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## Tier One – Site Wide Conditions

### Document Details and Definitions

#### T1(1) Defined Terms

For the purposes of this planning permission, the following definitions apply to the following terms used in these conditions:

- A. Biodiversity Gain Plan (Tiers 2 & 3) means a written plan which shall include the following:
1. A Plan for the phase (or Reserved Matters Area in the case of an application for a made pursuant to Condition [ ]) setting out how adverse impacts on habitats have been minimised;
  2. In the case of a phase framework submission an outline plan illustrating the pre-development and post-development biodiversity value of the onsite habitat on the phase;
  3. In the case of a reserved matters application a detailed OS based plan illustrating the pre-development and post-development biodiversity value of the onsite habitat in respect of the Reserved Matters Area;
  4. The biodiversity value of any offsite habitat provided or to be provided in relation to the phase or Reserved Matters Area and a statement explaining how the overall site wide targets contained within the Biodiversity Action Plan (or any update thereto) shall be met alongside mitigations and measures required under nutrient neutrality, where relevant.
- B. Car Parking Strategy (Tier 2) means a written strategy which shall include the following:
1. How and when the transport commitments in Appendix 4 of the approved Development Specification [ ] will be met;
  2. Details of the broad distribution of any car parking spaces to be allocated for visitors and residents and how these are to be managed;
  3. Details of how the utilisation of car parking spaces provided will be monitored and how impact on parking in the town centre will be managed;
  4. Details of the approach to any controlled parking zone and how such a limit is to be enforced and also how the controlled parking zone connects to the adopted road;
  5. The strategy for the car parking regime for the adopted and unadopted roads;
  6. Details of the approach to the provision of electric vehicle charging points (EVP's).
- C. Castle Area means the area immediately around Westenhanger Castle identified as Indicative Westenhanger Castle Phase as shown on Parameter Plan Development Areas and Movement Corridors OPM(P)4001\_revYY and OPM(P)5001\_revYY).
- D. Code of Construction Practice Supplement (Tiers 2 & 3) which shall address any phase or reserved matters area specific requirements or refinements and conform to the principles and content set out in the draft Outline Code of

Construction Practice submitted as part of the planning application and dated March 2022.

- E. Delivery Plan means a written plan which shall include:
1. A statement setting out progress of development so far progressed (if any) against the overarching targets for employment and economic development set out in Policy SS6 and how this aligns with the delivery of housing targets for the development as a whole having regard to future provision on remaining phases;
  2. Where the phase includes the town centre parcels TC.1 and TC.2 a meanwhile uses delivery programme for the town centre that accords with the Non-Residential Strategy approved under condition [ ];
  3. Where the phase includes the delivery of road bridges details of the phasing and implementation within the phase and how each bridge will allow for a 2.5m freeboard, a minimum 10m vegetated buffer zone from the top of the river bank and a 1m wide mammal ledge above the predicted flood levels;
  4. How the school and childcare facilities will be delivered across the phase reflecting the recommendations of the Education Review Group or if triggering school provision outside the phase when this will be brought forward;
  5. An open space and advance planting delivery programme including phasing and timing that accords with Table 12.1 Open Space Standards in the Places and Policies Local Plan and Figure 106 in the Green Infrastructure Strategy dated August 2022, the Green Infrastructure Commitments in Appendix 4 of the approved Development Specification and condition [ ] Strategic Planting Report;
  6. For the plan related to the phase containing the Early Parcels, a progress statement setting out completion of work against the timeline in the Castle Implementation and Phasing Plan approved under condition [ ];
  7. A delivery programme for sports and community facilities (including youth facilities and children's play) in accordance with the Site Wide Sports and Recreation Strategy approved under condition [ ];
  8. A delivery programme detailing how the Creative and Cultural Strategy Commitments approved in Appendix 4 of the Development Specification will be implemented.
  9. A statement setting out progress to date on performance against the obligations in the associated s.106 agreement and stating which obligations will be triggered by development on or occupation on the relevant phase.
- F. Early Parcels means parcels labelled TC.1 to TC.5 as shown on Parameter Plan Development Areas and Movement Corridors OPM(P)4001\_revYY and OPM(P)5001\_revYY).
- G. Earthworks means the principal foul and surface water drainage and flood risk infrastructure works (strategic attenuation pond and strategic swale and ditch corridors).
- H. Enabling Works shall mean works, whether they constitute a material operation or not (as defined in Section 56(4) of the Town and Country Planning Act 1990)

that shall include: surveying, environmental and hazardous substance testing and sampling (including the making of trial boreholes, window sampling and test pits in connection with such testing and sampling); trial holes to determine location of utilities and drainage; laying, removal and diversion of services; soil tests; remediation works; necessary health safety and welfare works identified to clear the site in readiness for permanent works; pegging out; tree protection; erection of site hoardings and fencing including site notices, security measures and lighting; ecological survey and mitigation works (other than works which are approved under licence and which do not constitute material operations); construction of temporary access and or highway works (where in the case of works in the highway the consent of the relevant highway authority has been obtained) to enable the carrying out of development; erection of temporary buildings, structures or compounds directly linked to anticipated construction; archaeological investigation; demolition and consequential works (subject to the restrictions of the approved Development Specification and Building Recording Conditions [ ]); works to stabilise and support existing buildings and structures, site clearance and similar related works. Any Enabling Works which involve invasive ground works shall not commence until details under Conditions [Archaeological Written Scheme of Investigation/Land Contamination/UXO] have been submitted and approved.

- I. European Site Mitigation Plan means a written statement which shall include:
1. The detail of green space and other relevant mitigation proposed in relation to the relevant phase, and;
  2. How these details accord with site-wide Access Strategy approved under condition [ ]
  3. An explanation as to how those matters will be sufficient to serve the informal recreational needs of future residents of the phase and avoid any adverse effect on the Folkestone to Etchinghill Escarpment SAC and the Wye & Crundale Downs SAC.
- J. Ecological Mitigation and Management Plan (EMMP) (Tiers 2 & 3) means a written plan which shall include:
- For Tier 2 & 3:
1. Purpose and objectives for the proposed mitigation works;
  2. How it accords with the avoidance and mitigation requirements set out in the mitigation strategies and commitments in Appendix 4 of the approved Development Specification, including;
    - i. Habitat retention for species
    - ii. Habitat creation for species
    - iii. Details of the wildlife crossing points to be included (tunnels / hop - overs etc)
    - iv. Details of any protected species licences required to permit the works to proceed (these do not need to be granted at tier 2).
  3. Updates to the ecological baseline to take into account more recent survey data where data is more than two years old;
  4. An overview of the lighting strategy and proposed dark areas and proposed management arrangements for the lifetime of the development;
  5. A summary of all habitat and species surveys to identify areas of importance to biodiversity and how proposals will meet the targets set out

in the site-wide biodiversity action plan submitted with the application dated March 2022 (BAP);

6. Identification of habitats and species worthy of management and enhancement together with the setting of appropriate conservation objectives with prescriptions.

For Tier 3 reserved matters applications:

7. An implementation strategy, plans and a timetable and a means for its periodic review with the Local Planning Authority to ensure effective implementation of the prescriptions and delivery of objectives;
8. Detailed design(s) and/or working method(s) necessary to achieve stated objectives;
9. Extent and location of proposed mitigation works (including biodiversity protection zones/all necessary receptor sites) shown on appropriate scale maps and plans;
10. How it accords with the pollinator principles detailed on p. [ ] of the Green Infrastructure Strategy dated August 2022 to provide year-round resource;
11. Measures for the protection and suitable mitigation of all legally protected species and those habitats and species identified as being of importance to biodiversity both during construction and post-development;
12. Proposals for ecological enhancement measures and management of habitats and features created within the soft landscape areas.

- K. Energy and Sustainability Statement (Tiers 2 & 3) means a written statement which shall:

For Tier 2 & 3:

1. Demonstrate how the phase will meet or exceed the Energy and Sustainability Commitments set out in Appendix 4 of the approved Development Specification, Tier 1 Site-Wide Energy Strategy submitted with the application dated March 2022 or any subsequent update;
2. Demonstrate how all reasonable options have been considered for improving the energy efficiency of buildings and targets contained in the Site-Wide Energy Strategy submitted with the application dated [ ] (or any updated thereafter) to reduce carbon dioxide emissions in accordance with the energy hierarchy set out in Section 15 of the Places and Policies Local Plan (2020) beyond the minimum carbon emissions savings of at least 45% over 2013 Building Regulations Part L for new homes;
3. Demonstrate how (i) any monitoring of the operational energy performance of existing buildings forming part of the development has been considered; and (ii) all reasonable improvements to minimise energy use intensity have been made to reflect real-life performance;
4. Demonstrate how opportunities to connect to available off-site decentralised energy systems for offsite renewable generation have been maximised;

For Tier 3 reserved matters applications:

5. Demonstrate how renewable energy generation technology will be maximised to meet a proportion of energy demand;
6. Demonstrate a design-led approach to mitigate the risk of overheating including measures to minimise internal heat generation, maximise natural ventilation in the summer, avoiding single aspect dwellings;



7. Demonstrate how the development has minimised anticipated energy use intensity based on previous monitoring outputs that have been based on assured performance methods and in order to ensure that the buildings' operational energy performance achieves or exceeds the performance targeted at planning stage.

L. Drainage and Nutrient Supplement (Tiers 2 & 3) means a written supplement which shall in relation to the relevant phase include:

For Tier 2 & 3:

1. An outline drainage scheme based on sustainable drainage principles as set out in the Site Wide Drainage Strategy, Appendix 4 of the Development Specification and Nutrient Report dated [ ] submitted with the planning application including an assessment of the hydrological and hydrogeological context of the development;
2. A drainage phasing plan, that details how the development will be drained across that phase in accordance with the drainage hierarchy approach;
3. Details demonstrating that all wastewater will be passed through constructed wetlands prior to discharge and that the proposed foul water drainage strategy will not have a detrimental effect upon water quality in accordance with the Nutrient Report dated [ ];
4. Bespoke calculations demonstrating the nutrient removal efficiency of the mitigation wetland including seasonal hydraulic rates;
5. Evidence of the existing and previous land uses within the application site.

For Tier 3 reserved matters applications:

6. A detailed drainage scheme that accords with the approved Tier 2 Drainage and Nutrient Supplement and details the location of each SUDS element, pipe diameters and their respective levels;
7. Long and cross sections of each SUDS element;
8. An impervious area plan;
9. Details of how the sustainable drainage system will be protected and maintained during the construction of the development;
10. Details of the proposed maintenance regimes for each of the SUDS elements and details of who is responsible for their maintenance post development;
11. A design that applies the drainage hierarchy approach and is compliant with the national Non-Statutory Technical Standards for SUDS, National Planning Policy Framework and Ministerial Statement on SUDS;
12. Evidence that there is no resultant unacceptable risk to controlled waters;
13. Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+CC% allowance for climate change storm events, during all stages of the development and (post development) identifying discharge rates and storages volumes. This shall include confirmation of current greenfield and brownfield discharge rates.
14. Evidence that shows that proposed green infrastructure elements such as SUDS and water management features, including swales, will not physically impact on any scheduled monuments or the Roman Villa either directly or indirectly through changes to the hydrology of the area.

M. Green Infrastructure and Arboricultural Statement (Tiers 2&3) means a written statement which shall in relation to the relevant phase include:

For Tiers 2&3:

1. Evidence of compliance with the Green Infrastructure Commitments in Appendix 4 of the approved Development Specification dated [ ] including seeking to achieve the target of 20% Biodiversity Net Gain;
2. The proposed quantum and location of formal and informal of open space to demonstrate accordance with Table 12.1 Open Space Standards in the Places and Policies Local Plan;
3. The proposed quantum and broad location of habitat mitigation measures including how green roofs will be incorporated across the phase;
4. An overview of the responsibilities for the delivery and long-term management of green infrastructure;
5. A statement setting out a scheme for the provision of Public Rights of Way improvements including details of specification and timing of delivery;
6. A broad indication of the trees to be removed and trees to be retained and protected in accordance with Figure 106 Structure Planting Plan (Green Infrastructure Strategy) and approved Open Space and Vegetation Parameter Plans (OPM(P)4002\_rev YY) and (OPM(P)5002\_WW).

For Tier 3 reserved matters applications:

7. Identification of trees to be removed and trees to be retained and protected in accordance with Figure 106 Structure Planting Plan (Green Infrastructure Strategy) and approved Open Space and Vegetation Parameter Plans (OPM(P)4002\_rev YY) and (OPM(P)5002\_WW). This must include an up-to-date arboricultural survey and arboricultural impact assessment conducted to BS 5837:2012 if arboricultural features are impacted.

N. Heritage Supplement (Tier 2) means a written supplement which shall in relation to the relevant phase include:

1. Demonstrate how the commitments identified in the Heritage Strategy on p.51-96 of the Heritage Strategy dated August 2022 or any approved updates in accordance with Condition [ ] and the updated CMP(s) approved in accordance with Condition [ ] have been incorporated into the Phase Framework submitted for approval;
2. Demonstrate how the matters included in the updated Mitigation and Research Strategies approved in accordance with Condition [ ] have been incorporated into the Phase Framework submitted for approval;
3. Demonstrate how the setting of the Barrows have been incorporated into the Phase Framework submitted for approval;
4. Further details of how the heritage trails approved in the Strategic Design Principles submitted with the application (March 2022) including any interim arrangements will be implemented across that phase;
5. Demonstrate how recommendations to date of the Heritage Advisory Group agreed by the LPA have been incorporated and for the Phase Framework that includes the Castle this shall include a statement explaining how the submission meets the requirements of the CMP policies.

O. Housing Delivery Statement (Tiers 2 & 3) means a written statement which shall in relation to the relevant phase include:

1. Demonstrate how the matters included in the updated Housing Strategy approved in accordance with Condition [ ] and the updated Local Housing Needs Survey approved in accordance with Condition [ ] have been incorporated into the Phase Framework for submission;
2. Provide a cumulative assessment of any existing or agreed housing provision on the outline application site including affordable housing delivery statement setting out progress to date in delivering affordable housing across the development;
3. Demonstrate how the provision and distribution of adaptable and accessible housing(M4(2)) (all dwellings) and 10% wheelchair accessible housing(M4(3)) will be met across the phase;
4. Demonstrate how the minimum of 10% of homes in the relevant phase shall meet the needs of the elderly, including specialist C2 provision to accord with CSR Policy SS6;
5. Provide details as to how self and custom build plots will be delivered;
6. Demonstrate compliance with any steps required pursuant to a Community-Led Feasibility Study approved by the Local Planning Authority.

P. Lighting Plan (Tier 3) means a plan which shall:

1. Identify where external lighting will be installed in accordance with phase EMMP and approved Design Code (through the provision of appropriate lighting contour plans and technical specifications);
2. Demonstrates that areas to be lit will not disturb sensitive ecological areas or prevent badgers and bats using their territory or having access to their breeding sites and resting places; and
3. Demonstrates that the lighting strategy has minimised the impact of lighting upon the Kent Downs Area of Outstanding Natural Beauty.
4. Demonstrates how the proposals accord with the recommendations within the Institution of Lighting Professionals (ILP) 'Guidance Notes for the Reduction of Obtrusive Light', in particular with regards to light levels, light spill, glare and skyglow.

Q. Reserved Matters Area means the whole of any part of the site in relation to which approval of reserved matters is sought.

R. Sports and Recreation Statement (Tier 2) means a written statement which shall in relation to the relevant phase include:

1. The proposed quantum of sports and recreation space proposed (including formal and informal play areas, public open space, sports provision, leisure pitches and buildings), which shall be in accordance with the Sports and Recreation Strategy approved under Condition [ ] and be consistent with the Council's Playing Pitch Strategy;
2. The approximate location of pitch provision and sports facilities which shall be in accordance with the Fields in Trust Standard;
3. The proposed phasing, means of delivery and construction of the sports and recreation space and its alignment with housing delivery on the relevant phase;
4. The proposed 'dual use' of primary and secondary school facilities and open space.

- S. Transport Assessment Supplement (Tier 2) means a written supplement which shall in relation to the relevant phase which shall:
1. Demonstrate how recommendations to date of the Transport Review Group agreed have been incorporated into the Phase Framework;
  2. Provide a report of any existing or agreed transport mitigation setting out progress to date in delivering these measures across the development within the context of the monitored transport impacts;
  3. Provide details of mobility hubs and other public transport proposals required for the relevant phase in order to meet the requirements of the site wide mobility hub strategy approved under condition [ ];
  4. Provide details of the measures to implement Mobility as a Service (MaaS) for the relevant phase.
  5. Demonstrate at the date of the relevant Transport Assessment Supplement achievement across the development of the objectives of and implementation of relevant measures within the Transport Strategy submitted with the application and dated [ ].
- T. Travel Plans (Tiers 2 & 3) means a plan which shall:
1. Demonstrate compliance with the Site Wide Travel Plan Framework dated [ ]
  2. Aim to reduce car use by occupiers in accordance with Appendix 4 of the Development Specification thus encourage alternative modes of transport;
  3. Provide measures such as travel vouchers and bicycles to be paid for by the developer for an agreed period of time;
  4. Provide performance criteria together with additional measures to be put in place if target reductions in car-based travel are not achieved.
- U. Waste Management Statement (Tiers 2 & 3) means a written supplement which shall in relation to the relevant phase or Reserved Matters Area:
- For Tier 2 & 3:
- A. Demonstrate how the target benchmarks for resource efficiency set out in the approved Appendix 4 of the Development Specification, Outline Site Waste Management Plan, and Waste Strategy as updated in accordance with condition [ ] will be met;
  - B. Demonstrate the monitoring, measuring and reporting of hazardous and non-hazardous site waste production according to the defined waste groups (according to the waste streams generated by the scope of the works);
  - C. Demonstrate how the commitments to a circular economy approach and to sort and divert waste from landfill in accordance with the waste hierarchy (reduce; reuse; recycle; recover) according to the defined waste groups will be achieved;
  - D. Details of how a minimum 85%\* of Construction & Demolition waste is to be reused or recycled, with 100% diversion from landfill (\*90% by 2035).
- For Tier 3 reserved matters applications:
- E. An explanation of how adequate space and storage has been built into the detailed design.

## Time Limits, Implementation and other Limitations

### T1(2) Time period for implementation

- A. The first application for approval of reserved matters shall be made to the Local Planning Authority no later than the expiration of three years beginning with the date of the grant of outline planning permission.
- B. Application(s) for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of 30 years from the date of this permission.
- C. In relation to each Reserved Matters Area development shall begin before the expiration of three years from the final approval of the reserved matters for that Reserved Matters Area.

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

### T1(3) Retail Controls

The development hereby approved shall not exceed the following thresholds for retail and food/beverage floorspace and residential development:

Number of dwellings occupied	Maximum retail floorspace permitted to be occupied (square metres gross)	Maximum food/beverage floorspace permitted to be occupied (square metres gross)
<b>0-350</b>	1500	600
<b>351-2500</b>	11250	2700
<b>2501-5500</b>	15000	3900

**Reason:** To deliver retail and food and beverage floorspace appropriate to scale and function of each centre.

## Documents & Submission Conformity

### T1(4) General Requirements

#### Part A

All applications for the discharge of conditions for phase definition under condition [ ], phase frameworks under [ ] and for approval of reserved matters shall accord with the following approved plans and documents:

- A. Application site plan (OPM(P)101\_W)
- B. Development Areas and Movement Corridors Parameter Plan (OPM(P)5001\_WW) unless the Local Planning Authority approves adoption of plan OPM(P)4001\_rev YY under part B below
- C. Open Space & Vegetation Parameter Plan (OPM(P)5002\_WW) unless the Local Planning Authority approves adoption of plan (OPM(P)4002\_rev YY) under part B below
- D. Heights Parameter Plan (OPM(P)5003\_WW) unless the Local Planning Authority approves the adoption of plan (OPM(P)4003\_rev YY) under part B below

- E. Strategic Design Principles [dated ]
- F. Development Specification [dated ]
- G. Section 3 (Commitments and Actions) of the Heritage Strategy OP5 Appendix 4.12 dated August 2022
- H. Section 6 (Conservation Management Policies) of the Conservation Management Plan Issue 02 dated March 2022
- I. Section 5 (Commitments and Next Steps pages 126 - 129) of the Green Infrastructure Strategy OP5 Appendix 4.11 dated August 2022.

#### Part B

Prior to any submission relating to a phase containing any of parcels CP.3, RS.1 or HT.2 (or any part of any of those parcels) details of the new waste facility capacity shall be submitted in writing to the Local Planning Authority in writing.

The following details shall be submitted to the Local Planning Authority in writing for their approval:

- i) A description the proposed location, size and nature of the proposed waste facility
- ii) Confirmation and explanation of the availability of parcel CP.3 to be developed in accordance with this permission;
- iii) A description and explanation of the spatial changes which are consequential on the adoption of the parameter plans referred to in this part B;
- iv) confirmation that parameter plans OPM(P)4001\_rev YY, OPM(P)4002\_rev YY and OPM(P)4003\_rev YY can therefore be adopted from a date to be proposed to the Local Planning Authority.

If the above submission is approved by the Local Planning Authority, from that specified date the parameter plans to which relevant applications must accord under this condition shall be those referred to in this part B and any such written application must describe and explain the spatial changes which are consequential on the adoption of the parameter plans referred to in this part B.

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

#### T1(5) Ecology

The development shall be carried out in general accordance with the mitigation measures set out in Chapter 7 and Appendix 7 entitled 'Biodiversity' of Environmental Statement dated [ ] including the delivery of the detailed biodiversity enhancements and any required translocation of species and the creation of translocation site(s).

**Reason:** To ensure successful translocation of habitats, mitigation and/or compensation measures in accordance with Policy SS7.

#### T1(6) Site-wide Strategies (updates)

Prior to or concurrent with the submission under condition [Phase Framework ], save for the phase containing the Early Parcels, the following site-wide strategies shall be reviewed, and where updated, submitted to the Local Planning Authority for its written approval:

- A. Heritage Strategy submitted with the application dated August 2022
- B. Housing Strategy (including Housing Needs Survey) submitted with the application dated March 2022
- C. Energy Strategy submitted with the application dated August 2022
- D. Transport Strategy submitted with the application dated March 2022
- E. Waste Management Strategy submitted with the application dated March 2022
- F. Biodiversity Action Plan submitted with the application dated August 2022 v.2.0

The updates shall include a review of the actions aims and targets outlined in each strategy to ensure they reflect relevant changes in national and local policies and take into account changes in technology. The approved strategies shall thereafter be reflected in phase framework submissions and reserved matters applications and implemented in accordance with the approved details.

In the event that these site-wide strategies are not reviewed and updated within 3 years of the previous review (or 3 years from the date of this permission as the case may be) they shall be reviewed updated and submitted to the Local Planning Authority for its written approval regardless of whether application is made under condition [ Phase Framework]. These updates shall include a review of the actions aims and targets outlined in each strategy to ensure they reflect relevant changes in national and local policies and take into account changes in technology. The approved strategies shall thereafter be reflected in phase framework submissions and reserved matters applications and implemented in accordance with the approved details.

**Reason:** To reflect the 30-year development period and ensure the town can respond to changes in the future including developments in technology.

T1(7) Heritage Research and Mitigation Strategies (Update)

Prior to submission under condition [ ] that includes the Early Parcels the Cultural Heritage Mitigation Strategy (Appendix A of the Heritage Strategy – Site Wide Heritage Strategy) and Research Strategy (Appendix B of the Heritage Strategy) shall have been submitted to and approved in writing by the Local Planning Authority. The approved Mitigation Strategy shall be incorporated within each subsequent phase framework submission and reserved matters applications and updated for each phase framework thereafter to reflect historic building recording and archaeological investigations submitted under condition [ ].

**Reason:** to accord with Policy SS7 of the Core Strategy Review.

T1(8) Site-wide Sports and Recreation Strategy

Prior to or concurrent with the submission of the first phase framework pursuant to condition [ ] a site wide Sports and Recreation Strategy shall be submitted for approval in writing by the Local Planning Authority.

The strategy shall include:

- A. The proposed quantum and nature of sports and recreation space required in relation to the formal and informal play areas, the sports provision and youth

- facilities which shall have regard to the Council's Playing Pitch Strategy and which shall all accord with [ ];
- B. The design and layout of pitch provision and sports facilities which shall be in accordance with the Fields in Trust Standard;
  - C. The proposed programme and timing of delivery and construction of the sports and recreation space;
  - D. The responsibilities for implementation of the sports and recreational space for the master developer, plot developers and the district council;
  - E. Details of the 'dual use' of the primary and secondary school facilities and open space and how this can be secured;
  - F. The proposed public and private access arrangements

Prior to or concurrent with each subsequent phase framework submission pursuant to condition [ ] the approved Site-Wide Sports and Recreation Strategy shall be reviewed and updated and submitted to the LPA for its written approval. The approved details shall be incorporated within each phase framework submission and reserved matters applications.

**Reason:** In order to secure acceptable recreational facilities across the development.

T1(9) Site-Wide Access Strategy

Prior to or concurrent with the submission of the first phase framework pursuant to condition [ ] a site wide Access Strategy shall be submitted for approval in writing by the Local Planning Authority.

The Strategy will include details of what measures will be delivered, where they will be delivered, for how long they will be delivered, and how they will be funded to avoid any adverse effect on the Folkestone to Etchinghill Escarpment SAC and the Wye & Crundale Downs SAC. The Strategy will also include information on how delivery will be phased in line with the build-out of the development.

The approved details shall be incorporated within each phase framework submission and reserved matters applications.

**Reason:** to avoid any adverse effect on the Folkestone to Etchinghill Escarpment SAC and the Wye & Crundale Downs SAC.

T1(10) Site-Wide Mobility Hubs Strategy

Prior to or concurrent with the submission of the first phase framework pursuant to condition [ ] a site wide Mobility Hubs Strategy shall be submitted for approval in writing by the Local Planning Authority.

The strategy shall include:

- A. The proposed quantum and nature of mobility hubs required across the development which shall have regard to the Access and Movement Mode Share Targets Reports submitted with the application and dated March 2022;
- B. The hierarchy, design and layout of the mobility hubs
- C. The proposed programme and timing of delivery and construction



- D. The proposed public and private access arrangements and details of how the mobility hubs will be managed.

Prior to or concurrent with each subsequent phase framework submission pursuant to condition [ ] the approved Site-Wide Mobility Hubs Strategy shall be reviewed and updated and submitted to the LPA for its written approval. The approved details shall be incorporated within each phase framework submission and reserved matters applications.

**Reason:** In the interest of promoting travel choice and sustainable development.

T1(11) Strategic Planting Report (including management)

Prior to or concurrent with the submission of each phase framework submission pursuant to condition [ ] a Strategic Planting Report shall be submitted for approval in writing by the Local Planning Authority. The report shall include:

- A. Plans showing the implementation of, and compliance with, the structure planting set out in Figure 106 dated [ ] of the Green Infrastructure Strategy dated [ ] across the development including progress on structure planting approved in relation to other phases;
- B. A programme for the implementation that includes the sequence of the structural planting including advanced planting associated with the phase and a plan that identifies the areas which are considered to have the greatest visual effect;
- C. Justification for any circumstances in which the structural planting units set out in Green Infrastructure Strategy Figure 106 would need to be adjusted to avoid harm to existing structural vegetation and habitats identified within the proposed Tier 2 Green Infrastructure and Arboricultural Statement and where any trees would need to be micro-sited to avoid harm to archaeological barrows
- D. Details of ongoing monitoring arrangements including details of the use of a framework of local forestry/woodland contractors and/or local wildlife conservation trusts to implement and manage the structural planting and demonstrating how the management shall be integrated with the Long-Term Stewardship Vehicle;
- E. Species selection that utilises native species of local provenance where possible and /or species of wildlife value (particularly those contributing to improving resources for pollinators).

Each subsequent and related reserved matters application coming within the relevant phase shall incorporate the details and measures as approved.

**Reason:** To safeguard the appearance of the development, the character of the area and to secure the effectiveness of structural planting.

T1(12) Reserved Matters Outside a Defined Phase

Except for Enabling Works, where it is necessary to bring forward infrastructure in advance of the approval of any phase, the application for approval of reserved matters relating to that infrastructure shall be accompanied by the following information to be submitted to the LPA for its approval in writing:

- A. A statement explaining the reason for the exception and the relationship of the proposed infrastructure with any related phase and, where applicable, Reserved Matters Area;
- B. A construction and delivery programme for the infrastructure applied for;
- C. An Archaeological Written Scheme of Investigation for a programme of archaeological evaluation and any subsequent investigation and recording
- D. A Drainage and Nutrient Supplement
- E. A Land Investigation and Remediation Scheme (if the latter is necessary)
- F. A Green Infrastructure and Arboricultural Statement
- G. An Ecological Mitigation and Management Plan (EMMP), Biodiversity Gain Plan (BNG) and a Lighting Plan
- H. A Code of Construction Practice Supplement
- I. A landscaping scheme which includes a progress report for strategic planting relevant to the Reserved Matters Area required under condition [ ]

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

**Reason:** To allow flexibility for works of a critical or enabling nature to take place and to enable the efficient and sustainable delivery of the permitted development and to accord with CSR Policy SS9.

#### T1(13) Potable Water Upgrades

Prior to 1<sup>st</sup> occupation a Potable Water Study shall be submitted to and approved in writing by the Local Planning Authority. The study shall accord with the water upgrades as set out in the Utilities Strategy submitted with the application and dated March 2022. It shall provide further details on the additional capacity required in the flow management zone and identify plans and timescales to provide a suitable connection point. The development shall thereafter be carried out in accordance with the approved details and completed prior to the approval of the 1,500th dwelling.

**Reason:** To ensure sufficient capacity is made available beyond existing water supply capacity and in order to avoid adverse environmental impacts on the community.

#### T1(14) Unexploded Ordnance – Site Wide Mitigation Scheme

No development, except above ground enabling work, shall take place until a unexploded ordnance (UXO) mitigation scheme relating to that phase approved under condition T2(2) or reserved matters application outside a defined phase approved under condition T1(12) drafted by a competent and qualified person has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be prepared with reference to the study undertaken by Zetica Risk Mitigation Report contained in the Chapter 10 (Appendix 10.1) of the Environmental Statement dated [ ] and shall include:

- A. Details of risk mitigation measures
- B. How mitigation shall be implemented and a timetable for implementation
- C. Details of the procedures should high risk UXO not previously identified be encountered and the reporting regime.

The mitigation shall be carried in accordance with the approved scheme.

**Reason:** In the interests of public safety.

T1(15) On-site Wastewater Treatment Works (WwTW)

No development, except for Enabling Works, shall take place until the following onsite wastewater treatment works (WwTW) and mitigation wetland details have been submitted to and approved in writing by the Local Planning Authority:

- A. Design
- B. Phasing including modular installation and any temporary measures required to achieve sufficient level of flow to operate the plant
- C. Implementation timetable including for any agreed temporary measures
- D. Management and maintenance and;
- E. Monitoring

The information submitted for approval shall include:

- a) Details of any temporary measures required prior to achieving a minimum level of flow to operate the plant;
- b) Bespoke calculations demonstrating the nutrient removal efficiency of the mitigation wetland including seasonal hydraulic rates
- c) Details demonstrating that all wastewater will be passed through constructed wetlands prior to discharge
- d) Evidence of the existing and previous land uses within the application site.
- e) A quantitative odour assessment to confirm odour effects and an odour management plan to control odours from the wastewater treatment facility.

No dwelling shall be occupied until the WwTW is constructed and fully operational in accordance with the approved specifications and in line with a valid Environment Agency permit. No temporary measures shall be implemented except with the express written approval of the Local Planning Authority, in line with a valid Environment Agency temporary permit and subject to clear evidence demonstrating the parameters will not adversely affect the integrity of the Stodmarsh designated site. In the event temporary measures are proposed and approved as part of information submitted under part (a) no more than 50 dwellings shall be occupied until the permanent WwTW is constructed and fully operational. The WwTW shall be managed, maintained and monitored in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interest of preserving protected and qualifying features of the Stodmarsh SPA, SAC and Ramsar from foul water pollution.

T1(16) Employment, Skills and Training Strategy

No development, except for Enabling Works or development approved under condition T1(12), shall take place on any Reserved Matters Area until an Employment and Skills Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include:

- A. The key objectives and KPIs for the construction phase in relation to job creation and enhancement of skills and training in order to achieve [ ]
- B. A delivery plan setting out how objectives will be realised
- C. The requirements to be placed on plot developers to secure above matters, how these will be monitored and how they will be enforced
- D. Details of any proposed on-site training and brokerage office facilities including specification and programme for delivery.

The approved details shall be implemented in full unless agreed in writing by the Local Planning Authority.

**Reason:** To ensure that the development accords with the employment strategy for the area.

#### T1(17) BREEAM

No construction of any building with a non-residential element in excess of 500sq.m. shall take place until an independently verified BREEAM report in relation to that building (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) (or any such equivalent national measure of sustainable building which replaces that scheme) demonstrating that all reasonable steps have been undertaken to achieve a minimum rating of 'Excellent' has been submitted to the Local Planning Authority for its written approval.

Any building with a non-residential element in excess of 500sq.m shall not be occupied until a certified Post Construction Review (or other verification process agreed with the Local Planning Authority) confirming that the agreed standards have been met has been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out strictly in accordance with the details approved and the Accreditation of 'Excellent' shall be maintained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

#### T1(18) Net Zero Community Buildings

No construction of any building with a community use hereby permitted shall take place until an independently verified Net Zero Report in relation to that building detailing that building's energy performance and demonstrating that all reasonable steps have been undertaken to achieve a Net Zero Community Building in accordance with the UK Green Building Council (2019) Framework definition excluding non-regulated energy has been submitted to the Local Planning Authority for its written approval.

Any building with a community use element shall not be occupied until a certified Post Construction Review (or other verification process agreed with the Local Planning Authority) confirming that the agreed standards have been met has been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out strictly in accordance with the details approved and the relevant accreditation shall be maintained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In accordance with Policy SS8 of the Core Strategy Review and in the interest of promoting energy efficiency and sustainable development.

T1(19) Outline Climate Change Adaptation Plan

Prior to or concurrent with the submission of the first reserved matters applications under condition [ ] a Climate Change Adaptation Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- A. An overview of the plan, including its purpose, scope, and goals;
- B. An implementation section that provides details on the strategies and actions proposed for the implementation of the measures identified in the Climate Change Assessment, including timelines, resources, and responsibilities for implementation of resilience strategies for relevant receptors;
- C. An overview of the monitoring and evaluation framework to track the progress and effectiveness of the plan.

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

**Reason:** to accord with the mitigation measures identified in the Environmental Statement.

T1(20) Upgraded rail station for High-Speed Services

No reserved matters applications relating to parcel numbers [HF.1, HF.2 and HF.3] shall be submitted until full details of a phasing and implementation strategy for the design, construction and delivery of a new station building have been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the work programme for design and technical work and a timeline for its implementation in accordance with the details in Table [ ] of the Transport Strategy submitted with the application dated [ ].

**Reason:** To accord with Policy SS [ ] of the Core Strategy Review.

T1(21) Access Strategies

No development, except for Enabling Works, shall take place until a scheme to deliver the following works is submitted to and approved in writing by the Local Planning Authority:

- A. Details of works required to upgrade Newingreen Junction to improve safety and provide suitable access for extra-large Heavy Goods Vehicles travelling between M20 J11 and Link Park Industrial Estate
- B. Details of works required to enable access at the eastern and western junctions of the proposed 'Otterpool Avenue'

The approved works shall thereafter be carried out in accordance with the approved details and there shall be no other development, apart from these approved works and Enabling Works until these approved works have been carried out and opened to the public to the satisfaction of the local planning authority

**Reason:** to secure appropriate access to the development and in the interests of highway safety.

#### T1(22) Construction Traffic

No works shall commence on the site (including site clearance or preparation) until the details of a Construction Traffic Management Plan have been submitted to and approved in writing by the local planning authority (who shall consult with National Highways). Thereafter the construction of the development shall proceed in strict accordance with the approved Construction Traffic Management Plan.

**Reason:** To ensure that the Motorway and Trunk Road network in the vicinity of the site continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety and paragraph 111 of the National Planning Policy Framework (2021).

#### T1(23) Traffic Regulation Orders

No development, except for Enabling Works, shall take place until Traffic Regulation Orders for a box junction at Prospect Road / Stade Street and double yellow lines on the Military Road Gyratory and the improvement scheme have been secured by the Local Highway Authority. No Reserved Matters Applications for development beyond 7,000 dwellings shall be submitted until a Traffic Regulation Order for a box junction at London Road / Barrack Hill for Part C has been secured by the Local Highway Authority.

There shall be no occupation of any part of the development until such time as these traffic regulation orders have come into effect.

**Reason:** In the interests of highway safety.

#### T1(24) Road Closures

Prior to the submission of any reserved matters applications which include any of the Parcels HT.1-4, WR.1-2, AP.1-2 or CP.1-5 a scheme to deliver the following works shall be submitted to and approved in writing by the Local Planning Authority:

- A. works required to close the existing vehicular access at Harringe Lane to vehicular traffic but keep it open for pedestrian, footway and cycleway and bridleway traffic;
- B. works required to remove the junction at Aldington Road / Lymnpe Hill and make this a through road;

There shall be no occupation of any part of the identified parcels until such time as these traffic regulation orders have come into effect.

**Reason:** In the interests of highway safety.

T1(25) A20 Western Corridor

Prior to the submission of any reserved matters applications that includes any of the parcels HT.2, RS.1, TC.6 and CP.3 & 4 a scheme of works to improve the A20 western corridor between the proposed Otterpool Avenue and Barrow Hill (Grove Bridge) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- A. Keep clear markings for Barrow Hill shuttle signals
- B. How a slow speed environment will be promoted as character changes allow
- C. Improvements to the footway along Barrow Hill
- D. A tree planting and landscaping strategy with the inclusion of SUDS where possible
- E. How access to existing homes and businesses will be retained and parking restrictions on Barrow Hill
- F. How the details comply with the A20 character areas defined in the approved Strategic Design Principles submitted with the application dated [ ]

The approved works shall thereafter be carried out in accordance with the approved details prior to the occupation of any part of the identified parcels and there shall be no occupation of any part of the identified parcels until the approved works have been carried out and opened to the public to the satisfaction of the local planning authority.

**Reason:** To secure a slow traffic environment with improvements to the character and visual appearance of the street and in the interests of highway safety.

T1(26) A20 Eastern Corridor

No dwellings hereby approved shall be occupied until details of a scheme of works to improve the A20 corridor between Newingreen Junction and A20 southern roundabout where it meets M20(J11) have been submitted to and approved by the Local Planning Authority. The scheme shall show improvements with signalised junctions to access Otterpool Avenue the proposed new Business Area and show how it accords with the approved Strategic Design Principles submitted with the application dated [ ].

The approved works shall thereafter be carried out in accordance with the approved details prior to the occupation of any part of the development and there shall be no occupation of any part of the development until the approved works have been carried out and opened to the public to the satisfaction of the local planning authority.

**Reason:** In the interests of highway safety.

T1(27) Otterpool Lane Junction Scheme

Prior to the submission of any reserved matters applications that includes any of the parcels on AP.1 or WR.2 a scheme of works to improve Otterpool Lane between the

junction with the A20 and Aldington Road shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include:

- Parking restrictions on Otterpool Lane to prevent any parking;
- New access junctions onto Otterpool Lane;
- Creation of new footways and cycleways on both sides of the roads;
- How a slower speed environment will be promoted;
- How access to existing homes and businesses will be retained.

The approved works shall thereafter be carried out in accordance with the approved details prior to the occupation of any part of the identified parcels and there shall be no occupation of any part of the identified parcels until the approved works have been carried out and opened to the public to the satisfaction of the local planning authority

**Reason:** In the interests of highway safety.

#### T1(28) Early Phase off-site pedestrian and cycle routes

No dwellings hereby approved shall be occupied until details of the following schemes for pedestrian, cycling and bridleway connections in accordance with the approved Public Rights of Way Management Scheme have been submitted to and approved by the Local Planning Authority:

- A. HE/281 improvements to the route between Stone Street and heading southeast through Sandling Park towards Hythe and Saltwood
- B. HE/359 upgrade footpath to bridleway
- C. HE/371 improve the connection to Public Right of Way (PRoW) and cycle network from Westenhanger Station to the north

There shall be no occupation of any dwellings on the site until the approved works have been carried out in accordance with the approved plans and opened to the public to the satisfaction of the local planning authority.

**Reason:** In the interests of establishing sustainable travel choices early and achieving sustainable development.

#### T1(29) Broadband Delivery Plan

Prior to or concurrent with the phase framework submission under condition [ ] a site-wide Broadband Delivery Plan shall be submitted to the Local Planning Authority for approval in writing. The plan shall demonstrate how the developer has liaised and will continue to liaise with telecommunications providers to plan and deliver the installation of fixed telecommunication infrastructure and high-speed fibre optic (minimal internal speed of 100mb) connections to multi point destinations and all buildings including residential, commercial and community. The plan shall demonstrate how it will provide sufficient capacity, including duct sizing to cater for all future phases of the development with sufficient flexibility to meet the needs of existing and future residents. The infrastructure shall be laid out at the same time as



other services during the construction process and shall be capable of operation prior to occupation of the respective phase.

**Reason:** In the interests of achieving sustainable development, to accord with the principles within the National Planning Policy Framework and comply with PPLP Policy [ ].

### Continuing Requirements

#### T1(30) Use Classes

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the town and local centre units contained in Parcels TC.1, TC.2, HT.2, AP.1 and WR.2 identified as falling within a use within Class E of the Town and Country Planning (Use Classes) Order 1987 (in force as at the date of this permission) pursuant to the relevant reserved matters approval for those units shall be used only for the purposes for which reserved matters approval is first granted for those units and for no other purpose without the grant of a separate planning permission for a change of use by the Local Planning Authority (or on appeal to the Secretary of State).

**Reason:** To ensure the development operates as assessed and to ensure an appropriate mix of local and town centre uses and in the interests of sustainable development and to ensure vibrant local and town centre(s).

#### T1(31) Gas Supply - residential

No gas supply for residential properties is permitted.

**Reason:** In the interests of sustainable development and to reduce the reliance on fossil fuels.

#### T1(32) Gas Supply – commercial

No gas supply for commercial buildings is permitted other than with the prior written approval of the Local Planning Authority, which may be given for those parts of the site where low-pressure gas supply is available for non-residential uses equivalent to no more than that which would be required to serve 1,000 homes and only where it has been demonstrated that the absence of gas would render the commercial development undeliverable.

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

**Reason:** In the interests of sustainable development and to reduce the reliance on fossil fuels.

T1(33) Piling

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

**Reason:** In the interests of protecting groundwater and risks to controlled waters.

T1(34) Hours of construction

Demolition and construction work shall be carried out only between the following hours:

08:00 and 18:00 Monday to Friday; and  
08:00-13:00 Saturday

No demolition or construction shall take place on Sundays or public holidays other than in association with an emergency, or in accordance with details previously agreed in writing by the Local Planning Authority.

Driven piling or ground improvement work which will generate perceptible off-site ground borne vibration is only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

**Reason:** To minimise the impact of the construction phase on the environment and on the amenities of neighbouring residents

T1(35) Breeding Birds

No tree works or felling, cutting or removal of hedgerows or other vegetation clearance works shall be carried out on the site during the bird breeding season from March to August, inclusive, except in the presence of a suitably qualified ecologist. If breeding birds are found or suspected to be present on the part of the site the subject of such works, the works shall immediately cease within [ ] of that location until the ecologist is satisfied that breeding is complete.

**Reason:** In the interests of protecting habitat and biodiversity and to accord with Policy SS7.

T1(36) S106 Obligations "Arsenal Condition"

[Negatively worded condition restricting development until necessary s.106 obligations are secured]

T1(37) Low Emissions Strategy

Prior to or concurrent with the submission of the first reserved matters applications under condition [ ] a Low Emissions Strategy shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be prepared to describe how

residual air quality effects from road transport and combustion plant attributable to the development will be mitigated, inclusive of control mechanisms, to ensure mitigation is implemented.

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

**Reason:** to accord with the mitigation measures identified in the Environmental Statement.

## Tier Two – Phase Wide Conditions

### Phase Submissions

#### T2(1) Definition and Extent of Phases

Prior to the submission of each phase framework under condition [ ] a phase definition shall be submitted to and approved in writing by the Local Planning Authority.

All phase definition submissions shall comprise:

- A. *[A plan showing:
  - i. those parts of the phase which at the date of the application under this condition are bound by the s.106 agreement;
  - ii. those parts which are proposed to be bound in the future and a statement explaining the circumstances and timing for this and
  - iii. any parts of the phase for which no proposals under (ii) can be given and an explanation of the circumstances for this]*
- B. *[In the event that any parts of the phase fall within i) or ii) under Part A a statement giving an explanation as to how the phase including all of its components and any necessary supporting infrastructure will be delivered notwithstanding any part of the phase not being bound by the s.106 agreement as at the date of the application;]*
- C. A phase definition plan showing the extent of the phase area which should generally accord with the indicative phasing plan shown on OPM(P)4004\_YY approved hereby and where a deviation in the boundary is being sought the provision of written justification for any such deviation;
- D. A schedule identifying the broad disposition of land uses and quantum of development within the phase including landscaping and open space by type sufficient to ensure that the open standards in Table [ ] of the Places and Policies Local Plan are complied with and a programme demonstrating compliance with the Structural Planting and associated principles contained in Figure 106 of the Green Infrastructure Strategy (as hereby approved);
- E. A supporting statement setting out justification for the definition size and content of the phase to include:

- i. the spatial rationale and coherence of the phase in the context of any existing and future development as hereby permitted as a whole and its consistency with the overall vision for Otterpool Park set out in the Strategic Design Principles hereby approved;
  - ii. relationship and interface with all other phases and any reserved matters applications (where already approved or submitted).
  - iii. The consistency of the phase with the requirements of this permission and its associated s.106 agreement as those requirements relate to the review, updating and submission of documents and other materials for approval over time
  - iv. an outline of the scope of information to be submitted under Condition [T2(2)] to respond to the recommendations of the Heritage Advisory Group, Transport Review Group (TRG) and Education Review Group (ERG).
  - v. and an indicative programme for the proposed timing and sequence for the bringing forward of reserved matters applications within the phase;
  - vi. the proposed scope of review and nature of the updates required for the strategies referred to in Condition T1(6)
- F. The first phase to be submitted under this condition shall as a minimum include parcels TC.1 to TC.6 and the Castle Area.
- G. No part of any of parcels CP.3, RS.1 or HT.2 shall be included in any submission under this condition until there has been notification in accordance with condition [ ] stating which Parameter Plans are to be adopted and if so from which date.
- H. Parcels AP1 and AP2 must be included in the same phase definition.
- I. Parcels HT.1, HT.2, HT.3, and HT.4 as identified on the Development Areas and Movement Corridors Parameter Plans (OPM(P)4001\_revYY and OPM(P)5001\_revWW) as hereby approved shall be included in a single phase.

**Reason:** In the interests of sustainable development and to ensure a phased approach to delivery.

#### T2(2) Phase Framework Submission

Prior to the approval of any reserved matters applications in relation to a phase for which the requirements under condition [ ] have been approved by the LPA, the following details shall be submitted to and approved in writing by the Local Planning Authority.

- A. Schedule of uses and quantum of development against the overall permitted quantum of development hereby permitted;
- B. Delivery Plan;
- C. Masterplan, design code and associated regulatory plan content to be included as specified in the approved Strategic Design Principles hereby approved with an appropriate level of detail reflecting any reserved matters applications submitted in parallel with the phase framework submission including details of existing and proposed site levels and any land profiling;
- D. Housing Delivery Statement;
- E. Energy and Sustainability Statement;

- F. Heritage Supplement following the scope approved in accordance with Condition [T2(1)] setting out supplementary information for the phase including, where relevant, the details required under Conditions [ ] and [ ];
- G. Transport Assessment Supplement for the second phase to come forward and for each subsequent phase;
- H. Travel Plan for the phase, setting out measures to be implemented in accordance with the principles and approach set out within the Site Wide Framework Travel Plan (March 2022) and include a Car Parking Strategy;
- I. Drainage and Nutrient Neutrality Supplement;
- J. Ecological Mitigation and Management Plans (EMMP) and Biodiversity Gain Strategy (BNG);
- K. Green Infrastructure and Arboricultural Statement which shall include a Arboricultural Assessment and a Sports and Recreation Statement for the phase together with a report demonstrating progress against the programme for implementation of the strategic planting approved under condition [ ];
- L. Waste Management Supplement for the phase;
- M. Code of Construction Practice Supplement to address any phase specific requirements or refinements;
- N. Delivery plan for bus provision including a plan showing routing to include the location of bus stops across the relevant phase and proposed infrastructure for the bus stops including bus stop clearways which shall include real time information, lighting and accessibility features;
- O. European Site Mitigation Plan.

Where applications for approval of reserved matters are submitted within a phase, they shall conform with the details approved for the purposes of condition [ ] and be accompanied by a brief statement setting out how conformity is achieved.

*If as part of the submission made under condition T2(1) any part of the phase was shown as identified under (ii) or (iii) of item [ A ] of that condition, an update of the position containing information under those same headings and an updated statement under B.*

In the event that at the expiry of [5] years from the date of approval of a phase framework under this condition one or more parcels within the phase have not been subject to a reserved matters application the matters submitted above shall be reviewed updated as necessary and resubmitted for approval by the Local Planning Authority before any reserved matters application can be made for any of those parcels

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

T2(3) Barrow Cemetery

The details submitted for the written approval of the Local Planning Authority pursuant to Condition [ ], insofar as the relevant phase includes Parcels HT.1, HT.2, HT.3, and HT.4 as shown on approved Parameter Plans (OPM(P)4001\_revYY and OPM(P)5001\_revWW) shall include:

- A. Precise details of the connection shown indicatively in Figure 4.14 of the Strategic Design Principles between barrow 131 and the rest of the barrow

cemetery within the heritage trails the details of which shall be submitted as part of the relevant phase

- B. Details demonstrating how the barrows in the Barrow Cemetery to the south-west of Barrowhill scheduled monument will be read and experienced as one cemetery group.
- C. Measures to ensure that green infrastructure elements, such as SUDS and water management features like swales will not physically impact on any scheduled monuments either directly or indirectly through changes to the hydrology of the remains.

Where applications for approval of reserved matters are submitted within these parcels, they shall conform with the details approved pursuant to this condition.

**Reason:** To retain the spatial connection between the individual barrows, to ensure effective retention in situ of archaeological deposits and reduce harm to the significance of the scheduled monument.

T2(4) Lympne Airfield

Prior to or concurrent with the submission of details pursuant to condition [ ] for any phase including Parcels AP.1 and AP.2 a statement shall be submitted to and approved in writing by the Local Planning Authority containing the following:

- A. Details and plans of any built military heritage assets that are located within proposed open space in the approved masterplan;
- B. Details of how any built military heritage is to be preserved, made safe and consistent with public access and comprehensively incorporated into the development;
- C. Relevant detailed documentary research / air photo analysis for RAF Lympne as a whole to place impacted buildings and structures into context, capable of being presented and illustrated in a literature report;
- D. Evidence that the above has been peer-reviewed by a military history or has received input from an appropriate specialist with relevant experience of airfields;
- E. Details of how military understanding is to be reflected in the broad approach to heritage trails.

All applications for approval of reserved matters relating to land within this phase shall conform with the approved statement.

**Reason:** To ensure the significance of the airfield asset is fully reflected in detailed masterplans and designs.

T2(5) Castle Implementation & Phasing Plan (CIPP)

Part A

No development, except for Enabling Works or development approved under condition T1(12), shall take place on any Early Parcels until a Castle Implementation

and Phasing Plan (CIPP) has been submitted to and approved in writing by the Local Planning Authority. The CIPP shall include:

- A. Details of how the commitments on p.51 of the Heritage Strategy dated [ ] as hereby approved (excluding clearance of trees and temporary buildings dealt with under Part B below) and p.131 and p.135 of the Conservation Management Plan dated [ ] and hereby approved shall be implemented and over what time period;
- B. Details of the timing and sequencing of access arrangements to the Castle including any interim arrangements for car parking for the Castle;

#### Part B

Within the Early Parcels, and except for Enabling Works and works consented under Condition T1(12), no development, except for Enabling Works, beyond or outside the second Early Parcel to come forward shall commence until such time as the removal of temporary buildings vegetation, and trees in and around the Castle described on p.51 of the Heritage Strategy submitted with the planning application and dated [ ] have been completed.

**Reason:** To secure the initial heritage benefits associated with the Castle.

#### T2(6) Conservation Management Plan (Other Assets)

Prior to or concurrent with the submission of any phase framework that includes the Roman Villa, Scheduled Barrows or as yet currently unknown designated assets pursuant to condition [ ] a Conservation Management Plan (CMP) for those assets shall be submitted to the Local Planning Authority for approval in writing. The Conservation Management Plan shall include:

- A. A strategy for the evaluation and implementation of proposals which incorporate and reflect the history and significance of the asset and neighbouring land demonstrating how this has been incorporated into the detailed management policies for the asset;
- B. An explanation key aspects of the asset set out why the aspects are of importance, how they would be conserved and managed;
- C. A programme of repair, restoration;
- D. How the historic evolution of the asset understanding has influenced and informed the development of the wider landscape framework;
- E. Progress in terms of evaluation, the operation and implementation of the milestones identified in the Research Strategy as updated under condition [ ]
- F. Details of how green infrastructure elements, such as SUDS and water management features like swales, shall not physically impact on any scheduled monuments, the Roman Villa or any undiscovered designated asset either directly or indirectly through changes to the hydrology of the remains;
- G. A residents and stakeholders engagement strategy which would inform future proposals for the asset including specific measures for implementation and confirmation of how public access would be implemented.

All applications for approval of reserved matters relating to land within these phases shall conform with the approved statement and be accompanied by a brief statement setting out how conformity is achieved.

**Reason:** to accord with National and Local heritage policies and secure the appropriate management of land in and around Scheduled Monuments.

T2(7) Soil Resources Management Plan (Tier 2)

No development, except for Enabling Works, shall take place on any approved phase until a written Soil Resources Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- A. Areas of soil to be protected from earthworks and construction activities;
- B. The areas and types of topsoil and subsoil to be stripped, stockpile locations; and,
- C. The methods for stripping, stockpiling, re-spreading and ameliorating landscape soils.
- D. Details of the sustainable re-use of soils

The development within each phase shall proceed in accordance with the approved plan.

**Reason:** To achieve good soil management across the site and protect soils.

T2(8) Land and Remediation Scheme

Prior to or concurrent with the submission of each phase framework submitted under [ ] a Land Investigation and Remediation Scheme shall be submitted to and approved in writing by the Local Planning Authority to include:

- A. A desktop study which includes the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall also be included.
- B. If the desk top study shows that further investigation is necessary, an investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. It shall include an assessment of the nature and extent of any contamination on the site, whether or not it originates on the site. The report of the findings shall 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,
    - Ground waters and surface waters,



- Ecological systems,
  - Archaeological sites and ancient monuments; and
- (iii) An appraisal of remedial options and identification of the preferred option(s).

All work pursuant to this condition shall be conducted in accordance with the DEFRA and Environment Agency document Model Procedures for the Management of Land Contamination (Contamination Report 11).

- A. If investigation and risk assessment shows that remediation is necessary, 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 submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works, site management procedures and a verification plan. The scheme shall 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. The approved remediation scheme shall be carried out in accordance with the approved terms including the timetable, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
- B. No development shall take place until a verification report demonstrating completion of the works set out in the approved remediation scheme and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include details of longer-term monitoring of pollutant linkages and maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.
- C. If during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority, details of how this unsuspected contamination shall be dealt with. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared and submitted to the Local Planning Authority.

**Reason:** To protect the environment and human health against contamination and pollution

Prior to or concurrent with the submission of the relevant phase framework submitted under condition [ ] for parcels HF.1, HF.2 or HF.3 a written assessment of the potential for site won soft sand material shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- A. Quantity and quality of materials present including borehole data
- B. An assessment of the suitability of the resource for construction purposes

Where it is demonstrated that the mineral is suitable for construction purposes a scheme of extraction shall be incorporated into the relevant Code of Construction Practice setting out the proposed:

- A. Method of extraction
- B. Noise mitigation measures
- C. Hours of working
- D. Plan of restoration

The development shall proceed in accordance with the approved plan.

**Reason:** To avoid sterilising scarce strategic safeguarded mineral resources and in the interests of sustainable development

#### T2(10) Barrow 44

The details submitted for the written approval of the Local Planning Authority pursuant to Condition [ ], insofar as the relevant phase includes Parcels RS.1 and RS.2 as shown on approved Parameter Plans (OPM(P)4001\_revYY and OPM(P)5001\_revWW) shall include:

- A. Precise details of the connection shown indicatively in Figure 4.6 of the Strategic Design Principles between barrow 44 and the wider river landscape within the heritage trails the details of which shall be submitted as part of the relevant phase
- B. Details demonstrating how visual and physical open space connectivity between Barrow 44 and the river corridor within the Riverside Park will be designed to allow the relationship between the barrow and the river valley to be appreciated and understood.
- C. Measures to ensure that green infrastructure elements, such as SUDS and water management features like swales will not physically impact on any scheduled monuments either directly or indirectly through changes to the hydrology of the remains.

Where applications for approval of reserved matters are submitted within these parcels, they shall conform with the details approved pursuant to this condition.

**Reason:** To retain the spatial connection between the individual barrow and the wider landscape, to ensure effective retention in situ of archaeological deposits and reduce harm to the significance of the scheduled monument.

## Tier Three – Reserved Matters Areas

### Details Required to be Submitted

#### RM1 Reserved Matters Applications

No development, except for Enabling Works, shall take place in respect of a Reserved Matters Area until all the following have been approved in writing by the Local Planning Authority:

- A. access;
- B. appearance;
- C. landscaping;
- D. layout; and
- E. scale;

Each reserved matters application in respect of a Reserved Matters Area shall comply and be consistent with the information approved for the relevant phase framework under condition [ ] and shall include the following information:

- A. A written summary supported by necessary plans and sections of the proposals to include:
  - i. justification for the Reserved Matters Area in the context of the phase in which it is contained and the details approved for that phase under condition [ ]
  - ii. proposed land uses and corresponding floorspace;
  - iii. quantum, tenure mix, unit mix and location of proposed housing (where relevant)
  - iv. maximum building height (AOD and storeys);
  - v. number of car parking spaces;
  - vi. number of cycle parking spaces;
  - vii. play space provision (where relevant);
  - viii. public realm/open space provision;
  - ix. required highways works; and,
  - x. tree details, to include number, size and species.
- B. The following plans and statements that accord with the phase framework submission approved under condition [ ]
  - i. Housing Delivery Statement
  - ii. Drainage and Nutrient Statement
  - iii. Ecological Mitigation and Management Plan and Lighting Plan
  - iv. Energy and Sustainability Statement
  - v. Travel Plan
  - vi. Waste Management Statement
  - vii. Code of Construction Practice Supplement
- C. Details of play, formal and informal open space including pocket parks, how the details have been designed in accordance with the Strategic Design Principles and approved Green Infrastructure and Arboricultural Statement;

- D. How the development meets the phasing provisions of the Sports and Recreation Statement approved under condition [ ] including the design and layout of pitch provision and sports facilities for the Reserved Matters Area which shall be in accordance with the Fields in Trust Standard;
- E. A Lighting Plan for lighting roads, footways, cycleways and all other areas accessible to the public to include Public Rights of Way (where appropriate), including the height of lighting columns and the types, colour and brightness of proposed lights;
- F. Car, coach, motorcycle and cycle parking including the number of spaces, their location, layout, allocation, management, along with signage taking account of disabled persons needs, electric vehicle charging points (including both 'active' and passive' provision) [ ];
- G. Facilities for the loading and unloading of vehicles including tracking plans demonstrating that vehicles can enter and leave the servicing area in a forward gear;
- H. The layout of tertiary roads for the circulation of vehicles including the location of services media, junction works, traffic signs, street names on buildings, directional signs, pedestrian crossings, traffic control measures and turnarounds and the details of the construction standards and timetable;
- I. The layout of public footways, cycleways and other means of public access to include Public Rights of Way;
- J. Where the Reserved Matters Area includes land that would comprise or form part of the proposed riverside areas, full details of the provision of access for servicing and maintaining the river buffers and associated structures, access for emergency vehicles and access for recreation of that part where appropriate;
- K. Where the Reserved Matters Area includes bridges over the East Stour a detailed flood risk mitigation scheme prepared in accordance with the Site-Wide Flood Risk Assessment submitted with the application dated [ ]
- L. Where the Reserved Matters Area includes land which performs a specific ecological function as a dark corridor for habitat or buffers adjacent to Ancient Woodland defined in the Biodiversity Chapter of the Environmental Statement hereby approved, full details of the proposed buffer and layout including habitat features within the open space buffer and measures utilised to deter public access (where relevant) and for the relevant functional corridor show how unbroken connectivity for dormice will be achieved;
- M. In the event of the adoption of Series 5 Parameter Plans specified in Condition [ ] and where the Reserved Matters Area or part thereof includes land adjacent to the Otterpool Quarry permitted waste facility details of the measures, including design solutions to address the environmental effects of operations upon the future occupation and enjoyment of residents, occupiers and visitors;

- N. Details of the appearance of any proposed extraction system and associated equipment (which shall include measures to alleviate fumes, odour and noise transmission and incorporating activated carbon filters where necessary) and any other plant or equipment;
- O. Details of any gas protection measures necessary to mitigate the impacts of ground gas;
- P. An Air Quality Damage Cost Assessment for the RMA in accordance with the Low Emissions Strategy approved under condition [ ]
- Q. For the Early Parcels, or where the Reserved Matters Area includes the Castle Area full public realm details including the proposed interface with open space including details of boundary treatments, fencing, lighting, sports areas, and other signage;
- R. For any Reserved Matters Area within parcels AP.1 or AP.2 a written statement demonstrating the preservation of the military history of Lympne Airfield in accordance with the approved details under Condition [ ].
- S. In relation to any reserved matters application which includes the on-site waste water treatment works the submitted details shall include the matters approved under condition [ ].
- T. In relation to any reserved matters application which includes any of the Town Centre parcels TC.1 – TC.7 the submitted details shall include the matters approved under condition [ Business Hub ]
- U. [no development unless and until RMA bound by 106 agreement to LPA satisfaction]

**Reason:** In the interests of the proper planning of the wider site.

**RM2** Landscape Management Plans

No development, except for Enabling Works shall take place in a Reserved Matters Area until a detailed Landscape Management Plan relating to that Reserved Matters Area has been submitted to and approved in writing by the Local Planning Authority. The plan shall accord with Section 5 of the Green Infrastructure Strategy hereby approved and the Strategic Planting Report approved for the relevant phase. It shall include an implementation strategy, plans and a timetable. The development shall be implemented in accordance with the approved plan.

**Reason:** In the interests of landscape management.

**RM3** Detailed Landscape and Design

Landscaping details submitted pursuant to condition [XX – “matters reserved”] shall include detailed landscape designs and specifications and, be accompanied by a statement that demonstrates how the landscaping scheme accords with details

approved for the phase to which the reserved matters application relates under condition [ ] and shall include the following:

**Reason:** In the interests of landscape management.

Soft Landscaping:

- A. Full details of planting plans and written specifications, including details of cultivation to soils before seeding and turfing, details of the mix, size, distribution, density of all trees/hedges/shrubs to be planted and the proposed planting season. The plans shall include a full schedule of plants;
- B. Full details of the green infrastructure within the development parcels, including green roofs (where proposed), landscaping, street trees and associated planting;
- C. Full details with cross-sections of ponds, ditches and swales and proposed treatment of the edges and perimeters of the site;
- D. The landscape treatment of roads (primary, secondary, tertiary and green) footways, Public Rights of Way and all pedestrian routes;
- E. A specification for tree plantings including details of space standards (target rooting volumes for trees and distances from buildings and/or development parcels.) and tree pit details;
- F. Full details of any existing, altered or proposed watercourses/drainage channels;
- G. Full details of the location of any services and utilities relative to existing and proposed soft landscaping;
- H. Details and specifications of proposed earth modelling, mounding, regrading and/or embankment areas or changes of level across the site including soil quantities, topsoil storage, proposed levels and contours with cross sections.

Hard Landscaping:

- A. Full details, including cross-sections, of all bridges and culverts;
- B. Full details of the inclusion of features for wildlife within the built parcels of the phase, for example bat boxes, bird boxes and invertebrate features;
- C. Full details of the wildlife crossing features (if appropriate) including badger tunnels;
- D. The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets;
- E. 1:500 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways;
- F. Full details of all hard-surfacing materials (size, type and colour).

The details submitted shall include an implementation programme for provision of the landscaping. All hard and soft landscape works shall be carried out in accordance with the approved details.

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

RM4 Strategic Planting

Landscaping details submitted pursuant to condition [XX – “matters reserved”] shall include details of the strategic planting contained within that Reserved Matters Area. The details shall accord with the Strategic Planting Report for that phase approved under condition [ ]. The approved plan shall be carried out in accordance with a programme for planting and maintenance related to stages of completion of the phase and in accordance with the phase framework submission approved under condition [ ].

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

RM5 Protection of Retained Trees & Hedgerows

Landscaping details submitted pursuant to condition [XX – “matters reserved”] shall include:

- A. A plan showing the location of and allocating a reference number to each existing tree on the site to be retained and indicating the crown spread of each tree in accordance with the approved Green Infrastructure and Arboricultural Statement relating to that phase;
- B. Details of tree and hedgerow protection fencing, which must be erected prior to the commencement of the development and retained until the completion of the development in the part of the site it relates to - the plan shall be prepared in accordance with BS 5837:2012 (or any superseding British Standard);
- C. No vehicles, plant or materials shall be driven or placed within the areas enclosed by the fences;
- D. Details of the size, species, diameter, approximate height and an assessment of the health and stability of each retained tree;
- E. Details of any proposed arboricultural works to any retained tree, which shall be carried out in accordance with British Standard 3998: 2010 (Tree Work Recommendations);
- F. Details of any alterations in ground levels or any excavation or other engineering works within the crown spread of any retained tree.

In this condition “retained tree” means any existing tree which is to be retained in accordance with the drawing referred to in A above. The approved Tree and Hedgerow Protection Plans shall be adhered to throughout the construction of the development on the relevant Reserved Matters Area unless otherwise approved in writing by the local planning authority.

**Reason:** To protect landscape features prior to works, vehicles and plant entering the site.

RM6 Green Roofs/Walls

The details submitted pursuant to condition [XX – “matters reserved”] shall include detailed specifications for any green/brown/biodiverse roofs and/or walls proposed for that Reserved Matters Area. The details shall include:

- A. A statement that demonstrates how the green roofs accords with any approved details as part of the approved phase framework submission
- B. The depth of substrate (to be between 100 and 200mm for biodiverse roofs unless otherwise agreed in writing)
- C. A planting mix that prioritises native species
- D. The proposed sedum coverage for any green roof
- E. The proposed irrigation system for any green walls
- F. A management and maintenance scheme

Green roofs shall be planted in the first planting season following practical completion of the building, unless otherwise agreed in writing by the Local Planning Authority. Green roofs shall not be used as recreational spaces and access shall be limited to essential maintenance or escape in the case of emergency.

**Reason:** In the interests of increasing habitat and biodiversity and to accord with Policy SS7.

RM7 Mobility Hubs

No development except for Enabling Works or works permitted by condition T1(12) and T1(15) shall take place until details of any Mobility Hubs relating to that Reserved Matters Area has been submitted to and approved in writing by the Local Planning Authority. The Mobility Hubs shall address any specific requirements or refinements relating to the Reserved Matters Area and shall accord with the Site Wide Mobility Hubs Strategy approved under condition [ ]. It shall include an implementation strategy, plans and triggers. The development shall be implemented in accordance with the approved details and shall be constructed and available for use within 12 months of the first occupation of any dwelling in that Reserved Matters Area.

**Reason:** In the interest of promoting travel choice and sustainable development.

RM8 Town and Local Centre Retail and Non-Residential Plan

Prior to or concurrent with the submission of any Reserved Matters Applications relating to parcels TC.1, TC.2, HT.2, WR.2 and AP.1 the following details for the town or local centre relating to that parcel shall be submitted to and approved in writing by the Local Planning Authority:

- A. how proposals will be formulated and designed to meet the objectives of the vision contained in the Strategic Design Principles and Cultural and Creative Strategy dated March 2022;
- B. the proposed details including phasing delivery and construction of the following uses within the town or local centre (as relevant):
  - i. Community use facilities
  - ii. Public toilets including changing places facility
  - iii. Class E uses (specifying which use and under which paragraph of Class E is proposed for each individual unit)
  - iv. convenience store
  - v. The proposed quantum and mix of the retail and non-residential uses and the proposed distribution
  - vi. The proposed marketing and letting and management strategy



- vii. The proposed arrangements for the delivery of the temporary retail and non-residential uses including temporary convenience retail use within the construction and development of each stage
- viii. The proposed role and arrangements for the management and maintenance of the retail and non-residential uses

The subsequent applications for reserved matters in relation to the above parcels shall accord with the details approved.

**Reason:** to secure the timely delivery of a vibrant and viable Town and Local Centres in accordance with CSR Policies SS6-9.

RM9 Business Hub

Prior to or concurrently with the first reserved matters application in relation to any of the Town Centre parcels TC.1 – TC.7 a Business Hub Design and Delivery Plan shall be submitted to and approved by the Local Planning Authority in writing. The Plan shall include:

- A. The proposed size, type and location of the Business Hub and how it will be integrated into the town centre within Town Centre Parcels TC.1-TC.7
- B. A delivery plan which shall include a timetable for its implementation and construction

**Reason:** to accord with Policy SS6 of the CSR

RM10 Residential Space Standards

All dwellings comprised in a reserved matters application shall meet or exceed the minimum floorspace standards within the Technical Housing Standards – Nationally Described Space Standards (2015).

**Reason:** In the interests of residential amenity.

RM11 External Noise Survey

All reserved matters applications which include the provision and construction of dwelling houses shall be accompanied by a noise survey undertaken by a competent person (defined by membership of the Institute of Acoustics) and, shall include periods for daytime as 0700-2300 hours and night-time as 2300-0700 hours, and identify appropriate noise mitigation measures. All residential units shall thereafter be designed so as not to exceed the noise criteria based on current figures by the World Health Authority Community Noise Guideline Values/BS8233 “good” conditions given below:

- A. Dwellings indoors in daytime: 35 dB LAeq,16 hours
- B. Outdoor living area in day time: 55 dB LAeq,16 hours
- C. Inside bedrooms at night-time: 30 dB LAeq,8 hours (45 dB LAm<sub>ax</sub>)
- D. Outside bedrooms at night-time: 45 dB LAeq,8 hours (60 dB LAm<sub>ax</sub>)

**Reason:** To protect the residential amenity of future occupants.

RM12 Conservation Management Plan CMP (Westenhanger Castle)

Prior to or concurrent with the submission of commencement of any development for the Early Parcels an update to the Conservation Management Plan (CMP) for Westenhanger Castle dated [ ] shall be submitted to the Local Planning Authority for approval in writing. The updates shall reflect progress in terms of evaluation, the CIPP and the milestones identified in the approved Research Strategy dated [ ] or any subsequent approved updates. The updated CMP shall include:

- A. An updated strategy for the evaluation and implementation of proposals for the Castle and Causeway and neighbouring land demonstrating how this has been incorporated into the detailed management policies for the asset.
- B. An implementation plan that demonstrates how residents and stakeholders will be involved and arrangements for public access.

Where applications for approval of reserved matters are submitted for the Castle and its environs as identified on Parameter Plans [ ] they shall conform with the approved details.

**Reason:** To secure the heritage benefits associated with the Castle and ensure the Conservation Management Plan is kept up to date in accordance with local and national heritage policies.

RM13 Waste Management (Commercial & Residential)

No development, except for Enabling Works or that permitted under condition T1(12) and T1(15), shall take place on a Reserved Matters Area until the following details have been submitted to and approved in writing by the Local Planning Authority:

- A. The arrangements for the storage, compaction and collection of refuse and recycling for all consented uses within that Reserved Matters Areas
- B. Details of how the recycling and composting of waste will be promoted including the use of soil improver made from garden waste as part of a closed-loop initiative;

The facilities approved shall be provided and made available for use by the occupiers of the commercial and residential premises prior to their first occupation. The facilities shall thereafter be retained and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order), shall be carried out on the land so shown or in such a position as to preclude access to these areas.

**Reason:** In the interests of achieving sustainable waste management.

RM14 Waste Water Treatment Works (Energy Recovery)

Prior to or concurrent with the submission of reserved matters applications relating to the on-site waste water treatment works, whether inside or outside a defined phase submitted under conditions [ ] and [ ], a WwTW Energy Recovery Feasibility Study shall be submitted to the Local Planning Authority for approval in writing. The study shall include an assessment of the feasibility of and recommendations for:

- A. recovering energy from the installation of a new Waste Water Treatment Works through a combination of biogas/CHP and
- B. extracting heat, digestate, heavy good transportation biofuel and associated renewable products from incoming sewerage and processing of the waste and recycling for use within the development.

The Feasibility Study shall also include an explanation of how the study's recommendations can be incorporated into the design of the Waste Water Treatment Works.

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

RM15 Written Scheme of Investigation (Historically Important Buildings)

No demolition of existing buildings as shown on drawing *OPM(P)3018\_YY Framework Masterplan Existing Buildings to be Demolished and Retained* shall take place on a Reserved Matters Area until:

- A. A written scheme of investigation for that Reserved Matters Area has been submitted to and approved in writing by the Local Planning Authority; and
- B. A record of any historically important buildings within that Reserved Matters Area has been undertaken in accordance with the approved written scheme of investigation and has been submitted to and approved in writing by the Local Planning Authority

The development shall be implemented in accordance with the approved plan.

**Reason:** To ensure that features of buildings of interest are properly examined and recorded.

RM16 Archaeological Written Scheme of Investigation (Fieldwork)

No development, except for Enabling Works, shall take place on a Reserved Matters Area until a written specification and timetable setting out details of any archaeological investigation and mitigation works for that Reserved Matters Area has been submitted to and approved in writing by the Local Planning Authority. The archaeological investigation and mitigation works for each reserved matters application shall be implemented in accordance with the approved specification and timetable.

**Reason:** To ensure that features of archaeological interest that are not being preserved in situ are properly investigated and recorded.

#### RM17 Preservation in situ

Within any Reserved Matters Area where the Archaeological Field Evaluation Report pursuant to Condition [ ] identified important archaeological remains or deposits to be preserved in situ, no development shall take place until full details of any Safeguarding Measures have been submitted to and approved in writing by the Local Planning Authority. Such Safeguarding Measures shall include the identification of any areas of the site where development will be excluded. The agreed safeguarding will include measures for the on-going safeguarding and management of any preserved archaeological remains and shall inform the siting and layout of any development proposals. The development shall be implemented in accordance with the approved plan.

**Reason:** In the interest of preserving or enhancing the features of archaeological interest.

#### RM18 Archaeology (Reporting)

For each reserved matters application, within 9 months of the completion on-site of the archaeological mitigation works, referred to in condition [ ] a Post-excavation Assessment Report shall be submitted to the Local Planning Authority for written approval. The Post-Excavation Assessment Report shall include an Updated Project Design and accompanying timetable for any further analysis and for the publication of the findings of the archaeological investigations and deposition of the resulting archaeological archive. The analysis, archaeological publication and the deposition of the resulting archive shall be carried out in accordance with the programme and timetable set out in the Updated Project Design.

**Reason:** To ensure the results of the archaeological investigations are made publicly accessible and to advance understanding of the significance of any the site.

#### Prior to Occupation Conditions

#### RM19 Sustainable Drainage

No building shall be occupied within a Reserved Matters Area until a verification report for that Reserved Matters Area carried out by a qualified drainage engineer has been submitted to and approved in writing by the Local Planning Authority. The report shall demonstrate with appropriate evidence (Photographs, CCTV Surveys, Delivery Tickets and As-Built Construction Drawings) that any sustainable urban drainage system to be provided on that Reserved Matters Area has been constructed in accordance with the agreed scheme.

**Reason:** In the interests of ensuring the drainage system has been built according to the approved plans. In addition to ensuring that flood risks from development to the future users of the land and neighbouring land are minimised.

#### RM20 Whole Life Carbon Assessment

Prior to the occupation of any non-domestic building in a Reserved Matters Area a post-construction monitoring report shall be undertaken in relation to that building in

accordance with current RICS Whole Life Carbon Assessment for the Built Environment guidelines (or any such equivalent national measure of sustainable building which replaces that scheme) shall be submitted to, and approved in writing by, the Local Planning Authority.

**Reason:** In the interest of monitoring energy efficiency and sustainable design and construction.

RM21 Water Efficiency Devices

Water efficiency devices, appliances, fittings and other measures to reduce water use shall be installed in all new dwellings prior to their occupation and to a specification to first be submitted to and approved in writing by the Local Planning Authority, which shall accord with the measures set out in the application to achieve an improvement in the Building Regulations targets in order to limit consumption of water by persons occupying a new dwelling not in excess of 110 litres per person per day.

**Reason:** To minimise water usage and to prevent pollution.

Continuing Requirements

RM22 Landscaping retention/replacement

Upon completion of each the approved landscaping scheme for each RMA, any proposed seeding or turfing (other than in private amenity areas serving dwellings), trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs to be replaced with those of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

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

RM23 Protection of Trees to be Retained

The development hereby permitted shall be carried out in such a manner so as to avoid damage to existing trees that are identified for retention in the approved phase framework under condition [ ] including their root systems, and other planting to be retained by observing the following:

- A. All trees to be preserved shall be marked on site and protected during any operation on site by temporary fencing in accordance with BS 5837:2012, and in accordance with the approved Tree Protection Plan and any approved Arboricultural Method Statements. Such tree protection measures shall remain throughout the period of construction for that Reserved Matters Area;
- B. No fires shall be lit within the spread of branches or downwind of the trees and other vegetation;
- C. No materials or equipment shall be stored within the spread of the branches or Root Protection Area of the trees and other vegetation;

- D. No roots over 50mm diameter shall be cut, and no buildings, roads or other engineering operations shall be constructed or carried out within the spread of the branches or Root Protection Areas of the trees and other vegetation;
- E. Ground levels within the spread of the branches or Root Protection Areas (whichever the greater) of the trees and other vegetation shall not be raised or lowered in relation to the existing ground level, unless otherwise agreed in writing by the Local Planning Authority.
- F. No trenches for underground services shall be commenced within the Root Protection Areas of trees which are identified as being retained in the approved plans, or within 5m of hedgerows shown to be retained without the prior written consent of the Local Planning Authority. Such trenching shall be carried out to National Joint Utilities Group recommendations

**Reason:** Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality in accordance with Policy EN1 of the Local Plan.

RM(24) Updated Flood Risk Assessment

*[Prior to or concurrent with the submission of any reserved matters applications that includes a bridge or embankment identified in the Development Specification [ ] an updated Flood Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority.]*

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

**Reason:** to accord with the mitigation measures identified in the Environmental Statement.

## Informatives

### 1. Tiered approval process:

The approval process as set out in these conditions is as set out in the Core Strategy Review. Each tier brought forward for approval should demonstrate compliance with that above. Once a phase has been approved by the LPA (and the phase framework has been agreed) reserved matters applications can be brought forward. Each reserved matters application for individual parcels or infrastructure is then determined against the framework and design specification for that phase.

As set out in these conditions reserved matters applications can only be submitted for any part of the site where a phase has been defined and all of the relevant phase framework documents have been approved (subject to certain limited exceptions). These reserved matters applications provide a further level of detailed design that needs to be in accordance with the design parameters and specifications for the phase.

### 2. S.106:

You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

### 3. Street Naming:

You are advised to contact the Official Street Naming and Numbering body for the area prior to either the sale or occupation of the new building(s). This will assist you and subsequent interests in the property in properly identifying it in legal documents and in the case of emergencies, the emergency services should already know the whereabouts of the property. Failure to secure an approved street name or number may affect your ability to purchase services such as gas, water or electricity for the property and may prevent the issue of a postcode for the address.

### 4. Compliance:

The above conditions have been ordered for ease of reference and follow the hierarchy of approvals. In terms of compliance, the developer is still responsible for all conditions

### 5. Public Rights of Way:

The Public Right of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of this Authority. All materials should be removed at the end of the construction and not left on the Highway or Highway verges.

If the above conditions cannot reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Kent County Council for such an order. Further information on the rights of way network is available via the KCC website. Please contact Kent Public Rights of Way [pro@kent.gov.uk](mailto:pro@kent.gov.uk)

### 6. Southern Gas Networks:

Presence of a low-pressure gas main on/within the application boundary. Prior to proceeding with any physical works near SGN's low pressure gas main, the applicant must arrange for the location of it to be determined on site and if requested, enter into

an Asset Protection Agreement with SGN. SGN expect the applicant to pay its associated legal costs for the negotiation of this agreement. Southern Gas Networks

#### **7. National Highways:**

Conditions [ ] where works are to Strategic Road Network & local road network. This development involves work to the public highway (strategic road network and local road network) that can only be undertaken within the scope of a legal agreement or agreements between the applicant and National Highways (as the strategic highway company appointed by the Secretary of State for Transport) and, as necessary and appropriate, the Local Highway Authority. Planning permission in itself does not permit these works.

It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary agreements under the Highways Act 1980 are also obtained (and at no cost to National Highways). Works to the highway will normally require an agreement or agreements, under Section 278 of the Highways Act, with National Highways and the Local Highway Authority. Any new access to the SRN (completely new or simply materially altered) also requires specific consent from National Highways under S175B of the Highways Act 1980.

The CTMP shall include details (text, maps and drawings as appropriate) of the scale, timing and mitigation of all construction related aspects of the development. It will include, but is not limited to: site hours of operation; numbers, frequency, routing and type of vehicles visiting the site; travel plan and guided access/egress and parking arrangements for site workers, visitors and deliveries; plus sheeting of loose loads and wheel washing and other facilities to prevent dust, dirt, detritus etc from entering the public highway (and means to remove if it occurs).

Advice on this matter can be obtained from the Spatial Planning Team, National Highways, Bridge House, Walnut Tree Close, Guildford, Surrey, GU1 4LZ. Email [PlanningSE@nationalhighways.co.uk](mailto:PlanningSE@nationalhighways.co.uk) Tel 0300 123 5000.

#### **8. Kent County Council Highways:**

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.



Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: [https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions\[1\]and-technical-guidance](https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions[1]and-technical-guidance). Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

#### 9. **Drainage:**

A formal application for connection to the public sewerage system is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk). A formal application to requisition water infrastructure is required in order to service this development. Please contact Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

Land drainage procedures, rights and legal requirements taking account of environment Agency and Lead Local Flood Authority (LLFA) requirements and advice. All works to ordinary watercourses, including widening of the channel to include additional storage will require ordinary watercourse consent from the LLFAs. It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners. Any works proposed to be carried out that may affect the flow within an ordinary watercourse (including erection of flow control structures, any culverting of an ordinary watercourse or works taking place within and/ or over the culvert or within 3 metres of the top of bank of the ordinary watercourse) will also require the prior written consent from the LLFA under Section 23 of the Land Drainage Act 1991. This includes any permanent and or temporary works regardless of planning permission.

The following points should be noted wherever infiltration drainage (such as soakaways) are proposed at a site:

- Appropriate pollution prevention methods (such as trapped gullies or interceptors) should be used to prevent hydrocarbons draining to ground from roads, hardstandings and car parks. Clean uncontaminated roof water should drain directly to the system entering after any pollution prevention methods.
- No infiltration system should be sited in or allowed to discharge into made ground, land impacted by contamination or land previously identified as being contaminated.

- There must be no direct discharge to groundwater, a controlled water. An unsaturated zone must be maintained throughout the year between the base of the system and the water table.
- A series of shallow systems are preferable to systems such as deep bored soakaways, as deep bored soakaways can act as conduits for rapid transport of contaminants to groundwater. Waste to be taken off site Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:
  - Duty of Care Regulations 1991
  - Hazardous Waste (England and Wales) Regulations 2005
  - Environmental Permitting (England and Wales) Regulations 2010
  - The Waste (England and Wales) Regulations 2011

#### 10. Land Contamination:

The applicant is advised that any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority and appropriate mitigation measures agreed.

#### 11. Contaminated materials:

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register as a hazardous waste producer. Refer to the website at <https://www.gov.uk/government/organisations/environment-agency> for more information. Above ground storage of oils, fuels or chemicals Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary containment that is impermeable to both the oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the Local Planning Authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located within the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

#### 12. Additional regulatory considerations:

Additional regulatory consideration may be required on some of specialist matters relevant to this permission as follows:

- Archaeological requirements: contact Kent County Council Heritage Conservation on [heritageconservation@kent.gov.uk](mailto:heritageconservation@kent.gov.uk) or 03000 413800.
- Protected species including bats / reptiles / great crested newts: if found during development, works must stop immediately and professional ecological advice must be sought on how to proceed. A licence may be required from Natural

England who can be contacted on email: [enquiries@naturalengland.org.uk](mailto:enquiries@naturalengland.org.uk) or phone: 0300 060 3900 / 01206 796 666.

- Nesting birds are protected under the Wildlife and Countryside Act 1981 and care should be taken in vegetation clearance works between 1st March and 30th September.
- Lighting can be detrimental to foraging and commuting bats. The Bat Conservation Trust's Bats and Lighting in the UK guidance should be adhered to in the lighting design to minimise impact the proposed development will have on any foraging or commuting bats.

**13. Heritage Informative:**

Any specification and written timetable for archaeological field evaluation works should be submitted in excess of 14 days prior to the commencement of any field work. The applicant is advised to seek Scheduled Monument Consent for works covered by Condition [ ].

**14. Crime and Disorder Prevention Informative:**

The applicant is advised to seek the input of the Kent Police Crime Prevention Design Advisors (CPDAs) to ensure that all efforts are made to incorporate the principles of Designing out Crime (A Kent Design Guide for Developers Designers and Planners) into the high-quality design of any proposal.

**15. Multi-storey Building Informative:**

If the building(s) are to be constructed with a timber frame, the Council strongly recommends that a sprinkler system is installed to serve the building(s).

**16. Appeals to the Secretary of State:**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within 6 months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, telephone No. 0117 372 8000 or [www.planninginspectorate.gov.uk](http://www.planninginspectorate.gov.uk)