

APPENDIX 3

Report to Planning Committee – 14 October 2021

Item 2.7

21/501740/FULL – Land at Hill Farm, Rook Lane & Keycol Hill - TABLED UPDATE FOR ITEM 2.7

1. Further to Paragraph 7.3 (page 75) regarding Natural England's consultation comments and the Appropriate Assessment under The Conservation of Habitats and Species Regulations 2017' appraisal on page 105 of the agenda, Natural England have confirmed (5/10/21) they raise no objection to the Appropriate Assessment undertaken, subject to securing appropriate mitigation via the SAMMS payment. As set out in the report the applicant has agreed to pay the SAMMS tariff and this will be secured via a S.106 agreement.
2. An additional consultation response from MKIP Environmental Health (12/10/21) has been received which has considered the contaminated land assessment reports submitted as part of the planning application. The Environmental Health has reviewed the submitted information and advised that condition (9) which seeks the submission of a contaminated land assessment is no longer required. The comments outline no objection to the application, subject to the condition (no. 42) below which seeks the submission of a closure report and addresses any potential unidentified contamination:

(42) If during construction/demolition works evidence of potential contamination is encountered which was not previously identified, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not recommence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed. It is prudent as recommended that a watching brief is carried out by a qualified or experienced person on site throughout the works for identifying signs of potential contamination.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.

b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To ensure any contaminated land is adequately dealt with

As such, condition (9) should be struck through and deleted, and an additional condition (42) added.

3. An additional consultation response has been received from Kent Police (07/10/21) setting out they have no further comments to add.
4. Two additional neighbour representations from a neighbouring property at 30 Rooks View have been received on 06/10/21 and 13/10/21 with the following comments;

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- 06/10/21: *Submission of photographs showing parked cars in Rooks Lane on a weekend, that restrict access to residents and other road users, owing to a lack of parking places in the area. Proposed development and increase in cars will create a hazard for residents and road users; and agricultural traffic accessing the surrounding fields.*
- 13/10/21: *The planning committee report under neighbouring comments does not mention the land currently occupied by Demelza which may or could be utilised for the nursing quarters and should be added to the report.*

In response to the comments dated 06/10/21, the submission of photographs are acknowledged, and the comments have been addressed in the summary of Local Representations at para 6.1 on pages 70, 71 and 72 of the agenda. In response to the comments dated 13/10/21, this point has been summarised in the Local Representations section at para 6.1 on page 70 of the agenda, under the 'Demelza and Enabling Development' sub-heading. This has also been considered at paras 8.12 and 8.13 within the appraisal section on page 84 of the agenda.

Recommendation: Planning permission to be granted subject to conditions as set out in the report (with the deletion of condition (9)), and additional condition (42) outlined above, and subject to the completion of a S.106 agreement to secure the scheme as enabling development associated with Demelza Hospice, SAMMS payment of £253.83 per dwelling, Air Quality Damage Cost of £20,995, and highways improvements as set out in the agreed drawings. With delegated authority to amend the wording of the s106 agreement and of conditions as may reasonably be required.