

SUPPLEMENTARY REPORTS

AREA 1 PLANNING COMMITTEE

DATED 25 March 2021

**Hildenborough
Hildenborough**

TM/20/02245/FL & TM/20/02246/LB

Proposal: (A) Redevelopment of site to include conversion, extension and alteration of existing office buildings and conversion and alteration of Grade II listed office building to create 138 apartments and shared residents facilities, together with 27 houses within the grounds, including access, parking, hard and soft landscaping and areas of open space

(B) Listed Building Application: Redevelopment of site to include conversion, extension and alteration of existing office buildings and conversion and alteration of Grade II listed office building to create 138 apartments and shared residents facilities at Oakhill House 130 Tonbridge Road Hildenborough

Private Reps: One additional representation received since publication of the main report from Hildenborough Primary School PTA, commenting that they are currently fundraising and applying for a grant to create a Multi-Use Games Area on an area in front of the school. Quotes are being received suggesting this will cost around £40,000. They have asked that a developer contribution be made towards this facility.

DPHEH:

In response to the request made by the Hildenborough Primary School PTA, it should be noted that KCC have already made representations on the application. It is not considered that the request made would meet the statutory tests for obligations to be sought in this instance.

Officers have taken the opportunity to review the conditions recommended in the main report and, as is good practice set out in the PPG, discussed these with the developer to ensure they do not unnecessarily delay delivery. The developer has requested a condition requiring a phasing plan be included to account for the fact that some parts of the development will come forward ahead of others. Some of the other conditions as recommended will need to be updated to reflect any such phasing.

An additional condition is also recommended to ensure that the secondary access serving the development is restricted to use by emergency vehicles.

Officers have also taken the opportunity to further review the requirements for referral to the Secretary of State as set out by Town and Country Planning (Consultation) (England) Direction 2009 and took legal advice regarding the requirements in relation to this application. On this basis, it is recommended that the decision is referred prior to any

decision being made. This does not materially affect the decision of the committee in any way, it is a matter of procedure to be followed given the scale of the development proposed in the Green Belt.

This is all reflected in the revised recommendations as follows:

Application (A):

AMENDED RECOMMENDATION

Paragraph 7.1: Resolve to grant planning permission, insertion of additional bullet point as follows:

- **Referral of the application to the Secretary of State in accordance with the Town and Country Planning (Consultation) (England) Direction 2009**

Additional Conditions 24 & 25:

24. No development above ground level shall commence until such time as a Phasing Plan for the application site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing contained within the phasing plan.

Reason: To allow development across the site to be managed in a satisfactory manner

25. Prior to the first occupation of any of the residential units within the development, details shall be submitted of the method to ensure that the secondary access to the site will only be used by emergency vehicles. The works shall be implemented in accordance with the approved details prior to the completion of the works on the site and shall thereafter be retained at all times.

Reason: In order to create a satisfactory access arrangement for the site.

Amended Conditions 3, 6, 8, 10, 11, 15, 17 & 18 (for the avoidance of doubt amendments relate solely to referencing any phasing of the development required by condition 24)

3. In accordance with the approved phasing plan the development shall not be first occupied until the areas shown on the submitted layout for a vehicle parking spaces (plan ref 01772-MP-08-Rev PO1 rec 07 October 2020) has been provided, surfaced and drained, in association to that phase. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so

shown (other than the erection of a garage or garages) or in such a position as to preclude vehicular access to this reserved parking space.

Reason: To ensure that parking is provided and maintained in accordance with the Council's adopted standards

6. The development shall be implemented in accordance with the approved Residential Waste Management Strategy dated October 2020 (ref TS/14684) and prior to first occupation of any part of the development in accordance with the approved phasing plan. It shall be retained at all times thereafter in association to that phase.

Reason: To facilitate the collection of refuse and preserve visual amenity

8. None of the dwellings shall be first occupied until a scheme to incorporate electric vehicle charging points within the development has been submitted to and approved by the Local Planning Authority, in accordance with the approved phasing plan. The works shall be carried out in strict accordance with those details prior to the occupation of any of the dwellings within that phase and the points and retained at all times thereafter.

Reason: In order to encourage the occupation of the dwellings by people using electric vehicles to help reduce vehicle emissions in the interests of air quality and in accordance with paragraph 110 of the National Planning Policy Framework 2019

10. No development other than demolition of any building, removal of hardstanding, ground investigations or site survey works, shall be commenced until the following have been submitted to and approved by the Local Planning Authority: a) results of the site investigations (including any necessary intrusive investigations) and a risk assessment of the degree and nature of any contamination on site and the impact on human health, controlled waters and the wider environment. These results shall include a detailed remediation method statement informed by the site investigation results and associated risk assessment, which details how the site will be made suitable for its approved end use through removal or mitigation measures. The method statement must include details of all works to be undertaken, proposed remediation objectives, remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site cannot be determined as Contaminated Land as defined under Part 2A of the Environmental Protection Act 1990 (or as otherwise amended).

The submitted scheme shall include details of arrangements for responding to any discovery of unforeseen contamination during the undertaking hereby permitted. Such arrangements shall include a requirement to notify the Local Planning Authority in writing of the presence of any such unforeseen contamination along with a timetable of works to be undertaken to make the site suitable for its approved

end use. (b) prior to the first occupation of the development the relevant approved remediation scheme shall be carried out as approved. The Local Planning Authority should be given a minimum of two weeks written notification of the commencement of the remediation scheme works.

Reason: In the interests of amenity, public safety and human health and in accordance with the National Planning Policy Framework 2019.

11. Following completion of the approved remediation strategy, and prior to the first occupation of the relevant phase of the approved phasing plan of development, a verification report associated to that phase, that scientifically and technically demonstrates the effectiveness and completion of the remediation scheme at above and below ground level shall be submitted for the information of the Local Planning Authority. The report(s) shall be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Where it is identified that further remediation works are necessary, details and a timetable of those works shall be submitted to the Local Planning Authority for written approval and shall be fully implemented as approved.

Thereafter, no works shall take place such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of amenity, public safety and human health and in accordance with the National Planning Policy Framework 2019

15. Prior to the first occupation of the relevant phase of development as agreed in the approved phasing plan, the secure cycle storage as shown on the approved cycle storage drawing (plan ref 01772-MP-08-Rev PO1 rec 07 October 2020) shall be implemented and shall thereafter be maintained and retained in accordance with the approved details.

Reason: To ensure that cycle bays are provided and maintained in accordance with the Council's adopted standards

17. No development other than ground investigations, site survey works, and demolition, shall be commenced 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 Technical addendum dated 17th December 2020 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of at a rate no greater than 21l/s 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.

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

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

Application (B)

AMENDED RECOMMENDATION

Amend Condition 6:

6. Full detailed information of all flues, air conditioning units and mechanical ventilation that may be required, including dimensions, colour and material, detailed elevations at a scale of 1:50 showing the location of all flues or mechanical installations and method statement of installation shall be submitted to and approved in writing by Local Planning Authority prior to their installation. The works shall then be implemented in accordance with these details.

Reason: To protect the historic fabric of the Listed Building.