

LAND AT THE HILL, LITTLEBOURNE
APPEAL REFERENCE: APP/J2210/W/25/3373183
SCHEDULE OF CONDITIONS IN THE EVENT OF THE APPEAL BEING ALLOWED
AGREED FINAL (2)

1. Details of the access, appearance, landscaping, layout, and scale ("the reserved matters") for the development shall be submitted to and approved in writing by the local planning authority before any development within each phase takes place and the development of each phase shall be carried out as approved.

Reason: This is an outline permission, and these matters have been reserved for the subsequent approval of the Local Planning Authority, and as required by Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Applications for the approval of the reserved matters for each phase of the development shall be made not later than the expiration of three years from the date of this permission.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. The development hereby permitted shall commence before the expiry of two years from the date of the approval of the last of the reserved matters to be approved.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. The development hereby permitted shall be carried out in accordance with approved Site Location Plan Drawing no. 09538-FPCR-XX-XX-DR-L-0002

Reason: To appropriately define the extent of the site to which the permission relates

5. The Reserved Matters submitted pursuant to Condition 1 should be in broad accordance with the following drawings:

- Drawing no. 09538-FPCR-XX-XX-DR-L-0001 rev P15 – Development Framework Plan
- Drawing no. 09538-FPCR-XX-XX-DR-L-0004 rev P06 – Open Space Provision Plan

Reason: To act as a guide to the submission of Reserved Matters so that the scheme of Reserved Matters aligns broadly to the nature of the scheme as considered at the outline stage.

6. The development hereby approved shall comprise:

- A maximum of 300 dwellings;
- 400sqm of local shopping/community facility floorspace; and,
- A minimum of 2 Local Equipped Area for Play (Minimum 400 sq m of play space) and 1 Neighbourhood Equipped Area for Play (Minimum 1,000 sq m of play space)

Reason: To define the extent of development for which permission is granted.

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7. The Reserved Matters submitted pursuant to Condition 1 shall be submitted in line with a Phasing Plan for the development, which has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and constructed in accordance with the approved Phasing Plan.

Reason: In the interest of securing a co-ordinated development of the site.

8. Prior to or as part of the first reserved matters application for any housing, a housing mix statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall broadly align with the housing mix as set out in the Council's Housing and Homelessness Prevention Strategy and/or any other evidence that the Council has produced of District need. This should also include provision of dwellings which such as bungalows or adaptable dwellings which are particularly suited to older persons housing needs at up to 10%. The Reserved Matters shall accord with the approved mix.

Reason: To ensure the proposed development appropriately meets housing needs and provides inclusive and accessible dwellings to meet the changing needs of households, in accordance with the principles of the NPPF and Policies DBE1, DBE3 and DBE5 of the Canterbury District Local Plan 2017.

9. No development shall commence until the applicant, or their agents or successors in title, has secured the implementation of:
 - A) Before the submission of reserved matters for the phase, the applicant (or their agents or successors in title) shall secure and have reported a programme of archaeological field evaluation works, in accordance with a specification and written timetable which has been submitted to and approved by the local planning authority.
 - B) Following completion of archaeological evaluation works, no development shall take place until the applicant or their agents or successors in title, has secured the implementation of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the local planning authority.
 - C) The archaeological safeguarding measures, investigation and recording shall be carried out in accordance with the agreed specification and timetable.
 - D) Within 6 months of the completion of archaeological works a Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:
 - a. A description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development;

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b. An Updated Project Design outlining measures to analyse and publish the findings of the archaeological investigations, together with an implementation strategy and timetable for the same;

c. A scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.

E) The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with policies HE11 and HE12 of the Canterbury District Local Plan 2017 and the National Planning Policy Framework.

10. No development shall commence within any phase of development until a Construction Environment Management Plan (CEMP) for that phase of development has been submitted to and approved in writing by the local planning authority. The CEMP shall include and provide for:
- i) the management and routing of construction traffic including: the location of access points for site traffic, routes within the site to be kept free of obstruction, details of the routing of construction traffic for other areas of the allocated site, parking of construction vehicles and vehicles of site operatives and visitors, wheel washing facilities, a scheme for the prevention of surface water discharges onto the highway, a travel plan for construction workers and directional signage on and off site. Construction access shall only be from the A257/The Hill and there shall be no construction access from Bekesbourne Lane;
 - ii) loading and unloading of plant and materials;
 - iii) the location and size of site compounds and areas for storage of plant and materials to be used in constructing the development;
 - iv) the location and form of temporary buildings and temporary lighting, details of the erection and maintenance of security hoardings;
 - v) details for the safe storage of any fuels, oils and lubricants;
 - vi) a scheme to control surface water run-off, prevent pollution and manage flood risk to ensure surface water discharge and quality is controlled during the construction phase;
 - vii) details of temporary pedestrian and cycle routes;
 - viii) a scheme for the handling and storage of topsoil;
 - ix) measures, including the construction of exclusion zones, to prevent soil compaction in large scale planting areas and measures to remediate soil compaction;
 - x) details of measures to protect trees, hedgerows and water features;
 - xi) a scheme for the protection of areas of ecological interest and mitigation of any harm to such areas, including timing of works and precautionary work practices;
 - xii) measures to control the emission of dust and dirt during construction;

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xiii) measures for the control of noise and vibration during construction, including delivery and construction working hours;

xiv) a scheme for recycling/disposal of waste resulting from construction works;

xv) procedures for maintaining good public relations, including complaint management procedures, community consultation and liaison;

The development of each phase of development shall be carried out in accordance with the approved CEMP throughout the construction period of the phase of development.

Reason: In the interests of highway safety and to ensure pollution prevention measures are in place for all potentially polluting activities during construction in accordance with policies DBE3 and QL12 of the Canterbury District Local Plan 2017 and the National Planning Policy Framework

11. No development shall commence in any phase of development, until a detailed sustainable surface water drainage scheme (including maintenance details) for the site has been submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall be based upon the principles within the Flood Risk Assessment and Outline Surface Water Drainage Strategy report (Issue 4 – 09/04/2024) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters and that appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption including if by any public body or statutory undertaker.

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

Reason: In the interests of nature conservation and to ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with policy CC11 of the Canterbury District Local Plan 2017.

12. No development shall commence in any phase of development until details of the proposed means of foul sewerage disposal including maintenance arrangements and a timetable for provision for that phase of development, have been submitted to, and approved in writing by, the Local Planning Authority. The dwellings in each phase of development shall thereafter be only occupied in accordance with the approved details and timetable.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of foul water and to ensure that the development does not exacerbate the risk of on/off site flooding, in accordance with policy CC11 of the Canterbury District Local Plan 2017.

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13. No building shall be occupied on any phase (or within an agreed implementation schedule) of the development until a Verification Report, pertaining to the surface water drainage system for that phase, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and confirmation of its operation and maintenance in accordance with approved details.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with Policy CC11 of the Canterbury District Local Plan 2017 and subsequently maintained.

14. The Reserved Matters submitted pursuant to Condition 1 shall include a highway link for motorised vehicles between The Hill and Bekesbourne Lane and such link will be completed and available for public use by the occupation of no more than 50 dwellings.

Reason: In the interest of highway safety

15. No development shall take place until replacement car parking spaces on The Hill (if existing spaces would be lost as a result of the design of the access to the site), have been provided in accordance with details, of the construction and location of those car parking spaces, that have been submitted to and approved in writing by the Local Planning Authority. The car parking spaces shall thereafter be permanently available and without restriction for use by members of the public.

Reason: In the interest of highway safety

16. No dwelling on the development shall be occupied until a Travel Plan, including methods to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement as necessary. The Travel Plan shall be implemented and adhered to throughout the lifetime of the development, or that of the Travel Plan itself, whichever is the shorter.

Reason: In the interests of sustainable development, and to reduce dependency on the private car, in accordance with Policies SP1 and T1 of the Canterbury District Local Plan 2017.

17. Should any trees or hedgerows on site, as recorded/photographed in the report by FPCR for Gladman Developments Ltd entitled "The Hill, Littlebourne LANDSCAPE AND VISUAL APPRAISAL October 2023" be removed, they shall be replaced prior to the any occupation of

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the development hereby approved and shall be included within the landscape details that shall be submitted pursuant to condition 1 of above.

Reason: In the interests of the visual amenities of the area in accordance with policies DBE3 and LB10 of the Canterbury District Local Plan 2017.

18. Prior to the installation of any external lighting on an approved phase of development, a lighting design plan for that phase, with consideration of the potential impacts on biodiversity, shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall show the type and locations of external lighting (including residential and street lighting) and the expected light spill in lux levels, demonstrating that areas to be lit will not adversely impact biodiversity.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved plan and shall be retained as approved thereafter.

Reason: In the interests of nature conservation, in accordance with policy DBE3 and LB9 of the Canterbury District Local Plan 2017

19. No development shall commence (including ground works or vegetation clearance) until an Ecological Mitigation, Management and Enhancement Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall include the following details:

- Updated ecological appraisal (if ecological appraisal submitted with application is more than two years old) and recommended species specific surveys (if required)
- Description, plan and evaluation of the features to be retained, created / managed.
- Aims and objectives of management and mitigation.
- Appropriate management options for achieving aims and objectives.
- Prescriptions for management and mitigation actions.
- Details of how the habitats will be established / enhanced and protected.
- Timings of the works and how they correspond with the construction time table.
- Ongoing habitat and species monitoring and remedial measures.
- Enhancement features for the site and buildings to support reptiles, hedgehogs, bats, breeding birds and invertebrates.
- Habitat enhancements in the form of a Biodiversity Gain Plan to achieve a 20% biodiversity net gain.

The approved Strategy and Biodiversity Gain Plan will be implemented in accordance with the approved details.

Reason: In the interests of nature conservation, in accordance with policy DBE3 and LB9 of the Canterbury District Local Plan 2017. The provision of at least 20% BNG as benefit over and above the statutory minimum 10% BNG constitutes a benefit which has partly justified the on-balance decision to grant of outline planning permission.

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20. 20% of new homes within the development shall meet the accessibility and adaptable dwellings Regulation M4(2) of the Building Regulations (as amended).

Reason: To ensure the proposed development provides inclusive and accessible dwellings to meet the changing needs of households, in accordance with the principles of the NPPF and Policy DBE5 of the Canterbury District Local Plan 2017.

21. No development shall commence until a site-wide Energy Strategy for the development is submitted to, and approved in writing by, the Local Planning Authority. The strategy shall include details of the overarching strategy for energy and heat delivery to the development, measures to minimise the demand for energy, energy efficiency measures and the use of renewable energy. The development shall thereafter be carried out in accordance with the approved site-wide Energy Strategy.

Reason: In the interests of achieving sustainable development and to prevent pollution, in accordance with the aims and objectives of policies DBE3 and QL12 of the Canterbury District Local Plan and the National Planning Policy Framework.

22. That part of the site broadly identified as the location for Community Facilities on drawing 09538-FPCR-XX-XX-DR-L-0001 rev P15 the details of which are to be approved through submission of Reserved Matters pursuant to Condition 1, shall only be used for a use falling within use classes E(a, b, d, e or f) and F2(b,)and for no other use notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (or any Order revoking or re-enacting those Orders).

Reason: In order to clearly define the extent of permitted uses and secure the proper development of the area to ensure that the impact of the uses have been appropriately considered taking into account their nature and location.

23. No development shall commence until a remediation strategy, which includes the following components to deal with the risks associated with contamination of the site, is submitted to and approved in writing by the local planning authority:

- A site investigation scheme, based on the Preliminary Risk Assessment 52212-R01 (00) (January 2021) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

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Reason: To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance policy QL12 of the Canterbury District Local Plan 2017 and with the National Planning Policy Framework.

24. No occupation of any part of the approved development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be 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 if required, any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that the proposed site investigation, remediation and development will not cause harm to human health or pollution of the environment, in accordance policy QL12 of the Canterbury District Local Plan 2017 and with the National Planning Policy Framework.