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Updated list of conditions for application 17/505711/HYBRID

Commencement

- 1) The detailed element (phase 1A) of the development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) Details relating to the layout, scale and appearance of the proposed building(s) within a relevant phase (other than the detailed element for Phase 1A), and the landscaping of the site within that phase, shall be submitted to and approved by the Local Planning Authority before any development within that phase is commenced.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 3) Application for approval of reserved matters referred to in Condition (2) above must be made not later than the expiration of five years beginning with the date of the grant of outline planning permission.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 4) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In pursuance of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

General

- 5) The detailed element (phase 1A) of the development shall be carried out in accordance with the following approved plans:  
2574-313 Rev G, 1733 P230.01.B, 1733.P231.01 A, 1733.P341.02.A, 1733.P341.03, 1733.P341.01.C, 1733.K3.01, 1733.K2.01 A, 1733.H485.01 Rev C, 1733.H470.01A, 1733.H469.01 Rev B, 1733.H455.01, 1733.H455-5E, 1733.H433.01 Rev B, 1733.H431.01 Rev B, 1733.H421.01 Rev B, 1733.H417.01D, 1733.H406.01, 1733.H385.01, 1733.G.02 Rev A, 1733.G.01 Rev A, 1733.BS.01, 1733.B.03, 1733.B.01 Rev A, 1733.9B.01 Rev B, 1733.10 A4, 1733.09 Rev D, 1733.03A, 1733.01 Rev A, 14657C Landscape Proposals sheets 1 of 4, 2 of 4, 3 of 4 and 4 of 4.

Reason: To accord with the terms of the application and in the interests of proper planning.

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- 6) The reserved matters details submitted pursuant to condition 2 shall accord with the Masterplan Parameter Plans, which for the avoidance of doubt are as listed below–  
Building Heights Parameter Plan 2574-304 Rev P  
Land Use Parameter Plan 2574-300 Rev N  
Density Parameter Plan 2574-303 Rev P  
Route Infrastructure Parameter Plan 2574-302 Rev S  
David Williams Landscape Consultancy Indicative Landscape Strategy Plan (Addendum LVIA Figure 10.8, Drawing No L8 Revision E (For the avoidance of doubt this replaced the Landscape and Ecology Masterplan previously submitted).

- 7) Notwithstanding the submitted plans, no development (other than as required under condition 20) shall commence until a phasing plan for delivery of the development, including the associated highways infrastructure, open space, landscaped buffers and sports facilities, has been submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented strictly in accordance with the approved phasing scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of ensuring that the development is carried out in a co-ordinated manner.

- 8) No dwelling within any phase of the development (including phase 1A) shall be occupied until a housing and wastewater infrastructure phasing plan has been submitted to and approved in writing by the Local Planning Authority for that phase. Development shall take place in accordance with the approved housing and wastewater infrastructure phasing plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that phasing is aligned to improvements to off site wastewater infrastructure.

- 9) For each phase of the development hereby approved (including phase 1A), no development (other than as required under condition 20) shall take place within a relevant phase until details have been submitted to the Local Planning Authority and approved in writing, which set out what measures will be taken to ensure that the development in that phase incorporates sustainable construction techniques such as water conservation and recycling, renewable energy production including the inclusion of solar thermal or solar photo voltaic installations, and energy efficiency. Upon approval, the details shall be incorporated into the development of the phase of development in question as approved, and retained as such in perpetuity.

Reason: In the interest of promoting energy efficiency and sustainable development

- 10) The proposed residential development hereby permitted shall be designed to achieve a water consumption rate of no more than 110 litres per person per day, and the residential units shall not be occupied unless the notice for that dwelling/flat of the potential consumption of water per person per day required by the Building Regulations 2015 (as amended) has been given to the Building Control Inspector (internal or external).

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Reason: In the interests of water conservation and sustainability

- 11) The non-residential buildings shall be constructed to a minimum of BREEAM 'Very Good' Standard or an equivalent standard and prior to the use of the building the relevant certification shall be submitted to the Local Planning Authority confirming that the required standard has been achieved.

Reason: In the interest of promoting energy efficiency and sustainable development.

- 12) No development (other than as required under condition 20) shall take place in any phase (including Phase 1A) until details of the existing site levels, proposed site levels (including any levels changes to areas to be used as open space, landscaped buffer areas and highways), and proposed finished floor levels for buildings in that phase have been submitted to and approved in writing by the local planning authority and the development shall be completed strictly in accordance with the approved levels;

Reason: In order to secure a satisfactory form of development having regard to the topography of the site.

- 13) No development beyond the construction of foundations shall take place within a relevant phase until details have been submitted to and approved in writing by the Local Planning Authority for the installation of fixed telecommunication infrastructure and High Speed Fibre Optic (minimal internal speed of 100mb) connections to multi point destinations and all buildings including residential, commercial and community within that phase. This shall provide sufficient capacity, including duct sizing to cater for all future phases of the development with sufficient flexibility to meet the needs of existing and future residents. The infrastructure shall be laid out in accordance with the approved details and at the same time as other services during the construction process.

Reason: In the interests of residential amenity.

- 14) The development hereby permitted shall incorporate measures to minimise the risk of crime. No development in any phase (including the detailed element under phase 1A) beyond the construction of foundations shall take place until details of such measures, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

Reasons: In the interest of Security, Crime Prevention and Community Safety

- 15) No development beyond the construction of foundations shall take place on the detailed (Phase 1A) and outline phases until written details and samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted have been submitted to and approved in writing by the local planning authority for that phase. This shall include a sample panel to demonstrate

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the appearance of the feature brickwork proposed on buildings within the detailed (Phase 1A) element of the development.

Reason: To ensure a satisfactory appearance to the development.

- 16) Notwithstanding the provisions of Class A, Part 2, Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no gates, fences, walls or other means of enclosure shall be erected or provided in advance of any wall or any dwelling fronting on a highway, unless specifically shown on the approved plans.

Reason: In the interests of visual amenity.

- 17) The reserved matters details submitted pursuant to condition (2) shall include measures to demonstrate how the detailed design and layout of the residential development would meet the needs of specific housing groups, including older and disabled persons.

Reason: To ensure that the development of this large strategic site makes provision for different housing needs.

Construction

- 18) No development (other than as required under condition 20) in any phase (including Phase 1A) shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CMP shall be implemented and adhered to throughout the entire construction period. The CMP shall provide details of:
- Measures to manage HGV movements to deter use of the Strategic Road Network during peak hours (0800-0900 and 1700-1800 hours);
  - Measures to ensure that loose loads arriving / departing from the site are sheeted;
  - The means of access for vehicles during construction and the routing of construction and delivery vehicles to and from the site, including temporary traffic management and signage
  - parking and turning areas for construction and delivery vehicles and site personnel
  - loading and unloading of plant, materials and waste
  - storage of plant and materials used in constructing the development
  - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - wheel washing facilities and measures to deal with mud or spills on the highway
  - measures to control the emission of dust and dirt during construction
  - a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To ensure that the impact of construction works on the strategic and local road network are managed, and in the interests of the amenities of the area and highways safety and convenience.

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- 19) No construction work (for the avoidance of doubt to include piling) in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:  
Monday to Friday 0730 – 1900 hours, Saturdays 0730 – 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

Highways

- 20) No development shall be commenced in any phase until the highway works north of No 35 Wises Lane, as shown on the Wises Lane – Site Access drawing 13-042-038C (or as otherwise agreed) have been completed.

Reason: In the interests of Highways safety

- 21) No more than 199 dwellings shall be occupied until the entire length of the internal spine road between Wises Lane and Chestnut Street has been constructed to an adoptable standard and made available for public use.

Reason: In the interests of highways safety and to ensure early delivery of part of the spine road.

- 22) Full details of the design of the roundabout to be installed on Chestnut Street, as currently indicatively shown on drawing 13-042-045C, shall be submitted to and approved in writing by the Local Planning Authority. No more than 199 dwellings shall be occupied until the roundabout as approved is constructed to an adoptable standard and open for public use.

Reason: to ensure a satisfactory appearance and in the interests of highways safety.

- 23) No dwellings shall be constructed on the land shown as phase 2a on the Development Phasing Plan (in the Design and Access Statement submitted with the application) until the internal spine road between Chestnut Street and Wises Lane and the roundabout connection to Chestnut Street has been completed.

Reason: To ensure that highways improvements, which justify the provision of housing on land within phase 2a, are delivered.

- 24) No more than 421 dwellings shall be occupied within the development until the internal spine road between Wises Lane and Borden Lane has been constructed to an adoptable standard and made available for public use.

Reason: In the interests of highways safety and to ensure delivery of the spine road in full.

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- 25) Full details of the design of the access (including associated infrastructure, signage and landscaping) to be installed on Borden Lane, shall be submitted to and approved in writing by the Local Planning Authority. No more than 421 dwellings shall be occupied until the roundabout as approved is constructed to an adoptable standard and open for public use.

Reason: In the interests of highways safety and to control impacts upon the setting of a Grade II listed building.

- 26) No more than 39 dwellings shall be occupied until a Section 278 Agreement has been entered into with the Highway Authority for delivery of a detailed scheme for signalisation at the junction of Wisles Lane and the A2 London Road. All associated works shall be completed within 12 months of being served notice to commence by the Highway Authority provided always that such notice is not served prior to the occupation of the 61<sup>st</sup> dwelling and not later than the occupation of the 200<sup>th</sup> dwelling.

Reason: In the interests of highways safety, and to ensure that impacts upon protected trees are minimised.

- 27) The details submitted in pursuance to condition 2 shall include the provision of a bus layby on the spine road to be sited a maximum distance of 160 metres from the boundary with Westlands School. The layby shall be completed in accordance with the approved details prior to the occupation of any dwelling within the same phase.

Reason: To provide a facility for school buses to utilise, as an alternative to London Road.

- 28) No more than 80 dwellings shall be occupied within the development until the following off site highways works have been completed.

- Works to Borden Lane, as shown on drawing 13-042-071 Rev A.
- Works to Wisles Lane (south) as shown on drawing 13-042—044 REV
- Improvements for pedestrian crossing at the A2 / Adelaide Drive junction as shown on drawing 13-042-073

Reason: In the interests of highways safety

- 29) No more than 421 units shall be occupied until the off site highways works to Homewood Avenue / Borden Lane / Adelaide Drive, as shown on drawing 13-042-80 REV A have been completed.

Reason: In the interests of highways safety

- 30) No more than 150 dwellings shall be occupied until off site highway improvements to the A249 Junction with the A2 Keycol Hill / Key Street (known locally as the Key Street Roundabout) have been completed and opened to public traffic in accordance with C&A Drawing No. 13-042-081 Rev A (Proposed Key Street Roundabout Interim Scheme) or such other scheme of works substantially to the same effect, as may be approved in writing by the local planning authority (who shall consult with Highways England).

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Reason: To ensure that the A249 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980, to satisfy the reasonable requirements of road safety and to prevent environmental damage

- 31) No development within any phase shall be occupied or first used until detailed travel plans, to be based upon the principles as set out in the Framework Travel Plan, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To promote sustainable transport measures

- 32) The details submitted pursuant to condition (2) above shall show adequate land, reserved for the parking of cars (in accordance with the currently adopted Kent County Council Vehicle Parking Standards where appropriate) and for the loading and unloading of commercial vehicles where necessary. Such land shall be kept available for this purpose at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not shall be carried out on such land or in a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the buildings / land hereby permitted.

Reason: Development without adequate provision for the parking of cars is likely to lead to car parking inconvenient to other road users.

- 33) For the purposes of the detailed (Phase 1A) scheme, the area shown on the approved plans as car parking space shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown (other than the erection of a private garage or garages) or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the dwelling(s) hereby permitted.

Reason: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users.

- 34) The details submitted pursuant to condition (2) above shall include details of covered secure cycle parking facilities for each dwelling and non-residential use. The approved cycle parking shall thereafter be provided prior to the occupation of any dwellings or building hereby approved, and retained in perpetuity.

Reason: To ensure that there is sufficient cycle parking at the site in the interests of sustainable development.

- 35) The proposed estate road, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture, as appropriate, shall be constructed and

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laid out in accordance with details to be submitted and approved by the Local Planning Authority in writing before their construction begins and in accordance with a schedule of house completion and an implementation programme for the agreed works, also to be submitted to the Local Planning Authority for approval in writing.

Reason: To ensure that the roads are constructed and laid-out in a satisfactory manner.

- 36) Prior to the occupation of any dwelling or other building, the following works between the dwelling or building and the adopted highway shall be provided;
- i) Footways and/or footpaths, with the exception of the wearing course;
  - ii) Carriageways, with the exception of the wearing course but including a turning facility, highway drainage, visibility splays, street lighting, street nameplates and highway structures (if any).

Reason: To ensure that the roads and footpaths are constructed and laid-out in a satisfactory manner.

- 37) No development beyond the construction of foundations shall take place in any phase (including Phase 1A) until detailed drawings of the internal spine road within that phase, to include details of tree planting and verge details, surface materials, and details of chicanes, crossing points (including controlled crossing points) and build out margins 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: To ensure that the spine road is laid out in an appropriate manner and with suitable crossing facilities.

Landscaping

- 38) No development (other than as required under condition 20) shall take place until a detailed scheme of advance soft landscaping has been submitted to and approved in writing by the Local Planning Authority, and such planting has been completed on the site in accordance with the approved details. This shall incorporate the areas proposed for advance planting, as shown on the Indicative Landscape Strategy Plan by David Williams Landscape Consultancy and referred to as Figure 10.8, drawing L8 Revision E. The soft landscaping scheme shall include proposed trees, shrubs and other features, planting schedules of plants (which shall include native species and of a type that will encourage wildlife and biodiversity), noting species, plant sizes and numbers where appropriate, measures to prevent tree vandalism, and measures to protect the advance planting from construction on the remainder of the site for the duration of such works. Details of the advance planting for the access road and proposed junction with Chestnut Street, shown as AA-BB on the Indicative Landscape Strategy Plan, shall take into account and indicate relevant working and operational constraints, changes in landform and engineering requirements associated with the proposed road and roundabout.



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Reason: To accord with the terms of the application and the requirements of Policy MU3 of the Swale Borough Local Plan – Bearing Fruits 2031. To ensure the early delivery of part of the strategic landscaping to the site, in the interests of visual amenity and wider landscape objectives.

- 39) Upon completion of the advance landscaping works, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within ten years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within the next planting season, unless otherwise agreed.

Reason: To ensure the retention and maintenance of strategic landscaping, in the interests of visual amenity.

- 40) The areas shown on the approved drawings for the detailed scheme (Phase 1A) as open space, and play areas shall be reserved for the general amenity of the area. Play spaces shall be surfaced and equipped with play equipment, in accordance with a schedule agreed by the Local Planning Authority before the first dwelling is occupied. The open space and play area within Phase 1A shall be provided prior to the occupation of no more than 40 dwellings. No permanent development whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or not shall be carried out in the areas so shown without the prior written approval of the Local Planning Authority.

Reason: To ensure that these areas are made available in the interests of the residential amenities of the area.

- 41) The sports pitches hereby permitted shall not be floodlit, nor shall they be constructed with an artificial surface.

Reason: To protect the visual amenities of the area and the functioning of the site as part of a strategic green buffer area, and to protect the amenities of the occupants of surrounding residential dwellings.

- 42) No development (other than as required under condition 20) in any phase shall take place until full details of all existing trees and/or hedges in that phase, details of any trees or hedges proposed for removal, and measures to protect any trees or hedges shown to be retained, have been submitted to and approved in writing by the Local Planning Authority. Such details shall include

- (a) a plan showing the location of, and allocating a reference number to each existing tree and hedge on the site to be retained and indicating the crown spread of each tree, and extent of any hedge, and identifying those trees and hedges to be removed.
- (b) details of the size, species, diameter, approximate height and an assessment of the general state of health and stability of each retained tree and hedge.
- (c) details of any proposed arboricultural works required to any retained tree or hedge

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- (d) details of any alterations in ground levels and of the position of any excavation or other engineering works within the crown spread of any retained tree.
- (e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree or hedge from damage before or during the course of development .

The development shall be carried out in accordance with the approved details and the approved protection measures shall be installed in full prior to the commencement of any development, and retained for the duration of construction works. No works, access, or storage within the protected areas shall take place, unless specifically approved in writing by the Local Planning Authority

In this condition “retained tree or hedge” means any existing tree or hedge which is to be retained in accordance with the drawing referred to in (a) above.

Reason: In the interests of protecting existing trees and hedges which are worthy of retention in the interests of the amenities of the area.

- 43) Notwithstanding the submitted plans, no development beyond the construction of foundations shall take place within phase 1A until full details of both hard and soft landscape works proposed within the curtilage of any dwelling or flat have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- 44) All hard and soft landscape works shall be carried out in accordance with the approved details under condition 43). The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- 45) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

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46) No development beyond the construction of foundations within Phase 1A shall take place until a detailed hard and soft landscaping scheme, for all public areas beyond the curtilage(s) of any dwelling or flat has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include –

- Details of the type and quantum of open space to be provided (based upon the information contained within the Design and Access Statement / Development Brief submitted with the application)
- Soft landscaping proposals, to include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.
- Hard landscaping details for the public areas, to include details of footpaths and cycleways (including surface finishes), any means of enclosure, litter bins, dog bins, and benches.

Reason: In the interests of the visual amenities of the area and recreation.

47) The development shall be carried out in accordance with the details approved under condition 46) prior to the occupation of no more than 40 dwellings within Phase 1A. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within ten years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area.

48) The details submitted pursuant to condition (2) shall include a detailed hard and soft landscaping scheme for all areas within each phase of development. The scheme shall include –

- Details of the type and quantum of open space to be provided within each phase (based upon the information contained within the Design and Access Statement / Development Brief submitted with the application), and this shall secure at least 2 further equipped play areas within the scheme.
- Soft landscaping proposals, for public and private areas to include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure, hard surfacing materials, and an implementation programme.
- Hard landscaping details for the private and public areas, to include details of hardsurfaces, footpaths and cycleways (including surface finishes), any means of enclosure, litter bins, dog bins, and benches.

Reason: In the interests of the visual amenities of the area and recreation.

Drainage

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- 49) No development (other than as required under condition 20) in any phase shall commence until details of measures to protect/divert public sewers on the site have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect existing sewers on the site.

- 50) No development (other than as required under condition 20) shall commence in any phase until a detailed sustainable surface water drainage scheme for each phase (including Phase 1A), compliant with the complete drainage strategy as approved (Flood Risk Assessment and Addendum to Flood Risk Assessment dated May 2018), has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters. The drainage scheme shall be implemented in accordance with the approved details prior to first occupation of each phase of the development (or within an agreed implementation schedule).

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

- 51) No building hereby permitted in any phase (including Phase 1A) shall be occupied until an operation and maintenance manual for the proposed sustainable drainage scheme is submitted to (and approved in writing) by the local planning authority. The manual at a minimum shall include the following details:

- A description of the drainage system and its key components
- A general arrangement plan with the location of drainage measures and critical features clearly marked
- An approximate timetable for the implementation of the drainage system
- Details of the future maintenance requirements of each drainage or SuDS component, and the frequency of such inspections and maintenance activities
- Details of who will undertake inspections and maintenance activities, including the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime

The drainage scheme as approved shall subsequently be constructed and maintained in accordance with these details.

Reason: To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction).

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- 52) No building in any phase (including Phase 1A) of the development hereby permitted shall be occupied until a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, which demonstrates the suitable modelled operation of the drainage system such that flood risk is appropriately managed, has been submitted to and approved in writing by the Local Planning Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems.

- 53) No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To protect vulnerable groundwater resources

#### Contamination

- 54) No development (other than as required under condition 20) approved by this permission shall be commenced prior to a contaminated land assessment (and associated remediation strategy if relevant), being submitted to and approved in writing by the Local Planning Authority, comprising:

- a) A desk study and conceptual model, based on the historical uses of the site and proposed end-uses, and professional opinion as to whether further investigative works are required. A site investigation strategy, based on the results of the desk study, shall be approved by the District Planning Authority prior to any intrusive investigations commencing on site.
- b) An investigation, including relevant soil, soil gas, surface and groundwater sampling, carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
- c) A site investigation report detailing all investigative works and sampling on site, together with the results of analyses, risk assessment to any receptors and a proposed remediation strategy which shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment, including any controlled waters.
- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

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Reason: to ensure land contamination is adequately dealt with, and to ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution

- 55) Before any part or agreed phase of the development is occupied, all remediation works identified in the contaminated land assessment and approved by the Local Planning Authority shall be carried out in full (or in phases as agreed in writing by the Local Planning Authority) on site under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If, during the works, contamination is encountered which has not previously been identified, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: to ensure land contamination is adequately dealt with, and to ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution

- 56) Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be 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.

Reason To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete.

- 57) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants

- 58) No development (other than as required under condition 20) shall be commenced until a scheme of gas protection measures, to protect the development from gas concentrations arising from the adjacent former landfill site (now Borden Nature Reserve), has been submitted to and approved in writing by the Local Planning Authority. Such measures shall be based upon further monitoring and assessment of

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gas concentrations, the details of which shall be submitted with the scheme. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development mitigates against risk from gas concentrations.

Ecology

59) No development (other than as required under condition 20) shall take place (including any ground works, site or vegetation clearance) until a site-wide ecological mitigation and enhancement strategy has been submitted to and approved in writing by the local planning authority. The strategy shall include the following –

- Details of baseline ecological appraisals to inform the strategy
- Measures to review/update existing survey data during the course of the development
- Overview of ecological mitigation requirements
- An overview of ecological enhancements to be secured across the site within the built and open space
- Maps clearly showing the ecological mitigation and ecological enhancement areas
- Details of which phases the habitat creation will be carried out/implemented
- Overview of what management will be carried out

Reason: In the interests of biodiversity

60) Prior to the commencement (including vegetation clearance) of development (other than as required under condition 20) in any phase, a detailed ecological mitigation and enhancement strategy for that phase shall be submitted to and approved in writing by the Local Planning Authority. This shall be carried out by experienced ecologists, and shall be based on the site-wide ecological mitigation and enhancement strategy submitted as part of condition 53 and shall contain the following:

- Submission of an updated Phase 1 survey
- A review of existing specific species surveys or where required submission of updated specific species surveys
- Overview of the proposed mitigation
- The purpose and objectives for the proposed works:
- Detailed design(s) and/or working method(s) necessary to achieve stated objectives;
- The extent and location of proposed works, including the identification of a suitable mitigation area shown on appropriate scale maps and plans;
- A timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works;
- Use of protective fences, exclusion barriers and warning signs;
- Production of an Interim management plan for the first phase
- A review / update of the Interim Management plan for all other phases
- A detailed scheme of ecological enhancement measures for that phase.

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The development in each phase shall be carried out in accordance with the approved details.

Reason: In the interests of biodiversity

- 61) No dwelling shall be occupied until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed;
  - b) Ecological trends and constraints on site that might influence management;
  - c) Aims and objectives of management;
  - d) Appropriate management options for achieving aims and objectives;
  - e) Prescriptions for management actions, together with a plan of management compartments;
  - f) Map showing the management compartments
  - g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
  - h) Details of the body or organisation responsible for implementation of the plan;
  - i) Ongoing monitoring and remedial measures.

The LEMP shall set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity and biodiversity.

Public Rights of Way

- 62) No development shall take place over Public Footpaths ZR117, ZR119 and ZR120 until an Order under the Town and Country Planning Act 1990 has been confirmed for the diversion or extinguishment of these footpaths, including the approval of construction details for the diverted or extinguished right of way.

Reason: To ensure that the legal status of a right of way is properly considered

- 63) Public Footpath ZR119 within the development shall be upgraded to an appropriate standard with a width no less than 3 metres. No development within any phase containing the public footpath shall take place until the length of Public Footpath ZR119 within the application site has been dedicated as a Public Bridleway, through the provision of the Highways Act 1980 (s25 or s26) and details of the footpath surfacing have been submitted and approved in writing by the Local Planning Authority.

Reason: To provide an off-road multi user route across the site and enhance opportunities for cycling.



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- 64) Prior to commencement of development (other than as required under condition 20) in any phase, details of the surfacing of all Public Rights of Way (PROWs) within that phase shall be submitted to and approved in writing by the Local Planning Authority. All PROWs must be of a width of no less than 2.5m metres.

Reason: To cater for the expected increase in use of paths by residents seeking outdoor recreation and active travel.

Conservation and Archaeology

- 65) The reserved matters submitted pursuant to condition 2 shall incorporate a landscaped and green space buffer area to the south and west of Cryalls Farmhouse, such area to be no less in size than as shown on the illustrative masterplan drawing 2574-401 Rev J.

Reason: To protect the setting of the listed building.

Archaeology

- 66) Prior to the submission of a detailed application for any part of the development other than Phase 1A, the applicant or their agents or successors in title shall secure and have reported a programme of archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

- 67) Following completion of archaeological evaluation works for the site (or parts of the site that have been agreed with the Local Planning Authority), no development shall take place until the applicant or their agents or successors in title, has secured the implementation of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

- 68) Within 6 months of the completion of archaeological works on any part of the site, for that part of the site a Post-Excavation Assessment Report shall be submitted to and approved in writing by the Local Planning Authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:

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- i) A description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development;
- ii) An Updated Project Design outlining measures to analyse and publish the findings of the archaeological investigations, together with an implementation strategy and timetable for the same;
- iii) A scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.

The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.

Reason: To ensure that the results of all archaeological works are properly assessed, analysed, reported and published and that the archive is prepared for archive deposition and properly managed and maintained.

69) Before development commences (other than as required under condition 20), a soil management strategy for the site shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall be undertaken by an appropriately experienced soil specialist and shall provide details for soil handling (including when soils are dry enough to be handled), soil storage, measures to retain and safeguard soil resources on the site. The strategy shall be designed to accord with in the Defra advice – “*Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (including accompanying Toolbox Talks)*”. The development shall be carried out in accordance with the approved details.

Reason: To safeguard soil resources.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council’s website.  
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.