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08 April 2024

Dear Councillor

I am now able to enclose, for consideration at the meeting of the **PLANNING COMMITTEE** on Thursday 11 April 2024 at 6.00 pm, the following report that was unavailable when the agenda was printed.

4 **MINUTES** (Pages 2-15)

To confirm the minutes of the meeting of the Committee held on 7 March 2024.

Yours sincerely

A handwritten signature in black ink, appearing to read "Nicky", written over the printed name "Chief Executive".

Chief Executive

Minutes of the meeting of the **PLANNING COMMITTEE** held at the Council Offices, Whitfield on Thursday, 7 March 2024 at 6.03 pm.

Present:

Chairman: Councillor M J Nee

Councillors: J S Back
D G Beaney
E A Biggs
S Hill
N S Kenton
R M Knight
S M S Mamjan
C F Woodgate
L M Wright

Officers: Planning and Development Manager
Planning Consultant
Senior Natural Environment Officer
Principal Planning Solicitor
Property/Planning Lawyer
Democratic Services Officer

The following persons were also present and spoke in connection with the applications indicated:

<u>Application No</u>	<u>For</u>	<u>Against</u>
DOV/22/01158	Mr Jim Storey Mr Huw Evans Ms Sarah Kennet	Ms Vicky Ellis Ms Debbie Turner Councill H M Williams
DOV/23/01095	Mr Huw Evans Mr Neil McCollum	Ms Nicole Khan Ms Debbie Turner

119 APOLOGIES

It was noted that apologies for absence had been received from Councillors D G Cronk, J P Loffman and H M Williams.

120 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Council Procedure Rule 4, Councillors L M Wright, S Hill and C F Woodgate had been appointed as substitute members for Councillors D G Cronk, J P Loffman and H M Williams respectively.

121 DECLARATIONS OF INTEREST

Councillor S M S Mamjan stated that, in the interests of transparency, she wished to declare that she had signed a petition against development in the country park in 2022. She had done so before she was a councillor and member of the Planning Committee and without having the facts and details at hand. Since becoming a councillor, she had committed to acting in a fair and transparent way, recusing herself from meetings if necessary. She had attended an official briefing about the

proposed developments and had also heard representations from the Friends of Betteshanger group. With the facts and details now at hand, she had an understanding of the proposals, and was approaching the applications with complete objectivity and with a view to making a balanced decision.

122 APPLICATION NO DOV/22/01158 - BETTESHANGER COUNTRY PARK, SANDWICH ROAD, SHOLDEN

The Committee was shown an aerial view, map, drawings, plans and photographs of the application site which was within a country park located to the north-west of Deal and Sholden. The proposed scheme would be situated in the north-west of the park. The Planning Consultant advised that planning permission was sought for the construction of an artificial surfing lagoon and pools, along with 15 holiday pods, other facilities and associated infrastructure. As an update to the report, he advised that 48 additional letters of objection and 21 letters of support had been received since the report was published. None of these additional representations changed the recommendation to approve the application.

The Planning Consultant advised that there were areas of existing mitigation which had been secured in connection with residential development at the former Betteshanger colliery pithead site. In respect of the current proposal, a range of ecological measures were proposed, including new visitor management arrangements to restrict access to some areas. Off-site mitigation areas were also proposed to be provided at Hammill Field and on adjacent land to the east of the park. The development would contribute to the Council's tourism and visitor-led economic strategies, supporting jobs, investment and expenditure. In addition, there would be social benefits arising from an outreach programme (with free surfing sessions and subsidised holiday activities) and an apprenticeship scheme. Significantly, the development would guarantee free public access to the park which was a privately owned and funded enterprise. The park's owners were in a challenging financial position and the scheme would support the park's viability, as well as being of benefit to the district's residents. Officers considered that the location of the proposed development in the countryside, as outdoor recreational activity and holiday accommodation, was justified. The loss of the park as designated open space was also justified due to there being an overall surplus of open space provision in the district. Whilst there would be some visual and landscape impact, this was considered to be no more than moderate. Finally, the park's designation as an Asset of Community Value was not considered to be incompatible with the proposed development.

The Planning Consultant advised that matters relating to ecology were addressed in the report but included proposals relating to turtle doves which included visitor management to mitigate the impact of additional visitors and disturbance, and a monitoring plan. In respect of lizard orchids, Natural England (NE) had advised that a protected species licence was reasonably capable of being granted provided the applicant was able to demonstrate that their intended methodology of translocation and habitat management as mitigation or compensation was able to proceed and be successful. To allow time for this, a commencement period for development of up to 7 years was recommended. In the event that the methodology was not proven to be successful, a licence would not be granted and development could not proceed. Along with the other measures proposed for Fiery Clearwing moths, Open Mosaic habitat, fungi and other invertebrates, Officers were satisfied overall that there would be no significant ecological harm.

Turning to surface and foul water drainage and available water supply, there was sufficient information for Officers to be confident that these would be properly addressed. The final details of these would be secured by condition before any development could commence.

In the overall planning balance, it was concluded that, whilst there would be some disruption to biodiversity and the character and appearance of the country park, these would be outweighed by the safeguarding of public access, outreach community initiatives and economic benefits. It was the opinion of Officers that these benefits, as material considerations, were sufficient to justify granting planning permission.

The Principal Planning Solicitor referred to a Section 106 agreement from 2004 between the South-East England Development Agency (SEEDA) and the Council which had made provision for the land at Betteshanger Country Park to be declared as a local nature reserve. For reasons which were unclear due to an unfortunate absence of supporting documentation, this had never been acted upon and the land had never been declared as a local nature reserve. Whilst there was a divergence of views regarding the enforceability of the agreement and the ability of the Council to now declare the land as a local nature reserve, the fact was that the land that was the subject of the two applications had not been declared as a local nature reserve and the current owner of the country park had indicated that they were not willing to grant the Council an interest in the land, nor agree to the land being designated as a local nature reserve.

Referring to the penultimate sentence of paragraph 1.13 of the report, the Principal Planning Solicitor advised Members to disregard the sentence which talked about the ability of an owner to withdraw their agreement. Counsel's advice had been sought on the matter and, at this time, it was not possible to say with certainty that the land could or could not be declared as a local nature reserve. In the current circumstances, the sentence could arguably be viewed as misleading. He stressed that it was important for Members to determine the application on the correct factual information, namely that the land was not a local nature reserve. He advised that local nature reserves were protected by local policies only, as opposed to national policies or the law. Whilst the existing Local Plan was silent on local nature reserves, the emerging Local Plan included provision for them. Having consulted colleagues, the advice was that, had the land already been designated as a local nature reserve, it was unlikely to have made a difference to the recommendation. The site was recognised as being of significant ecological importance, more so than would be required to meet the criteria for a local nature reserve designation. It was for Members to grapple with the ecological issues and proposed mitigation/compensation and form a judgement based on these matters. In summary, the Section 106 agreement and the potential for a future local nature reserve designation were not determinative in the decision the Committee was being asked to make.

The Chairman referred to paragraph 8 of the National Planning Policy Framework (NPPF) which set out the three principles supporting development - namely economic, social (contributing to a strong and vibrant community) and environmental (protecting and enhancing the environment; improving biodiversity and using natural resources prudently). Paragraph 186 of the NPPF also stated that if significant harm to biodiversity could not be avoided, then planning permission should be refused. He reminded Members that it was not for them to judge the viability of the project (the economic information submitted having not been scrutinised in any case), but solely to consider the use of the land.

Councillor R M Knight stressed the importance of not contravening the Council's policies. He referred to the site being of significant ecological value and sought reassurances that, with the passage of time, mitigation and compensatory measures would not simply be forgotten and fall by the wayside. He noted that the proposed scheme used only 10% of the overall site but sought assurances that further development would not be permitted.

The Planning Consultant clarified that local policies carried different weight depending on their age and degree of compliance with national policies. A number of the Council's policies were considered to be out-of-date and therefore carried limited or no weight. He advised that it was possible to balance a conflict with the Council's policies against other material considerations. The decision for the Committee was not as straightforward as considering whether there was a direct conflict with policies as Members were expected to weigh up, and come to a balanced view on, the benefits and disadvantages of the proposals. He advised that the Section 106 agreement would set out what was required in relation to the measures that would ensure that no significant harm would be caused, and in relation to monitoring and contributions. If Members were concerned about the ongoing monitoring of ecological measures, he suggested an annual report could be produced to update the Committee on these matters. He clarified that if planning permission was granted, the land would be designated as previously developed land. A restoration plan condition could be imposed to ensure that, if the surfing lagoon business failed or ceased, the site would be restored and not simply left as disused land. A blanket ban on future development would not be possible as each application had to be considered on its own merits at the time it came forward.

Councillor D G Beaney queried the robustness of the legal agreement since he did not want to see the developer reneging on benefits such as free surfing lessons and the shuttle bus service for employees. The Planning Consultant advised that the community use benefits had in fact been proposed by the applicant. He agreed that it was important to ensure that the agreement was tightly drafted in order to facilitate enforcement action should the applicant fail to comply with their obligations under the agreement.

Councillor L M Wright commented that the application was a taxing one. She referred to the financial circumstances of the current park operation and how likely it was that the mitigation measures could and would be achieved if the park continued to run at a loss. Furthermore, she raised concerns about the fate of flora and fauna if the park became completely unviable and there was nobody willing to manage it. The Planning Consultant advised that, whilst there were ultimately no guarantees, the Committee should have regard to the fact that any developer would have carried out due diligence and be acting rationally in investing their time, money and resources on such a project. Given that this was an unusual type of development, some of these matters had been addressed in paragraph 2.45 of the report and Officers were confident that the development was viable and deliverable in the medium and longer term. He stated that Officers were attaching weight to the clause that guaranteed the public free access to the park, as well as the other social and economic benefits of the scheme, as opposed to the financial figures submitted.

The Chairman reminded Members that the viability of proposals would not be a material consideration if the Committee was considering a residential development. He cautioned against speculation and urged Members to determine the application on the facts. For his part, the economic and social benefits of the

proposal were proven. Like Councillor Beaney, his attention was focused on the Section 106 agreement. He suggested that a restriction should be placed on the maximum number of closures permitted for events in any one year. He also wanted to see a number/target included in the agreement relating to the community's use of the park.

With regards to the park-wide ecology management plan, he was looking for the plan to be instituted and operated concurrently with the mitigation measures as it was logically an element of the park's long-term management. In addition, he would be seeking an annual report on the management plan. In his view, conditions 27, 28 and 29 were crucial in tipping the balance on this proposal. It was clear that NE was not currently convinced that a position would be reached where a licence(s) could be issued. However, from discussions with the Senior Natural Environment Officer (SNEO), it would appear that there was a tentative acceptance from NE that by giving a 7-year implementation period, the applicant could complete sufficient mitigation to allow a licence to be granted. At that point, and only with all three licences in place, would development be allowed to commence. That being said, he sought reassurance that if one or more of the licences could not be obtained from NE, the development could not proceed. The Planning Consultant confirmed that each and every one of the pre-commencement conditions (including those requiring an NE licence) had to be discharged and formally approved by the Council. If one or more could not be discharged, the development would not be able to commence.

With regards to foul drainage, the Planning Consultant confirmed that there was no drainage network on the site. However, there was an existing treatment works on the site which would deal with additional effluent, including water from the lagoon. If necessary, the treatment works would be upgraded. It was also likely that there were other regimes running parallel to planning that the development would have to satisfy. A pre-commencement condition was proposed to require details of foul waste treatment and he was satisfied there was sufficient certainty around this matter.

Councillor E A Biggs queried whether there were any other developments proposed in the surrounding area and, if so, whether Members should take those into account when determining this application. He also queried whether approving the application would set a precedent for further development in the park. Finally, he sought advice on how the Committee could ensure that the park was looked after and not allowed to become neglected. The Planning Consultant stated that he was not aware of other relevant schemes coming forward in the immediate area. He advised that country parks were complex operations and required time and financial/human resources. This application was a particular type of development and would not set a precedent for others. In any case, he reminded Members that each proposal had to be considered on its own merits. In terms of disruption to the park during the construction process, information from the applicant showed that this was a fully considered, financed and costed proposal with genuine investment behind it. However, should it fail, there would be a restoration condition to ensure the land was reinstated to whatever condition was agreed. In response to Councillor Beaney, he advised that planning guidance stated that if a matter could be dealt with by a condition, then that was how it should be treated, providing it was properly worded and enforceable. A restoration plan was more comfortably suited as a condition than as an obligation within a legal agreement.

Councillor S M S Mamjan stated that she was impressed by the developer's efforts in addressing issues raised previously. She also welcomed the idea of a lagoon which would offer a lot of benefits to young people in the district. However, she was

not convinced that the translocation of certain species would be successful as she understood that such measures had failed elsewhere.

Councillor J S Back highlighted that the park had never been designated as a local nature reserve and the proposed scheme would take up only a small percentage of the total area of the park. There was already a playground and museum in the park and there had been no objections raised to those. He was satisfied that there were sufficient conditions and proposed that planning permission should be approved.

RESOLVED: (a) That, subject to a Section 106 legal agreement to secure necessary planning contributions, Application No DOV/22/01158 be APPROVED subject to the following conditions:

- (i) Time limit – seven years;
- (ii) Approved plans;
- (iii) Details of external materials, including decking areas, to be submitted;
- (iv) Details of window frames and doors for each building to be submitted;
- (v) Details of green roof planting to be submitted;
- (vi) Details of materials of pedestrian bridge link to be submitted;
- (vii) Boundary treatment/screening of wave pump plant enclosure to be submitted;
- (viii) Details of measures informed by Secured by Design principles to be submitted;
- (ix) BREEAM Very Good to be secured;
- (x) Hard and soft landscaping details, including tree planting, to be submitted;
- (xi) Details of bunding and landscaped boundary treatment to be submitted;
- (xii) Tree protection measures to be submitted;
- (xiii) Piling risk assessment for any piling operations;
- (xiv) Geo-environmental intrusive assessment report to be approved;
- (xv) Details of any geo-environmental remediation to be approved;
- (xvi) Verification report of effectiveness of remediation measures to be approved;
- (xvii) Unforeseen contamination;

- (xviii) Environmental and transport construction management plan including details of access, parking, wheel-washing, timing of HGV movements; temporary traffic management, compounds, hoarding, temporary buildings, temporary lighting, control of dust, control of noise/vibrations, working hours, procedures for complaint management;
- (xix) Details of surface water drainage measures during construction;
- (xx) Car parking to be provided before occupation;
- (xxi) Cycle parking to be provided before occupation;
- (xxii) Electric vehicle parking details to be approved;
- (xxiii) Parking management plan and signage strategy to be approved;
- (xxiv) Travel plan to be approved;
- (xxv) Lighting details to be approved;
- (xxvi) Hours of floodlight use restricted to only between 06.30 and 21.30 hrs each day;
- (xxvii) No development to commence until protected species licence (that may be issued by Natural England) in respect of impact to fiery clearwing moths is obtained;
- (xxviii) No development to commence until survey works for Sussex Emerald moth demonstrates there to be no impact upon that species; or a scheme of mitigation/compensation is submitted and approved and a protected species licence (that may be issued by Natural England) in respect of impact to the Sussex Emerald moth is obtained;
- (xxix) No development to commence until protected species licence (that may be issued by Natural England) in respect of impact to lizard orchids is obtained;
- (xxx) Details of habitat manipulation, of clearance of reptiles from the Site, to be submitted;
- (xxxi) Details of updated badger surveys to be submitted;
- (xxxii) Compensatory habitat measures for skylarks;
- (xxxiii) Construction ecological management plan – to include mammal safeguards;
- (xxxiv) Clearance of vegetation – outside bird nesting season or under ecological supervision;

- (xxxv) Details of invasive species eradication to be submitted;
- (xxxvi) Water efficiency measures to be approved;
- (xxxvii) Detailed surface water drainage scheme to be submitted and agreed prior to commencement;
- (xxxviii) Verification of implemented surface water drainage scheme to be approved;
- (xxxix) Details of foul water drainage to be submitted and agreed prior to commencement;
- (xl) Development to sign up to EA Flood Warning service and provide management plan of actions in a flood event;
- (xli) Details of agreement of water supply to serve the development to be submitted before commencement;
- (xlii) Fixed plant noise assessment to be submitted – to achieve at least 5dB below background;
- (xlili) Programme of archaeological investigation to be carried out in accordance with details to be agreed;
- (xliv) Prohibition of dogs staying with overnight visitors;
- (xlv) Prohibition of visitor recreational electric vehicle use within the Country Park, beyond the main access roadway and car park;
- (xlvi) Land restoration plan.

(b) That the wording of the community benefits clause of the Section 106 agreement be reviewed and, if appropriate, reworded to ensure that matters such as the number of park closures and targets for free surfing lessons, etc are clearly defined.

(c) That, following the granting of planning permission, an ecology progress report be brought to the Planning Committee on an annual basis.

(d) That powers be delegated to the Head of Planning and Development to settle any necessary planning conditions and to finalise the wording of the Section 106 agreement in line with the issues set out in the recommendation and as resolved by the Planning Committee.

123 APPLICATION NO DOV/23/01095 - BETTESHANGER COUNTRY PARK, SANDWICH ROAD, SHOLDEN

Members viewed an aerial view, a CGI, map, drawings and plans of the application site which was within a country park located to the north-west of Deal and Sholden. The Planning Consultant advised that planning permission was sought for the erection of a 120-bed hotel with associated facilities and infrastructure. The

hotel building would be situated adjacent to the north-west of the existing car park. As an update to the report, the Planning Consultant advised that KCC's Public Rights of Way (PROW) team had provided further justification for the (estimated) £100,000 contribution it had requested. In addition, another 46 letters of objection (including a petition) and 7 letters of support had been received since the report was published.

The Committee's attention was drawn to the material differences between the application and a previous one which had been refused by the Committee in July 2023 on the grounds that the proposal would lead to the loss of designated open space and its impact on habitat that supported a population of turtle doves. Most notably, the new application would secure free public access to the country park, a benefit that was not currently in place. The lower ground floor of the building had been reduced in size to allow for greater habitat retention, and there would be additional visitor management and control measures taken across the park to discourage the public from entering sensitive areas. He encouraged Members to consider the application in the context of the park's challenging financial position, since the development would help to sustain the future of the park which was a facility enjoyed by residents across the district. Like the surfing lagoon application, the development would contribute to the Council's tourism and economic visitor-led strategies, providing jobs, investment and expenditure. In addition, the location of the hotel in the countryside was justified when assessed against the policies of the NPPF. Furthermore, the loss of part of the country park which was designated as open space was also justified on the basis that there was a surplus of provision in the district. Whilst the country park had been designated as an asset of community value, Officers considered that the proposal was not incompatible with that designation, such that the value of the asset would not be significantly diminished by the development. It was acknowledged that there would be some landscape and visual impact from the development. However, this was considered to be no more than moderate given the design and positioning of the hotel within the park.

In terms of ecology, there were a number of similarities with the surfing lagoon application in that the additional visitors to the park would be managed and controlled to mitigate the impact on the turtle dove population. This would be achieved through a management plan that would also monitor the birds and enable adaptive measures to be introduced if necessary. Whilst the hotel was not located in an area of Open Mosaic Habitat, there were ponds and reedbeds, the impact on which would be mitigated. In relation to Fiery Clearwing moths, measures to compensate for the loss of dock plants that supported their eggs were proposed. Matters relating to the protection of and mitigation for other species were set out in the report. A park-wide ecological management plan would also be secured as part of the application. Overall, Officers were satisfied that there would be no significant harm in relation to ecology.

With regards to surface water and foul drainage, Officers considered that sufficient details had been submitted to give confidence that these issues would be properly addressed, and final details would be secured by condition. In summary, in assessing the planning balance, Members were advised that, whilst there would be some disruption to biodiversity and impact on the character and appearance of the country park, those negative aspects were outweighed by the safeguarding of public access and the economic benefits arising from the scheme.

For clarity, the Chairman advised Members that the additional land to be provided as part of the mitigation measures was the same land as that proposed with the surfing lagoon development. In response to the Chairman, the Planning Consultant

advised that the application was separate to the surfing lagoon application and subject to its own conditions and obligations. This scheme's commencement was not contingent upon the other application proceeding and vice versa, with both standing on their own merits. He clarified that wastewater/foul drainage would be processed by the existing treatment works (which would be upgraded if necessary).

The SNEO clarified that there were no proposals to move turtle doves from the site. The applicant was proposing a mitigation scheme to try and minimise any impacts on their territories, as well as providing alternative areas of the park to accommodate displaced or additional turtle doves. There would be ongoing monitoring to assess how well the mitigation was working, for example, looking at whether numbers were increasing or falling. Adaptive measures would be implemented in the event of the initial measures not working, and these could include the creation of additional feeding areas elsewhere in the park or additional habitat using the off-site mitigation areas adjacent to the park and at Hammill Field. In response to Councillor Mamjan, she explained that existing monitoring indicated that the existing population of turtle doves was using two territories within the park. Supplementary feeding zones had been introduced as part of mitigation for the residential development at the former colliery pithead site in order to encourage more turtle doves to inhabit the park. She stressed that not only was it important to ensure that the current proposals did not have a detrimental effect on the existing population, but also to ensure that the mitigation measures already imposed in connection with the other development did not fail. The ultimate aim was to achieve success by using the suite of mitigation measures available.

In response to Councillor Knight, the Planning Consultant confirmed that monitoring the efficacy of turtle dove mitigation would form part of the annual review, and that it was happening currently in connection with the mitigation for the residential development at the former colliery pithead site.

Councillor Biggs expressed disappointment at the design of the hotel building and asked whether a design review had been undertaken. Noting that design was a subjective matter, the Planning Consultant explained that the applicant had sought to follow the form and general proportions of the existing visitor centre. Because it was important to achieve a building of quality in this location, Officers had engaged quite rigorously with the applicant to ensure that that was achieved. Some features, such as louvres and balconies, were key to this and there was a condition requiring details to be re-submitted to ensure that the design was not compromised at a later stage.

In response to concerns voiced by Councillor Mamjan about restricting public access, the Chairman explained that the closure of the park for events connected with the surfing lagoon development would be tied down in the Section 106 agreement to ensure that the number of closures permitted was limited. A similar clause would also be incorporated into the Section 106 agreement for this development. Access to some areas of the park would be restricted in any event in order to protect the flora and fauna. The Planning Consultant added that there was a balance to be struck between ecology, wildlife, people and economic priorities when deciding how different areas of the park should be used. He confirmed that hotel guests and members of the public would be subject to exactly the same restrictions.

In response to Councillor Beaney who suggested that the proposed mitigation measures could potentially be of benefit to the longevity of the turtle dove population on the site, the Planning Consultant advised that there were factors other

than feeding grounds that made sites favourable for turtle doves. However, he agreed that, in theory, the measures could help improve their presence across the site.

Councillor Knight noted that the developer had gone a long way in addressing the issues raised previously by the Committee. He was of the view that the design of the hotel was attractive and in keeping with its environment. With all the conditions proposed, he was of the view that there were sufficient safeguards to ensure the park's future was protected and that the proposed scheme would be delivered in the right way. He proposed that the application should be approved.

Returning to the point raised by Councillor Beaney, the SNEO stressed that the measures would not be beneficial to the turtle dove population, when compared with leaving things as they were. She clarified that species needed shelter, a food source and places to nest. For turtle doves the latter was provided by dense scrub which grew in places where there was no development or other human intervention. The proposed development would undoubtedly affect that.

The Planning Consultant reminded Members that the policy test was whether development would cause significant harm and Officers were satisfied that that would not be the case. In response to the Chairman, he explained that, although there was some overlap, if one scheme proceeded ahead of the other, it would not prejudice the ability of the remaining one to provide compensatory mitigation measures.

In response to Councillor Mamjan, he advised that there was no definition of significant harm and the professional advice of the SNEO in this regard was therefore key. His view was that a framework of mitigation and adaptive measures should ensure that no significant harm would arise. Councillor S Hill stated that there would be an overwhelming impact on turtle doves and other species inhabiting the park and she could not support the proposal.

RESOLVED: (a) That, subject to a Section 106 legal agreement to secure necessary planning contributions, Application No DOV/23/01095 be APPROVED subject to the following conditions:

- (i) Time limit – seven years;
- (ii) Approved plans;
- (iii) Details of external materials to be submitted;
- (iv) Details of appearance of expressed timber frame to be submitted;
- (v) Details of window frames and wooden louvres on windows and balconies to be submitted;
- (vi) Details of window reveals to be submitted;
- (vii) Details of measures informed by Secured by Design principles to be submitted;
- (viii) Details of 5% of hotel rooms to be wheelchair accessible to be approved;

- (ix) BREEAM Very Good to be secured;
- (x) Construction waste minimisation and recycling plan to be submitted;
- (xi) Hard and soft landscaping details, including tree planting, to be submitted;
- (xii) Details of reedbed creation and its hydrological function to be submitted;
- (xiii) Tree protection measures to be submitted;
- (xiv) Piling risk assessment for any piling operations;
- (xv) Geo-environmental intrusive assessment report to be approved;
- (xvi) Details of any geo-environmental remediation to be approved;
- (xvii) Verification report of effectiveness of remediation measures to be approved;
- (xviii) Unforeseen contamination;
- (xix) Environmental and transport construction management plan including details of access, parking, wheel-washing, timing of HGV movements; temporary traffic management, compounds, hoarding, temporary buildings, temporary lighting, control of dust, control of noise/vibrations, working hours, procedures for complaint management;
- (xx) Details of surface water drainage measures during construction;
- (xxi) Car parking to be provided before occupation;
- (xxii) Cycle parking to be provided before occupation;
- (xxiii) Electric vehicle parking details to be approved;
- (xxiv) Parking management plan and signage strategy to be approved;
- (xxv) Travel plan to be approved;
- (xxvi) Lighting details to be approved – of external lighting and internal lighting with external spill out;
- (xxvii) Water efficiency measures to be approved;

- (xxviii) No development to commence until protected species licence in respect of impact to fiery clearwing moths is obtained;
- (xxix) No development to commence until survey work for Sussex Emerald moth demonstrates there to be no impact upon that species or a protected species licence in respect of impact to Sussex Emerald moth is obtained;
- (xxx) Details of water vole mitigation and of clearance of pond habitat areas to be submitted;
- (xxxi) Details of habitat manipulation and of clearance of reptiles from the Site to be submitted;
- (xxxii) Details of badger mitigation, of temporary sett closure during construction works, to be submitted;
- (xxxiii) Construction ecological management plan – to include mammal safeguards;
- (xxxiv) Clearance of vegetation – outside bird nesting season or under ecological supervision;
- (xxxv) Beavers – additional survey work and mitigation strategy if necessary to be submitted;
- (xxxvi) Detailed surface water drainage scheme to be submitted and agreed prior to commencement;
- (xxxvii) Verification of implemented surface water drainage scheme to be approved;
- (xxxviii) Details of foul water drainage to be submitted and agreed prior to commencement;
- (xxxix) Programme of archaeological investigation to be carried out before commencement in accordance with details to be agreed;
- (xl) Prohibition of dogs staying with overnight hotel visitors;
- (xli) Prohibition of visitor, recreational electric vehicle use within the Country Park, beyond the main access roadway and car park.

(b) That the wording of the community benefits clause of the Section 106 agreement be reviewed and, if appropriate, reworded to ensure that matters such as the maximum number of park closures, etc are clearly defined.

(c) That, following the granting of planning permission, an ecology progress report be brought to the Planning Committee on an annual basis.

(d) That powers be delegated to the Head of Planning and Development to settle any necessary planning conditions and Section 106 obligations in line with the issues set out in the recommendation and as resolved by the Planning Committee.

The meeting ended at 8.15 pm.