

APPENDIX 2

Conditions

Planning permission is sought under S73 of the Town & County Planning Act and while approval is sought for the variation of conditions 3 and 4 only, the process serves to issue a fresh planning permission. As such, all conditions that are still relevant and current shall be re-instated and updated where relevant. No additional conditions that are not material to the current consent have been added.

- 01 The development shall not be commenced later than two years from the date of this permission.

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

- 02 Before commencement of any part of the development under this permission, details of access, appearance, landscaping, layout and scale (hereafter referred to as the reserved matters) of that part shall be submitted to and approved by the local planning authority and the development to be implemented in accordance with the approved details. Applications for approval of reserved matters for the development hereby permitted must be made to the local planning authority by 6 March 2033.

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

Informative: The reserved matters submissions should include details of open space and landscaped areas as defined in the s106 agreement.

- 03 The details to be submitted in accordance with Condition 2 shall accord substantially with the following drawings:

Plan 1B: Site location Plan (drawing number 11254-PA-101)
Plan 2B: Movement and Infrastructure Corridor (drawing number 11254-PA-102)
Plan 3B: Building Heights Plan (drawing number 11254-PA-103)
Plan 4B: Green Zones Plan (drawing number 11254-PA-104)
Plan 5B: Ecological and Natural Reserve Areas (drawing number 11254-PA-105)
Plan 6B: Finished Ground Levels (drawing number 11254-PA-106)
Plan 7B: Major Urban Park Plan (drawing number 11254-PA-107)
Plan 8B: Linkages plan (drawing number 11254-PA-108)
Drawing no: 1061-2 Rev F: Land Use Disposition plan (drawing number 1061-2)
Development Parameters Schedule including Disposition of Development Table dated November 2017

Reason: The environmental impacts of the development have been assessed in relation to the parameters of the development shown in the submitted drawings. In order to ensure the development proceeds on the basis of the scheme on which an environmental impact assessment has been undertaken, the permission needs to be substantially tied to the details assessed.

Informative: It is noted that the Land Use Disposition Plan is compliant with the parameters but is only one possible layout capable of according with parameter plans. There might be other development layouts which would also fully accord with the parameter plans and which would have environmental impacts that are not materially different from the impacts of the layout shown in the Land Use Disposition Plan.

- 04 Any proposed changes to the following strategies and the Biodiversity Action Plan

shall be submitted to and approved by the local planning authority. Proposed changes will only be acceptable if the strategy or action plan as amended serves the underlying planning purpose at least as well as the strategy or action plan at the date of this permission. For the avoidance of doubt any amendment to a strategy or action plan shall bind all parties implementing or operating under this permission from the date of approval of the strategy or action plan.

This condition applies to:

- a. the Community Participation Strategy
- b. the Phasing Plan
- c. the Public Art Strategy
- d. the Site Wide Design and Access Strategy
- e. the Transport Strategy

Reason: In order to ensure that the development is built out in accordance with the relevant and approved strategies and the required mitigation assessed by the Environmental Impact Assessment is delivered.

05 Subject to the approval of all applications for detailed matters pursuant to condition 2, the maximum amount of floor space and development hereby permitted shall be:

- a. 6,250 residential dwellings within Class C3;
- b. 120,000 square metres gross floor space for uses falling within Use Class B1(a), (b) & (c);
- c. 26,000 square metres gross floor space for Class A uses, of which floor space in use Class A1 shall not exceed 16,900 square metres;
- d. 24,000 square metres of gross floor space for Class D2 uses;
- e. 11,000 square metres for hotel uses;
- f. 50,000 square metres of gross floor space for education, community, social facilities and other support uses; and
- g. no less than 33% (89 hectares) of the site shall be open space.

Reason: The development of the site is the subject of an Environmental Impact Assessment and any alteration to the scale of development might have an impact which has not been identified and assessed by that process.

Informative: Open space is defined within the Landscape and Open Space Strategy submitted as part of this development.

Informative: The number of dwelling units granted planning permission relates to houses and flats only i.e. Use Class C3, it excludes care homes, short stay accommodation or any other residential development in Use Classes C1 and C2.

06 The Area Master Plans and submission of details pursuant to condition 2 shall generally accord with the Phasing Plan approved from time to time.

Reason: To ensure that the development proceeds in a comprehensive and coherent manner.

Informative: The review of the Phasing Plan and other strategies is controlled through the Section 106 Agreement.

07 The Site Wide Master Plan submitted for approval pursuant to Condition 10 and the Area Master Plan submitted for approval pursuant to Condition 19 shall accord with the objectives of the Eastern Quarry Bio-diversity Action Plan submitted with the proposal hereby approved.

Reason: In order to ensure that the development is built out in accordance with the Bio-diversity Action Plan and the required mitigation assessed by the Environmental Impact Assessment is delivered.

- 08 The Site Wide Master Plan, Area Master Plans and the details submitted in accordance with Condition 2 shall accord substantially with the Site Wide Design and Access Strategy approved as part of this permission and such details shall be implemented accordingly. The Site Wide Design and Access Strategy may, from time to time, be reviewed and such amended document shall be submitted to and approved by the local planning authority and shall become the approved Site Wide Design and Access Strategy for the purposes of this permission.

Reason: In order to ensure that the objectives of the Site Wide Design and Access Strategy are addressed through the design of the development in order to ensure a high quality development and the development of a sustainable community.

- 09 The Site Wide Master Plan, Area Master Plans and the details submitted in accordance with Condition 2 shall accord substantially with the Transport Strategy approved as part of this permission and such details shall be implemented accordingly. The Transport Strategy may, from time to time, be reviewed and such amended document shall be submitted to and approved by the local planning authority and shall become the approved Transport Strategy the purposes of this permission.

Reason: In order to ensure that the objectives of the Transport Strategy are addressed through the design of the development in order to enable the creation of a public transport orientated development.

1ST STAGE SUBMISSION: SITE WIDE MASTER PLAN

- 10 A Site Wide Master Plan, which shall be in broad accordance with the Land Use Disposition Plan, shall be submitted and approved in writing by the local planning authority prior to the submission of the first Area Master Plan pursuant to this permission. The Site Wide Master Plan may from time to time be reviewed and such amended document shall also be submitted to and approved by the local planning authority and shall be in broad accordance with the Land Use Disposition Plan and shall become the approved Site Wide Master Plan for the purposes of this permission.

The Site Wide Master Plan shall identify on a base plan at least 1:5000 in scale the broad location and approximate disposition of the following:

- a. Residential uses
- b. Employment uses
- c. Retail uses
- d. Leisure uses
- e. Hotel uses
- f. Educational uses
- g. Community and social uses
- h. Miscellaneous and/or sui generis uses
- i. Ancillary and support uses
- j. Structural landscaping
- k. Retained landscaping
- l. Major open spaces
- m. Sports facilities
- n. Ecological and nature reserve areas
- o. Major water features
- p. Principal Fastrack stops

- q. Principal public transport and road routes
- r. Principal footpaths and cycle routes
- s. Interfaces with neighbouring sites
- t. Areas of potential archaeological remains
- u. Indicative boundaries of Area Master Plans

Reason: To ensure that a coherent approach is taken to the master planning of the development.

2ND STAGE SUBMISSIONS: INFORMATION REQUIRED PRIOR TO DETERMINATION OF AREA MASTERPLANS

Informative: Submissions at this stage are intended to provide sufficient context to enable decisions to be subsequently made as to the acceptability of the more detailed submissions required to be made in relation to the AMP and reserved matters. Site wide submissions should be of a broad strategic nature but should provide guidance on the individual issues against which more detailed submissions can be considered. It should be noted that approval will not be given to the AMP until the following strategic documents are considered acceptable.

Waste Management Plan

- 11 Prior to the approval of the first Area Master Plan (in relation to condition 19) pursuant to this outline planning permission, a Waste Management Action Plan shall be submitted to and approved in writing by the Local Planning Authority and the plan shall be implemented as approved. The Plan should include: . .
- a. Guidance on how waste should be minimised, both during construction and by providing the appropriate support facilities in the completed development
 - b. Standards for recycling points and storage facilities required within buildings
 - c. Standards to enable collection of waste and recycling
 - d. Details of bulk facilities and local transfer station, where appropriate
 - e. Timing and level of provision of recycling and collection provision across the development
 - f. Any standards to guide development which will minimise the amount of waste produced.
 - g. monitoring and review of the operation of the Action Plan

Such Waste Management Action Plan shall be reviewed, and revised where necessary, and submitted for approval prior to each subsequent Area Master Plan serving built development.

Reason: To ensure sustainable waste management in accordance with emerging best practice.

Informative: The first submitted Plan under this condition shall accord with the principles as set out in the approved Waste Management Action Plan for Castle Hill approved under EDC/17/005

Water Management Plan

- 12 The development hereby approved shall be carried out in accordance with the Water Management Plan – Issue 6 dated 13 November 2017 submitted with this application. Such Water Management Plan shall be reviewed, and revised where

necessary, and submitted for approval prior to each subsequent Area Master Plan serving built development. The management plan should include details on the following matters and should relate to both the construction and the post development period:

- a. Ground water monitoring
- b. Details of surface water drainage and ground water control
- c. Details of foul water drainage including (where necessary) pumping stations
- d. Control of water levels
- e. Method of discharge of water to Swanscombe Peninsula, monitoring of impact and necessary continuation if unacceptable water levels arise
- f. Monitoring of discharge into Ebbsfleet Valley and attenuation where necessary
- g. Passive drainage systems
- h. Sustainable Urban Drainage Systems and management of the system
- i. Methodology for the control of salt accumulation
- j. Details of responsibilities for management and maintenance for lifetime of the development where water management is in the public realm
- k. Programme for monitoring and review of water management

The Water Management Action Plan shall be implemented in accordance with the latest approved version.

Reason: To ensure a sustainable, comprehensive and acceptable approach to the management of water resources and water levels during construction and operation of the development and to ensure appropriate water conservation measures are taken to meet Government targets and to implement mitigation measures identified in the Environmental Impact Assessment.

Historic Environment Framework

- 13 The Historic Environment Framework shall be implemented in accordance with the details approved by the local planning authority under reference DA/07/01321/EQCON on 5 March 2010.

The Historic Environment Framework may from time to time be reviewed and such amended document shall be submitted to and approved by the local planning authority and shall become the approved Historic Environment Framework for the purposes of this permission. It shall address the following issues and any other relevant issues that might arise:

- a. The site will be divided into a series of historic environment areas and characterised according to a methodology to be agreed with the local planning authority. This can include the identification of areas which require no further investigation.
- b. For each historic environment area the mitigation requirements, including evaluation, preservation in situ, further archaeological investigation and management, will be set out. Recognition to be given that if a historic environment area falls within more than one development area it will be investigated as part of the works for the first development area.
- c. Proposals for interpretation of the history and archaeology of the site (including cement industry remains in Craylands Gorge) and adjacent area to be agreed with local planning authority and implemented by the developer.
- d. Assessment of the impact of and mitigation for any proposed changes in water level, as caused by changes in water management at Eastern

Quarry, on archaeological and palaeoenvironmental remains in Ebbsfleet Valley.

- e. Appropriate archiving of any finds and the records of archaeological investigations at the site to be stored in a suitable repository to be agreed with local planning authority and undertaken by the developer with all costs covered in full.

The Historic Environment Framework shall be implemented in accordance with the latest approved version.

Reason: To ensure appropriate assessment and mitigation of the development proposals on the historic environment in accordance with the Environmental Impact Assessment.

- 14 Prior to the approval of an Area Master Plan for the relevant area the applicant, should secure the implementation of:

- a) archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by local planning authority; and
- b) following on from the evaluation: any safeguarding measures to ensure preservation in situ of important archaeological remains should be identified; and/or a specification and timetable for any further archaeological investigation and recording works; should be submitted to and approved by local planning authority. Such works shall be implemented in accordance with the full details.

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

BAP Implementation Programme

- 15 Prior to the submission to and approval in writing by the Local Planning Authority of any Area Master Plan (submitted pursuant to condition 19), a Bio-diversity Action Plan (BAP) implementation programme shall be submitted to and approved by the Local Planning. Such implementation programme shall accord with the mitigation and enhancement proposals and the management principles set out within the most recent version of the site wide BAP. The implementation programme shall include the following:

- a) Detailed mitigation and enhancement plans for habitat and species within the relevant AMP area;
- b) The timescales for the implementation of point (a) above;
- c) Detailed management plan for the habitats within the relevant AMP area; and
- d) A monitoring scheme for the mitigation plans, enhancement plans and management plans. A scheme for monitoring any mitigation and enhancement proposals identified in part (a) of this condition and also the management plans identified in part (c). Monitoring reports, incorporating recommendations for adjusting the programme of implementation and detailed management plans, shall be submitted to the local planning authority at three yearly intervals once implementation of the BAP has commenced (unless otherwise stated in the management plans). The programme of implementation and management plans shall be adjusted in line with the approved recommendations in accordance with a timescale to

be agreed in writing with the local planning authority. Monitoring shall cease 5 years after completion of the development following:

Reason: To ensure that the Bio-diversity Action Plan is implemented as approved and is reviewed and monitored to ensure its effective operation.

Informative: the developer is requested to provide the Kent and Medway Biological Records Centre with all data obtained as a result of surveys and monitoring.

Utilities Framework

- 16 Prior to the approval of the first Area Master Plan (in relation to condition 19) pursuant to this outline planning permission, a Utilities Framework shall be submitted to and approved in writing by the Local Planning Authority. The Framework shall include details of how utilities, including broadband infrastructure, are to be provided to supply the development, including the timing of provisions and implications for construction processes, and the development shall be implemented in accordance with the approved details. The Framework shall be monitored and reviewed at the point of each Area Masterplan submission, in accordance with the details set out in approved Framework and in order to ensure that the Framework is updated in accordance with changes in best practice.

Reason: To ensure that utilities are provided in a sustainable and timely manner during construction.

Signage Design Guide

- 17 Details submitted under condition 2 and 25 shall substantially accord with the approved Signage Design Code, approved by the local planning authority under reference 16/00012/ECCDNA on 18 May 2017 'Signage Design Guide – Version II'. Any replacement code which may from time to time be prepared shall also be submitted for approval by the local planning authority and shall thereafter become the approved Signage Design Code. Such Code to be in accordance with the principles set out in the Public Realm Strategy, Landscape & Open Space Strategy, the Site Wide Design & Access Strategy and the Transport Strategy (as appropriate).

Reason: In order to ensure a co-ordinated approach to signage across the site and to ensure a high quality appearance to the development and minimisation of clutter.

3RD STAGE SUBMISSIONS: ADVANCE INFRASTRUCTURE AND LANDSCAPING

Informative: The purpose of this submission stage is to allow for the submission and approval (and thereby implementation) of advance infrastructure works before AMP submission/approval. This is intended to cover issues such as structural landscaping which takes time to establish or for strategic road infrastructure which may be required earlier than the built development. Such advance infrastructure submissions will need to be considered against the approved documents and the Site Wide Master Plan. The plans should demonstrate an integrated and coordinated approach and that the advanced works will not compromise future development.

- 18 Infrastructure submissions, to consist of advance infrastructure works and advance structural landscaping may be submitted pursuant to Condition 2 prior to the approval of the relevant Area Master Plans. Such details shall accord fully with the Site Wide Design and Access Strategy and other strategies approved at the time

and shall be submitted to and approved by the local planning authority. Any such submissions shall be supported by plans at an appropriate scale, which show:

- (a) The proposed works in its context, both existing and as proposed.
- (b) Any temporary treatment including hard and soft landscaping, boundary treatment etc works associated with the works.

The works shall be implemented in full accordance with the details approved.

Reason: To ensure that the development proceeds in a comprehensive and coherent manner.

Informative: The detail of Infrastructure submissions shall be submitted for approval to the local planning authority pursuant to Condition 2.

4TH STAGE SUBMISSION: AREA MASTER PLAN AND AREA DESIGN CODES

Informative: All areas to be built upon, used for recreation or landscaping are to be covered by an Area Master Plan (AMP). These need to cover areas which may be considered self-contained. Eg. A village forming an AMP should contain the open space needed to serve that community, or it could be an AMP that covers a landscape character area eg. Lake, northern park, Craylands Gorge etc

Informative: An AMP submission and/or an Area Design Code submission can be made to the Local Planning Authority at the same time or subsequent to the Site Wide Master Plan but not before. However, if subsequently the SWMP is considered unacceptable the AMP and/or ADC may require amendment.

Informative: The AMP is intended to set the broad masterplan framework against which detailed submissions under condition 2 can be assessed.

Area Master Plans

- 19 With the exception of Infrastructure submissions pursuant to Condition 18, before any other application is submitted for approval of details pursuant to Condition 2 for the relevant area, and following submission to the Local Planning Authority of the Site Wide Master Plan (pursuant to Condition 10), an Area Master Plan shall be submitted to and approved by the local planning authority for the area to which the application for detailed approval relates.

The approved Area Master Plans for the Castle Hill area is that approved by the local planning authority under reference, 13/00422/EQCHC on 15 July 2013, 14/00584/EQCHC on 7 October 2014 and EDC/16/0094 on 22 February 2017. From time to time a revised Area Master Plan may be submitted for approval by the local planning authority.

The AMP shall generally accord with the Site Wide Master Plan approved under condition 10 and other strategies approved as part of the planning permission and shall be implemented in accordance with the approved details

The Area Master Plan shall be based on a 1:2500 scale plan(s) and be supported by a written statement.

It shall include consideration and detail of the following issues for that area,

although these are not exclusive, as the detail included in the AMP should also reflect the requirements of the approved Strategies and Action Plans:

Land Uses

- a. Land uses and maximum floor space areas (including floorspace to be provided for comparison and convenience retail uses)
- b. Indication of affordable housing sub areas
- c. Land set aside for non commercial uses (such as education and community uses, miscellaneous uses, open space etc)

Phasing

- d. General phasing for that area to include confirmation of where development is likely to start, when Fastrack stops are to be provided; when local centre to be provided; when links to adjacent communities (on and off site); when community facilities are to be provided; and public art provision.

Land Forming

- e. Land formation plan to show details of final ground levels and interfaces with existing ground levels. A comparison with existing levels on site should also be included, as well as cross sections of ground level in order to clarify proposals.

Archaeology/Historic Environment

- f. Identification of Historic environment area as identified in the Historic Environment Framework
- g. Identification of areas of archaeological remains to be preserved in situ.

Form of Development and Design

- h. Extent of development and its density
- i. Building height ranges
- j. General location of landmark buildings and features
- k. Cross sections and perspectives of key streets, buildings and open spaces including adjacent areas (as built or as completed) where necessary in order to facilitate integration.
- l. Boundary treatment details to the Area - existing and proposed treatments
- m. Identification of broad design character areas in order to guide the more detailed Area Design Codes.

Access and Car Parking

- n. Access routes (vehicular, public transport, pedestrian and cycle) and connections to surroundings areas and when these will become available for use.
- o. Indication of the location of permissive ways which form connections with the boundary of the site, existing public rights of way and key landscape features and are to be located predominantly within open space as required by the Landscape and Open Space Strategy. An indication of the implementation programme for such permissive ways.
- p. Car parking standards, typologies and distribution and car parking management measures

Integration

- q. Indicate the location of footpath and cycleway connections to the surrounding area and identify any off-site works which will be required and any signage which may be necessary. An indication of when these connections should be available for use.

Open Space

- r. The indicative locations of all areas of Open Land and Public Art to be included within or adjoining the Village which is the subject of the Area Master Plan, such general locations to take account of the principles of location and design set out in the Landscape & Open Space Strategy, Public Art Strategy, Public Realm Strategy (as appropriate)
- s. An indication of those areas of Open Land to which the public will at the appropriate time be permitted access and those to which the public will not be permitted access and the nature of that access.
- t. Location of public open spaces and play areas and phased provision as development progresses
- u. Linkages between areas of open space

Public Art

- v. The broad locations, design themes and timeframes for commissioning public art in accordance with the Public Art Strategy.

Lighting

- w. A lighting strategy and hierarchy in accordance with the Public Realm Strategy

Employment

- x. Ensure a provision of a variety of accommodation (including workspace such as small, affordable B1 (c) use provision and small office units to accommodate 1-4 people)
- y. Workspace near homes and flexibility to create work-live units Existing structures (where appropriate)
- z. Identification of overhead power lines (where present)
- (aa) Identification of existing buildings where they exist and a consideration of the potential for re-use.

Interim Landscaping

- (bb) Interim landscaping plan to be implemented in the event that less than 100 dwellings are completed for occupation on the site over a period of 5 years, such plan to include ground levels and landscaping.

The details submitted under condition 2 shall generally accord with the Area Master Plan as approved relating to the relevant Area.

Reason: To ensure that areas of the development are adequately master planned and to ensure that areas within the development interconnect and interrelate properly.

Area Design Code

Informative: Such a design code may cover a smaller area than an Area Master Plan in order to allow for more detailed design guidance to deal with specific nature of a sub- area. It is expected that the Area Master Plan will provide guidance on the design character of the sub-areas which the Area Design Code will provide more detail on.

- 20 With the exception of Infrastructure submissions pursuant to Condition 18, before any other application is submitted for approval of details pursuant to Condition 2 for the relevant area and following submission to the Local Planning Authority of the Site Wide Master Plan (pursuant to Condition 10), an Area Design Code for the relevant area (to be defined by the Code) shall be submitted to and be approved by the Local Planning Authority. Any replacement code which may from time to time be prepared shall also be submitted for approval by the Local Planning Authority. The ADC shall generally accord with the Site Wide Master Plan approved under condition 10 and other strategies approved as part of the planning permission. Such design code should show:

- a. The area to be covered by the code
- b. Architectural style and treatment
- c. Treatment of public highways
- d. Building materials pallet
- e. Surface materials pallet
- f. Street furniture and design and lighting design
- g. Soft landscape
- h. Frontage types
- i. Heights
- j. Building forms
- k. High density living standards which will establish a benchmark for detailed submissions to be assessed against, e.g. storage provision for individuals dwellings, provision of private outdoor space.

The details submitted under condition 2 shall generally accord with the Area Design Code as approved and relating to the relevant Area.

Reason: To ensure adequate standards of accommodation provision, a high standard of design and to ensure that the development is built out in a comprehensive and acceptable manner.

Western Village

Informative: The Environmental Statement indicates that the annual mean NO₂ concentration is predicted to exceed NAQO values in the south west area of the site but that this should improve as the transport improvements and interventions on the junction are brought forward. This condition therefore seeks to ensure that the matter is addressed at the appropriate time of the development through monitoring and appropriate master planning.

- 21 Any Area Master Plan which covers the Western village shall address within it the issue of air quality. Air quality monitoring shall be carried out, within the area identified on Plan 06918/581/001 for a period of time to be agreed with the local planning authority before the submission of the Area Master Plan and the results of this monitoring shall be submitted with the Area Master Plan submission. Any mitigation required, in terms of land use and layout shall be addressed through the Area Master Plan to be submitted.

Reason: To ensure that should air quality levels be higher than national standards there will be no detriment to future residents.

Temporary Area Master Plans

Informative: Due to the long timescale for the build out of the development, it is recognised that some areas will go through periods of change and may have temporary uses for a number of years, before the final built development comes forward. This submission is intended to allow for the submission of temporary area master plans for these areas to ensure such areas have a coordinated approach and enable the remainder of the development come forward in an integrated manner and without prejudice.

22 Temporary Area Master Plans may be submitted prior to the approval of the relevant Area Master Plans. Such details shall accord fully with the Site Wide Design and Access Strategy and other strategies approved at the time and shall be submitted to and approved by the local planning authority. Any such submissions shall be supported by the following information:

- a. Scale, purpose and objective of temporary proposal;
- b. A demonstration that the proposal does not prejudice permanent development;
- c. Any temporary treatment including hard and soft landscaping, boundary treatment etc works associated with the works.
- d. Indicative timescales for the implementation and retention of the temporary Area Master Plan
- e. Details of those elements which are likely to be permanent eg. road infrastructure
- f. Identification of areas of important archaeological remains
- g. Where relevant those details required by condition 19 above (AMP)

The works shall be implemented in full accordance with the details approved. Such temporary Area Master Plans to be superseded by a permanent Area Master Plan approved under condition 19 for the relevant area.

Reason: To ensure that the temporary use of the land does not prejudice the implementation of the Site Wide Master Plan and provides a high quality appearance in the interim for the development.

Informative: Areas of important archaeological remains can be affected by any change to the ground surface in some locations and by planting of shrubs and trees. The impact on below ground archaeological remains therefore needs to be considered, even for temporary landscape proposals.

Sustainable Construction Code

23 With the exception of Infrastructure submissions pursuant to Condition 18, before any other application is submitted for approval of details pursuant to Condition 2 for the relevant area and following submission to the Local Planning Authority of the Site Wide Master Plan (pursuant to Condition 10), a Sustainable Construction Code for the relevant area shall be submitted to and be approved by the Local Planning Authority. Any replacement code which may from time to time be prepared shall also be submitted for approval by the Local Planning Authority.

The Sustainable Construction Code shall accord with the Sustainable Development

Strategy and shall:

- a. indicate the area to be covered by the code;
- b. review the national policy and technical solutions prevailing at the time;
- c. indicate how the proposed building design(s) realise(s) opportunities to include design and technology energy efficiency measures;
- d. the reduction in carbon emissions achieved through these building design and technology energy efficiency measures, compared with the emissions permitted under the national Building Regulations prevailing at the time;
- e. how energy shall be supplied to the building(s);
- f. set standards for the proposed building(s) with regard to BREEAM ratings and sustainability measures for new homes (or an equivalent assessment method and rating)
- g. indicate how sustainable construction methods will be utilised, including use of local materials, etc

The details submitted under condition 2 shall generally accord with the Sustainable Construction Code as approved and relating to the relevant Area.

Reason: To ensure a comprehensive and sustainable development and to achieve good design through the development in accordance with the Environmental Impact Assessment.

Water Construction Plan

- 24 With the exception of Infrastructure submissions pursuant to Condition 18, before any other application is submitted for approval of details pursuant to Condition 2 for the relevant area and following submission to the Local Planning Authority of the Site Wide Master Plan and Water Management Plan, a Water Conservation Plan for the relevant area shall be submitted to and be approved by the Local Planning Authority. Any replacement Water Conservation Plan which may from time to time be prepared shall also be submitted for approval by the Local Planning Authority. The Water Conservation Plan shall be implemented as approved and shall address the following issues and any others that might arise:

- a. Guidance on water conservation measures and Government targets
- b. Methodology for reducing household usage (including internal use, appliances and external use)
- c. Methods for reducing non-household use of water
- d. Guidance on the need for future proofing of new buildings to ensure that they are able to conserve/re-use water efficiently for the future.
- e. Water conservation to be achieved with regard to public and private landscaping
- f. Programme for implementation of all measures and details of responsibilities for implementation, eg landowner, housebuilder, developer.
- g. Details of responsibilities for management and maintenance for lifetime of the development where such measures are in the public realm
- h. Programme for monitoring and review of water management and conservation

The Water Conservation Plan shall include construction and post development period.

Reason: To ensure appropriate water conservation measures are taken to meet Government targets and to implement mitigation measures identified in the Environmental Impact Assessment.

5TH STAGE SUBMISSIONS: DETAILED DESIGN

Details to be submitted alongside reserved matters submission

- 25 With the exception of Infrastructure submissions pursuant to Condition 18, applications for approval of details pursuant to Condition 2 shall include (where applicable) the following details which shall be approved by the local planning authority before development of that phase commences. The development shall be implemented in accordance with the approved details.
- a. To include a plan of the area at a scale of 1:500 and an updated layout plan of the AMP (or part where appropriate) at a scale of 1:1000.
 - b. Landscaping (including submission of tree survey), details of play areas and of all hard and soft landscaping (this shall include all landscaped areas even those not connected to built form)
 - c. Materials (including all external materials, doors, windows, detailing, etc).
 - d. Street lighting and street furniture
 - e. Boundary treatment
 - f. Surface finishes, hard landscaping details
 - g. Schedule of open space serving this part of the development (where residential) details to consist of amount, type and location and phasing.
 - h. External lighting (not street lighting) (i.e. to buildings, car parks, etc.)
 - i. Detailed Public Art specification, timeframe for delivery and management and maintenance schedule (in accordance with Public Art strategy) for each area of Public Art identified in the Area Master Plan for that part of the development.
 - j. Details of cycle parking
 - k. Details of television signal receivers and how to be accommodated (to be facilitated on shared basis where cannot be achieved through normal means).
 - l. Details of signage and interpretation, such details to be broadly in accordance with the principles set out in the Public Realm Strategy, Landscape & Open Space Strategy, Phasing Strategy and the Transport Strategy (as appropriate) and with the Signage Design Guide approved pursuant to condition 17
 - m. Internal layout of all community facility buildings (as set out in the CLFS and EDS)

Reason: To ensure the appearance of the development is satisfactory and contributes to the character and appearance of the development.

- 26 In those areas identified as having potential for archaeological remains in the Historic Environment Framework submitted under condition 13, applications for approval of details shall be accompanied by detailed designs of foundations and any other proposals (including shrub and tree planting) which involve ground disturbance have been submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that due regard is had to the preservation in situ of important archaeological remains.

Informative: Areas of important archaeological remains can be affected by any change to the ground surface in some locations and by planting of shrubs and trees. The impact on below ground archaeological remains therefore needs to be considered and mitigated against through detailed design.

- 27 For any areas where archaeological remains are to be preserved in situ, as

identified following the field evaluation work approved under condition 14, applications for approval of details shall be accompanied by management plans, to be approved by the local planning authority which should set out how these remains should be preserved and managed in the future. The management plans should be implemented in accordance with the approved details.

Reason: To ensure that due regard is had to the preservation in situ of important archaeological remains.

- 28 Applications for approval of details, for a part of the development where this includes or abuts a principal highway or commercial use, pursuant to Condition 2, shall be accompanied by a detailed noise assessment and mitigation report for approval by the Local Planning Authority. The mitigation measures shall be implemented in accordance with the approved details.

Reason: To ensure the effective mitigation of noise impacts as identified and assessed in the environmental statement.

- 29 Details of any telecommunication masts proposed shall, as far as possible, be submitted with and approved as part of the details relating to the area they are located within and submitted pursuant to condition 2. Any such telecommunication mast shall be implemented fully in accordance with the approved details.

Reason: To ensure the effective mitigation of noise impacts as identified and assessed in the environmental statement.

- 30 Unless otherwise agreed in writing, at any one time 25% of all dwellings on the site shall meet the Building Regulations M4 (2), 'accessible, adaptable dwellings' requirements. The specification for accessible and adaptable dwellings to be agreed with the Local Planning Authority and implemented in accordance with the approved details.

Reason: In the interests of creating a long-term sustainable community

- 31 An application for the approval of details relating to any area of Open Land shall include details of whether that Open Land shall be accessible by the public and the management principles for such area, broadly in accordance with the principles of the Public Realm Strategy, Landscape & Open Space Strategy and the Community and Leisure Facilities Strategy (as appropriate). The management of the facilities shall be implemented in accordance with the approved details. The submission shall define whether the land is Formal or Informal Open land for the purpose of the planning agreement.

Reason: In order to ensure that open land is open for public use as appropriate and is managed in a manner to ensure the land is fit for purpose.

- 32 Any application for approval of details relating to community facility buildings (including the sports hall if approved as a freestanding building) and formal recreation areas shall include details of the management and maintenance of such facilities, which shall be broadly in accordance with the principles set out in the Public Realm Strategy, Landscape & Open Space Strategy and the Community and Leisure Facilities Strategy (as appropriate). The management of the facilities shall be implemented in accordance with the approved details.

Reason: In order to ensure that community are open and available for public use as appropriate and are managed in a manner to ensure they remain fit for purpose.

INFORMATION REQUIRED PRIOR TO WORK STARTING ON SITE

Leisure Impact Assessment

- 33 No application for approval of details pursuant to Condition 2 showing a single unit for commercial leisure uses (including, but not limited to, uses falling within Use Class D2) of floor area of more than 3000 (three thousand) square metres shall be submitted to and approved by the local planning authority unless a Leisure Impact Assessment (to include the impact upon town centres and the impact of traffic arising from the use) has first been submitted to and approved by the local planning authority.

Reason: While the principle of leisure development is accepted the nature and breakdown of the component uses may need to be controlled to ensure that the development hereby permitted does not have an unacceptable impact on neighbouring town centres and their leisure facilities and to ensure that any such leisure facility within the development is adequately served by public transport and will not result in unacceptable impacts on the local highway network.

Informative: It should be noted that the section 106 agreement attached to this permission also includes the requirement for a specific travel plan to be submitted for each non-residential building in excess of 1000 square metres.

Contaminated land

- 34 No development approved pursuant to Condition 2 (except that area covered by the separate approved land forming permission DA/04/01170) shall be commenced prior to a contaminated land assessment (in accordance with the CLEA guidelines and methodology) and associated remedial strategy, together with a timetable of works, for that area, being submitted to the Local Planning Authority for approval.
1. The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the Local Planning Authority prior to investigations commencing on site (ref1).
 2. The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology (ref 2).
 3. A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. Prior to any remediation commencing on site, approval shall be obtained from the Local Planning Authority of any such remedial works required. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

4. Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance (ref 3). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.
5. Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. This shall include photographic evidence. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Ref 1 : Contaminated Land Research Report no. 2, 3 & 4 (DoE)

Ref 2 : Contaminated Land Research Report no. 1 (DoE)

Ref 3 : CIRIA Vols 1-12 Contaminated Land Series and CIRIA -Building on Derelict Land

Reason: To ensure that any contaminated land issues are properly addressed.

Informative: The separate land forming permission DA/04/01170 has dealt with contaminated and the actual land forming has been largely completed for East Village. This area has therefore been excluded from this permission.

Code of Construction Practice

- 35 The development hereby permitted shall be carried out in accordance with the Code of Construction Practice approved by the local planning authority under reference DA/08/00276/EQCON on 29 April 2008. Such Code of Construction Practice may from time to time be reviewed and such amended document shall be submitted to and approved by the local planning authority and shall become the approved Code of Construction Practice for the purposes of this permission. The Code shall include the following information:
- a. Hours of construction working
 - b. Health and safety
 - c. Dust and air quality mitigation
 - d. Noise and vibration mitigation
 - e. Water management
 - f. Pollution control
 - g. Waste minimisation and management
 - h. Ecology and environmental protection (inc tree protection)
 - i. Archaeological protection
 - j. Emergency planning
 - k. Community liaison
 - l. Site logistics and operations
 - m. Construction vehicle routing
 - n. Contact details for site managers and details of management lines of reporting to be updated as different phases come forward.
 - o. Detailed plan showing different phasing, different developers and constructors to be updated on a 6 monthly basis.
 - p. Details for the creation and meeting of a Construction Practice Liaison Group (officer based)

- q. Details for the monitoring and review of the construction process (to include a review process of the Code of Construction Practice during development)

All work to be carried out in full accordance with the approved Code of Construction Practice at that time unless agreed in writing with the Local Planning Authority.

Reason: To ensure mitigation measures identified and assessed in the Environmental Impact Assessment are implemented during the construction of the development hereby permitted to minimise any adverse impacts of the construction process, to ensure efficient use of resources and a full understanding of the construction team by the local planning authority.

Retained Landscaping

- 36 The Management and Maintenance Scheme for the Retained Landscape approved by the local planning authority under reference DA/07/01324/EQCON on 14 August 2008 shall be reviewed every second year during the life of the development and where necessary the revised document shall be submitted for approval. The review document shall accord with the Landscape and Open Space Strategy approved as part of this permission. The management of such retained landscape shall be carried out in accordance with the approved details at that time.

Reason: To ensure that the retained landscaped is managed in a manner which ensures its retention within the site and to ensure that is managed fit for purpose.

LAND FORMING

- 37 Prior to any landforming works permitted under this consent, a scheme of working and code of conduct for such works shall be submitted to and approved by the local planning authority. The Scheme of Working and Code of Conduct shall be implemented as approved. The scheme shall include:
- a. details of the depth, direction, method and phasing of infilling
 - b. methods for the disposal of water from the Site, the natural and artificial drainage of the site during the earth moving operations and following restoration
 - c. location of site offices, ancillary buildings, plant, wheel-washing facilities, stacking bays and car parking
 - d. storage of any skips, oil and chemical storage etc
 - e. hours of working
 - f. proposals for suppression of dust
 - g. noise mitigation measures
 - h. health and safety procedures
 - i. air quality mitigation and monitoring
 - j. community liaison
 - k. speed limits on site
 - l. sheeting of vehicles transporting materials on or off site
 - m. access and egress points to the site
 - n. monitoring and review provisions with the local planning authority
 - o. permanent restoration plan to be implemented in the event that development should cease.

Reason: To ensure that the land forming and earthmoving works permitted under this consent have environmental impacts no worse than those assessed in the Environmental Impact Assessment and to ensure that mitigation measures identified and assessed in the Environmental Impact Assessment are implemented.

- 38 Unless otherwise agreed in writing, only dry, clean, non-putrescible waste materials (comprising topsoil, subsoil, brickwork, concrete, stone, clay, plaster, sand and silica or mixtures of the above materials) shall be deposited on the site. No sludges or slurries may be used.

Reason: To ensure that contaminated materials are not used and to ensure the deposited materials are robust.

CONTROLS OVER CONSTRUCTION

- 39 No trees shall be felled, lopped topped or pruned or any hedges removed before or during building operations except with the prior agreement in writing of the local planning authority. Any trees removed of which die through lopping, topping or pruning shall be replaced in the next planting season with trees of such size and species as may be agreed by the Local Planning Authority.

Reason: To ensure that as many existing trees and hedges are retained as possible in the interests of visual amenity.

- 40 (a) no demolition, site clearance or building operations shall be carried out within 50 metres of a tree or trees to be retained on site until fencing of a height of not less than 1.2m (4ft) has been erected around each tree or tree group to be retained on the site in accordance with details to be submitted to and approved by the Local Planning Authority before any work on the development hereby permitted is first commenced. Such fencing to be erected around the canopy spread of the tree. Such fencing shall be maintained during the course of the development and no storage of plant, materials or erection of buildings shall take place within the fenced area.

(b) No storage of materials shall take place beneath the canopy of the tree and no trenches shall be dug in this area unless otherwise approved by the Local Planning Authority.

Reason: In the interests of the health and vitality of the trees to be retained on site.

- 41 No construction or recontouring work shall take place on the site outside of the hours of 08.00 to 18.00 (Mondays to Fridays inclusive) and 08.30 to 13.00 on Saturdays, and not at all on Sundays and Bank Holidays unless otherwise agreed in writing with the local planning authority.

Reason: To protect the amenities of the residents of nearby dwellings.

- 42 During construction, no materials shall be burnt on site unless otherwise agreed in writing with the local planning authority.

Reason: To protect the amenities of nearby dwellings.

REQUIREMENTS AT STAGES OF DEVELOPMENT

Water Management Issues

- 43 Prior to its construction details of the discharge pipe along Craylands Gorge to Swanscombe Peninsula shall be submitted to and approved by the local planning authority. Such details to include levels, construction methods, ecological mitigation before, during and after construction, landscaping, filters etc, management, footpath and cycleway reprofiling. The details shall be implemented as approved.

Reason: To mitigate the potential adverse impacts of the discharge conduit.

Informative: the Environment Agency has given a discharge consent to Blue Circle Industries for a discharge of 22,000 cubic metres per day onto Swanscombe Marsh. This level should not be exceeded in any 24 hour period. If the Environment Agency has reason, in the future, to modify the existing consent, flow monitoring of the discharge pipe may be required.

Informative: the developer is advised to contact the Environment Agency's Thames Area Regulatory Officer for information and advice on leachates in the area.

Health Conditions

- 44 Unless otherwise agreed in writing by the local planning authority:
- a. A site for a health centre capable of supporting a minimum of 8 GP's and ancillary provision and 170 square metres of space for social care provision will be master planned into the eastern village. No more than 350 dwellings shall be occupied within the development hereby permitted until the site has been placed on the open market (see informative) and the local planning authority has been notified of the same.
 - b. No more than 400 dwellings shall be occupied until the site for the health centre (see (a) above) is serviced and ready for development.
 - c. If by the occupation of the 1,000th unit a GP practice of any size has not been secured in accordance with (a) above, then the developer will secure the provision of an independent Health Impact Assessment (HIA) to advise if the needs of the emerging EQ population are being adequately met within 1km of the EQ site boundary. The terms of instruction and form of output required of the HIA will be agreed in writing between the developer and DBC, having regard to the purpose of the HIA, as set out above.
 - d. In the event that the HIA demonstrates to the local planning authority's satisfaction, acting reasonably, that health needs are being met then the health centre site will continue to be safeguarded and marketed in accordance with (a) and (b) above
 - e. In the event that the HIA (carried out in accordance with (c) above) demonstrates the health needs of the EQ population are not being met within 1km of the EQ site boundary, then the developer will construct a 4 GP health centre on site in accordance with the East Village Master Plan and details approved pursuant to Condition 2, within 24 months of the HIA report being accepted by the local planning authority and will not permit the occupation of any further dwellings after the end of such 24 month period unless the health centre is practically completed to the reasonable satisfaction of the local planning authority
 - f. Notwithstanding paragraphs (c) to (e) above, no more than 3,500 dwellings shall be occupied until a health centre capable of supporting a minimum of 4 GP's has been provided within the development.
 - g. If a health centre capable of supporting a minimum of 8 GP's has not been provided then the process set out in (c)- (d) above will be repeated at the occupation of the 5,500th dwelling.
 - h. In the event that the HIA (carried out in accordance with (g) above) demonstrates the further health needs of the EQ population are not being met within 1km of the EQ site boundary, then the developer will construct the remaining health centre facilities up to 8 GPs (in total) on site in accordance with details approved pursuant to Condition 2, within 24 months of the HIA report being accepted by the local planning authority and will not permit the occupation of any further dwellings after the end of such 24

month period unless the health centre is practically completed to the reasonable satisfaction of the local planning authority

- i. Following the HIA carried out at 5,500 dwellings pursuant to paragraph (f), if that HIA demonstrates that no further expansion of the health care facility is required to meet the needs of the EQ population then at the completion of the 6,250th dwelling any part of the site safeguarded pursuant to paragraph (a) that has not been developed for the health centre shall no longer be required to be safeguarded for health centre uses.
- j. Any health care facility built pursuant to this consent must contain at least 170 sq m capable of being used for social care provision and that space shall not, without the consent of the local planning authority, be used for any other purpose.

Reason: To ensure the provision of adequate health facilities on site to serve the new community.

Informative: The site for the health care facility is to be marketed at open market value, which is to be determined by reference to a base rental for the GP provision and the social care provision agreed with the District Valuer.

Craylands Gorge

- 45 Prior to the occupation of 2500 dwellings hereby permitted a Management and Maintenance Plan for Craylands Gorge shall be submitted to and approved by the local planning authority. Such details shall accord with the Landscape and Open Space Strategy approved as part of this permission and shall include an implementation programme. The management and maintenance plan for Craylands Gorge shall be implemented and maintained in accordance with the approved details.

Reason: To ensure that Craylands Gorge is managed and maintained in a manner which ensures that is available for use by the public and balances the nature conservation and geological interests of the area.

RETAIL CONDITIONS

- 46 No single Superstore constructed or operated in accordance with this permission shall be larger than 4,250 square metres (gross internal area) unless otherwise agreed in writing by the local planning authority. The unit size shall include any basement, mezzanine or upper levels

Reason: To ensure that there is no detrimental impact on retail centres outside the development.

- 47 The total level of convenience floor space constructed or operated in accordance with this permission shall not exceed 5,450 square metres (gross internal area). Such floor area shall include any basement, mezzanine or upper levels.

Reason: To ensure that there is no detrimental impact on retail centres outside of the development.

Local Centre Convenience Retail Floorspace

- 48 Each Area Master Plan relating to a village centre excluding the market centre submitted to the local planning authority for approval pursuant to condition 19 and, where appropriate, applications for approval of details pursuant to condition 2 shall provide for a minimum provision of 200 (two hundred) square metres gross internal area convenience retail floorspace and shall designate an area for such use within each village to which the Area Master Plan relates in accordance with the approved Community and Leisure Facilities Strategy unless otherwise agreed in writing by the local planning authority. Floorspace figures include any basement, mezzanine or upper levels used as retail floorspace. Unless otherwise agreed in writing by the LPA the floorspace designated as convenience retail floorspace shall be used only for the sale of predominantly convenience goods for a period of 10 (ten) years from the date of Completion of each of the relevant unit(s).

Reason: To ensure an adequate provision of convenience retail floorspace within residential areas of the development to avoid the need for residents to travel outside their residential area for convenience goods in order to reduce vehicle trips outside the development.

Local Centre Comparison Goods Retail Floorspace

- 49 The size of any single unit of predominantly comparison goods retail floorspace within a village centre but excluding the market centre shall not exceed 200 (two hundred) square metres gross internal area unless otherwise agreed in writing by the local planning authority. Floorspace figures include any basement, mezzanine or upper levels used as retail floorspace.

Reason: To ensure that individual units do not attract a significant number of travelling visitors into residential areas of the development and to ensure that there is no detrimental impact on the market centre nor on retail centres outside the development. To ensure an appropriate hierarchy of retail development both inside and outside the development.

- 50 Each Area Master Plan relating to a village centre but excluding the market centre submitted to the local planning authority for approval pursuant to condition 19 and, where appropriate, applications for approval of details pursuant to condition 2 shall provide for a minimum provision of 300 (three hundred) square metres gross internal area of comparison goods retail floorspace in accordance with the approved Community and Leisure Facilities Strategy unless otherwise agreed in writing by the local planning authority. Unless otherwise agreed in writing by the LPA the floorspace designated as comparison goods retail floorspace shall be used only for the sale of comparison goods for a period of 10 (ten) years from the date of Completion of each of the relevant unit(s).

Reason: To ensure an adequate provision of comparison goods retail floorspace within residential areas of the development to avoid the need for residents to travel unnecessarily, thus reducing vehicle trips and traffic generation outside the site.

Market Centre Comparison Goods Retail Floorspace

- 51 No more than 3,000 (three thousand) square metres gross internal area of Class A1 comparison goods floorspace shall be occupied within the market centre of the Development until provision for sale or rent of 2,375 (two thousand three hundred and seventy five) square metres gross internal area of Class A2/A3/A4/A5 floorspace has been made within the market centre unless otherwise agreed in

writing by the local planning authority. Floorspace figures include any basement, mezzanine or upper levels.

Reason: To ensure a mix of uses within the market centre.

- 52 No more than 6,000 (six thousand) square metres gross internal area of Class A1 comparison goods retail floorspace shall be occupied within the market centre of the Development until provision for sale or rent of 4,750 (four thousand seven hundred and fifty) square metres gross internal area of Class A2/A3, A4, A5 floorspace has been made within the market centre unless otherwise agreed in writing by the local planning authority. Floorspace figures include any basement, mezzanine or upper levels.

Reason: To ensure a mix of uses within the market centre.

- 53 No more than 6,000 (six thousand) square metres gross internal area of comparison goods retail floorspace in the Market Centre shall be open for trading until 3,000 (three thousand) dwellings have been occupied within the development unless agreed otherwise in writing by the local planning authority. Floorspace figures include any basement, mezzanine or upper levels.

Reason: To ensure a mix of uses within the market centre.

- 54 Except for three comparison goods retail units within the market centre of the development each of which may be no more than 1550 (one thousand five hundred and fifty) square metres gross internal area, no comparison goods retail unit shall exceed a gross floor area of 1000 (one thousand) square metres gross internal area unless otherwise agreed in writing by the local planning authority. Floorspace figures include any basement, mezzanine or upper levels.

Reason: To ensure that there is no detrimental impact on retail centres outside of the development. To ensure a mixed use market centre of a pedestrian scale and quality urban design.

Informative: the retail impact assessment sets out the proportions of floor space given over for different retail users (i.e. convenience and comparison retail). The local planning authority will not approve any proposals which seek to vary these proportions unless it is demonstrated that there is no detriment to the conclusions of the retail impact assessment.

Informative: It should be noted that all references to gross floorspace figures are gross internal area.

CONTROLS OVER COMPLETED DEVELOPMENT

Controls over Uses

- 55 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) there shall be no change of use from Class B1 (business) of the Schedule to the Use Classes Order to Class B8 (storage and distribution) of the Schedule to Use Classes Order without the approval of the Local Planning Authority.

Reason: In the interests of residential and visual amenity in the locality and also to ensure that there is some control over traffic generation.

- 56 No retail floor space hereby permitted shall be used as a factory outlet, retail

warehouse or a warehouse club.

Reason: To ensure that there is no detrimental impact on retail centres outside of the development.

- 57 Unless otherwise agreed in writing with the Local Planning Authority, with regard to a change of use of existing buildings no more than 10% of all premises being used for A1, A2, A3, A4 and A5 Use Classes in any single local centre serving a residential area shall be used for Use Class A5: hot food takeaways. No such unit shall open between the hours of 23.30 hours and 08.30 hours.

Reason: In the interests of residential amenity of the surrounding occupiers.

- 58 No dedicated theatre hereby permitted, or proposed in detailed applications pursuant to condition 2, shall have an audience capacity greater than 200 seats unless otherwise agreed in writing with the local planning authority.

Reason: In order to ensure there is no detrimental impact on existing neighbouring town centre theatres and therefore the vitality of these town centres.

Control over alterations and additions

- 59 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no extensions, alterations or other form of enlargement including roof enlargements shall take place without the prior permission of or on behalf of the Local Planning Authority.

Reason: In the interests of the visual amenity of the development and in order to protect the amenity of neighbouring residents.

- 60 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no building shall be erected in the curtilage of any dwelling hereby approved, with the exception of no more than one building of less than 10 cubic metres, without the prior permission of the Local Planning Authority.

Reason: In the interests of the visual amenity of the development and in order to protect the amenity of neighbouring residents.

- 61 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no windows or other similar openings shall be constructed in the buildings other than as hereby approved, without the prior written consent of or on behalf of the Local Planning Authority.

Reason: In the interests of the visual amenity of the development and in order to protect the amenity of neighbouring residents.

- 62 All windows which are shown to have obscure glazing shall be maintained as such at all times.

Reason: In order to protect the amenity of neighbouring residents.

- 63 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no demolition of buildings or boundary walls, fences or other means of enclosure shall take place unless agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the development.

Landscaping

- 64 The landscaping schemes approved under Condition 2 shall be implemented during the first planting season following completion of the relevant area of the development and shall thereafter be maintained for a period of five years. Any trees, shrubs or grassed areas which die, are diseased or vandalised within this period shall be replaced within the next planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development.

Telecommunications

- 65 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no satellite dishes shall be erected on the dwellings hereby permitted unless agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the development.

- 66 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no telecommunications development shall be installed with the site unless otherwise approved by the Local Planning Authority.

Reason: In the interests of visual amenity.

IN THE EVENT OF DEVELOPMENT CEASING

- 67 In the event that building work should cease (that is, no more than 100 units are completed for occupation) on site for a period of 5 years, the interim landscaping plan submitted with each Area Master Plan and approved by the local planning authority shall be implemented.

Reason: To ensure and protect the amenity of new and existing residents.

- 68 If no buildings are completed for occupation within a period of 8 years following implementation of the interim landscaping plan pursuant to Condition (19) the final restoration plan for the site submitted as part of the Land Formation Plan pursuant to condition (37) shall be implemented.

Reason: To ensure and protect the amenity of new and existing residents.

Informative

For the avoidance of doubt this permission has been granted under section 73 of the Town and Country Planning Act 1990 (as amended) and varies the conditions on the original planning permission (DA/03/01134/OUT) previously varied under reference DA/12/00758/EQVAR and 12/01451/EQVAR.

Any of these permissions may be implemented but the conditions on the permission chosen to be implemented must be fully complied with.

Informative

The applicant is advised that this permission is granted subject to the requirements and contributions as set out in the accompanying completed Section 106 agreement dated [xxx].

Informative

The applicant is advised that the granting of planning permission does not negate or override the need to obtain any other necessary consents related to this development and required under separate legislation

Informative

The applicant is advised that it is essential that details for the primary water network shall be accompanied by evidence proving that sufficient capacity exists within the network for future connections and what the allocation (in terms of rate and volume) is for each of the plot connections.