

Decision Notice

MC/21/0302



Mr Tim Spicer
DHA Planning Ltd
Eclipse House
Sittingbourne Road
Maidstone
Kent
ME14 3EN

Applicant Name:

Planning Service
Physical & Cultural Regeneration
Regeneration, Culture, Environment &
Transformation
Gun Wharf
Dock Road
Chatham
Kent
ME4 4TR
01634 331700
01634 331195

Planning.representations@medway.gov.uk

Town and Country Planning Act 1990

Location: Land South Of Berwick Way, East Of Frindsbury Hill And North And West Of Parsonage Lane (known As Manor Farm), Frindsbury, Rochester, Medway,

Proposal: Hybrid application seeking:

- Full planning permission for the construction of a new three-storey secondary school with sixth form and sports block with vehicular and pedestrian access from Frindsbury Hill, together with associated car parking and drop off area, multi-use games area, sports pitches, landscaping and other associated works.
 - Full planning permission for the part conversion and extension of Grade I Listed Manor Farm Barn and change of use to a wedding venue and conference facility, including conversion and extension of former cattle byres to provide overnight accommodation, construction of single storey detached building for management facilities and construction of a new building to provide additional tourist accommodation with vehicular and pedestrian access from Berwick Way, car parking, landscaping and other associated works.
 - Outline permission (with Frindsbury Hill access-detailed as part of the full planning permission for the school element) to be considered in detail and all other matters reserved for future consideration for the construction of up to 181 residential dwellings, together with Parsonage Lane access, parking, landscaping and associated works.
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Notification of Grant of Planning Permission to Develop Land.

Take Notice that the Medway Council in pursuance of its powers under the above Act HAS GRANTED PERMISSION for the development of land as described above in accordance with your application for planning permission received complete on 15 February 2021.

SUBJECT TO THE CONDITIONS SPECIFIED HEREUNDER:

1 Approved Drawings

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

Overall

DHA/14019/11 - received 2 February 2021
568-ALA-00-XX-DR-L-0004 P01 - received 10 February 2021
DHA/14019/19 rev A - received 4 June 2021

Barn

29654A_003 rev A, 29654A_199 rev B, 29654A_204 rev D, 29654A_205 rev D, 29654A_206 rev D, 29654A_207 rev D, 29654A_208 rev E, 29654A_209 rev G, 29654A_210 rev F, 29654A_211 rev G, 29654A_212 rev G, 29654A_213 rev G, 29654A_214 rev B, 29654A_220 rev D, 29654A_221 rev D, 29654A_222 rev D, 29654A_300 rev D, 29654A_301 rev D, 29654A_302 rev E, 29654A_303 rev E, 29654A_305 rev C, 29654A_307 rev B, 568-ALA-00-XX-DR-L-003 P02 - received 2 February 2021
29654A_200 rev K, 29654A_201 rev J - received 4 June 2021
29654A_201 rev I - received 2 February 2021

School

21023/005 Rev B, 21023/003 Rev F, FS0754-CPW-ZZ-XX-DR-E-6303 P02, FS0754-CPW-ZZ-XX-DR-E-6203 P03, FS0754-CPM-02-02-DR-A-2012 P03, FS0754-CPM-02-00-DR-A-2011 P03, FS0754-CPM-01-03-DR-A-2004 P03, FS0754-CPM-01-02-DR-A-2003 P03, FS0754-CPM-01-01-DR-A-2002 P03, FS0754-CPM-01-00-DR-A-2001 P03, FS0754-ALA-00-XX-DR-L-0002 P04, FS0754-ALA-00-XX-DR-L-0003 P03, FS0754-ALA-00-XX-DR-L-0004 P03, FS0754-ALA-00-XX-DR-L-0005 P05, FS0754-ALA-00-XX-DR-L-0006 P05, FS0754-ALA-00-XX-DR-L-0007 P05, FS0754-ALA-00-XX-DR-L-0008 P05, FS0754-ALA-00-XX-DR-L-0009 P05, FS0754-ALA-00-XX-DR-L-0011 P03, FS0754-ALA-00-XX-DR-L-0012 P03, FS0754-ALA-00-XX-DR-L-0013 P03,

FS0754-ALA-00-XX-DR-L-0014 P02, FS0754-ALA-00-XX-DR-L-0016 P03,
FS0754-ALA-00-XX-DR-L-0017 P03 - received 2 February 2021
FS0754-CPM-02-ZZ-DR-A-2013 P04, XXX-ALA-00-XX-DR-L-0001 P04 -
received 10 February 2021
FS0754-CPM-01-ZZ-DR-A-2005 P07, FS0754-ALA-XX-XX-DR-L-0001 P05,
FS0754-ALA-XX-XX-DR-L-0002 P07, FS0754-ALA-XX-XX-DR-L-0003 P04,
FS0754-ALA-XX-XX-DR-L-0004 P04 - received 4 June 2021

Housing

DHA/14019/12 - land use plan, DHA/14019/14 - ground levels and building heights, DHA/14019/15 - residential character zones, 568-ALA-00-XX-DR-L-0001 P03 - landscape masterplan, 568-ALA-00-XX-DR-L-0002 P03 - landscape parameters plan - received 2 February 2021
DHA/14019/13 rev A - access strategy plan - received 4 June 2021

Reason: For the avoidance of doubt and in the interests of proper planning and having regard to the Town and Country Planning (Environmental Impact Assessment) (Regulations 2017) against which the development has been assessed and that any material alteration to the design principles and development objectives may have an impact which has not been fully assessed.

2 EIA Compliance

The development herein approved shall be carried out in accordance with the design principles and development objective as set out in the Design and Access Statements

Design and Access Statement by DHA (dated December 2020), Design and Access Statement by Bowmer + Kirkland (dated November 2020) and Design and Access Statement rev C by Clague Architects (dated November 2020); and the environmental assessment as set out in the Environmental Statement reference TS/AP/14158 by DHA (dated January 2021) received 2 February 2021 and as amended with revised Environmental Statement appendices received 4 June 2021.

Reason: Having regard to paragraph 126 of the National Planning Policy Framework 2021 and the Town and Country Planning (Environmental Impact Assessment) (Regulations 2017) against which the development has been assessed and that any material alteration to the design principles and development objectives may have an impact which has not been fully assessed.

3 Reptile Translocation

No development shall take place including site clearance in the school, barn or housing areas as shown on drawing DHA/14019/11 until all mitigation measures for reptiles for the respective element (school, barn or housing) has taken place

in accordance with details contained within sections 3.3.4 to 3.3.7 of the Construction Ecological Management Plan by EAD Ecology (dated January 2021) and evidence of the translocation has been submitted to and approved in writing by the Local Planning Authority.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to protected species in accordance with Policy BNE39 of the Medway Local Plan 2003.

4 Landscape and Ecological Management Plan (LEMP)

No development shall take place above ground floor slab level in the school, barn or housing areas as shown on drawing DHA/14019/11 until a revised Landscape and Ecological Management Plan (LEMP) for the respective element (school, barn or housing) has been submitted and approved in writing. The development shall thereafter be implemented in accordance with the approved details, retained thereafter and managed in accordance with the approved details.

Reason: To ensure the protected of protected species and the delivery of biodiversity enhancements in accordance with Policy BNE39 of the Medway Local Plan 2003 and paragraph 174 of the National Planning Policy Framework 2021.

5 BARN

Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

6 Construction Environmental Management Plan (CEMP)

No development including any demolition in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, dust, lighting, pollution incident control measures, arising from the construction phase of the development and site contact details in case of complaints has been submitted to and approved in writing by the Local Planning Authority. The construction works shall be undertaken in accordance with this approved plan.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents and with regard to Policy BNE2 of the Medway Local Plan 2003.

7 Bats

No development including site clearance, shall take place within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until all mitigation for bats has been carried in accordance with the outline details contained in sections 3.3.12 to 3.3.15 of the Construction Ecological Management Plan by EAD Ecology (dated January 2021) unless written evidence of a variation from Natural England has been submitted to and approved in writing by the Local Planning Authority.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to protected species in accordance with Policy BNE39 of the Medway Local Plan 2003.

8 Programme of Archaeological Works

No development shall take place within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until the implementation of a programme of archaeological work has been secured in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority. The archaeological works shall thereafter be carried out in accordance with the approved specification.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on any archaeological interest and in accordance with Policy BNE21 of the Local Plan 2003

9 Foundation Details

No development shall take place within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until details of foundation designs and any other proposals involving below ground excavation have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on any archaeological interest and in accordance with Policy BNE21 of the Local Plan 2003.

10 Building Recording

No development shall take place within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until the implementation of a programme of building recording has been secured in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority. The building recording shall thereafter be carried out in accordance with the approved specification.

Reason: Required before commencement to ensure that historic building features are properly examined and recorded in accordance with Policy BNE21 of the Local Plan 2003.

11 Contamination

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not take place in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11 until conditions 12 to 15 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition 15 has been complied with in relation to that contamination.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

12 Contamination - Investigation and Report

No development shall take place in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11 until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been 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 scheme shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development with the 'Manor Farm Barn' area. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. 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:
 - o human health

- o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o 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: Required before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

13 Contamination - Remediation Scheme

No development shall take place in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, 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 and other property and the natural and historical environment has been prepared and submitted to and approved in writing by the Local Planning Authority. 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: Required before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

14 Contamination - Implementation and Verification

No development shall take place (other than development required to enable the remediation process to be implemented) in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until the approved remediation scheme has been carried out in accordance with its terms. 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.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

15 Contamination - Unexpected Contamination

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. Development shall cease and an investigation and risk assessment must be undertaken in accordance with the requirements of condition 12, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 13, which shall be submitted to and approved in writing by the Local Planning Authority.

The remediation must be completed in accordance with the approved scheme and following completion of the measures a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 13 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 14.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003

16 Surface Water Drainage

No development shall take place in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11 until a scheme based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i. Details of the design of the scheme (in conjunction with the landscaping plan where applicable)
- ii. A timetable for its implementation
- iii. Operational maintenance and management plan including access requirements for each sustainable drainage component.
- iv. Proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be implemented in accordance with the approved details and shall thereafter be retained.

Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 168 of the National Planning Policy Framework 2021.

17 Construction Surface Water Management Plan

No development shall take place in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11 until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on site during construction (including demolition and site clearance operations) is submitted to and approved in writing by the Local Planning Authority.

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

- i. Temporary drainage systems.
- ii. Measures for managing pollution/water quality and protecting controlled water and watercourses.
- iii. Measures for managing any on or off-site flood risk associated with the development.

The CSWMP shall be implemented in accordance with the approved plan throughout the construction phase of the development in the 'Manor Farm Barn' area.

Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 168 of the National Planning Policy Framework 2021.

18 Materials

No development above slab level shall take place in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until details and samples of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to heritage asset, in accordance with Policies BNE17 and BNE18 of the Medway Local Plan 2003.

19 Sample Brickwork Panel

No development shall take place above slab level in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until a panel of brickwork has been constructed and made available for inspection on the site for approval in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to heritage asset, in accordance with Policies BNE17 and BNE18 of the Medway Local Plan 2003.

20 Architectural Details

No development shall take place above ground floor slab level in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until details of the following have been submitted to and approved in writing by the Local Planning Authority:

1:20 Sectional Elevation of reception building with 1:0/1:5 new joinery details to both long elevations to show construction.

1:20 Sectional Elevation of Cow Shed building with 1:0/1:5 new joinery details to both long elevations to show construction.

1:20 details of new roof junctions of extensions with the Barn and the Cow Shed.
1:0/1:5 eaves details at north elevation.

Details of the perimeter enclosure to the site and the entrance gate.

Structural engineers report to support the design and function of the glazed screen.

The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to heritage asset, in accordance with Policies BNE17 and BNE18 of the Medway Local Plan 2003.

21 Plant Noise

No plant or equipment shall be installed in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until an acoustic assessment has been undertaken to determine the impact of noise arising from the mechanical plant and equipment. The noise rating level (L_{ar}, Tr) of mechanical plant and equipment shall be at least 10dB below the background noise level (LA₉₀, T) at the nearest residential façade. All measurements shall be defined and derived in accordance with BS4142: 2014. The result of the assessment and

details of any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the any building within the 'Manor Farm Barn' area is brought into use and shall thereafter be maintained in accordance with the approved details.

Reason: To ensure protection of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

22 Extraction Equipment

No extraction equipment for the treatment of cooking fumes shall be installed in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until an acoustic assessment has been undertaken which details the measures to control noise and vibration from the equipment has been submitted to and approved in writing by the Local Planning Authority. Noise from the extraction system (LAeq,T), shall be at least 10dB(A) below the background noise level (LA90,T) at the nearest residential façade, when assessed in accordance with BS4142:2014. The approved measures shall be implemented before the any building within the 'Manor Farm Barn' area is brought into use and shall thereafter be maintained in accordance with the approved details.

Reason: To ensure protection of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

23 Air Quality

No development shall take place above ground floor slab level in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until an Air Quality Emission Mitigation Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall be prepared in accordance with the Medway Air Quality Planning Guidance and shall include full details of the measures that will be implemented as part of the development to mitigate the air quality impacts identified in the approved Environmental Statement, reference TS/AP/14158, dated January 2021. The total monetary value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost values calculated as part of the approved Environmental Statement. The development shall be implemented, and thereafter maintained, in accordance with the measures set out in the approved Emissions Mitigation Statement.

Reason To mitigate the impact on air quality in compliance with Policy BNE24 of the Medway Local Plan 2003.

24 Electric Vehicle Charging Points

No development shall take place above ground floor slab level in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, until details of the provision of electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. Details shall include the number, location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained in working order.

Reason: In the interests of sustainability in accordance with paragraph 112E of National Planning Policy Framework 2021.

25 Parking

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, the area shown on the submitted layout drawing number 29654A_003 Rev A as vehicle parking, loading and off-loading and turning space shall be provided, surfaced and drained. 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 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on that area of land or in such a position as to preclude vehicular access to the reserved vehicle parking area.

Reason: Development without provision of adequate accommodation for the parking, loading, off-loading and turning of vehicles is likely to lead to hazardous conditions in the public highway and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

26 Parking Management Plan

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, a Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall contain details of how the parking spaces within the 'Manor Farm Barn' area are to be managed during events and for non-event periods to prevent unauthorised parking. The Parking Management Plan shall be implemented in accordance with the approved details prior to the first use of any of the buildings in the 'Manor Farm Barn' area and shall thereafter be retained.

Reason: To ensure satisfactory parking for the events in accordance with Policy T13 of the Medway Local Plan 2003.

27 Cycle Parking

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, details of secure cycle parking provision in the form of individual lockers shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be implemented in accordance with the approved details prior to the first use of any of the buildings in the 'Manor Farm Barn' area and shall thereafter be retained.

Reason: To ensure the provision and permanent retention of bicycle spaces in accordance with Policy T4 of the Medway Local Plan 2003.

28 Travel Plan

Prior to the first use of the any buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include SMART targets and initiatives for promoting sustainable transport with particular emphasis on walking, bicycle use and bus travel, together with details of future monitoring and update procedures. The Travel Plan shall be implemented upon first use of the wedding venue and conference facility and shall be kept in place, and updated, thereafter. The approved Travel Plan shall be continually monitored with the results of the monitoring and any recommended actions to be submitted to and approved in writing to the Local Planning Authority on an annual basis starting from the date of the approval of the first Travel Plan, with the approved recommendations implemented as agreed as part of the annual review, improvement and reduction of car dependency.

Reason: In the interests of promoting safe and sustainable development and to accord with Policy T14 of the Medway Local Plan 2003.

29 Temporary Access

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, a timetable shall be submitted to and approved in writing by the Local Planning Authority setting out the temporary the period for use of Parsonage Lane by visitors to the wedding venue/conference facility and the arrangements and timescales for directing visitors to use the access from Berwick Way.

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

30 Landscaping

Prior to the first use of the any buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, The landscaping shall be implemented in accordance with the approved drawing numbers 29654A_213 rev G and 568-ALA-00-XX-DR-L-003 P02.

Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

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

31 Boundary Treatment

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, a plan indicating the positions, design, materials and type of boundary treatment to be erected including around the car parking area shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before any of the buildings in the 'Manor Farm Barn' area are brought into use and shall thereafter be retained.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policies BNE1, BNE14 and BNE18 of the Medway Local Plan 2003.

32 Refuse Storage

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, details of the refuse storage arrangements for the buildings, including provision for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage arrangements shall be implemented in accordance with the approved details before any the buildings in the 'Manor Farm Barn' area are brought into use and shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policies BNE1, BNE14 and BNE18 of the Medway Local Plan 2003.

33 Amplified Music

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, an acoustic assessment shall be submitted to and approved in writing by the Local Planning Authority

which includes details of any noise mitigation measures required to ensure the music noise levels in the 63Hz and 125Hz octave centre frequency bands (Leq) do not exceed 47dB and 41dB (Leq) respectively inside habitable rooms of noise sensitive receptors; and entertainment noise (Leq) shall not exceed 10dB below the background noise level (L90) without the entertainment noise present, in each octave band at noise sensitive receptors. All noise mitigation measures shall be implemented in accordance with the approved details prior to the first use of any of the buildings in the 'Manor Farm Barn' area and shall thereafter be retained.

Reason: To ensure protection of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

34 SUDs Verification

Prior to the first use of any of the buildings in the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, (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 in writing by the Local Planning Authority to confirm that the agreed surface water systems 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: To ensure a suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk on site or elsewhere in accordance with paragraph 168 of the National Planning Policy Framework 2021.

35 Construction Ecological Management Plan

The development within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, shall implement the ecological enhancement measures as set out in the Construction Ecological Management Plan by EAD Ecology (dated January 2021). The ecological enhancement measures shall be provided prior to the first use of any of the buildings within the 'Manor Farm Barn' area.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to protected species in accordance with paragraph 174 of the National Planning Policy Framework 2021.

36 Lighting

Prior to the installation of any external lighting anywhere within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, which

includes the access road to the barn, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) and hours of use together with a report to demonstrate its effect on the landscaping of the site (including an overlay of the proposed lighting onto the site landscaping plans), the rural landscape, nearby residential properties, biodiversity, bats (including reference to the recommendations of the Bat Conservation Trust) and of how this effect has been minimised. Any external lighting shall be implemented in accordance with the approved details.

Reason: To limit the impact of the lighting on the Listed Buildings, the Conservation Area, the landscaping of the site, the surrounding landscape, nearby residents and wildlife and with regard to Policies BNE1, BNE2, BNE5, BNE12, BNE14, BNE34 and BNE39 of the Medway Local Plan 2003.

37 CCTV

Prior to the installation of any CCTV anywhere within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, which includes the access road to the barn, details of such CCTV shall be submitted to and approved in writing by the Local Planning Authority. Details shall include height, position and external appearance. Any CCTV shall be implemented in accordance with the approved details.

Reason: To limit the impact of the setting and appearance of the Listed Buildings and the Conservation Area and with regard to Policies BNE1, BNE12 and BNE14 of the Medway Local Plan 2003.

38 Opening Hours

The wedding venue and conference use hereby permitted shall only operate between the hours of 08:00 to 00:00 Mondays to Saturdays inclusive and between the hours of 10:00 to 00:00 on Sundays and Public Holidays.

Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policy BNE2 of the Medway Local Plan 2003.

39 Deliveries/Serviceing Hours

No commercial goods shall be loaded, unloaded, stored or otherwise handled and no vehicles shall arrive or depart, within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11, outside the hours 07:00 to 19:00 Mondays to Fridays inclusive and between the hours of 08:00 to 18:00 on Saturdays or at any time on Sundays and Public Holidays.

Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policy BNE2 of the Medway Local Plan 2003.

40 Overnight Accommodation

The overnight guest rooms shall only be used in association with the use of the buildings within the area identified as 'Manor Farm Barn' as shown on drawing number DHA/14019/11 as a wedding venue and conference facility or for tourist accommodation and not for any other residential accommodation purpose. The accommodation herein permitted shall not be occupied as guest or tourist accommodation for more than 28 consecutive days at any one time.

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

41 Archaeological Publication

Within 6 months of the first use of the Barn as a wedding venue/conference facility, an Archaeological Post-Excavation Assessment Report shall be submitted to and approved in writing by the Local Planning Authority. The Post-Excavation Assessment Report shall include an Updated Project Design and accompanying timetable for any further analysis and publication of the findings of the archaeological investigations, and for the 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 result of the archaeological investigations are made publicly accessible in accordance with paragraph 205 of the National Planning Policy Framework 2021.

42 SCHOOL

Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

43 Construction Environmental Management Plan (CEMP)

No development including any demolition, shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, dust, lighting, pollution incident control measures, and the arising from the construction phase of the development and site contact details in case of complaints has been submitted to and approved in writing by the Local Planning Authority. The construction works shall be undertaken in accordance with this approved plan.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents and with regard to Policy BNE2 of the Medway Local Plan 2003.

44 Programme of Archaeological Investigation

Prior to the construction of the new secondary school within the area identified as 'School Zone' as shown on drawing number DHA/14019/11, the programme of archaeological investigations shall be carried out in accordance with the submitted Written Scheme of Investigation Phase 2 Archaeological Works by Canterbury Archaeological Trust, December 2020.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy BNE21 of the Medway Local Plan 2003.

45 Surface Water Drainage

No development shall take place in the area identified as 'School Zone' as shown on drawing number DHA/14019/11 until a scheme based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- v. Details of the design of the scheme (in conjunction with the landscaping plan where applicable)
- vi. A timetable for its implementation
- vii. Operational maintenance and management plan including access requirements for each sustainable drainage component.
- viii. Proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be implemented in accordance with the approved details and shall thereafter be retained.

Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 168 of the National Planning Policy Framework 2021.

46 Construction Surface Water Management Plan

No development shall take place in the area identified as 'School Zone' as shown on drawing number DHA/14019/11 until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on site during construction (including demolition and site clearance operations) is submitted to and approved in writing by the Local Planning Authority.

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

- iv. Temporary drainage systems.
- v. Measures for managing pollution/water quality and protecting controlled water and watercourses.
- vi. Measures for managing any on or off-site flood risk associated with the development.

The CSWMP shall be implemented in accordance with the approved plan throughout the construction phase of the development in the 'School Zone' area.

Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 168 of the National Planning Policy Framework 2021.

47 Plant Noise

No development shall take place above ground floor slab level in the area identified as 'School Zone' as shown on drawing number DHA/14019/11, until an acoustic assessment has been undertaken to determine the impact of noise arising from mechanical plant and equipment. The noise rating level (Lar,Tr) of mechanical plant and equipment shall be at least 10dB below the background noise level (LA90,T) at the nearest residential façade. All measurements shall be defined and derived in accordance with BS4142: 2014. The result of the assessment and details of any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the any building within the 'School Zone' area is brought into use and shall thereafter be maintained in accordance with the approved details.

Reason: To ensure protection of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

48 Air Quality

No development shall take place above ground floor slab level in the area identified as 'School Zone' as shown on drawing number DHA/14019/11, until an Air Quality Emission Mitigation Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall be prepared in accordance with the Medway Air Quality Planning Guidance and shall include full details of the measures that will be implemented as part of the development to mitigate the air quality impacts identified in the approved Environmental Statement, reference TS/AP/14158, dated January 2021. The total monetary value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost values calculated as part of the approved Environmental Statement. The development shall be implemented, and thereafter maintained, in accordance with the measures set out in the approved Emissions Mitigation Statement.

Reason To mitigate the impact on air quality in compliance with Policy BNE24 of the Medway Local Plan 2003.

49 Electric Vehicle Charging Points

No development shall take place above ground floor slab level, in the area identified as 'School Zone' as shown on drawing number DHA/14019/11, until details of the provision of electric vehicle charging points as shown on drawing number FS0754-CPW-ZZ-XX-DR-E-6203 P03 have been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained in working order.

Reason: In the interests of sustainability in accordance with paragraph 112E of National Planning Policy Framework 2021.

50 Access

Prior to the first occupation of the school, the access from Frindsbury Hill shall be implemented and complete, in accordance with approved drawing number 21023/005 Rev B, unless alternative arrangements to secure the specified works have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the school is provided with a safe and practical access that does not interrupt the free flow of traffic on Frindsbury Hill, in accordance with Policies T1 and T2 of the Medway Local Plan 2003.

51 Parking

Prior to the first use of the school, vehicle parking space and circulation shall be provided, surfaced and drained in accordance with a revised drawing (that amends the parking and drop off bays) to be 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 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on that area of land or in such a position as to preclude vehicular access to the reserved vehicle parking area.

Reason: Development without provision of adequate accommodation for the parking, loading, off-loading and turning of vehicles is likely to lead to hazardous conditions in the public highway and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

52 Parking Management Plan

Prior to the first use of the school, a Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall contain details of how the parking spaces within the development are to be managed during to prevent unauthorised parking. The Parking Management Plan shall be implemented in accordance with the approved details prior to the first use of the school and shall thereafter be retained.

Reason: to ensure satisfactory off-street parking in accordance with Policies BNE2 and T13 of the Medway Local Plan 2003.

53 Cycle Parking

Prior to the first use of the school, details of secure cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be implemented in accordance with the approved details before the school is brought into use and shall thereafter be retained.

Reason: To ensure the provision and permanent retention of bicycle spaces in accordance with Policy T4 of the Medway Local Plan 2003.

54 Travel Plan

Prior to the first use of the school herein approved, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall include provision of the arrangements for the appointment of a School Travel Plan Coordinator and working group, SMART targets and initiatives for promoting sustainable transport with particular emphasis on walking, bicycle use and bus travel, together with details of future monitoring and

update procedures. The School Travel Plan shall be implemented upon first use of the school and shall be kept in place, and updated, thereafter. The approved School Travel Plan shall be continually monitored with the results of the monitoring and any recommended actions to be submitted to and approved in writing to the Local Planning Authority on an annual basis starting from the date of the approval of the first School Travel Plan, with the approved recommendations implemented as agreed as part of the annual review, improvement and reduction of car dependency.

Reason: In the interests of promoting safe and sustainable development and to accord with Policy T14 of the Medway Local Plan 2003.

55 Landscaping

Prior to the first use of the school, the landscaping shall be implemented in accordance with the approved drawing numbers FS0754-ALA-00-XX-DR-L-0002 P04, FS0754-ALA-00-XX-DR-L-0005 P05, FS0754-ALA-00-XX-DR-L-0006 P05, FS0754-ALA-00-XX-DR-L-0007 P05, FS0754-ALA-00-XX-DR-L-0008 P05 and FS0754-ALA-00-XX-DR-L-0009 P05.

Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

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

56 Biodiversity Net Gain

Prior to the first use of the school, a statement shall be submitted demonstrating how the proposal will maximise biodiversity net gain on site and seek to achieve 10% biodiversity net gain where possible.

Reason: In the interests of enhancing biodiversity and to positively address concerns regarding climate change in accordance with paragraphs 154 and 179 the National Planning Policy Framework 2021.

57 Boundary Treatment

Prior to the first use of the school, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before the school is brought into use and shall thereafter be retained.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policies BNE1, BNE14 and BNE18 of the Medway Local Plan 2003.

58 Refuse Storage

Prior to the first use of the school, details of the refuse storage arrangements for the buildings, including provision for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage arrangements shall be implemented in accordance with the approved details before the school is brought into use and shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policy BNE1 of the Medway Local Plan 2003.

59 SUDs Verification

Prior to the first use of the school, (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 in writing by the Local Planning Authority to confirm that the agreed surface water systems 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: To ensure a suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk on site or elsewhere in accordance with paragraph 168 of the National Planning Policy Framework 2021.

60 Construction Ecological Management Plan

Prior to the first use of the school, the ecological enhancement measures as set out in the Construction Ecological Management Plan by EAD Ecology (dated January 2021) shall be implemented within the area identified as 'School Zone' as shown on drawing number DHA/14019/11. The ecological enhancement measures shall thereafter be retained.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to protected species in accordance with paragraph 174 of the National Planning Policy Framework 2021.

61 Lighting

Prior to the installation of any external lighting anywhere within the area identified as 'School Zone' as shown on drawing number DHA/14019/11, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) and hours of use together with a report to demonstrate its effect on the landscaping of the site (including an overlay of the proposed lighting onto the site landscaping plans), the rural landscape, nearby residential properties, biodiversity, bats (including reference to the recommendations of the Bat Conservation Trust) and of how this effect has been minimised. Any external lighting shall be implemented in accordance with the approved details.

Reason: To limit the impact of the lighting on the Listed Buildings, the Conservation Area, the landscaping of the site, the surrounding landscape, nearby residents and wildlife and with regard to Policies BNE1, BNE2, BNE5, BNE12, BNE14, BNE34 and BNE39 of the Medway Local Plan 2003.

62 CCTV

Prior to the installation of any CCTV anywhere within the area identified as 'School Zone' as shown on drawing number DHA/14019/11, details of such CCTV shall be submitted to and approved in writing by the Local Planning Authority. Details shall include height, position and external appearance. Any CCTV shall be implemented in accordance with the approved details.

Reason: To limit the impact of the setting and appearance of the Listed Buildings and the Conservation Area and with regard to Policies BNE1, BNE12 and BNE14 of the Medway Local Plan 2003.

63 Materials

The development shall be implemented in accordance with the External Materials Schedule by Bowmer + Kirkland (dated 23 June 2021) or other materials to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that 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 Medway Local Plan 2003.

64 Community Use Agreement

Prior to the first use of the school, a Community Use Agreement (CUA) shall be prepared in consultation with Medway Council and shall then be submitted to and approved in writing by the Local Planning Authority. The CUA shall describe all the facilities included in the agreement and shall include details of pricing policy,

access by non-educational establishment users, management responsibilities and a mechanism for review. Following the first use of the school, the school facilities shall thereafter be used in accordance with approved CUA.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy L8 of Medway Local Plan 2003.

65 Hours for Community Uses

The facilities to be used for community purposes as outlined in the Community Use Agreement (CUA) shall not be used outside of the following hours:

For Internal Spaces

17:00 to 22:00 Monday to Friday

08:00 to 22:00 on Saturday, Sunday and Public Holidays

For External Pitches

17:00 to 20:00 on Monday to Friday

09:00 to 20:00 on Saturday

10:00 to 17:00 on Sunday and Public Holidays

Reason: In the interests of residential amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

66 Floodlighting

There shall be no external floodlighting to any sports facility within the area identified as 'School Zone' as shown on drawing number DHA/14019/11.

Reason: To ensure protection of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

67 Archaeological Publication

Within 6 months of the first occupation of the school, an Archaeological Post-Excavation Assessment Report shall be submitted to and approved in writing by the Local Planning Authority. The Post-Excavation Assessment Report shall include an Updated Project Design and accompanying timetable for any further analysis and publication of the findings of the archaeological investigations, and for the 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 result of the archaeological investigations are made publicly accessible in accordance with paragraph 205 of the National Planning Policy Framework 2021.

68 Highway Mitigation Works

Prior to the intake of year 11 at the school, the works to the Sans Pareil Roundabout and associated mitigation as set out on either drawing number 21023/005 Rev B or drawing number 21023/003 Rev F (The HIF funded scheme being brought forward by Medway Council) shall be brought forward and works completed in accordance with either of those approved drawings, unless alternative arrangements to secure the specified works have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the school is provided with a safe and practical access that does not interrupt the free flow of traffic on Frindsbury Hill, in accordance with Policies T1 and T2 of the Medway Local Plan 2003.

69 Traffic Movement Monitoring and Mitigation

Upon 90% occupation of the school, a survey shall be carried out to assess the impact on traffic at the junctions of Bill Street Road/ Frindsbury Hill and the Frindsbury Road/ Station Road Signal Junction with the methodology and timetable for implementation to be submitted to and approved in writing by the Local Highway Authority. The survey shall be implemented in accordance with the approved methodology and timetable and the results of the survey along with any proposed mitigation measures and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall thereafter be implemented in accordance with the approved details and timetable and shall be retained thereafter.

Reason: To ensure that the school is provided with a safe and practical access that does not interrupt the free flow of traffic on Frindsbury Hill, in accordance with Policies T1 and T2 of the Medway Local Plan 2003.

70 Education Use Only

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) the school herein approved shall be used for education and community uses as approved as part of the Community Use Agreement (CUA) only and shall not be used for any other purposes, including any other use that would fall within Use Class F1(a) of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to those classes in any statutory instrument 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 the amenities of the local residents and highway safety and in accordance with Policies BNE2 and T1 of the Medway Local Plan 2003.

71 Climate Change Verification

The school development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within the Environmental Statement, Volume 2, Appendix 6.2: Maritime Academy Energy Statement (dated January 2021). The school shall not be occupied until a verification report prepared by a suitably qualified professional has been submitted to and approved in writing by the Local Planning Authority confirming that all the approved measures have been implemented.

Reason: In the interests of sustainability and to positively address concerns regarding climate change in accordance with paragraph 154 the National Planning Policy Framework 2021.

72 HOUSING (OUTLINE)

Approval of Reserved Matters

Approval of the details of the layout, scale and appearance of the buildings, the means of access thereto and the landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

73 Time Scale for Reserved Matters

Plans and particulars of the reserved matters referred to in Condition 72 above shall be submitted in writing to the Local Planning Authority for approval. Such application for approval shall be made to the Authority before the expiration of three years from the date of this permission and the reserved matters shall be carried out in accordance with the approved details.

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

74 Time Limit for Implementation of Outline and Reserved Matters

The development to which this permission relates must be begun no later than the expiration of 2 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: To comply with Section 92 of the Town and Country Planning Act 1990.

75 Construction Environmental Management Plan (CEMP)

No development including any demolition, shall take place within a phase or sub phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, dust, lighting, pollution incident control measures, and the arising from the construction phase of the development and site contact details in case of complaints has been submitted to and approved in writing by the Local Planning Authority. The construction works shall be undertaken in accordance with this approved plan.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents and with regard to Policy BNE2 of the Medway Local Plan 2003.

76 Programme of Archaeological Works

No development shall take place within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, until the implementation of a programme of archaeological work has been secured in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority. The archaeological works shall thereafter be carried out in accordance with the approved specification.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on any archaeological interest and in accordance with Policy BNE21 of the Local Plan 2003.

77 Foundation Details

No development shall take place within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, until details of foundation designs and any other proposals involving below ground excavation have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on any archaeological interest and in accordance with Policy BNE21 of the Local Plan 2003.

78 Contamination - Compliance

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not take place within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11 until conditions 79 to 82 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition 82 has been complied with in relation to that contamination.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

79 Contamination - Investigation and Report

No development shall take place within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11 until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been 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 scheme shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development with the phase or sub-phase with the 'Residential Zone' area. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. 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.
 - adjoining land,
 - groundwaters 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: Required before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

80 Contamination - Remediation Scheme

No development shall take place within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, 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 and other property and the natural and historical environment has been prepared and submitted to and approved in writing by the Local Planning Authority. 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: Required before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

81 Contamination - Implementation and Verification

No development shall take place (other than development required to enable the remediation process to be implemented) within a phase or sub-phasing within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, until the approved remediation scheme has been carried out in accordance with its terms. 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.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on human health and/or water courses as a result of the potential mobilising of contamination and in accordance with Policy BNE23 of the Medway Local Plan 2003.

82 Contamination - Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, that was not previously identified it must be reported in writing immediately to the Local Planning Authority. Development shall cease and an investigation and risk assessment must be undertaken in accordance with the requirements of condition 29, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 80, which shall be submitted to and approved in writing by the Local Planning Authority.

The remediation must be completed in accordance with the approved scheme and following completion of the measures a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 80 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 81.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

83 Surface Water Drainage

No development shall take place within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11 until a scheme based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- ix. Details of the design of the scheme (in conjunction with the landscaping plan where applicable)
- x. A timetable for its implementation
- xi. Operational maintenance and management plan including access requirements for each sustainable drainage component.
- xii. Proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be implemented in accordance with the approved details and shall thereafter be retained.

Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 168 of the National Planning Policy Framework 2021.

84 Construction Surface Water Management Plan

No development shall take place within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11 until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on site during construction (including demolition and site clearance operations) is submitted to and approved in writing by the Local Planning Authority.

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

- vii. Temporary drainage systems.
- viii. Measures for managing pollution/water quality and protecting controlled water and watercourses.
- ix. Measures for managing any on or off-site flood risk associated with the development.

The CSWMP shall be implemented in accordance with the approved plan throughout the construction phase of the development within that phase or sub-phase within the 'Residential Zone' area.

Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 168 of the National Planning Policy Framework 2021.

85 Noise

No development shall take place above ground floor slab level within a phase or sub-phase in the area identified as 'Residential Zone' as shown drawing number DHA/14019/11, until a scheme of acoustic protection has been submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall ensure internal noise levels (LAeq,T) no greater than 30dB in bedrooms and 35dB in living rooms with windows closed and a maximum noise level (LAm_{ax}) of no more than 45dB(A) with windows open. Where the internal noise levels will be exceeded with windows open, the scheme shall incorporate appropriate acoustically screened mechanical ventilation. The scheme shall include details of acoustic protection sufficient to ensure amenity/garden noise

levels of not more than 55dB (LAeq,T). The approved measures shall be implemented before the any building within the relevant phase or sub-phase within the 'Residential Zone' area is brought into use and shall thereafter be maintained in accordance with the approved details.

Reason: To ensure protection of amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

86 Air Quality

No development shall take place above ground floor slab level within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, until an Air Quality Emission Mitigation Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall be prepared in accordance with the Medway Air Quality Planning Guidance and shall include full details of the measures that will be implemented as part of the development to mitigate the air quality impacts identified in the approved Environmental Statement, reference TS/AP/14158, dated January 2021. The total monetary value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost values calculated as part of the approved Environmental Statement. The development shall be implemented, and thereafter maintained, in accordance with the measures set out in the approved Emissions Mitigation Statement.

Reason To mitigate the impact on air quality in compliance with Policy BNE24 of the Medway Local Plan 2003.

87 Electric Vehicle Charging Points

No development shall take place above ground floor slab level place within a phase or sub phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, until details of the provision of electric vehicle charging points (1 per dwelling for dwellinghouses and 1 per 4 flats) have been submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained in working order.

Reason: In the interests of sustainability in accordance with paragraph 112E of National Planning Policy Framework 2021.

88 Travel Plan

Prior to the first occupation of any dwelling within a phase or sub-phase, within the area identified as 'Residential Zone' as shown on drawing number

DHA/14019/11, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include initiatives for promoting sustainable transport to new residents with particular emphasis on walking, bicycle use and bus travel. The Travel Plan shall be implemented prior to the first occupation of any dwelling within that phase or sub-phase.

Reason: In the interests of promoting safe and sustainable development and to accord with Policy T14 of the Medway Local Plan 2003.

89 SUDs Verification

Prior to the first use of any of the buildings within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, (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 in writing by the Local Planning Authority to confirm that the agreed surface water systems 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: To ensure a suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk on site or elsewhere in accordance with paragraph 168 of the National Planning Policy Framework 2021.

90 Boundary Treatment

No dwelling shall not be occupied within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before any dwelling is occupied and shall thereafter be retained.

Reason: To ensure that 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 Medway Local Plan 2003.

91 Refuse Storage

Prior to the first occupation of any dwelling within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, details of the refuse storage arrangements for the dwellings, including provision for the storage of recyclable materials, shall be submitted to

and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved refuse storage arrangements for that dwelling are in place and all approved storage arrangements shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policy BNE2 of the Medway Local Plan 2003.

92 Landscaping

Applications for the approval of reserved matters in relation to landscaping for a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, shall include full details of both hard and soft landscape works, any artefacts to be located within the public space of that phase or sub-phase and a timetable for implementation. These details shall include existing and proposed finished ground levels; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; all paving and external hard surfacing; decking; minor artefacts and structures. Soft landscape works shall include details of planting plans, written specifications (including cultivation and other operations associated with grass and plant establishment, aftercare and maintenance); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. The development shall be implemented in accordance with the approved details and any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

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

93 Retained Trees

Applications for the approval of reserved matters in relation to landscaping and layout for a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, shall include:

- a) A plan showing the location of all existing trees on site or on land adjacent to the site which have a stem with a diameter exceeding 75mm when measured over the bark at a point 1.5m above ground level. The plan shall provide a reference number for each tree and shall identify which trees are to be retained and the crown spread of each retained tree.
- b) The species, diameter (measured in accordance with paragraph a), the approximate height and an assessment of the general state of health and stability of each retained tree.

- c) Any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site.
- d) Any proposed alterations in existing ground levels and the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site where the alterations and/or excavations are within the root protection area of any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree.
- e) The specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

In this Condition "retained tree" means an existing tree which is to be retained in accordance with paragraph a) above.

Reason: To protect and enhance the appearance and character of the site and locality, in accordance with Policies BNE1 and BNE43 of the Medway Local Plan 2003.

94 Parking

Applications for the approval of reserved matters in relation to layout for a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, shall show land reserved for parking or garaging in accordance with the adopted Parking Standards. None of the buildings shall be occupied until this area has been provided, surfaced and drained in accordance with the approved details. Thereafter no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to the reserved vehicle parking area.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and in accordance with Policies T1 and T13 of the Medway Local Plan 2003.

95 Construction Ecological Management Plan

Prior to the first occupation of any dwelling within a phase or sub-phase the ecological enhancement measures as set out in the Construction Ecological Management Plan by EAD Ecology (dated January 2021) shall be implemented within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11. The ecological enhancement measures shall thereafter be retained.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to protected species in accordance with paragraph 174 of the National Planning Policy Framework 2021.

96 Lighting

Prior to the installation of any external lighting within a phase or sub-phase within the area identified as 'Residential Zone; as shown on drawing number DHA/14019/11, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) and hours of use together with a report to demonstrate its effect on the landscaping of the site (including an overlay of the proposed lighting onto the site landscaping plans), the rural landscape, nearby residential properties, biodiversity, bats (including reference to the recommendations of the Bat Conservation Trust) and of how this effect has been minimised. Any external lighting shall be implemented in accordance with the approved details.

Reason: To limit the impact of the lighting on the Listed Buildings, the Conservation Area, the landscaping of the site, the surrounding landscape, nearby residents and wildlife and with regard to Policies BNE1, BNE2, BNE5, BNE12, BNE14, BNE34 and BNE39 of the Medway Local Plan 2003.

97 Play Equipment

Prior to the first occupation of any dwelling within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, details of the areas for equipped play facilities together with the play equipment and safe surfacing to be provided shall be submitted to and approved in writing by the Local Planning Authority. The play area(s) shall be provided in accordance with the approved details prior to the first occupation of any dwelling herein approved and shall thereafter be retained.

Reason: To ensure the satisfactory provision of play equipment in accordance with Policy L4 of the Medway Local Plan 2003.

98 Phased Sites - Security Fencing and Landscaping

Prior to occupation of a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, details of any boundary treatment and temporary landscaping to provide security between the development site and remaining undeveloped phases shall be submitted to and approved in writing by the Local Planning Authority. The security measures and any temporary landscaping shall be implemented in accordance with the

approved details and shall be maintained and retained until the development of the adjacent undeveloped phase commences.

Reason: To ensure the appearance of the development is satisfactory and without prejudice to the conditions of visual amenity in the locality and to provide security in accordance with Policies BNE1 and BNE8 of the Medway Local Plan 2003.

99 Archaeological Publication

Within 6 months of the first occupation of a dwelling within a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, an Archaeological Post-Excavation Assessment Report shall be submitted to and approved in writing by the Local Planning Authority. The Post-Excavation Assessment Report shall include an Updated Project Design and accompanying timetable for any further analysis and publication of the findings of the archaeological investigations, and for the 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 result of the archaeological investigations are made publicly accessible in accordance with paragraph 205 of the National Planning Policy Framework 2021.

100 Removal of C3 to C4 PD Rights

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) all dwellinghouses herein approved shall remain in use as a dwellinghouse falling within Class C3 only 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.

101 Climate Change Statement

Applications for the approval of reserved matters in relation a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing

number DHA/14019/11, shall be accompanied by Climate Change and Energy Efficiency Statement.

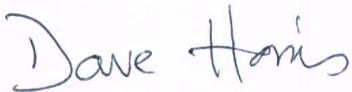
Reason: In the interests of sustainability and to positively address concerns regarding climate change in accordance with paragraph 154 the National Planning Policy Framework 2021.

102 Biodiversity Net Gain

Applications for the approval of reserved matters in relation a phase or sub-phase within the area identified as 'Residential Zone' as shown on drawing number DHA/14019/11, a statement shall be submitted demonstrating how the proposal will maximise biodiversity net gain on site and seek to achieve 10% biodiversity net gain where possible. The development shall be implemented in accordance with the approved details.

Reason: In the interests of enhancing biodiversity and to positively address concerns regarding climate change in accordance with paragraphs 154 and 179 the National Planning Policy Framework 2021.

Your attention is drawn to the following informative(s) :-

A handwritten signature in blue ink that reads "Dave Harris". The signature is written in a cursive, slightly slanted style.

David Harris
Head of Planning
Date of Notice 17 December 2021

TOWN & COUNTRY PLANNING (APPEALS) (WRITTEN REPRESENTATIONS) (ENGLAND) (AMENDMENT) (REGULATIONS 2013)

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks** from the date of this notice for appeals being decided under the **Commercial Appeals Service** and **6 months** from the date of this notice for all other **minor and major applications**.
- However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:
 - **28 days** from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
 - **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on telephone number: 0303 444 5000.

Commercial Appeals Service

- This type of appeal proceeds by way of written representations, known as the "Commercial Appeals Service". Third parties will not have the opportunity to make further representations to the Planning Inspectorate on these.

All other Minor and Major Applications

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the

proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based on their decision on a direction given by him.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

Purchase Notes

- If either the Local Planning Authority or the Secretary of State refuses permission to development land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.