, ancient trees and veteran trees are irreplaceable. Consequently you should not consider proposed compensation measures as part of your assessment of the merits of the development proposal”*.

86. We suggest that you take regard of any points provided by Natural England about the biodiversity of the woodland. This response assumes that as part of the planning process, the local authority has given due regard as to whether or not an Environmental Impact Assessment is needed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 or the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended. If there is any doubt regarding the need for an Environmental Impact assessment (Forestry), including for forest roads, please contact us. We would also like to highlight the need to remind applicants that tree felling not determined by any planning permission may require a felling licence from the Forestry Commission.

Historic England

87. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.
88. It is not necessary to consult us on this application again, unless there are material changes to the proposals.

Natural England

89. No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites. Natural England's generic advice on other natural environment issues is set out at Annex A.

Re-consultation comments

90. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal. Should the proposal be amended in a way which significantly affects its impact on the natural environment then in accordance with section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Sports England

91. Non-Statutory Role and Policy. The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local

Planning Authorities to consult Sport England on a wide range of applications. This application falls within the scope of the above guidance as it relates to the creation of new playing fields. Having considered the proposal in consultation with the Football Foundation, Sport England is of the opinion that the facility would fulfil the specific requirements of Millwall Football Club. However, given its location it is unlikely to provide any appreciable wider community benefits.

92. Sport England has no objection to the proposal.
93. Further comments: Further to our previous response to this application dated 11th August I am writing to clarify and confirm that Sport England has no objection to the development proposed. While it is not expected that the facility would provide significant on-site community sporting benefits, its location here would facilitate wider community outreach by the club that would be of great benefit to local communities. Already, in advance of the planning application being determined the club has been engaged in various outreach projects in the Sevenoaks area including engagement with local schools and with the local Parish Councils, especially West Kingsdown. The club have assisted with the local Foodbank in West Kingsdown, and are running mentoring programmes with local people who the Council have identified. The club have attended many local events and supported summer sports programmes.
94. Another initiative of note that is of benefit to the area, is the club's central role in creating the Sevenoaks Professional Sports Liaison Group (SPLG). The club's site is located between the London Golf Centre and Brands Hatch and this unique location has enabled the football club to bring the sports together under the umbrella of the group. The LGC are bidding for the Ryder Cup, Brands Hatch is an iconic motor racing site, the football club's vision is to use its community vehicle, the Millwall Community Trust as a registered Charity, to deliver and assist all sports not just the Football Club. LGC wish to develop their community engagement and helping deliver for the Sevenoaks area through a variety of sports is achievable. The club has also met with Kent Cricket Club as part of this and whilst they are not specifically Sevenoaks based nor located as neighbours to the application site, there is a vision to work with them out in the area to create a multi- sport approach to the community work being delivered.
95. In summary then, Sport England would expect that the Local Planning Authority would wish to give significant weight and support to the wider community benefits that the club's presence in Sevenoaks would deliver through the operation of the Millwall Community Trust. These are not only sports based but would also encompass benefits in respect of raising educational attainment, creating pathways to employment, building healthier lifestyles, bringing communities together and reducing crime.

Crime Prevention Officer

Initial comments

96. We have considered this application regarding Crime Prevention Through Environmental Design (CPTED) in accordance with the National Planning Policy

Framework (NPPF). Design and Access Statements (DAS) should demonstrate the design helps create an accessible and safe environment while minimising crime and disorder and fear of crime. Secured by Design (SBD) is the official UK Police flagship initiative combining the principles of designing out crime with physical security.

97. Applicants/agents should consult a local Designing Out Crime Officer or qualified specialist to help design out opportunity for crime, fear of crime, Anti-Social Behaviour (ASB), nuisance and conflict. In addition, we strongly recommend that the applicant bases the design on the SBD Homes 2019 guide for specifications for doorsets, windows, lighting, perimeter security and other suitable specifications. We recommend the applicant attains an SBD certification, which is free of cost, to show commitment to crime prevention and community safety. The applicant/agent should demonstrate the seven attributes of CPTED when applicable. CPTED addresses:
- Access and Movement: Places with well-defined routes, spaces and entrances that provide for convenient movement without compromising security;
 - Structure: Places that are structured so that different uses do not cause conflict;
 - Surveillance: Places where all publicly accessible spaces are overlooked; Ownership: Places that promote a sense of ownership, respect, territorial responsibility and community;
 - Physical Security: Places that include necessary, well-designed security features; Activity: Places where the level of human activity is appropriate to the location and creates a sense of security at all times and
 - Management and Maintenance: Places that are designed with management and maintenance in mind, to discourage crime in the present and future.
98. The applicant/agent should address crime prevention and demonstrate the seven attributes of CPTED. Therefore, we would like to request a crime prevention statement to be submitted as part of this application to address our comments below and to provide further information in relation to physical security and security measures to be adopted.
99. Having reviewed the application online, we would like to make the following comments:
- a. Site permeability. It is important to control the permeability in order to prevent crime, trespassing and anti-social behaviour. A clearly defined boundary using a fence, wall or other effective barrier against intrusion is a prerequisite for a secure site and to define ownership. This is paramount to also ensure safety due to the proximity of the site to the motorway. A densely planted defensive perimeter treatment can be created or utilised to aid perimeter security. However, we recommend mesh fencing to be incorporated to prevent any gaps that can potentially allow trespassing.

- b. Cycle and bin storage. Any cycle parking provisions should be contained within a well-lit, securable, roofed building and promote natural surveillance.
- c. Car Park. The design criteria for car parks should follow the principles laid down in the police owned 'ParkMark' initiative - appropriate lighting, CCTV, Security fencing, Exit/entry barriers, clear signage to help drivers and pedestrians navigate the car park safely etc. Secure motorcycle, moped and scooter parking should be made available and the inclusion of SBD or Sold Secure ground anchors are recommended. Such parking provision should also benefit from natural surveillance, be lit after dark when in use and be secure when not in use to prevent anti-social gathering. Any EV charging points should be provided in a safe and secure space and should benefit from maximum natural surveillance.
- d. Lighting. We note the Lighting Strategy Plan. A qualified lighting engineer should be consulted, and a suitable lighting policy should be installed to help deflect criminality, while minimising light pollution.
- e. Storage. Secure storage for play and sports equipment, including seasonal storage for goalposts etc. should, where possible, be provided within the main building, with ready secured access from outside.
- f. Alarms. All buildings, including Groundkeepers Compound and the Training Pavilion, should be fitted with a suitably designed, fit for purpose, monitored intruder alarm system, ideally monitored or fitted with remote monitoring.
- g. CCTV provision and management is recommended for buildings entrances, lobby/reception areas, cycle parking provisions, car park, storage areas and other key areas as part of the security requirements for this proposal.
- h. Landscaping. Trees should be pruned so that they do not provide climbing aids, which may compromise perimeter security. In addition, trees shouldn't obscure lighting columns or CCTV cameras.

Re-consultation comments.

- 100. We note document "Response to Designing Out Crime Officer Comments" and we would like to thank the applicant for addressing our concerns. Whilst we understand the site is proposed as a private venue, our comments also take into account perimeter breach and unlawful access to private spaces. We also understand that certain crime prevention measures still require to be determined due to early stages of design. The applicant has fully addressed our concerns and we have no further comments to make at this stage.
- 101. If approved, site security is required for the construction phase. There is a duty for the principal contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant,

machinery, supplies, tools, and other vehicles and be site specific to geography and site requirements.

Thames Water

Waste Comments

102. The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority.
103. Thames Water request that the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either:
- Foul water Capacity exists off site to serve the development, or
 - A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or
 - All Foul water network upgrades required to accommodate the additional flows from the development have been completed.
 - Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website atthameswater.co.uk/preplanning.
104. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.
105. Water Comments- With regard to water supply, this comes within the area covered by the South East Water Company.

Wastewater

106. Strongly encourage rain and grey water reuse for irrigation purposes where appropriate. The loss of permeable areas should also be minimised, for example switching the proposed artificial turf field for a grass field. For foul water, proposed pump rate and type of facilities with pumped/gravity split connected required to assess capacity. It is recommended the applicant contact Thames Water Developer Services and request a capacity check with the additional information. There are potential capacity concerns given the information provided. Due to proximity of the site to a sewage pumping station, please also refer to our odour encroachment policy.

Re-consultation comments:

107. No additional foul information provided, original comments still applicable. "Strongly encourage rain and grey water reuse for irrigation purposes where appropriate. The loss of impermeable area should also be minimised, for example switching the proposed artificial turf field for a grass field. For foul water, proposed pump rate and type of facilities with pumped/gravity split connected required to assess capacity. It is recommended the applicant contact Thames Water Developer Services and request a capacity check with the additional information.

National Highways

108. National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such National Highways works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. We have undertaken a review of the Transport Assessment (TA) and other relevant planning documents as prepared on behalf of the applicant by PTP. National Highways interests relate to the operation and safety of the SRN, and in the case of this proposed development, specifically the potential impact upon the M20 J1/M25 J3 and M26 J2a, both situated approximately 5 miles from the site. We are interested as to whether there would be any adverse safety implications or material increase in queues and delays on the SRN during construction and operation. National Highways understands that the site currently comprises agricultural land. The proposed development comprises the construction of a new training ground facility for Millwall Football Club and other ancillary uses, as well as a new access to Fawkham Road. In total 200 car parking spaces are proposed as part of the development.
109. Trip Generation- Given the site is currently agricultural land, no existing trip generation for the site is available for use as a baseline for comparison with trip generation for the proposed scheme. Trip generation for the proposed scheme has been derived from survey data for the Club's two existing training facilities which are to be consolidated at the new site. Although at the existing facilities ~25% of trips are made by public transport, the TA assumes that for the new site, all trips will be made by single occupancy vehicles as a worst case scenario. To provide validation of these figures, a comparison has been provided with a TA submitted in support of a 2007 planning application for Tottenham Hotspur's academy and training centre in Enfield, as requested by the Sevenoaks at pre-app stage. This shows a broadly similar level of arrivals and departures and a similar hourly profile to the proposed scheme.
110. For the proposed scheme, projected trip generation indicates an average of 258 two way trips (arrivals and departures) across a usual weekday, with 28 two way trips in the AM peak (8-9am) and 80 two way trips in the PM peak hour (4-5 pm) Although these numbers are projected two way trip generation, in practice all of the movements in the AM and PM peak periods are arrivals. Trip

distribution has been derived from Census journey to work data for all nearby districts and MSOAs and routings obtained from Google Maps journey planner. This exercise includes the proportions and numbers of trips that will reach the M20 J1/M25 J3 and M26 J2a. Of the 28 arrivals in the weekday AM peak, this indicates that only ~25% will travel via M20 J1, equivalent to 7 trips, and in the PM peak 20 trips will route via the M20 J1. Fewer vehicles will route via the M26 J2a, equivalent to 5 trips in the AM peak and 15 trips in the PM peak.

111. Although National Highways generally recommends this type of distribution and assignment methodology, as stated at pre-app stage, if the Club has approximate postcode data for its existing employees and players, this would be a more accurate means of identifying trip distribution and better allow us to ascertain the potential impact of the development on specific nearby SRN junctions. We draw your attention to Paragraphs 9 and 10 of the DfT Circular 02/2013 which refers to development proposals being unacceptable, by virtue of a severe impact, if they increase demand for use of a section of the network that is already operating over-capacity or cannot be safely accommodated within the existing infrastructure provision, unless suitable mitigation is agreed. National Highways considers that any development trips adding to a grade separated junction off-slip, which then results in mainline queuing, extends a mainline queue, and/or increases the frequency at which a mainline queuing occurs, to be an unacceptable safety impact. In such a circumstance, we would seek mitigation measures for any severe / significant impacts generated, also taking into consideration any improvements schemes identified as part of the emerging Local Plan.
112. We note that the applicant has included a Draft Travel Plan within the suite of submission documents. This envisages the provision of a permanent shuttle bus service at employee's peak arrival and departure times, between the site and Swanley rail station, which should further reduce the numbers of trips using the SRN. It is understood that the delivery of a full travel plan and provision of these services will be conditioned by the planning authority.
113. Construction Management- Despite the distance of the site from SRN junctions, we note that the M20 runs directly adjacent to the site. Proposed site construction will need to be a considered e.g. tower cranes that may need to be positioned close to the SRN will need to be suitably controlled and the SRN adequately protected to prevent any encroachment on or beyond the SRN boundary by any on construction site activity.
114. Therefore, in order to mitigate any adverse impact from the construction of the development on the M20, and to ensure that it continues to be an effective part of the SRN, we will require a Construction Environmental Management Plan (CEMP) to be submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways). National Highways would be supportive of the provision of a detailed CEMP being conditioned as part of any approval.
115. We also suggest that the applicants make contact with Connect Plus Services (CPS), who manage and maintain the M20 on behalf of National Highways, to talk about acceptable ways to manage construction methods. If contact is made in advance of the detailed CEMP being submitted it will ensure a smooth agreement from National Highways post consent.

116. Conclusion- Once we have received confirmation from the applicant regarding the alternative trip distribution and assignment methodology (if available) and National Highways has had chance to further consider the proposed impact of the development on the nearby SRN junctions, we will advise on further steps that may be required. We would be grateful if these comments could be passed to the applicant and we would be happy to discuss them further.
117. Recommendation - National Highways recommends that Sevenoaks District Council does not grant planning permission for the development proposals (Ref: 22/01961/FUL) for a period of 56 days (until 12 October 2022).
118. Reason: To provide the applicant with sufficient time to address outstanding concerns regarding development traffic impact on the SRN.

Further comments

119. We received an email dated 04 October seeking further clarification relating to National Highways boundaries and surface water drainage. The applicant is seeking to clarify these matters and any further information will be available at DC Committee.

SDC Economic Development

120. The Council's new Economic Development Strategy (2022 - 2027) sets out the framework for the Economic Development Teams activity during the period.
121. 'Our vision is for Sevenoaks District to have a dynamic and inclusive growing economy for our businesses, communities and visitors that is kind to the environment, and contributes to the health and well-being of all our residents and supports our commitment to working towards achieving Net Zero carbon emissions by the Council by 2030'.
122. It is noted that the site is in close proximity to Ancient Woodland. To enable our rural locations to continually thrive, investment and diversification in such areas must be duly considered. This statement resonates with the Allocations and Development Management Plan (2015) which states the NPPF 'recognises and supports the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings. It states that support should be given to sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.' This statement is reinforced by the recent Economic Needs Study (2022).
123. The application suggests that "*Once completed, the scheme is estimated to generate economic benefits for the local economy through indirect spending from new employees and players and academy students training at the ground.*" Any support to local businesses is key to creating a sustainable economy within the District and is therefore welcomed as directly supporting the vision and objectives within the Economic Development Strategy.

124. In addition to the facilities' internal economic benefits, the associated promotion of the District enables a multiplier effect which has the potential to raise the profile of the District and increase overnight stays as well as dwell time. Adding additional value in terms of driving increased footfall, return visits and increased spend across the district.
125. The proposed creation of opportunities for *“Local employment, employment and skills training”* which is stated to cover both construction and operational phases of the development is in support of key enterprise and skills aims within the Economic Development Strategy. Further commitment from the applicant would be welcomed, to define and realise the positive contribution on Local employment and training and ensure that opportunities created for local people through community development activities are maximised through working alongside the Communities and Economic Development teams.
126. The ward of Fawkham and West Kingsdown has 2.4% unemployment rate (June 2022 KCC unemployment bulletin) which along with many of the surrounding wards to the proposed site is higher than the Sevenoaks District average of 2% unemployment. Therefore, the proposals to increase local employment opportunities in both the short and long term are likely to be of benefit to the local area. The Economic Development Strategy aims to ‘Support events and initiatives to assist job seekers,’ ‘support careers advice in schools’ and ‘provide local innovative skills programmes.’ The *“commitment from the trust to deliver employment, skills and training opportunities which will be targeted at local people”* would therefore directly support these objectives.
127. The Economic Development Strategy (2022 - 2027) acknowledges the districts ‘very strong assets in the sports sector’ that should be ‘further capitalized on.’ Raising the profile of the district by supporting an established brand such as Millwall, presents further opportunities in the form of the proposed sports hub resulting in additional promotion across multiple sectors and highlighting the districts assets.
128. The application notes that the proposals would be a *“catalyst for economic growth, reinforcing the area as a sports hub”* the Economic Development Strategy seeks to ‘maximise promotion and exposure of the District’ and ‘encourage visitors to Sevenoaks District and attractions’ and to ‘secure investment and regeneration in towns and large villages.’ The proposed development suggests it would benefit *“The established sports uses within the surrounding area including Brands Hatch and the London Golf Club, helping to reinforce this sports hub and the associated benefits that these three organisations could deliver within the surrounding area and District.”* This would directly contribute to the aims of the Economic Development strategy to ‘Encourage businesses to locate within the District’ and to encourage ‘Sectoral development.’
129. This proposal is estimated to bring wide ranging benefits to the local community and economy described as *“The delivery of significant community benefits through the work of the Millwall Community Trust which will include (but are not limited to) educational, health, economic and employment benefits achieved by working with local schools, providing job and volunteering opportunities and youth mentoring schemes.”* This would directly

contribute to aims within both the Community Plan and Economic Development Strategy.

130. In conclusion, the Economic Development team supports this application, due to the positive economic impact that would arise from supporting local businesses, employment and training opportunities and investment into the District. In addition, the application has the potential to provide positive community benefits throughout the District. The positive contribution in all these areas is in direct support of a number of aims and objectives within our Economic Development Strategy.

Representations

131. Over the two rounds of consultations, 67 comments in total were received with 42 objections and 25 in support of the proposals.
132. The first round of consultation resulted in a total of 44 comments received of which 35 were objections and 9 were in support. The principal issues raised in this first consultation are summarised as follows:
- Increase in traffic and road danger (28 objections received)
 - Inappropriate development in the Green Belt (26 objections received)
 - Lack of community benefits (22 objections received)
 - It is noted that out of these 35 objections received, 9 were submitted by 2 postal addresses. Concerns were also raised regarding increase in noise and disturbances, harm to wildlife and biodiversity, increase pollution and the impact on the existing sewage system.
133. The second round of consultation (between 31/08/2022 and 21/09/2022) gathered a total of 23 comments of which 7 were objections and 16 were in support. The principal issues raised were:
- Increase in traffic and road danger (5 objections received)
 - Inappropriate development in the Green Belt and loss of land (6 objections received)
 - Lack of community benefits (4 objections received)
 - Noise and disturbance (4 objections received)
134. In both rounds of consultation, the principal reasons for support mentioned the community benefits and the additional employment and business opportunities.
135. Other concerns raised in the representations over both rounds of consultation include:
- Noise and disturbance.

- Harm to wildlife, biodiversity and trees.
- Size of car park.
- Pollution, location far from club (added carbon footprint),
- Design not responsive and too large within the setting and groundsman building in an inappropriate location.
- More appropriate land available (brownfield sites), loss of agricultural land.
- Impact on sewage systems and impact on water reserves.
- Light pollution.
- No public transport provision.

Officer note - see conditions regarding travel plan

- Increased risk of flooding.
- House prices will be affected.
- Hazardous chemicals for upkeep of site,
- Change of position of Sport England comment.
- Loss of privacy and overshadowing.

Officer note - see residential amenity section

- Concerns regarding accuracy of noise report.

136. Overall, 63% of public representations received were objections and 37% were in support of the proposals.

Planning appraisal

The main planning consideration are:

- Principle of development in the Green Belt
- Impact upon the character of the area
- Trees, woodland and landscaping
- Ecology and biodiversity
- Impact on heritage assets and archaeology
- Residential amenity
- Highway safety and parking
- Contamination
- Flooding and drainage
- Sustainability
- Planning obligations (S106 and CIL)
- Other matters
- Very Special Circumstances

- Conclusions.

Principle of the development in the Green Belt

Policy and context

137. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications must be determined in accordance with the local authority's development plan unless material considerations indicate otherwise. The Council's Development Plan includes the Core Strategy (2011) and the Allocations and Development Management Plan (ADMP) 2015.
138. The application site is a 22.31 hectare undulating green field site set to the east side of Fawkham Road. Policy LO1 of the Core Strategy seeks to direct development existing settlements with the Sevenoaks Urban Area being the principle focus area. The application site is located outside the settlement confines of the nearest large settlement of West Kingsdown and is within a rural countryside setting as opposed to an edge of suburb setting. It is therefore not considered to be a sustainable location for certain types of development, namely housing. It is acknowledged that this policy LO1 is deemed to be partially out of date by virtue of footnote 8 of paragraph 11 of the NPPF. However, as it is generally in accordance with the National Planning Policy Framework, in terms of supporting a sustainable pattern of development, it remains relevant and important.
139. In addition to the above the application site lies wholly within the Metropolitan Green Belt. Paragraph 137 of the NPPF states that "*the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*".

Whether the proposal constitutes appropriate development in the Green Belt:

140. Due to the nature of the proposed development and the uses, the assessment as to whether the proposal is appropriate in the Green Belt can be assessed in two parts. The first is the use of the site for the football pitches and the second in the construction of the buildings.
141. Paragraph 150 of the NPPF states that '*Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are: material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds)*'.
142. The proposed outdoor natural grass football pitches (x13) would comply with paragraph 150(e) of the National Planning Policy Framework. The football pitches would constitute an acceptable change of use for sport and recreation. In addition to this the development would have no impact upon the openness of the Green Belt, there will be a significant amount of cutting and filling of the land to ensure the pitches are level, however the impact of this upon the Green Belt will be negligible. The cutting and filling will, as detailed later in

this report, result in numerous bunds and mounds which will be bolstered with planting and soft landscaping. This will preserve the rural character of the site and wider setting.

143. Turning to the built development, paragraph 149 of the NPPF outlines how local authorities should consider the construction of new buildings in the Green Belt as inappropriate development. However it outlines a number of exceptions including: *'the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport ... as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'*.
144. Policy LO8 of the Core Strategy covers matters of the countryside and the rural economy. It states that the extent of the Green Belt will be maintained. The proposal would see development in a Green Belt location, though it would not revoke its Green Belt status as this can only be undertaken at a strategic policy level. The majority of the site will be maintained with a small proportion (less than 10%) covered with buildings, however it is still encroachment into the countryside and would be principally contrary to this policy. Again, policy LO8 is deemed to be out of date by reason of the lack of a five year housing land supply, though its main elements are consistent with the National Planning Policy Framework.
145. The proposed built development on site includes four buildings - the main pavilion, the indoor pitch, the groundskeepers building and the security hut - in addition to an artificial football pitch and car parking area. It is considered that the proposed built development is necessary to facilitate the use of the site as a training ground for Millwall Football Club and their academy, however the extent of built development in this Green Belt location is considered contrary to paragraph 149(b) and therefore inappropriate. It is also contrary to policies LO1 and LO8 of the Core Strategy.
146. Part of the development has been found to be inappropriate in the Green Belt. Impact on openness, for these buildings, is implicitly taken into account when a development is inappropriate in principle. Substantial weight is given to harm from the principle of inappropriate development in the Green Belt. It is helpful to also assess the degree of any harm to openness and the purposes of including land within the Green Belt, to understand the totality of the Green Belt harm.
147. In terms of other harm to the Green Belt that the development may have i.e. its character and performance against the five objectives of paragraph 138 of the NPPF. The application site sits within parcel 84 of the Sevenoaks Green Belt Assessment (2017). This assessment scores the parcels against the aforementioned objectives, these are:
 - a. to check the unrestricted sprawl of large built-up areas;
 - b. to prevent neighbouring towns merging into one another;
 - c. to assist in safeguarding the countryside from encroachment;

- d. to preserve the setting and special character of historic towns; and
 - e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
148. Parcel 84 is a long narrow parcel running alongside the M20 motorway between West Kingsdown and Farningham. The Green Belt assessment scores the parcel 3 out of 5 for objectives 'B' and 'C' and 0 for 'A' and 'D' with an overall rating of moderately performing against the objectives. The three categories are weak, moderate and strong.
149. The proposed development has no impact on the parcels' performance against objective B, and a low impact upon objective C due to the sensitive siting of the built development and the expansive landscaping proposed. Said landscaping will give a well wooded appearance which as outlined later in the report is a key characteristic of the landscape in this part of the district.
150. Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form although it can have a visual element.
151. The site is a large 22.31 hectare parcel of agricultural land that is largely contained by the M20 motorway to the east, Fawkham Road to the west and ancient woodland to the north. Consequently, it is not part of a continuous area of unobstructed open countryside. It is nonetheless - as outlined in the Sevenoaks Green Belt Assessment 2017 (parcel number 84) - a moderately performing Green Belt parcel and performs well against purposes three of paragraph 138 of the NPPF which is to safeguard the countryside from encroachment.
152. The proposed built development is carefully sited to ensure as minimal harm as possible. The largest structure is located towards the eastern side, by the M20, which is lower than the centre. Consequently, from vantage points along Fawkham Road (there are no other vantage points due to the motorway enclosing the site) the building will be on the other side of a ridge in the site. The indoor pitch is also slightly dug into the landscape, which would counter the level changes and reduce the bulk of the building. As for the pavilion, this is orientated such that the western gable ends face Fawkham Road and thus greatly reducing the apparent bulk and massing of the building.
153. As for the groundskeepers building and security hut, these structures are significantly smaller than the indoor pitch and the pavilion. Therefore, screening these with landscaping and the re-modelling of the site is easier. It is considered that these buildings will not be visually or spatially prominent and thus have a limited impact upon the openness of the Green Belt.
154. The National Planning Practice Guidance sets out some other factors for assessing harm to the Green Belt:
- 'the duration of the development, and its remediability - taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness'*

- a. The proposed development would have an unquestionably permanent impact on the countryside. The development comprises extensive green and blue infrastructure enhancements and would greatly improve the biodiversity and ecology of the site. Consequently, the impact of the developments' permanence is reduced to some extent.

'the degree of activity likely to be generated, such as traffic generation'.

- b. The use of the site for a football training ground would generate some traffic, as detailed later in the report. However, it would be controlled and limited to specific timings and there is an emphasis on public/sustainable transport to the site - particularly for the academy.

Summary on openness:

155. The development will have a minor impact upon the openness of the Green Belt in both a spatial and visual sense. The permanent nature of the development also results in built development encroaching into the countryside, the siting and screening of development will reduce the extent of the harm but not remove it all together.
156. Notwithstanding the above the proposed development is still inappropriate in principle and therefore in accordance with paragraphs 147 and 148 of the NPPF consideration will be given to the case for very special circumstances and whether there are very special circumstances that would clearly outweigh the harm to the Green Belt by inappropriateness and any other harms. This issue is reviewed later in this report.

Impact upon the character of the area

157. Policy SP1 of the Core Strategy and EN1 of the Allocations and Development Management Plan state that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated. Policy EN1 of the Allocations and Development Management Plan also states that the form of proposed development should be compatible in terms of scale, height, density and site coverage with other buildings in the locality. The design should be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.

Context

158. The proposal is for the construction of a training ground and facilities for Millwall Football Club. It comprises of 15 football pitches including an indoor football pitch and an artificial pitch. The intention is to group the club's facilities together as the first team training grounds are currently located in Bromley and the academy and administration staff are located in Greenwich. The site is laid out with the main pavilion building and car parking area located towards the centre with the access from the west (off Fawkham Road) splitting the site in two. The academy is located to the south side of the pavilion with the pitches orientated in a north easterly direction, the first team area is then located to the north side with the full sized pitches orientated in a north westerly direction. The largest structure on site is the indoor pitch, this is located furthest away from the vantage points of the dwellings along Fawkham Road and closer to the M20 motorway. A groundskeepers building is sited to the

south end of the site and is proposed to be somewhat secluded and surrounded by proposed landscaping. Lastly, a security building by the access road is proposed.

159. The number of pitches proposed is tantamount to the size of the club and the academy and their requirements, it is comparable to other training grounds of high profile football clubs including A.F.C Bournemouth and Chelsea F.C whose grounds were approved in 2018 and 2006 respectively - in a Green Belt locations. As for the other elements of the proposal, these are shaped by the requirements set by the sport's governing bodies including the Elite Player Performance Plan (EPPP) and the English Football League (EFL). Millwall F.C seek to attain a category 2 status, to achieve this position the club is required to have the indoor pitch (as set out in appendix 4 of the Planning Statement), an artificial pitch and all the relevant facilities in the pavilion including gyms, offices, classrooms/meeting rooms and treatment/physio rooms to name a few. There are very few differences between a category 1 and 2 status, the main one being an area for spectating, which the club does not wish to include as the site is private. Consequently, the scale of the buildings and the internal arrangement is largely to facilitate the requirements of the club. Nevertheless, the proposals have been shaped pre-application discussions, consultee feedback, local community engagement, and crucially a Design review Panel (DRP) with Design South East.

Building design and materials

160. Whilst the scale and layout of the buildings is based on numerous factors including separating the first team and academy, facilitating clubs requirements and as outlined above to meet the standards of governing bodies, the design of the individual buildings has been carefully considered to ensure the development preserves the character of the area.
161. Starting with the main pavilion, it is a long linear building with the massing of the roof broken up by projecting boxes set into the eaves of the building and the large two-storey feature entrances on both the south and north sides. The building has an agricultural barn form, with the first floor being partially set within the roof space of the building rather than a taller and more squared off design. This blend of contemporary architecture and agricultural character ensures the building fits well into the rural context, rather than being an incongruous addition to the countryside or a pastiche full replica of a barn that does not fit with the rest of the proposed development.
162. The design of the main pavilion is also inspired by the local building vernacular, the prominent gables along Westfield Cottages opposite the site have influenced the feature gable ends of the building, the building is orientated such that the gable ends are prominent from the access to make this a key focal point of the site. The building is proposed to be finished in timber cladding with a metal roof to accentuate the agricultural influences and ensure the building resides comfortably in the rural setting. Flint is very prevalent in the area it is featured on existing buildings including the St Edmund King and Martyr Church, it is also readily available and easily obtainable in the local area. Consequently, boundary walls, including for the outdoor gyms and the kitchen garden will incorporate flint.

163. Turning to the openings of the buildings, again a suitable balance between contemporary and rural essence has been achieved. The large two storey box openings create feature entrances yet pay homage to cart door openings of traditional agricultural barns. The tall and slim windows to the first floor are reflective of a barn and whilst having a contemporary touch by spanning into the roofscape. Other contemporary features come from the projecting boxes at first floor level, these break up the expanse of the large front and rear elevations and are a welcomed addition. Lastly, the gable ends of the building feature an expanse of glazing, which will give a light and airy feel internally. To reduce the impact of light glare though, the gable ends also feature vertical timber screening.
164. This design is replicated on a smaller scale for the security hut building, here a dual pitched roof with two large gable ends (one fully glazed) is proposed. Again, it is orientated such that the gable ends are prominent from the access road leading to the car park. The agricultural theme through use of timber for the walls with a metal roof is incorporated into the design, as are the flint gabion boundary walls.
165. Turning to the indoor pitch building, this is a more utilitarian structure and is more strictly constrained by the scale requirements for an indoor pitch. A tensile fabric structure with a curved roof form is proposed. At the pre-application stage, the option of a more contemporary showpiece building that has an outstanding design was discussed. However, the developer has retained the proposed design and form as it allows the internal roof heights to meet the requirements of the football governing bodies whilst ensuring the building is no taller than required. Moreover, the proposed indoor pitch is reflective of other approved indoor pitches across the country. The Design Review Panel considered its utilitarian appearance has a low impact on the rural landscape particularly if well sited and screened with natural landscaping.
166. To make the building more of a statement piece the developer has incorporated a secondary pavilion into the structure. This is located to the south side of the indoor pitch and houses a terrace, parents/community lounge and further changing/coaching rooms. This pavilion is set across two floors and incorporates similar architectural language to the other buildings on site ensuring an overall coherent development.
167. Lastly, to the southwest corner of the site is the groundskeepers building, which is a sloping flat roof structure that is again somewhat more utilitarian in design. Most of the building is reserved for storage of machinery/equipment with the rest containing shower facilities, an office and a mess/common room. The walls of the building feature the timber cladding to match the character and design of the other buildings on site. Additionally, it is largely screened by a flint gabion wall, which continues in a westerly direction to screen the area of hardstanding for parking and turning of maintenance machinery. The use of the gabion boundary wall helps to screen the development whilst creating a sense of cohesion across the site through a consistent material palette.

Scale, siting and arrangement

168. The siting and arrangement of the development has also been given a lot of consideration, through factoring in the typography of the site, focal points and permeability/wayfinding through the site on foot and, as reviewed later in the report, neighbouring amenity. The general disposition of the pitches appears to be a logical response to the site geometry, power line and motorway alignment constraints. The Design Review Panel, which reviewed the pre-application proposals in February 2022, considered the orientation of the artificial pitch was at odds with the rest of the site. However, it is considered that the orientation proposed, better allows for continuous ecological corridors and is also beneficial in terms of light amenity for neighbouring residents due to the positioning of required floodlighting. Consequently, whilst the artificial pitch does not entirely fit with the overall orientation of the development on site, it does not harm the overall design nor impact the character of the area. Its siting to the far east side of the site, adjacent to the M20 and its tall tree border, will ensure there will be a limited impact to the character of the open countryside.
169. The topography of the site gradually lowers south to north and towards the centre before following away towards the M20. The largest structure on site is the proposed indoor football pitch, the main bulk of the structure (not including the attached pavilion) measures 111m by 80m with a maximum height of approximately 15m. The scale of this building is determined by the requirement for a full sized indoor pitch which measure approx. 105m by 67m. Consequently, the building is no larger than necessary, its curved roof form also ensures the height is as low as possible whilst achieving the necessary internal ceiling height to accord with the football governing body requirements. Other roof forms would require more support and would therefore result in a taller and bulkier structure. Moreover, the curved tensile fabric roof would to an extent blend into the skyline, further reducing the visual harm to the open countryside.
170. One of the key points from the Design Review Panel regarding the design of the development included a linked architectural approach to give the central space a sense of place and arrival. This was in conjunction with creating focal points and a key relationship between the pavilion and the indoor pitch. As a result, the pavilion was shifted back slightly so that there is a corner formed by it and the indoor pitch (with its own smaller pavilion within the frontage that links to the architecture of the pavilion). This area is a key focal point of the site, one that would have a higher footfall due to its siting in relation to the carpark. This creates a sense of place in line with both the design advice and the National Design Guide.
171. As outlined above the architecture and arrangement of the built development create a sense of place and are considered to preserve the character of the area. Nonetheless, a comprehensive landscaping approach is proposed as outlined later in the report. This landscaping and landform would screen much of the development and further ensures there is limited harm to the local vicinity and the wider open countryside.
172. In summary, the proposed development is considered to accord with the guidance of the National Design Guide, the NPPF, and policy EN1 of the Allocations and Development Management Plan.

Trees, woodland and landscaping

173. The Design Review Panel strongly recommended a landscaping led approach for the development, whilst the general layout was already largely determined by the time of the DRP there was still scope for a landscaping masterplan to further shape the development so that it better responds to the local landscape character.
174. The application site is located towards the north-western end of the West Kingsdown Settled Downs area of the Sevenoaks Landscape Character Assessment (2017). The West Kingsdown Settled Downs area is an elevated, gently undulating chalk plateau overlain with clay and flints. The area is predominantly residential and recreational, though its history was that of commons and woodlands much of which (including ancient woodland) remains giving the landscape a well wooded feel. The key characteristics of this landscape area are:
- *Undulating chalk plateau overlain with clay and flints. The heads of dry valleys carve the plateau.*
 - *Blocks of broad-leaved native woodland give a well wooded appearance.*
 - *Historic isolated manor and commons which contrast with modern adjacent development.*
 - *Narrow rural lanes, but also affected by major routes of A20 and M20, partly in cutting.*
 - *Major recreational uses, including London Golf Club and Brands Hatch racing circuit.*
 - *A strong sense of enclosure is provided by the woodland. There are long views out from elevated parts of Stansted Lane.*
175. The proposed landscaping for the site is comprehensive, and it is not the intention of this report to detail it in its entirety. The landscaping is an interconnected site-wide green and blue infrastructure scheme with all landscaping (both soft and hard landscaping) carefully considered and all serving a purpose. The landscaping masterplan can be broken down to four key elements:

Feature entrance

176. The proposed landscaping would make the proposed entrance into a feature that creates a sense of place at the same time as being functional. To the south side of the entrance is an attenuation pond surrounded to the west, south and east by dense tree coverage. Just east of this is the security hut which would have the same architectural language of the main pavilion. This pond and woodland area is part of the wider blue infrastructure and drainage across the site yet forms a part of an entrance that accords with the identity, movement, nature and public space characteristics of the National Design Guide. The proposed hard landscaping does not dominate the access and route through the site due to the soft landscaping being continuous along the vehicular route.

Moreover, permeable paving will be used which again has a twofold benefit of being more visually attractive in the rural context and would help with water drainage/runoff across the site.

Woodland car park

177. Due to the site being used by all those involved with Millwall Football Club including the first team, academy, administration staff and more, and due to the rural location of the site there is a need for a large car parking area. The proposed landscaping is vital to ensuring the large car park has a minimal impact upon the character of both the immediate area and wider reaching views - for example light glinting from an abundance of parked vehicles. It is proposed to create a woodland car park, the proposed tree planting has not been constrained by a pre-determined car park layout, instead it fits around the tree planting with additional hedging and shrubbery within the car park itself. It is considered that the extensive landscaping will sufficiently screen the car parking area. The proposed landscaping would provide for permeability across the site as it is proposed to have foot bridges of the swale and wooded footpaths. Both of which allow for direct, easy and pleasant navigation from the centre of the site.

Mounds, bunds and boundary planting

178. Due to the sloping topography of the site all the pitches require an element of carving out to ensure they are level, however despite the amount of material this would create there will be no removal of soil from the site. Instead, all material will be re-used on site to create bunds, mounds and walls between the pitches and across the site. The bunds and mounds create an undulating topography that is reflective of the Kent countryside, whilst creating additional areas for screening. Much of the site boundary screening is proposed to be extended significantly into the site particularly along Fawkham Road, this ensures the development is well screened and creates a heavily wooded area in accordance with the West Kingsdown Settled Downs character area.

179. The largest structure on site is the indoor pitch, whilst the utilitarian design and colour palette have been considered acceptable, the proposal to screen the structure is welcomed. A large mound complete with tree planting spanning the length of the building is proposed, the mound features a flint gabion wall at the south end to repeat the architectural language of the pavilion and front of the indoor pitch. The mound and tree planting will obscure the bulk of the building leaving only distant views of the roofscape, which as outlined will blend into the skyline to an extent.

180. Where boundary walls are proposed they all feature flint which is prevalent in the local area and within the site itself. Consequently, any flint discovered in the cutting to level the pitches will be re-used in the construction of boundary walls and decorative features.

181. In terms of the Ancient Woodland to the northern boundary (Gallows Wood), a 15m buffer is proposed with additional tree planting to bolster the boundary. No footpaths are proposed in this area to avoid indirect harm to the woodland.

Blue and green corridors, and attenuation ponds

182. The proposed landscaping is linked across the entirety of the site through a series of linked corridors. A large blue and green corridor spans east to west across the site with the attenuation pond located at the western end. In addition to this, a smaller integrated blue and green corridor is sited around the periphery of the site with three further attenuation ponds. The proposed corridors are multi-functional as they allow for adequate drainage across the site, enhance ecology pathways and crucially are useable and thus create a sense of place, particularly around the east to west corridor with footbridges crossing it. The proposed landscaping, in addition to the high-quality design and architecture of the built development ensures the proposal adheres to the National Design Guide to create a ‘Well Designed Place’.

Other

183. The extensive landscaping will also meet some of the objectives of the Sevenoaks Community Plan (2022-2032), namely the environmental objectives. The kitchen garden will also form part of the sites self-sustaining nature by producing food for catering use.

Summary

184. Overall, the proposed landscaping adheres to the character of the landscape area; for example it uses the undulating nature of the site as an opportunity to create mounds and bunds and other features found in the Kentish landscape, as recommended by the Design Review Panel. The landscaping will give a well-wooded appearance in a randomised and natural layout as opposed to a formal layout, which again is akin to the local character and the wider Kentish landscape. Finally, the landscaping accentuates the permeability of the site and creates key public spaces for users in accordance with the National Design Guide. The proposed landscaping adds to the high-quality design of the site and further ensures the development complies with policy EN1 of the Allocations and Development Management Plan.

Ecology and biodiversity

Context

185. The application site is not subject to any statutory ecological designations. The nearest non-statutory designation is Fawkham Road Roadside Nature Reserve located approx. 0.2km to the north-west of the site. The site is a large arable field, with small areas of scrub, tall trees, particularly to the boundaries. Consequently, the majority of the site has a relatively low ecological value and due to the agricultural use, the biodiversity will also be low except for the periphery of the site.

186. Gallows Wood is located to the north of the site, this is an Ancient Woodland and as outlined in the submitted ecology report is deemed a Priority Habitat. In terms of the proposed development, the woodlands and hedgerows are to be retained under the proposals and will be protected during construction with only a small section removed to facilitate the access on the western side of the

site. The Ancient Woodland will be protected with a minimum 15m buffer between its edge and any actual development.

Protected species

187. The ecological report submitted with this application identifies bats, badgers, dormouse, birds and reptiles are likely to be present on site or at least foraging/commuting through the site - particularly in the case of bats and birds. The report sets out 10 measures of mitigation and recommendations. These have been reviewed by KCC Ecology and subject to a few conditions (see conditions 3, 4, 5 and 16), the development will not harm any protected species.

188. KCC Ecology have advised that a European protected species mitigation (EPSM) licence will be required to carry out the proposed development due to the impacts upon Hazel Dormouse. The relevant tests can be undertaken here:

- a. Regulation 55(2)(e) states: a licence can be granted for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences”.

The proposals would create a football training ground, complete with a S106 Agreement for the Millwall Community Trust to support the local area in terms of the community, employment, health and wellbeing, training workshops etc. thereby providing benefit to the public interest.

- b. Regulation 55(9) (a) states: the appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”.

The whole development would be unable to go ahead without this licence.

- c. Regulation 55(9)(b) states: the appropriate authority shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.”

It is considered this part of the test is met, which KCC Ecology have confirmed.

189. The proposals are therefore considered acceptable in this regard.

Biodiversity

190. The arable field holds a relatively low biodiversity value and therefore there is great potential to increase the biodiversity of the site. A Biodiversity Net Gain (BNG) assessment was undertaken in May 2022, using the latest Defra calculation tool. The proposed development is expected to result in a BNG for the site - comprising the area of buildings, pitches, swales and ponds of 35.3%. The target encouraged in National Policy and soon to become legislation is 10%. Furthermore, the existing hedgerows, which have been assessed separately,

and bolstering through the creation of wooded areas and buffers to the Ancient Woodland will achieve a net gain of over 200%. These BNG calculations are considerably in excess of the minimum requirements and will greatly enhance the local ecological and environmental quality.

Lighting

191. An element of artificial lighting is required due to both the scale and the nature of the development. Such lighting can disturb local ecology and impact the setting and character of the Ancient Woodland. The finalised lighting strategy will be secured through condition, however the initial concept is for bollard lighting and motion sensor lighting for the pathways and access. In addition to this there is some floodlighting for the artificial pitch. All lighting has been located and designed with preserving ecology in mind and is no more than necessary. The greatest impact would be the floodlighting of the artificial pitch. KCC Ecology have confirmed this would be acceptable subject to further information by way of a pre-commencement condition. Moreover, having reviewed the likely operating hours of the site, the proposed floodlighting is mainly required for evening play in the winter and would not be used into unsociable hours. On that basis, it is also unlikely to impact protected species and it is considered acceptable.

Ecological corridors

192. The landscaping of the site has proposed ecological corridors. None of the buildings would be sited against the edges of the site, instead extensive tree planting is proposed to encourage commuting of birds and other species around the periphery of the site. This was encouraged by the Design Review Panel and is considered to enhance the existing ecological pathways across the site.

Summary

193. In conclusion it is considered that the proposed development will enhance the ecology and biodiversity of the site whilst mitigating any impacts to protected species present on site. The proposed development, subject to conditions is considered acceptable in ecology terms and is considered to accord with policy SP11 of the Core Strategy and the relevant national guidance.

Impact on heritage assets and archaeology

194. Paragraph 199 of the NPPF outlines that local authorities should conserve heritage assets in a manner appropriate to their significance. Any harm, which is less than substantial, must be weighed against the public benefit of the proposal (para 200-202). Furthermore, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
195. Policy EN4 of the Allocations and Development Management Plan relates to proposals that affect a heritage asset or its setting, it supports proposals where the character, appearance and setting of the asset is conserved or enhanced. It goes on to state that *'Where the application is located within, or would affect, an area or suspected area of archaeological importance an*

archaeological assessment must be provided to ensure that provision is made for the preservation of important archaeological remains/findings’.

196. The application site is not located within a conservation area, nor within the immediate setting of a listed building. The south western corner of the site is located some 150m from a Grade 1 (highest level) listed church known as St Edmund King And Martyr Church. The church is located within a densely wooded ancient woodland and consequently there is limited indivisibility between it and the application site. A heritage statement has therefore been submitted and the site has been considered to form part of the ‘wider setting’ of the church.

197. Paragraph 194 of the NPPF states that *‘In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance’.*

198. The significance of the heritage asset is extremely high, however the potential impact of the development is very low due to the separation and the screening. The church is located within a densely wooded ancient woodland and consequently there is limited inter-visibility between it and the application site. The setting of the church is very enclosed by the surrounding woodland and views in and out to the wider landscape are therefore not considered to impact on the way in which the church is appreciated within this woodland setting. Consequently, the level of detail in the assessment of the heritage asset is considered sufficient. Historic England have not raised any concerns and it is considered that the proposed development will not harm the significance of the heritage asset through change within its setting.

199. In terms of archaeology impact, the proposed development is located within an area of archaeological potential. The desk based archaeological assessment undertaken identified a possible low to moderate potential for later Prehistoric and Roman periods and a moderate potential for the Saxon and Medieval periods such as land division and agricultural activity. Any remains present are likely to be of local significance only and past ground disturbance through the history of agriculture is likely to have already truncated any remains. In conclusion it is considered that the development of the site is unlikely to have either a significant or widespread archaeological impact.

200. KCC Archaeology have reviewed the proposal and are content that any outstanding archaeological concerns they have can be covered through conditions (see condition 7 and 21).

201. In light of the above it is considered that the proposed development would preserve significance of the heritage asset, which will not be harmed through change within its setting and would not result in harm to archaeological assets (subject to conditions). The proposed development is therefore considered to accord with policy EN4 of the Allocations and Development Management Plan and the NPPF.

Residential amenity

202. Policy EN2 of the Allocations and Development Management Plan requires proposals to provide adequate residential amenities for existing and future occupiers of the development. While ensuring it would not result in excessive overlooking, visual intrusion, vibration, odour, air pollution, vehicle movements, or a loss of privacy and light enjoyed by the occupiers of nearby properties.
203. The application site is an open agricultural field located opposite a row of 20 dwellings known as Westfield Cottages and 101-104 Fawkham Road, with a further two properties to the north and to the south of the site. Development of the site therefore has the potential to result in a loss of outlook, light pollution, and noise disturbance. The layout of the site has therefore been designed with neighbour amenity in mind and amendments have been made to ensure the development will preserve neighbour amenity. One of the major changes since the proposal conception in early pre-application stages is the shifting of the access further north along Fawkham Road so that it is over 100m away from the properties along Westfield Cottages and Fawkham Road and would therefore result in less disturbance and conflicts of traffic.

Outlook and visual impact

204. Upon multiple visits of the site, it is clear that there are significant level changes affecting the vantage points on Westfield Cottages, 101-104 Fawkham Road and the dwellings to the north and south of the site. The centre of the site is higher than the edges - particularly towards the M20. In addition, there is a general decrease in height from the south to the north.
205. Some of Westfield Cottages and 101-104 Fawkham Road benefit from a second floor and therefore have increased visual views of the site. This is more apparent in the dwelling to the southern end of Westfield Cottages as there is a small green before the boundary of the proposed site (delineated by the hedgerow) allowing for a less obstructed view of the site.
206. Having viewed the site from a property with a second floor it is noted that there are distant and long reaching views towards the centre of the site before the land falls away. The poles for the overhead wires are visible, (some are for electricity (the taller ones) and some are telegraph poles) yet despite their 15m height have a minimal visual presence. The indoor football pitch is comparable in height to the tallest poles - as shown in the site sections - and the building is sited further away and at a lower land level. Consequently, the structure will be visually modest despite the scale and with the proposed screening, and the pleasant views enjoyed by the residents along Fawkham Road would be preserved.
207. In addition to the above, the separation distances from the neighbouring dwellings must be considered. To the western edge of the main pavilion the nearest Westfield Cottage property would be approximately 160m and the furthest 268m. The edge of the nearest pitch would be approx. 55m to the nearest dwelling. As for Thames Weald to the north, the separation distance to the main pavilion would be approx. 265m with the nearest pitch being approx. 56m away and on the other side of an attenuation pond and proposed

tree planting. Lastly, Kingsdown House to the south would be over 400m away from the main pavilion, some 200m from the groundskeepers building and 115m to the nearest pitch. All these separation distances are considered amply large enough to maintain privacy, outlook (in conjunction with the proposed screening and topography of the land) and protection from noise disturbance.

Lighting

208. Light spill from the main pavilion building and from the floodlighting of pitches were the highlighted by the council at early stages of the pre-application and were also understood to be raised by local residents. Consequently, the western end of the building features timber screening over the large expanse of glazing. This would provide an outlook from the building and daylight into the building yet will significantly reduce artificial light spillage from inside the building. This mitigation is considered sufficient and will preserve neighbour amenity in terms of light spill disturbance.
209. In terms of artificial lighting of the site, this would be kept to a minimum 'whilst enabling the essential safe operation and circulation of the site' as outlined in the Design and Access Statement. Only pedestrian routes and approaches to buildings will be lit through bollard lighting and limited to hours of operation which, as outlined in the highway section, are not late into the evening. Lighting of the buildings would incorporate motion sensors and again will be limited to hours of operation. This is considered sufficient to ensure the development would preserve the amenity for neighbouring residents and to avoid unnecessary lighting of the open countryside. The floodlighting of the artificial pitch has the greatest potential to affect neighbour amenity. Floodlighting would allow the club to accord with the minimum standards for a category 2 club outlined by the sport's governing bodies. The proposed floodlighting is kept to an absolute minimum and the artificial pitch is sited at the furthest point from the majority of the surrounding neighbouring residents. The siting and the limited use of floodlighting, in conjunction with other mitigation outlined in the Design and Access Statement, is considered sufficient to preserve neighbour amenity.

Noise disturbance

210. The proposed use of the site is not considered to generate significant noise compared to commercial or industrial uses. Nevertheless, a noise assessment was undertaken and subsequently bolstered to assess the impact from shouts and whistles from the pitches. The council's Environmental Health Officer has confirmed they have no objections or outstanding concerns. The noise report also refers to impacts from the construction of the development and a Construction Management Plan has been proposed as a condition to request details to demonstrate how noise disturbance will be mitigated during construction. In summary it is considered that the use of the site would preserve neighbour amenity and disturbance from construction can be mitigated through conditions.

Summary

211. The proposed development is considered to preserve neighbour amenity in terms of outlook, light and noise and would therefore accord with policy EN2 of the Allocations and Development Management Plan.

Highway safety and parking

212. Policy T2 of the Allocations and Development Management Plan states “Vehicle parking provision, including cycle parking, in new non-residential developments should be made in accordance with advice by Kent County Council as Local Highway Authority or until such time as non-residential standards are adopted”. Additionally, the NPPF outlines that development should only be refused or prevented on transport grounds if the impacts are severe.

Access

213. A new access to the site is proposed, approx. 100m north of the end property of Westfield Cottages. It has been designed with a larger kerb to the north side than the south to direct and encourage access from the north i.e. from the A20 and M25/M20 junction. KCC Highways have confirmed that this arrangement is preferable and have confirmed there is ample visibility from the proposed access. Vehicle tracking plans for larger vehicles including refuse vehicles have been provided which confirm the access and the route through the site is suitable for all vehicles.

Parking

214. A total of 200 parking spaces have been proposed, including 12 disabled spaces, 52 overflow spaces which KCC Highways have confirmed would be suitable following a review of the justification in the Transport Statement. Additionally in accordance with policy T3 of the Allocations and Development Management Plan, which requires electric vehicle charging for new development, 10% of the spaces would provide the relevant infrastructure. This could be secured through conditions.

Trip generation

215. One of the main concerns of local residents is the increase in traffic along Fawkham Road. Table 5.1 of the Transport Assessment details the expected arrivals and departures per hour. During the peak AM hour (8am to 9am) it is expected that there will be 28 arrivals and 0 departures, with minimal arrivals or departures in the conventional PM peak hour. It is expected that 80 arrivals will occur during 16:00-17:00, with those departures happening between 7pm-8pm with 8pm being the likely end of the opening hours of the site during the week. This information corresponds to the data provided by the approved Tottenham Hotspur Training Ground planning application. The peak flows of traffic outside the AM and PM peaks is reflective of the nature of the use of the site being different to a standard commercial or industrial operation.

Summary

216. KCC Highways have confirmed the proposed development is acceptable in terms of access, parking, trip generation and highway safety. It is therefore considered that subject to conditions regarding a travel plan, the development accords with policies T1 and T2 of the Allocations and Development Management.
217. As outlined in the National Highways comments, the application site is located close to the Strategic Road Network (SRN) which principally comprises of the M20 and M25. More information was requested to fully assess the impact of additional vehicles using the SRN due to the rural location of the site and the distance from public transport provisions. This information has been provided directly to National Highways and at the time of writing this report additional comments are pending. Nevertheless, it is considered that at this stage any outstanding concerns from National Highways can be addressed through conditions, namely a travel plan - see condition 17 - and through clarification with the applicant.

Contamination

218. The site has had a largely agricultural use since the late 1800s, the contamination assessment outlines how a tank was located on site between 1964 and 1992 which may have contained pesticides. Significant contamination of the site is considered to be unlikely from the desk based assessment given the age of the site and the mainly agricultural activity. A localised intrusive investigation around the area of the tank is recommended in the contamination report, which can be secured by condition as recommended by the Environmental Health Officer.
219. The council's Environmental Health Officer and the Environment Agency have reviewed the potential for contamination on site and have confirmed that subject to conditions the site will not be at risk from contamination, nor would the development result in contamination for surrounding areas.

Flooding and drainage

220. The proposed site is over 22ha and National Policy requires a Flood Risk Assessment (FRA) for sites over 1ha. Additionally, all new development should seek to ensure that water runoff is managed so that there is no increased flooding to surrounding areas.
221. The FRA submitted with this application outlines that there is no risk of flooding for the development from rivers or other water bodies and that the site is located within Flood Zone 1 (lowest risk). In terms of existing water runoff, there is a ditch to the western boundary of the site that stores water runoff from the field. However, as explained in the FRA this does not run as far north as it has historically. Consequently it would not be suitable to use the ditch to manage the surface water as it may result in flooding the road. As for groundwater flooding, data from the British Geological Society (BGS) outlines that the site is within a low risk area.
222. Overall, the site is considered to be at a low risk from sources of flooding. Due to the scale of the development and the potential impact on surface water flooding to the local area from changing the agricultural fields to managed

pitches, four buildings and a car park, the impact from surface water flooding needs to be managed. A summary of the strategy for managing surface water is as follows:

Swales and attenuation ponds

223. Swales which form part of the blue and green corridors outlined earlier in the report would direct surface water runoff to four attenuation ponds across the site.

Deep Bore Soakaways

224. The underlying bedrock is chalk, which is good for water to infiltrate into the groundwater reserves and replenish them. However, the data from the BGS outlines that the depth is very low and the flint acts as a cap. Consequently, a series of Deep Bore Soakaways may be required across the site. These would have the same external appearance as a traditional soakaway but would require direct consultation with the Environment Agency prior to undertaking the works.

Rain garden

225. The kitchen garden to the east of the pavilion will form a rain garden. Rain gardens collect water runoff from roofs of buildings, in this case the pavilion and possibly the indoor pitch. The RHS website outlines how rain gardens store 30% more water than traditional lawns, they also have biodiversity benefits through attracting insects and birds.

Permeable surfacing

226. The proposed hard surfacing would incorporate permeable surfacing i.e. block paving instead of tarmac which would ensure the hard surfacing does not dramatically reduce the level of infiltration for the site.

Storage

227. In addition to the directing of the water, a storage tank is proposed. This would likely be used for re-using water to irrigate the pitches though it forms a small part of the wider surface water management.

228. Whilst the site is proposed to be altered from farmland to a development that can increase the level of water runoff, the proposed management strategy is considered sufficient to ensure there is no increase in water runoff for the surrounding area. Moreover, the extent of management is expected to actually reduce the extent of water runoff from the site.

Foul drainage

229. The site is located opposite an existing foul drainage network, in terms of foul drainage management hierarchy, connecting to an existing network is the preferred option. The FRA is aware that further consultation with the EA and applications to other bodies Water outside of the planning realm for example including Thames Water, are required.

Summary

230. The surface and foul water drainage strategies have been reviewed by the Lead Local Flood Authority, the EA and Thames Water and are deemed acceptable subject to conditions. No further information has been requested prior to determination, the application is therefore considered acceptable and policy compliant in this regard.

Sustainability

231. The National Planning Policy Framework encourages new development to be sustainable. The council also seeks to achieve Net Zero Carbon by 2030 and accordingly encouraged early in the pre-application stage to seek a sustainable scheme. Policy SP2 of the Core Strategy outlines that ‘the district will contribute to reducing the causes and effects of climate change by promoting best practice in sustainable design and construction to improve the energy and water efficiency of all new development and contribute to the goal of achieving zero carbon development as soon as possible’.

232. Two of the key elements achieving sustainable development that the council encouraged revolve around are energy and materials.

Energy

233. The design of the development ensures the buildings would have an energy requirement as low as possible and would be efficient. Moreover, as outlined in the Energy and Sustainability Statement, methods of renewable energy generation, namely air source heat pumps have been incorporated in the scheme.

Materials

234. As for materials, the Energy and Sustainability Statement confirms the flint on site and in the local area will be used in the building of the development. This will ensure the carbon emissions for material transport is as low as possible. For all other materials there would be a preference for local sources to ensure the carbon emissions from transporting goods is as low as possible.

235. Overall, it is considered that the proposed development will be sustainable and will accord with policy SP2 of the Core Strategy and the National Planning Policy Framework.

Planning obligations (S106 and CIL)

236. The application is not CIL liable as there is no residential or retail floorspace proposed. A S106 Agreement is proposed, to secure the benefits offered by the club for community and employment benefits and these are referred to in more detail below. In addition, the S106 Agreement would include provisions for the travel plan monitoring fee, a shuttle bus to link to existing public transport as set out in the travel plan and a contribution towards the upgrading of an existing Public Right of Way (PROW), to assist in reducing the need to travel by car and to improve the sustainability of the proposal.

237. KCC PROW have requested contributions for two routes near to the site. One of these, route, SD264, is a route from Fawkham Road, starting opposite the site, between 101 Fawkham Road and 8 Westfield Cottages. This route takes walkers

across a field behind the cottages to Hever Road in West Kingsdown and if wished, on to the shops on Hever Road, which are no more than a 10 min walk from the application site, via this footpath.

238. KCC PROW are seeking £30 000 from the applicant to enhance the existing unsurfaced footpath with all-weather surfacing to provide an improved walking link. The applicant has agreed to contribute this sum, which can be index linked in an agreement to take account of any rising costs.
239. The upgrading of this footpath link would enable easy and quick walking access between local services and the wider village of West Kingsdown and the proposed club facilities and existing dwellings opposite the site.
240. In accordance with regulation 122 of the CIL Regulations, this request is considered to be necessary to make the development acceptable in planning terms, as it would help to reduce the need to travel by car, be directly related to the development and fairly and reasonably related in scale and kind to it.
241. KCC PROW have requested a further £40 000 to upgrade footpath SD269 from Fawkham Road to Crowhurst Road to provide future opportunities to extend further links to the bridleway network in Ash. The existing footpath is to the south of the site and would not link the application site to an existing settlement. There is already a walking link in place that connects to a footpath on towards the London Golf Club. Whilst this upgrade may have merits, it is not clear how the proposal relates to this current proposal. It is not considered necessary to make the development acceptable in planning terms, is not directly related to it and would not therefore be fairly and reasonable related in scale and kind to the development. Accordingly, the request for this sum to upgrade the footpath to a bridleway is not considered to meet the tests set out in Regulation 122.

Other issues

242. A number of other issues were raised in representations received, including the reputation of the Millwall Fans and some comments regarding the club itself. The facility is a private facility and therefore there will be no fans attending the site, consequently these are not considered planning matters.
243. Concerns have also been raised regarding house prices being affected, which is not a planning matter.
244. Lastly, comments questioned the validity of the Sports England comments and that they were forced to change their stance on the application. The Council sought additional information and clarification from Sports England as their initial comments indicated that there were aspects of the proposal that they were not aware of. This report sets out above Sports England's comments received as a result of the planning consultations. Sports England were not originally aware that the proposals seek to provide benefits to the community in other ways - namely through the trust - as opposed to opening the site for public use. This matter was clarified and Sports England views are reflected in their updated comments.

Very Special Circumstances

245. Para 148 of the NPPF states that when considering any planning application, we should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by any other considerations.
246. The proposal would in part be inappropriate development in the Green Belt. Given the scale of built development proposed, the scheme would have a minor impact on the openness of the Green Belt.
247. Local Planning Authorities “should ensure that substantial weight is given to any harm to the Green Belt” and it is for the decision maker to decide whether “the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”. There are no defined tests or criteria for assessing what a case of very special circumstances amounts to and how much weight should be afforded the benefits and harms.
248. The very special circumstances are as follows:
- a. Provisions of 106 Agreement to secure:
 - i. Community Benefit Plan for the District and West Kingsdown in particular.
 - ii. Community Liaison Officer
 - iii. An Economic Development Strategy to maximise opportunities for residents of Sevenoaks District for employment, skills, training, and volunteering
 - iv. Funds to improve the Public Right of Way to Hever Road, West Kingsdown
 - v. Travel Plan Monitoring
 - vi. Shuttle bus - as part of an overall travel plan.
 - b. The provisions of the S106 Agreement would support the objectives of the Council’s Community Plan and Economic Development Strategy
 - c. Significant biodiversity enhancements
 - d. Landscape enhancements
 - e. Quality of the design

S106 Agreement

249. The principal factor in this case for very special circumstances is the Section 106 Agreement which is a bespoke agreement outlining the details of how the club can support the local community and the district as a whole.
250. When considering the weight to be attached to the draft commitments in the S106 agreement, the starting point is the development plan, where policy SP9 of the Sevenoaks Core Strategy 2011 states:
251. *“Where new development creates a requirement for new or improved physical, social and green infrastructure beyond existing provision, developers will be expected to provide, or contribute to, the additional requirement.*
252. *The Council will support the development of infrastructure facilities required to resolve existing deficiencies or to support the scale and distribution of development proposed in the Core Strategy.”*
253. Regulation 122 of the CIL Regulations refers to the limitation of use of planning obligations for CIL authorities. It states that a planning obligation (such as a S106 Agreement) can only constitute a reason for granting planning permission for the development if the obligation is:
- a. Necessary to make the development acceptable in planning terms
 - b. Directly related to the development; and
 - c. Fairly and reasonably related in scale and kind to the development.
254. The Council’s Development Plan (Core Strategy and Allocations and Development Management Plan) are informed by the guidance in the NPPF, NPPG and the Community Plan and are also linked to the Council’s Economic Development Strategy.
255. Para 8 of the NPPF sets out the meaning of sustainable development which includes the three objectives of economic, social and environmental objectives that are interdependent and need to be pursued in mutually supportive ways. Chapter 6 of the NPPF refers to building a strong, competitive economy. It states at paragraph 81 that significant weight should be placed on the need to support economic growth taking into account local business needs and wider opportunities for development. Para 85 states that planning policies and decisions should recognise that sites to meet local and community needs in rural areas may be beyond existing settlements and not well served by public transport. It advises that development should show that it is sensitive to its surroundings, amongst other advice.
256. These themes to build a strong, competitive economy are picked up in local policies LO8 and SP8 of the Core Strategy and EMP5 of the Allocations and Development Management Plan.
257. Chapter 8 of the NPPF promotes healthy and safe communities including the need to:

- para 93(b) - take into account and support the delivery of local strategies to improve health, social and cultural wellbeing for all sections of the community
 - para 93(e) - ensure an integrated approach to considering the location of housing, economic uses and community facilities and services
 - para 100 - enhancing public rights of way
258. These themes to promote healthy and safe communities are also picked up in the council's local policies, namely policy SC1 and EN1 of the Allocations and Development Management Plan.
259. The proposals to provide community and economic benefits, secured through a Section 106 Agreement, for the lifetime of the development, when occupied and used by the club, would make a significant contribution to the objectives of the NPPF, the Core Strategy, ADMP, the Council's Community Plan and Economic Development Strategy. This is evidenced by the comments from Sports England and the Council's Economic Development and Community teams.
260. The proposals in the S106 Agreement are directly related to the development and their proposals to support the wider planning aims referred to above both in West Kingsdown and the wider District, are fairly and reasonably related to the scale of the development. They add weight to the cumulative benefits of the proposal to clearly outweigh the harm to the Green Belt by reason of inappropriateness, and any other harm identified, are therefore necessary to make the development acceptable in planning terms. Accordingly, the proposals in the S106 agreement meet the Regulation 122 tests and are given significant weight.

Biodiversity and landscape enhancements

261. The proposed landscaping is extensive and has a multitude of benefits including ensuring the development accords with the Sevenoaks Landscape Character Assessment, screening from neighbouring residents to preserve amenity, and enhancing ecological pathways and corridors. This, in conjunction with a substantial biodiversity net gain is considered to be an important benefit to local ecology. The landscaping is afforded limited weight and the biodiversity is afforded significant weight.

Quality of design

262. The proposed development has been designed to an extremely high quality and has responded to the feedback of local residents, the council and consultees. The proposals have been through a thorough review by Design South East and its expert design panel which has led to refinements of the design to create an improved sense of place. The proposals conform to the guidance in the National Design Guide and are considered to enhance the character of the site. This is afforded medium weight.

Conclusion

263. The case of very special circumstances is considered to clearly outweigh the harm from inappropriate development in the Green Belt and the development should therefore be approved.

Conclusion

264. The proposed development constitutes inappropriate development in the Green Belt, however the case for Very Special Circumstances presented clearly outweighs the harm in principle in accordance with paragraphs 147 and 148 of the NPPF.

265. The proposed development is considered to preserve the character of the area and accords with the guidance of the Sevenoaks Landscape Character Assessment. The design, siting, scale and landscaping create a sense of place that meets the objectives of the National Design Guide. The proposal is therefore considered to accord with policy EN1 of the Allocations and Development Management Plan.

266. The development will preserve amenity for neighbouring residents in terms of privacy, outlook, noise, light and light pollution and will therefore accord with policy EN2 of the Allocations and Development Management Plan. The development will also maintain highway safety for all users and subject to conditions will accord with policies T1, T2 and T3 of the Allocations and Development Management Plan.

267. The development will preserve the local ecology and will enhance biodiversity and will preserve the setting of the nearby Listed Building. The development will also protect the Ancient Woodland and preserve any archaeological remains. The proposals therefore accord with policy SP11 of the Core Strategy and EN4 of the Allocations and Development Management Plan.

268. **Recommendation:** that this application is granted, subject to the terms of the legal agreement being agreed and the conditions outlined above.

Background papers

Site and block plan

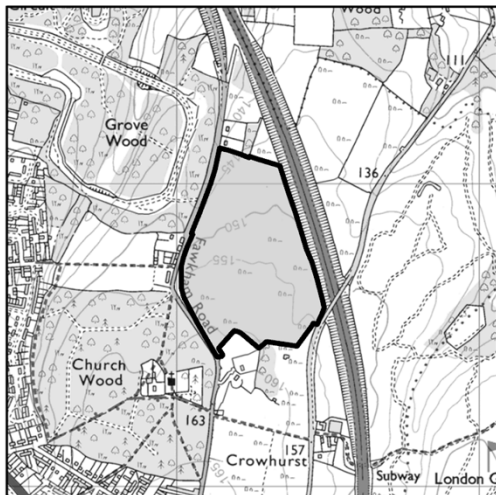
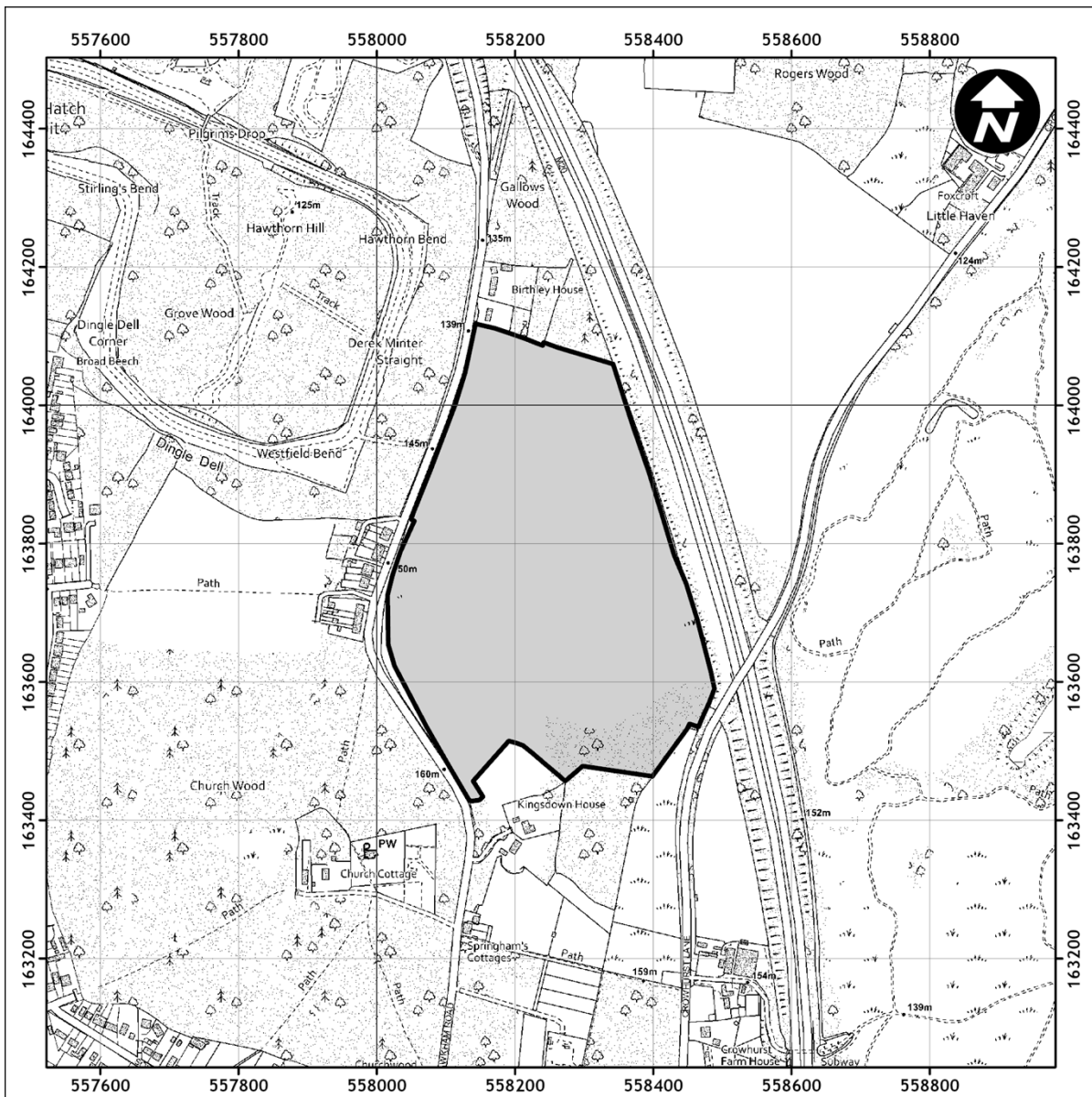
Contact Officer(s):

Ashley Bidwell 01732 227000

Richard Morris
Planning Officer

[Link to application details:](#)

[Link to associated documents:](#)



Site Plan

Scale 1:10,000

Date 05/10/2022



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Ordnance Survey 100019428.

PROPOSED BLOCK PLAN

