

[REDACTED]

From: [REDACTED]
Sent: 21 August 2024 10:31
To: [REDACTED]
Subject: FW: Betteshanger - Planning Conditions
Attachments: [REDACTED] [to applicant] Draft conditions - 23-01095 - Hotel Scheme.docx; [REDACTED] [to applicant] Draft conditions - 22-01158 - Wave Pool Scheme.docx

Kind regards,

[REDACTED]



[REDACTED]
Planning & Development Manager

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Email: [REDACTED]@dover.gov.uk

Web: <http://dover.gov.uk>

My working days are Tuesday to Friday

From: [REDACTED]
Sent: Tuesday, August 20, 2024 2:06 PM
To: [REDACTED]@akdc.co.uk>
Cc: [REDACTED]@nexusplanning.co.uk>
Subject: FW: Betteshanger - Planning Conditions

Hi [REDACTED]

I have spoken to [REDACTED] and she is happy with adding wording along the lines you suggested "as informed by an updated survey where necessary" to the individual species conditions and the CEMP condition. If you are happy to amend, please do, if not, Andy can you amend on your return.

Many thanks

[REDACTED]



[REDACTED]
Planning & Development Manager

Dover District Council

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Email: [REDACTED]@dover.gov.uk

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My working days are Tuesday to Friday

From: [REDACTED]
Sent: Tuesday, August 20, 2024 8:39 AM
To: [REDACTED]@akdc.co.uk>

Cc: [REDACTED]@dover.gov.uk>
Subject: RE: Betteshanger - Planning Conditions

Thanks [REDACTED] for the comments back on the conditions.

I have responded in line below – and with those comments there should, I hope, be agreement.

Re any need for updated surveys and your comments, we may need to have a further discussion with the ecology officer. Will update further.

Enclosed is an updated schedule for each development, with changes tracked for easy reference

Best

[REDACTED]

From: [REDACTED]@akdc.co.uk>
Sent: Monday, August 19, 2024 4:37 PM
To: [REDACTED]@nexusplanning.co.uk>
Cc: [REDACTED]@dover.gov.uk>
Subject: Re: Betteshanger - Planning Conditions

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Hi [REDACTED]

Thank you for the draft lists of planning conditions for both applications. Please see below my comments on The SeaHive conditions. The Hotel planning conditions are agreed subject to any amendments agreed to the corresponding conditions which are shared by both applications being made.

Overall, we are happy that the conditions have been tightly drafted to focus on what they need to secure and wherever possible have avoided prior to commencement triggers unless absolutely necessary. The conditions also closely reflect the committee report conditions lists with only a small number of additions (restoration plan no.46 and finished floor levels no.47 in the case of The SeaHive; green roof no.6, finished floor levels nos. 43 & 45 and EA flood warning service no. 44 for the Hotel):

Condition 9 (Hotel Condition 10) - Our energy consultant has advised that 9 months is more realistic than the 3 months provided. The post-construction certificates have a 8-week timescale but as soon as a clarification is requested the 8-week clock restarts. From his experiences elsewhere, 9 months has been provided by condition and it is unusual for the certificates to be resolved within 3 months.

We have frequently seen three months as a timetable. Nine months feels too long from occupation – suggest six

Condition 10 (Hotel Condition 12) - There is duplication of the tree planting requirement from Schedule 1, Clause 14 of the S.106 here, but I think this can be accepted as the S.106 wording cross-references back to the approved soft landscaping planning condition details.

Noted

Condition 18 - No demolition is proposed or secured by the permission so I suggest that references are removed.

Agreed – reference to demolition removed

Conditions 20-25, 36 and 38-40 - all refer to 'public, visitors or guests' or 'public or visitors'. I'm not sure of the need to differentiate these terms for The SeaHive and perhaps we could simplify references throughout to just 'prior to first use'.

This wording was at the preference of DDC officers: minded to keep as currently drafted

Condition 21 (Hotel Condition 23) - Small typo, 'cycle parking' rather than 'cycling parking'.

Noted - amended

Condition 24 - The third bullet point refers to the Travel Plan Coordinator for the Hotel rather than surf resort.

Noted - amended

Condition 36 - Reduction of water usage 'as far as reasonable(typo) possible'. Is it possible for this to be more measurable/quantified or will everyone just need to behave reasonably when the details reserved by this condition are agreed?

By definition a condition cannot be unreasonable; and the condition by including 'as far as reasonably possible' further emphasises this. In this context, I would rather keep it open for you to suggest measures that are likely to only be known during the detailed design / fitout stage of development.

Condition 42 - I think guidance A1:2019 needs to be added as it is a relevant supplement/update to the standard quoted in this condition. BS guidance talks about designing to 5db below the 'typical' or 'prevailing' background noise level, which would suggest the average or mid-point in the noise data, not the 'minimum' referred to in this condition. I would suggest that 'minimum' is replaced with 'average', but if this is a standard requirement from DDC Environmental Health we would be able to accept either as in practice we don't foresee an issue.

From my experience this is fairly standard working. If, as you foresee, there would not be any issue with compliance, prefer to keep condition as drafted.

Condition 44 - Reference to Hotel should be surf wellness resort.

Noted (thanks) and updated

In terms of update surveys, there are some specific requirements for update surveys set out by the conditions in relation to Sussex Emerald, Badger and Beaver, whilst we would expect documents such as a CEMP and other mitigation strategies to be informed by appropriately up-to-date surveys. As such, we had anticipated update surveys would be undertaken in regard to

habitats, breeding birds, riparian mammals (Water Vole, Otter and Beaver), reptiles, Fiery Clearwing and Sussex Emerald.

I don't see that a specific condition needs to be added relating to update surveys, although if you are seeking further comfort, wording such as 'to be informed by updated surveys as required' could be added to conditions such as the CEMP?

If it would be possible to send a final version of the conditions before the decisions are issued, that would be much appreciated so I can circulate to our team.

In terms of the S.106, this is just with The SeaHive's Directors for a final check today, but I should be able to get our final (relatively minor) changes and comments back to [REDACTED] by the end of tomorrow. If we could push to agree the S.106s this week, that would be great and would relieve a lot of pressure at our end.

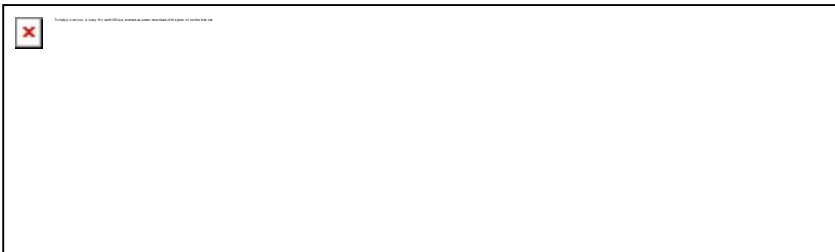
Many thanks

[REDACTED]

[REDACTED]

Email: [REDACTED]@akdc.co.uk

Tel: [REDACTED]



On Thu, 15 Aug 2024 at 15:46, [REDACTED]@nexusplanning.co.uk> wrote:

Hi [REDACTED]

Please find enclosed a draft schedule of conditions for each scheme.

One matter still live with officers, not reflected in the enclosed, is whether or not ecological survey work would need to be updated and reported if more than 18 months old ahead of commencement. No position on this has yet been reached, but I wanted to issue the conditions as currently drafted without further delay.

Any comments welcome.

Thanks



Associate Director

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DOV/23/01095 Erection of a 120 bed hotel etc.
Draft Planning Conditions
15/08/2420/08/24

1. The development hereby permitted shall be begun before the expiration of 7 years from the date of this decision.

Reason: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any legislation revoking or re-enacting that legislation with or without modification).

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

22.0035 – 01	Site Location Plan
22.0035 – 02 – B	Existing and Proposed Block Plans
22.0035 – 03 – B	Existing Site Plan
22.0035 – 05 – F	Proposed Site Plan
22.0035 – 10 – B	Proposed Lower Ground Floor Plan
22.0035 – 11 – B	Proposed Ground Floor Plan
22.0035 – 12 – B	Proposed First Floor Plan
22.0035 – 13 – B	Proposed Second Floor Plan
22.0035 – 14 – B	Proposed Mezzanine Floor Plan
22.0035 – 15 – D	Proposed Roof Plan
22.0035 – 16 – E	Proposed Elevations
22.0035 – 17 – C	Proposed Elevations
22.0035 – 18 – D	Proposed Internal Elevations 1-1 & 2-2
22.0035 – 19 – A	Proposed Section 3-3 & 4-4
22.0035 – 20	Room Typologies
22.0035 – 21	Proposed Section 5-5

Reason: For the avoidance of doubt

3. No development above ground level shall take place until samples of materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

4. No development above ground level shall take place until details of the joinery and finish of the expressed timber frame, supporting the central atrium space, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

5. No development above ground level shall take place until details of the materials, joinery and finish of the window frames, window louvres and balconies (balustrades, soffits and side partitions), to include 1:20 cross sectional details, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

6. No development above ground level shall take place, until details of the green roof have been submitted to and approved in writing by the local planning authority. The green roof shall provide a mosaic of bare substrate, recolonising vegetation, grassland and wildflowers, together with rubble and log piles. Details shall include areas of planting, species of plant, creation of habitat features, means of establishment and management of the habitats and habitat features. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and biodiversity, with regard to paragraphs 131 and 186 of the National Planning Policy Framework and draft Local Plan Policy PM1.

7. No development above ground level shall take place until details of the depth and materials of the window reveals, to include 1:20 cross sectional details, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

8. No development above ground level shall take place until a scheme has been submitted to and approved in writing by the local planning authority setting out the measures to be taken to demonstrate compliance with the principles of Secured by Design. The development shall be carried out and thereafter maintained in accordance with the approved details, unless otherwise previously agreed in writing by the local planning authority.

Reason: To ensure the development seeks to address measures for the prevention of crime, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy SP2.

9. No development above ground level shall take place until details to demonstrate how at least 5% of hotel rooms will be wheelchair accessible have been submitted to and approved in writing by the local planning authority. The development shall be carried out and thereafter maintained in accordance with the approved details, unless otherwise previously agreed in writing by the local planning authority.

Reason: To ensure the development is accessible to wheelchair users, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy SP2.

10. No development above ground level shall take place until a 'design stage certificate' (prepared by an accredited Building Research Establishment Assessor) demonstrating

that the hotel building will achieve a minimum BREEAM rating of Very Good has been submitted to and approved in writing by the local planning authority.

Within ~~63~~ months of the hotel building first being brought into use by paying visitors or guests, evidence shall be submitted in the form of a 'post construction certificate' (prepared by an accredited Building Research Establishment Assessor) to demonstrate full compliance with the specified BREEAM standard for the development.

Reason: To ensure high standards of sustainable design and construction, with regard to Core Strategy Policy CP5 and draft Local Plan Policy CC1.

11. No development shall commence until a construction waste minimisation and recycling plan has been submitted to and approved in writing by the local planning authority. This should have regard to the Waste and Resources Strategy for England and other relevant guidance. The development shall be carried out in accordance with the approved details.

Reason: To ensure high standards of sustainable construction, with regard to draft Local Plan Policy CC2.

12. No development above ground level shall take place until a scheme for the landscaping of the site is submitted to and approved in writing by the local planning authority. These details shall include:

i) schedules of new trees, shrubs and other species to be planted (noting species that shall be native, of local provenance and appropriate to their location; plant sizes; and numbers/densities);

ii) the identification of the existing trees and shrubs on the site to be retained (noting species, location and spread);

iii) habitat enhancement measures, including bat and bird boxes and log piles;

iv) any earth moving operations and finished levels/contours;

v) hard landscaping materials including for all made surfaces, retaining walls and steps / ramps across the site; and

vi) an implementation programme.

The scheme shall be carried out and completed prior to the hotel building first being brought into use by paying visitors or guests and thereafter maintained in accordance with the approved details.

In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the occupation of the development, a new tree or shrub or equivalent number of trees or shrubs, of a species and position first approved by the local planning authority, shall be planted and properly maintained.

Reason: In the interests of visual amenity and to help to assimilate the development into its surroundings, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy PM1.

13. The development hereby permitted shall not commence until details of the approach to (i) create / establish new reedbed habitat and (ii) manage / maintain that habitat in a favourable status have been submitted to and approved in writing by the local planning authority. Such details shall also include what the hydrological function of the reedbed habitat would be, in connection with existing watercourses and surface water drainage, as part of the development. The hotel building shall not be brought into use by paying visitors or guests until the reedbeds have been established in accordance with the approved details; and thereafter the reedbeds shall be managed in accordance with the approved details.

Reason: To secure reedbed habitat as part of the development for ecological reasons, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

14. No development shall commence until a tree and hedge protection scheme has been submitted to and approved in writing by the local planning authority. The protection scheme shall include a timetable for the works; identify the retained trees and hedges; and where excavations or changes to land levels or underground works are proposed that might affect the root protection area, the scheme shall detail the appropriate working methods (the arboricultural method statement) in accordance with British Standard BS 5837: 2012 (Trees in relation to design, demolition and construction). The scheme for the protection of the retained trees and hedges shall be carried out as approved.

In this condition "retained tree or hedge" means an existing tree or hedgerow which is to be retained in accordance with the submitted and approved plans and particulars.

If any retained tree or hedgerow is cut down, uprooted or destroyed or dies within 5 years of the completion of development, the tree/hedgerow shall be replaced by a tree/hedgerow of a similar type and species in the next planting season after the damage or loss.

Reason: To protect and prevent damage to existing trees and hedges on the application site, in the interests of visual and rural amenity, with regard to paragraph 136 of the National Planning Policy Framework and draft Local Plan Policy PM1.

15. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken, mitigation of environmental risks including to groundwater, and the methodology by which such piling will be carried out) has first been submitted to and approved in writing to by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure piling construction methods associated with the development do not pose an undue risk to the environment, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

16. No development shall commence until an intrusive geoenvironmental investigation and risk assessment has been undertaken by competent persons and a written report of the findings have been submitted to and approved in writing by the local planning authority. The submitted report shall include (i) an assessment of the nature, extent, scale and origin of any contamination on the site; and (ii) an assessment of any potential risks to human health, property (existing or proposed – including buildings, crops, livestock, pets, woodland and service lines and pipes), adjoining land, ground waters and surface waters, ecological systems and archaeological sites.

All work pursuant to this condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 186 and 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

17. If an intrusive geoenvironmental investigation and risk assessment shows that remediation is necessary, no development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings / other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority.

Such a scheme shall include details of all works to be undertaken, proposed remediation objectives / remediation criteria, a timetable of works, site management procedures and a verification plan. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved terms including the timetable. The local planning authority shall be given two weeks written notification of commencement of the remediation scheme works.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 186 and 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

18. No development shall commence until a verification report (demonstrating completion of the works of the approved remediation scheme and the effectiveness of the remediation (if necessary following details pursuant to Condition 15 and 16) has been submitted to and approved in writing by the local planning authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer-term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority. Any material imported to the site shall be laboratory certified as suitable for use.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 186 and 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

19. If, during the course of construction of the approved development, unforeseen contamination on the site is found to be present or caused, the occurrence shall be reported immediately to the local planning authority. Development shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, a remediation scheme shall be submitted to and approved in writing by the local planning authority. The approved remediation scheme shall be carried out; and a verification report to demonstrate the success of the remediation scheme submitted to and approved in writing by the local planning authority, before the development is resumed or continued.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 186 and 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

20. No development shall take place until an 'environmental ~~demolition~~/construction management plan' has been submitted to and approved in writing by the local planning authority. The said plan shall include details of:

- routing of vehicles to / from site; parking and turning areas for HGV's and site personnel;
- timing of HGV movements;
- provision and location of wheel washing facilities;
- temporary traffic management / signage as necessary;
- hoarding, construction compounds and temporary buildings;
- storage areas for chemicals and fuels;
- location of the refuelling of vehicles;
- disposal of water used for construction purposes;
- temporary lighting;
- measures for the control of dust;
- measures to control / minimise construction noise and vibrations;
- working hours; and
- procedures for complaint management.

The approved 'environmental ~~demolition~~/construction management plan' shall be fully complied with throughout the demolition and construction period.

Reason: These details are required prior to the commencement of development in the interests of minimising the impact of the development during the ~~demolition~~/construction phase.

21. No development shall commence until details of the management of surface water during the construction phase of development have been submitted to and approved in writing by the local planning authority. The construction phase of the development shall only be carried out in accordance with the approved surface water details.

Reason: To protect the surrounding environment and biodiversity from flood risk and pollution cause by unmanaged surface runoff during the construction phase of development, with regard to paragraph 175 and 186 of the National Planning Policy Framework and draft Local Plan Policy NE5.

22. The hotel development hereby permitted shall not be open to the public, visitors or guests until the car parking spaces shown on the approved plans have been provided. Thereafter those spaces shall be retained only for the purposes of car parking in relation with the development hereby permitted and the wider country park.

Reason: In the interests of providing appropriate car parking for the management of the country park and highway safety and convenience, with regard to draft Local Plan Policy TI3.

23. The hotel development hereby permitted shall not be open to the public, visitors or guests until cycle parking has been provided in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter the approved cycle parking shall be retained and used only for the purposes of cycle parking.

Reason: In the interests of promoting cycling as a sustainable means of travel, with regard to draft Local Plan Policy TI1.

24. The hotel development hereby permitted shall not be open to the public, visitors or guests until electric vehicle charging infrastructure has been provided in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter the approved electric vehicle charging infrastructure shall be maintained and kept available for the charging of electric vehicles.

Reason: In the interests of facilitating the use of electric vehicles as a more sustainable means of travel, with regard to draft Local Plan Policy TI1.

25. The hotel development hereby permitted shall not be open to the public, visitors or guests until a 'car parking management plan' and associated 'signage strategy' have been submitted to and approved in writing by the local planning authority. The hotel shall only be operated in accordance with the approved 'car parking management plan'; and signage required in connection with the 'signage strategy' shall be carried before the hotel building hereby permitted is first being open to the public, visitors or guests.

Reason: In the interests of providing appropriate car parking for the management of the country park and highway safety and convenience, with regard to draft Local Plan Policy TI3.

26. Prior to the hotel building hereby permitted first being open to the public, visitors or guests, a 'travel plan' shall be submitted to and approved in writing by the local planning authority. The travel plan shall include:
- the identification of targets for trip reduction and modal shift;
 - measures to be implemented to meet those targets;
 - details of a travel plan coordinator as part of the management of the hotel development;
 - a timetable / phasing of the implementation of the measures;

- mechanisms for monitoring and review;
- mechanisms for reporting;
- remedial measures to be applied in the event that targets are not met; and
- the mechanisms to secure variations to the 'full travel plan' following monitoring and reviews.

The development shall only be occupied and managed in accordance with the approved 'travel plan', unless otherwise previously agreed in writing by the local planning authority.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport, with regard to draft Local Plan Policy TI1.

27. No development above ground level shall take place until lighting details and a strategy for its operation, and an associated impact assessment for biodiversity, relating the site and adjacent land, shall be submitted to and approved in writing by the local planning authority. The lighting details and strategy shall:

a) identify those areas/features on site that, due to their potential for use by bats, are particularly sensitive to lighting impacts (including any biodiversity enhancement features);

b) include modelled illuminance from all proposed light sources, taking into account site configuration, physical screening and glazing measures to be used;

c) demonstrate how and where external lighting will be installed with regard to 'Guidance Note 08/23 Bats and Artificial Lighting at Night' (Bat Conservation Trust and Institution of Lighting Professionals) to minimise lighting impacts on sensitive biodiversity receptors.

All external lighting will be installed and thereafter maintained in accordance with the approved details and strategy, unless otherwise previously agreed in writing by the local planning authority.

Reason: In the interests of the visual amenity of the site / surrounding area; and to avoid significant ecological impacts to the site / surrounding area, with regard to paragraph 180 of the National Planning Policy Framework and draft Local Plan Policy NE2.

28. Prior to the hotel building hereby permitted first being open to the public, visitors or guests, measures (physical measures relating to the fabric of the development; and management measures relating to the operation of the development) to maximise the efficiency of water use (to reduce the water usage of the development as far as reasonable possible) shall be submitted to and approved in writing by the local planning authority. The approved physical and management measures shall be in place before the development is first brought into use and thereafter retained and maintained.

Reason: To promote water efficiency, with regard to paragraph 157 of the National Planning Policy Framework and draft Local Plan Policy SP1.

29. No development shall commence, including site / vegetation clearance, until details that a protected species licence has been obtained (issued by Natural England under

Regulation 16 of the Wildlife and Countryside Act 1981 (as amended)), in respect of the impacts of the development on fiery clearwing moths, have been submitted to the local planning authority.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

30. The development hereby permitted shall not commence until surveys for Sussex emerald moths have been undertaken and the results submitted to and approved in writing by the local planning authority to demonstrate that development will have no significant impact on Sussex emerald moths. The surveys shall be undertaken within 18 months prior to the commencement of development. Where the survey results indicate that Sussex emerald moths are present and will be impacted by the approved development, the local planning authority shall be provided with the Sussex emerald moth Licence issued by Natural England under Regulation 16 of the Wildlife and Countryside Act 1981 (as amended).

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

31. The development hereby permitted shall not commence until a detailed scheme of mitigation, to include a timetable for any works, in respect of avoiding significant impacts to water voles has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

32. The development hereby permitted shall not commence until a detailed scheme of mitigation in respect of avoiding significant impacts to reptiles, including the approach to clearing habitat from the site and translocation of reptiles as necessary, and to include a timetable for any works, has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

33. The development hereby permitted shall not commence until a detailed scheme of mitigation in respect of avoiding significant impacts to badgers, including identified badger setts, and to include a timetable for any works, has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

34. No development shall commence until an 'ecological construction management plan' has been submitted to and approved in writing by the local planning authority. The plan shall include measures to avoid / minimise the potential for impacts to species including badgers, hedgehogs, harvest mice and toads and shall refer to the specific protected species mitigation strategies, where relevant. The plan shall include:

- risk assessment of potentially damaging construction activities;
- identification of 'biodiversity protection zones';
- practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- the location and timing of sensitive works to avoid harm to biodiversity features;
- times during construction when specialist ecologists need to be present on site to oversee works;
- responsible persons and lines of communication; and
- the role and responsibilities on site of an 'ecological clerk of works' (ECoW) or similarly competent person.

The approved 'ecological construction management plan' shall be fully complied with throughout the construction period.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

35. No vegetation clearance shall take place during bird nesting season (between 1st March and 31st August each year) unless carried out under professional ecological supervision and following assessment of the vegetation to be cleared. Should nesting birds in the vegetation intended for removal be found, the nests shall be protected with a buffer and clearance only undertaken once the young have fledged and a professional ecologist has agreed in writing to the developer that that nesting birds are no longer present in the vegetation.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

36. The development hereby permitted shall not commence until additional survey and assessment work, along with any mitigation measures, in respect of potential impacts of development to beavers, and to include a timetable for any works, has been submitted to and approved in writing by the local planning authority. Any mitigation measures identified shall be carried out in accordance with the approved 'additional survey and assessment work'.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

37. The development hereby permitted shall not commence until a detailed sustainable surface water drainage scheme (SuDS), to include a timetable for any works, has been submitted to and approved in writing by the local planning authority.

The SuDS shall demonstrate that surface water can be accommodated and disposed of for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be without increase to flood risk on or off-site.

The SuDS shall also demonstrate (i) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters; and (ii) appropriate operational, maintenance and access requirements for each drainage feature are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The SuDS 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, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5. 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.

38. Prior to the hotel building hereby permitted first being open to the public, visitors or guests, a 'verification and management report', pertaining to the sustainable surface water drainage scheme (SuDS), prepared by a suitably competent person, shall be submitted to and approved in writing by the local planning authority.

The 'verification and management report' shall demonstrate that the SuDS constructed is consistent with that which was approved, with 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 the scheme; and the submission of an operation and maintenance manual for the SuDS as constructed.

Reason: To ensure that flood risks from development to the future users of the site 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 in accordance with the approved SuDS, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5.

39. The development hereby permitted shall not commence until details of foul drainage provision, adequate to serve the development, have been submitted to and approved in writing by the local planning authority. Prior to the hotel building first being brought into use for the public, guests or visitors, the foul drainage provision shall be carried out in accordance with the approved details.

Reason: In order to ensure that the development is adequately served by drainage infrastructure in the interests of public health and the prevention of flooding generally, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5.

40. The development hereby permitted shall not commence until (i) a programme of investigative archaeological work, which has first been submitted to and approved in writing by the local planning authority, has been carried out and completed; and (ii) the recorded findings/evaluation of that investigative archaeological work, including any safeguarding measures necessary to ensure preservation in situ of any important archaeological remains, have been submitted to, and agreed in writing by, the local planning authority.

Reason: To ensure that any features of archaeological interest are properly examined and recorded, with regard to paragraph 200 of the National Planning Policy Framework and draft Local Plan Policy SP15.

41. The operators of the hotel shall put in place and implement a policy in perpetuity to not allow dogs to stay overnight at the hotel.

Reason: To manage visitor and recreational pressure at, and disturbance of, Betteshanger Country Park, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

42. No four wheel vehicles for recreational purposes (electric or otherwise) shall be used within Betteshanger Country Park, beyond use of the main access roadway and main car parking area.

Reason: To manage visitor and recreational pressure at, and disturbance of, Betteshanger Country Park, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

43. The finished floor levels of the hotel building hereby permitted shall be no lower than 4.80m Above Ordnance Datum (AOD); and finished floor levels of facilities at lower ground floor shall be no lower than 1.65 AOD.

Reason: In the interests of ensuring development is safe and resilient to flood risk, with regard to paragraph 173 of the National Planning Policy Framework.

44. The operators of the development hereby permitted shall sign up to the Environment Agency's flood warning service; and the development shall not be brought into use to the public, guests and visitors until a flood risk management plan, to include actions to be taken by the management of the development on warning of or actual flood event, has been submitted and approved in writing by the local planning authority.

The development shall be operated in accordance with the approved flood risk management plan unless otherwise previously agreed in writing with the local planning authority.

Reason: To ensure risks of flooding are minimised, with regard to paragraph 173 of the National Planning Policy Framework.

45. The development hereby permitted shall not commence until details of the finished ground floor level of the hotel building, expressed as AOD with reference to the existing and proposed surrounding ground levels, have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved finished ground levels, unless otherwise previously agreed in writing with the local planning authority.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

DOV/22/01158 Construction of a surfing lagoon etc.
Draft Planning Conditions
~~15/08/24~~20/08/24

1. The development hereby permitted shall be begun before the expiration of 7 years from the date of this decision.

Reason: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any legislation revoking or re-enacting that legislation with or without modification).

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

- 21.0170 – 01 Site Location Plan
- 21.0170 – 03 – A Existing Site / Block Plan
- 21.0170 – 05 – B Proposed Site / Block Plan
- 21.0170 – 06 Proposed Site Sections A-A & B-B
- 21.0170 – 07 Proposed Site Sections C-C & D-D
- 21.0170 – 08 – P2 Proposed Site Context Plan
- 21.0170 – 10 Proposed Ground Floor Plan
- 21.0170 – 11 Proposed First Floor Plan
- 21.0170 – 12 Proposed Roof Plan
- 21.0170 – 15 Proposed East & West Elevations
- 21.0170 – 16 – A Proposed North & South Elevation and Section
- 21.0170 – 17 Wellness Centre – Proposed Ground Floor Plan
- 21.0170 – 18 Wellness Centre – Proposed Roof Plan
- 21.0170 – 19 Wellness Centre – Proposed Elevation A-A, B-B & C-C
- 21.0170 – 20 Wellness Centre – Proposed Elevation D-D & Section 1-1
- 21.0170 – 21 Learning Hub – Plans, Elevations & Section
- 21.0170 – 22 – A Holiday Lodge (8 person)
- 21.0170 – 23 – A Holiday Lodge (4 person)
- 21.0170 – 24 Board Storage & Repair & Practice Area
- WGC-EDL-ZZ-ZZ-DR-L-0100 R2 Landscape Masterplan
- KEN-DR-CIN-0300 Cove and Associated Areas
- KEN-DR-CIN-0310 Dimensions
- KEN-DR-CIN-0311 Sections
- KEN-DR-CIN-0320 Elements Identification
- KEN-DR-CIN-0320 Core Service Area

Reason: For the avoidance of doubt

3. No development above ground level of any building shall take place until samples of materials to be used in the construction of the external surfaces, including decking areas, of that building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

4. No development above ground level of any building shall take place, until details of the window frames and doors of that building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

5. No development above ground level shall take place, until details of the green roof on buildings across the site have been submitted to and approved in writing by the local planning authority. The green roofs shall provide a mosaic of bare substrate, recolonising vegetation, grassland and wildflowers, together with rubble and log piles. Details shall include areas of planting, species of plant, creation of habitat features, means of establishment and management of the habitats and habitat features. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and biodiversity, with regard to paragraphs 131 and 186 of the National Planning Policy Framework and draft Local Plan Policy PM1.

6. No development above ground level shall take place, until details of the materials and finish of the pedestrian bridge link have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Development shall not be occupied until the bridge link is in place and open for use.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

7. No development above ground level shall take place, until details of the boundary treatment / screening of the wave pool plant enclosure, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, with the approved boundary treatment / screening to be in place before occupation.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

8. No development above ground level shall take place until a scheme has been submitted to and approved in writing by the local planning authority setting out the measures to be taken to demonstrate compliance with the principles of Secured by Design. The development shall be carried out and thereafter maintained in accordance with the approved details, unless otherwise previously agreed in writing by the local planning authority.

Reason: To ensure the development seeks to address measures for the prevention of crime, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy SP2.

9. No development above ground level shall take place until a 'design stage certificate' (prepared by an accredited Building Research Establishment Assessor), demonstrating that the main hub building will achieve a minimum BREEAM rating of Very Good, has been submitted to and approved in writing by the local planning authority.

Within 63 months of the main hub building first being brought into use, evidence shall be submitted in the form of a 'post construction certificate' (prepared by an accredited Building Research Establishment Assessor) to demonstrate full compliance with the specified BREEAM standard for the development.

Reason: To ensure high standards of sustainable design and construction, with regard to Core Strategy Policy CP5 and draft Local Plan Policy CC1.

10. No development above ground level shall take place until a scheme for the landscaping (including tree planting) of the site is submitted to and approved in writing by the local planning authority. These details shall include:

i) schedules of new trees, shrubs and other species to be planted (noting species that shall be native, of local provenance and appropriate to their location; plant sizes; and numbers/densities);

ii) the identification of the existing trees and shrubs on the site to be retained (noting species, location and spread);

iii) habitat enhancement measures, including integrated bird bricks and bat boxes, bee bricks and brownfield habitat features;

iv) any earth moving operations and finished levels/contours;

v) hard landscaping materials including for all made surfaces, retaining walls and steps / ramps across the site; and

vi) an implementation programme.

The scheme shall be carried out and completed prior to the development first being brought into use and thereafter maintained in accordance with the approved scheme.

In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the occupation of the development, a new tree or shrub or equivalent number of trees or shrubs, of a species and position first approved by the local planning authority, shall be planted and properly maintained.

Reason: In the interests of visual amenity and to help to assimilate the development into its surroundings, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy PM1.

11. No development above ground level shall take place, until details of the landscaped bunding and boundary treatment of the site have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, with the approved boundary treatment to be in place before occupation.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

12. No development shall commence until a tree and hedge protection scheme has been submitted to and approved in writing by the local planning authority. The protection scheme shall identify the retained trees and hedges; a timetable for the works; and where excavations or changes to land levels or underground works are proposed that might affect the root protection area, the scheme shall detail the appropriate working methods (the arboricultural method statement) in accordance with British Standard BS 5837: 2012 (Trees in relation to design, demolition and construction). The scheme for the protection of the retained trees and hedges shall be carried out as approved.

In this condition "retained tree or hedge" means an existing tree or hedgerow which is to be retained in accordance with the submitted and approved plans and particulars.

If any retained tree or hedgerow is cut down, uprooted or destroyed or dies within 5 years of the completion of development, the tree/hedgerow shall be replaced by a tree/hedgerow of a similar type and species in the next planting season after the damage or loss.

Reason: To protect and prevent damage to existing trees and hedges on the application site, in the interests of visual and rural amenity, with regard to paragraph 136 of the National Planning Policy Framework and draft Local Plan Policy PM1.

13. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken, mitigation of environmental risks including to groundwater, and the methodology by which such piling will be carried out) has first been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure piling construction methods associated with the development do not pose an undue risk to the environment, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

14. No development shall commence until an intrusive geoenvironmental investigation and risk assessment has been undertaken by competent persons and a written report of the findings have been submitted to and approved in writing by the local planning authority. The submitted report shall include (i) an assessment of the nature, extent, scale and origin of any contamination on the site; and (ii) an assessment of any potential risks to human health, property (existing or proposed – including buildings, crops, livestock, pets, woodland and service lines and pipes), adjoining land, ground waters and surface waters, ecological systems and archaeological sites.

All work pursuant to this condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with

regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

15. If an intrusive geoenvironmental investigation and risk assessment shows that remediation is necessary, no development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings / other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority

Such a scheme shall include details of all works to be undertaken, proposed remediation objectives / remediation criteria, a timetable of works, site management procedures and a verification plan. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved terms including the timetable. The local planning authority shall be given two weeks written notification of commencement of the remediation scheme works.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

16. No development shall commence until a verification report (demonstrating completion of the works of the approved remediation scheme and the effectiveness of the remediation (if necessary following details pursuant to Condition 14 and 15) has been submitted to and approved in writing by the local planning authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer-term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority. Any material imported to the site shall be laboratory certified as suitable for use.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

17. If, during the course of construction of the approved development, unforeseen contamination on the site is found to be present or caused, the occurrence shall be reported immediately to the local planning authority. Development shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, a remediation scheme shall be submitted to and approved in writing by the local planning authority. The approved remediation scheme shall be carried out; and a verification report to demonstrate the success of the remediation scheme submitted to and approved in writing by the local planning authority, before the development is resumed or continued.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

18. No development shall take place until an 'environmental ~~demolition~~/construction management plan' has been submitted to and approved in writing by the local planning authority. The said plan shall include details of:

- routing of vehicles to / from site; parking and turning areas for HGV's and site personnel;
- timing of HGV movements;
- provision and location of wheel washing facilities;
- temporary traffic management / signage as necessary;
- hoarding, construction compounds and temporary buildings;
- storage areas for chemicals and fuels;
- location of the refuelling of vehicles;
- disposal of water used for construction purposes;
- temporary lighting;
- measures for the control of dust;
- measures to control / minimise construction noise;
- working hours; and
- procedures for complaint management.

The approved 'environmental ~~demolition~~/construction management plan' shall be fully complied with throughout the demolition and construction period.

Reason: These details are required prior to the commencement of development in the interests of minimising the impact of the development during the ~~demolition~~/construction phase.

19. No development shall commence until details of the management of surface water during the construction phase of development have been submitted to and approved in writing by the local planning authority. The construction phase of the development shall only be carried out in accordance with the approved surface water details.

Reason: To protect the surrounding environment and biodiversity from flood risk and pollution cause by unmanaged surface runoff during the construction phase of development, with regard to paragraph 175 and 186 of the National Planning Policy Framework and draft Local Plan Policy NE5.

20. The development hereby permitted shall not be open to the public, visitors or guests until the car parking spaces shown on the approved plans have been provided. Thereafter those space retained shall be retained only for the purposes of car parking in relation with the development hereby permitted and the wider country park.

Reason: In the interests of providing appropriate car parking for the management of the country park and highway safety and convenience, with regard to draft Local Plan Policy TI3.

21. The development hereby permitted shall not be open to the public, visitors or guests until cycle parking has been provided in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter the approved cycle~~ing~~ parking shall be retained and used only for the purposes of cycle parking.

Reason: In the interests of promoting cycling as a sustainable means of travel, with regard to draft Local Plan Policy TI1.

22. The development hereby permitted shall not be open to the public, visitors or guests until electric vehicle charging infrastructure has been provided in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter the approved electric vehicle charging infrastructure shall be maintained and kept available for the charging of electric vehicles.

Reason: In the interests of facilitating the use of electric vehicles as a more sustainable means of travel, with regard to draft Local Plan Policy TI1.

23. The development hereby permitted shall not be open to the public, visitors or guests until a 'car parking management plan' and associated 'signage strategy' have been submitted to and approved in writing by the local planning authority. The development shall only be operated in accordance with the approved 'car parking management plan'; and signage required in connection with the 'signage strategy' shall be carried before the development hereby permitted is first open to the public, visitors or guests.

Reason: In the interests of providing appropriate car parking for the management of the country park and highway safety and convenience, with regard to draft Local Plan Policy TI3.

24. Prior to the development hereby permitted first being open to the public or visitors, a 'travel plan' shall be submitted to and approved in writing by the local planning authority. The travel plan shall include:

- the identification of targets for trip reduction and modal shift;
- measures to be implemented to meet those targets;
- details of a travel plan coordinator as part of the management of the ~~hotel~~ development;
- a timetable / phasing of the implementation of the measures;
- mechanisms for monitoring and review;
- mechanisms for reporting;
- remedial measures to be applied in the event that targets are not met; and
- the mechanisms to secure variations to the 'full travel plan' following monitoring and reviews.

The development shall only be occupied and managed in accordance with the approved 'travel plan', unless otherwise previously agreed in writing by the local planning authority.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport, with regard to draft Local Plan Policy TI1.

25. Prior to the development hereby permitted first being open to the public, visitors or guests, lighting details and a strategy for its operation, and an associated impact assessment for biodiversity, relating the site and adjacent land, shall be submitted to and approved in writing by the local planning authority. The lighting details and strategy shall:

a) identify those areas/features on site that, due to their potential for use by bats, are particularly sensitive to lighting impacts (including any biodiversity enhancement features);

b) include modelled illuminance from all proposed light sources, taking into account site configuration, physical screening and glazing measures to be used;

c) demonstrate how and where external lighting will be installed with regard to 'Guidance Note 08/23 Bats and Artificial Lighting at Night' (Bat Conservation Trust and Institution of Lighting Professionals) to minimise lighting impacts on sensitive biodiversity receptors.

All external lighting will be installed and thereafter maintained in accordance with the approved details and strategy, unless otherwise previously agreed in writing by the local planning authority.

Reason: In the interests of the visual amenity of the site / surrounding area; and to avoid significant ecological impacts to the site / surrounding area, with regard to paragraph 180 of the National Planning Policy Framework and draft Local Plan Policy NE2.

26. No external lighting of the surfing lagoon shall take place before 06.30 or after 21.30 each day.

Reason: In the interests of the visual amenity of the site / surrounding area; and to avoid significant ecological impacts to the site / surrounding area, with regard to paragraph 180 of the National Planning Policy Framework and draft Local Plan Policy NE2.

27. No development shall commence, including site / vegetation clearance, until details that a protected species licence has been obtained (issued by Natural England under Regulation 16 of the Wildlife and Countryside Act 1981 (as amended)), in respect of impacts of the development on fiery clearwing moths, have been submitted to the local planning authority.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

28. The development hereby permitted shall not commence until surveys for Sussex emerald moths have been undertaken and the results submitted to and approved in writing by the local planning authority to demonstrate that development will have no significant impact on Sussex emerald moths. The surveys shall be undertaken within 18 months prior to the commencement of development. Where the survey results indicate that Sussex emerald moths are present and will be impacted by the approved development, the local planning authority shall be provided with the Sussex emerald

moth Licence issued by Natural England under Regulation 16 of the Wildlife and Countryside Act 1981 (as amended).

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

29. No development shall commence, including site / vegetation clearance, until details that a protected species licence has been obtained (issued by Natural England under Regulation 16 of the Wildlife and Countryside Act 1981 (as amended)), in respect of the impacts of the development on lizard orchids, have been submitted to the local planning authority.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

30. The development hereby permitted shall not commence until a detailed scheme of mitigation in respect of avoiding significant impacts to reptiles, including the approach to clearing habitat from the site and translocation of reptiles as necessary, and to include a timetable for any works, has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

31. No development shall commence until additional survey and assessment work, along with any mitigation measures, in respect of potential impacts of development to badgers, has been submitted to and approved in writing by the local planning authority. Any mitigation measures identified shall be carried out in accordance with the approved 'additional survey and assessment work'.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

32. Development shall not be occupied until a scheme of compensatory habitat creation in respect of skylarks has been carried out in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

33. The development hereby permitted shall not commence until an 'ecological construction management plan' has been submitted to and approved in writing by the local planning authority. The plan shall include measures to avoid / minimise the potential for impacts to species including badgers, hedgehogs, brown hares, harvest

mice and toads and shall refer to the specific protected species mitigation strategies, where relevant. The plan shall include:

- risk assessment of potentially damaging construction activities;
- identification of 'biodiversity protection zones';
- practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- the location and timing of sensitive works to avoid harm to biodiversity features;
- times during construction when specialist ecologists need to be present on site to oversee works;
- responsible persons and lines of communication;
- the role and responsibilities on site of an 'ecological clerk of works' (ECoW) or similarly competent person.

The approved 'ecological construction management plan' shall be fully complied with throughout the construction period.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

34. No vegetation clearance shall take place during bird nesting season (between 1st March and 31st August, inclusive, each year) unless carried out under professional ecological supervision and following assessment of the vegetation to be cleared. Should nesting birds in the vegetation intended for removal be found, the nests shall be protected with a buffer and clearance only undertaken once the young have fledged and a professional ecologist has agreed in writing to the developer that nesting birds are no longer present in the vegetation.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

35. No development shall commence until a detailed method statement to remove as necessary and prevent the spread of invasive species of cotoneaster and Japanese knotweed on and/or off site, has been submitted to and approved in writing by the local planning authority. Development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

36. Prior to the development hereby permitted first being open to the public, visitors or guests, measures (physical measures relating to the fabric of the development; and management measures relating to the operation of the development) to maximise the efficiency of water use (to reduce the water usage of the development as far as reasonably possible) shall be submitted to and approved in writing by the local planning authority. The approved physical and management measures shall be in place before the development is first brought into use and thereafter retained and maintained.

Reason: To promote water efficiency, with regard to paragraph 157 of the National Planning Policy Framework and draft Local Plan Policy SP1.

37. The development hereby permitted shall not commence until a detailed sustainable surface water drainage scheme (SuDS), to include a timetable for any works, has been submitted to and approved in writing by the local planning authority.

The SuDS shall demonstrate that surface water can be accommodated and disposed of for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be without increase to flood risk on or off-site.

The SuDS shall also demonstrate (i) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters; and (ii) appropriate operational, maintenance and access requirements for each drainage feature are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The SuDS 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, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5. 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.

38. Prior to the development hereby permitted first being open to the public, visitors or guests, a 'verification and management report', pertaining to the sustainable surface water drainage scheme (SuDS), prepared by a suitably competent person, shall be submitted to and approved in writing by the local planning authority.

The 'verification and management report' shall demonstrate that the SuDS constructed is consistent with that which was approved, with 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 the scheme; and the submission of an operation and maintenance manual for the SuDS as constructed.

Reason: To ensure that flood risks from development to the future users of the site 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 in accordance with the approved SuDS, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5.

39. The development hereby permitted shall not commence until details of foul drainage provision, adequate to serve the development, have been submitted to and approved in writing by the local planning authority. Prior to the development first being brought into use for the public, guests or visitors, the foul drainage provision shall be carried out in accordance with the approved details.

Reason: In order to ensure that the development is adequately served by drainage infrastructure in the interests of public health and the prevention of flooding generally, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5.

40. The operators of the development hereby permitted shall sign up to the Environment Agency's flood warning service; and the development shall not be brought into use to the public, guests and visitors until a flood risk management plan, to include actions to be taken by the management of the development on warning of or actual flood event, has been submitted and approved in writing by the local planning authority.

The development shall be operated in accordance with the approved flood risk management plan unless otherwise previously agreed in writing with the local planning authority.

Reason: To ensure risks of flooding are minimised, with regard to paragraph 173 of the National Planning Policy Framework.

41. The development hereby permitted shall not commence until details of availability and evidence of agreement of adequate water supply to serve the development have been submitted to and confirmed in writing by the local planning authority.

Reason: To ensure there will be adequate water provision / utility, in accordance with draft Local Plan Policy SP1.

42. No fixed plant shall be installed until an assessment of the fixed plant, in accordance with BS4142: 2014 'methods for rating and assessing industrial and commercial sound', and noise mitigation measures (so that the rated noise level does not exceed a value of 5 dB below the minimum external background noise, at a point 1 metre outside any façade / window of any residential premises and other such noise sensitive property) has been submitted to and approved in writing by the local planning authority.

In this assessment, background noise levels should be expressed in terms of the lowest LA90 15 mins during the proposed hours of operation; and the plant-specific noise level should be expressed as LAeqT and shall be representative of the plant operating at its maximum.

The fixed plant and mitigation measure shall be carried out in accordance with the approved details and maintained, unless otherwise previously agreed in writing with the local planning authority.

Reason: To maintain a suitable acoustic environment, with regard to paragraph 191 of the National Planning Policy Framework.

43. The development hereby permitted shall not commence until (i) a programme of investigative archaeological work, which has first been submitted to and approved in writing by the local planning authority, has been carried out and completed; and (ii) the recorded findings/evaluation of that investigative archaeological work, including any safeguarding measures necessary to ensure preservation in situ of any important

archaeological remains, have been submitted to, and agreed in writing by, the local planning authority.

Reason: To ensure that any features of archaeological interest are properly examined and recorded, with regard to paragraph 200 of the National Planning Policy Framework and draft Local Plan Policy SP15.

44. The operators of the ~~hotel~~ development shall put in place and implement a policy in perpetuity to not allow dogs to stay overnight at the ~~hotel~~ holiday lodges.

Reason: To manage visitor and recreational pressure at, and disturbance of, Betteshanger Country Park, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

45. No four wheel vehicles for recreational purposes (electric or otherwise) shall be used within Betteshanger Country Park, beyond use of the main access roadway and main car parking area.

Reason: To manage visitor and recreational pressure at, and disturbance of, Betteshanger Country Park, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

46. In the event that the operation of the surf lagoon ceases permanently following being brought into use; or development is commenced and construction works permanently cease without the surf lagoon being brought into use; a landscape and ecological restoration plan for the site, including timetable for the restoration works, shall be submitted to and approved in writing by the local planning authority.

The restoration works shall be carried out in accordance with the approved details.

Reason: To maintain the landscape and ecological value of the site in the event that development permanently ceases, with regard to paragraph 180 of the National Planning Policy Framework and draft Local Plan Policy NE2.

47. The development hereby permitted shall not commence until details of the finished ground floor level of the buildings and surf lagoon, expressed as AOD with reference to the existing and proposed surrounding ground levels, have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved finished ground levels, unless otherwise previously agreed in writing with the local planning authority.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

[REDACTED]

From: [REDACTED]
Sent: 21 August 2024 10:35
To: [REDACTED]
Subject: FW: Betteshanger - Planning Conditions
Attachments: [REDACTED] [to applicant] Draft conditions - 23-01095 - Hotel Scheme.docx; [REDACTED] [to applicant] Draft conditions - 22-01158 - Wave Pool Scheme.docx

Kind regards,

[REDACTED]



[REDACTED]
Planning & Development Manager
Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Email: [REDACTED]@dover.gov.uk
Web: <http://dover.gov.uk>

My working days are Tuesday to Friday

From: [REDACTED]
Sent: Wednesday, August 21, 2024 10:31 AM
To: [REDACTED]@DOVER.GOV.UK>; [REDACTED]@DOVER.GOV.UK>
Subject: FW: Betteshanger - Planning Conditions

Kind regards,

[REDACTED]



[REDACTED]
Planning & Development Manager
Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Email: [REDACTED]@dover.gov.uk
Web: <http://dover.gov.uk>

My working days are Tuesday to Friday

From: [REDACTED]
Sent: Tuesday, August 20, 2024 2:06 PM
To: [REDACTED]@akdc.co.uk>
Cc: [REDACTED]@nexusplanning.co.uk>
Subject: FW: Betteshanger - Planning Conditions

Hi [REDACTED]

I have spoken to [REDACTED] and she is happy with adding wording along the lines you suggested "as informed by an updated survey where necessary" to the individual species conditions and the CEMP condition. If you are happy to amend, please do, if not, Andy can you amend on your return.

Many thanks

[REDACTED]



Planning & Development Manager

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Email: [REDACTED]@dover.gov.uk

Web: <http://dover.gov.uk>

My working days are Tuesday to Friday

From: [REDACTED]
Sent: Tuesday, August 20, 2024 8:39 AM
To: [REDACTED]@akdc.co.uk>
Cc: [REDACTED]@dover.gov.uk>
Subject: RE: Betteshanger - Planning Conditions

Thanks [REDACTED] for the comments back on the conditions.

I have responded in line below – and with those comments there should, I hope, be agreement.

Re any need for updated surveys and your comments, we may need to have a further discussion with the ecology officer. Will update further.

Enclosed is an updated schedule for each development, with changes tracked for easy reference

Best

[REDACTED]

From: [REDACTED]@akdc.co.uk>
Sent: Monday, August 19, 2024 4:37 PM
To: [REDACTED]@nexusplanning.co.uk>
Cc: [REDACTED]@dover.gov.uk>
Subject: Re: Betteshanger - Planning Conditions

External Email: Please be aware. This email originated from outside the Nexus Planning corporate network. Do not take instructions, click on links or open attachments unless you recognise the sender and know the content is safe.

Hi [REDACTED]

Thank you for the draft lists of planning conditions for both applications. Please see below my comments on The SeaHive conditions. The Hotel planning conditions are agreed subject to any amendments agreed to the corresponding conditions which are shared by both applications being made.

Overall, we are happy that the conditions have been tightly drafted to focus on what they need to secure and wherever possible have avoided prior to commencement triggers unless absolutely necessary. The conditions also closely reflect the committee report conditions lists with only a small number of additions (restoration plan no.46 and finished floor levels no.47 in the case of The SeaHive; green roof no.6, finished floor levels nos. 43 & 45 and EA flood warning service no. 44 for the Hotel):

Condition 9 (Hotel Condition 10) - Our energy consultant has advised that 9 months is more realistic than the 3 months provided. The post-construction certificates have a 8-week timescale but as soon as a clarification is requested the 8-week clock restarts. From his experiences elsewhere, 9 months has been provided by condition and it is unusual for the certificates to be resolved within 3 months.

[We have frequently seen three months as a timetable. Nine months feels too long from occupation – suggest six](#)

Condition 10 (Hotel Condition 12) - There is duplication of the tree planting requirement from Schedule 1, Clause 14 of the S.106 here, but I think this can be accepted as the S.106 wording cross-references back to the approved soft landscaping planning condition details.

[Noted](#)

Condition 18 - No demolition is proposed or secured by the permission so I suggest that references are removed.

[Agreed – reference to demolition removed](#)

Conditions 20-25, 36 and 38-40 - all refer to 'public, visitors or guests' or 'public or visitors'. I'm not sure of the need to differentiate these terms for The SeaHive and perhaps we could simplify references throughout to just 'prior to first use'.

[This wording was at the preference of DDC officers: minded to keep as currently drafted](#)

Condition 21 (Hotel Condition 23) - Small typo, 'cycle parking' rather than 'cycling parking'.

[Noted - amended](#)

Condition 24 - The third bullet point refers to the Travel Plan Coordinator for the Hotel rather than surf resort.

[Noted - amended](#)

Condition 36 - Reduction of water usage 'as far as reasonable(typo) possible'. Is it possible for this to be more measurable/quantified or will everyone just need to behave reasonably when the details reserved by this condition are agreed?

By definition a condition cannot be unreasonable; and the condition by including 'as far as reasonably possible' further emphasises this. In this context, I would rather keep it open for you to suggest measures that are likely to only be known during the detailed design / fitout stage of development.

Condition 42 - I think guidance A1:2019 needs to be added as it is a relevant supplement/update to the standard quoted in this condition. BS guidance talks about designing to 5db below the 'typical' or 'prevailing' background noise level, which would suggest the average or mid-point in the noise data, not the 'minimum' referred to in this condition. I would suggest that 'minimum' is replaced with 'average', but if this is a standard requirement from DDC Environmental Health we would be able to accept either as in practice we don't foresee an issue.

From my experience this is fairly standard working. If, as you foresee, there would not be any issue with compliance, prefer to keep condition as drafted.

Condition 44 - Reference to Hotel should be surf wellness resort.

Noted (thanks) and updated

In terms of update surveys, there are some specific requirements for update surveys set out by the conditions in relation to Sussex Emerald, Badger and Beaver, whilst we would expect documents such as a CEMP and other mitigation strategies to be informed by appropriately up-to-date surveys. As such, we had anticipated update surveys would be undertaken in regard to habitats, breeding birds, riparian mammals (Water Vole, Otter and Beaver), reptiles, Fiery Clearwing and Sussex Emerald.

I don't see that a specific condition needs to be added relating to update surveys, although if you are seeking further comfort, wording such as 'to be informed by updated surveys as required' could be added to conditions such as the CEMP?

If it would be possible to send a final version of the conditions before the decisions are issued, that would be much appreciated so I can circulate to our team.

In terms of the S.106, this is just with The SeaHive's Directors for a final check today, but I should be able to get our final (relatively minor) changes and comments back to [REDACTED] by the end of tomorrow. If we could push to agree the S.106s this week, that would be great and would relieve a lot of pressure at our end.

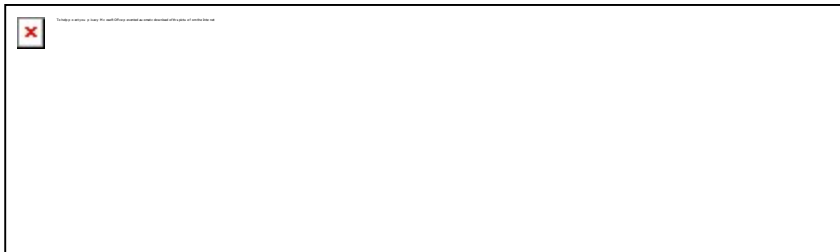
Many thanks

[REDACTED]

[REDACTED]

Email: [REDACTED]@akdc.co.uk

Tel: [REDACTED]



On Thu, 15 Aug 2024 at 15:46, [REDACTED]@nexusplanning.co.uk> wrote:

Hi [REDACTED]

Please find enclosed a draft schedule of conditions for each scheme.

One matter still live with officers, not reflected in the enclosed, is whether or not ecological survey work would need to be updated and reported if more than 18 months old ahead of commencement. No position on this has yet been reached, but I wanted to issue the conditions as currently drafted without further delay.

Any comments welcome.

Thanks

[REDACTED]

██████████
Associate Director

M ██████████
E ██████████@nexusplanning.co.uk



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nexusplanning.co.uk



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DOV/23/01095 Erection of a 120 bed hotel etc.
Draft Planning Conditions
~~15/08/24~~20/08/24

1. The development hereby permitted shall be begun before the expiration of 7 years from the date of this decision.

Reason: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any legislation revoking or re-enacting that legislation with or without modification).

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

22.0035 – 01	Site Location Plan
22.0035 – 02 – B	Existing and Proposed Block Plans
22.0035 – 03 – B	Existing Site Plan
22.0035 – 05 – F	Proposed Site Plan
22.0035 – 10 – B	Proposed Lower Ground Floor Plan
22.0035 – 11 – B	Proposed Ground Floor Plan
22.0035 – 12 – B	Proposed First Floor Plan
22.0035 – 13 – B	Proposed Second Floor Plan
22.0035 – 14 – B	Proposed Mezzanine Floor Plan
22.0035 – 15 – D	Proposed Roof Plan
22.0035 – 16 – E	Proposed Elevations
22.0035 – 17 – C	Proposed Elevations
22.0035 – 18 – D	Proposed Internal Elevations 1-1 & 2-2
22.0035 – 19 – A	Proposed Section 3-3 & 4-4
22.0035 – 20	Room Typologies
22.0035 – 21	Proposed Section 5-5

Reason: For the avoidance of doubt

3. No development above ground level shall take place until samples of materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

4. No development above ground level shall take place until details of the joinery and finish of the expressed timber frame, supporting the central atrium space, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

5. No development above ground level shall take place until details of the materials, joinery and finish of the window frames, window louvres and balconies (balustrades, soffits and side partitions), to include 1:20 cross sectional details, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

6. No development above ground level shall take place, until details of the green roof have been submitted to and approved in writing by the local planning authority. The green roof shall provide a mosaic of bare substrate, recolonising vegetation, grassland and wildflowers, together with rubble and log piles. Details shall include areas of planting, species of plant, creation of habitat features, means of establishment and management of the habitats and habitat features. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and biodiversity, with regard to paragraphs 131 and 186 of the National Planning Policy Framework and draft Local Plan Policy PM1.

7. No development above ground level shall take place until details of the depth and materials of the window reveals, to include 1:20 cross sectional details, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

8. No development above ground level shall take place until a scheme has been submitted to and approved in writing by the local planning authority setting out the measures to be taken to demonstrate compliance with the principles of Secured by Design. The development shall be carried out and thereafter maintained in accordance with the approved details, unless otherwise previously agreed in writing by the local planning authority.

Reason: To ensure the development seeks to address measures for the prevention of crime, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy SP2.

9. No development above ground level shall take place until details to demonstrate how at least 5% of hotel rooms will be wheelchair accessible have been submitted to and approved in writing by the local planning authority. The development shall be carried out and thereafter maintained in accordance with the approved details, unless otherwise previously agreed in writing by the local planning authority.

Reason: To ensure the development is accessible to wheelchair users, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy SP2.

10. No development above ground level shall take place until a 'design stage certificate' (prepared by an accredited Building Research Establishment Assessor) demonstrating

that the hotel building will achieve a minimum BREEAM rating of Very Good has been submitted to and approved in writing by the local planning authority.

Within ~~63~~ months of the hotel building first being brought into use by paying visitors or guests, evidence shall be submitted in the form of a 'post construction certificate' (prepared by an accredited Building Research Establishment Assessor) to demonstrate full compliance with the specified BREEAM standard for the development.

Reason: To ensure high standards of sustainable design and construction, with regard to Core Strategy Policy CP5 and draft Local Plan Policy CC1.

11. No development shall commence until a construction waste minimisation and recycling plan has been submitted to and approved in writing by the local planning authority. This should have regard to the Waste and Resources Strategy for England and other relevant guidance. The development shall be carried out in accordance with the approved details.

Reason: To ensure high standards of sustainable construction, with regard to draft Local Plan Policy CC2.

12. No development above ground level shall take place until a scheme for the landscaping of the site is submitted to and approved in writing by the local planning authority. These details shall include:
- i) schedules of new trees, shrubs and other species to be planted (noting species that shall be native, of local provenance and appropriate to their location; plant sizes; and numbers/densities);
 - ii) the identification of the existing trees and shrubs on the site to be retained (noting species, location and spread);
 - iii) habitat enhancement measures, including bat and bird boxes and log piles;
 - iv) any earth moving operations and finished levels/contours;
 - v) hard landscaping materials including for all made surfaces, retaining walls and steps / ramps across the site; and
 - vi) an implementation programme.

The scheme shall be carried out and completed prior to the hotel building first being brought into use by paying visitors or guests and thereafter maintained in accordance with the approved details.

In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the occupation of the development, a new tree or shrub or equivalent number of trees or shrubs, of a species and position first approved by the local planning authority, shall be planted and properly maintained.

Reason: In the interests of visual amenity and to help to assimilate the development into its surroundings, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy PM1.

13. The development hereby permitted shall not commence until details of the approach to (i) create / establish new reedbed habitat and (ii) manage / maintain that habitat in a favourable status have been submitted to and approved in writing by the local planning authority. Such details shall also include what the hydrological function of the reedbed habitat would be, in connection with existing watercourses and surface water drainage, as part of the development. The hotel building shall not be brought into use by paying visitors or guests until the reedbeds have been established in accordance with the approved details; and thereafter the reedbeds shall be managed in accordance with the approved details.

Reason: To secure reedbed habitat as part of the development for ecological reasons, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

14. No development shall commence until a tree and hedge protection scheme has been submitted to and approved in writing by the local planning authority. The protection scheme shall include a timetable for the works; identify the retained trees and hedges; and where excavations or changes to land levels or underground works are proposed that might affect the root protection area, the scheme shall detail the appropriate working methods (the arboricultural method statement) in accordance with British Standard BS 5837: 2012 (Trees in relation to design, demolition and construction). The scheme for the protection of the retained trees and hedges shall be carried out as approved.

In this condition "retained tree or hedge" means an existing tree or hedgerow which is to be retained in accordance with the submitted and approved plans and particulars.

If any retained tree or hedgerow is cut down, uprooted or destroyed or dies within 5 years of the completion of development, the tree/hedgerow shall be replaced by a tree/hedgerow of a similar type and species in the next planting season after the damage or loss.

Reason: To protect and prevent damage to existing trees and hedges on the application site, in the interests of visual and rural amenity, with regard to paragraph 136 of the National Planning Policy Framework and draft Local Plan Policy PM1.

15. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken, mitigation of environmental risks including to groundwater, and the methodology by which such piling will be carried out) has first been submitted to and approved in writing to by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure piling construction methods associated with the development do not pose an undue risk to the environment, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

16. No development shall commence until an intrusive geoenvironmental investigation and risk assessment has been undertaken by competent persons and a written report of the findings have been submitted to and approved in writing by the local planning authority. The submitted report shall include (i) an assessment of the nature, extent, scale and origin of any contamination on the site; and (ii) an assessment of any potential risks to human health, property (existing or proposed – including buildings, crops, livestock, pets, woodland and service lines and pipes), adjoining land, ground waters and surface waters, ecological systems and archaeological sites.

All work pursuant to this condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 186 and 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

17. If an intrusive geoenvironmental investigation and risk assessment shows that remediation is necessary, no development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings / other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority.

Such a scheme shall include details of all works to be undertaken, proposed remediation objectives / remediation criteria, a timetable of works, site management procedures and a verification plan. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved terms including the timetable. The local planning authority shall be given two weeks written notification of commencement of the remediation scheme works.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 186 and 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

18. No development shall commence until a verification report (demonstrating completion of the works of the approved remediation scheme and the effectiveness of the remediation (if necessary following details pursuant to Condition 15 and 16) has been submitted to and approved in writing by the local planning authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer-term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority. Any material imported to the site shall be laboratory certified as suitable for use.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 186 and 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

19. If, during the course of construction of the approved development, unforeseen contamination on the site is found to be present or caused, the occurrence shall be reported immediately to the local planning authority. Development shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, a remediation scheme shall be submitted to and approved in writing by the local planning authority. The approved remediation scheme shall be carried out; and a verification report to demonstrate the success of the remediation scheme submitted to and approved in writing by the local planning authority, before the development is resumed or continued.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 186 and 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

20. No development shall take place until an 'environmental ~~demolition~~/construction management plan' has been submitted to and approved in writing by the local planning authority. The said plan shall include details of:

- routing of vehicles to / from site; parking and turning areas for HGV's and site personnel;
- timing of HGV movements;
- provision and location of wheel washing facilities;
- temporary traffic management / signage as necessary;
- hoarding, construction compounds and temporary buildings;
- storage areas for chemicals and fuels;
- location of the refuelling of vehicles;
- disposal of water used for construction purposes;
- temporary lighting;
- measures for the control of dust;
- measures to control / minimise construction noise and vibrations;
- working hours; and
- procedures for complaint management.

The approved 'environmental ~~demolition~~/construction management plan' shall be fully complied with throughout the demolition and construction period.

Reason: These details are required prior to the commencement of development in the interests of minimising the impact of the development during the ~~demolition~~/construction phase.

21. No development shall commence until details of the management of surface water during the construction phase of development have been submitted to and approved in writing by the local planning authority. The construction phase of the development shall only be carried out in accordance with the approved surface water details.

Reason: To protect the surrounding environment and biodiversity from flood risk and pollution cause by unmanaged surface runoff during the construction phase of development, with regard to paragraph 175 and 186 of the National Planning Policy Framework and draft Local Plan Policy NE5.

22. The hotel development hereby permitted shall not be open to the public, visitors or guests until the car parking spaces shown on the approved plans have been provided. Thereafter those spaces shall be retained only for the purposes of car parking in relation with the development hereby permitted and the wider country park.

Reason: In the interests of providing appropriate car parking for the management of the country park and highway safety and convenience, with regard to draft Local Plan Policy TI3.

23. The hotel development hereby permitted shall not be open to the public, visitors or guests until cycle parking has been provided in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter the approved cycle parking shall be retained and used only for the purposes of cycle parking.

Reason: In the interests of promoting cycling as a sustainable means of travel, with regard to draft Local Plan Policy TI1.

24. The hotel development hereby permitted shall not be open to the public, visitors or guests until electric vehicle charging infrastructure has been provided in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter the approved electric vehicle charging infrastructure shall be maintained and kept available for the charging of electric vehicles.

Reason: In the interests of facilitating the use of electric vehicles as a more sustainable means of travel, with regard to draft Local Plan Policy TI1.

25. The hotel development hereby permitted shall not be open to the public, visitors or guests until a 'car parking management plan' and associated 'signage strategy' have been submitted to and approved in writing by the local planning authority. The hotel shall only be operated in accordance with the approved 'car parking management plan'; and signage required in connection with the 'signage strategy' shall be carried before the hotel building hereby permitted is first being open to the public, visitors or guests.

Reason: In the interests of providing appropriate car parking for the management of the country park and highway safety and convenience, with regard to draft Local Plan Policy TI3.

26. Prior to the hotel building hereby permitted first being open to the public, visitors or guests, a 'travel plan' shall be submitted to and approved in writing by the local planning authority. The travel plan shall include:
- the identification of targets for trip reduction and modal shift;
 - measures to be implemented to meet those targets;
 - details of a travel plan coordinator as part of the management of the hotel development;
 - a timetable / phasing of the implementation of the measures;

- mechanisms for monitoring and review;
- mechanisms for reporting;
- remedial measures to be applied in the event that targets are not met; and
- the mechanisms to secure variations to the 'full travel plan' following monitoring and reviews.

The development shall only be occupied and managed in accordance with the approved 'travel plan', unless otherwise previously agreed in writing by the local planning authority.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport, with regard to draft Local Plan Policy TI1.

27. No development above ground level shall take place until lighting details and a strategy for its operation, and an associated impact assessment for biodiversity, relating the site and adjacent land, shall be submitted to and approved in writing by the local planning authority. The lighting details and strategy shall:

a) identify those areas/features on site that, due to their potential for use by bats, are particularly sensitive to lighting impacts (including any biodiversity enhancement features);

b) include modelled illuminance from all proposed light sources, taking into account site configuration, physical screening and glazing measures to be used;

c) demonstrate how and where external lighting will be installed with regard to 'Guidance Note 08/23 Bats and Artificial Lighting at Night' (Bat Conservation Trust and Institution of Lighting Professionals) to minimise lighting impacts on sensitive biodiversity receptors.

All external lighting will be installed and thereafter maintained in accordance with the approved details and strategy, unless otherwise previously agreed in writing by the local planning authority.

Reason: In the interests of the visual amenity of the site / surrounding area; and to avoid significant ecological impacts to the site / surrounding area, with regard to paragraph 180 of the National Planning Policy Framework and draft Local Plan Policy NE2.

28. Prior to the hotel building hereby permitted first being open to the public, visitors or guests, measures (physical measures relating to the fabric of the development; and management measures relating to the operation of the development) to maximise the efficiency of water use (to reduce the water usage of the development as far as reasonable possible) shall be submitted to and approved in writing by the local planning authority. The approved physical and management measures shall be in place before the development is first brought into use and thereafter retained and maintained.

Reason: To promote water efficiency, with regard to paragraph 157 of the National Planning Policy Framework and draft Local Plan Policy SP1.

29. No development shall commence, including site / vegetation clearance, until details that a protected species licence has been obtained (issued by Natural England under

Regulation 16 of the Wildlife and Countryside Act 1981 (as amended)), in respect of the impacts of the development on fiery clearwing moths, have been submitted to the local planning authority.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

30. The development hereby permitted shall not commence until surveys for Sussex emerald moths have been undertaken and the results submitted to and approved in writing by the local planning authority to demonstrate that development will have no significant impact on Sussex emerald moths. The surveys shall be undertaken within 18 months prior to the commencement of development. Where the survey results indicate that Sussex emerald moths are present and will be impacted by the approved development, the local planning authority shall be provided with the Sussex emerald moth Licence issued by Natural England under Regulation 16 of the Wildlife and Countryside Act 1981 (as amended).

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

31. The development hereby permitted shall not commence until a detailed scheme of mitigation, to include a timetable for any works, in respect of avoiding significant impacts to water voles has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

32. The development hereby permitted shall not commence until a detailed scheme of mitigation in respect of avoiding significant impacts to reptiles, including the approach to clearing habitat from the site and translocation of reptiles as necessary, and to include a timetable for any works, has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

33. The development hereby permitted shall not commence until a detailed scheme of mitigation in respect of avoiding significant impacts to badgers, including identified badger setts, and to include a timetable for any works, has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

34. No development shall commence until an 'ecological construction management plan' has been submitted to and approved in writing by the local planning authority. The plan shall include measures to avoid / minimise the potential for impacts to species including badgers, hedgehogs, harvest mice and toads and shall refer to the specific protected species mitigation strategies, where relevant. The plan shall include:

- risk assessment of potentially damaging construction activities;
- identification of 'biodiversity protection zones';
- practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- the location and timing of sensitive works to avoid harm to biodiversity features;
- times during construction when specialist ecologists need to be present on site to oversee works;
- responsible persons and lines of communication; and
- the role and responsibilities on site of an 'ecological clerk of works' (ECoW) or similarly competent person.

The approved 'ecological construction management plan' shall be fully complied with throughout the construction period.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

35. No vegetation clearance shall take place during bird nesting season (between 1st March and 31st August each year) unless carried out under professional ecological supervision and following assessment of the vegetation to be cleared. Should nesting birds in the vegetation intended for removal be found, the nests shall be protected with a buffer and clearance only undertaken once the young have fledged and a professional ecologist has agreed in writing to the developer that that nesting birds are no longer present in the vegetation.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

36. The development hereby permitted shall not commence until additional survey and assessment work, along with any mitigation measures, in respect of potential impacts of development to beavers, and to include a timetable for any works, has been submitted to and approved in writing by the local planning authority. Any mitigation measures identified shall be carried out in accordance with the approved 'additional survey and assessment work'.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

37. The development hereby permitted shall not commence until a detailed sustainable surface water drainage scheme (SuDS), to include a timetable for any works, has been submitted to and approved in writing by the local planning authority.

The SuDS shall demonstrate that surface water can be accommodated and disposed of for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be without increase to flood risk on or off-site.

The SuDS shall also demonstrate (i) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters; and (ii) appropriate operational, maintenance and access requirements for each drainage feature are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The SuDS 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, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5. 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.

38. Prior to the hotel building hereby permitted first being open to the public, visitors or guests, a 'verification and management report', pertaining to the sustainable surface water drainage scheme (SuDS), prepared by a suitably competent person, shall be submitted to and approved in writing by the local planning authority.

The 'verification and management report' shall demonstrate that the SuDS constructed is consistent with that which was approved, with 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 the scheme; and the submission of an operation and maintenance manual for the SuDS as constructed.

Reason: To ensure that flood risks from development to the future users of the site 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 in accordance with the approved SuDS, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5.

39. The development hereby permitted shall not commence until details of foul drainage provision, adequate to serve the development, have been submitted to and approved in writing by the local planning authority. Prior to the hotel building first being brought into use for the public, guests or visitors, the foul drainage provision shall be carried out in accordance with the approved details.

Reason: In order to ensure that the development is adequately served by drainage infrastructure in the interests of public health and the prevention of flooding generally, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5.

40. The development hereby permitted shall not commence until (i) a programme of investigative archaeological work, which has first been submitted to and approved in writing by the local planning authority, has been carried out and completed; and (ii) the recorded findings/evaluation of that investigative archaeological work, including any safeguarding measures necessary to ensure preservation in situ of any important archaeological remains, have been submitted to, and agreed in writing by, the local planning authority.

Reason: To ensure that any features of archaeological interest are properly examined and recorded, with regard to paragraph 200 of the National Planning Policy Framework and draft Local Plan Policy SP15.

41. The operators of the hotel shall put in place and implement a policy in perpetuity to not allow dogs to stay overnight at the hotel.

Reason: To manage visitor and recreational pressure at, and disturbance of, Betteshanger Country Park, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

42. No four wheel vehicles for recreational purposes (electric or otherwise) shall be used within Betteshanger Country Park, beyond use of the main access roadway and main car parking area.

Reason: To manage visitor and recreational pressure at, and disturbance of, Betteshanger Country Park, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

43. The finished floor levels of the hotel building hereby permitted shall be no lower than 4.80m Above Ordnance Datum (AOD); and finished floor levels of facilities at lower ground floor shall be no lower than 1.65 AOD.

Reason: In the interests of ensuring development is safe and resilient to flood risk, with regard to paragraph 173 of the National Planning Policy Framework.

44. The operators of the development hereby permitted shall sign up to the Environment Agency's flood warning service; and the development shall not be brought into use to the public, guests and visitors until a flood risk management plan, to include actions to be taken by the management of the development on warning of or actual flood event, has been submitted and approved in writing by the local planning authority.

The development shall be operated in accordance with the approved flood risk management plan unless otherwise previously agreed in writing with the local planning authority.

Reason: To ensure risks of flooding are minimised, with regard to paragraph 173 of the National Planning Policy Framework.

45. The development hereby permitted shall not commence until details of the finished ground floor level of the hotel building, expressed as AOD with reference to the existing and proposed surrounding ground levels, have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved finished ground levels, unless otherwise previously agreed in writing with the local planning authority.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

DOV/22/01158 Construction of a surfing lagoon etc.
Draft Planning Conditions
~~15/08/24~~20/08/24

1. The development hereby permitted shall be begun before the expiration of 7 years from the date of this decision.

Reason: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any legislation revoking or re-enacting that legislation with or without modification).

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

- 21.0170 – 01 Site Location Plan
- 21.0170 – 03 – A Existing Site / Block Plan
- 21.0170 – 05 – B Proposed Site / Block Plan
- 21.0170 – 06 Proposed Site Sections A-A & B-B
- 21.0170 – 07 Proposed Site Sections C-C & D-D
- 21.0170 – 08 – P2 Proposed Site Context Plan
- 21.0170 – 10 Proposed Ground Floor Plan
- 21.0170 – 11 Proposed First Floor Plan
- 21.0170 – 12 Proposed Roof Plan
- 21.0170 – 15 Proposed East & West Elevations
- 21.0170 – 16 – A Proposed North & South Elevation and Section
- 21.0170 – 17 Wellness Centre – Proposed Ground Floor Plan
- 21.0170 – 18 Wellness Centre – Proposed Roof Plan
- 21.0170 – 19 Wellness Centre – Proposed Elevation A-A, B-B & C-C
- 21.0170 – 20 Wellness Centre – Proposed Elevation D-D & Section 1-1
- 21.0170 – 21 Learning Hub – Plans, Elevations & Section
- 21.0170 – 22 – A Holiday Lodge (8 person)
- 21.0170 – 23 – A Holiday Lodge (4 person)
- 21.0170 – 24 Board Storage & Repair & Practice Area
- WGC-EDL-ZZ-ZZ-DR-L-0100 R2 Landscape Masterplan
- KEN-DR-CIN-0300 Cove and Associated Areas
- KEN-DR-CIN-0310 Dimensions
- KEN-DR-CIN-0311 Sections
- KEN-DR-CIN-0320 Elements Identification
- KEN-DR-CIN-0320 Core Service Area

Reason: For the avoidance of doubt

3. No development above ground level of any building shall take place until samples of materials to be used in the construction of the external surfaces, including decking areas, of that building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

4. No development above ground level of any building shall take place, until details of the window frames and doors of that building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

5. No development above ground level shall take place, until details of the green roof on buildings across the site have been submitted to and approved in writing by the local planning authority. The green roofs shall provide a mosaic of bare substrate, recolonising vegetation, grassland and wildflowers, together with rubble and log piles. Details shall include areas of planting, species of plant, creation of habitat features, means of establishment and management of the habitats and habitat features. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and biodiversity, with regard to paragraphs 131 and 186 of the National Planning Policy Framework and draft Local Plan Policy PM1.

6. No development above ground level shall take place, until details of the materials and finish of the pedestrian bridge link have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Development shall not be occupied until the bridge link is in place and open for use.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

7. No development above ground level shall take place, until details of the boundary treatment / screening of the wave pool plant enclosure, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, with the approved boundary treatment / screening to be in place before occupation.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

8. No development above ground level shall take place until a scheme has been submitted to and approved in writing by the local planning authority setting out the measures to be taken to demonstrate compliance with the principles of Secured by Design. The development shall be carried out and thereafter maintained in accordance with the approved details, unless otherwise previously agreed in writing by the local planning authority.

Reason: To ensure the development seeks to address measures for the prevention of crime, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy SP2.

9. No development above ground level shall take place until a 'design stage certificate' (prepared by an accredited Building Research Establishment Assessor), demonstrating that the main hub building will achieve a minimum BREEAM rating of Very Good, has been submitted to and approved in writing by the local planning authority.

Within 63 months of the main hub building first being brought into use, evidence shall be submitted in the form of a 'post construction certificate' (prepared by an accredited Building Research Establishment Assessor) to demonstrate full compliance with the specified BREEAM standard for the development.

Reason: To ensure high standards of sustainable design and construction, with regard to Core Strategy Policy CP5 and draft Local Plan Policy CC1.

10. No development above ground level shall take place until a scheme for the landscaping (including tree planting) of the site is submitted to and approved in writing by the local planning authority. These details shall include:

i) schedules of new trees, shrubs and other species to be planted (noting species that shall be native, of local provenance and appropriate to their location; plant sizes; and numbers/densities);

ii) the identification of the existing trees and shrubs on the site to be retained (noting species, location and spread);

iii) habitat enhancement measures, including integrated bird bricks and bat boxes, bee bricks and brownfield habitat features;

iv) any earth moving operations and finished levels/contours;

v) hard landscaping materials including for all made surfaces, retaining walls and steps / ramps across the site; and

vi) an implementation programme.

The scheme shall be carried out and completed prior to the development first being brought into use and thereafter maintained in accordance with the approved scheme.

In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the occupation of the development, a new tree or shrub or equivalent number of trees or shrubs, of a species and position first approved by the local planning authority, shall be planted and properly maintained.

Reason: In the interests of visual amenity and to help to assimilate the development into its surroundings, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy PM1.

11. No development above ground level shall take place, until details of the landscaped bunding and boundary treatment of the site have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, with the approved boundary treatment to be in place before occupation.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

12. No development shall commence until a tree and hedge protection scheme has been submitted to and approved in writing by the local planning authority. The protection scheme shall identify the retained trees and hedges; a timetable for the works; and where excavations or changes to land levels or underground works are proposed that might affect the root protection area, the scheme shall detail the appropriate working methods (the arboricultural method statement) in accordance with British Standard BS 5837: 2012 (Trees in relation to design, demolition and construction). The scheme for the protection of the retained trees and hedges shall be carried out as approved.

In this condition "retained tree or hedge" means an existing tree or hedgerow which is to be retained in accordance with the submitted and approved plans and particulars.

If any retained tree or hedgerow is cut down, uprooted or destroyed or dies within 5 years of the completion of development, the tree/hedgerow shall be replaced by a tree/hedgerow of a similar type and species in the next planting season after the damage or loss.

Reason: To protect and prevent damage to existing trees and hedges on the application site, in the interests of visual and rural amenity, with regard to paragraph 136 of the National Planning Policy Framework and draft Local Plan Policy PM1.

13. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken, mitigation of environmental risks including to groundwater, and the methodology by which such piling will be carried out) has first been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure piling construction methods associated with the development do not pose an undue risk to the environment, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

14. No development shall commence until an intrusive geoenvironmental investigation and risk assessment has been undertaken by competent persons and a written report of the findings have been submitted to and approved in writing by the local planning authority. The submitted report shall include (i) an assessment of the nature, extent, scale and origin of any contamination on the site; and (ii) an assessment of any potential risks to human health, property (existing or proposed – including buildings, crops, livestock, pets, woodland and service lines and pipes), adjoining land, ground waters and surface waters, ecological systems and archaeological sites.

All work pursuant to this condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with

regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

15. If an intrusive geoenvironmental investigation and risk assessment shows that remediation is necessary, no development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings / other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority

Such a scheme shall include details of all works to be undertaken, proposed remediation objectives / remediation criteria, a timetable of works, site management procedures and a verification plan. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved terms including the timetable. The local planning authority shall be given two weeks written notification of commencement of the remediation scheme works.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

16. No development shall commence until a verification report (demonstrating completion of the works of the approved remediation scheme and the effectiveness of the remediation (if necessary following details pursuant to Condition 14 and 15) has been submitted to and approved in writing by the local planning authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer-term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority. Any material imported to the site shall be laboratory certified as suitable for use.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

17. If, during the course of construction of the approved development, unforeseen contamination on the site is found to be present or caused, the occurrence shall be reported immediately to the local planning authority. Development shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, a remediation scheme shall be submitted to and approved in writing by the local planning authority. The approved remediation scheme shall be carried out; and a verification report to demonstrate the success of the remediation scheme submitted to and approved in writing by the local planning authority, before the development is resumed or continued.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

18. No development shall take place until an 'environmental ~~demolition~~/construction management plan' has been submitted to and approved in writing by the local planning authority. The said plan shall include details of:

- routing of vehicles to / from site; parking and turning areas for HGV's and site personnel;
- timing of HGV movements;
- provision and location of wheel washing facilities;
- temporary traffic management / signage as necessary;
- hoarding, construction compounds and temporary buildings;
- storage areas for chemicals and fuels;
- location of the refuelling of vehicles;
- disposal of water used for construction purposes;
- temporary lighting;
- measures for the control of dust;
- measures to control / minimise construction noise;
- working hours; and
- procedures for complaint management.

The approved 'environmental ~~demolition~~/construction management plan' shall be fully complied with throughout the demolition and construction period.

Reason: These details are required prior to the commencement of development in the interests of minimising the impact of the development during the ~~demolition~~/construction phase.

19. No development shall commence until details of the management of surface water during the construction phase of development have been submitted to and approved in writing by the local planning authority. The construction phase of the development shall only be carried out in accordance with the approved surface water details.

Reason: To protect the surrounding environment and biodiversity from flood risk and pollution cause by unmanaged surface runoff during the construction phase of development, with regard to paragraph 175 and 186 of the National Planning Policy Framework and draft Local Plan Policy NE5.

20. The development hereby permitted shall not be open to the public, visitors or guests until the car parking spaces shown on the approved plans have been provided. Thereafter those space retained shall be retained only for the purposes of car parking in relation with the development hereby permitted and the wider country park.

Reason: In the interests of providing appropriate car parking for the management of the country park and highway safety and convenience, with regard to draft Local Plan Policy TI3.

21. The development hereby permitted shall not be open to the public, visitors or guests until cycle parking has been provided in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter the approved cycle~~ing~~ parking shall be retained and used only for the purposes of cycle parking.

Reason: In the interests of promoting cycling as a sustainable means of travel, with regard to draft Local Plan Policy TI1.

22. The development hereby permitted shall not be open to the public, visitors or guests until electric vehicle charging infrastructure has been provided in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter the approved electric vehicle charging infrastructure shall be maintained and kept available for the charging of electric vehicles.

Reason: In the interests of facilitating the use of electric vehicles as a more sustainable means of travel, with regard to draft Local Plan Policy TI1.

23. The development hereby permitted shall not be open to the public, visitors or guests until a 'car parking management plan' and associated 'signage strategy' have been submitted to and approved in writing by the local planning authority. The development shall only be operated in accordance with the approved 'car parking management plan'; and signage required in connection with the 'signage strategy' shall be carried before the development hereby permitted is first open to the public, visitors or guests.

Reason: In the interests of providing appropriate car parking for the management of the country park and highway safety and convenience, with regard to draft Local Plan Policy TI3.

24. Prior to the development hereby permitted first being open to the public or visitors, a 'travel plan' shall be submitted to and approved in writing by the local planning authority. The travel plan shall include:

- the identification of targets for trip reduction and modal shift;
- measures to be implemented to meet those targets;
- details of a travel plan coordinator as part of the management of the ~~hotel~~ development;
- a timetable / phasing of the implementation of the measures;
- mechanisms for monitoring and review;
- mechanisms for reporting;
- remedial measures to be applied in the event that targets are not met; and
- the mechanisms to secure variations to the 'full travel plan' following monitoring and reviews.

The development shall only be occupied and managed in accordance with the approved 'travel plan', unless otherwise previously agreed in writing by the local planning authority.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport, with regard to draft Local Plan Policy TI1.

25. Prior to the development hereby permitted first being open to the public, visitors or guests, lighting details and a strategy for its operation, and an associated impact assessment for biodiversity, relating the site and adjacent land, shall be submitted to and approved in writing by the local planning authority. The lighting details and strategy shall:

a) identify those areas/features on site that, due to their potential for use by bats, are particularly sensitive to lighting impacts (including any biodiversity enhancement features);

b) include modelled illuminance from all proposed light sources, taking into account site configuration, physical screening and glazing measures to be used;

c) demonstrate how and where external lighting will be installed with regard to 'Guidance Note 08/23 Bats and Artificial Lighting at Night' (Bat Conservation Trust and Institution of Lighting Professionals) to minimise lighting impacts on sensitive biodiversity receptors.

All external lighting will be installed and thereafter maintained in accordance with the approved details and strategy, unless otherwise previously agreed in writing by the local planning authority.

Reason: In the interests of the visual amenity of the site / surrounding area; and to avoid significant ecological impacts to the site / surrounding area, with regard to paragraph 180 of the National Planning Policy Framework and draft Local Plan Policy NE2.

26. No external lighting of the surfing lagoon shall take place before 06.30 or after 21.30 each day.

Reason: In the interests of the visual amenity of the site / surrounding area; and to avoid significant ecological impacts to the site / surrounding area, with regard to paragraph 180 of the National Planning Policy Framework and draft Local Plan Policy NE2.

27. No development shall commence, including site / vegetation clearance, until details that a protected species licence has been obtained (issued by Natural England under Regulation 16 of the Wildlife and Countryside Act 1981 (as amended)), in respect of impacts of the development on fiery clearwing moths, have been submitted to the local planning authority.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

28. The development hereby permitted shall not commence until surveys for Sussex emerald moths have been undertaken and the results submitted to and approved in writing by the local planning authority to demonstrate that development will have no significant impact on Sussex emerald moths. The surveys shall be undertaken within 18 months prior to the commencement of development. Where the survey results indicate that Sussex emerald moths are present and will be impacted by the approved development, the local planning authority shall be provided with the Sussex emerald

moth Licence issued by Natural England under Regulation 16 of the Wildlife and Countryside Act 1981 (as amended).

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

29. No development shall commence, including site / vegetation clearance, until details that a protected species licence has been obtained (issued by Natural England under Regulation 16 of the Wildlife and Countryside Act 1981 (as amended)), in respect of the impacts of the development on lizard orchids, have been submitted to the local planning authority.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

30. The development hereby permitted shall not commence until a detailed scheme of mitigation in respect of avoiding significant impacts to reptiles, including the approach to clearing habitat from the site and translocation of reptiles as necessary, and to include a timetable for any works, has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

31. No development shall commence until additional survey and assessment work, along with any mitigation measures, in respect of potential impacts of development to badgers, has been submitted to and approved in writing by the local planning authority. Any mitigation measures identified shall be carried out in accordance with the approved 'additional survey and assessment work'.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

32. Development shall not be occupied until a scheme of compensatory habitat creation in respect of skylarks has been carried out in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

33. The development hereby permitted shall not commence until an 'ecological construction management plan' has been submitted to and approved in writing by the local planning authority. The plan shall include measures to avoid / minimise the potential for impacts to species including badgers, hedgehogs, brown hares, harvest

mice and toads and shall refer to the specific protected species mitigation strategies, where relevant. The plan shall include:

- risk assessment of potentially damaging construction activities;
- identification of 'biodiversity protection zones';
- practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- the location and timing of sensitive works to avoid harm to biodiversity features;
- times during construction when specialist ecologists need to be present on site to oversee works;
- responsible persons and lines of communication;
- the role and responsibilities on site of an 'ecological clerk of works' (ECoW) or similarly competent person.

The approved 'ecological construction management plan' shall be fully complied with throughout the construction period.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

34. No vegetation clearance shall take place during bird nesting season (between 1st March and 31st August, inclusive, each year) unless carried out under professional ecological supervision and following assessment of the vegetation to be cleared. Should nesting birds in the vegetation intended for removal be found, the nests shall be protected with a buffer and clearance only undertaken once the young have fledged and a professional ecologist has agreed in writing to the developer that nesting birds are no longer present in the vegetation.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

35. No development shall commence until a detailed method statement to remove as necessary and prevent the spread of invasive species of cotoneaster and Japanese knotweed on and/or off site, has been submitted to and approved in writing by the local planning authority. Development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

36. Prior to the development hereby permitted first being open to the public, visitors or guests, measures (physical measures relating to the fabric of the development; and management measures relating to the operation of the development) to maximise the efficiency of water use (to reduce the water usage of the development as far as reasonably possible) shall be submitted to and approved in writing by the local planning authority. The approved physical and management measures shall be in place before the development is first brought into use and thereafter retained and maintained.

Reason: To promote water efficiency, with regard to paragraph 157 of the National Planning Policy Framework and draft Local Plan Policy SP1.

37. The development hereby permitted shall not commence until a detailed sustainable surface water drainage scheme (SuDS), to include a timetable for any works, has been submitted to and approved in writing by the local planning authority.

The SuDS shall demonstrate that surface water can be accommodated and disposed of for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be without increase to flood risk on or off-site.

The SuDS shall also demonstrate (i) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters; and (ii) appropriate operational, maintenance and access requirements for each drainage feature are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The SuDS 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, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5. 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.

38. Prior to the development hereby permitted first being open to the public, visitors or guests, a 'verification and management report', pertaining to the sustainable surface water drainage scheme (SuDS), prepared by a suitably competent person, shall be submitted to and approved in writing by the local planning authority.

The 'verification and management report' shall demonstrate that the SuDS constructed is consistent with that which was approved, with 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 the scheme; and the submission of an operation and maintenance manual for the SuDS as constructed.

Reason: To ensure that flood risks from development to the future users of the site 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 in accordance with the approved SuDS, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5.

39. The development hereby permitted shall not commence until details of foul drainage provision, adequate to serve the development, have been submitted to and approved in writing by the local planning authority. Prior to the development first being brought into use for the public, guests or visitors, the foul drainage provision shall be carried out in accordance with the approved details.

Reason: In order to ensure that the development is adequately served by drainage infrastructure in the interests of public health and the prevention of flooding generally, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5.

40. The operators of the development hereby permitted shall sign up to the Environment Agency's flood warning service; and the development shall not be brought into use to the public, guests and visitors until a flood risk management plan, to include actions to be taken by the management of the development on warning of or actual flood event, has been submitted and approved in writing by the local planning authority.

The development shall be operated in accordance with the approved flood risk management plan unless otherwise previously agreed in writing with the local planning authority.

Reason: To ensure risks of flooding are minimised, with regard to paragraph 173 of the National Planning Policy Framework.

41. The development hereby permitted shall not commence until details of availability and evidence of agreement of adequate water supply to serve the development have been submitted to and confirmed in writing by the local planning authority.

Reason: To ensure there will be adequate water provision / utility, in accordance with draft Local Plan Policy SP1.

42. No fixed plant shall be installed until an assessment of the fixed plant, in accordance with BS4142: 2014 'methods for rating and assessing industrial and commercial sound', and noise mitigation measures (so that the rated noise level does not exceed a value of 5 dB below the minimum external background noise, at a point 1 metre outside any façade / window of any residential premises and other such noise sensitive property) has been submitted to and approved in writing by the local planning authority.

In this assessment, background noise levels should be expressed in terms of the lowest LA90 15 mins during the proposed hours of operation; and the plant-specific noise level should be expressed as LAeqT and shall be representative of the plant operating at its maximum.

The fixed plant and mitigation measure shall be carried out in accordance with the approved details and maintained, unless otherwise previously agreed in writing with the local planning authority.

Reason: To maintain a suitable acoustic environment, with regard to paragraph 191 of the National Planning Policy Framework.

43. The development hereby permitted shall not commence until (i) a programme of investigative archaeological work, which has first been submitted to and approved in writing by the local planning authority, has been carried out and completed; and (ii) the recorded findings/evaluation of that investigative archaeological work, including any safeguarding measures necessary to ensure preservation in situ of any important

archaeological remains, have been submitted to, and agreed in writing by, the local planning authority.

Reason: To ensure that any features of archaeological interest are properly examined and recorded, with regard to paragraph 200 of the National Planning Policy Framework and draft Local Plan Policy SP15.

44. The operators of the ~~hotel~~ development shall put in place and implement a policy in perpetuity to not allow dogs to stay overnight at the ~~hotel~~ holiday lodges.

Reason: To manage visitor and recreational pressure at, and disturbance of, Betteshanger Country Park, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

45. No four wheel vehicles for recreational purposes (electric or otherwise) shall be used within Betteshanger Country Park, beyond use of the main access roadway and main car parking area.

Reason: To manage visitor and recreational pressure at, and disturbance of, Betteshanger Country Park, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

46. In the event that the operation of the surf lagoon ceases permanently following being brought into use; or development is commenced and construction works permanently cease without the surf lagoon being brought into use; a landscape and ecological restoration plan for the site, including timetable for the restoration works, shall be submitted to and approved in writing by the local planning authority.

The restoration works shall be carried out in accordance with the approved details.

Reason: To maintain the landscape and ecological value of the site in the event that development permanently ceases, with regard to paragraph 180 of the National Planning Policy Framework and draft Local Plan Policy NE2.

47. The development hereby permitted shall not commence until details of the finished ground floor level of the buildings and surf lagoon, expressed as AOD with reference to the existing and proposed surrounding ground levels, have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved finished ground levels, unless otherwise previously agreed in writing with the local planning authority.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

[REDACTED]

From: [REDACTED]
Sent: 28 August 2024 13:13
To: [REDACTED]
Subject: Final set of conditions

Hi [REDACTED]

Could you forward me the final set of conditions for the Betteshanger apps and copy [REDACTED] and [REDACTED] in.

Many thanks

Kind regards,

[REDACTED]



[REDACTED]
Planning & Development Manager

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Email: [REDACTED]@dover.gov.uk

Web: <http://dover.gov.uk>

My working days are Tuesday to Friday

[REDACTED]

From: [REDACTED]
Sent: 29 August 2024 18:37
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Seahive Development s106 Agreement
Attachments: SeaHive Draft s.106 DDC amends with Knights Tracked Changes_DDC (29.08.24).docx

Hi [REDACTED]

I have made some further, and relatively minor, amends and attach the revised track changes doc. I have accepted the vast majority of the amends made by [REDACTED] and [REDACTED] but wanted to give you and [REDACTED] sight of it before I prepare engrossments.

[REDACTED] would you give me a call tomorrow morning on [REDACTED] to discuss how best to expedite the preparation of engrossments and execution of the deeds.

Kind regards

[REDACTED]



[REDACTED]
Principal Solicitor - Planning
Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Tel: [REDACTED]
Mob: [REDACTED]
Email: [REDACTED]@DOVER.GOV.UK
Web: <http://dover.gov.uk>

Please consider the Environment before printing this email

From: [REDACTED]@akdc.co.uk>
Sent: 27 August 2024 11:02
To: [REDACTED]@DOVER.GOV.UK>
Cc: [REDACTED]@dover.gov.uk>; [REDACTED]@DOVER.GOV.UK>; Ben [REDACTED]
[REDACTED]@quinn-estates.com>
Subject: Re: Seahive Development s106 Agreement

Hi [REDACTED]

I hope you are well - Just to let you know that I am away from tomorrow for eight days (28th August - 5th September). Following your review of our final suggested amendments, we are now happy for you to issue final versions of both S.106 agreements that DDC are comfortable with for us to arrange to be signed.

If you could keep [REDACTED] copied in on any engrossments while I'm away that would be very much appreciated.

Many thanks

█
█
Email: █@akdc.co.uk

Tel: █



On Wed, 21 Aug 2024 at 10:34, █@akdc.co.uk> wrote:

Hi █

Thank you for the latest draft of the SeaHive S.106. Please see attached with what we hope are our final changes and comments.

This has been reviewed by █ at Knights and SeaHive's solicitors. I've made comments in the draft to provide some context as I don't believe the changes move away from what was intended in your previous version and can hopefully be quite straightforward to agree.

The main change is that we've provided what we feel is a clearer definition for the overarching management and monitoring plan, which captures the interrelationship referred to in the committee report. We've also moved the overarching plan obligations to the top of the Schedule and reordered clause 3, so that the Habitat and Biodiversity Enhancement Scheme is agreed, delivered and then monitored in chronological order.

Hopefully the changes are self-explanatory and the comments are helpful.

Please let me know if you have any questions before we finalise both agreements.

Kind regards

█

█

Email: █@akdc.co.uk

Tel: █



On Fri, 9 Aug 2024 at 17:49, [REDACTED]@dover.gov.uk> wrote:

Hi [REDACTED]

Please find the latest iteration of the draft attached.

As we have discussed on the phone, I have reinstated some of the previous wording relating to the overarching plan (the Country Park Ecological Management and Monitoring Plan). This is, in my view, what para 2.220 of the committee report was referring to. I have also, following discussion with the Council's SNEO, moved all of the BNG requirements into the provisions of the Habitat and Biodiversity Enhancement and Management Scheme as this is the more logical home for it.

Hopefully, most of the amendments are self-explanatory. There isn't a lot that is new but there is a bit of moving around of provisions.

I do not appear to have [REDACTED] email address so I would be grateful if you would forward it on to him (and to Seahive's solicitor as well).

Kind regards

[REDACTED]



[REDACTED]
Principal Solicitor - Planning

Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Tel: [REDACTED]

Mob: [REDACTED]
Email: [REDACTED]@DOVER.GOV.UK

Web: <http://dover.gov.uk>

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DATED

2024

(1) DOVER DISTRICT COUNCIL

and

(2) BETTESHANGER PROPERTY LIMITED

and

(3) THESEAHIVE LIMITED

DEED OF AGREEMENT

Pursuant to Section 106 of The Town and Country Planning Act 1990 (as amended)
relating to land at Betteshanger Country Park, Sandwich Road, Sholden CT14 0BF

PLANNING APPLICATION NUMBER: 22/01158

Seahive Development

Knights
Midland House
West Way
Botley 34426522_1
Oxford OX2 0PH

CONTENTS

CLAUSE

1.	INTERPRETATION.....	3
2.	RECITALS.....	6
3.	STATUTORY PROVISIONS.....	6
4.	CONDITIONALITY ^{gb}	6
5.	COVENANTS.....	7
6.	INTEREST.....	7
7.	GENERAL PROVISIONS.....	7
8.	INDEXATION.....	9
9.	LOCAL LAND CHARGE.....	9
10.	COSTS.....	9
11.	REASONABLENESS.....	9
12.	CANCELLATION OF ENTRIES.....	9
13.	DISPUTES.....	9
14.	AGREEMENTS AND DECLARATIONS.....	10
15.	NOTICES.....	10
16.	THIRD PARTY RIGHTS.....	11
17.	VALUE ADDED TAX.....	11
18.	GOVERNING LAW.....	11

SCHEDULES

SCHEDULE 1.....	
BIODIVERSITY ENHANCEMENTS.....	Error! Bookmark not defined.12
SCHEDULE 2.....	
COMMUNITY INITIATIVES AND APPRENTICESHIP SCHEMES.....	Error! Bookmark not defined.327
SCHEDULE 3.....	
SAMM CONTRIBUTION.....	31Error! Bookmark not defined.6
SCHEDULE 4.....	
SHUTTLE BUS SERVICE WHITFIELD A2 ROUNDABOUT WORKS CONTRIBUTION CONTRIBUTION	32Error! Bookmark not defined.7
SCHEDULE 5.....	
WHITFIELD A2 ROUNDABOUT WORKS CONTRIBUTION HIGHWAY WORKS	Error! Bookmark not defined.33
SCHEDULE 6.....	
COUNCIL'S COVENANTS HIGHWAYS WORKS	34Error! Bookmark not defined.9
SCHEDULE 7.....	
COUNCIL'S COVENANTS.....	35

APPENDIX

APPENDIX A - SITE PLAN.....	2038
APPENDIX B – HABITAT COMPENSATION MEASURES PLAN.....	404

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APPENDIX C – HIGHWAY WORKS DRAWING	423
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Commented [REDACTED] To be reviewed and updated.

THIS DEED is dated

2024

BETWEEN

- (1) **DOVER DISTRICT COUNCIL** of Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ ("the **Council**");
- (2) **BETTESHANGER PROPERTY LIMITED** incorporated and registered in England and Wales with company registration number 12220590 and whose registered office is at The Cow Shed, Highland Court Farm, Bridge, Canterbury CT4 5HW ("**Owner**"); and
- (3) **THE-SEAHIVE LIMITED** incorporated and registered in England and Wales with company number 13217060 whose registered office is at Nucleus House, 2nd Floor, 2 Lower Mortlake Road, Richmond TW9 2JA ("**Seahive**").

AGREED TERMS

1. INTERPRETATION

The following definitions and rules of interpretation apply in this Deed:

1.1 Definitions:

Commencement of Development: the carrying out in relation to the Development of any material operation as defined by section 56(4) of the TCPA 1990 but disregarding for the purposes of this Deed and for no other purpose, the following operations: operations in connection with any archaeological investigations, habitat creation and planting works of excavation; demolition site clearance; diversion of services; installation of services for construction purposes only; site or soil investigations remedial action in respect of any contamination; landscaping works; provision of construction access; noise attenuation works; or the erection of hoardings and fences and "Commence Development" and "Commenced" shall be construed accordingly.

County Council: The Kent County Council of Sessions House, County Hall, County Hall, Maidstone, Kent ME14 1XQ (or any successor in function for the relevant purposes of this Deed);

Development: means the development of the Site by the erection of a surfing lagoon and pools, hub building (to include

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café/restaurant/bar lounge, shop, hiring and changing facilities and multi-use space), 15 overnight holiday pods, learning hive, yoga studio, fitness/health and wellbeing facilities, bike/pumptrack and associated roads, paths, car and cycle parking, together with landscaping and necessary access works and associated site infrastructure. (Re-consultation: additional/revised information including: re-positioned holiday lodge; revised parking arrangement; updated ecological appraisal; updated flood risk assessment & drainage strategy; habitat regulations assessment information; transport response; and visitor management and turtle dove strategy).

Index Linked:

increased in accordance with the following formula:

Amount payable = the payment specified in this Deed x (A/B) where:

A= the figure for the Retail Prices Index (All Items) that applied immediately preceding the date the payment is due.

B= the figure for the Retail Prices Index (All Items) or any such alternative index or comparable measure of price inflation as the Owner and the Council may agree in writing that applied when the index was last published prior to the date of this Deed.

Commented [REDACTED] RPI is due to be replaced in 2030 and so will need to include wording which provides for this (as monitoring contribution index linked for 30 years) - either within this definition or by defining Retail Prices Index (All Items). Suggest: ...or any such alternative index or comparable measure of price inflation as the Owner and the Council may agree in writing

Commented [REDACTED] Agreed

Interest:

interest at 4% per annum above the base rate from time to time of the Bank of England.

Occupation:

occupation of any building or other part of the Development for the purposes permitted by the Planning Permission or a Section 73 Permission but shall not include occupation for the purposes of construction or fitting out or for marketing purposes or security operations and **Occupy** and **Occupied** shall be construed accordingly.

Planning Application:

means the application for full Planning Permission for the Development submitted to the Council under reference number 22/01158.

Planning Permission:

means any planning permission granted for the Development pursuant to the Planning Application as may from time to time be amended by the approval of a non-material amendment pursuant to Section 96A of the TCPA 1990 and Section 73 Permission unless the Council requires otherwise.

Site:	land at Betteshanger Country Park, Sandwich Road, Sholden CT14 0BF against which this Deed may be enforced as shown edged red on the Site Plan.
Site Plan:	the plan with drawing number 01 annexed hereto at Appendix A.
Section 73 Permission:	a planning permission which may be granted by way of approval of an application under Section 73 of the TCPA 1990 permitting the Development subject to conditions which differ from the conditions of the Planning Permission.
TCPA 1990:	Town and Country Planning Act 1990.
VAT:	means value added tax chargeable under the Value Added Tax Act 1994 and any similar replacement tax and any similar additional tax.
Working Day:	any day which is not a Saturday, a Sunday, a bank holiday or a public holiday in England.

- 1.2 Clause headings shall not affect the interpretation of this Deed.
- 1.3 A **person** includes a natural person, corporate or unincorporated body (whether or not having separate legal personality).
- 1.4 A reference to a **company** shall include any company, corporation or other body corporate, wherever and however incorporated or established.
- 1.5 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.
- 1.6 Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.
- 1.7 A reference to any party shall include that party's personal representatives, successors and permitted assigns and in the case of the Council the successors to its respective statutory functions.
- 1.8 Unless the context otherwise requires, a reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.
- 1.9 Unless the context otherwise requires, a reference to a statute or statutory provision shall include any subordinate legislation made from time to time under that statute or statutory provision.
- 1.10 A reference to **writing** or **written** includes fax but not e-mail.
- 1.11 A reference to **this Deed** or to any other deed or document referred to in this Deed is a reference to this Deed or such other deed or document as varied or novated (in each case, other than in breach of the provisions of this Deed) from time to time.
- 1.12 References to clauses and Schedules are to the clauses and Schedules of this Deed.

- 1.13 An obligation on a party not to do something includes an obligation not to allow that thing to be done.
- 1.14 Any words following the terms **including, include, in particular, for example** or any similar expression shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms.
- 1.15 Where an obligation falls to be performed by more than one person, the obligation can be enforced against every person so bound jointly and against each of them individually.

2. RECITALS

- 2.1 The Owner is the registered proprietor of the freehold of the Site (and of the Wider Country Park as defined in Schedule 1) under title number K816722 subject to the charges described in this Deed (if any) but otherwise free from encumbrances.
- 2.2 The Council is the local planning authority for the purposes of this Deed within the meaning of Part III of the TCPA 1990 for the area within which the Site is situated and by whom the relevant obligations in this Deed are enforceable.

2.3 The County Council is the local highway authority for the purposes of this Deed for the area within which the Site is situated.

2.32.4 Seahive entered into an agreement for lease with the Owner on 26 August 2022 to take a lease of the Site subject to the grant of a satisfactory planning permission.

2.42.5 Seahive by the Planning Application has applied to the Council for Planning Permission for the Development. At a meeting of its Planning Committee on 7 March 2024 the Council resolved to approve the Planning Application subject to the prior completion of this Deed.

2.52.6 The Owner and Seahive have agreed to enter into this Deed pursuant to the provisions of the TCPA 1990 upon the terms and conditions hereinafter appearing with the intent that it should be binding not only upon the Owner but also upon any person deriving title from the Owner as provided by Section 106 of the TCPA 1990 and any persons claiming through under or in trust from them.

3. STATUTORY PROVISIONS

- 3.1 This Deed constitutes a planning obligation for the purposes of section 106 of the TCPA 1990, section 111 of the Local Government Act 1972, section 1 of the Localism Act 2011 and any other enabling powers.
- 3.2 The covenants, restrictions and obligations contained in this Deed are planning obligations for the purposes of section 106 of the TCPA 1990 and are entered into by the Owner with the intention that they bind the interests held by the Owner in the Site and its respective successors and assigns.
- 3.3 The covenants, restrictions and obligations contained in this Deed are enforceable by the Council in accordance with section 106 of the TCPA 1990.

4. CONDITIONALITY

This Deed is conditional on:

4.1 the issue of the Planning Permission, and

4.2 Commencement of Development

with the exception of clauses 1 to 4, clause 7, clause 9, clause 10, clause 12.1, clause 13, clause 14, clause 17, clause 18, ~~(which take effect immediately)~~ and paragraphs 2.1, 2.2, 3.1, 3.2, 5.1, 5.2, 6.1, 6.2, 7.1, 7.2, ~~8.1, 8.2, 10.1, 10.2, 11.1, 11.2, 12.1, 12.2, 14.1 and 14.2~~ of Schedule 1; paragraph 2 of Schedule 3 and paragraph 2.1 of Schedule 6 which shall come into effect immediately upon the issue of the Planning Permission,

Commented [REDACTED] Review before engrossment.

Commented [REDACTED] Updated

5. COVENANTS

5.1 The Owner covenants with the Council to observe and perform the obligations set out in Schedules 1, 2, 3, 4, 5 and 6.

5.2 The Council covenants with the Owner to observe and perform the obligations set out in Schedule 7.

5.3 The Owner shall notify the Council as follows:

- (a) of any disposal of its interest in the Site and of the name and address of the new owner and the date of the disposal within 10 Working Days of such disposal;
- (b) of the date of the first Occupation of the Development within 10 Working Days of its occurrence; and
- (c) of the date of Commencement of the Development not less than 10 Working Days before such date occurs.

6. COVENANTS BY SEAHIVE

Seahive acknowledges and declares that this deed has been entered into by the Owner with its consent and that the Site shall be bound by the obligations contained in this Deed and that its agreement for lease shall take effect subject to this Deed provided that Seahive shall otherwise have no liability under this Deed unless it (i) takes possession of the Site or any part of it or (ii) undertakes any part of the Development of the Site or (iii) becomes a successor in title to the Owner in which case if (i) and/or (ii) and/or (iii) apply it too will be bound by the obligations as if it were a person deriving title from the Owner.

7. INTEREST

If any payment which becomes due to the Council under this Deed is not paid by the due date Interest shall be due and payable to the Council -on the relevant amount for the period from the due date until the date of payment.

8. GENERAL PROVISIONS

8.1 Nothing (contained or implied) in this Deed shall fetter or restrict the Council's statutory rights, powers, discretions and responsibilities.

- 8.2 No waiver (whether express or implied) by a party of any breach or default in performing or observing any of the terms or conditions of this Deed shall constitute a continuing waiver and no such waiver shall prevent a party from enforcing any of the said terms or conditions or from acting upon any subsequent breach or default in respect thereof.
- 8.3 No person shall be liable for any breach of a covenant, restriction or obligation contained in this Deed after parting with all of its interest in the Site or the part of the Site to which the breach relates, except in respect of any breach subsisting prior to parting with such interest.
- 8.4 Any provision in this Deed restricting a certain action (pending the occurrence of a specific event or otherwise) shall be construed to include a restriction on permitting, allowing or tolerating such an action.
- 8.5 Insofar as any clause or clauses of this Deed are found (for whatever reason) to be invalid illegal or unenforceable then such invalidity illegality or unenforceability shall not affect the validity or enforceability of the remaining provisions of this Deed and insofar as reasonably practicable the parties shall amend that clause or clauses in such reasonable manner as achieves the intention of the parties without illegality.
- 8.6 The obligations contained in this Deed shall not be binding upon nor enforceable against:
- 8.6.1 any statutory authority, statutory undertaker, service company or other person who acquires any part of the Site or interest therein for the purposes of undertaking its statutory functions;
- 8.6.2 any Associated Charities (as defined in Schedule 2) or other occupiers who are occupying part of the Development solely for the purposes of providing programmes, courses and events at the Development
- 8.7 If the Planning Permission and all Section 73 Permissions shall expire within the meaning of sections 91, 92 or 93 of the TCPA 1990 or shall at any time be revoked or modified by any statutory procedure without the agreement of the Owner this Deed shall forthwith determine and cease to have further effect (insofar as it has not already been complied with) PROVIDED ALWAYS that the Development has not Commenced.
- 8.8 Nothing in this Deed shall prevent the Owner from developing the Site in accordance with a planning permission other than the Planning Permission or a Section 73 Permission.
- 8.9 Any person or body acquiring the benefit of a legal charge over the Site shall have no liability under this deed unless it takes possession of the Site or part thereof or appoints a receiver in which case it too will be bound by the obligations as if it were a person deriving title from the Owner.
- 8.10 In the event that an application made pursuant to section 73 of the TCPA 1990 for an amendment to the Planning Permission is granted this Deed shall (unless the Council determines that revised planning obligations are required as a result of such amendment) apply to development pursuant to the Section 73 Permission as well as to development pursuant to the Planning Permission without the need for a further deed to be entered into pursuant to section 106 of the TCPA 1990 unless the Council requires otherwise.

9. INDEXATION

- 9.1 All financial contributions payable to the Council shall be Index Linked.
- 9.2 Where reference is made to an index and that index ceases to exist or is replaced or rebased then it shall include reference to any index which replaces it or any rebased index (applied in a fair and reasonable manner to the periods before and after rebasing under this Deed) or in the event the index is not replaced, to an alternative reasonably comparable basis or index as the Council shall advise the Owner in writing.

10. LOCAL LAND CHARGE

This Deed is a local land charge and shall be registered as such by the Council.

11. COSTS

The Owner shall prior to completion of this Deed pay the Council's legal expenses and costs reasonably and properly incurred associated with the preparation of this Deed.

12. REASONABLENESS

- 12.1 Where a matter falls within the party's discretion that party shall exercise such discretion in a reasonable and expeditious manner and shall give any requisite notice of that decision and any other notice provided for by this Deed without undue delay.
- 12.2 Where an action falls to be performed by a party under this Deed such action shall be carried out by that party expeditiously in accordance with the terms of this Deed but in any event as soon as reasonably practicable and without undue delay.

13. CANCELLATION OF ENTRIES

- 13.1 On the written request of the Owner at any time after each or all of the obligations have been performed or otherwise discharged (and subject to the payment of the Council's reasonable and proper costs) the Council will issue a written confirmation of such performance or discharge.
- 13.2 Following the performance and full satisfaction of all the terms of this Deed or if this Deed is determined pursuant to clause 8.6-7 (and subject to the payment of the Council's reasonable and proper costs and charges) the Council will on the written request of the Owner cancel all entries made in the local land charges register in respect of this Deed.

14. DISPUTES

- 14.1 Without prejudice to the right of any party to seek the resolution of any matter relating to this Deed by the courts and/or in accordance with Section 106 of the TCPA 1990, any dispute, controversy or claim arising out of or relating to this Deed which cannot first be resolved between the parties, including any question regarding its breach, existence, validity or termination or the legal relationships established by this Deed (other than the amount of the financial contributions payable as set out in this Deed which shall not be in dispute), shall be finally resolved by arbitration in accordance with the Arbitration Act 1996. It is agreed that:

- (a) the tribunal shall consist of one arbitrator appointed jointly by the parties;
- (b) in default of the parties' agreement as to the arbitrator, the arbitrator shall be appointed on either party's request by the President for the time being of the Royal Institution of Chartered Surveyors;
- (c) the costs of the arbitration shall be payable by the parties in the proportions determined by the arbitrator (or if the arbitrator makes no direction, then equally); and
- (d) the seat of the arbitration shall be London.

15. AGREEMENTS AND DECLARATIONS

15.1 The parties agree that:

- (a) nothing in this Deed constitutes a planning permission or an obligation to grant planning permission; and
- (b) nothing in this Deed grants planning permission or any other approval, consent or permission required from the Council in the exercise of any other statutory function.

16. NOTICES

16.1 Any notice or other communication to be given under this Deed must be in writing and must be:

- (a) delivered by hand; or
- (b) sent by pre-paid first class post or other next Working Day delivery service.

16.2 Any notice or other communication to be given under this Deed must be sent to the relevant party as follows:

- (a) to the Council at Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ marked for the attention of the Head of Planning and Development and a copy by email to developercontributions@doover.gov.uk;
- (b) to the Owner such notice shall be sent to the aforementioned address or to such other person as such address as they shall notify in writing to the Council -from time to time;
- (c) to Seahive such notice shall be sent to the aforementioned address or to such other person as such address as they shall notify in writing to the Council -from time to time.

or as otherwise specified by the relevant party by notice in writing to each other party.

16.3 Any notice or other communication given in accordance with clause 16.1 and clause 16.2 will be deemed to have been received:

- (a) if delivered by hand, on signature of a delivery receipt or at the time the notice or document is left at the address provided that if delivery occurs

before 9.00 am on a Working Day, the notice will be deemed to have been received at 9.00 am on that day, and if delivery occurs after 5.00 pm on a Working Day, or on a day which is not a Working Day, the notice will be deemed to have been received at 9.00 am on the next Working Day; or

- (b) if sent by pre-paid first class post or other next Working Day delivery service, at 9.00 am on the second Working Day after posting.

- 16.4 This clause does not apply to the service of any proceedings or other documents in any legal action or, where applicable, any arbitration or other method of dispute resolution.

17. THIRD PARTY RIGHTS

A person who is not a party to this Deed shall not have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Deed.

18. VALUE ADDED TAX

- 18.1 All consideration given in accordance with the terms of this Deed shall be exclusive of any value added tax properly payable.
- 18.2 If any VAT is at any time chargeable on any supply made by the Council or the Owner under or pursuant to this Deed, the party making the payment shall pay the other an amount equal to that VAT as additional consideration on receipt of a valid VAT invoice.

19. GOVERNING LAW

This Deed and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England.

SCHEDULE 1 – BIODIVERSITY AND ECOLOGICAL ENHANCEMENTS AND MITIGATION AND PUBLIC ACCESS STRATEGY

1. DEFINITIONS

In this schedule the following words shall have the following meaning in addition to the definitions provided in clause 1 of this Deed:

Country Park Ecological and Biodiversity Management and Monitoring Plan

~~An overarching monitoring/review plan to ensure that the Strategies and Measures will continue to work in parallel throughout the lifetime of the Development. Specifically, such plan will set out the steps which will be undertaken to identify and remedy instances where any revision(s) or update(s) to any Strategy necessitated by the relevant provisions of this Schedule has a consequential impact on the efficacy of another Strategy and which may be varied from time to time with the written agreement of the Council detailed and holistic programme for the ongoing management and monitoring of the ecology and biodiversity of the Site and the Wider Country Park which demonstrates how the Strategies and Measures will work in parallel to achieve their objectives together with timescales for implementation of each of the measures to include:~~

- ~~the management and maintenance arrangements for the Habitat Compensation Measures including funding arrangements, structure and identity of the body who will be responsible for the onward management of the Habitat Compensation Measures;~~

- ~~Habitat management objectives and actions to achieve appropriate biodiversity enhancements across the Wider Country Park~~

~~and which may be varied from time to time with the written agreement of the Council~~

~~An overarching monitoring/review plan to ensure that the various schemes and strategies forming part of the Collective Ecological Strategy (Individual Strategies) will continue to work in parallel throughout the lifetime of the Development. Specifically, such plan will set out the steps which will be undertaken to both identify and remedy instances where any revision(s) or update(s) to any Individual Strategy necessitated by the relevant provisions of this Schedule has a consequential impact on the efficacy of another Individual Strategy(s) – and~~

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Commented [REDACTED] Now moved to the definition of Habitat and Biodiversity Enhancement Scheme as this is the mechanism by which the Habitat Compensation Measures will be secured

Commented [REDACTED] Noted

Commented [REDACTED] To my mind this is more accurate having regard to para 2.220 of the committee report. The detail which was previously here has been moved to the definition of HBES

Commented [REDACTED] With the various plans, schemes and strategies, it is important that that the corresponding definitions clearly set out both the purpose of the relevant document and what is it to contain (to ensure that the developer has sufficient certainty as to what they are required to produce to satisfy the relevant requirement and the Council is sufficiently aware of what it needs to approve once the relevant plan is submitted for its consideration). With this in mind, see my suggested changes to the definition which hopefully capture what the Council is trying to achieve here.

Commented [REDACTED] Agree. The revised definition is much clearer.

Commented [REDACTED] I have accepted the suggested wording but retained the reference to 'Strategies and Measures' along with the previously suggested definition of this term (i.e. including the Fiery Clearwing Strategy, Lizard Orchid Strategy and Habitat Compensation Measures).

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Commented [REDACTED] Should this be a defined term?

	which may be varied from time to time with the written agreement of the Council
Fiery Clearwing Licence	a licence issued under Regulation 16 of the Wildlife and Countryside Act 1981 approving and authorising the Fiery Clearwing Strategy
Fiery Clearwing Strategy	a strategy for fiery clearwing mitigation / compensation comprising including the translocation of the dock plant from the Site to a new receptor area in order to safeguard fiery clearwing protected species of moth to be set out in the following documents to be submitted as part of the application for the Fiery Clearwing Licence (Fiery Clearwing Strategy Documents): <ul style="list-style-type: none"> (i) a dock translocation plan setting out detailed measures for the translocation/seeding of dock plant in a new and identified receptor area; and (ii) a monitoring and management plan setting out detailed management and monitoring proposals of the measures set out in the dock translocation plan including objectives to be measured and alternative mitigation/compensation proposals in the event any of the stated objectives are not being met
Habitat and Biodiversity Enhancement Areas	those areas within the Site and the Off-Site Enhancement Area on which the Habitat Compensation Measures are to be delivered and maintained pursuant to the provisions of this Deed and the Habitat and Biodiversity Enhancement Scheme approved by the Council pursuant to paragraph 2.2 of this Schedule and as shown on the Habitat Compensation Measures Plan
Habitat and Biodiversity Enhancement Period	a minimum period of 30 years from the date of first Occupation of the Development
Habitat and Biodiversity Enhancement Scheme	a scheme to be submitted to the Council for approval in accordance with paragraph 2.1 of this Schedule the an objective of which will be to achieve a minimum 10% biodiversity net gain for the Site by reference to the baseline position of the Site to be delivered and maintained on the Habitat and Biodiversity Enhancement Areas and which will include the following details: <ul style="list-style-type: none"> • the Habitat Compensation Measures; and • the timing for the delivery of the Habitat Compensation Measures; and • the specific management and maintenance arrangements for the Habitat Compensation Measures including the funding arrangements,

Commented [REDACTED] Think still makes sense to include ability to vary this.

Commented [REDACTED] Delete c

Commented [REDACTED] Think this is easier to follow is this definition does not repeat what is already in the definitions of **Habitat and Biodiversity Enhancement Scheme** and **Habitat Compensation Measures**

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	<p>structure and identity of the body who will be responsible for the onward management of the Habitat Compensation Measures</p> <ul style="list-style-type: none"> • <u>details of the habitat management in respect of the mitigation and compensation measures to be carried out pursuant to the terms of this deed for lizard orchids, fiery clearwings and reptiles</u> • <u>details of the habitat management in respect of the mitigation and compensation measures to be carried out pursuant to the terms of this deed for lizard orchids, fiery clearwings and reptiles</u> • <u>habitat management objectives and actions to achieve appropriate biodiversity enhancements across the Wider Country Park</u> <p>and which may be varied from time to time with the written agreement of the Council</p>
Habitat and Biodiversity Enhancement Scheme Monitoring Fee	the sum of £4,000 (Four Thousand Pounds) <u>Index Linked</u> payment towards the Council's costs of its ongoing monitoring of the progress of the Habitat Compensation Measures
Habitat Compensation Measures	<p>the various biodiversity work and measures to be introduced to the Habitat and Biodiversity Enhancement Areas and comprising the following (or such other measures as may subsequently be agreed in writing by the Council in the Habitat and Biodiversity Enhancement Scheme approved by the Council pursuant to paragraph 2.2 of this Schedule):</p> <ul style="list-style-type: none"> • provision of a biodiverse green roof to the buildings to be constructed as part of the Development (0.21ha); • creation of open mosaic and brownfield habitat areas in the built development areas (2.09ha) and within the holiday pods surrounds (0.19ha); • mixed scrub planting within the Site (0.06ha); • retention of open mosaic habitat and lizard orchid protection areas within site (0.14ha); • creation of off-Site enhancement features (within the Off-Site Enhancement Area) comprising: <ul style="list-style-type: none"> ◦ enhanced open mosaic habitat (3.15ha); ◦ <u>R</u>estoration of open mosaic habitat within existing scrub (0.77ha);

Commented [REDACTED] As previously stated, these matters will be separately determined and governed by the Fiery Clearwing Licence, the Lizard Orchid Licence (both to be issued by NE) and the Reptile Translocation Strategy. The doubling up/overlapping of these elements is both unnecessary and confusing.

Commented [REDACTED] I am advised that as part of a protected species licence application, the applicant will give details of why they need a licence (i.e. the offences that the licence will need to allow them to derogate from), and provide a method statement, which will include details of:

- how they will minimise impacts and undertake the translocation etc,
- compensation measures, including habitat creation / enhancement, monitoring and management.

But, while the information about how the site will be managed in the long-term will be agreed by NE as part of the licensing consideration, the licence does not actually secure the implementation of these. Accordingly, it is appropriate to include an obligation to provide these details and comply with them

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Commented [REDACTED] Were there any discussions about this - is it accepted that £4,000 will be paid every year? The sum is Index Linked is from the date of the Deed - so likely to be higher sum in 20 - 30 years time.

Commented [REDACTED] I understood that this has been agreed. The indexation will likely lead to an increased fee but only in line with the movement in the index and not in real terms

	<ul style="list-style-type: none"> o rRestoration of open mosaic habitat within existing grassland (1.39ha); o aAdditional areas of grassland and scrub enhancement (8.18ha); and o provision of one turtle dove feeding location within the Off-Site Enhancement Area.
Habitat Compensation Measures Plan	the plan with drawing number 6535/TN3 annexed hereto at Appendix B or such other plan as may subsequently be agreed in writing by the Council
Lizard Orchid Licence	a licence issued under Regulation 16 of the Wildlife and Countryside Act 1981 approving and authorising the Lizard Orchid Strategy
Lizard Orchid Strategy	<p>a strategy for the habitat improvement and translocation of the lizard orchids -from the Site to a new receptor area to be set out in the following documents to be submitted -as part of the application for the Lizard Orchid Licence (Lizard Orchid Strategy Documents):</p> <ul style="list-style-type: none"> (i) a lizard orchid habitat enhancement and translocation plan setting out detailed measures for the translocation of lizard orchid in a new and identified receptor area and habitat enhancement; and (ii) a monitoring and management plan setting out detailed management and monitoring proposals of the measures set out in the lizard orchid habitat enhancement and translocation plan including objectives to be measured and alternative mitigation/compensation proposals in the event any of the stated objectives are not being met
Neighbouring Development	the proposed development for a hotel and spa which is the subject of planning application reference 23/01095 submitted to the Council and awaiting determination as at the date hereof

	or of any replacement planning application or variation application
Off-Site Enhancement Area	the land outside of the Site on which the off-Site Habitat Compensation Measures are to be delivered and maintained pursuant to the provisions of this Deed and the Habitat and Biodiversity Enhancement Scheme approved by the Council pursuant to paragraph 2.2 of this Schedule
Operation Turtle Dove	the project launched on 10 May 2012 which aims to reverse the decline of the turtle dove and which is a partnership between the RSPB, Fair to Nature, Pensthorpe Conservation Trust and Natural England England
Outline Visitor Management and Turtle Dove Strategy	the document entitled "Outline Visitor Management and Turtle Dove Strategy" produced by Aspect Ecology and dated October 2023
Reptile Translocation Strategy	<p>a detailed strategy for the translocation of reptiles from the Site to an identified receptor site(s) to include the following:</p> <ul style="list-style-type: none"> erection and maintenance of reptile fencing around the perimeter of the Site whilst the Development is under construction; enhancement of the receptor habitat sites (to be identified) to include habitat management to open up basking areas and creation of refugia/hibernacula; capture and translocation of reptiles from the Site; a destructive search to remove remaining reptile habitat within the Site ongoing management and monitoring of the receptor site(s) provision for remedial habitat enhancement measures
<u>Statutory Body</u>	<u>Natural England (or any successor in function)</u>

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Collective Ecological y Strategies and Measures	the Fiery Clearwing Strategy, Habitat and Biodiversity Enhancement Scheme, <u>Habitat Compensation Measures</u> , Lizard Orchid Strategy, Reptile Translocation Strategy, Tree Planting Scheme, Turtle Dove Strategy and Visitor Management Strategy together
Statutory Body	Natural England (or any successor in function)
Strategy	any one of the schemes and strategies which collectively form the Strategies and Measures
Technical Note	the Technical Note entitled "Hamill Field – Turtle Dove Enhancements" produced by Aspect Ecology and dated January 2023
Tree Planting Scheme	<p>a scheme setting out provisions for the planting of one new tree for every 500 square metres of commercial floorspace created by the Development which shall include the following details:</p> <ul style="list-style-type: none"> the area(s) of tree planting (with reasonable endeavours to be used to prioritise planting within the Site and planting on the Wider Country Park only carried out where it is not reasonably feasible to plant all or any of the trees on the Site); a calculation to show the number of trees to be planted; the types of trees to be planted (confirming that they are native Kent species, of local provenance from a bio-secure source and standard size in specification as a minimum); a timetable for the planting of the trees; and notification requirements to confirm in writing to the Council once all the trees have been planted
Turtle Dove Strategy	<p>a detailed strategy to be produced by reference to the relevant parts of the Outline Visitor Management and Turtle Dove Strategy and the Technical Note and to be submitted to the Council for its approval in accordance with paragraph 5.1 of this Schedule which will include the following details:</p> <ul style="list-style-type: none"> the new turtle dove feeding locations to be established (including the specification for these); the establishment and timescale for delivery of turtle dove habitats in any other off-Site locations (including specifications for these); confirmation of the key objectives of the strategy including mitigating the harm to turtle doves and

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Commented [REDACTED] Reference to Habitat Compensation Measures here is circular and perhaps a little confused. The measures themselves are not a document, plan or strategy but rather, physical measures to be secured by the Habitat and Biodiversity Enhancement Scheme. The Habitat Compensation Measures will evolve or change by default as the Habitat and Biodiversity Enhancement Scheme is revised, in accordance with the relevant provisions of this schedule.

For clarity, I suggest renaming this "Collective Ecological Strategy" (can be moved to correct alphabetic order once agreement to the suggested tweak is confirmed by the Council).

I would also question whether the FCW and LO Strategies should be listed here as it is not the strategies which will ultimately need to be complied with, but the respective licences issued NE.

Commented [REDACTED] Agreed -they are dealt with in the **Habitat and Biodiversity Enhancement Scheme**

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	<p>existing turtle dove habitats within the Wider Country Park and increasing/enhancing turtle dove territories by reference to the baseline position and improving the conservation status of Turtle Doves (the Turtle Dove Strategy Objectives);</p> <ul style="list-style-type: none"> the Turtle Dove Survey and Monitoring Regime <p>and which may be varied from time to time with the written agreement of the Council and which for the avoidance of doubt may be a shared TTurtle dDove sStrategy with the Neighbouring Development</p>
Turtle Dove Strategy Monitoring Fee Period	a minimum period of 30 years from the date of first Occupation of the Development or such other period as may be set out in the Approved Turtle Dove Strategy (as hereinafter defined)
Turtle Dove Survey and Monitoring Regime	a detailed programme for the ongoing monitoring of the measures implemented pursuant to the Approved Turtle Dove Strategy and in particular the success of those measures in meeting the Turtle Dove Strategy Objectives
Turtle Dove and Visitor Monitoring Fee	the sum of £6,000 (Six Thousand Pounds) Index Linked as payment towards the Council's costs of its ongoing monitoring of the progress of the Turtle Dove Strategy Objectives and Visitor Management Strategy Objectives
Visitor Management Strategy	<p>a detailed strategy to be produced by reference to the relevant parts of the Outline Visitor Management and Turtle Dove Strategy and to be submitted to the Council for its approval in accordance with paragraph 7.1 of this Schedule which will include the following details:</p> <ul style="list-style-type: none"> the establishment of different zonal areas for the relevant parts of the Development Site and the Wider country park comprising core visitors zones, informal access areas and restricted access areas (Zones); the proposed measures for the management of visitors to the Development Site and the Wider Country Park by reference to each Zone; confirmation of the key objectives of the strategy including the proper and comprehensive management of visitors to the Development Site and the Wider Country Park having particular regard also to the Turtle Dove Strategy Objectives (the Visitor Management Strategy Objectives) proposals and timescales for the employment of a full time dedicated wildlife warden for the Wider Country Park; and the Visitor Survey and Monitoring Regime <p>and which may be varied from time to time with the written agreement of the Council and which for the avoidance of</p>

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	doubt may be a shared Visitor Management Strategy with the Neighbouring Development
Visitor Survey and Monitoring Regime	a detailed programme for the ongoing monitoring of the measures implemented pursuant to the Visitor Management Strategy and in particular the success of those measures in meeting the Visitor Management Strategy Objectives
Wider Country Park	all that land which is situated outside of the Site and shown edged black on the Habitat Compensation Measures Plan

The Owner covenants with the Council:

2. COUNTRY PARK ECOLOGICAL AND BIODIVERSITY MANAGEMENT AND MONITORING PLAN AND HABITAT AND BIODIVERSITY ENHANCEMENT SCHEME MONITORING FEE

2.1 To submit a Country Park Ecological and Biodiversity Management and Monitoring Plan to the Council for its approval prior to Occupation of the Development.

2.2 Unless previously agreed with the Council in writing not to Occupy the Development unless and until the Council has approved a Country Park Ecological and Biodiversity Management and Monitoring Plan (the **Approved Country Park Ecological and Biodiversity Management and Monitoring Plan**).

2.3 To implement the Approved Country Park Ecological and Biodiversity Management and Monitoring Plan and comply with all of the ~~with all management, maintenance and ongoing review obligations~~ therein for the lifetime of the Development (or as otherwise provided in the Approved Country Park Ecological and Biodiversity Management and Monitoring Plan).

2.3. HABITAT AND BIODIVERSITY ENHANCEMENT SCHEME

2.3.1 To submit a Habitat and Biodiversity Enhancement Scheme to the Council for its approval prior to Commencement of Development.

2.3.2 Unless previously agreed with the Council in writing not to Commence Development unless and until the Council has approved a Habitat and Biodiversity Enhancement Scheme (the **Approved Habitat and Biodiversity Enhancement Scheme**).

3.3 ~~To deliver the Habitat Compensation Measures in accordance with the timetable and details set out in the Approved Habitat and Biodiversity Enhancement Scheme and in all other respects to implement the Approved Habitat and Biodiversity Enhancement Scheme in full~~

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Commented [REDACTED] Clause 2 below is not new text but has been moved up from Clause 4 in the previous version so that the overarching management and monitoring plan comes first in the obligations under Schedule 1.

Commented [REDACTED] Agreed

Commented [REDACTED] As the Council now want this to serve as an overarching plan of sorts, to monitor ongoing consistency and harmony between all of the Individual Strategies, it I have moved to the relevant provisions to the 'top of the order' and made a couple of other minor tweaks to the wording hereunder to clarify purpose of the plan.

Commented [REDACTED] This makes sense.

Commented [REDACTED] This is not new text for this obligation but has been moved up from what was Clause 4 in the previous version to have the overarching management and monitoring plan first in the chronology.

Commented [REDACTED] This is not new text for this obligation but has been moved up from Clause 4 in the previous version so that the overarching management and monitoring plans comes first in the obligations under Schedule 1.

Commented [REDACTED] This is not new text but has been moved up from Clause 4 in the previous version so that the overarching management and monitoring plan comes first in the obligations under Schedule 1.

Commented [REDACTED] This is not new text but has been moved up from Clause 4 in the previous version so that the overarching management and monitoring plan comes first in the obligations under Schedule 1.

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Commented [REDACTED] The tracked changes below are to make the chronology of the obligations more logical rather than fundamentally change what is secured. In the previous version, the HBES was to be agreed under Clause 2, delivered under Clause 3 and then monitored under Clause 2, so we hope bringing this under one clause (3) and having the obligations in chronological order makes the agreement easier to follow.

Commented [REDACTED] Agreed

including maintaining and managing the Habitat and Biodiversity Enhancement Areas in accordance with the Approved Habitat and Biodiversity Enhancement Scheme.

Commented [REDACTED] 3.3 seems to be covered in part by 3.4, so have swapped sentences around so that 3.3. deals the broader obligation to comply with the Approved Habitat and Biodiversity Enhancement Scheme and 3.4 deals with the Habitat Compensation Measures

3.4 ~~2.3~~ To deliver the Habitat Compensation Measures in accordance with the timetable and details set out in the Approved Habitat and Biodiversity Enhancement Scheme ~~To implement and comply with the Approved Habitat and Biodiversity Enhancement Scheme~~ and carry out the ongoing monitoring and review of the Habitat and Compensation Measures (in order to determine the success of the Habitat Compensation Measures in achieving a minimum 10% biodiversity net gain by reference to the baseline position of the Site to be delivered and maintained across the Site/Off-Site Enhancement Area) to include the carrying out of updated condition assessments in accordance with DEFRA's Statutory Biodiversity Metric February 2024 at 1, 2, 3, 4, 5, 6, 8, 10, 15, 20, 25 and 30 years from the date of the Commencement of Development (Monitoring and Review Exercise).

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3.5 To submit a report to the Council setting out the findings of each Monitoring and Review Exercise undertaken in accordance with paragraph ~~3.42~~3 of this Schedule (**Biodiversity Report**) and where the findings of a Biodiversity Report indicate that the core objectives of the Approved Habitat and Biodiversity Enhancement Scheme are not being met, to use reasonable endeavours to agree a revised Habitat and Biodiversity Enhancement Scheme with the Council in order to address those failings (Revised Habitat and Biodiversity Enhancement Scheme).

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~~2.3~~
3.6 Where a Revised Habitat and Biodiversity Enhancement Scheme is agreed between the Owner and the Council, all references in this Schedule to the Approved Habitat and Biodiversity Enhancement Scheme shall be deemed to refer to the said agreed Revised Habitat and Biodiversity Enhancement Scheme for the purpose of all onward implementation, monitoring and management of the Habitat Compensation Measures and for the avoidance of doubt, more than one Revised Habitat and Biodiversity Enhancement Scheme may be agreed between the Owner and the Council.

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~~2.43.7~~ To pay a Habitat and Biodiversity Enhancement Scheme Monitoring Fee to the Council within 21 Working Days of receiving the Council's written approval of the Habitat and Biodiversity Enhancement Scheme in accordance with paragraph ~~32~~1 of this Schedule and the Council's written approval of the Country Park Ecological and Biodiversity Management and Monitoring Plan in accordance with paragraph ~~24~~1 of this Schedule and thereafter to pay a Habitat and Biodiversity Enhancement Scheme Monitoring Fee annually to the Council on the anniversary of the payment of the first Habitat and Biodiversity Enhancement Scheme Monitoring Fee for the Habitat and Biodiversity Enhancements Period.

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3. HABITAT COMPENSATION MEASURES

~~2.11.1 To deliver the Habitat Compensation Measures in accordance with the timetable and details set out in the Approved Habitat and Biodiversity Enhancement Scheme; and~~

~~2.21.1 in all other respects to implement the Approved Habitat and Biodiversity Enhancement Scheme in full including maintaining and managing the Habitat and Biodiversity Enhancement Areas in accordance with the Approved Habitat and Biodiversity Enhancement Scheme.~~

4.1. COUNTRY PARK ECOLOGICAL AND BIODIVERSITY MANAGEMENT AND MONITORING PLAN AND HABITAT AND BIODIVERSITY ENHANCEMENT SCHEME MONITORING FEE

~~4.11.1 To submit a Country Park Ecological and Biodiversity Management and Monitoring Plan to the Council for its approval prior to Occupation of the Development.~~

~~4.21.1 Unless previously agreed with the Council in writing not to Occupy the Development unless and until the Council has approved a Country Park Ecological and Biodiversity Management and Monitoring Plan (the Approved Country Park Ecological and Biodiversity Management and Monitoring Plan).~~

~~4.21.1 To implement the Approved Country Park Ecological and Biodiversity Management and Monitoring Plan and comply with all management, maintenance and ongoing review obligations therein for the lifetime of the Development (or as otherwise provided in the Approved Country Park Ecological and Biodiversity Management and Monitoring Plan).~~

~~4.43.8 To pay a Habitat and Biodiversity Enhancement Scheme Monitoring Fee to the Council within 21 Working Days of receiving the Council's written approval of the Habitat and Biodiversity Enhancement Scheme in accordance with paragraph 2.4 of this Schedule and the Council's written approval of the Country Park Ecological and Biodiversity Management and Monitoring Plan in accordance with paragraph 4.1 of this Schedule and thereafter to pay a Habitat and Biodiversity Enhancement Scheme Monitoring Fee annually to the Council on the anniversary of the payment of the first Habitat and Biodiversity Enhancement Scheme Monitoring Fee for the Habitat and Biodiversity Enhancements Period.~~

Commented [REDACTED] The measures are to be delivered as part of the HBES. I have therefore moved these to para 2, so that all HBES related provisions are within the same section and under a single heading.

Commented [REDACTED] Agreed

5.4. TURTLE DOVE STRATEGY

~~5.44.1~~ To submit a Turtle Dove Strategy to the Council for its approval prior to Commencement of Development.

~~5.24.2~~ Unless previously agreed with the Council in writing not to Commence Development unless and until the Council has approved a Turtle Dove Strategy (the **Approved Turtle Dove Strategy**).

~~5.24.3~~ To deliver the turtle dove supplementary feeding locations and habitat creation works (and to complete all associated works) in accordance with the Approved Turtle Dove Strategy.

~~5.44.4~~ Unless and to the extent as may otherwise be provided by the Approved Turtle Dove Strategy ~~not~~ to Occupy any part of the Development until the turtle dove supplementary feeding locations and habitat creation works (and all associated works) have been delivered in accordance with the Approved Turtle Dove Strategy.

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~~5.54.5~~ To otherwise implement the Approved Turtle Dove Strategy in full including maintaining and managing the turtle dove habitat creation / enhancement areas and supplementary feeding locations in accordance with the Approved Turtle Dove Strategy.

~~6.5.~~ TURTLE DOVE SURVEY AND MONITORING REGIME

~~6.45.1~~ To submit a Turtle Dove Survey and Monitoring Regime to the Council for its approval prior to Commencement of Development.

~~6.25.2~~ Unless previously agreed with the Council in writing not to Commence Development unless and until the Council has approved a Turtle Dove Survey and Monitoring Regime (the **Approved Turtle Dove Survey and Monitoring Regime**).

~~6.25.3~~ To implement the ongoing review, monitoring and assessment of the Turtle Dove Strategy Objectives (including by reference to the related ~~Visitor Management~~ Strategy Objectives) in accordance with the Approved Turtle Dove Strategy.

~~6.45.4~~ To submit a report to the Council setting out the findings of each review, monitoring and assessment exercise undertaken in accordance with paragraph ~~56.3~~ of this Schedule (**Turtle Dove Report**) and where the findings of a Turtle Dove Report indicate that the Turtle Dove Strategy Objectives are not being met, to use reasonable endeavours to agree a revised Turtle Dove Strategy with the Council which may, inter alia, include funding the creation of off-Site habitat areas in suitable locations (to be agreed in writing by the Council) within the district of Dover and/or reasonable and justified contributions to Operation Turtle Dove where reasonably required in order to address those failings (**Revised Turtle Dove Strategy**).

~~6.55.5~~ Where a Revised Turtle Dove Strategy is agreed between the Owner and the Council, all references in this Schedule to the Approved Turtle Dove Strategy shall be deemed to refer to the said agreed Revised Turtle Dove Strategy for the purpose of all onward implementation, monitoring and management of the Turtle Dove Strategy Objectives and for the avoidance of

doubt, more than one Revised Turtle Dove Strategy may be agreed between the Owner and the Council.

7.6. VISITOR MANAGEMENT STRATEGY

7.16.1 To submit a Visitor Management Strategy to the Council for its approval prior to Commencement of Development.

7.26.2 Unless previously agreed with the Council in writing not to Commence Development unless and until the Council has approved a Visitor Management Strategy (the **Approved Visitor Management Strategy**).

7.36.3 To deliver the measures and works required in order to establish the Zones in accordance with the Approved Visitor Management Strategy.

6.4 Unless and to the extent as may otherwise be provided by the Approved Visitor Management Strategy not to Occupy any part of the Development until the measures and works required to establish the Zones have been delivered in accordance with the Approved Visitor Management Strategy.

7.46.5 To employ a wildlife warden on a full-time basis in accordance with the Approved Visitor Management Strategy.

7.56.6 To otherwise implement the Approved Visitor Management Strategy in full including maintaining and managing the Zones in accordance with the Approved Visitor Management Strategy.

8.7. VISITOR SURVEY AND MONITORING REGIME

8.17.1 To submit a Visitor Survey and Monitoring Regime to the Council for its approval prior to Commencement of Development.

8.27.2 Unless previously agreed with the Council in writing not to Commence Development unless and until the Council has approved a Visitor Survey and Monitoring Regime (the **Approved Visitor Survey and Monitoring Regime**).

8.37.3 To implement the ongoing review, monitoring and assessment of the Visitor Management Strategy Objectives (including by reference to the related Turtle Dove Strategy Objectives) in accordance with the Approved Visitor Management Strategy.

8.47.4 To submit a report to the Council setting out the findings of each review, monitoring and assessment exercise undertaken in accordance with paragraph **7.8.3** of this Schedule (**Visitor Report**) and where the findings of a Visitor Report indicate that the Visitor Strategy Objectives

are not being met, to use reasonable endeavours to agree a revised Visitor Management Strategy with the Council where reasonably required in order to address those failings (**Revised Visitor Management Strategy**).

8.57.5 Where a Revised Visitor Management Strategy is agreed between the Owner and the Council, all references in this Schedule to the Approved Visitor Management Strategy shall be deemed to refer to the said agreed Revised Visitor Management Strategy for the purpose of all onward implementation, monitoring and management of the Visitor Strategy Objectives and for the avoidance of doubt, more than one Revised Visitor Management Strategy may be agreed between the Owner and the Council.

9.8. TURTLE DOVE AND VISITOR STRATEGY MONITORING FEE

Within 21 Working Days of the later of receiving the Council's written approval of the following:

- (i) Turtle Dove Strategy in accordance with paragraph [45.1](#) of this Schedule;
- (ii) Turtle Dove Survey and Monitoring Regime in accordance with paragraph [56.1](#) of this Schedule;
- (iii) Visitor Management Strategy in accordance with paragraph [67.1](#) of this Schedule; and
- (iv) Visitor Survey and Monitoring Regime in accordance with paragraph [78.1](#) of this Schedule

to pay a Turtle Dove and Visitor Monitoring Fee to the Council and thereafter to pay a Turtle Dove and Visitor Monitoring Fee annually to the Council on the anniversary of the payment of the first Turtle Dove and Visitor Monitoring Fee for the Turtle Dove Strategy [Monitoring Fee](#) Period.

10.9. PUBLIC ACCESS

To allow the public to access the Wider Country Park free of charge (subject to the requirements of the Approved Visitor Management Strategy and the usual opening/operational hours of the Wider Country Park) and to ensure that this right of access is maintained for the operational lifetime of the Development provided always that the Owner will be entitled to restrict public access to all or specific parts of the Wider Country Park as appropriate for the following:

- (i) ~~for~~ special/private events up to a maximum of 40 days per annum (unless otherwise agreed with the Council in writing);
- (ii) the maintenance, repair, renewal, cleaning or other required works to the Wider Country Park subject to having first notified the Council in writing;
- (iii) in cases of emergency or danger to the public;

- (iv) in the interests of security and to ensure public safety; and
- (v) works to any part or parts of the Development abutting such areas (including works of maintenance, repair, alterations or other structural or non-structural works and/or alterations) for such period or periods as may be reasonably required to carry out the works/assessments subject to having first notified the Council in writing

~~While there will be no entry charge to the Wider Country Park, a charging regime for parking and all other activities other than entrance to the Wider Country Park can be in place in full compliance with Paragraph 9 and this Deed as a whole, and for the avoidance of doubt nothing in this paragraph 10 or elsewhere in this Deed shall prevent the ability to impose car parking charges for the use of any car parks or other parking facilities associated with the Development or the Wider Country Park.~~

Commented [REDACTED] I think this revised wording to clarify the charging regime was agreed over email so I'm just bringing it into the agreement.

44-10. FIERY CLEARWING STRATEGY

44-410.1 To notify the Council of the submission of the Fiery Clearwing Strategy Documents to the Statutory Body within 14 days of their submission.

44-210.2 To submit a copy of the Fiery Clearwing Strategy Documents to the Council as soon as reasonably practicable following the submission of the application for the Fiery Clearwing Licence to the Statutory Body.

44-310.3 Unless previously agreed with the Council in writing not to Commence Development unless and until the Fiery Clearwing Licence has been issued by the Statutory Body.

11.4 To comply with the terms of the Fiery Clearwing Licence for the lifetime of the Development (or otherwise as provided by the Fiery Clearwing Licence).

42-11. LIZARD ORCHID STRATEGY

42-411.1 To notify the Council of the submission of the Lizard Orchid Strategy Documents to the Statutory Body within 14 days of their submission.

42-211.2 To submit a copy of the Lizard Orchid Strategy Documents to the Council as soon as reasonably practicable following the submission of the application for the Lizard Orchid Licence to the Statutory Body.

42-311.3 Unless previously agreed with the Council in writing not to Commence Development unless and until the Lizard Orchid Licence has been issued by the Statutory Body.

12.4 To comply with the terms of the Lizard Orchid Licence for the lifetime of the Development (or otherwise as provided by the Lizard Orchid Licence).

43-12. REPTILE TRANSLOCATION STRATEGY

~~43.4~~12.1 To submit a Reptile Translocation Strategy to the Council for its approval prior to Commencement of Development.

~~43.4~~12.2 Unless previously agreed with the Council in writing not to Commence Development unless and until the Council has approved a Reptile Translocation Strategy (the **Approved Reptile Translocation Strategy**).

~~43.4~~12.3 To establish the receptor area(s) and undertake the translocation measures and set out in the Approved Reptile Translocation Strategy (including the monitoring and management measures set out therein) for the lifetime of the Development.

~~44.4~~13. **TREE PLANTING**

~~44.4~~13.1 To submit a Tree Planting Scheme to the Council for its approval prior to the Occupation of the Development.

~~44.4~~13.2 Unless previously agreed with the Council in writing not to Occupy the Development unless and until the Council has approved a Tree Planting Scheme (the **Approved Tree Planting Scheme**).

~~44.4~~13.3 To undertake the planting of trees in accordance with the Approved Tree Planting Scheme and to ensure that the said trees are retained for the operational lifetime of the Development.

~~44.4~~13.4 To notify the Council of the planting of the trees in accordance with the notification requirements set out in the Approved Tree Planting Scheme.

~~44.4~~13.5 To otherwise implement, comply with and observe the requirements of the Approved Tree Planting Scheme.

~~44.4~~13.6 To manage and maintain (and where applicable replace) the trees planted pursuant to the Approved Tree Planting Scheme in accordance with the landscape management scheme approved by the Council pursuant to condition ~~1~~1 of the Planning Permission.

Formatted: Sch 2 Number

Commented [] To be confirmed.

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SCHEDULE 2 - COMMUNITY INITIATIVES AND APPRENTICESHIP SCHEMES

1. DEFINITIONS

In this schedule the following words shall have the following meaning in addition to the definitions provided in clause 1 of this Deed:

Apprenticeship	Apprenticeship places created at the Development pursuant to the Apprenticeship Scheme and Apprenticeships and Apprentices shall be construed accordingly
Apprenticeship Scheme	an apprenticeship scheme aimed at school leavers within the Council's administrative area for the creation of a selection of roles and career paths in the operational business(es) of the Development
Associated Charities	selected/specialist charities whose purposes are aligned with the Development's surf therapy and educational objectives
Carer	a person responsible for assisting a disabled visitor to the Development
Carer's Ticket	a ticket or other form of authority admitting entry to the Development specifically assigned to a Carer
Discounted Meals	discounted teatime meals at the Development's café/restaurant for Under Privileged School Children during Term Time
Discounted Programme Meals	the details relating to the Discounted Meals including the discount to be offered, the meals which will be the subject of the discount, the time slots during which the meals will be available and the capacity limits which will apply
Out of School Activity Programme	a free activity programmes (to include an environment for children to learn and provision of creative / engaging learning activities linked to key subject areas) at the Development delivered in accordance with the Government's Holiday Activities and Food Programme (HAF) (or any successor or replacement or equivalent programme or initiative) for Under Privileged School Children during School Holiday Periods each programme to include one free meal per child visiting
School Children	children up to the age of 16 who attend and are pupils registered at a Qualifying School

School Holiday Periods	the periods during which Qualifying Schools have ended their school term for the Easter, Christmas and summer breaks and School Holiday Period shall be construed accordingly
Surf Sessions	the 2,500 free of charge surf sessions (which could also incorporate a lesson)- to be made available per annum- for School Children from a Qualifying School- during Term Time as part of an organised school trip, combined with a broader experience on the day incorporating an ocean awareness and safety course, lessons around conservation and environmental impacts or other outdoor activities
Surf Sessions Scheme	a scheme setting out a programme of Surf Sessions at the Development and how that programme will be made available to School Children from a Qualifying School during Term Time which shall include details of those measures which will be taken to engage with and publicise the Surf Sessions to Qualifying Schools to- maximise the take up of the Surf Sessions (which may be varied from time to time with the written agreement of the Council)
Under Privileged School Children	School Children who are in receipt of means-related free school meals at their school
Qualifying School	any state school for the provision of primary or secondary education within the administrative area of the Council and Qualifying Schools shall be construed accordingly
Term Time	Mondays to Thursdays during the term time periods for the Qualifying Schools (all periods outside of the School Holiday Periods and half-term school holidays)

The Owner covenants with the Council:

2. APPRENTICESHIP SCHEME

- 2.1 To submit an Apprenticeship Scheme to the Council for its approval prior to Occupation of any part of the Development.
- 2.2 Unless otherwise agreed with the Council not to Occupy any part of Development unless and until the Council has approved an Apprenticeship Scheme (the **Approved Apprenticeship Scheme**).

~~2.3~~

~~2.4~~ 2.3 To implement the Approved Apprenticeship Scheme for the operational lifetime of the Development or as otherwise agreed with the Council.

~~2.5~~ 2.4 To maintain an annual record of all Apprenticeships created by the Approved Apprenticeship Scheme and of the progress of all Apprentices and where requested, to provide a copy of the same to the Council.

3. ASSOCIATED CHARITIES

Formatted: Indent: Left: 0.59", No bullets or numbering

- 3.1 To offer Associated Charities (free of charge) space(s) within the Development from which to run programmes, courses and events.
- 3.2 Upon request by the Council, to provide details of the Associated Charities who are occupying/have occupied the Development and the activities undertaken by those Associated Charities within the 12 month period preceding the said request.

4. CARERS

To allow all disabled visitors to the Development to obtain a free of charge Carer's Ticket to allow a Carer to accompany them on their visit to the Development subject to one of the following forms of documentation being provided (or such other form of documentation as may reasonably be accepted by the Owner):

- Entitlement to Disability Living Allowance for children under 16 or DLA/Personal Independent Payments (PIP) for those aged 16-64, either in the form of a letter stating that the benefit has been awarded, or the actual Allowance book;
- Attendance Allowance or Carer's Allowance letter of award;
- Incapacity Benefit books, or a letter notifying the recipient that the benefit has been awarded Incapacity Benefit or Employment and Support Allowance (ESA);
- a Blue Badge issued pursuant to the Disabled Persons' Parking Badges Act 2013;
- In the case of visual impairment, a BD8 registration card or a Certificate of Visual Impairment (CVI);
- A local authority registration document;
- A recognised Assistance Dog ID Card; or
- Credability's Access Card

5. DISCOUNTED MEALS PROGRAMME

- 5.1 To provide a Discounted Meals Programme to the Council prior to the Occupation of the Development.
- 5.2 To Implement the Discounted Meals Programme for the operational lifetime of the Development or as otherwise agreed in writing by the Council.

6. OUT OF SCHOOL ACTIVITY PROGRAMMES

- 6.1 For the operational lifetime of the Development or as otherwise agreed with the Council, to organise and provide a minimum of one Out of School Activity Programme for up to 50 Under Privileged School Children per School Holiday Period PROVIDED ALWAYS that this is

subject to any reasonable limitation that may be required to facilitate necessary maintenance or repair of the Development or as may be impacted by adverse weather.

- 6.2 Upon request by the Council, to provide details of each Out of School Activity Programme organised within the 12 month period preceding the said request.

7. SURF SESSIONS

- 7.1 To submit a Surf Sessions Scheme to the Council for its approval prior to Occupation of any part of the Development.
- 7.2 Unless otherwise agreed with the Council not to Occupy any part of Development unless and until the Council has approved a Surf Sessions Scheme (the **Approved Surf Sessions Scheme**).
- 7.3 To implement the Approved Surf Sessions Scheme for the operational lifetime of the Development or as otherwise agreed with the Council.

SCHEDULE 3 - SAMM CONTRIBUTION

DEFINITIONS

- 1.1 In this schedule the following words shall have the following meaning in addition to the definitions provided in clause 1 of this Deed:

SAMM Strategy	The Council's Thanet Coast and Sandwich Bay SPA Strategic Access Mitigation and Monitoring Strategy <u>dated March 2023</u>
SAMM Contribution	the sum of £13,425 (Thirteen Thousand Four Hundred and Twenty Five Pounds) toward the mitigation measures set out in the SAMM Strategy

2. PAYMENT OF CONTRIBUTION

The Owner covenants with the Council to pay the SAMM Contribution to the Council prior to the Commencement of Development and not to Commence Development until the SAMM Contribution has been paid to the Council.

SCHEDULE 4 – SHUTTLE BUS SERVICE

1. DEFINITIONS

In this schedule the following words shall have the following meaning in addition to the definitions provided in clause 1 of this Deed:

Neighbouring Development	the proposed development for a hotel and spa which is the subject of planning application reference 23/010995 submitted to the Council and awaiting determination as at the date hereof or of any replacement planning application or variation application
Shuttle Bus Service	a flexible -shuttle bus service that may be a shared service with the Neighbouring Development which is designed around the needs of employees working at the Development and Neighbouring Development (where the service is shared)

2. SHUTTLE BUS SERVICE

The Owner covenants with the Council as follows:

- 2.1 Prior to first Occupation of the Development to submit to the Council an assessment of the transport needs of the workforce of the Development or the aggregate workforce of the Development and the Neighbouring Development
- 2.2 Where the assessment submitted in accordance with paragraph 2.1 identifies a reasonable need for a Shuttle Bus Service details of the scope and extent of that Shuttle Bus Service shall be submitted to the Council by the Owner and the Shuttle Bus Service shall be provided in accordance with these details
- 2.3 The assessment submitted in accordance with paragraph 2.1 shall be repeated on a bi-annual basis and submitted to the Council
- 2.4 In the event a bi-annual assessment submitted in accordance with paragraph 2.3 identifies any change in reasonable need for a Shuttle Bus Service details of the scope and extent of that Shuttle Bus Service shall be submitted to the Council by the Owner and the Shuttle Bus Service shall be provided or revised (where one is already in place) -in accordance with these details

PROVIDED ALWAYS that where an assessment identifies no reasonable need for a Shuttle Bus Service the Owner shall not be required to provide or continue to provide a Shuttle Bus Service

SCHEDULE 5 - WHITFIELD A2 ROUNDABOUT WORKS CONTRIBUTION

1. DEFINITIONS

In this schedule the following words shall have the following meaning in addition to the definitions provided in clause 1 of this Deed:

Whitfield A2 Roundabout Works Contribution	the sum of £27,000 (Twenty Seven Thousand Pounds) toward <u>s</u> improvement works at the A2 Whitfield Roundabout
---	--

2. PAYMENT OF CONTRIBUTION

The Owner covenants with the Council to pay the Whitfield A2 Roundabout Works Contribution to the Council prior to Occupation of the Development and not to Occupy the Development until the Whitfield A2 ~~Junction-Roundabout~~ Works Contribution has been paid to the Council.

SCHEDULE 6 – HIGHWAY WORKS

1. DEFINITIONS

In this schedule the following words shall have the following meaning in addition to the definitions provided in clause 1 of this Deed:

Highway Works	highway mitigation works at the A256/Northbourne Road Mitigation junction in accordance with the Highway Works Drawing
Highway Works Agreement	an agreement entered into with the County Council pursuant to section 278 and/or section 38 of the Highways Act 1980 in order to secure the Highway Works
Highway Works Drawing	drawing reference 22-034-003 annexed hereto at Appendix DC
Neighbouring Development	the proposed development for a hotel and spa which is the subject of planning application reference 23/010995 submitted to the Council and awaiting determination as at the date hereof or of any replacement planning application or variation application
Occupation of Neighbouring Development	occupation of any building or other part of the Neighbouring Development for the purposes permitted by the relevant planning permission(s) but shall not include occupation for the purposes of construction or fitting out or for marketing purposes or security operations

The Owner covenants with the Council:

2. DELIVERY OF HIGHWAY WORKS

- 2.1 To use reasonable endeavours to enter into a Highway Works Agreement as soon as reasonably practicable following the grant of Planning Permission.
- 2.2 Not to commence the Highway Works until the Highway Works Agreement has been completed.
- 2.3 To construct and deliver the Highway Works in accordance with the Highway Works Agreement prior to (cumulatively) the Occupation of the Development and the Occupation of the Neighbouring Development.
- 2.4 Where Occupation of the Neighbouring Development occurs prior to the Occupation of the Development, not to Occupy the Development until the Highway Works have been constructed and completed in accordance with paragraph 2.3 above.

SCHEDULE 7 – COUNCIL’S COVENANTS

The Council covenants with the Owner:-

1. Following written request from the Owner repay to the Owner (for the purposes of this Schedule meaning the person, persons or company that paid the relevant contribution) such amount of any contribution made by them to the Council under this Deed and which has not been expended at the date of such written request together with interest which has accrued on the balance after deduction of tax where required and any other sum required to be deducted by law provided always that no such request will be made prior to the expiry of ten years of the date of receipt by the Council of such payment. Any contribution or part of a contribution which the Council has contracted to expend prior to the date of receipt of such request shall be deemed to have been expended by the Council prior to that date. If capital works have been carried out then commuted sums for maintenance will not be returnable under this paragraph

This document has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it.

Executed as a Deed by affixing the)
common seal of DOVER DISTRICT)
COUNCIL in the presence of)
)

Authorised Signatory

EXECUTED as a Deed by)
BETTESHANGER PROPERTY)
LIMITED acting by a director

Director Signature

In the Presence of:

Witness Signature:

Witness Name:

Witness Address:

Witness Occupation:

EXECUTED as a Deed by THESEAHIVE)
LIMITED acting by a director)

Director Signature

In the Presence of:

Witness Signature:

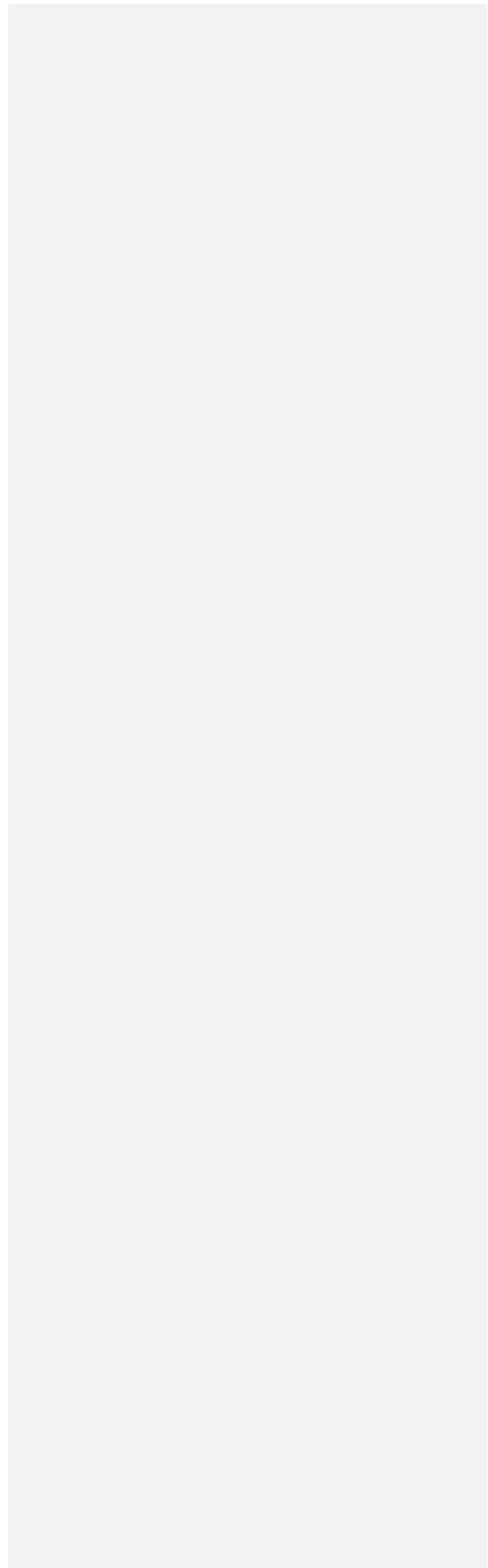
Witness Name:

Witness Address:

Witness Occupation:

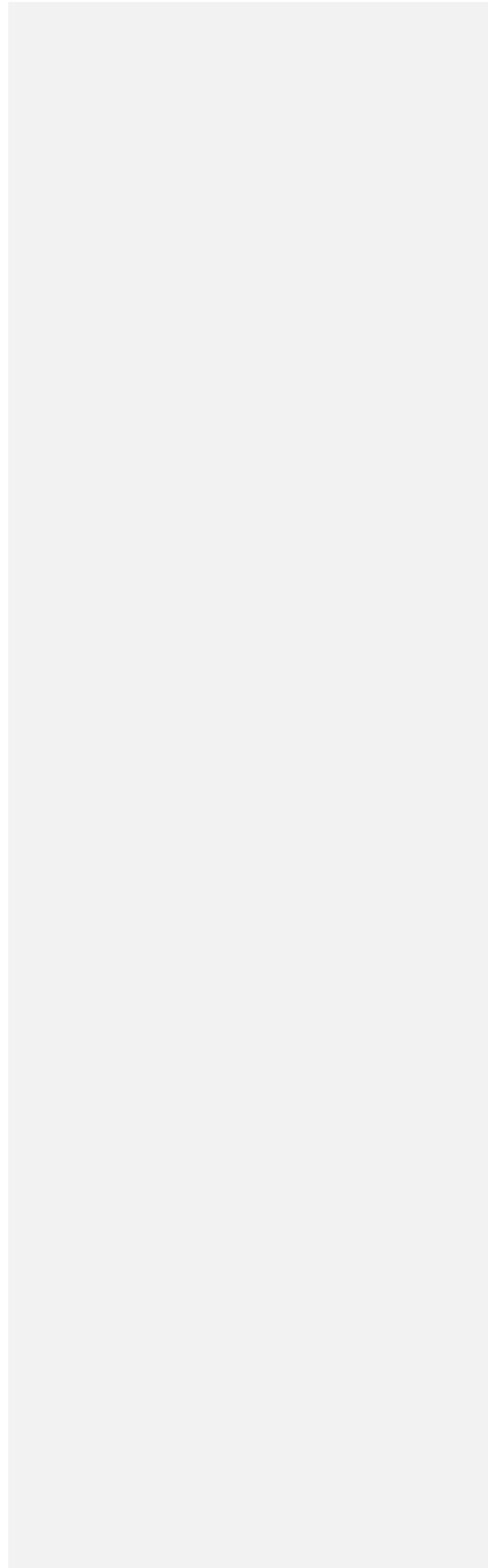
APPENDIX A - SITE PLAN

|



APPENDIX B – HABITAT COMPENSATION MEASURES PLAN

|



APPENDIX C – HIGHWAY WORKS DRAWING

From: [REDACTED]@quinn-estates.com>
Sent: 30 August 2024 11:28
To: [REDACTED]
Subject: Fw: Betteshanger S.106
Attachments: Appendix C - 22-034-100 - Northbourne Road Proposals.pdf; Appendix B - 6535 TN3.pdf; Appendix A - Site Plan 21.0170 01.pdf

Some people who received this message don't often get email from [REDACTED]@quinn-estates.com. [Learn why this is important](#)

Hi [REDACTED] - please see attached from [REDACTED] [REDACTED]

[REDACTED]
Development Director
Quinn Estates

Tel: [REDACTED]
Mob: [REDACTED]
Email: [REDACTED]@quinn-estates.com
Web: www.quinn-estates.com

Highland Court Farm,
Bridge nr Canterbury
Kent
CT4 5HW



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From: [REDACTED]@akdc.co.uk>
Sent: Friday, August 30, 2024 11:23 AM
To: [REDACTED]@quinn-estates.com>
Subject: Fwd: Betteshanger S.106

Hi [REDACTED]

These should be the appendices for The SeaHive S.106.

I hope this helps.

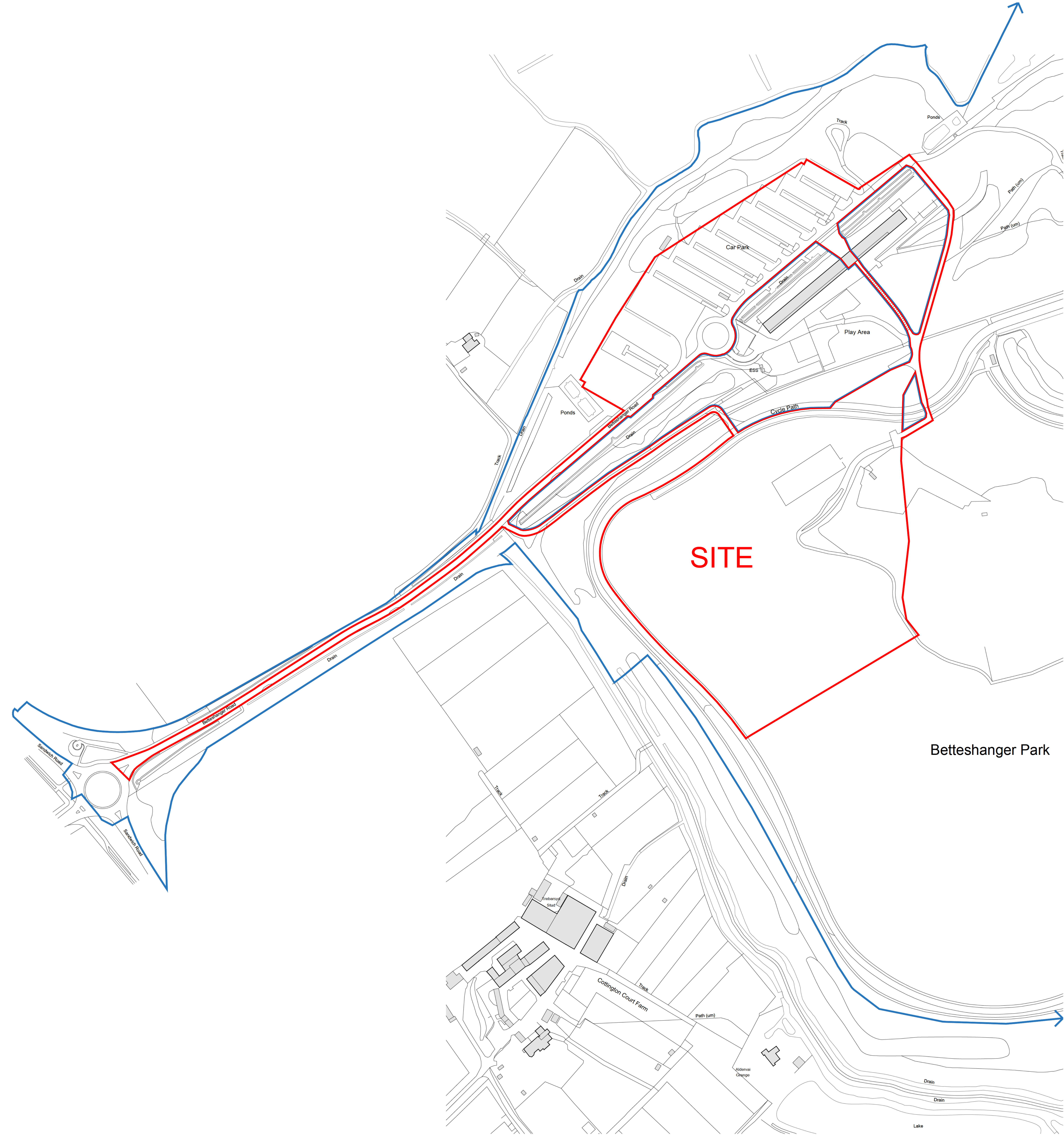
Thanks

[REDACTED]

[REDACTED]

Email: [REDACTED] [@akdc.co.uk](mailto:[REDACTED]@akdc.co.uk)

Tel: [REDACTED]



SITE LOCATION PLAN 1:1 250 @ A0
0 10 20 30 50 75M

- SITE APPLICATION BOUNDARY
SITE AREA: 9.7 Ha
- ADJACENT LAND UNDER THE OWNERSHIP OF THE APPLICANTS

Ordnance Survey, (c) Crown Copyright 2022. All rights reserved. Licence number 100022432

Hollaway

London, UK
100022432

Project | WAVEGARDEN COVE
BETTESHANGER PARK, SANDWICH ROAD, DIAL
Client | THE BEAVER
Title | SITE LOCATION PLAN
Status | PLANNING

Scale | 1:1250 Date | AUG 22 Drawn | RT CNA 'd' NO

Project Number
21.0170 01
Revision

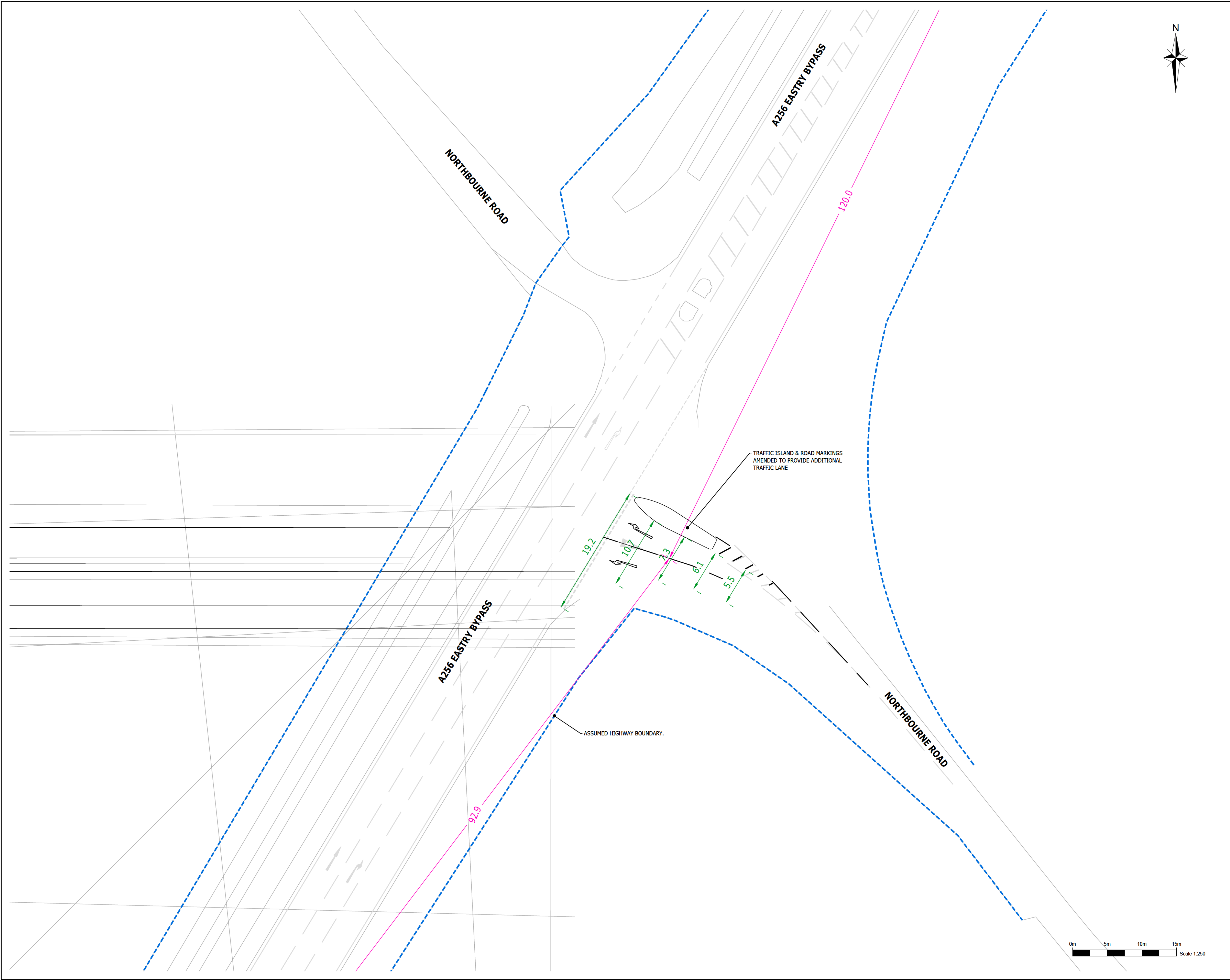


- Key:
- Site Boundary
 - Country Park Boundary
 - Biodiverse Green Roof (0.21ha)
 - Built Development (6.96ha) - 90% developed land; sealed surface, 10% introduced shrub
 - Open Mosaic/Brownfield Habitat Creation (2.09ha)
 - Open Mosaic/Brownfield Habitat Creation within Holiday Pod Surrounds (0.19ha)
 - Mixed Scrub Planting (0.06ha)
 - Retained Open Mosaic Habitat/Lizard Orchid Protection Areas (0.14ha)
 - Enhanced Open Mosaic Habitat (3.15ha)
 - Enhanced Scrub (0.77ha)
 - Enhanced Grassland (1.39ha)
 - Additional Areas of Grassland and Scrub for Enhancement (6ha out of total 8.18ha area indicated)
 - Additional Area of Habitat for Management/Enhancement (6.24ha)
- Mitigation/Habitat Creation Areas Under Planning Application 20/00419**
- Open Mosaic Habitat Creation/Enhancement
 - Turtle Dove Feeding Location
 - Waymarked Trail

aspect ecology

Aspect Ecology Limited - West Court - Hardwick Business Park
Noral Way - Banbury - Oxfordshire - OX16 2AF
01295 279721 - info@aspect-ecology.com - www.aspect-ecology.com

The SeaHive, Betteshanger	PROJECT
Proposed Development and Enhancement Areas	TITLE
6535/TN3	DRAWING NO.
A/DM	REV
February 2023	DATE



NOTES

Rev	Amendments	Dim	CHK	App	Date
-----	------------	-----	-----	-----	------

Charles & Associates

Landmark House
Station Road
Bosch
Hampshire
RG27 9BA
01256 658425
www.c-a.co.uk

Issued by

Park House
Park Farm
East Malling, Kent
Bridgeway Lane
Aylesford
Kent
ME20 6SN
01752 448125

enquiries@c-a.co.uk

Job Title

Betteshanger Country Park

Drawing Title

Betteshanger Country Park Applications
N'bourne Rd/A256 Eastry Bypass Improvements

Client

Bettshanger Country Park

Scale	1:250 @ A1	Date	Dec 2022	Designed	DH
Drawn	DH	Checked	SW	Approved	SW
Job No	22-034/21-110	Drawing No	22-034 - 21-110/100	Rev	

[REDACTED]

From: [REDACTED]@quinn-estates.com>
Sent: 02 September 2024 16:00
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Seahive Development s106 Agreement

Thanks [REDACTED]

Good idea - I will ask a colleague to drop it to you and then pick up the hotel deeds as im at a meeting.

[REDACTED]
Development Director
Quinn Estates

Tel: [REDACTED]
Mob: [REDACTED]
Email: [REDACTED]@quinn-estates.com
Web: www.quinn-estates.com

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Bridge nr Canterbury
Kent
CT4 5HW



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From: [REDACTED]@DOVER.GOV.UK>
Sent: Monday, September 2, 2024 2:22 PM
To: [REDACTED]@quinn-estates.com>
Cc: [REDACTED]@dover.gov.uk>; [REDACTED]@DOVER.GOV.UK>; [REDACTED]
<[REDACTED]@akdc.co.uk>; [REDACTED]@knightsplc.com>
Subject: RE: Seahive Development s106 Agreement

Hi [REDACTED]

Thank you for the update.

I'm happy with the suggestion in relation to the covenant to be given by HPL and I will amend the draft for the Hotel on that basis.

If you hold fire on dropping the Seahive engrossments off until the afternoon (say 3ish to give me a chance to get the print room staff to print and bind the deeds) then you should be able to pick the Hotel deeds up at the same time.

Would you mark them for my attention please.

Kind regards

[REDACTED]



[REDACTED]
Principal Solicitor - Planning

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Tel: [REDACTED]

Mob: [REDACTED]

Email: [REDACTED]@DOVER.GOV.UK

Web: <http://dover.gov.uk>

Please consider the Environment before printing this email

From: [REDACTED]@quinn-estates.com>

Sent: 02 September 2024 13:15

To: [REDACTED]@DOVER.GOV.UK>

Cc: [REDACTED]@dover.gov.uk>; [REDACTED]@DOVER.GOV.UK>; [REDACTED]

[REDACTED]@akdc.co.uk>; [REDACTED]@knightsplc.com>

Subject: RE: Seahive Development s106 Agreement

Hi [REDACTED]

I've caught up with Knights in [REDACTED] absence.

We agree limiting Hammill Properties Ltd to covenant in relation to the Off-site Enhancement Area (Hammill Field) only makes perfect sense from a planning perspective.

Please can you update with the Title numbers and issue engrossments on this basis?

Re the Seahive – I will drop the signed copies in to reception at DDC tomorrow morning if that's ok?
Shall I mark them for your attention or [REDACTED] or [REDACTED]

Thanks

[REDACTED]

[REDACTED]
Development Director
Quinn Estates

Tel: [REDACTED]
Mob: [REDACTED]
Email: [REDACTED]@quinn-estates.com
Web: www.quinn-estates.com

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From: [REDACTED]@DOVER.GOV.UK>

Sent: Friday, August 30, 2024 4:36 PM

To: [REDACTED]@quinn-estates.com>

Cc: [REDACTED]@dover.gov.uk>; [REDACTED]@DOVER.GOV.UK>; [REDACTED]

[REDACTED]@akdc.co.uk>; [REDACTED]@knightsplc.com>

Subject: RE: Seahive Development s106 Agreement

Hi [REDACTED]

Thank you for your emails.

I will wait to hear from [REDACTED] on your suggestions below before making any further amends. Alternatively, I am very happy for [REDACTED] to make any amends and then consider them.

Kind regards

[REDACTED]



[REDACTED]
Principal Solicitor - Planning

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Tel: [REDACTED]

Mob: [REDACTED]

Email: [REDACTED]@DOVER.GOV.UK

Web: <http://dover.gov.uk>

Please consider the Environment before printing this email

From: [REDACTED]@quinn-estates.com>

Sent: 30 August 2024 15:39

To: [REDACTED]@DOVER.GOV.UK>; [REDACTED]@akdc.co.uk>

Cc: [REDACTED]@dover.gov.uk>; [REDACTED]@DOVER.GOV.UK>; [REDACTED]

██████████@knightsplc.com>

Subject: RE: Seahive Development s106 Agreement

Hi ██████████

Title numbers for the above area are below

K357737

K946016

K199195

K533535

K504223

██████████
Development Director
Quinn Estates

Tel: ██████████
Mob: ██████████
Email: ██████████@quinn-estates.com
Web: www.quinn-estates.com

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From: ██████████

Sent: Friday, August 30, 2024 3:12 PM

To: ██████████@DOVER.GOV.UK>; ██████████@akdc.co.uk>

Cc: ██████████@dover.gov.uk>; ██████████@DOVER.GOV.UK>; ██████████@knightsplc.com>

Subject: RE: Seahive Development s106 Agreement

Hi ██████████

Thanks for this – I will pick up the seahive s106 shortly.

Re the hotel. ██████████ – please can you advise on the below.

In terms of the land – this is land that will from what is referred to in the agreement as the “Offsite Enhancement Area” as defined by the “Habitat and Biodiversity Enhancement Areas” and “Habitat Compensation Measures” set out within Schedule 1 of the agreement.

SO perhaps it should say “(Owner of the Offsite Enhancement Area)

Presumably covenants on Hamill Properties Ltd will tie back to the requirements of the Offsite Enhancement Area set out in schedule 1 only?

So

The Owner Offsite Enhancement Area covenants with the Council to observe and perform the relevant obligations set out in Schedules 1?

Land reg title to follow!

■

■
Development Director
Quinn Estates

Tel: ■
Mob: ■
Email: ■@quinn-estates.com
Web: www.quinn-estates.com

Highland Court Farm,
Bridge nr Canterbury
Kent
CT4 5HW



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Quinn Estates Ltd Registered Company Number: 05150902 Registered Office: Quinn Estates Ltd, The Cow Shed, Highland Court Farm, Bridge, Kent, England, CT4 5HW

From: ■@DOVER.GOV.UK>

Sent: Friday, August 30, 2024 2:03 PM

To: [REDACTED]@quinn-estates.com>; [REDACTED]@akdc.co.uk>
Cc: [REDACTED]@dover.gov.uk>; [REDACTED]@DOVER.GOV.UK>
Subject: RE: Seahive Development s106 Agreement

Hi [REDACTED]

The SeaHive agreement is ready to be collected from reception at the DDC offices at Whitfield (I understand that the reception closes at 4pm today).

I have amended the Hotel draft and added in Hammill Properties Limited (draft attached) as a party - are you able to suggest wording for a recital which explains the company's interest in the land (and a reference to the relevant Land Registry title number) and also a plan which shows the land that is owned by the company (as it is presumably to be bound by the agreement). Are Hammill Properties Limited giving any covenants? I assume so and have amended clause 6 to refer to covenants given by HPL as opposed to SeaHive but I would be grateful if some wording could be suggested for inclusion here.

Kind regards

[REDACTED]



[REDACTED]
Principal Solicitor - Planning
Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Tel: [REDACTED]
Mob: [REDACTED]
Email: [REDACTED]@DOVER.GOV.UK
Web: <http://dover.gov.uk>

Please consider the Environment before printing this email

From: [REDACTED]@quinn-estates.com>
Sent: 30 August 2024 08:38
To: [REDACTED]@akdc.co.uk>; [REDACTED]@DOVER.GOV.UK>
Cc: [REDACTED]@dover.gov.uk>; [REDACTED]@DOVER.GOV.UK>
Subject: RE: Seahive Development s106 Agreement

You don't often get email from [REDACTED]@quinn-estates.com. [Learn why this is important](#)

Hi [REDACTED]

Just running though with [REDACTED] this morning.

We think the only other change needed is that the s106 for the hotel only might need a signature block for Hamill Properties Ltd as this land forms part of the BNG metric calculations for the application.

Company details are below:

<https://find-and-update.company-information.service.gov.uk/company/07594629>

Can you let me know your thoughts?

We can collect engrossments at any point to day – let me know when works for you.

Thanks

[REDACTED]

Development Director
Quinn Estates

Tel: [REDACTED]
Mob: [REDACTED]
Email: [REDACTED]@quinn-estates.com
Web: www.quinn-estates.com

Highland Court Farm,
Bridge nr Canterbury
Kent
CT4 5HW



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Quinn Estates Ltd Registered Company Number: 05150902 Registered Office: Quinn Estates Ltd, The Cow Shed, Highland Court Farm, Bridge, Kent, England, CT4 5HW

From: [REDACTED]@akdc.co.uk>
Sent: Thursday, August 29, 2024 8:43 PM
To: [REDACTED]@dover.gov.uk>
Cc: [REDACTED]@dover.gov.uk>; [REDACTED]@dover.gov.uk>; B [REDACTED]
[REDACTED]@quinn-estates.com>
Subject: Re: Seahive Development s106 Agreement

Hi [REDACTED]

Thank you for this and I can confirm that I am happy for you to prepare engrossments for both The SeaHive and Betteshanger Park Hotel S.106 agreements on this basis.

[REDACTED] is aware that the engrossments may be ready to collect tomorrow and I've arrange for a SeaHive Director to sign on Tuesday next week.

Thank you for your help.

Kind regards

[REDACTED]

[REDACTED]

Email: [REDACTED]@akdc.co.uk

Tel: [REDACTED]

On Thu, 29 Aug 2024, 19:37 [REDACTED]@dover.gov.uk> wrote:

Hi [REDACTED]

I have made some further, and relatively minor, amends and attach the revised track changes doc. I have accepted the vast majority of the amends made by [REDACTED] and [REDACTED] but wanted to give you and [REDACTED] sight of it before I prepare engrossments.

[REDACTED] would you give me a call tomorrow morning on [REDACTED] to discuss how best to expedite the preparation of engrossments and execution of the deeds.

Kind regards

[REDACTED]



[REDACTED]
Principal Solicitor - Planning

Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Tel: [REDACTED]

Mob: [REDACTED]
Email: [REDACTED]@DOVER.GOV.UK
Web: <http://dover.gov.uk>

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From: [REDACTED]@akdc.co.uk>

Sent: 27 August 2024 11:02

To: [REDACTED]@DOVER.GOV.UK>

Cc: [REDACTED]@dover.gov.uk>; [REDACTED]@DOVER.GOV.UK>; [REDACTED]
[REDACTED]@quinn-estates.com>

Subject: Re: Seahive Development s106 Agreement

Hi [REDACTED]

I hope you are well - Just to let you know that I am away from tomorrow for eight days (28th August - 5th September). Following your review of our final suggested amendments, we are now happy for you to issue final versions of both S.106 agreements that DDC are comfortable with for us to arrange to be signed.

If you could keep [REDACTED] copied in on any engrossments while I'm away that would be very much appreciated.

Many thanks

[REDACTED]

[REDACTED]

Email: [REDACTED]@akdc.co.uk

Tel: [REDACTED]



On Wed, 21 Aug 2024 at 10:34, [REDACTED]@akdc.co.uk> wrote:

Hi [REDACTED]

Thank you for the latest draft of the SeaHive S.106. Please see attached with what we hope are our final changes and comments.

This has been reviewed by [REDACTED] at Knights and SeaHive's solicitors. I've made comments in the draft to provide some context as I don't believe the changes move away from what was intended in your previous version and can hopefully be quite straightforward to agree.

The main change is that we've provided what we feel is a clearer definition for the overarching management and monitoring plan, which captures the interrelationship referred to in the committee report. We've also moved the overarching plan obligations to the top of the Schedule and reordered clause 3, so that the Habitat and Biodiversity Enhancement Scheme is agreed, delivered and then monitored in chronological order.

Hopefully the changes are self-explanatory and the comments are helpful.

Please let me know if you have any questions before we finalise both agreements.

Kind regards

[REDACTED]

[REDACTED]

Email: [REDACTED] [@akdc.co.uk](mailto:[REDACTED]@akdc.co.uk)

Tel: [REDACTED]



On Fri, 9 Aug 2024 at 17:49, [REDACTED] [@dover.gov.uk](mailto:[REDACTED]@dover.gov.uk)> wrote:

Hi [REDACTED]

Please find the latest iteration of the draft attached.

As we have discussed on the phone, I have reinstated some of the previous wording relating to the overarching plan (the Country Park Ecological Management and Monitoring Plan). This is, in my view, what para 2.220 of the committee report was referring to. I have also, following discussion with the Council's SNEO, moved all of the BNG requirements into the provisions of the Habitat and Biodiversity Enhancement and Management Scheme as this is the more logical home for it.

Hopefully, most of the amendments are self-explanatory. There isn't a lot that is new but there is a bit of moving around of provisions.

I do not appear to have [REDACTED] email address so I would be grateful if you would forward it on to him (and to Seahive's solicitor as well).

Kind regards

[REDACTED]



[REDACTED]
Principal Solicitor - Planning

Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Tel: [REDACTED]

Mob: [REDACTED]
Email: [REDACTED]@DOVER.GOV.UK
Web: <http://dover.gov.uk>

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From: [REDACTED]
Sent: 04 September 2024 09:44
To: [REDACTED]
Subject: FW: FW: Betteshanger - Planning Conditions
Attachments: [Final] Conditions - 22-01158 - Wave Pool Scheme.docx; [Final] Conditions - 23-01095 - Hotel Scheme.docx

Kind regards,

[REDACTED]



Planning & Development Manager

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Email: [REDACTED]@dover.gov.uk

Web: <http://dover.gov.uk>

My working days are Tuesday to Friday

From: [REDACTED]@nexusplanning.co.uk>
Sent: Tuesday, August 27, 2024 11:02 AM
To: [REDACTED]@akdc.co.uk>; [REDACTED]@dover.gov.uk>
Subject: RE: FW: Betteshanger - Planning Conditions

Hi [REDACTED] / [REDACTED]

An updated version of each schedule of conditions enclosed.

This should be in final draft now

[REDACTED]

[REDACTED]
Associate Director

M [REDACTED]
E [REDACTED]@nexusplanning.co.uk





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From: [REDACTED] [@akdc.co.uk](mailto:[REDACTED]@akdc.co.uk)>
Sent: Tuesday, August 20, 2024 2:17 PM
To: [REDACTED] [@dover.gov.uk](mailto:[REDACTED]@dover.gov.uk)>
Cc: [REDACTED] [@nexusplanning.co.uk](mailto:[REDACTED]@nexusplanning.co.uk)>
Subject: Re: FW: Betteshanger - Planning Conditions

External Email: Please be aware. This email originated from outside the Nexus Planning corporate network. Do not take instructions, click on links or open attachments unless you recognise the sender and know the content is safe.

Hi [REDACTED]

Thank you for letting me know, that is good news.

I'm happy for [REDACTED] to add the wording where he feels is appropriate before the conditions are finalised next week, if that is ok with you.

Many thanks

[REDACTED]

[REDACTED]

Email: [REDACTED] [@akdc.co.uk](mailto:[REDACTED]@akdc.co.uk)
Tel: [REDACTED]



On Tue, 20 Aug 2024 at 14:06, [REDACTED] [@dover.gov.uk](mailto:[REDACTED]@dover.gov.uk)> wrote:

Hi [REDACTED]

I have spoken to [REDACTED] and she is happy with adding wording along the lines you suggested “as informed by an updated survey where necessary” to the individual species conditions and the CEMP condition. If you are happy to amend, please do, if not, Andy can you amend on your return.

Many thanks

[REDACTED]



[REDACTED]
Planning & Development Manager

Dover District Council

Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ

Email: [REDACTED]@dover.gov.uk

Web: <http://dover.gov.uk>

My working days are Tuesday to Friday

From: [REDACTED]
Sent: Tuesday, August 20, 2024 8:39 AM
To: [REDACTED]@akdc.co.uk>
Cc: [REDACTED]@dover.gov.uk>
Subject: RE: Betteshanger - Planning Conditions

Thanks [REDACTED] for the comments back on the conditions.

I have responded in line below – and with those comments there should, I hope, be agreement.

Re any need for updated surveys and your comments, we may need to have a further discussion with the ecology officer. Will update further.

Enclosed is an updated schedule for each development, with changes tracked for easy reference

Best

[REDACTED]

From: [REDACTED] <[\[REDACTED\]@akdc.co.uk](mailto:[REDACTED]@akdc.co.uk)>
Sent: Monday, August 19, 2024 4:37 PM
To: [REDACTED] <[\[REDACTED\]@nexusplanning.co.uk](mailto:[REDACTED]@nexusplanning.co.uk)>
Cc: [REDACTED] <[\[REDACTED\]@dover.gov.uk](mailto:[REDACTED]@dover.gov.uk)>
Subject: Re: Betteshanger - Planning Conditions

External Email: Please be aware. This email originated from outside the Nexus Planning corporate network. Do not take instructions, click on links or open attachments unless you recognise the sender and know the content is safe.

Hi [REDACTED]

Thank you for the draft lists of planning conditions for both applications. Please see below my comments on The SeaHive conditions. The Hotel planning conditions are agreed subject to any amendments agreed to the corresponding conditions which are shared by both applications being made.

Overall, we are happy that the conditions have been tightly drafted to focus on what they need to secure and wherever possible have avoided prior to commencement triggers unless absolutely necessary. The conditions also closely reflect the committee report conditions lists with only a small number of additions (restoration plan no.46 and finished floor levels no.47 in the case of The SeaHive; green roof no.6, finished floor levels nos. 43 & 45 and EA flood warning service no. 44 for the Hotel):

Condition 9 (Hotel Condition 10) - Our energy consultant has advised that 9 months is more realistic than the 3 months provided. The post-construction certificates have a 8-week timescale but as soon as a clarification is requested the 8-week clock restarts. From his experiences elsewhere, 9 months has been provided by condition and it is unusual for the certificates to be resolved within 3 months.

We have frequently seen three months as a timetable. Nine months feels too long from occupation – suggest six

Condition 10 (Hotel Condition 12) - There is duplication of the tree planting requirement from Schedule 1, Clause 14 of the S.106 here, but I think this can be accepted as the S.106 wording cross-references back to the approved soft landscaping planning condition details.

Noted

Condition 18 - No demolition is proposed or secured by the permission so I suggest that references are removed.

Agreed – reference to demolition removed

Conditions 20-25, 36 and 38-40 - all refer to 'public, visitors or guests' or 'public or visitors'. I'm not sure of the need to differentiate these terms for The SeaHive and perhaps we could simplify references throughout to just 'prior to first use'.

This wording was at the preference of DDC officers: minded to keep as currently drafted

Condition 21 (Hotel Condition 23) - Small typo, 'cycle parking' rather than 'cycling parking'.

Noted - amended

Condition 24 - The third bullet point refers to the Travel Plan Coordinator for the Hotel rather than surf resort.

Noted - amended

Condition 36 - Reduction of water usage 'as far as reasonable(typo) possible'. Is it possible for this to be more measurable/quantified or will everyone just need to behave reasonably when the details reserved by this condition are agreed?

By definition a condition cannot be unreasonable; and the condition by including 'as far as reasonably possible' further emphasises this. In this context, I would rather keep it open for you to suggest measures that are likely to only be known during the detailed design / fitout stage of development.

Condition 42 - I think guidance A1:2019 needs to be added as it is a relevant supplement/update to the standard quoted in this condition. BS guidance talks about designing to 5db below the 'typical' or 'prevailing' background noise level, which would suggest the average or mid-point in the noise data, not the 'minimum' referred to in this condition. I would suggest that 'minimum' is replaced with 'average', but if this is a standard requirement from DDC Environmental Health we would be able to accept either as in practice we don't foresee an issue.

From my experience this is fairly standard working. If, as you foresee, there would not be any issue with compliance, prefer to keep condition as drafted.

Condition 44 - Reference to Hotel should be surf wellness resort.

Noted (thanks) and updated

In terms of update surveys, there are some specific requirements for update surveys set out by the conditions in relation to Sussex Emerald, Badger and Beaver, whilst we would expect documents such as a CEMP and other mitigation strategies to be informed by appropriately up-to-date surveys. As such, we had anticipated update surveys would be undertaken in regard to habitats, breeding birds, riparian mammals (Water Vole, Otter and Beaver), reptiles, Fiery Clearwing and Sussex Emerald.

I don't see that a specific condition needs to be added relating to update surveys, although if you are seeking further comfort, wording such as 'to be informed by updated surveys as required' could be added to conditions such as the CEMP?

If it would be possible to send a final version of the conditions before the decisions are issued, that would be much appreciated so I can circulate to our team.

In terms of the S.106, this is just with The SeaHive's Directors for a final check today, but I should be able to get our final (relatively minor) changes and comments back to [REDACTED] by the end of tomorrow. If we could push to agree the S.106s this week, that would be great and would relieve a lot of pressure at our end.

Many thanks

[REDACTED]

[REDACTED]

Email: [REDACTED]@akdc.co.uk

Tel: [REDACTED]



On Thu, 15 Aug 2024 at 15:46, [REDACTED]@nexusplanning.co.uk> wrote:

Hi [REDACTED]

Please find enclosed a draft schedule of conditions for each scheme.

One matter still live with officers, not reflected in the enclosed, is whether or not ecological survey work would need to be updated and reported if more than 18 months old ahead of commencement. No position on this has yet been reached, but I wanted to issue the conditions as currently drafted without further delay.

Any comments welcome.

Thanks



Associate Director

M
E

@nexusplanning.co.uk



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nexusplanning.co.uk



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DOV/22/01158 Construction of a surfing lagoon etc.
Draft Planning Conditions
27/08/24

1. The development hereby permitted shall be begun before the expiration of 7 years from the date of this decision.

Reason: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any legislation revoking or re-enacting that legislation with or without modification).

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

- 21.0170 – 01 Site Location Plan
- 21.0170 – 03 – A Existing Site / Block Plan
- 21.0170 – 05 – B Proposed Site / Block Plan
- 21.0170 – 06 Proposed Site Sections A-A & B-B
- 21.0170 – 07 Proposed Site Sections C-C & D-D
- 21.0170 – 08 – P2 Proposed Site Context Plan
- 21.0170 – 10 Proposed Ground Floor Plan
- 21.0170 – 11 Proposed First Floor Plan
- 21.0170 – 12 Proposed Roof Plan
- 21.0170 – 15 Proposed East & West Elevations
- 21.0170 – 16 – A Proposed North & South Elevation and Section
- 21.0170 – 17 Wellness Centre – Proposed Ground Floor Plan
- 21.0170 – 18 Wellness Centre – Proposed Roof Plan
- 21.0170 – 19 Wellness Centre – Proposed Elevation A-A, B-B & C-C
- 21.0170 – 20 Wellness Centre – Proposed Elevation D-D & Section 1-1
- 21.0170 – 21 Learning Hub – Plans, Elevations & Section
- 21.0170 – 22 – A Holiday Lodge (8 person)
- 21.0170 – 23 – A Holiday Lodge (4 person)
- 21.0170 – 24 Board Storage & Repair & Practice Area
- WGC-EDL-ZZ-ZZ-DR-L-0100 R2 Landscape Masterplan
- KEN-DR-CIN-0300 Cove and Associated Areas
- KEN-DR-CIN-0310 Dimensions
- KEN-DR-CIN-0311 Sections
- KEN-DR-CIN-0320 Elements Identification
- KEN-DR-CIN-0320 Core Service Area

Reason: For the avoidance of doubt

3. No development above ground level of any building shall take place until samples of materials to be used in the construction of the external surfaces, including decking areas, of that building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

4. No development above ground level of any building shall take place, until details of the window frames and doors of that building have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

5. No development above ground level shall take place, until details of the green roof on buildings across the site have been submitted to and approved in writing by the local planning authority. The green roofs shall provide a mosaic of bare substrate, recolonising vegetation, grassland and wildflowers, together with rubble and log piles. Details shall include areas of planting, species of plant, creation of habitat features, means of establishment and management of the habitats and habitat features. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and biodiversity, with regard to paragraphs 131 and 186 of the National Planning Policy Framework and draft Local Plan Policy PM1.

6. No development above ground level shall take place, until details of the materials and finish of the pedestrian bridge link have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Development shall not be occupied until the bridge link is in place and open for use.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

7. No development above ground level shall take place, until details of the boundary treatment / screening of the wave pool plant enclosure, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, with the approved boundary treatment / screening to be in place before occupation.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

8. No development above ground level shall take place until a scheme has been submitted to and approved in writing by the local planning authority setting out the measures to be taken to demonstrate compliance with the principles of Secured by Design. The development shall be carried out and thereafter maintained in accordance with the approved details, unless otherwise previously agreed in writing by the local planning authority.

Reason: To ensure the development seeks to address measures for the prevention of crime, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy SP2.

9. No development above ground level shall take place until a 'design stage certificate' (prepared by an accredited Building Research Establishment Assessor), demonstrating that the main hub building will achieve a minimum BREEAM rating of Very Good, has been submitted to and approved in writing by the local planning authority.

Within 6 months of the main hub building first being brought into use, evidence shall be submitted in the form of a 'post construction certificate' (prepared by an accredited Building Research Establishment Assessor) to demonstrate full compliance with the specified BREEAM standard for the development.

Reason: To ensure high standards of sustainable design and construction, with regard to Core Strategy Policy CP5 and draft Local Plan Policy CC1.

10. No development above ground level shall take place until a scheme for the landscaping (including tree planting) of the site is submitted to and approved in writing by the local planning authority. These details shall include:

i) schedules of new trees, shrubs and other species to be planted (noting species that shall be native, of local provenance and appropriate to their location; plant sizes; and numbers/densities);

ii) the identification of the existing trees and shrubs on the site to be retained (noting species, location and spread);

iii) habitat enhancement measures, including integrated bird bricks and bat boxes, bee bricks and brownfield habitat features;

iv) any earth moving operations and finished levels/contours;

v) hard landscaping materials including for all made surfaces, retaining walls and steps / ramps across the site; and

vi) an implementation programme.

The scheme shall be carried out and completed prior to the development first being brought into use and thereafter maintained in accordance with the approved scheme.

In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the occupation of the development, a new tree or shrub or equivalent number of trees or shrubs, of a species and position first approved by the local planning authority, shall be planted and properly maintained.

Reason: In the interests of visual amenity and to help to assimilate the development into its surroundings, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy PM1.

11. No development above ground level shall take place, until details of the landscaped bunding and boundary treatment of the site have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, with the approved boundary treatment to be in place before occupation.

Reason: In the interests of visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

12. No development shall commence until a tree and hedge protection scheme has been submitted to and approved in writing by the local planning authority. The protection scheme shall identify the retained trees and hedges; a timetable for the works; and where excavations or changes to land levels or underground works are proposed that might affect the root protection area, the scheme shall detail the appropriate working methods (the arboricultural method statement) in accordance with British Standard BS 5837: 2012 (Trees in relation to design, demolition and construction). The scheme for the protection of the retained trees and hedges shall be carried out as approved.

In this condition "retained tree or hedge" means an existing tree or hedgerow which is to be retained in accordance with the submitted and approved plans and particulars.

If any retained tree or hedgerow is cut down, uprooted or destroyed or dies within 5 years of the completion of development, the tree/hedgerow shall be replaced by a tree/hedgerow of a similar type and species in the next planting season after the damage or loss.

Reason: To protect and prevent damage to existing trees and hedges on the application site, in the interests of visual and rural amenity, with regard to paragraph 136 of the National Planning Policy Framework and draft Local Plan Policy PM1.

13. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken, mitigation of environmental risks including to groundwater, and the methodology by which such piling will be carried out) has first been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure piling construction methods associated with the development do not pose an undue risk to the environment, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

14. No development shall commence until an intrusive geoenvironmental investigation and risk assessment has been undertaken by competent persons and a written report of the findings have been submitted to and approved in writing by the local planning authority. The submitted report shall include (i) an assessment of the nature, extent, scale and origin of any contamination on the site; and (ii) an assessment of any potential risks to human health, property (existing or proposed – including buildings, crops, livestock, pets, woodland and service lines and pipes), adjoining land, ground waters and surface waters, ecological systems and archaeological sites.

All work pursuant to this condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with

regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

15. If an intrusive geoenvironmental investigation and risk assessment shows that remediation is necessary, no development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings / other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority

Such a scheme shall include details of all works to be undertaken, proposed remediation objectives / remediation criteria, a timetable of works, site management procedures and a verification plan. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved terms including the timetable. The local planning authority shall be given two weeks written notification of commencement of the remediation scheme works.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

16. No development shall commence until a verification report (demonstrating completion of the works of the approved remediation scheme and the effectiveness of the remediation (if necessary following details pursuant to Condition 14 and 15) has been submitted to and approved in writing by the local planning authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer-term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority. Any material imported to the site shall be laboratory certified as suitable for use.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

17. If, during the course of construction of the approved development, unforeseen contamination on the site is found to be present or caused, the occurrence shall be reported immediately to the local planning authority. Development shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, a remediation scheme shall be submitted to and approved in writing by the local planning authority. The approved remediation scheme shall be carried out; and a verification report to demonstrate the success of the remediation scheme submitted to and approved in writing by the local planning authority, before the development is resumed or continued.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

18. No development shall take place until an 'environmental construction management plan' has been submitted to and approved in writing by the local planning authority. The said plan shall include details of:

- routing of vehicles to / from site; parking and turning areas for HGV's and site personnel;
- timing of HGV movements;
- provision and location of wheel washing facilities;
- temporary traffic management / signage as necessary;
- hoarding, construction compounds and temporary buildings;
- storage areas for chemicals and fuels;
- location of the refuelling of vehicles;
- disposal of water used for construction purposes;
- temporary lighting;
- measures for the control of dust;
- measures to control / minimise construction noise;
- working hours; and
- procedures for complaint management.

The approved 'environmental construction management plan' shall be fully complied with throughout the demolition and construction period.

Reason: These details are required prior to the commencement of development in the interests of minimising the impact of the development during the construction phase.

19. No development shall commence until details of the management of surface water during the construction phase of development have been submitted to and approved in writing by the local planning authority. The construction phase of the development shall only be carried out in accordance with the approved surface water details.

Reason: To protect the surrounding environment and biodiversity from flood risk and pollution cause by unmanaged surface runoff during the construction phase of development, with regard to paragraph 175 and 186 of the National Planning Policy Framework and draft Local Plan Policy NE5.

20. The development hereby permitted shall not be open to the public, visitors or guests until the car parking spaces shown on the approved plans have been provided. Thereafter those space retained shall be retained only for the purposes of car parking in relation with the development hereby permitted and the wider country park.

Reason: In the interests of providing appropriate car parking for the management of the country park and highway safety and convenience, with regard to draft Local Plan Policy TI3.

21. The development hereby permitted shall not be open to the public, visitors or guests until cycle parking has been provided in accordance with details to be submitted to and

approved in writing by the local planning authority. Thereafter the approved cycle parking shall be retained and used only for the purposes of cycle parking.

Reason: In the interests of promoting cycling as a sustainable means of travel, with regard to draft Local Plan Policy TI1.

22. The development hereby permitted shall not be open to the public, visitors or guests until electric vehicle charging infrastructure has been provided in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter the approved electric vehicle charging infrastructure shall be maintained and kept available for the charging of electric vehicles.

Reason: In the interests of facilitating the use of electric vehicles as a more sustainable means of travel, with regard to draft Local Plan Policy TI1.

23. The development hereby permitted shall not be open to the public, visitors or guests until a 'car parking management plan' and associated 'signage strategy' have been submitted to and approved in writing by the local planning authority. The development shall only be operated in accordance with the approved 'car parking management plan'; and signage required in connection with the 'signage strategy' shall be carried before the development hereby permitted is first open to the public, visitors or guests.

Reason: In the interests of providing appropriate car parking for the management of the country park and highway safety and convenience, with regard to draft Local Plan Policy TI3.

24. Prior to the development hereby permitted first being open to the public or visitors, a 'travel plan' shall be submitted to and approved in writing by the local planning authority. The travel plan shall include:

- the identification of targets for trip reduction and modal shift;
- measures to be implemented to meet those targets;
- details of a travel plan coordinator as part of the management of the development;
- a timetable / phasing of the implementation of the measures;
- mechanisms for monitoring and review;
- mechanisms for reporting;
- remedial measures to be applied in the event that targets are not met; and
- the mechanisms to secure variations to the 'full travel plan' following monitoring and reviews.

The development shall only be occupied and managed in accordance with the approved 'travel plan', unless otherwise previously agreed in writing by the local planning authority.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport, with regard to draft Local Plan Policy TI1.

25. Prior to the development hereby permitted first being open to the public, visitors or guests, lighting details and a strategy for its operation, and an associated impact assessment for biodiversity, relating the site and adjacent land, shall be submitted to

and approved in writing by the local planning authority. The lighting details and strategy shall:

- a) identify those areas/features on site that, due to their potential for use by bats, are particularly sensitive to lighting impacts (including any biodiversity enhancement features);
- b) include modelled illuminance from all proposed light sources, taking into account site configuration, physical screening and glazing measures to be used;
- c) demonstrate how and where external lighting will be installed with regard to 'Guidance Note 08/23 Bats and Artificial Lighting at Night' (Bat Conservation Trust and Institution of Lighting Professionals) to minimise lighting impacts on sensitive biodiversity receptors.

All external lighting will be installed and thereafter maintained in accordance with the approved details and strategy, unless otherwise previously agreed in writing by the local planning authority.

Reason: In the interests of the visual amenity of the site / surrounding area; and to avoid significant ecological impacts to the site / surrounding area, with regard to paragraph 180 of the National Planning Policy Framework and draft Local Plan Policy NE2.

26. No external lighting of the surfing lagoon shall take place before 06.30 or after 21.30 each day.

Reason: In the interests of the visual amenity of the site / surrounding area; and to avoid significant ecological impacts to the site / surrounding area, with regard to paragraph 180 of the National Planning Policy Framework and draft Local Plan Policy NE2.

27. No development shall commence, including site / vegetation clearance, until details that a protected species licence has been obtained (issued by Natural England under Regulation 16 of the Wildlife and Countryside Act 1981 (as amended)), in respect of impacts of the development on fiery clearwing moths, have been submitted to the local planning authority.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

28. The development hereby permitted shall not commence until surveys for Sussex emerald moths have been undertaken and the results submitted to and approved in writing by the local planning authority to demonstrate that development will have no significant impact on Sussex emerald moths. The surveys shall be undertaken within 18 months prior to the commencement of development. Where the survey results indicate that Sussex emerald moths are present and will be impacted by the approved development, the local planning authority shall be provided with the Sussex emerald moth Licence issued by Natural England under Regulation 16 of the Wildlife and Countryside Act 1981 (as amended).

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

29. No development shall commence, including site / vegetation clearance, until details that a protected species licence has been obtained (issued by Natural England under Regulation 16 of the Wildlife and Countryside Act 1981 (as amended)), in respect of the impacts of the development on lizard orchids, have been submitted to the local planning authority.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

30. The development hereby permitted shall not commence until a detailed scheme of mitigation in respect of avoiding significant impacts to reptiles, as informed by an updated survey where necessary, including the approach to clearing habitat from the site and translocation of reptiles as necessary, and to include a timetable for any works, has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

31. No development shall commence until additional survey and assessment work, along with any mitigation measures, in respect of potential impacts of development to badgers, has been submitted to and approved in writing by the local planning authority. Any mitigation measures identified shall be carried out in accordance with the approved 'additional survey and assessment work'.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

32. Development shall not be occupied until a scheme of compensatory habitat creation in respect of skylarks, as informed by an updated survey where necessary, has been carried out in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

33. The development hereby permitted shall not commence until an 'ecological construction management plan', as informed by an updated survey where necessary, has been submitted to and approved in writing by the local planning authority. The plan shall include measures to avoid / minimise the potential for impacts to species including badgers, hedgehogs, brown hares, harvest mice and toads and shall refer to the specific protected species mitigation strategies, where relevant. The plan shall include:

- risk assessment of potentially damaging construction activities;
- identification of 'biodiversity protection zones';
- practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- the location and timing of sensitive works to avoid harm to biodiversity features;
- times during construction when specialist ecologists need to be present on site to oversee works;
- responsible persons and lines of communication;
- the role and responsibilities on site of an 'ecological clerk of works' (ECoW) or similarly competent person.

The approved 'ecological construction management plan' shall be fully complied with throughout the construction period.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

34. No vegetation clearance shall take place during bird nesting season (between 1st March and 31st August, inclusive, each year) unless carried out under professional ecological supervision and following assessment of the vegetation to be cleared. Should nesting birds in the vegetation intended for removal be found, the nests shall be protected with a buffer and clearance only undertaken once the young have fledged and a professional ecologist has agreed in writing to the developer that nesting birds are no longer present in the vegetation.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

35. No development shall commence until a detailed method statement to remove as necessary and prevent the spread of invasive species of cotoneaster and Japanese knotweed on and/or off site, as informed by an updated survey where necessary, has been submitted to and approved in writing by the local planning authority. Development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

36. Prior to the development hereby permitted first being open to the public, visitors or guests, measures (physical measures relating to the fabric of the development; and management measures relating to the operation of the development) to maximise the efficiency of water use (to reduce the water usage of the development as far as reasonably possible) shall be submitted to and approved in writing by the local planning authority. The approved physical and management measures shall be in place before the development is first brought into use and thereafter retained and maintained.

Reason: To promote water efficiency, with regard to paragraph 157 of the National Planning Policy Framework and draft Local Plan Policy SP1.

37. The development hereby permitted shall not commence until a detailed sustainable surface water drainage scheme (SuDS), to include a timetable for any works, has been submitted to and approved in writing by the local planning authority.

The SuDS shall demonstrate that surface water can be accommodated and disposed of for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be without increase to flood risk on or off-site.

The SuDS shall also demonstrate (i) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters; and (ii) appropriate operational, maintenance and access requirements for each drainage feature are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The SuDS 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, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5. 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.

38. Prior to the development hereby permitted first being open to the public, visitors or guests, a 'verification and management report', pertaining to the sustainable surface water drainage scheme (SuDS), prepared by a suitably competent person, shall be submitted to and approved in writing by the local planning authority.

The 'verification and management report' shall demonstrate that the SuDS constructed is consistent with that which was approved, with 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 the scheme; and the submission of an operation and maintenance manual for the SuDS as constructed.

Reason: To ensure that flood risks from development to the future users of the site 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 in accordance with the approved SuDS, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5.

39. The development hereby permitted shall not commence until details of foul drainage provision, adequate to serve the development, have been submitted to and approved in writing by the local planning authority. Prior to the development first being brought into use for the public, guests or visitors, the foul drainage provision shall be carried out in accordance with the approved details.

Reason: In order to ensure that the development is adequately served by drainage infrastructure in the interests of public health and the prevention of flooding generally, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5.

40. The operators of the development hereby permitted shall sign up to the Environment Agency's flood warning service; and the development shall not be brought into use to the public, guests and visitors until a flood risk management plan, to include actions to be taken by the management of the development on warning of or actual flood event, has been submitted and approved in writing by the local planning authority.

The development shall be operated in accordance with the approved flood risk management plan unless otherwise previously agreed in writing with the local planning authority.

Reason: To ensure risks of flooding are minimised, with regard to paragraph 173 of the National Planning Policy Framework.

41. The development hereby permitted shall not commence until details of availability and evidence of agreement of adequate water supply to serve the development have been submitted to and confirmed in writing by the local planning authority.

Reason: To ensure there will be adequate water provision / utility, in accordance with draft Local Plan Policy SP1.

42. No fixed plant shall be installed until an assessment of the fixed plant, in accordance with BS4142: 2014 'methods for rating and assessing industrial and commercial sound', and noise mitigation measures (so that the rated noise level does not exceed a value of 5 dB below the minimum external background noise, at a point 1 metre outside any façade / window of any residential premises and other such noise sensitive property) has been submitted to and approved in writing by the local planning authority.

In this assessment, background noise levels should be expressed in terms of the lowest LA90 15 mins during the proposed hours of operation; and the plant-specific noise level should be expressed as LAeqT and shall be representative of the plant operating at its maximum.

The fixed plant and mitigation measure shall be carried out in accordance with the approved details and maintained, unless otherwise previously agreed in writing with the local planning authority.

Reason: To maintain a suitable acoustic environment, with regard to paragraph 191 of the National Planning Policy Framework.

43. The development hereby permitted shall not commence until (i) a programme of investigative archaeological work, which has first been submitted to and approved in writing by the local planning authority, has been carried out and completed; and (ii) the recorded findings/evaluation of that investigative archaeological work, including any safeguarding measures necessary to ensure preservation in situ of any important archaeological remains, have been submitted to, and agreed in writing by, the local planning authority.

Reason: To ensure that any features of archaeological interest are properly examined and recorded, with regard to paragraph 200 of the National Planning Policy Framework and draft Local Plan Policy SP15.

44. The operators of the development shall put in place and implement a policy in perpetuity to not allow dogs to stay overnight at the holiday lodges.

Reason: To manage visitor and recreational pressure at, and disturbance of, Betteshanger Country Park, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

45. No four wheel vehicles for recreational purposes (electric or otherwise) shall be used within Betteshanger Country Park, beyond use of the main access roadway and main car parking area.

Reason: To manage visitor and recreational pressure at, and disturbance of, Betteshanger Country Park, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

46. In the event that the operation of the surf lagoon ceases permanently following being brought into use; or development is commenced and construction works permanently cease without the surf lagoon being brought into use; a landscape and ecological restoration plan for the site, including timetable for the restoration works, shall be submitted to and approved in writing by the local planning authority.

The restoration works shall be carried out in accordance with the approved details.

Reason: To maintain the landscape and ecological value of the site in the event that development permanently ceases, with regard to paragraph 180 of the National Planning Policy Framework and draft Local Plan Policy NE2.

47. The development hereby permitted shall not commence until details of the finished ground floor level of the buildings and surf lagoon, expressed as AOD with reference to the existing and proposed surrounding ground levels, have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved finished ground levels, unless otherwise previously agreed in writing with the local planning authority.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

DOV/23/01095 Erection of a 120 bed hotel etc.
Draft Planning Conditions
27/08/24

1. The development hereby permitted shall be begun before the expiration of 7 years from the date of this decision.

Reason: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any legislation revoking or re-enacting that legislation with or without modification).

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

22.0035 – 01	Site Location Plan
22.0035 – 02 – B	Existing and Proposed Block Plans
22.0035 – 03 – B	Existing Site Plan
22.0035 – 05 – F	Proposed Site Plan
22.0035 – 10 – B	Proposed Lower Ground Floor Plan
22.0035 – 11 – B	Proposed Ground Floor Plan
22.0035 – 12 – B	Proposed First Floor Plan
22.0035 – 13 – B	Proposed Second Floor Plan
22.0035 – 14 – B	Proposed Mezzanine Floor Plan
22.0035 – 15 – D	Proposed Roof Plan
22.0035 – 16 – E	Proposed Elevations
22.0035 – 17 – C	Proposed Elevations
22.0035 – 18 – D	Proposed Internal Elevations 1-1 & 2-2
22.0035 – 19 – A	Proposed Section 3-3 & 4-4
22.0035 – 20	Room Typologies
22.0035 – 21	Proposed Section 5-5

Reason: For the avoidance of doubt

3. No development above ground level shall take place until samples of materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

4. No development above ground level shall take place until details of the joinery and finish of the expressed timber frame, supporting the central atrium space, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

5. No development above ground level shall take place until details of the materials, joinery and finish of the window frames, window louvres and balconies (balustrades, soffits and side partitions), to include 1:20 cross sectional details, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

6. No development above ground level shall take place, until details of the green roof have been submitted to and approved in writing by the local planning authority. The green roof shall provide a mosaic of bare substrate, recolonising vegetation, grassland and wildflowers, together with rubble and log piles. Details shall include areas of planting, species of plant, creation of habitat features, means of establishment and management of the habitats and habitat features. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and biodiversity, with regard to paragraphs 131 and 186 of the National Planning Policy Framework and draft Local Plan Policy PM1.

7. No development above ground level shall take place until details of the depth and materials of the window reveals, to include 1:20 cross sectional details, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

8. No development above ground level shall take place until a scheme has been submitted to and approved in writing by the local planning authority setting out the measures to be taken to demonstrate compliance with the principles of Secured by Design. The development shall be carried out and thereafter maintained in accordance with the approved details, unless otherwise previously agreed in writing by the local planning authority.

Reason: To ensure the development seeks to address measures for the prevention of crime, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy SP2.

9. No development above ground level shall take place until details to demonstrate how at least 5% of hotel rooms will be wheelchair accessible have been submitted to and approved in writing by the local planning authority. The development shall be carried out and thereafter maintained in accordance with the approved details, unless otherwise previously agreed in writing by the local planning authority.

Reason: To ensure the development is accessible to wheelchair users, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy SP2.

10. No development above ground level shall take place until a 'design stage certificate' (prepared by an accredited Building Research Establishment Assessor) demonstrating

that the hotel building will achieve a minimum BREEAM rating of Very Good has been submitted to and approved in writing by the local planning authority.

Within 6 months of the hotel building first being brought into use by paying visitors or guests, evidence shall be submitted in the form of a 'post construction certificate' (prepared by an accredited Building Research Establishment Assessor) to demonstrate full compliance with the specified BREEAM standard for the development.

Reason: To ensure high standards of sustainable design and construction, with regard to Core Strategy Policy CP5 and draft Local Plan Policy CC1.

11. No development shall commence until a construction waste minimisation and recycling plan has been submitted to and approved in writing by the local planning authority. This should have regard to the Waste and Resources Strategy for England and other relevant guidance. The development shall be carried out in accordance with the approved details.

Reason: To ensure high standards of sustainable construction, with regard to draft Local Plan Policy CC2.

12. No development above ground level shall take place until a scheme for the landscaping of the site is submitted to and approved in writing by the local planning authority. These details shall include:
- i) schedules of new trees, shrubs and other species to be planted (noting species that shall be native, of local provenance and appropriate to their location; plant sizes; and numbers/densities);
 - ii) the identification of the existing trees and shrubs on the site to be retained (noting species, location and spread);
 - iii) habitat enhancement measures, including bat and bird boxes and log piles;
 - iv) any earth moving operations and finished levels/contours;
 - v) hard landscaping materials including for all made surfaces, retaining walls and steps / ramps across the site; and
 - vi) an implementation programme.

The scheme shall be carried out and completed prior to the hotel building first being brought into use by paying visitors or guests and thereafter maintained in accordance with the approved details.

In the event of any of the trees or shrubs so planted dying or being seriously damaged or destroyed within 5 years of the occupation of the development, a new tree or shrub or equivalent number of trees or shrubs, of a species and position first approved by the local planning authority, shall be planted and properly maintained.

Reason: In the interests of visual amenity and to help to assimilate the development into its surroundings, with regard to paragraph 135 of the National Planning Policy Framework and draft Local Plan Policy PM1.

13. The development hereby permitted shall not commence until details of the approach to (i) create / establish new reedbed habitat and (ii) manage / maintain that habitat in a favourable status have been submitted to and approved in writing by the local planning authority. Such details shall also include what the hydrological function of the reedbed habitat would be, in connection with existing watercourses and surface water drainage, as part of the development. The hotel building shall not be brought into use by paying visitors or guests until the reedbeds have been established in accordance with the approved details; and thereafter the reedbeds shall be managed in accordance with the approved details.

Reason: To secure reedbed habitat as part of the development for ecological reasons, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

14. No development shall commence until a tree and hedge protection scheme has been submitted to and approved in writing by the local planning authority. The protection scheme shall include a timetable for the works; identify the retained trees and hedges; and where excavations or changes to land levels or underground works are proposed that might affect the root protection area, the scheme shall detail the appropriate working methods (the arboricultural method statement) in accordance with British Standard BS 5837: 2012 (Trees in relation to design, demolition and construction). The scheme for the protection of the retained trees and hedges shall be carried out as approved.

In this condition "retained tree or hedge" means an existing tree or hedgerow which is to be retained in accordance with the submitted and approved plans and particulars.

If any retained tree or hedgerow is cut down, uprooted or destroyed or dies within 5 years of the completion of development, the tree/hedgerow shall be replaced by a tree/hedgerow of a similar type and species in the next planting season after the damage or loss.

Reason: To protect and prevent damage to existing trees and hedges on the application site, in the interests of visual and rural amenity, with regard to paragraph 136 of the National Planning Policy Framework and draft Local Plan Policy PM1.

15. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken, mitigation of environmental risks including to groundwater, and the methodology by which such piling will be carried out) has first been submitted to and approved in writing to by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure piling construction methods associated with the development do not pose an undue risk to the environment, with regard to paragraph 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

16. No development shall commence until an intrusive geoenvironmental investigation and risk assessment has been undertaken by competent persons and a written report of the findings have been submitted to and approved in writing by the local planning authority. The submitted report shall include (i) an assessment of the nature, extent, scale and origin of any contamination on the site; and (ii) an assessment of any potential risks to human health, property (existing or proposed – including buildings, crops, livestock, pets, woodland and service lines and pipes), adjoining land, ground waters and surface waters, ecological systems and archaeological sites.

All work pursuant to this condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 186 and 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

17. If an intrusive geoenvironmental investigation and risk assessment shows that remediation is necessary, no development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings / other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority.

Such a scheme shall include details of all works to be undertaken, proposed remediation objectives / remediation criteria, a timetable of works, site management procedures and a verification plan. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved terms including the timetable. The local planning authority shall be given two weeks written notification of commencement of the remediation scheme works.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 186 and 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

18. No development shall commence until a verification report (demonstrating completion of the works of the approved remediation scheme and the effectiveness of the remediation (if necessary following details pursuant to Condition 15 and 16) has been submitted to and approved in writing by the local planning authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer-term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority. Any material imported to the site shall be laboratory certified as suitable for use.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 186 and 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

19. If, during the course of construction of the approved development, unforeseen contamination on the site is found to be present or caused, the occurrence shall be reported immediately to the local planning authority. Development shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, a remediation scheme shall be submitted to and approved in writing by the local planning authority. The approved remediation scheme shall be carried out; and a verification report to demonstrate the success of the remediation scheme submitted to and approved in writing by the local planning authority, before the development is resumed or continued.

Reason: To ensure the ground conditions of the site are suitable for intended use and development does not pose a wider risk to the geo environment or biodiversity, with regard to paragraph 186 and 189 of the National Planning Policy Framework and draft Local Plan Policy NE5.

20. No development shall take place until an 'environmental construction management plan' has been submitted to and approved in writing by the local planning authority. The said plan shall include details of:

- routing of vehicles to / from site; parking and turning areas for HGV's and site personnel;
- timing of HGV movements;
- provision and location of wheel washing facilities;
- temporary traffic management / signage as necessary;
- hoarding, construction compounds and temporary buildings;
- storage areas for chemicals and fuels;
- location of the refuelling of vehicles;
- disposal of water used for construction purposes;
- temporary lighting;
- measures for the control of dust;
- measures to control / minimise construction noise and vibrations;
- working hours; and
- procedures for complaint management.

The approved 'environmental construction management plan' shall be fully complied with throughout the demolition and construction period.

Reason: These details are required prior to the commencement of development in the interests of minimising the impact of the development during the construction phase.

21. No development shall commence until details of the management of surface water during the construction phase of development have been submitted to and approved in writing by the local planning authority. The construction phase of the development shall only be carried out in accordance with the approved surface water details.

Reason: To protect the surrounding environment and biodiversity from flood risk and pollution cause by unmanaged surface runoff during the construction phase of development, with regard to paragraph 175 and 186 of the National Planning Policy Framework and draft Local Plan Policy NE5.

22. The hotel development hereby permitted shall not be open to the public, visitors or guests until the car parking spaces shown on the approved plans have been provided. Thereafter those spaces shall be retained only for the purposes of car parking in relation with the development hereby permitted and the wider country park.

Reason: In the interests of providing appropriate car parking for the management of the country park and highway safety and convenience, with regard to draft Local Plan Policy TI3.

23. The hotel development hereby permitted shall not be open to the public, visitors or guests until cycle parking has been provided in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter the approved cycle parking shall be retained and used only for the purposes of cycle parking.

Reason: In the interests of promoting cycling as a sustainable means of travel, with regard to draft Local Plan Policy TI1.

24. The hotel development hereby permitted shall not be open to the public, visitors or guests until electric vehicle charging infrastructure has been provided in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter the approved electric vehicle charging infrastructure shall be maintained and kept available for the charging of electric vehicles.

Reason: In the interests of facilitating the use of electric vehicles as a more sustainable means of travel, with regard to draft Local Plan Policy TI1.

25. The hotel development hereby permitted shall not be open to the public, visitors or guests until a 'car parking management plan' and associated 'signage strategy' have been submitted to and approved in writing by the local planning authority. The hotel shall only be operated in accordance with the approved 'car parking management plan'; and signage required in connection with the 'signage strategy' shall be carried before the hotel building hereby permitted is first being open to the public, visitors or guests.

Reason: In the interests of providing appropriate car parking for the management of the country park and highway safety and convenience, with regard to draft Local Plan Policy TI3.

26. Prior to the hotel building hereby permitted first being open to the public, visitors or guests, a 'travel plan' shall be submitted to and approved in writing by the local planning authority. The travel plan shall include:
- the identification of targets for trip reduction and modal shift;
 - measures to be implemented to meet those targets;
 - details of a travel plan coordinator as part of the management of the hotel development;
 - a timetable / phasing of the implementation of the measures;

- mechanisms for monitoring and review;
- mechanisms for reporting;
- remedial measures to be applied in the event that targets are not met; and
- the mechanisms to secure variations to the 'full travel plan' following monitoring and reviews.

The development shall only be occupied and managed in accordance with the approved 'travel plan', unless otherwise previously agreed in writing by the local planning authority.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport, with regard to draft Local Plan Policy TI1.

27. No development above ground level shall take place until lighting details and a strategy for its operation, and an associated impact assessment for biodiversity, relating the site and adjacent land, shall be submitted to and approved in writing by the local planning authority. The lighting details and strategy shall:

a) identify those areas/features on site that, due to their potential for use by bats, are particularly sensitive to lighting impacts (including any biodiversity enhancement features);

b) include modelled illuminance from all proposed light sources, taking into account site configuration, physical screening and glazing measures to be used;

c) demonstrate how and where external lighting will be installed with regard to 'Guidance Note 08/23 Bats and Artificial Lighting at Night' (Bat Conservation Trust and Institution of Lighting Professionals) to minimise lighting impacts on sensitive biodiversity receptors.

All external lighting will be installed and thereafter maintained in accordance with the approved details and strategy, unless otherwise previously agreed in writing by the local planning authority.

Reason: In the interests of the visual amenity of the site / surrounding area; and to avoid significant ecological impacts to the site / surrounding area, with regard to paragraph 180 of the National Planning Policy Framework and draft Local Plan Policy NE2.

28. Prior to the hotel building hereby permitted first being open to the public, visitors or guests, measures (physical measures relating to the fabric of the development; and management measures relating to the operation of the development) to maximise the efficiency of water use (to reduce the water usage of the development as far as reasonable possible) shall be submitted to and approved in writing by the local planning authority. The approved physical and management measures shall be in place before the development is first brought into use and thereafter retained and maintained.

Reason: To promote water efficiency, with regard to paragraph 157 of the National Planning Policy Framework and draft Local Plan Policy SP1.

29. No development shall commence, including site / vegetation clearance, until details that a protected species licence has been obtained (issued by Natural England under

Regulation 16 of the Wildlife and Countryside Act 1981 (as amended)), in respect of the impacts of the development on fiery clearwing moths, have been submitted to the local planning authority.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

30. The development hereby permitted shall not commence until surveys for Sussex emerald moths have been undertaken and the results submitted to and approved in writing by the local planning authority to demonstrate that development will have no significant impact on Sussex emerald moths. The surveys shall be undertaken within 18 months prior to the commencement of development. Where the survey results indicate that Sussex emerald moths are present and will be impacted by the approved development, the local planning authority shall be provided with the Sussex emerald moth Licence issued by Natural England under Regulation 16 of the Wildlife and Countryside Act 1981 (as amended).

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

31. The development hereby permitted shall not commence until a detailed scheme of mitigation, as informed by an updated survey where necessary, to include a timetable for any works, in respect of avoiding significant impacts to water voles has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

32. The development hereby permitted shall not commence until a detailed scheme of mitigation in respect of avoiding significant impacts to reptiles, as informed by an updated survey where necessary, including the approach to clearing habitat from the site and translocation of reptiles as necessary, and to include a timetable for any works, has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

33. The development hereby permitted shall not commence until a detailed scheme of mitigation in respect of avoiding significant impacts to badgers, as informed by an updated survey where necessary, including identified badger setts, and to include a timetable for any works, has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

34. No development shall commence until an 'ecological construction management plan', as informed by an updated survey where necessary, has been submitted to and approved in writing by the local planning authority. The plan shall include measures to avoid / minimise the potential for impacts to species including badgers, hedgehogs, harvest mice and toads and shall refer to the specific protected species mitigation strategies, where relevant. The plan shall include:
- risk assessment of potentially damaging construction activities;
 - identification of 'biodiversity protection zones';
 - practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - the location and timing of sensitive works to avoid harm to biodiversity features;
 - times during construction when specialist ecologists need to be present on site to oversee works;
 - responsible persons and lines of communication; and
 - the role and responsibilities on site of an 'ecological clerk of works' (ECoW) or similarly competent person.

The approved 'ecological construction management plan' shall be fully complied with throughout the construction period.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

35. No vegetation clearance shall take place during bird nesting season (between 1st March and 31st August each year) unless carried out under professional ecological supervision and following assessment of the vegetation to be cleared. Should nesting birds in the vegetation intended for removal be found, the nests shall be protected with a buffer and clearance only undertaken once the young have fledged and a professional ecologist has agreed in writing to the developer that that nesting birds are no longer present in the vegetation.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

36. The development hereby permitted shall not commence until additional survey and assessment work, along with any mitigation measures, in respect of potential impacts of development to beavers, and to include a timetable for any works, has been submitted to and approved in writing by the local planning authority. Any mitigation measures identified shall be carried out in accordance with the approved 'additional survey and assessment work'.

Reason: In respect of the ecological interest and biodiversity of the site and surrounding area, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

37. The development hereby permitted shall not commence until a detailed sustainable surface water drainage scheme (SuDS), to include a timetable for any works, has been submitted to and approved in writing by the local planning authority.

The SuDS shall demonstrate that surface water can be accommodated and disposed of for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm can be without increase to flood risk on or off-site.

The SuDS shall also demonstrate (i) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters; and (ii) appropriate operational, maintenance and access requirements for each drainage feature are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The SuDS 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, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5. 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.

38. Prior to the hotel building hereby permitted first being open to the public, visitors or guests, a 'verification and management report', pertaining to the sustainable surface water drainage scheme (SuDS), prepared by a suitably competent person, shall be submitted to and approved in writing by the local planning authority.

The 'verification and management report' shall demonstrate that the SuDS constructed is consistent with that which was approved, with 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 the scheme; and the submission of an operation and maintenance manual for the SuDS as constructed.

Reason: To ensure that flood risks from development to the future users of the site 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 in accordance with the approved SuDS, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5.

39. The development hereby permitted shall not commence until details of foul drainage provision, adequate to serve the development, have been submitted to and approved in writing by the local planning authority. Prior to the hotel building first being brought into

use for the public, guests or visitors, the foul drainage provision shall be carried out in accordance with the approved details.

Reason: In order to ensure that the development is adequately served by drainage infrastructure in the interests of public health and the prevention of flooding generally, with regard to paragraph 175 of the National Planning Policy Framework and draft Local Plan Policy NE5.

40. The development hereby permitted shall not commence until (i) a programme of investigative archaeological work, which has first been submitted to and approved in writing by the local planning authority, has been carried out and completed; and (ii) the recorded findings/evaluation of that investigative archaeological work, including any safeguarding measures necessary to ensure preservation in situ of any important archaeological remains, have been submitted to, and agreed in writing by, the local planning authority.

Reason: To ensure that any features of archaeological interest are properly examined and recorded, with regard to paragraph 200 of the National Planning Policy Framework and draft Local Plan Policy SP15.

41. The operators of the hotel shall put in place and implement a policy in perpetuity to not allow dogs to stay overnight at the hotel.

Reason: To manage visitor and recreational pressure at, and disturbance of, Betteshanger Country Park, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

42. No four wheel vehicles for recreational purposes (electric or otherwise) shall be used within Betteshanger Country Park, beyond use of the main access roadway and main car parking area.

Reason: To manage visitor and recreational pressure at, and disturbance of, Betteshanger Country Park, with regard to paragraph 186 of the National Planning Policy Framework and draft Local Plan Policy SP13.

43. The finished floor levels of the hotel building hereby permitted shall be no lower than 4.80m Above Ordnance Datum (AOD); and finished floor levels of facilities at lower ground floor shall be no lower than 1.65 AOD.

Reason: In the interests of ensuring development is safe and resilient to flood risk, with regard to paragraph 173 of the National Planning Policy Framework.

44. The operators of the development hereby permitted shall sign up to the Environment Agency's flood warning service; and the development shall not be brought into use to the public, guests and visitors until a flood risk management plan, to include actions to be taken by the management of the development on warning of or actual flood event, has been submitted and approved in writing by the local planning authority.

The development shall be operated in accordance with the approved flood risk management plan unless otherwise previously agreed in writing with the local planning authority.

Reason: To ensure risks of flooding are minimised, with regard to paragraph 173 of the National Planning Policy Framework.

45. The development hereby permitted shall not commence until details of the finished ground floor level of the hotel building, expressed as AOD with reference to the existing and proposed surrounding ground levels, have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved finished ground levels, unless otherwise previously agreed in writing with the local planning authority.

Reason: In the interests of good design and visual amenity, with regard to paragraph 131 of the National Planning Policy Framework and draft Local Plan Policy PM1.

[REDACTED]

From: [REDACTED]@akdc.co.uk>
Sent: 11 September 2024 11:59
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: 22/01158 - Betteshanger SeaHive

Hi [REDACTED]

Yes, I can confirm that we are happy for you to complete the SeaHive S.106 agreement.

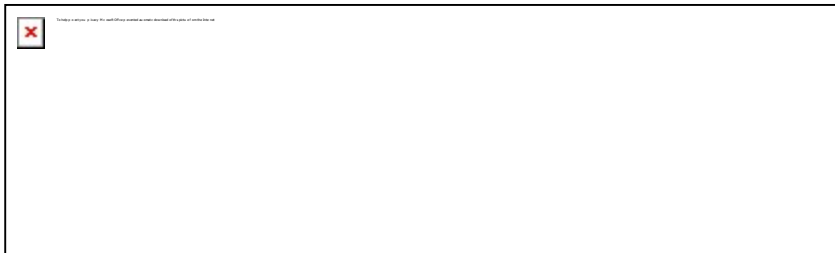
Thank you for all your help.

Kind regards

[REDACTED]

[REDACTED]

Email: [REDACTED]@akdc.co.uk
Tel: [REDACTED]



On Wed, 11 Sept 2024 at 11:34, [REDACTED]@dover.gov.uk> wrote:

Hi [REDACTED]

Yes, I have just received confirmation that the payment in respect of DDC's legal costs has been received. Would you please confirm that you are happy for me to complete the Seahive s106.

Kind regards

[REDACTED]



Principal Solicitor - Planning

Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Tel: [REDACTED]

Mob: [REDACTED]
Email: [REDACTED]@DOVER.GOV.UK
Web: <http://dover.gov.uk>

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From: [REDACTED]@akdc.co.uk>

Sent: 11 September 2024 09:50

To: [REDACTED]@DOVER.GOV.UK>; [REDACTED]@dover.gov.uk>; [REDACTED]
[REDACTED]@nexusplanning.co.uk>

Cc: [REDACTED]@DOVER.GOV.UK>; [REDACTED]@quinn-estates.com>

Subject: 22/01158 - Betteshanger SeaHive

Hi all

I understand that DDC's legal costs have now been paid to allow the SeaHive S.106 agreement to be completed.

We are following up with Furley Page at the moment in relation to the confirmation required for the Hotel S.106, but would it be possible for the Seahive decision notice to be issued this week?

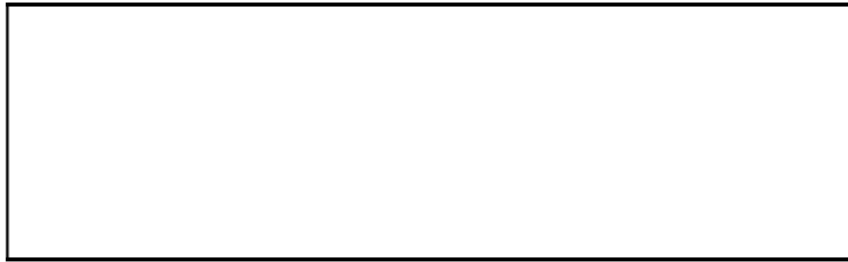
Many thanks

[REDACTED]

[REDACTED]

Email: [REDACTED]@akdc.co.uk

Tel: [REDACTED]



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[REDACTED]

From: [REDACTED]
Sent: 11 September 2024 20:51
To: [REDACTED]
Cc: [REDACTED]
Subject: Betteshanger decision notices

Hi,

[REDACTED] read the two decision notices for Betteshanger and has picked up a few changes that are required, covering informatives and a few conditions that may need some additional wording. I do have her comments but they're not easy to follow as they're screenshots of hand-written comments. I don't want to open us up to making any mistakes at this stage and so my very strong preference is to wait a couple of days for [REDACTED] to make the changes herself when she's back from leave (next Tuesday). I will give [REDACTED] a ring to explain. In the meantime;

[REDACTED] – [REDACTED] asked if you could double check the approved drawing numbers again and to double check everything in the minutes/ conditions in the committee reports have been captured (I expect it's a triple check, but we're doing a belt and braces approach on this!) [REDACTED] has checked herself, but it was a while ago.

[REDACTED] - Hotel decision – condition 8. we haven't put any informative about BNG as it was submitted before it came in. Can I check whether you think we need to put informatives on anyway or not?

[REDACTED] - I presume [REDACTED] has the draft that [REDACTED] reviewed but if he needs it, could you send it to him please so he can check the plan no's etc?

Thanks very much

[REDACTED]



[REDACTED]
Head of Planning and Development
Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Tel: [REDACTED]
Email: [REDACTED]@dover.gov.uk

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[REDACTED]

From: [REDACTED]
Sent: 17 September 2024 11:38
To: [REDACTED]
Subject: Betteshanger

Hi [REDACTED]

Can I just check that you have double checked the plan numbers for condition 2 as I haven't checked them. Hoping to issue them today!!

Kind regards,

[REDACTED]



[REDACTED]
Planning & Development Manager
Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Email: [REDACTED]@dover.gov.uk
Web: <http://dover.gov.uk>

My working days are Tuesday to Friday

[REDACTED]

From: [REDACTED]
Sent: 18 September 2024 10:55
To: [REDACTED]
Subject: Betteshanger Surf lagoon

Hi all

Just to let you know that late yesterday afternoon the planning permission for the surf lagoon application was issued. Emails have gone out to all who commented so you may get some mail about this shortly from residents.

The hotel permission has not yet been issued as there is still an outstanding ownership issue with the S106 agreement that Quinn need to resolve.

Any questions, please let me know.

Kind regards,

[REDACTED]



[REDACTED]
Planning & Development Manager
Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Email: [REDACTED]@dover.gov.uk
Web: <http://dover.gov.uk>

My working days are Tuesday to Friday

From: [REDACTED]@akdc.co.uk>
Sent: 19 September 2024 17:11
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Plans for Betteshanger Hotel s106
Attachments: Appendix A - Site Plan 22.0035 01.pdf; Appendix B - 6535 - ECO8b-HS - Post development BNG G.PDF; Appendix B - 6535 - ECO9c-HS.PDF; Appendix C - 6535 - ECO9a-HS.PDF; Appendix D - 22-034-100 - Northbourne Road Proposals.pdf

Hi [REDACTED]

Please see attached all of the appendices I have on file for the Hotel S.106.

In addition to the three plans you have attached, this includes the Hotel's Habitat Compensation Measures Plan at BCP (no. 6535/ECO8b-HS) as half of Appendix B and a location plan for Hammill Field for Appendix C (The Off-Site Enhancement Area Location Plan as defined in the S.106).

I hope this helps.

Kind regards

[REDACTED]

[REDACTED]

Email: [REDACTED]@akdc.co.uk
Tel: [REDACTED]



On Thu, 19 Sept 2024 at 16:58, [REDACTED]@dover.gov.uk> wrote:

Hi all,

I'm just putting the engrossments together and would be grateful if someone would send me the Habitat Compensation Measures Plan (the one I have is labelled "The SeaHive" – I assume another was produced for the Hotel).

I attach the site plan, highway works drawing (this is the same as the one used in the Seahive s106 I assume) and Hammill Field Plan that are to be used in appendices.

Kind regards



Principal Solicitor - Planning

Dover District Council
Council Offices, White Cliffs Business Park, Whitfield, Dover CT16 3PJ
Tel: [REDACTED]

Mob: [REDACTED]
Email: [REDACTED]@DOVER.GOV.UK
Web: <http://dover.gov.uk>

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— SITE APPLICATION BOUNDARY
SITE AREA: 2.6 Ha

— ADJACENT LAND UNDER THE
OWNERSHIP OF THE APPLICANTS

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Project | BETTESHANGER PARK - HOTEL & SPA
SANDWICH ROAD, DEAL, CT14 0BF

Client | BETTESHANGER COUNTRY PARK

Title | SITE LOCATION PLAN

Status | PLANNING

Scale@A0 | 1:1,250 Date | AUG 2022 Drawn | RT Chk'd | MW

Project Number	Drawing Number	Revision
22.0035	01	----
Bin Number		



- Key:
- Site Boundary
 - Retained Bracken (0.1ha)
 - Retained Mixed Scrub (0.07ha)
 - Retained Modified Grassland (0.085ha)
 - Retained Pond (0.02ha)
 - Retained Reedbed (0.12ha)
 - Proposed Developed Land; Sealed Surface (1.6925ha)
 - Proposed Green Roof (0.07ha)
 - Proposed Mixed Scrub (0.095ha)
 - Proposed Introduced Shrub (0.1725ha)
 - Proposed Reedbeds (0.0575ha)
 - Proposed Wildflower Grassland (0.16ha)
 - Proposed Offsite Reedbeds (0.0575ha)



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Noral Way - Banbury - Oxfordshire - OX16 2AF
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Bettshanger Hotel and Spa		PROJECT
Post-development Habitat Measurements		TITLE
6535/ECO8b-HS		DRAWING NO.
F/BG		REV
August 2023		DATE





The majority of the field will be retained as grassland, subject to ongoing meadow management to increase species diversity and improve to good condition. Existing areas of scrub will be managed to encourage development of dense, thorny vegetation with a diverse grassland margin.

A boundary native hedgerow and new areas of mixed scrub planting will be provided to increase wooded habitat and provide linkage around the site, particularly in association with the broadleaved plantation woodland to the south.

To provide additional wildlife interest, two new ponds will be created and areas of cultivated ground sown with a wild bird seed mix will be established, forming potential habitat for a range of farmland bird species including Turtle Dove.

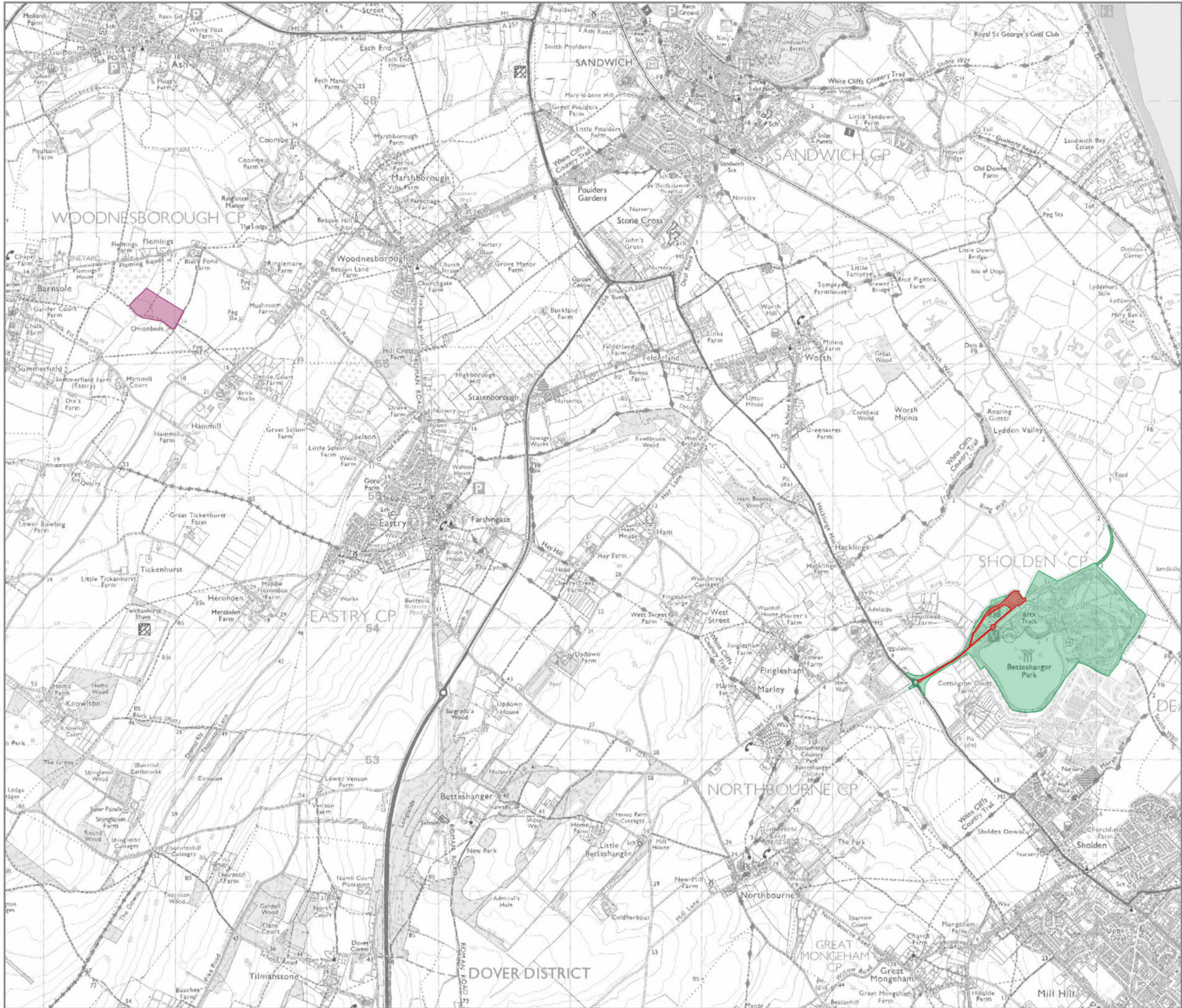
- Key:
- Site Boundary
 - Retained Other Neutral Grassland (5ha)
 - Retained Bramble scrub (0.42ha)
 - Retained Mixed scrub (0.02ha)
 - Proposed Mixed scrub (0.47ha)
 - Proposed Arable Field Margins Game Bird Mix (0.5ha)
 - Proposed Ponds (Priority Habitat) (0.06ha)
 - Retained Hedgerow (0.07km)
 - Proposed Native Hedgerow (0.96Km)



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Bettshanger Hotel and Spa	PROJECT
Hammill Field Post-development Habitat Measurements	TITLE
6535/ECO9c-HS	DRAWING NO.
A/BG	REV
December 2022	DATE





- Key:
-  Site Location
 -  Bettshanger Country Park
 -  Hammill Field Offsite Enhancement Area

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Bettshanger Hotel and Spa

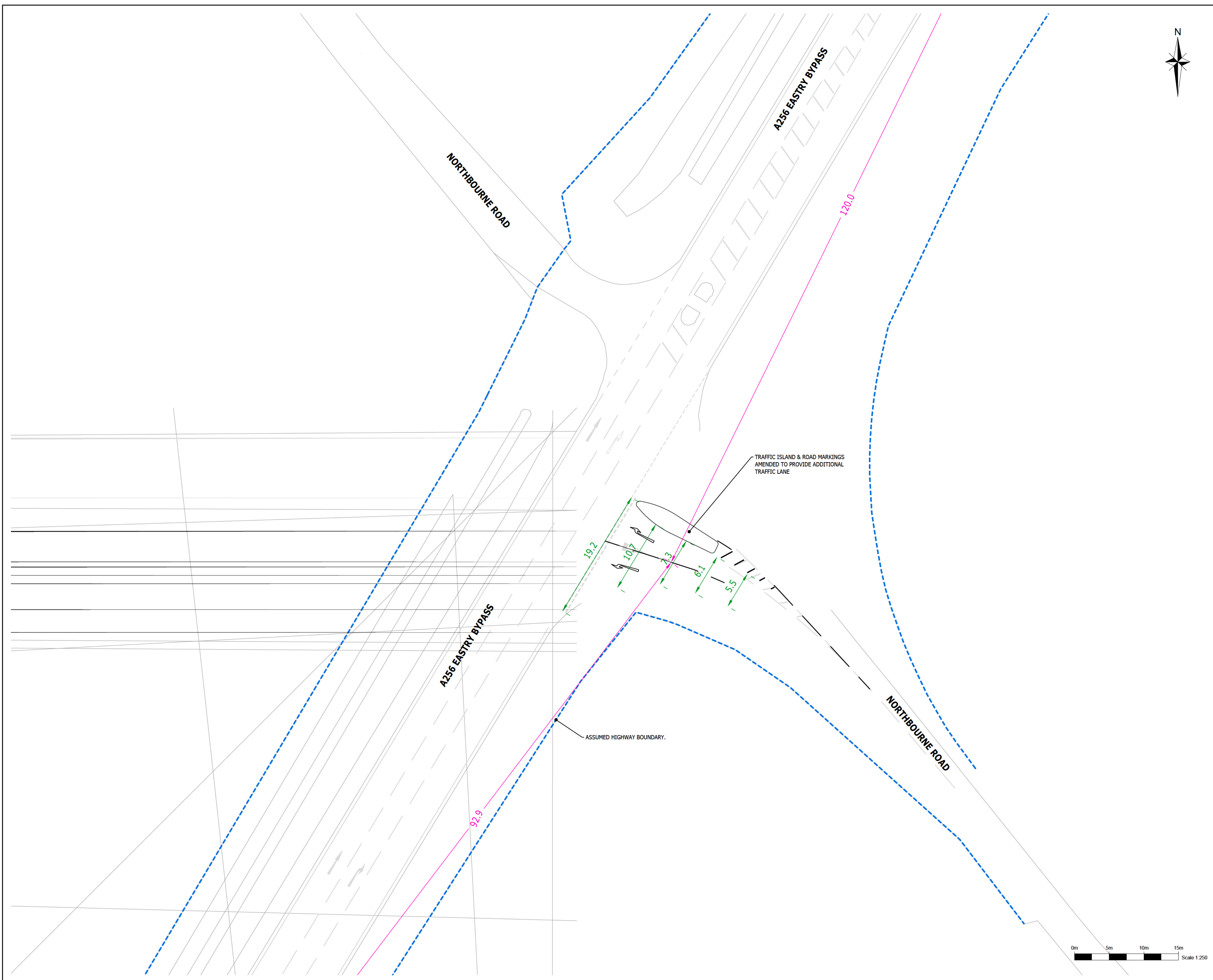
Hammill Field Site Location

6535/ECO9a-HS

B/CC

December 2022





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