

## **Upnor – last adj to Castle Street**

### **CONDITIONS LIST**

#### **1 Time limit**

The development hereby permitted shall be begun before the expiration of 18 months from the date of this permission.

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

#### **2 Approved plans**

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

Drawing numbers:

29414A 10 Rev A, 29414A 11 Rev A, 29414A 12 Rev A, 29414A 13 Rev A, 29414A 14 Rev A, 29414A 15 Rev A, 29414A 30, 29414A 31 , 29414A 32, 29414A 33, 29414A 34, 29414A 35, 29414A 36 Rev B, 29414A 37, 29414A 38 Rev A, 29414A 39, 29414A 40 Rev A, 29414A 41 Rev A, 29414A 42 Rev A, 29414A 43 Rev B, 19414A 44 Rev A, 29414A 45 Rev A, 29414A 46 Rev A, 29414A 47 Rev A, 29414A 48 Rev A, 29414A 49 Rev B, 29414A 50 Rev A, 29414A 51 Rev A, 29414A 52 Rev A, 29414A 53, 29414A 54, LN-LP-09-Rev C, H08 Rev P8 – received 9 February 2021  
29414A 01 Rev B – received 4 October 2021

Reason: For the avoidance of doubt and in the interests of proper planning.

#### **3 Materials**

No development above slab level shall take place 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 conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

#### **4 Architectural details**

No development above slab level shall take place until details of architectural details have been submitted to and approved in writing by the Local Planning Authority. These details shall include 1:20 drawings (as a minimum) of window frames and cills, doors, door frames and cills, weatherboarding, fascia's, soffits and porches.

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.

## 5 Play Equipment

Prior to the first occupation of any dwelling herein approved 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.

## 6 PD removal

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) no development shall be carried out within Schedule 2, Part 1, Classes A, B, D, E, F and H of that Order unless planning permission has been granted on an application relating thereto.

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

## 7 COU from C3-C4

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 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.

## 8 CEMP

No development shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, deliveries to the site, noise, dust and lighting the effect on wildlife and habitats arising from the construction phase of the development 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, the countryside, wildlife and habitat and with regard to BNE1, BNE2, BNE6 and BNE35 of the Medway Local Plan 2003.

## 9 Acoustic assessment re: sewage treatment and military training

No development shall take place until an acoustic assessment has been undertaken to determine the impact of noise from the sewage treatment works and the military training area shall be made in accordance with BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. The results of the assessment and details of a scheme of acoustic protection shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of acoustic protection sufficient to 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 (LAmax) of no more than 45dB(A) with windows closed. 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 noise levels of not more than 55dB (LAeq,T). All works, which form part of the approved scheme, shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

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

## 10 Air Quality Emission Mitigation Assessment

No development shall take place above slab level 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 any air quality impacts. 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.

## 11 Contamination – Compliance with Conditions 12 to 15

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 commence until Conditions 12 to 14 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 until a site 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. The desk study, 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,
  - archeological 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 'Land Contamination Risk Management document (LCRM)'.

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 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) 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. 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 is subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in the approved remediation scheme a verification report providing details of the data that will be collected in order to demonstrate that the works set out in Condition 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 No piling or other penetrative methods

No piling or the use of penetrative methods shall take place unless/until a piling method statement has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure that the proposed development does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework 2021.

#### 17 Flood resilience mitigation for specific plots

No development shall take place above ground floor slab level until additional flood resilience mitigation proposals have submitted to and approved in writing by the Local Planning Authority specific to the nursery building and plot no's 58-61 (inclusive), 65,66,72,26,27 and 29-32 (inclusive). The development shall then be undertaken in accordance with the approved mitigation and retained thereafter.

Reason: To ensure that resilience associated with residual risk is provided for these units closest to the flood risk areas in line with paragraph 166 of the National Planning Policy Framework 2021.

#### 18 Groundwork infiltration further details (including dimensions and landscaping and planting)

No development shall take place until further details including dimensions, landscaping and planting required and a timetable for delivery where infiltration can be achieved has been submitted to and approved in writing. If no further infiltration is to be incorporated, then this must also be confirmed in writing and approved by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details and retained thereafter.

Reason: To ensure that all measures are taken to promote varied species and habitats and to maximise opportunities to create usable amenity space in line with paragraph 166 of the National Planning Policy Framework 2021.

#### 19 SuDS and maintenance schedule + greywater/butts etc

Prior to occupation, a Sustainable Drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority which shall include details that include greywater harvesting and water butts for individual properties as well as the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. The development shall then be undertaken in accordance with the approved details and retained thereafter.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 168 of the National Planning Policy Framework 2021.

#### 20 Flood risk

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

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

The development shall then be undertaken in accordance with the approved scheme and retained thereafter.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined in Paragraph 168 of NPPF 2021.

## 21 Drainage Verification

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

Reason: This condition is sought in accordance with Paragraph 168 of the NPPF 2021 to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.

## 22 Temporary surface water for construction

No development shall take place 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 any 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.

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.

## 23 Watching brief

No development shall take place until the developer has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification, which has been submitted to and approved in writing by the Authority.

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.

#### 24 Lighting (bats)

Prior to the occupation of any part of the development, a plan showing the lighting design for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels), demonstrating that areas to be lit will not disturb bat activity. All external lighting will be installed in accordance with the approved details and shall be maintained thereafter.

Reason: To ensure that the lighting design is appropriate in this location and does not impact on bats present in the area, in accordance with Policy BNE37 of the Medway Local Plan 2003.

#### 25 Bats and Dormice

From the commencement of works (including site clearance), the following shall all be undertaken in accordance with the details contained in Sections 4.2.1, 4.2.2 and 4.3 of the Phase II Survey Results (Aspect Ecology 2020):

- Trees with bat roost potential that are to be felled
- All precautionary mitigation measures for dormice

Reason: To ensure that the wildlife features present in this location are not lost as a direct result of the proposals, compliant with Policy BNE37 of the Medway Local Plan 2003.

#### 26 Habitats Mitigation and Ecological Enhancement

No development shall take place (including site clearance), until an Ecological Enhancement and Management Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall include:

- A timetable for implementation and delivery of all aspects of mitigation measures and ecological enhancement
- Measures to maintain habitat connectivity for hedgehogs
- An updated badger survey setting out any mitigation works required as a result
- Any other habitat maintenance and mitigation that is to be incorporated as part of the development.



The development shall then be undertaken in accordance with the approved details and Sections 6.1 and 6.2 of the Ecological Appraisal (aspect Ecology June 2020) and associated management prescriptions and retained thereafter.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on protected species and to ensure that any future works take account of existing and future wildlife habitats present within the site in line with Policy BNE37 of the Medway Local Plan 2003.

#### 27 Bridge design (water voles)

No development shall take place until details of the bridge design, siting and a timetable for the delivery are submitted to and approved in writing by the Local Planning Authority. The bridge shall be constructed and retained thereafter in accordance with the approved plans.

Reason: Required prior to commencement of development to ensure that existing water voles within the watercourse are not detrimentally affected by the formation of accesses, in line with Policies BNE37 and BNE38 of the Medway Local Plan 2003.

#### 28 Management/Maintenance of the Footbridge

No part of the development shall be occupied until a management and maintenance plan for the footbridge crossing the watercourse to the west of the development site has been submitted to and approved in writing by the Local Planning Authority. The footbridge shall thereafter be maintained in accordance with the approved details.

Reason: To ensure the maintenance of the footbridge is undertaken in a manner respectful of the surroundings and to ensure access is maintained in accordance with Policy T3 of the Medway Local Plan 2003.

#### 29 Retained Vegetation during Construction

No development shall take place (including site clearance), until an arboricultural method statement to ensure the satisfactory protection of retained trees and vegetation has been submitted to and approved in writing by the Local Planning Authority. The matters to be included within the arboricultural method statement shall include the following:

- I. A specification for the pruning of, or tree surgery to, trees to be retained in order to prevent accidental damage by construction activities;
- II. The specification of the location, materials and means of construction of temporary protective fencing and/or ground protection in the vicinity of trees to be retained, in accordance with the recommendations of BS 5837 'Trees in relation to design, demolition and construction' and details of the timing and duration of its erection;
- III. The definition of areas for the storage or stockpiling of materials, temporary on-site parking, site offices and huts, mixing of cement or concrete, and fuel storage;
- IV. The specification of the routing and means of installation of drainage or any underground services in the vicinity of retained trees;

- V. The details and method of construction of any other structures such as boundary walls in the vicinity of retained trees and how these relate to existing ground levels;
- VI. The details of the materials and method of construction of any roadway, parking, pathway or other surfacing within the RPA, which is to be of a 'no dig' construction method in accordance with the principles of Arboricultural Practice Note 12 "Through the Trees to Development", and in accordance with current industry best practice; and as appropriate for the type of roadway required in relation to its usage.
- VII. Provision for the supervision of ANY works within the root protection areas of trees to be retained, and for the monitoring of continuing compliance with the protective measures specified, by an appropriately qualified arboricultural consultant, to be appointed at the developer's expense and notified to the Local Planning Authority, prior to the commencement of development; and provision for the regular reporting of continued compliance or any departure there from to the Local Planning Authority.

Thereafter the development shall be carried out in accordance with the approved details with the approved measures being kept in place during the entire course of development.

Reason: To ensure that reasonable measures are being taken to protect trees and hedgerows during construction in line with Policy BNE37 of the Medway Local Plan 2003.

### 30 Birds – Vegetation Clearance

No scrub or vegetation clearance required by the development shall take place on the site, including the creation of the new access, during the bird breeding season (this being the months of March through to August, inclusive), unless the site has been surveyed, by a suitably qualified ecologist, immediately prior to the vegetation or scrub clearance and the ecologist provides a written confirmation of their findings which are agreed in writing by the Local Planning Authority. If any bird breeding be recorded on site during the construction works, then all works must cease within that area of the site, until the bird breeding recorded ceases, or an appropriately qualified ecologist provides sufficient evidence that is agreed in writing by the Local Planning Authority that the site clearance can recommence prior to the end of the bird breeding season.

Reason: To ensure the protection of breeding birds during the construction process in accordance with paragraphs 180 and 181 of the National Planning Policy Framework 2021.

### 31 Compliance report re: Technical Briefing Note – min of 34.8%

Prior to the occupation of any part of the site, a statement shall be submitted demonstrating how the proposal achieves the 34.80% biodiversity net gain, as set out in the submitted Technical Briefing Note.

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.

### 32 Access and Visibility Splays

Prior to first occupation of any of the dwellings hereby permitted, visibility splays at the junctions of the application site with Upnor Road shall be provided in accordance with the details provided in drawing number 14254-H-08 Rev P8. Once provided, the splays shall thereafter be retained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level.

Reason: In the interests of highway safety and in compliance with Policy T2 of Medway Local Plan 2003.

### 33 Parking – Laid Out

No individual dwelling or the nursery shall be occupied, until the area shown on the submitted layout as vehicle parking/garaging space/car port associated with the dwelling or nursery has been provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space/garaging.

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

### 34 Highway Works

No part of the development shall be occupied until the highway improvement works as shown drawing numbers 14254 –H-05-P4, 14254 –H-06-P1, 14254 –H-04-P4 has been fully implemented and made operational under the terms of S278 of the Highway Act.

Reason: In the interest of highway safety and incompliance with Policies T1 and T3 of the Medway Local Plan 2003.

### 35 EVCP's – Resi and Nursery

No development shall take place above slab level until details of the provision of electric vehicle charging points (1 per new residential unit and 1 per 10 spaces for the nursery use) has 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 112(e) of National Planning Policy Framework 2021.

### 36 Cycle Storage details

No dwelling shall be occupied until details of secure private cycle parking provision for each of the proposed dwellings has been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be implemented in accordance with the approved details before any dwelling is occupied 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.

### 37 Travel Plan

No part of the development shall be occupied until the final details of the Travel Plan have been submitted to and approved in writing by the Local Planning Authority. Implementation of those parts identified in the approved Travel Plan as being capable of implementation shall then be carried out in accordance with a timetable and complied with as long as any part of the development is occupied.

Reason: To ensure the sustainable transport objective related to the development of this site and to reduce potential impact on the surrounding area in accordance with Policy T14 of the Medway Local Plan 2003.

### 38 Car Ports not to be enclosed

The approved carports shown on residential properties shall not be enclosed. The car port parking spaces shall remain available for parking and not result in a reduction in parking on plot.

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

### 39 Root Protection included – re: Vehicular Spaces

No landscaping and hard surfacing works shall take place until details relating to tree planting surrounding parking spaces, which should include all tree root protection measures, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the use of the parking spaces to which they relate and retained thereafter.

Reason: To ensure that the landscaping and health of the proposed trees are not compromised by the existence of the proposed parking within the site in compliance with Policy BNE6 of the Medway Local Plan 2003.

### 40 Nursery implementation

Construction of the nursery building shall take place prior to the occupation of the 40th dwelling. The nursery building and associated car parking, shall be brought into use prior to the occupation of the 60th dwelling.

Reason: In the interested of sustainability and to ensure that this mixed-use development is delivered as proposed and in compliance with paragraphs 80 to 84 of the National Planning Policy Framework 2021.

#### 41 Nursery Parking Layout details

The nursery building shall not be brought into use until a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall contain details of the layout and how staff parking shall be managed on site and how both staff and parents will be deterred from parking on street. The Parking Management Plan shall be implemented in accordance with the approved details prior to the first use of the nursery building and shall thereafter be retained.

Reason: To ensure satisfactory off-street parking in accordance with Policy T13 of the Medway Local Plan 2003.

#### 42 Climate Change

Prior to the first occupation of any part of the development, a timetable providing details for the submission of a verification report prepared by a suitably qualified professional confirming that all the measures to address energy efficiency and climate change submitted in sections 5.9 of the Design and Access Statement, received on 22 June 2020 have been undertaken for each dwelling and the nursery building shall be submitted to and approved in writing by the Local Planning Authority.

Verification reports shall thereafter be submitted to the Local Planning Authority in accordance with the approved timetable and the development shall be maintained to achieve a net reduction of 50% against current Building Regulations Part L standards.

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.

#### 43 Nursery Refuse Storage

The nursery building shall not be brought into use until details of the refuse storage arrangements for the nursery building, including provision for the storage of recyclable materials and soiled nappies, has been submitted to and approved in writing by the Local Planning Authority. The refuse storage arrangements shall be implemented in accordance with the approved details prior to the first use of the nursery building and shall thereafter be retained.

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

#### 44 Nursery Hours of Operation

The nursery use hereby permitted shall only operate between the hours of 07:00 to 19:00 Monday – Friday and shall not operate on Saturdays, Sundays or 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.

#### 45 Boundary Treatments – Resi and Nursery

No part of the development shall be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected for the residential properties and the nursery have 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 the building to which they relate are first 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.

#### 46 Landscaping – Hard and Soft

No part of the development shall be occupied until full details of both hard and soft landscape works, any artefacts to be located within the public space and a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. These details shall include all public seating, footpaths, paving and recreation space. 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. It shall also specifically set out the details of the proposed open space and buffer zone to the nearby SSIs (Cockham Wood and Tower Hill) including delivery and maintenance specific to this part of the site. 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.

#### 47 LMP

No part of the development shall be occupied until a Landscape Management Plan (LMP), has been submitted to and approved in writing by the Local Planning Authority. The LMP shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas (except for small, privately owned, domestic gardens) for a minimum period of five years and arrangements for implementation. The development shall thereafter be implemented in accordance with the approved details.

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

## 48 Off Site Footpaths and Landscaping

No development shall take place until details of all works to off-site footpaths (including surfacing and lighting) and associated off-site landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- A detailed plan(s) showing all aspects of these off-site works (footpaths and landscaping)
- Details of the permissions and agreements which are in place with the relevant landowner(s) to enable delivery of the footpaths and landscaping
- Details of all proposed lighting, including how the footpaths will be lit
- A timetable for delivery of all aspects of these off-site proposals
- Details of how (and by whom) the off-site footpaths and offsite landscaping are to be maintained thereafter

All proposed works to off-site footpaths (including surfacing and lighting) and associated off-site landscaping shall be implemented in accordance with the approved details prior to the first occupation of the dwellings. 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.