

Examination of the Tunbridge Wells Borough Local Plan

Tunbridge Wells Borough Council Note Requested by the Inspector

**Local Plan Examination Note for
Inspector in response to Action Point 6
regarding Policy AL/HA 6 King George
V Playing Fields, The Moor, Hawkhurst**

Document Reference: TWLP_087

Date: 19 August 2022



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1.0 Introduction

- 1.1 During the Hearing Sessions on the Tunbridge Wells Borough Local Plan, the Inspector asked the Council to prepare a number of Notes on “Action Points”, essentially to clarify its position on certain matters that were discussed.
- 1.2 This Note relates to Action Point 6 relating to the allocation Policy AL/HA6: King George V Playing Fields, The Moor, Hawkhurst. In particular, the Inspector asked the Council to clarify the position with and status of the current planning application (21/03490/F).
- 1.3 This Note sets out the position with the current planning application and consideration as to whether any amendments are considered necessary to Policy AL/HA 6: King George V Playing Fields, The Moor, Hawkhurst, in the Submission Local Plan.

2.0 Current Planning Application

- 2.1 Policy AL/HA 6 (King George V Playing Fields, The Moor, Hawkhurst) is proposed to be allocated for development comprising:
- i. “a community facility, to include a range of services and facilities, including accommodation for changing rooms, meeting rooms, and a main hall, storage buildings, and potentially for health/wellbeing;*
 - ii. car parking to accommodate the facilities;*
 - iii. a new outdoor playground.”*
- 2.2 On 18 October 2021 a planning application was received for the allocation site (application reference: 21/03490/F) for the *“Demolition of the existing Pavilion and garage, construction of new community centre, car parking, landscaping, external storage unit, and alterations to existing vehicular access also including change of use of part of the site from agricultural to amenity to extend the recreation area”*.
- 2.3 At the time of the relevant hearing session (Matter 7, Hearing Day 13: 23 June 2022, PM session), the planning application still pending determination.

- 2.4 On 15 July 2022, the planning application was granted planning permission subject to conditions. The Decision Notice for this approval is included in Appendix 1.
- 2.5 There are no material variations between the requirements of Policy AL/HA 6 and the approved scheme under application reference: 21/03490/F. However, in respect of Criteria (4) of the policy in the Submission Local Plan which sets out that the *“Development on the site shall accord with the following requirements....Avoidance of demolition wherever possible”*; it should be noted that this was assessed as part of the planning application.
- 2.6 The delegated report for the planning application considers policy criteria 4 in detail under the heading ‘Appraisal, Principle of Development’ (Appendix 2: paragraph (5) on page 12). The report confirms that detailed consideration was given to the retention/reuse or extension of the existing pavilion on the site. However, it was concluded that this approach would result in significant compromises to the layout and design of the proposed new facilities and would be uneconomic.

3.0 Conclusion

- 3.1 The current planning application (application reference: 21/03490/F) was granted planning permission subject to conditions on 15 July 2022. There are no material variations between the requirements of Policy AL/HA 6 and the approved scheme. As such, it is not considered necessary to make any modifications to the Policy wording of Policy AL/HA 6 in the Submission Local Plan.

Appendices

Appendix 1: Decision Notice for Planning Application 21/03490/F)



Mr R Griffiths
C/O Mark Hall
Cyma Architects Ltd
55 The Old High Street
Folkestone
CT20 1RN

15 July 2022

PLANNING DECISION NOTICE

APPLICANT:	Mr R Griffiths
DEVELOPMENT TYPE:	Major Others
APPLICATION REFERENCE:	21/03490/FULL

PROPOSAL: Demolition of existing Pavilion and garage, construction of new community centre, car parking, landscaping, external storage unit, and alterations to existing vehicular access also including change of use of part of the site from agricultural to amenity to extend the recreation area

ADDRESS: King George V Playing Fields, The Moor, Hawkhurst, Cranbrook, Kent

The Council hereby **GRANTS** permission/consent for the proposal referred to above subject to the following Condition(s):

- (1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

Tunbridge Wells Borough Council, Planning Services, Town Hall, Tunbridge Wells, Kent TN1 1RS - 01892 554604

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

AL(0)01 Rev A Site Location Plan
AL(0)04 Rev A Football Storage Facility
AL(0)05 Rev J Site Block Plan
AL(0)06 Rev M Proposed Site Plan
AL(0)10 Rev J Proposed Ground Floor Plan
AL(0)11 Rev H Proposed First Floor Plan
AL(0)13 Rev G Proposed Elevations
AL(0)20 Rev E Proposed Sections A-A and B-B
SY-19-251-LMP-21-03 Landscaping Plan
Tree survey to BS5837 (2012) with constraints, impacts and Tree protection plan: Parts 10

(Tree protection and methods), 11 (Schedule of tree works) and attached Tree Protection Plan at Appendix V

Reason: To clarify which plans are approved.

- (3) Notwithstanding the submitted details, prior to the commencement of works to clad the walls, photographic samples of the brick and weatherboarding, including details of source and type, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity

- (4) Notwithstanding the submitted details, prior to the commencement of works to clad the roof, details of the slate, including source and type, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity

- (5) The playing field pitches shall be constructed and laid out in accordance with the Drawing No. AL(0) 05 Rev J and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use before first use of the community centre and play area hereby permitted.

Reason: To ensure the quality of pitches is satisfactory and they are available for use at the same time as the development

- (6) Notwithstanding the submitted details, prior to the first use of the building hereby approved, full details (including layout, details of soft and hard landscaping, seating and play equipment) of the outdoor play area hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details. On completion the public shall have unlimited access to the outdoor play area free of charge in perpetuity and the outdoor play area shall thereafter be retained.

The outdoor play area shall be managed and maintained in accordance with the following principles;

- keep the outdoor play area clean and free of litter and free from graffiti;
- maintain and keep landscaping neat and tidy with healthy plants;
- keep paths, steps and hard surfaced areas free from moss and weed and safe without potholes or wide cracks;
- keep the outdoor play area free draining so the area remain available for use without puddling or waterlogging;
- keep any play equipment safe and maintained in good working order to manufacturer's instructions and recommendations and any defective or damaged work equipment or surfaces shall be made safe and repaired or replaced as soon as reasonably practicable.

Reason: to ensure the continued presence of an outdoor play area on the site

- (7) The area shown on drawing number AL(0)10 (Ground Floor Plan) as a café shall only take place within the room marked for that purpose on that Plan and shall not exceed 59.3sqm in area.

Reason: To prevent the café use becoming a 'destination' use without detailed consideration of its impacts

- (8) The buildings hereby approved shall be used for the following purposes only;
- i) Class E(d) - Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink);
 - ii) Class F2(b) - Halls or meeting places for the principal use of the local community.

along with any ancillary uses; and not for any other purpose without the express written planning permission of the Local Planning Authority, whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or any subsequent Order revoking or re-enacting that Order, or whether the alternative use is permitted by virtue of Article 3 and Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order

revoking or re-enacting that Order.

Reason: In the interests of protecting the character and amenities of the locality, and to control and regulate development on this site

- (9) No part of the buildings hereby approved shall be used as a creche or day nursery without the prior written planning permission of the Local Planning Authority.

Reason: in the interests of highway safety and of managing the impact of such uses in this location on the local highway network.

- (10) Prior to the first beneficial use of the development hereby approved, the additional outdoor sports storage as shown on drawings AL(0)04 Rev A (Football Storage Facility), AL(0)05 Rev J (Site Block Plan) and AL(0)06 Rev M (Proposed Site Plan) shall be completed in accordance with the approved plans and shall be thereafter retained.

Reason: To ensure the facilities are available for use at the same time as the development

- (11) Development shall not begin in any phase (apart from the demolition of existing buildings) 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 Surface Water Drainage Strategy and subsequent Technical Note 1 as prepared by RMB consultants. The scheme 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.

- (12) 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.

- (13) No development (apart from the demolition of existing buildings) shall commence until a scheme for the management and maintenance of playing field drainage, including a management and maintenance implementation programme, has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The playing field shall thereafter be managed and maintained in accordance with the approved scheme.

Reason: To ensure the quality of pitches is satisfactory and that they are available for use at the same time as the development

- (14) No external lighting shall be installed until a detailed scheme of lighting has been submitted to, and approved in writing by the Local Planning Authority. This scheme shall take note of and refer to 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. The scheme of lighting shall be installed, maintained and operated in accordance with the approved scheme unless the Local Planning Authority gives its written permission to any variation.

Reason: To mitigate light pollution within the locality

- (15) Notwithstanding the submitted details, prior to the commencement of construction work upon the car parking area, details of the following shall be submitted to and approved in writing by the Local Planning Authority;

- Details of access and turning within the site for an 11.4m refuse vehicle;
- Details of EV charging to be provided at a minimum of 10% of the total number of spaces to be active; and 20% to be passive, all of which shall thereafter be retained;
- Details of covered cycle parking, which shall thereafter be retained.

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

Reason: In the interests of highway safety and sustainable transport.

- (16) Prior to the first beneficial occupation of the development hereby approved, a management plan for the ongoing use of the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted management plan shall reflect the approach to the use of the development as set out in the submitted Transport Addendum Ref: 21/5344/TN01 (May 2022) and shall include details of the booking system and other measures to avoid clashing events whereby undue strain may be placed on the local road network and off-site parking as a result.

The development shall thereafter be used in accordance with the approved details in perpetuity and any deviation from the approved details shall be submitted to and approved in writing by the Local Planning Authority beforehand.

Reason: In the interests of highway safety and to manage demand of the facility

- (17) Notwithstanding the submitted details, prior area shown on the approved drawings as vehicle parking space and turning shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users

- (18) Prior to the first beneficial occupation of any part of the development, a scheme to enhance the boundaries of the site through a landscape and planting strategy shall be submitted to (and approved in writing by) the local planning authority and the development carried out in accordance with the approved details.

All existing trees, hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All trees, hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site. Any trees, or parts of hedges or hedgerows removed without the Local Planning Authority's prior written consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.

Reason: To ensure the continuity of amenity afforded by existing hedges or hedgerows

- (19) The soft landscape works shown in approved drawing SY-19-251-LMP-21-03 shall be carried out in accordance with the approved details by the end of the first planting season following the first beneficial occupation of any part of the development. Any trees or plants whether new or retained which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenity of the area

- (20) The approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:
- (a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with the approved document 'Tree survey to BS5837 (2012) with constraints, impacts and Tree protection plan': Parts 10 (Tree protection and methods), 11 (Schedule of tree works) and attached Tree Protection Plan at Appendix V. Such tree protection measures shall remain throughout the period of construction
 - (b) No fires shall be lit within the spread of branches or upwind of the trees and other vegetation;
 - (c) No materials or equipment shall be stored within the spread of the

branches or Root Protection Area of the trees and other vegetation;

- (d) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation;
- (e) Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.
- (f) No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such trenching as might be approved shall be carried out to National Joint Utilities Group recommendations.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality

- (21) Notwithstanding the submitted details, prior to development commencing, a full scheme for the mitigation and enhancement of biodiversity on the site shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall take account any protected species that have been identified on the site, and in addition shall have regard to the enhancement of biodiversity generally.

It shall also demonstrate a minimum of 10% Biodiversity Net Gain which may include a requirement for additional hedgerow (for example on the eastern boundary or the northern tip of the site) or a further 'set aside' area (for example, south of the sports pitches).

It shall be implemented in accordance with the approved proposals within it and shall be carried out in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and enhance existing species and habitat on the site in the future

- (22) Notwithstanding the submitted details, prior to the commencement of above ground development hereby approved, written and illustrative details for renewable energy technologies, along with measures to achieve sustainable design and construction within the development shall be submitted to, and

approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of development which meets the needs of current and future generations.

Informative(s):

- (1) A formal application for connection to the public sewerage system is required to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please visit www.southernwater.co.uk.
- (2) Your attention is drawn to the Mid Kent Environmental Code of Development Practice, the terms of which should be met in carrying out the development.
- (3) Planning permission does not convey any approval for construction of the vehicular access or any other works within the highway for which applicants will be required to enter into a S278 Agreement with the highway authority. Applicants should contact Kent County Council - Highways and Transportation- Agreements Team telephone: 03000 418181 in order to progress this matter .
- (4) 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. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or

altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

- (5) Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissionsand-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

- (6) If the new community centre is to be used for evening parties and functions, there is a potential for a noise impact in the area. This is probably best addressed through the use of licensing conditions, where appropriate.

The Council's approach to this application:

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

- Offering pre-application advice.
- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

- The applicant/agent was advised of minor changes required to the application and these were agreed.
- The applicant/agent was provided formal pre-application advice.

A handwritten signature in black ink, appearing to read 'PH', with a long horizontal stroke extending to the right.

Peter Hockney
Development Manager
Tunbridge Wells Borough Council

IMPORTANT: YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF CONSENT OR GRANT OF CONSENT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 or Control of Advertisements Regulations 1989.

Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant for the following:

- If this is a decision to refuse planning permission for a Householder application or a Minor Commercial application and you want to appeal the decision, or any of the conditions imposed, then you must do so within 12 weeks of the date of this notice.
- In all other cases, you will need to submit your appeal against the decision, or any of the conditions imposed, within 6 months of the date of this notice.

For applications relating to Enforcement Notices:

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is subsequently served and relates to the same or substantially the same land and development and if you want to appeal against the decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder or minor commercial application decision] of the date of this notice, whichever period expires earlier.

Appeals must be made to the Planning Inspectorate and further details can be found at <https://www.planningportal.co.uk/info/200207/appeals>.

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA could not have granted advertisement consent for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

SGN Advisory note

There are a number of risks created by built over gas mains and services; these are:

1. Pipework loading – pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.
2. Gas entry into buildings – pipework proximity increases risk of gas entry in buildings.
3. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.
4. Occupier safety – lack or no fire resistance of pipework, fittings, or meter installation.
5. Means of escape could be impeded by an enclosed meter.

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:

1. Check your proposals against the information held at <https://www.linsearchbeforeudig.co.uk/> to assess any risk associated with your development **and**
2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:

Phone 0800 912 1722 / Email plantlocation@sgn.co.uk

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

<https://www.sgn.co.uk/damage-prevention>

Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work

Further information can also be found here:

<https://www.sgn.co.uk/help-and-advice/diggingsafely>

Appendix 2: Delegated Report for Planning Application 21/03490/F)

NOTES FOR TECH:		
APPLICATION PROPOSAL		Ref No 21/03490/FULL
Demolition of existing Pavilion and garage, construction of new community centre, car parking, landscaping, external storage unit, and alterations to existing vehicular access also including change of use of part of the site from agricultural to amenity to extend the recreation area		
ADDRESS King George V Playing Fields The Moor Hawkhurst Cranbrook Kent		
RECOMMENDATION - PER		
WARD Hawkhurst & Sandhurst	PARISH/TOWN COUNCIL Hawkhurst Parish Council	APPLICANT Mr R Griffiths AGENT Mark Hall
DECISION DUE DATE 15/07/22 EOT	PUBLICITY EXPIRY DATE 13/06/22	OFFICER SITE VISIT DATE 26/11/21
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):		
Planning Application		

Reference Number: 82/00054/FUL

Proposal: Replacement sports pavilion Decision

PER

Date: 08/09/82

Reference Number: 86/00807/FUL

Proposal: New sports pavilion, parking and hard play areas Decision

PER

Date: 05/08/86

Reference Number: 89/00092/FUL

Proposal: Controlled flood lighting on two eight-metre high columns Decision

PER

Date: 11/04/89

Reference Number: 96/01307/TREECA

Proposal: Trees in a conservation area notification - Moderately reduce one oak and one sycamore

Decision PER Date:

03/09/96

Reference Number: 09/00828/FUL

Proposal: Demolition of existing changing room building. Erection of community centre providing accommodation for changing rooms, meeting rooms and a main hall. Erection of separate store buildings, car parking and a reinstated outdoor playground

Decision PER (not implemented) Date:

15/05/09

Reference Number: 09/00839/CAC

Proposal: Conservation Area Consent - Demolition of existing changing room building Decision

PER

Date: 08/05/09

Reference Number: 09/01900/COUNTY

Proposal: County Matter - Application to register the King George Recreation Ground as a new Village Green

Decision NOCOM

Date: 20/07/09

Reference Number: 10/02144/FUL

Proposal: Change of use of land from agricultural to amenity to extend recreation area

Decision PER

Date: 03/09/10

Reference Number: 21/03951/TCA

Proposal: Trees in a Conservation Area Notification: Various (G1) - To cut back all overhang over road from cherries, ash, willow, beech, rowan, oaks, Sycamores

Decision NOOBJ Date:

16/12/21

DESCRIPTION OF SITE

- 1) The King George V Playing Field (KGV) is located in The Moor, which is the southern part of the village of Hawkhurst and is in The Moor Conservation Area. The site is bounded to the west by Moor Hill (A229) and Hastings Road (B224), to the south by a drive and to the east by open fields.
- 2) The vehicular access onto the site is off The Moor (A229) and leads into a small parking area to the west and north of the existing pavilion. The current vehicular access is narrow, only allowing one car at a time.
- 3) There are several pedestrian access points around the site; there are no dedicated public rights of way across the site, but the land is open access.
- 4) The site covers an area of about 2.85 hectares and has a fall of about 1 in 30 from west to east. The sports pavilion, associated carparking, storage units and children's playground are located at the northern end of the site, with the recreation field occupying the southern part of the site. There is an additional recreation space to the east of the main site.
- 5) The boundaries to the site are marked with a continuous hedge row, which is clipped to the west and south boundaries and left more overgrown to the east and north boundaries which border the countryside. There are mature trees surrounding the site, which are intermittent in the east boundary and become denser to the south, east, and north boundaries.
- 6) The existing sport pavilion and changing rooms are located at the north end of the site, to the south of the children's play area, opposite the vehicular access. The pavilion building is single storey, of brick construction, with a concrete tile roof, and an area of timber weatherboarding to the half gable west end. The building contains a meeting room, small kitchen, public toilets that can be accessed from the outside, and two changing rooms to the east side. Northeast of the pavilion is a row of three cast concrete garages with felted flat roof, used for storage of football and outdoor sports equipment.

PROPOSAL

- 7) This planning application is for a new community and sport centre to replace the current community hall at Copt Hall, Copt Hall Avenue, Hawkhurst, TN18 4LR, and the existing King George V sports pavilion. The new building is to be located on the site of the existing pavilion.
- 8) The proposed new community and sports centre has a gross external footprint of

about 854msq, with an eaves height of between 2.2m and 5m and a maximum ridge height of 9.6m. The maximum overall dimensions are about 36m east to west and 31m north to south. The size of the building derives from the area required to provide the accommodation as listed in the design brief and schedule of accommodation.

The finished ground floor level will be set at +65.4m which is about 300mm below the existing floor finish level of the existing Pavilion.

- 9) The proposed external walls are a mixed red brick up to window head height, with untreated, oak weatherboarding above. Windows and glazed doors would be of anthracite grey, anodized aluminium frame. The roof finish will be of natural slate. Consideration was given to using a clay tile roof, but discounted on cost grounds.
- 10) The proposed site includes an area to the northeast of the KGV which was purchased by HPC to offset the area of recreation land to be developed. This application includes a proposed change of use for this additional land from agricultural to amenity to extend the area of recreation land. This change of use was originally approved in 2010 under planning application 10/02144/FUL.
- 11) The proposed new building has a larger footprint than the existing; the southern face of the new building will be about 7m further south than the existing building. This is stated as necessary to create sufficient carparking without affecting the area of trees at the northern end of the site. The slight encroachment of the new building to the south will necessitate the relocation of the existing junior and senior football pitches to the south. The senior pitch has a drainage system below and the relocation of this pitch will require a strip of about 11m of new drainage for the length of the pitch.
- 12) The building is orientated so that the main public areas face towards the open space of the south and east of the site. The main entrance to the new building will be orientated to face northwest, directly opposite the new pedestrian access onto the site and addressing the car parking area. The subsidiary spaces and support facilities are on the northern side of the building.
- 13) The existing vehicular access will be reused but increased in width by extension to the south so as not to disturb the mature oak trees to the north of the access.
- 14) The car parking area for 38 cars, including four disabled parking spaces, will be located to the west and north of the new building. Provision is made for electric charging bays. There will be an area allocated to overspill car parking on the land to the east of the new facility, this area will be finished with reinforced grass and can accommodate 31 cars, bringing the total car parking provision to 67 spaces. Secure bicycle parking will be provided for a total of 28 spaces. These will be uncovered bike lock bars, in three locations, 5 bars near the main pedestrian entrance to the site, 3 bars to the west and 3 bars to the north of main entrance to the building, and 3 bars near the rear delivery entrance.
- 15) The existing pedestrian access to the site, which is immediately to the north of the existing parking will be enhanced and developed into the main pedestrian entrance onto the site.

- 16) The children's play area is relocated to an area immediately to the south of the vehicular access and the associated pedestrian access and is hard up against the western boundary hedge. The area will be fenced off, and accessed only from the north, where there is a small seating area, which is connected by a footpath to the new community and sport centre. There are two existing trees in the location of the proposed playground, which will be retained to provide areas of shade.
- 17) An access for emergency vehicles onto the playing field will be maintained between the children's play area and the junior football pitches.
- 18) The new football equipment storage will be in two container storage units, which will be located to the northeast of the existing Multiple Use Games Area (MUGA). The two containers used for external football equipment storage cover an area of about 29msq and are about 2.5m high and set at level of +64.3m. The new storage units will be surrounded by hedges to screen views of them. A small bank of lock-up garages will be demolished.
- 19) The main community facilities include a main community hall, second hall for exercise classes, large meeting rooms, foyer, café and kitchen, parish offices and other smaller meeting rooms and associated facilities. The main hall is designed to accommodate 220 people seated theatre style and 120 people seated banquet style. The main hall and stage area can be subdivided into three separate spaces using movable walls.
- 20) The changing rooms are sized in accordance with FA and Sport England requirements with a minimum internal area of 18msq each, and with two separate referee changing rooms, and a locker area for youth players. The changing rooms have direct access to the playing fields to the south.
- 21) The café is designed to accommodate 30 covers when laid out for use as a café. The kitchen has been designed to allow several users at the same time and to serve both into the café and into the main hall.
- 22) The application includes details of hard and soft landscaping.

PLANNING CONSTRAINTS

- Agricultural Land Grade 3
- Area of Outstanding Natural Beauty
- Potential Archaeological Importance - Various Sites
- Consult KCC on Major Planning Applications Or Equivalent Only (including Reserved Matters)
- Hawkhurst Conservation Area
- Limits to built development OUTSIDE
- Potentially Contaminated Land
- Grade II listed buildings nearby – The Eight Bells Inn to the SW of the site and the group of four cottages to the west, fronting The Moor.

POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF):
 National Planning Practice Guidance (NPPG):
 Development Plan: Local Plan: LBD1, EN1, EN4, EN5, EN8, EN13, EN25, TP4, TP5, R2.
 Core Strategy CP3, 4, 5, 7, 8, 13. SALP AL/STR1, AL/HA 5.
 Hawkhurst NDP: HD4, LP1, LP2, AM1, AM2, CM1.
 Supplementary Planning Documents: Hawkhurst Conservation Area Appraisal, Noise & Vibration SPD, Contaminated Land SPD
 Other documents: High Weald AONB Management Plan.

LOCAL REPRESENTATIONS

	COMMENTS RECEIVED	OFFICER RESPONSE
Parish/Town Council	- No response	
Residential Objections	- Lack of pedestrian crossing;	Lack of crossing not a

Number received: 2	<ul style="list-style-type: none"> - Covenant/deeds issues (not a planning matter) - Size of building - Loss of recreational open space; - Increased car reliance; - Sewage system capacity; - Outside LBD; - Wrong location - Impact on AONB and CA. 	<p>matter for refusal as per KCC Highways. These facilities already exist.</p> <p>Rest noted and addressed below. This is an allocated site for this use.</p>
Residential Support Number received: 1	- excellent design, facility sorely needed	Noted

CONSULTATION RESPONSES

UK Power Networks (24/11/21) – standard advice re: power lines

TWBC Client Services (2/12/21) - This re development of the site will require the hall management to arrange a commercial collection of waste generated by any use/ users of the hall . Collections should be by a commercial registered waste carrier and documentation retained to confirm that the material was disposed of in the correct manner.

Historic England (6/12/21) – no comment

Mid Kent EP (9/12/21) – Contaminated Land: The site does not appear on our database as potentially contaminated, and a contaminated land report submitted with the application assesses the contamination risks on site as very low.

Air Quality - The transport statement submitted with the application suggest that the traffic generated by the proposal will be low, and below the threshold which would trigger a requirement for an air quality assessment.

Lighting - Because of the rural nature of the development site, I would recommend a lighting condition be attached to any consent given for the application, to minimise the impact of external lighting.

Noise - informative recommended

TWBC Conservation Officer (13/12/21) - This application for a new community hall, car park, sports facilities and playground follows two pre-application submissions, throughout which the design and layout was developed further to ensure that it was appropriate to the area generally, and to the character and appearance of the Hawkhurst - The Moor Conservation Area in which it sits.

The design and access statement sets out the need for the enhanced facilities, and the collaborative approach to designing the site and building in order to fully involve the community. The accommodation is intended to be flexible, which I fully support for the long term use of any proposed new building on this land.

The playing fields are included in the Conservation Area boundary as they are an important space and an extension of the Moor, the central green of the village. Historic maps show that it

was in recreational use since at least the 1950s and has always been open, with strong tree boundaries. The conservation area appraisal states the following about the fields in paragraph 6.29: 'Adjacent to the Moor and somewhat divorced by the road traffic on the A229, are the King George V playing fields, the boundaries defined by mixed indigenous hedging and mature oaks and horse chestnuts. The green and open nature of the recreation ground with a significance line of mature lime trees to the east adds to the spacious feel of this part of the conservation area and links the area to the adjoining countryside'. All of this has been assessed and acknowledged in the design and access/heritage statement, including views analyses, and I agree with the conclusions reached. The proposal will sustain the significance of the Conservation Area, given the long term use of this land for this purpose, and the contribution this makes to the character and appearance of the Conservation Area. The DAS outlines the design process and this is acceptable to me. I did have concerns about the use of slate on such a large roof expanse, which would often more characteristically be clay tiles, but the justification for this is set out in the DAS and precedent images given of agricultural buildings in Kent. We had also previously discussed this on site and noted the frequent use of slate on other buildings in this part of the Conservation Area.

Conditions suggested.

KCC Flood & Water Management (13/12/21) – Objection raised to submitted information

(12/01/22) - Following review of the latest information submitted we can confirm that we are now satisfied with the design and as such remove our previous objection to the scheme. Conditions recommended.

Southern Water (13/12/21) – standard response re: foul connection and SUDS

Sport England (20/12/21) - The Proposal and Impact on Playing Field

The proposal is for the replacement of the existing pavilion and garage at the playing field with a new larger community centre with improved sports change facilities, the relocation of the existing playground in the north part of the site onto part of the playing field, new landscaping and car parking areas. The proposal requires the three existing pitches on the playing field, comprising 1 x senior 11v11 pitch and 2 junior pitches to be slightly repositioned. In addition, the applicant has advised Sport England that the drainage to the pitch areas is to be improved as part of the proposed works and a scheme for those works is in the process of being prepared.

Assessment against Sport England Policy/NPPF

The proposal would result in the loss of part of the existing playing field to other uses and the provision of new ancillary facilities. It has therefore been assessed against exceptions 2 and 3 of Sport England's policy. In that regard, the applicant has previously consulted with Sport England and, having ourselves also consulted with the Football Foundation and Kent FA, Sport England is satisfied that;

- the provision of FA compliant change facilities, WCs and other ancillary facilities in the new community building meets exception 2 of our policy; and,
- while Sport England would normally resist the loss of part of the playing field to other uses, including play areas, in this instance and having inspected the site, it is accepted that this part of the field, although temporarily used previously used for a mini football tournament with portable goals, is not capable of being formally used as

- playing pitch due to its undulating ground and proximity to trees.
- The proposed improvements to the football pitch drainage serve to mitigate the loss of overall quantity of playing field land by improving the quality of that remaining.

Overall, the proposal that includes the satisfactory re-provision of the three grass pitches on the playing field and their improvement through additional drainage works, would not adversely affect the quantity or quality of playing pitches or otherwise adversely affect their use.

Conclusion

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to meet exceptions 2 and 3 of its Playing Fields Policy. The absence of an objection is subject to the conditions being attached to the decision notice should the local planning authority be minded to approve the application:

Two conditions recommended.

Weald of Kent Protection Society (06/01/22) - WKPS supports this application for the provision of a new community centre and facilities in Hawkhurst.

KCC Highways (06/01/22) - Additional information regarding the proposed uses and capacity of the building is requested. Throughout the TS reference is made to an existing facility in Copthall Avenue (180sqm) and it is suggested that the new facility will effectively be an amalgamation of activity from this existing hall together with the existing level of activity at the site. However the proposal is for a much larger facility (1160sqm) and includes a large hall with stage which can be divided into three as well as a second large hall upstairs together with a parish meeting room and also smaller meeting rooms, café and kitchen alongside replacement changing rooms. Outside the two football pitches, MUGA and play areas will remain and the tennis courts will be upgraded to multi use courts. It is therefore evident that much greater levels of activity can be expected at the new facility compared with the existing hall. It is also suggested that the use of the hall in Copthall Ave will automatically cease, but this cannot be assumed in highway planning terms.

Throughout the TS reference is also made to an expired planning application approved in May 2009 (TW/09/00828) but we must bear in mind that this was considered over 10 years ago.

Therefore the proposal must be properly considered against the extant use of the site and any traffic impact must be assessed under current (pre-covid) conditions.

The TS advises that the football pitches are used for training week nights as well as weekends but no reference is made to the MUGA and courts and no survey data (traffic flows or parking demand) has been provided for either site. Reference is made to overspill parking at the proposed site but this has not been quantified.

Before reaching any conclusions regarding traffic generation and parking provision we need to have a better understanding of the likely uses of the proposed community hall and in particular any uses which may be authorised under the new use class order, so as to ensure that the 'worst case' has been addressed.

With regard to traffic generation, we are particularly interested in any nursery, creche, playschool or other uses which may generate peak hour traffic and we would be grateful for further advice on this matter from the developer and LPA.

Also the TS has employed TRICS database, however whilst acknowledging that the data base is limited for this land use, there is some concern with the site selection and further explanation is requested. It is also noted that most surveys will predate the change in the use class order. In addition the cumulative traffic generation from the use of the building and all various pitches must be evident.

With regard to parking provision, at high level the parking provision has been calculated for indoor and outdoor uses but no reference has been made to combined uses across the site as requested at pre-app or taking account of the various capacities of all the meeting/function rooms which could be in use at the same time as outside facilities. Furthermore, parking provision should also be calculated with reference to seating capacity (for which we have no information), the calculations make no reference to use of the MUGA and play areas and uses such as the café also have a different standards.

Therefore please can we have a breakdown of parking provision by floor area and capacity across the various uses together with calculations across the anticipated typical mix of uses to demonstrate a robust parking solution at the site. If appropriate this should include details as to how demand is to be managed.

(22/04/22) - Traffic generation

Given the sensitivities of the local network to additional traffic generation, a robust case regarding likely traffic impact is required.

Conventionally, we work with GFA and not NFA as suggested in the TS Addendum and therefore we can't accept a case for trip generation or car parking demand based on NFA. Furthermore this exercise has employed proposed floor area of 396sqm whereas the floor area across the proposed halls alone, including smaller meeting rooms and parish room total about 480 sqm. I would add that we have previously been advised that a similar sized large hall at Paddock wood with a similar arrangement could seat 300 people rather than the 140 suggested. Indeed the matrix of proposed use suggests that 220 can be accommodated in theatre style seating. Clarification is therefore required.

Our previous comments requested further clarification and explanation of the TRICS site selection as it included sites with good PT, the garrison site at Catterick and two sites in Ireland which we don't usually employ. Further clarification and some sensitivity testing to demonstrate that the TRICS figures are suitable is therefore requested. Please note the original TRICS output isn't legible on your web site.

Also further explanation to the analysis based on estimated levels of usage is also requested, including details of TRICS data employed, to arrive at the details contained in the figures in the addendum. This exercise should also include worst case analysis with the main hall in full occupancy together with other uses that might take place at the same time.

Although the intention is to demolish the existing hall, as we have already discussed there is no obligation or certainty about this and therefore at this stage this traffic cannot be discounted.

Parking

As stated above the case is flawed employing NFA and it has also been suggested that 'the proposed community uses would not operate at the same time as the use of the sports pitches' but surely evening activity in the halls will coincide with training on the pitches and similarly some use of the halls when the matches are taking place can be anticipated. Indeed these scenarios are included in the matrix of proposed uses. Parking demand from these scenarios should be assessed, based on GFA's to demonstrate the parking arrangements are robust.

(01/07/22) - Due to concern with site selection, the highway authority has carried out sensitivity tests using the TRICS data base and employing sites with more comparable levels of public transport services with the location in Hawkhurst. This results in an increase in the number of likely peak hour trips to the community facility.

However a legal obligation to close the existing facility at Copt Hall, prior to first use of this new building, would allow the existing trips to be discounted from the calculation. Also coupled with a condition to ensure that the building and outside facilities are managed as one and that start and finish times of activities are staggered, and timed as far as possible to avoid the need for travel through the junction at peak times, the highway authority would not expect to sustain an objection at appeal to this community facility.

Further conditions are also recommended to cover the following matters and so ensure that the building is operated as described in the TS and this will allow any highway implications of any proposed changes to be properly assessed and will encourage sustainable choices:

- Café to remain ancillary to users of the facilities and not open to the public
- A limit to the maximum number of seated users in the large hall to 140
- No nursery/creche facility
- The whole site to be managed as one entity.
- No coaches should be used .
- Parking areas to be secured as shown.
- Details of access and turning for the 11.4m refuse vehicle to be submitted
- Details of EV charging to be submitted and should be provided at a minimum of 10% of the total number of spaces to be active and 20% to be passive, in keeping with Building Regs.
- Details of covered cycle parking to be provided.

Informatives also sought.

Landscape & Biodiversity Officer (28/03/22) – Agrees with net gain being sought by condition.

BACKGROUND PAPERS

Application form

Ecological Scoping Survey 01/12/20

Flood Risk Assessment and Surface Water Drainage Strategy May 2021 Response

Report to Stage 1 Road Safety Audit April 2021

AL(0)02 Rev D Existing Block Plan

AL(0)03 Rev B Existing Plans and elevations

Environment Desk Study 15/05/20 Sustainability
Statement March 2021
Design, Access and Heritage Statement August 2021 Transport
Statement August 2021
Transport Statement Addendum March 2022 and May 2022
Archaeological Desk-Based Assessment June 2020 Technical
Note 1 - Surface Water Drainage 14/12/21

APPRAISAL

Principle of Development

- 1) The site is currently allocated in the TWBC 2016 Site Allocations Local Plan within AL/HA5 (excluding the additional land subject to planning permission 10/02144/FUL) for a new community hall:

This site, as shown on the Hawkhurst Proposals Map, is allocated for redevelopment for a community facility, to include a range of services and facilities, including accommodation for changing rooms, meeting rooms and a main hall, as well as storage buildings, car parking and a new outdoor playground.

Development on the site will be subject to the following:

- *development must reflect an understanding of the unique landscape of the High Weald AONB and respect the character and pattern of the settlement within the AONB*
- *proposals for the development of this site shall reflect its sensitive location within the Conservation Area and the role the open space currently provides to the setting of this area of The Moor*
- *development will enhance the boundaries of the site through an appropriate landscape and planting strategy and the retention of significant trees within the site*
- *development must be informed by an ecological assessment to identify features of ecological interest and conserve and enhance biodiversity within the site*

- 2) The site is also allocated for this purpose in the Hawkhurst NDP;

Policy CM1

Sports Provision

1) EXISTING SPORTS FACILITIES AT THE MOOR WILL BE MAINTAINED, ENHANCED AND EXPANDED TO ENSURE THIS REMAINS THE PARISH'S PRIMARY CENTRE FOR SPORTS AND RECREATIONAL ACTIVITIES.

2) THE CREATION OF AN IMPROVED, EXTENDED SPORTS PAVILION, TOGETHER WITH UPGRADED AREAS OF FORMAL SPORTS PITCHES, WILL BE SUPPORTED, SUBJECT TO THE QUALITY OF THE PROPOSED DESIGN.

- 3) There is also an allocation at AL/HA6 within the emerging Local Plan, currently at Examination stage. This sets out that;

This site, as defined on the Hawkhurst Policies Map, is allocated for development of:

- i. a community facility, to include a range of services and facilities, including accommodation for changing rooms, meeting rooms, and a main hall, storage buildings, and potentially for health/wellbeing;*
- ii. car parking to accommodate the facilities;*
- iii. a new outdoor playground.*

Development on the site shall accord with the following requirements:

- 1. Proposals for the development of this site shall reflect its sensitive location within the Hawkhurst: The Moor Conservation Area and the role the open space currently provides to the setting of this area of The Moor;*
- 2. Development will enhance the boundaries of the site through an appropriate landscape and planting strategy, and the retention of significant trees within the site;*
- 3. Development must be informed by an ecological assessment to identify features of ecological interest and conserve and enhance biodiversity within the site;*
- 4. Avoidance of demolition wherever possible;*
- 5. An assessment has been undertaken which has clearly shown that the area of playing field that would be lost as a result of the development is surplus to requirements; or*

the loss of playing fields resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location;

- 6. The remainder of the site is to be retained as playing fields, amenity/natural green*

space, parks and recreation grounds, and children's play space in accordance with the requirements of Policy OSSR 2: The Provision of Publicly Accessible Open Space and Recreation

- 4) This policy carries significant weight; it follows a SALP application, no comments were made on it and it is consistent with NPPF Paras – 93, 98, 99.
- 5) NPPF Para 92 states planning policies and decisions should aim to achieve healthy, inclusive and safe places which includes:
 - promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other
 - high quality public space,
 - enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure and sports facilities.
- 6) Para 93 (a) requires planning decisions to '*a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments*'
- 7) Para 98 states that '*Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.*' Para 99 states that '*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
 - a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*
- 8) The proposal is ultimately for enhanced sports and community facilities on a site which is allocated for this purpose. Sport England do not object to the proposal, subject to two conditions regarding provision and drainage of the pitches. Their stance is that the small loss of playing pitch area is outweighed by the overall improvements to sporting facilities. The requirements of the NPPF, the NDP allocation policy and criteria (5) and (6) of the emerging LP policy are considered to

be met. Criterion (4) of the Submission Local Plan seek to avoid demolition, but the submitted planning statement advises this is not possible. Consideration was given to the retention and reuse or extension of the existing pavilion at KGV. This was dismissed because to do so would have resulted in significant compromises to the layout and design of the new facilities and would have been uneconomic;

- The Community building at The Moor is small, with old facilities
 - The existing outdoor sport changing rooms at The Moor do not meet Current FA standards for the size of football pitches.
 - The location of the existing community building at The Moor makes it difficult to include in a design for a new community building.
- 9) The children's play area can, along with the pitches and ancillary sports storage areas, be required to be provided prior to first use of the new building.

Impact on the significance of the Conservation Area and listed buildings

- 10) The proposal is for a new community and sports facility on a site which has been used for these purposes since at least the 1950s. It would occupy the same place on the site as the existing building, and would not result in the loss of features which are of high significance within the CA. In the view of the Conservation Officer, the proposal will sustain the significance of the Conservation Area, given the long term use of this land for a recreational purpose, and the contribution this makes to the character and appearance of the Conservation Area. They do not cite any impact on the significance of nearby listed buildings.
- 11) Therefore the proposal is considered acceptable in heritage terms and meets Local Plan policies EN1 and EN5, plus CP4 which are the key policies that relates to impacts on heritage assets. It also meets the CA requirements in the current and Submission Local Plan allocations. It does not engage the balancing exercise paras 201-202 of the NPPF.

Design and visual appearance

- 12) This is a purpose built sports and community facility. In terms of the suitability for sports recreation purposes, it has already been noted that Sports England raise no objections subject to condition.
- 13) In terms of its location on site, it replaces an existing structure and is logically related to the car park, access and play area. The construction of a new building is an opportunity to replace the existing sports pavilion and changing rooms, which are also no longer fit for purpose and in need of replacement or replacement. The new development is an opportunity to upgrade the children's play area in a better location. The proposal is designed to relate well to the facilities around it (e.g. - The building is orientated so that the main public areas face towards the open space of the south and east of the site. The main entrance to the new building will be orientated to face northwest, directly opposite the new pedestrian access onto the site and addressing the car parking area. The subsidiary spaces and support facilities are on the northern side of the building.

- 14) The external appearance strongly emphasises a rural vernacular. The Conservation Officer did raise concerns at the pre-app stage to the use of slates on the roof rather than red clay tiles, but they have now dropped this concern following the submission of additional justification by the applicant. On this basis the proposal is considered acceptable in design terms and to meet current and emerging LP policy, including those criteria relating to design (along with the corresponding NDP design criterion). Conditions as suggested by the Conservation Officer can be attached.

Flooding and drainage

- 15) The site lies outside EA Flood Zones 2 & 3. The proposal includes an outline drainage statement, which KCC are satisfied with. They have recommended conditions accordingly.

Air quality

- 16) The Mid Kent EP team raise no objections on these grounds; the development falls below the threshold for which an air quality assessment is required.

Highways and transport matters

Highway safety and capacity

- 17) KCC Highways raise no objections with regards to the design and geometry of the access, the location of the visibility splays (which are wholly within the adopted highway) nor its suitability to accommodate additional vehicle movements.
- 18) The main issue here is the additional traffic movements through the crossroads at the centre of the village. There are longstanding concerns regarding queuing lengths and congestion around the Hawkhurst crossroads. This issue was central to both;
- An unsuccessful Judicial Review (JR) challenge against the 2019 grant of planning permission for 43 dwellings at The White House, Highgate Hill Hawkhurst – TW/19/01271/FULL (partly on grounds of the assessment of traffic impacts upon the junction) upon which judgement was handed down in November 2020; and
 - An appeal for a 62-dwelling residential development in Ockley Road (18/03976/OUT / APP/M2270/W/20/3247397) which was dismissed in November 2020.
- 19) It would have been outside the scope of the JR challenge to address the planning merits (and judgement therein) of the White House permission. Rather, it challenged the manner in which the application was determined, principally KCC Highways' approach to assessing cumulative impacts of development on the Hawkhurst Crossroads in coming to their consultee response; and the assessment of those impacts by the LPA.
- 20) The Inspector in the Ockley Road decision took account of KCC Highways' objections to the addition of 22 trips through the junction in both the am and pm peaks as a result of the development. In dismissing the appeal, the Inspector states in paragraph 26:

'I consider that there would be significant adverse impacts from the development on the transport network (in terms of capacity and congestion), and harm to general highway safety in the area. It would therefore conflict with Policy CP3 of the CS and Policy TP4 of the LP, and with paragraphs 108 and 109 of the Framework.'

Paragraph 42 of the Appeal decision states:

'...[the development] would be likely to add, both in itself and cumulatively, to existing congestion at the junction of the A268 and A229 in the centre of Hawkhurst.'

21) The existing Copt Hall and King George V Sports Pavilion typically generate around 14 two-way vehicle movements during an average weekday. This includes around 3-4 trips at peak times. If used to their maximum potential then this would amount to 132 per day including 15 during the peak hours. Copt Hall itself, based on floorspace, would account for about 1/3 of these numbers.

22) The new development would result in 56 movements during an average weekday, with 5-6 within the peak hours. If used to its maximum potential then this would amount to 242 trips and 26-28 during the peaks.

23) KCC have verbally advised me that the proposal would add some 25 trips through the junction in the AM and PM peaks respectively. This would reduce to about 20 if the Copt Hall were discounted.

24) Whilst the proposed development is intended as a replacement for the Copt Hall facility in Copthall Avenue (which also has a degree of traffic movements related to it) it is not considered appropriate to take these off the anticipated number of vehicle movements from the new King George V facility. Firstly, there is outline planning permission at the Copt Hall for up to three dwellings (19/03401/OUT, granted February 2020). Secondly the cessation of the Copt Hall facility could only be compelled by planning obligation.

25) KCC Highways have not however cited significant adverse impacts from the development on the transport network, in terms of capacity and congestion), which was the terminology used by the Ockley Road Inspector (and also used by KCC Highways in relation to 25-32 additional trips through the junction in comments on the Turnden application, before that scheme was amended to include off-site highways works that led to KCC withdrawing their objection).

26) The NPPF test in Para 109 is whether the residual cumulative impacts on the road network would be 'severe'. TWBC considers the 'severe' test is a very high bar in order to justify the refusal of permission. KCC have not advised that in their view as the Highway Authority it would be 'severe', nor that it would be 'significant adverse'; the two words indicate differing levels of impacts.

27) Queuing may well slightly increase at the junction. KCC do not seek to argue the consequential impact would cause such 'severe' cumulative residual impacts in

Hawkhurst (e.g. the consequence of queues in terms of driver behaviour, risk and safety, as opposed to inconvenience) to the extent that planning permission should be refused in the context of paragraph 111 of the NPPF. Taking account of the overall implications of the proposal on the local highway network, it is not considered that the residual cumulative effects of the proposal would be 'severe'.

- 28) Similarly, TP4 (1)'s requirement that the road hierarchy and the function of routes have adequate capacity to cater for the traffic which will be generated by the development, is not considered to be clearly breached. Whilst some limited disruption to the flow of traffic caused by slightly longer queueing times and additional vehicle movements through the respective junctions will occur the safety impacts are not considered to be at the NPPF's high bar of 'severe'.
- 29) TP4 (5) also states that where a proposal necessitates highway improvements, none are specified as necessary to make the development acceptable.
- 30) Therefore the impacts of the development when assessed against NPPF Paras 110 and 111 are not considered to amount to a refusal reason. The recommended planning obligation to require the closure of Copt Hall is not considered to meet the CIL tests – a refusal on the lack of an obligation is not considered to be justified.

Parking provision

- 31) The proposed facility would provide a total of 69 car parking spaces, including 39 spaces in the formal parking area and a further 30 spaces in an overflow car parking area. A separate drop-off and pick-up area is also provided to prevent unnecessary use of parking.
- 32) The Transport Statement includes an assessment of the parking requirements of the proposed facility at various times, include typically weekday use by the community hall and weekend use by the sports pitches. These activities would not typically be operating on site at any other time.
- 33) KCC has requested a "worst-case" assessment whereby the internal (community) and external (sports pitches/park/MUGA) uses of the site are operating at the same time. The maximum requirements for car parking for the various uses of the site are confirmed in KCC's parking standards. These are summarised as one space per 18 sqm, with the resultant requirement for on-site car parking determined based on the usable hall/meeting room space of 392.46m².
- 34) The applicants state the parking standards of KCC would remain the most relevant, despite recent changes to the Use Classes Order. The required levels of car parking are generally low, with the majority of activity at these facilities from non-car modes, or from drop-off and pick-up trips with no requirement for car parking.
- 35) The applicants position is that the proposed facility could accommodate all necessary parking demands from the uses of the site if fully occupied, with a maximum occupancy of 18 spaces, even if the various halls are used for different activities and events. All these uses could operate with significant levels of spare parking capacity to accommodate any additional demands for the local park and MUGA during these

periods.

- 36) The applicant considers that the proposed car park would operate with significant levels of spare capacity during a busy weekday, with around 23 vehicles parked at the site as a worst case during the evening period. The proposed levels of car parking would therefore be sufficient to accommodate all demands of the community hall and provide additional space for the recreational uses on the site that may operate at the same time.
- 37) It is noted that on rare occasions a large event may be hosted at the community hall that could accommodate up to 220 people at one time. The applicants consider that on the TRICS assessment, the total number of vehicles (car drivers) to these events would be around 55 vehicles, some of which would be drop-off/pick-up and would not require a car parking space. The proposed levels of car parking, including overflow provision, would therefore be appropriate to accommodate this worst-case demand.
- 38) As detailed in the Transport Statement, the proposed community uses would not operate at the same time as the use of the sports pitches. However, as a further worst case scenario the levels of parking demand for both uses together have also been assessed.
- 39) The applicants have detailed that the maximum demand from the meeting rooms and hall spaces is typically 12-15 spaces during the daytime period, rising to 23 in the evening. For 'outdoor sports facilities and playing fields' KCC's parking standards suggest a maximum of 1 space per 2 participants + 1 space per 15 spectators.
- 40) Should two football fixtures occur at any one time, a total of 64 participants would be on the site (16 players and coaches on each team), which would require 32 car parking spaces. Therefore, a total of between 44 and 55, assume average of 50 car parking spaces would safely accommodate the demands of the halls, meetings rooms and users of the sports pitches in the unlikely event that that would operate at the same time.
- 41) The remaining 19 car parking spaces in the main car park could also accommodate up to 285 spectators (based on 1 space per 15 spectators), which would never realistically occur at the site. The additional capacity would also provide sufficient additional space to those using the park and the MUGA facilities.
- 42) Whilst this is very unlikely to happen in practice, the applicants consider that car parking on site would be adequate to cope with all eventualities.
- 43) As detailed in the Transport Statement, in the interests of the Parish Council and its residents, the timetabled use of the proposed community facility would be managed on a daily basis to ensure that the use of the site is appropriate and would not cause undue stress on the local highway network.
- 44) On this basis, there are not considered to be highways and transportation impacts that cannot be satisfactorily addressed by condition. KCC Highways have recommended a number of conditions, however;

- The requirement to prevent coaches from entering the site isn't something that can be required by condition – the LPA can't control what type of vehicle access the site.
- The café can be restricted to the square meterage shown on the drawings to limit the risk of it becoming a 'destination' facility, but cannot reasonably be required to be ancillary as there is nothing to stop passers by from using it.
- Limiting the number of seated users in the large hall to 140 is also problematic to enforce – this is the capacity when set up with tables, but it is designed to seat 220 people theatre style.

Ecology

45) The application includes an ecological survey, which in summary found that;

- Following an emergence survey and extensive endoscopic investigations, bat presence in the building is unlikely;
- There was no suitable habitat on the site for reptiles. The grassland was generally too short and too disturbed for these species.
- There are approximately 14 ponds within the one-kilometre square surrounding the survey site, of which two are within c. 100 metres; the whole of the survey site is in an amber risk zone for great crested newts but the north – west corner is close to a green zone. However, the proximity of development to the north, west and south, the absence of an on - site pond plus the locations of main roads close to the site and the presence of large areas of mown grassland in the whole of the existing recreation area suggest that it is unlikely that newts will occur on the survey site, and that, rather than surveys leading to EPSML, reasonable avoidance measures would be more applicable.
- There was no evidence of badgers or their setts in the survey area.
- Similarly, the hedgerow and associated scrub on the north – eastern perimeter has possibilities for holding dormice, but this is all being retained.

46) A scheme of mitigation and enhancement can be sought by condition.

47) The submitted ecological scoping survey is silent on net gain. The applicant has submitted landscaping details up front. There is mixed species hedgerow planting around the playground and around a shipping container which is being used for storage. Plus further planting is being proposed in a small area to the east.

48) Given this is a large site the LBO has agreed to a condition requiring the applicant to demonstrate minimum 10% at submission of the condition and can be worded to advise that additional hedgerow (for example on the eastern boundary or the northern tip) or a further 'set aside' area (such as south of the pitches) may be required to achieve this.

Trees

49) The site is in The Moor Conservation Area but no trees at the site are protected by Tree Preservation Order. The tree-related constraints are confined to the parking areas with the exception of T15 Beech, the new hall footprint encroaching very slightly into the Root Protection Area (RPA) of this tree.

50) Three trees are to be lost to the proposal, T11 (B) Copper beech and two trees of low retention value, a strongly leaning birch at the south end of G12 Mixed species and T14 English oak, described by the arboriculturalist as a very small and somewhat stunted specimen.

51) The proposed parking places encroach slightly or modestly into the RPAs of numerous trees and tree groups, largely around the boundary of the field. The submitted tree report makes two recommendations accordingly, that the parking places (at least within RPAs) are built to a strict no-dig specification, and that the northern part of the site be fenced for the protection of the trees until the main construction is complete. Some space will be available for storage etc. during site works on the north side of the hall footprint, but some space on the south side may also be required. This is all detailed further in the document.

52) T15 (B) Beech is a very large tree but accorded only moderate retention value because it is defective at the base, while the east elevation of the new hall will be 9-11m distant. T10 (B) English oak and particularly G16 (B) Lime are also defective.. The risk of structural failure is already elevated in the case of G16 Lime, while the rate of decline in the other two trees is stated by the report as difficult to predict.

53) Conditions relating to tree protection are attached below.

Energy efficiency

54) The submitted Sustainability Statement sets out that the development seeks to achieve Draft Local Plan sustainability levels, which will require a building with a total floor area of 1000msq to achieve a BREEAM Very Good rating. The proposed new building has a total floor area of less than this, however, the applicants state they are committed to ensuring that the new building will achieve a BREEAM Very Good rating or better. Suggested measures would include;

- Waste management programme to reusing and recycling, where possible, the existing demolished building materials
- Reusing excavated material on site
- Sourcing, where possible, local, natural materials for incorporation in the new building and the use of plastic products will be reduced as much as possible
- Increasing insulation levels to floor, walls, and roof.
- Triple glazing
- Water usage reduction measures such as including aerated taps, low flush toilets, no flush urinals, and rainwater recycling
- Photovoltaic panels will be installed on part of the south facing roof slope, with onsite energy storage.
- Natural ventilation will be used where possible, supplemented with mechanical ventilation with heat recovery as required
- Air source heat pumps for water and space heating, linked to underfloor heating system.

- Bike storage and safe parking for 16 bikes
- Electrical car charging points for six cars,

55) A more detailed and specific package of measures can be required by condition.

RECOMMENDATION – Grant subject to the following conditions:

CONDITIONS

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

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

AL(0)01 Rev A Site Location Plan AL(0)04 Rev A
Football Storage Facility AL(0)05 Rev J Site
Block Plan
AL(0)06 Rev M Proposed Site Plan AL(0)10 Rev J
Proposed Ground Floor Plan AL(0)11 Rev H
Proposed First Floor Plan AL(0)13 Rev G Proposed
Elevations
AL(0)20 Rev E Proposed Sections A-A and B-B SY-19-
251-LMP-21-03 Landscaping Plan
Tree survey to BS5837 (2012) with constraints, impacts and Tree protection plan: Parts 10
(Tree protection and methods), 11 (Schedule of tree works) and attached Tree Protection
Plan at Appendix V

Reason: To clarify which plans are approved.

- 3) Notwithstanding the submitted details, prior to the commencement of works to clad the walls, photographic samples of the brick and weatherboarding, including details of source and type, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity

- 4) Notwithstanding the submitted details, prior to the commencement of works to clad the roof, details of the slate, including source and type, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity

- 5) The playing field pitches shall be constructed and laid out in accordance with the

Drawing No. AL(0) 05 Rev J and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use before first use of the community centre and play area hereby permitted.

Reason: To ensure the quality of pitches is satisfactory and they are available for use at the same time as the development

- 6) Notwithstanding the submitted details, prior to the first use of the building hereby approved, full details (including layout, details of soft and hard landscaping, seating and play equipment) of the outdoor play area hereby approved shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details. On completion the public shall have unlimited access to the outdoor play area free of charge in perpetuity and the outdoor play area shall thereafter be retained.

The outdoor play area shall be managed and maintained in accordance with the following principles;

- keep the outdoor play area clean and free of litter and free from graffiti;
- maintain and keep landscaping neat and tidy with healthy plants;
- keep paths, steps and hard surfaced areas free from moss and weed and safe without potholes or wide cracks;
- keep the outdoor play area free draining so the area remain available for use without puddling or waterlogging;
- keep any play equipment safe and maintained in good working order to manufacturer's instructions and recommendations and any defective or damaged work equipment or surfaces shall be made safe and repaired or replaced as soon as reasonably practicable.

Reason: to ensure the continued presence of an outdoor play area on the site

- 7) The area shown on drawing number AL(0)10 (Ground Floor Plan) as a café shall only take place within the room marked for that purpose on that Plan and shall not exceed 59.3sqm in area.

Reason: To prevent the café use becoming a 'destination' use without detailed consideration of its impacts

- 8) The buildings hereby approved shall be used for the following purposes only;
- i) Class E(d) - Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink);
 - ii) Class F2(b) - Halls or meeting places for the principal use of the local community.

along with any ancillary uses; and not for any other purpose without the express written planning permission of the Local Planning Authority, whether or not in the same use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or any subsequent Order revoking or re-enacting that Order, or whether the alternative use is permitted by virtue of Article 3 and Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting that Order.

Reason: In the interests of protecting the character and amenities of the locality, and to control and regulate development on this site

- 9) No part of the buildings hereby approved shall be used as a creche or day nursery without the prior written planning permission of the Local Planning Authority.

Reason: in the interests of highway safety and of managing the impact of such uses in this location on the local highway network.

- 10) Prior to the first beneficial use of the development hereby approved, the additional outdoor sports storage as shown on drawings AL(0)04 Rev A (Football Storage Facility), AL(0)05 Rev J (Site Block Plan) and AL(0)06 Rev M (Proposed Site Plan) shall be completed in accordance with the approved plans and shall be thereafter retained.

Reason: To ensure the facilities are available for use at the same time as the development

- 11) Development shall not begin in any phase (apart from the demolition of existing buildings) 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 Surface Water Drainage Strategy and subsequent Technical Note 1 as prepared by RMB consultants. The scheme 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.

- 12) 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.

- 13) No development (apart from the demolition of existing buildings) shall commence until a scheme for the management and maintenance of playing field drainage, including a management and maintenance implementation programme, has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The playing field shall thereafter be managed and maintained in accordance with the approved scheme.

Reason: To ensure the quality of pitches is satisfactory and that they are available for use at the same time as the development

- 14) No external lighting shall be installed until a detailed scheme of lighting has been submitted to, and approved in writing by the Local Planning Authority. This scheme shall take note of and refer to 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. The scheme of lighting shall be installed, maintained and operated in accordance with the approved scheme unless the Local Planning Authority gives its written permission to any variation.

Reason: To mitigate light pollution within the locality

- 15) Notwithstanding the submitted details, prior to the commencement of construction work upon the car parking area, details of the following shall be submitted to and approved in writing by the Local Planning Authority;
 - Details of access and turning within the site for an 11.4m refuse vehicle;
 - Details of EV charging to be provided at a minimum of 10% of the total number of spaces to be active; and 20% to be passive, all of which shall thereafter be retained;
 - Details of covered cycle parking, which shall thereafter be retained.

The development shall then be carried out in accordance with the approved details. Reason: In the interests of highway safety and sustainable transport.

- 16) Prior to the first beneficial occupation of the development hereby approved, a management plan for the ongoing use of the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted management plan shall reflect the approach to the use of the development as set out in the submitted Transport Addendum Ref: 21/5344/TN01 (May 2022) and shall include details of the

booking system and other measures to avoid clashing events whereby undue strain may be placed on the local road network and off-site parking as a result.

The development shall thereafter be used in accordance with the approved details in perpetuity and any deviation from the approved details shall be submitted to and approved in writing by the Local Planning Authority beforehand.

Reason: In the interests of highway safety and to manage demand of the facility.

- 17) Notwithstanding the submitted details, prior area shown on the approved drawings as vehicle parking space and turning shall be provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority before the use is commenced or the premises occupied, and shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users

- 18) Prior to the first beneficial occupation of any part of the development, a scheme to enhance the boundaries of the site through a landscape and planting strategy shall be submitted to (and approved in writing by) the local planning authority and the development carried out in accordance with the approved details.

All existing trees, hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All trees, hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site. Any trees, or parts of hedges or hedgerows removed without the Local Planning Authority's prior written consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.

Reason: To ensure the continuity of amenity afforded by existing hedges or hedgerows

- 19) The soft landscape works shown in approved drawing SY-19-251-LMP-21-03 shall be carried out in accordance with the approved details by the end of the first planting season following the first beneficial occupation of any part of the development. Any trees or plants whether new or retained which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenity of the area

- 20) The approved development shall be carried out in such a manner as to avoid damage to the existing trees, including their root systems, and other planting to be retained by observing the following:
 - (a) All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with the approve

document 'Tree survey to BS5837 (2012) with constraints, impacts and Tree protection plan': Parts 10 (Tree protection and methods), 11 (Schedule of tree works) and attached Tree Protection Plan at Appendix V. Such tree protection measures shall remain throughout the period of construction

- (b) No fires shall be lit within the spread of branches or upwind of the trees and other vegetation;
- (c) No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;
- (d) No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation;
- (e) Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, except as may be otherwise agreed in writing by the Local Planning Authority.
- (f) No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such trenching as might be approved shall be carried out to National Joint Utilities Group recommendations.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality

- 21) Notwithstanding the submitted details, prior to development commencing, a full scheme for the mitigation and enhancement of biodiversity on the site shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall take account any protected species that have been identified on the site, and in addition shall have regard to the enhancement of biodiversity generally.

It shall also demonstrate a minimum of 10% Biodiversity Net Gain which may include a requirement for additional hedgerow (for example on the eastern boundary or the northern tip of the site) or a further 'set aside' area (for example, south of the sports pitches).

It shall be implemented in accordance with the approved proposals within it and shall be carried out in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and enhance existing species and habitat on the site in the future

- 22) Notwithstanding the submitted details, prior to the commencement of above ground development hereby approved, written and illustrative details for renewable energy technologies, along with measures to achieve sustainable design and construction within the development shall be submitted to, and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of development which meets the needs of current and future generations.

INFORMATIVES

- 1) A formal application for connection to the public sewerage system is required to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, please visit www.southernwater.co.uk.
- 2) Your attention is drawn to the Mid Kent Environmental Code of Development Practice, the terms of which should be met in carrying out the development.
- 3) Planning permission does not convey any approval for construction of the vehicular access or any other works within the highway for which applicants will be required to enter into a S278 Agreement with the highway authority. Applicants should contact Kent County Council - Highways and Transportation- Agreements Team telephone: 03000 418181 in order to progress this matter .
- 4) 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. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

- 5) Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and->

licences/highways-permissions and technical guidance. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

- 6) If the new community centre is to be used for evening parties and functions, there is a potential for a noise impact in the area. This is probably best addressed through the use of licensing conditions, where appropriate.

to Applicant: APPROVAL

The Council's approach to this application:



In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

- Offering pre-application advice.
- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

- The applicant/agent was advised of minor changes required to the application and these were agreed.
- The applicant/agent was provided formal pre-application advice.

Case Officer Richard Hazelgrove

Case Officer Sign: 	Date: 13/07/22
Delegated Authority Sign: 	Date: 14/07/22
TL/DM Countersign if refused:	Date: