

**TOWN AND COUNTRY PLANNING ACT 1990
PINS REFERENCE:**

APP/A2280/W/20/3259868

DRAFT CONDITIONS

LAND OFF PUMP LANE

RAINHAM

KENT

ME8 7TJ

JANUARY 2021

Conditions for Pump Lane. (subject matters only at this stage)

General

1. Details of the layout, scale and appearance of the development and the landscaping of each phase of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development on that phase begins and the development shall be carried out as approved.

Reason: To accord with the terms of the submitted application and to ensure that these details are satisfactory

2. Prior to the submission of any Reserved Matters application, an Overarching Design Code for the development of the entire site shall be submitted to and approved in writing by the Local planning Authority. Such design code shall include consideration of character areas, parameter matters, principles of sustainable urban drainage, strategic landscaping, dwelling mix, matters of sustainability including measures to support and encourage safe pedestrian and cycle movement within and out from the site, aspirations towards energy efficiency, and measures to combat climate change. The reserved matters applications relative to each phase of the development shall demonstrate how the approved design code has been adhered to or provide a coherent and justified argument relative to why there is any departure. The development shall be undertaken in accordance with the approved details.

Reason: To comply with the requirements of the NPPF to deliver a development of the highest quality, appropriate for its setting and which meets the highest targets regarding combating climate change.

3. Application for approval of the reserved matters relating to the first phase of the development shall be made to the local planning authority not later than eighteen calendar months from the date of this permission.

Reason: To comply with Section 92(2) of the Town and Country Planning Act 1990.

4. The development hereby permitted shall begin no later than 12 months from the date of approval of the last of the reserved matters relating to the first phase to be approved. Development on any subsequent phase must commence within 12 months of approval of the last of the reserved matters relating to that phase.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990

5. Prior to the submission of the first application for reserved matters, a phasing plan for the development of the entire site shall be submitted to and approved in writing by the Local Planning Authority. The phasing plan shall demonstrate how the development of the entire site can be brought forward to secure development in accordance with following elements and quantum's:

- max 1250 houses/units
- 2FE Primary school
- 60 Bed Extra Care Facility
- 80 Bed Care Home
- Village Green (min 2.78 acres)
- 5% of the proposed dwellings to be for custom and self-build
- How the site can be developed by a number of developers including provision for SME's
- Local Centre, including community facilities
- Strategic highway, cycle way and footpaths

The development shall be undertaken in accordance with the approved details

6. Development shall be undertaken in accordance with the following approved plans:

- a) Site Location Plan (PL 010 Rev B)
- b) Building Heights (Ref: PL 004 Rev B),
- c) Land use (PL 006 Rev B),
- d) Movement (Ref: 007 Rev B)
- e) Green and Blue Infrastructure (Ref: PL 005 Rev B)
- f) DTA Drawing Proposed Right Turn Lane Lower Rainham Road (Ref: 20230-05-2 Rev E)
- g) DTA Drawing Proposed Overall Access Strategy and Key Network (Ref: 20230-05 Rev E)
- h) DTA Drawing Proposed Northern Pump Lane crossing arrangement (Ref: 20230-05-6 Rev E)
- i) DTA Drawing Proposed Southern Local Access / Spine Road Junction (Ref : 20230-05- 5 Rev E)
- j) DTA Drawing Proposed Pump Lane Proposed Railway Bridge Improvements (Ref 20230-05-1 Rev E)

Reason: To ensure the development is undertaken in accordance with the approved details

7. No development within any phase shall take place above ground floor slab level until all external materials relating to the development in that phase have been submitted to and approved in writing by the Local Planning Authority. Such details shall include all external walling, roofing, windows and external joinery and all guttering, down pipes, satellite dishes, and external vents. The submission shall set out how the proposed materials and detailing accord with the design code approved pursuant to condition 2. The development shall be undertaken in accordance with the approved details

Reason: To ensure the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality in accordance with Policy BNE1 of the Local Plan 20023.

Ecology

8. A Site Wide Strategic Ecology Plan shall be submitted to and approved in writing by the Local Planning Authority with the first submission of reserved matters. The reserved matters submitted pursuant to any phase shall include an ecological mitigation, enhancement and management plan which is in accord with the site wide strategic ecological plan approved and include details of when and how the recommended ecological measures will be secured. The development shall be undertaken in accordance with the approved details.

Reason To protect and enhance the natural environment in accordance with section 15 of the NPPF

9. Prior to the commencement of any phase/subphase, details of how that particular phase/subphase will enhance biodiversity (demonstrating min of 20% net biodiversity gain) shall be submitted to and approved in writing by the LPA. The development shall be undertaken in accordance with the approved details

Reason To protect and enhance the natural environment in accordance with section 15 of the NPPF

10. Prior to the occupation of 90% of the dwellings on any phase, a verification report demonstrating how the measures to address climate change, energy efficiency and biodiversity net gain have been secured shall be submitted to and approved in writing by the LPA

Reason: In order to meet the objectives relating to climate change and biodiversity net gain set out in the NPPF

Heritage

11. Any Reserved matters application which includes development within or in close proximity to (so as to potentially impact on setting) any of the adjacent Conservation Areas or Listed Buildings must be accompanied by a Heritage Assessment, which shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details

Reason: To protect the setting and character of the conservation areas and listed buildings

Environmental

12. Prior to the commencement of development on any phase (excluding the erection of tree protection fencing and site hoarding) a Construction Environmental Management Plan (CEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include: hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control, details of any site lighting and its location and site contact details in case of complaints. The

construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential of the adjoining properties and in compliance with Policy BNE2 of the Local

13. The details submitted pursuant to condition 1 (reserved matters) with respect to any phase shall include an Air Quality assessment and a linked mitigation strategy for the approval in writing of the LPA. The agreed recommendations from mitigation strategy shall be implemented within the development of that phase and a verification report submitted to the LPA.

Reason: In the interests of residential amenity pursuant to Policy BNE2 of the Local Plan and the objectives regarding climate change in the NPPF.

14. The details submitted pursuant to condition 1 (reserved matters) with respect to any phase shall include details of the measures to address climate change that build on the objectives set out in the design code approved pursuant to condition 2 for the approval in writing of the LPA. The agreed measures shall be implemented within the development of that phase and a verification report submitted to the LPA.

Reason: To meet the Climate Change objectives set out in the NPPF.

15. The details submitted pursuant to any reserved matters application for any phase on the site must include an investigation and risk assessment, which must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, including risks to groundwater, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

- (i) A survey of the extent, scale and nature of contamination;
- (ii) An assessment of the potential risks to:
 - Human health
 - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.
 - Ground waters and surface waters
 - Ecological systems,
 - Archaeological sites and ancient monuments;
- (iii) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: In the interests of residential amenities of the future occupiers of the dwellings and occupiers of the surrounding properties and in compliance with Policy BNE2 of the Local Plan.

16. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and submitted to and approved in writing by the Local Planning Authority prior to commencement of the development within any phase (with the exception of the erection of tree protection fencing, hoarding and site clearance works). The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must 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.

Reason: In the interests of residential amenities of the future occupiers of the dwellings and occupiers of the surrounding properties and in compliance with Policy BNE2 of the Local Plan.

17. The approved remediation scheme for any phase must be carried out in accordance with its terms prior to the commencement of any development within that phase (other than development required to enable the remediation process to be implemented together with the erection of tree protection fencing, erection of hoarding and site clearance works) unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given not less than two weeks written notification prior to the commencement of the remediation scheme works.

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and submitted to and approved in writing by the Local Planning Authority prior to the bringing into use of the development within the relevant phase.

Reason: In the interests of residential amenities of the future occupiers of the dwellings and occupiers of the surrounding properties and in compliance with Policy BNE2 of the Local Plan.

18. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 17, and where remediation is necessary a remediation scheme must be

prepared in accordance with the requirements of condition 18, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in the approved remediation scheme a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 18 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 18.

Reason: In the interests of residential amenities of the future occupiers of the dwellings and occupiers of the surrounding properties and in compliance with Policy BNE2 of the Local Plan.

19. The details submitted pursuant to condition 1 (reserved matters) with respect to any phase shall include a noise report with recommendations to address issues of traffic related noise (railway and/or road traffic) for development within that phase for the approval in writing of the LPA. The agreed recommendations for the phase shall be implemented prior to the occupation of any affected dwelling within that phase and thereafter maintained.

Reason; In the interests of residential amenity and to accord with Policy BNE2 of the Medway Local Plan 2003.

Care Facilities

20. Prior to the occupation of the 400th residential unit on the site, details of the 60 Bed Extra Care Centre must be submitted to and approved in writing by the Local Planning Authority. No more than 800 residential units shall be occupied until the approved Extra Care Centre has been constructed in accordance with the approved plans and is available for occupation.

Reason: To accord with the submitted plans and to provide for a mixed tenure /use within the site

21. Prior to the occupation of the 400th residential unit, details of the 80 Bed Care Centre must be submitted to and approved in writing by the Local Planning Authority. No more than 800 residential units shall be occupied until the approved Care Centre has been constructed in accordance with the approved plans and is available for occupation.

Reason: To accord with the submitted plans and to provide for a mixed tenure /use within the site

Archaeology

(pre-reserved matters stage):

22. Prior to the submission of any reserved matters application an Archaeological Field Evaluation Report identifying any remains that may be present and assessing their character, extent, date, condition and significance shall be submitted to and approved in writing by the local planning authority. The archaeological evaluation works shall include specialist evaluation of the site's Pleistocene and Palaeolithic interest. The archaeological field evaluation works shall have been carried out in accordance with a written specification and timetable which has previously been submitted to and approved in writing by the local planning authority.

Reason: To ensure appropriate assessment of the archaeological implications of the development proposals and to secure the appropriate safeguarding of any important remains

(reserved matters stage):

23. Plans and particulars of any reserved matters submission shall include full details of any Safeguarding Measures to preserve important archaeological remains or deposits in situ. These Safeguarding Measures shall be informed by the results of the Archaeological Field Evaluation Report required under condition 23 and will be agreed in writing by the local planning authority. Such Safeguarding Measures may include the identification of any areas of the site where development will be excluded. The agreed safeguarding will include measures for the on-going safeguarding and management of any preserved archaeological remains and shall inform the siting and layout of any development proposals.

Reason: To ensure appropriate assessment of the archaeological implications of the development proposals and to secure the appropriate safeguarding of any important remains.

24. Plans and particulars of any reserved matters submission shall include details of foundation designs and any other proposals involving below ground excavation, which shall be informed by the results of the Archaeological Field Evaluation Report required under condition 23 and Safeguarding Measures required under condition 24. The development shall be implemented in accordance with the approved plans.

Reason: To ensure that archaeological remains are taken account of in any reserved matter submission and to secure the appropriate safeguarding of any important remains.

(pre-commencement requirements):

25. Prior to the commencement of any development, including any site clearance or remediation works, a written specification and timetable for any archaeological investigation and mitigation works shall be submitted to and approved in writing by the local planning authority. The archaeological investigation and mitigation works shall be implemented in accordance with the approved specification and timetable.

Reason: To ensure that features of archaeological interest that will not be preserved in situ are properly examined and recorded.

(post-commencement requirements):

26. Following completion on-site of the archaeological mitigation works, referred to in condition 26 above, a Post-excavation Assessment Report shall be submitted to the local planning authority for approval. The Post-Excavation Assessment Report shall include an Updated Project Design and accompanying timetable for any further analysis and for the publication of the findings of the archaeological investigations and deposition of the resulting archaeological archive. The analysis, archaeological publication and the deposition of the archive shall be funded by the developer and carried out in accordance with the programme and timetable set out in the Updated Project Design.

Reason: To ensure the results of the archaeological investigations are made publicly accessible so as to advance understanding of the significance of any heritage assets to be lost (wholly or in part) in accordance with the objectives of the National Planning Policy Framework.

27. No occupation of any building shall take place until a scheme of historical interpretation has been submitted to and approved in writing by, the Local Planning Authority. Examples of how to relay and interpret the archaeology and history of the site can include, but are not limited to, the use of materials, landscaping, public art and the provision of historical interpretation boards. The details submitted pursuant to this condition shall include location, design, dimensions and materials of any fixed interpretation. The interpretation scheme shall be carried out in full accordance with the approved details prior to the first occupation of any new dwelling and shall thereafter be retained and maintained in accordance with the approved details.

Reason: To ensure a satisfactory visual appearance and to ensure the development makes a positive contribution to local character and distinctiveness in accordance with the objectives of the National Planning Policy Framework

Local Centre

28. Prior to the occupation of the 400th residential unit, details of the Village Centre must be submitted to and approved in writing by the LPA. No more than 800 units shall be occupied until the village centre has been provided in accordance with the approved details and is available for occupation.

Reason: To provide services and facilities necessary to serve a development of this scale and in the interests of sustainability

29. Prior to the commencement of any development on site details of the village green, including play spaces and sports provision shall be submitted to and approved in writing by the LPA. The village green, play spaces and sports provision shall be provided in accordance with the approved details prior to 50% occupation within the phase within which they are to be provided as approved in condition 5.

Reason: To provide the required open space to meet the needs of the prospective residents and to provide a healthy development.

30. Prior to the occupation of the 100th unit details of the future maintenance of the village green and all non-private areas of open space within the site shall be submitted to and approved in writing by the LPA. Thereafter the public areas and play/sports facilities shall be maintained in accordance with the approved scheme

Reason: To ensure the proper maintenance of the open space for the benefit of prospective residents and to maintain the visual amenities of the area.

Drainage

31. No development shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Those details shall include (if applicable):

- i. a timetable and construction method statement for its implementation (including phased implementation where applicable).
- ii. appropriate operational, maintenance and access requirements for each sustainable drainage component are adequately considered.
- iii. proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be undertaken in accordance with the agreed details.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 165 of NPPF.

32. Prior to first occupation (or within an agreed implementation schedule) a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed scheme and plans. The report shall include details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built drawings, and an operation and maintenance manual for the unadopted parts of the scheme as constructed.

Reason: This condition is sought in accordance with paragraph 165 of the NPPF to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.

33. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority in consultation with the LLFA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

The approved CSWMP and shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:

- Temporary drainage systems.
- Measures for managing pollution / water quality and protecting controlled waters and watercourses.
- Measures for managing any on or offsite flood risk associated with

The development shall be undertaken in accordance with the agreed details.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 165 of NPPF.

School

34. No more than 400 residential units shall be occupation on site prior to the provision of the Nursery and Primary School and associated grounds covering no less than 6.43 Acres on site. The School shall be constructed in accordance with plans and details submitted to and approved by the LPA (in the form of a formal Reserved matters) and be ready and available for occupation prior to the occupation of the 400th dwelling.

Reason To provide the required school to meet the needs of the development within a timely manner and thereby not put unacceptable pressure on other schools in the area.

Highways/Transport

35. No development on any phase shall take place above ground floor slab level until details of the provision of electric vehicle charging points for that phase (1 per dwelling with dedicated parking and 1 per 10 unallocated parking spaces) have been submitted to and approved in writing by the LPA. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for implementation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained

Reason; In the interests of sustainability in accordance with paragraph 110E of the NPPF 2019

36. The details to be submitted in relation to the non residential buildings, including the commercial area, care home, extra care home and school shall include details for the provision of Electric car charging points. Those developments shall be undertaken in accordance with the approved details and the Electric charging points provided prior to the bringing into use of the relevant buildings and shall thereafter be maintained.

Reason: In the interests of sustainability in accordance with paragraph 110E of the NPPF 2019

37. The reserved matters application for every phase shall include details of an up to date Travel Plan for the approval in writing by the LPA. The travel plan shall be implemented as approved and thereafter maintained.

Reason: In the interests of sustainability in accordance with paragraph 110E of the NPPF 2019

38. The reserved matters application for every phase shall include details of the proposed footpath and cycle way provision to accord with the objectives of the design code and phasing plans approved pursuant to conditions 2 and 5, along with details of the timing for their provision and future maintenance.

Reason: In the interests of sustainability and pedestrian and cyclists safety

39. No dwelling within any phase shall be occupied, until the area shown on any approved layout plan in that phase as vehicle parking space for that dwelling has been provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2018 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and in accordance with Policy T13 of the Medway Local Plan 2003

40. No dwelling within any phase shall be occupied until details of provision, surfacing and drainage of the access road to that dwelling have been submitted to and approved in writing by the LPA. The submission shall also include details of the timetable for complete delivery of the road in accordance with the approved details.

Reason: To provide satisfactory vehicular access to the development.

41. No dwelling shall be occupied until the vehicular accesses approved under condition 6 have been provided with the required visibility and no obstruction of sight, including any boundary treatment more than 0.6m above carriageway level shall be permitted within the visibility splays thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policy T1 of the Medway Local Plan 2003

42. No development shall take place on site until details of a full scheme of highway improvements works covering the matters below and set out in the application (see relevant references below) have been submitted to and approved in writing by the Local Planning Authority:

- i. Lower Rainham Road: Proposed right turn lane – (reference - 20230-05-2 E)
- ii. Southern Local Access / spine road junction - (reference - 20230-05-5)
- iii. Northern Local access / spine road junction – (reference - 20230-05-6 E)
- iv. Pump Lane: Proposed Railway bridge improvements – (reference - 20230-05-1 E)
- v. Yokosuka Way Roundabout (20230-10 Rev A)
- vi. Bloor Lane Junction (20230-09 Rev A)

No dwelling shall be occupied until those works have been completed in accordance with the local planning authority's approval and have been certified in writing as complete by or on behalf of the local planning authority

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policy T1 of the Medway Local Plan 2003.

Landscaping

43. Details of strategic landscaping for the entire site shall be submitted alongside the first reserved matters application, which accord with design code aspirations approved pursuant to condition 2, for the written approval of the LPA.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

44. No development shall take place above ground within any phase, until a detailed planting scheme has been submitted to and approved in writing by the Local Planning Authority for that phase, which includes and develops upon the strategic landscaping approved pursuant to condition 43. This scheme must include the number, size, species and positions of all soft landscaping, including trees and shrubs.

The strategic landscaping within any phase shall be installed prior to first occupation of any dwelling within that phase while the remaining planting scheme must be implemented as approved by the end of the planting season immediately following first occupation of the development within the phase or within any other time limit as agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

45. No development shall take place above ground within any phase until details and samples, where appropriate, of all boundary walls, railings, gates, fences and other means of enclosure relating to that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to first occupation of the phase or prior to the occupation of the dwelling to which they relate.

Reason: To ensure a satisfactory external appearance in accordance with Policy BNE1 of the Medway Local Plan 2003.

46. No development shall take place above ground within any phase until samples of the materials to be used for the hard landscaping for that phase, have been submitted to and approved in writing by the Local Planning Authority. The hard landscaping shall be implemented in accordance with the approved details prior to first occupation of that phase or in accordance with a timetable agreed with the LPA.

Reason: To ensure a satisfactory external appearance in accordance with Policy BNE1 of the Medway Local Plan 2003.

47. If any trees or plants either retained or provided as any part of any approved landscaping scheme die, are removed or become seriously damaged or diseased within a period of 5 years from the planting date, replacement(s) of a similar size and species shall be planted within the next planting season in accordance with the landscaping scheme approved pursuant to Condition 28.

Reason: In the interests of residential and visual amenity in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

Local facilities (non-residential)

48. Prior to the occupation of each commercial unit (use class E), an operational statement shall be submitted to and approved in writing by the Local Planning Authority for that commercial unit (use class E) setting out the proposed method of operation including, but not limited to, the use, proposed hours of operation, proposed servicing strategy and where necessary, any management procedures for the unit that will reduce the potential impact of the use on residential amenity. The commercial unit shall be operated in accordance with the approved details.

Reason: To protect the amenity of nearby residential properties in accordance with Policy BNE2 of the Local Plan 2003.

49. No deliveries, refuse collection and/or any other commercial servicing activity related to non-residential premises shall be undertaken, except for the delivery of newspapers, between the hours of 23.30 and 06:00 Monday to Saturday and 18:00 and 08:00 Sundays and Public Holidays.

Reason: To protect the amenity of nearby residential properties in accordance with Policy BNE2 of the Medway Local Plan 2003.

Lighting

50. Prior to occupation of any building within each phase, details of all external lighting relating to that phase, including for open parking courtyard areas, enclosed parking spaces, any individual covered parking area and areas of communal open space, shall be submitted to and approved in writing by the Local Planning Authority. The details of the lighting shall include design, the exact position, light intensity and spillage and be illustrated on the associated landscaping plans for that phase. The lighting shall be installed in accordance with the approved details prior to the first occupation of any part of the phase to which it relates. The approved lighting shall be retained in situ thereafter.

Reason: To ensure a satisfactory external appearance and to ensure the provision of lighting does not result in glare or light overspill to surrounding properties in accordance with Policies BNE2 and BNE5 of the Medway Local Plan 2003.

Telecommunications

51. No development above ground level in any phase shall take place until a detailed Telecommunications Strategy for the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that such equipment is an integral part of the design of the development in accordance with Policies BNE1 and CF14 of the Medway Local Plan 2003.

Permitted Development Rights

52. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order amending, revoking and re-enacting that Order with or without modification) no mezzanine floor area shall be inserted into any commercial premises used for the purposes of Class E retail.

Reason: To safeguard any future impact on nearby town centres.

53. No single retail unit falling within Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking or re-enacting that Order) hereby permitted shall have a floorspace greater than 450sqm (gross internal area) at any point.

Reason: To safeguard against any future impacts on nearby town centres

54. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) no development shall be carried out within Schedule 2, Part 1, Classes A -

E and H and Part 16, Classes A - C of that Order unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

55. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2017 (or any order amending, revoking and re-enacting that Order with or without modification) all dwellinghouses herein approved shall remain in use as a dwellinghouse falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order amending, revoking and re-enacting that Order with or without modification) and no change of use shall be carried out unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with Policy BNE2 of the Medway Local Plan 2003.

56. Notwithstanding the provisions of the Town and Country Planning (use classes) (amendment)(England) regulations 2020 or the Town and Country Planning (General Permitted Development)(England) Order 2017 (as amended) (or any order amending, revoking and re-enacting that order with or without modification) none of the commercial (use class E) units hereby approved shall be converted to residential use or any other use falling outside of use class E without the prior consent in writing of the Local Planning Authority

Reason: To enable the Local Planning Authority to control development in the interests of providing a sustainable settlement with the commensurate uses to serve a settlement of this size.