

## TABLED UPDATE FOR ITEM 2.2

Reference and address: 23/500263/REM, Land At Wises Lane, Borden.

### Further Representations

1. Stephen Palmer (Received 09/08/23) – Seeks evidence that the applicant has contacted Kent Police in response to consultation comments.

**(Officer Response:** The applicant has not contacted Kent Police at this stage to seek CPTED accreditation. They will do so if the reserved matters application is approved to progress to the next stage of the development process for CPTED accreditation. The committee is also asked to note paragraph 2.5 of the report where details pursuant to Condition 17 of the hybrid permission relating to measures to minimise the risk of crime across the whole development was approved on 20/06/2022 (Ref: 22/500134/SUB).

2. Vivien Smith – (Received 11/08/23) – Objects to the application on the following summarised grounds: -

- Detrimental impact on Borden Nature Reserve (BNR) and habitat to various rare species of mammals, reptiles, birds and insects.
- Impact on the ecological food chain/predation, particularly on nocturnal foraging animals from light pollution
- Detrimental impact on biodiversity
- Protective fencing required for BNR
- Loss of peace and tranquility to BNR and a loss to the community

**(Officer response:** The impact on the BNR/ecology/natural habitat have been raised by earlier representations to date and summarised under paragraph 4.2 and 4.4 (Borden PC response) of the committee report. Ecology matters are addressed in Section 7.8 of the report. Protective fencing/netting is addressed within paragraph 7.15.2 of the report. An external lighting scheme for the building and car park is reserved for further approval. Floodlighting is not proposed for the pitches. Condition 43 of the hybrid permission prevents 'illumination' of the rugby pitches).

3. **Recommendation: Grant subject to conditions and Section 106 agreement with delegated authority to amend the wording of the s106 agreement and conditions as may reasonably be required.**

### Amendment to Conditions

The applicant has requested that pre-commencement Conditions 7 and 8 be confined to the rugby pitches only because they relate solely to the pitches and not the whole development. This would allow the works on the clubhouse and car park to start without delay. Officers consider the request is reasonable to enable early delivery of the facility. The following amended conditions are recommended to replace the same numbered conditions set out in the committee report: -

7. No **works on the rugby pitches** shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:

(i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and

(ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

The approved scheme shall be carried out in full and in accordance with the approved programme of implementation, before first occupation of **the clubhouse/community building**. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Policy DM 17.

8. No **works on the rugby pitches** shall commence until a schedule of playing field maintenance, including a programme for implementation, for a minimum period of five years starting from the commencement of use of the **rugby pitches** has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. Following the commencement of use of the **rugby pitches** the approved schedule shall be complied with in full.

Reason: To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose and to accord with Policy DM17.