

Planning Committee – Supplementary agenda

A meeting of the Planning Committee will be held on:

Date: 1 June 2016

Time: 6.30pm

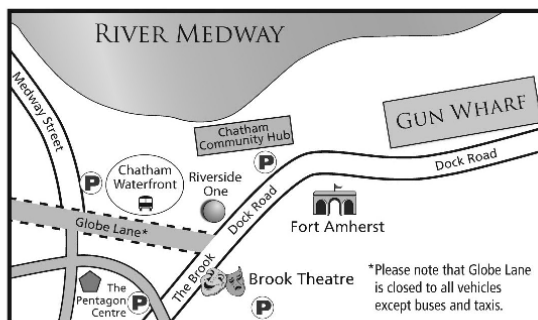
Venue: Meeting Room 2 - Level 3, Gun Wharf, Dock Road, Chatham ME4 4TR

Items

22 Additional Information - Supplementary agenda advice sheet (Pages 3 - 18)

For further information please contact **Ellen Wright, Democratic Services Officer** on Telephone: 01634 332012 or Email: democratic.services@medway.gov.uk

Date: 1 June 2016



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A summary of this information can be made available in other formats from **01634 333333**

If you have any questions about this meeting and you want to speak to someone in your own language please ring **01634 335577**

বাংলা 331780
中文 331781

ગુજરાતી 331782
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Medway Council

PLANNING COMMITTEE – 01 June 2016

Supplementary Agenda Advice

Page 12 Minute 985 Redvers Centre, Glencoe Road, Chatham
ME4 5QD

In accordance with the minutes, the Head of Planning has agreed the expenditure of the agreed £38,317.08 contribution with the Ward Councillors as follows:

1. £12,443.50 towards the provision of nursery/primary school facilities at Phoenix Junior Academy, Glencoe Road
2. £17,447.34 towards Services improvements at Chalk Pit Park (45%), MRSG (45%) and Luton Millennium Park (10%) split in the above mentioned percentages.
3. £1,155.58 towards community provisions at the Magpie Centre
4. £3,955.48 towards improving General Practitioner facilities within 0.5 miles of the development at: Bryant Street Surgery, Kings Family Practice, or the Halfway Surgery
5. £1,313.90 towards the provision of household waste and recycling facilities to the properties on this site and the wider Medway area, including leaflet production
6. Overage clause

Page 20 MC/15/4539 Land to the East of Mierscourt Road/
South of Oastview, Rainham, ME8 8JF

Recommendation

See list of amended conditions attached to this supplementary agenda

Planning Appraisal

Add new sections on Air Quality and Contamination as follows:

Air Quality

Paragraph 109 of the NPPF states that the planning system should contribute to enhancing the natural and local environment by:

“preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable

risk from, or being unaffected by unacceptable levels of soil, air, water or noise pollution or land instability”

In general compliance with paragraphs 109 of the NPPF, Local Plan Policy BNE24 states that *“Development will not be permitted when it is considered that unacceptable effects will be imposed on the health, amenity or natural environment of the surrounding area, taking into account the cumulative effects of other proposed or existing sources of air pollution in the vicinity”*.

In accordance with the Environment Act 1995 and the Air Quality Regulations 2000 and Air Quality (Amendment) Regulations 2002 three Air Quality Management Area's (AQMA) have been designated in Medway. The site is situated in close proximity to the 'High Street Rainham AQMA' which runs along the A2. The pollution within the High Street Rainham AQMA is understood to arise from traffic on the A2.

The declaration of an AQMA does not mean that there will be no new development within that area. Rather, it means that greater weight must be given to the consideration of air quality impacts and their mitigation.

In April 2016 the Council published 'Air Quality Planning Guidance' which sets out the approach the Council will take to assessing air quality and requiring mitigation in support of new developments. Under this new Guidance the Council now requires an Emissions Mitigation Assessment to be undertaken for large schemes and/or schemes in close proximity to an AQMA.

Emissions Mitigation Assessments are required to specify the measures that will be implemented as part of the development to mitigate the air quality impacts identified in the Air Quality Assessment. The Guidance requires that the total monetary value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost values calculated as part of the Mitigation Assessment.

Air Quality Assessment

As noted in the transport section of the committee report, it is anticipated that approximately 32% of the traffic generated by the development will travel north towards the junction with the A2. This equates to about 26 additional movements in the morning peak and 27 additional movements in the evening peak at this junction. This equates to an increase in movements at this junction of less than 5% at 2021, according to the Council's independent transport assessment.

Whilst the development only gives rise to a marginal increase in traffic movements, falling below the established best practice threshold for developments in close proximity to an AQMA, it is recognised that any increase in traffic could potentially exacerbate the air pollution within the High Street Rainham AQMA.

Thereby, should the development be considered acceptable it is recommended that appropriately worded conditions are attached to the permission requiring the air quality impacts of the development are assessed and properly mitigated prior to the development commencing.

The air quality assessment for the development will need to be undertaken in accordance with the Guidance. This will thereby need to include an Emissions Mitigation Assessment specifying the measures that will be implemented as part of the development to mitigate the air quality impacts identified in the Air Quality Assessment. The total monetary value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost values calculated as part of the Mitigation Assessment.

Subject to the provision of the Air Quality Assessment, Emissions Mitigation Assessment and the implementation of appropriate mitigation measures, it is considered that the application proposals are in compliance with Saved Local Plan Policy BNE24 and NPPF paragraph 109.

Contamination

Whilst the site is agricultural land, the submitted Phase 1 contaminated land assessment report has recommended further investigations are carried out due to the possibility of made ground. Should the development be considered acceptable it is recommended that various contamination conditions are attached to the permission.

Page 56 MC/16/0600 Land between Roman Way and Knight Road East of the Medway Valley Railway Line (Temple Waterfront), Strood, Kent

Recommendation

Delete Condition 1

Amend Condition 2 as follows and re-number as Condition 1:

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

Exterior Architecture Drawing Numbers: EA_1539_P_001 B,
EA_1539_P_100 B, EA_1539_P_101 B, EA_1539_P_102 B,
EA_1539_P_103 B, EA_1539_P_110 B, EA_1539_P_111 B,
EA_1539_P_112 B, EA_1539_P_113 B, EA_1539_P_114 B,
EA_1539_P_115 B, EA_1539_P_300 B, EA_1539_P_301 B,
EA_1539_P_302 B, EA_1539_P_303 B, EA_1539_P_304 B,
EA_1539_P_305 B, EA_1539_P_306 B, EA_1539_P_400,
EA_1539_P_401, EA_1539_P_410 A, EA_1539_P_411 A,
EA_1539_P_412 A, EA_1539_P_413 B, EA_1539_P_414 A,
EA_1539_P_415, EA_1539_P_416, EA_1539_P_420 B,
EA_1539_P_450, EA_1539_P_451, EA_1539_P_452, EA_1539_P_453,
EA_1539_P_454; and John Pardey Associates Drawing Numbers:

1507/100; 1507/105 A; 1507/106; 1507/110 A; 1507/200 A; 1507/202 A; 1507/203 A; 1507/204 A; 1507/205 A; 1507/207 1507/230 C; 1507/231 C; 1507/300 B; 1507/301 A; 1507/235 C; 1507/240; 1507/245; 1507/250; 1507/255; 1507/260; 1507/265; 1507/270 D; 1507/271 B; 1507/272 B; 1507/273 B; 1507/280 B; 1507/281 B; 1507/285 B; 1507/290 B; 1507/210; 1507/215; 1507/220; 1507/225; 1507/226; 1507/275; 1507/310 A; 1507/311 A; 1507/380; 1507/385; 1507/390; 1507/410 B; 1507/415 B; 1507/420 D; 1507/425 D; 1507/430 C; 1507/431 C; 1507/432 C; 1507/433 C; 1507/435 C; 1507/440 D; 1507/445 D; 1507/450 C; 1507/455 C; 1507/460 B; 1507/465 B; 1507/470 B; 1507/471 B; 1507/472 B; 1507/473 A; 1507/475 B; 1507/480 C; 1507/485 B; 1507/490 B; 1507/500 A; 1507/501 A; 1507/502 A; 1507/601; 1507/602; 1507/603; 1507/604; 1507/605; 1507/606; 1507/607; 1507/608; 1507/609; 1507/610; 1507/611; 1507/612; 1507/616; 1507/617; 1507/618.

Amend Conditions 3, 4, and 5 by combining into 1 condition as follows and number as Condition 2

2. No development above foundation level shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:
 - Sample windows for the bespoke units and the Town Houses
 - Sample weather boarding
 - 1:20 technical sections and specifications of the external envelope of the residential buildings including eaves arrangements; roof pitches; head, sill and ceiling heights; doors; and window details, positions and arrangements

The development shall be undertaken in accordance with the approved details.

Amend Condition 6 as follows and re-number as condition 3

3. Notwithstanding the landscape details hereby approved under this reserved matters, no development above foundation level shall take place until details of exact plants and planting densities for all non private areas have been submitted to and approved in writing by the Local Planning Authority. The approved planting shall be undertaken within the timetable agreed pursuant to this reserved matters and shall be maintained in accordance with the approved management arrangements.

Members attending: Cllr Mrs Chambers (Chairman); Hicks; Bowler; Bhutia; Carr; Gilry; Potter and Royle. Cllr Brake attended as Ward Councillor. Following the opening of the meeting by the Chairman, the Head of Planning set out the details of the planning application, the representation received and the planning issues for Members to consider as they related to principle, street scene, character of the area, amenity for existing and prospective occupiers, parking and means of access.

The Agent then set out his comments in support of the application, including that in his view, the plot was of sufficient size, provides adequate amenity, design in keeping with the area, and that the only reason for refusal of the previous scheme related to openness and he disputed this harm.

The Applicant then made the following points:

- Dispute argument of loss of openness
- No impact on neighbouring properties
- Suitable amenity space for new dwelling
- No harm to new occupiers
- Acceptable amenity for neighbours
- Provides parking and access

In response to questions the following answers were given:

- The street light would be moved to accommodate the access
- There would be 2m between the existing and proposed property
- Of the two side windows, one was a second window serving a lounge, while the patio doors provided the only window serving a bedroom.

Following the closing of the meeting Members then walked around the site and viewed from adjacent roads.

Recommendation

Amend Reason for refusal as follows:

The proposal by virtue of its siting, relationship to adjacent properties, scale, design, limited and constrained garden sizes serving both existing and proposed properties and prominent location, represents an overdevelopment of the site that is harmful to the character and appearance of the area and the amenities of both existing and proposed properties. The development is therefore contrary to paragraphs 56, 57, 58 and 64 of the National Planning Policy Framework 2012 and Policies H4, BNE1 and BNE2 of the Medway Local Plan 2003.

Planning Appraisal

Amenity

In support of the amended refusal, Members should reflect on observations made at the site meeting that the patio window serving the existing property is the only window serving a habitable room and that will face out onto a 1.8m

high close boarded fence 1m away and the side wall of the proposed property 2m away. This is considered to provide an unsatisfactory level of amenity to serve occupiers of that room. In addition the proposed gardens to serve both existing and proposed properties will be limited and triangular in shape, far smaller than those of surrounding properties and by their constrained nature and poor relationship to the neighbouring properties would provide for a poor level of external amenity for occupiers of both the existing and proposed properties.

Both of these amenity issues are symptoms of the overdevelopment of the proposal.

**Page 84 MC/15/2332 Medway Bridge Marina, Manor Lane,
Borstal, Rochester, Kent, ME1 3HS**

Representations

Kelly Tolhurst MP has emailed to advise that she has been contacted by residents concerned about the application and considers that the best way for Members to consider and assess those concerns would be for a deferral for a site visit.

Recommendation

Amend conditions 20, 21, and 25 so that the details required by those conditions are submitted with the reserved matters application as they are inherent parts of the scheme design.

20. The details to be submitted with the reserved matters application relating to layout shall include details of all proposed external lighting. Such details must take into consideration amenity and light pollution along with ecology, especially with regard to Bat Conservation Trust's "Bats and lighting in the UK" guidance. No other external lighting shall be installed on site other than that approved pursuant to this condition or subsequently approved in writing by the Local Planning Authority.

21. The details to be submitted with the reserved matters application relating to layout shall include the refuse storage arrangements, including provision for recyclable materials. No unit shall be occupied until the approved refuse storage arrangements to serve that unit have been provided in accordance with the approved details and they shall thereafter be retained.

25. The details to be submitted with the reserved matters application relating to layout shall include full details of the proposed pedestrian access to the site. The approved pedestrian access shall be provided prior to first occupation of any part of the development and shall thereafter be maintained.

Page 122 MC/15/4264 Land rear of existing playground in

**Shipwrights Avenue (rear of gardens
Of 30-50 (Evens) Clarence Road,
Chatham**

Additional Information

Given the concerns raised by some local residents regarding lack of on street parking availability within the locality at peak times, the applicants were asked to undertake a parking survey of the locality. This has now been submitted and demonstrates on street parking is available. An example of two typical days of assessment will be shown in the presentation.

**Page 202 MC/16/1042 Lister Haven, Ladyclose Avenue, Cliffe
Woods, Rochester, ME3 8JL**

Proposal

Amend description as follows:

Construction of single storey rear extension; alterations to roof to form gable end to side with insertion of dormers to front and rear and new window to side gable together with alterations to roofs of existing rear and side extensions.

Recommendation

Amend Condition 4 as follows

Prior to the bringing into use of any part of the new first floor area, the proposed stairwell window in the eastern gable shall be fitted with obscure glass and apart from any top hung light, that has a cill height of not less than 1.7m above internal finished floor level, shall be non opening. The window shall thereafter be retained as such.

Page 210 MC/16/0898 9 Clematis Avenue, Wigmore, ME8 0TB

Amend the fourth paragraph in the Amenity Section to refer to No.10 rather than No. 8 and the fifth paragraph to state the distance between the extension and the neighbouring property at No.10 to be 3m instead of 4m.

Amend the first sentence of the Highways section to:

The proposed development would not result in any increase in the number of bedrooms.

**Page 226 MC/16/1140 2 Watson Avenue, Horsted, Chatham,
ME5 9SH**

Additional Representation

One additional representation received raising the following concerns:

- Scale of development
- Loss of privacy
- Boundary line is incorrect shows the curtilage extending into the garden of 309 Maidstone Road to the south and is reflected in accurately on one of the drawings

Applicant response

In response to the representation received, the site outline has been amended by drawing number 1515 3 Rev A received 31 May 2015.

Amended Conditions

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

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

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

Drawing numbers: A674 01 Rev G, A674 02 Rev C, A674 03 Rev C, A674 04 Rev C, A674 05 Rev C, A674 06 Rev C, A674 07 Rev C, . A674 10, A674 11, A674 15 Rev C, A674 16, A674 019 Rev E, A674 020 Rev E, A674 21, A674 22, A674 23, A674 24, A674 25, 10791-T01 Rev P3, 10791-T05 Rev P2, 10791-T06 Rev P2, 10791-T07 Rev P2, 10791-T08 Rev P3, 1717 03 E, 150806-F-01-01, 150806-F-01-02, 150806-F-02-01, 150806-F-02-02 and House Type Brochure

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

- 3 No development above foundation level shall take place until details and samples of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- 4 No development above foundation level shall take place until details of measures to minimise the risk of crime, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) including a timetable for implementation, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented and thereafter retained.

Reason: In the interests of security, crime prevention and community safety and in accordance with policy BNE8 of the Medway Local Plan 2003.

- 5 No development above foundation level shall take place until full details of all hard and soft landscaping, boundary treatment and any artefacts to be located within external areas, submitted to and approved in writing by the

Local Planning Authority. A timetable for the implementation of these details shall also be submitted to and approved in writing by the Local Planning Authority.

Hard landscaping works shall include all paving and external hard surfacing material (including safe surfacing for play equipment). Minor artefacts and structures shall include play equipment, seating, refuse receptacles, planters, tree grilles and any other decorative feature(s). The approved hard landscape details shall be completed in accordance with the approved timetable and thereafter be retained.

Soft landscape works shall include details of planting plans, written specifications (including cultivation and other operations associated with grass and plant establishment and aftercare, schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or completion of the development, whichever is the earlier. Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Authority gives written consent to any variation.

The boundary treatment details for the entire site and individual properties shall be provided and shall include a plan indicating the positions, design, materials and type of boundary treatment to be erected. The approved boundary treatment shall be completed in accordance with the approved timetable and thereafter be retained.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality and afford residents good levels of amenity in accordance with policies BNE1, BNE2, BNE6 and L4 of the Medway Local Plan 2003.

- 6 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to the Local Planning Authority for approval in writing prior to the occupation of the development. The landscape management plan shall be carried out as approved.

Reason: Pursuant to condition 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 policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 7 No development above foundation level shall take place until details of all external lighting, including for open parking courtyard areas, enclosed parking spaces, any individual covered parking area and areas of communal open space, has been submitted to and approved in writing by

the Local Planning Authority. The details of the lighting shall include design, the exact position, light intensity and spillage and be illustrated on the associated landscaping plans. The lighting shall be installed in accordance with the approved details prior to the first occupation. The approved lighting shall be retained in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and to ensure the provision of lighting does not result in glare or light overspill to surrounding properties in accordance with policies BNE2 and BNE5 of the Medway Local Plan 2003.

- 8 Prior to the occupation of any residential unit, a Parking Management Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall include details of the allocation of spaces to individual dwellings, visitor parking and reviewing the plan. The Parking Management Plan shall thereafter be implemented in accordance with the approved details prior to first occupation of the development.

Reason: To ensure efficient management of resident and visitor parking within the development to preserve the amenity of existing and future residents in accordance with policies BNE2 and T13 of the Medway Local Plan 2003.

- 9 Prior to the first occupation of any flat block details of secure, enclosed and covered cycle storage facilities for that flat shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall thereafter be constructed in accordance with the approved details and made available for use prior to first occupation of the flat block to which it relates and thereafter retained.

Reason: To provide suitable cycle storage facilities in accordance with policy T4 of the Medway Local Plan 2003.

- 10 Notwithstanding the approved plans, no development above foundation level shall take place until, details of the refuse and recycling storage for apartment blocks A, B and C have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of those units and retained thereafter.

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

- 11 No development shall take place until detailed reptile, bats, birds, badgers, mitigation strategies and management plans have been 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 safeguard protected species in accordance with policy BNE37 of the Medway Local Plan 2003.

12 In this Condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs a) and b) below shall have effect until the expiration of 5 years from the date of occupation of the building for its permitted use.

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with British Standard 3998 (Tree Work).

b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this Condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the Local Planning Authority.

Reason: Pursuant to condition 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 policies BNE1, BNE6, BNE41 and BNE43 of the Medway Local Plan 2003.

13 No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include amongst other matters details of: hours of construction working; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control and site contact details in case of complaints. The construction works shall thereafter be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of nearby properties and to avoid any irreversible detrimental impacts to human health in accordance with policy BNE2 of the Medway Local Plan 2003.

14 Unless otherwise agreed by the Local Planning Authority, development

other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 15 to 17 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition 17 has been complied with in relation to that contamination.

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

15

A desk top study, investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, including risks to groundwater, whether or not it originates on the site. The scheme shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The desk study, investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

16

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 must be prepared, and submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not

qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

- 17 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of any development (other than development required to enable the remediation process to be implemented) unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given not less than two weeks written notification prior to the commencement of the remediation scheme works.

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and submitted to and approved in writing by the Local Planning Authority prior to the bringing into use of the development.

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

- 18 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 15, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 17, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in the approved remediation scheme a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 18 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 18.

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

- 19 No development shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and

management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

Those details shall include (if applicable):

- (i) a timetable for its implementation, and
- (ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To manage surface water during and post construction and for the lifetime of the development.

- 20 No development shall take place until a drainage strategy detailing the proposed means of foul and surface water disposal and a implementation timetable, has been submitted to and approved in writing by, the local planning authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: To manage foul and surface water for the lifetime of the development.

- 21 No drainage system for the infiltration of surface water drainage into the ground is permitted other than with the express written consent 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 controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To protect the underlying ground water from the risk of pollution and in accordance with the requirements of the National Planning Policy Framework.

- 22 No development shall take place until an Air Quality Assessment, which shall include modelling of the impacts of traffic generated by the development upon the High Street Rainham Air Quality Management Area, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and minimising air pollution in accordance with policy BNE24 of the Medway Local Plan 2003 and paragraph 109 of the NPPF.

- 23 No development shall take place until an Air Quality Emissions Mitigation Assessment and Statement has been submitted to and approved in writing by the Local Planning Authority. The Assessment and Statement shall be prepared in accordance with the Medway Air Quality Planning Guidance, and shall specify the measures that will be implemented as part of the

development to mitigate the air quality impacts identified in the Air Quality Assessment approved under condition 22. The total monetary value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost values calculated as part of the Mitigation Assessment. The development shall be implemented entirely in accordance with the measures set out in the approved Mitigation Statement. As a minimum the following air quality mitigation measures shall be provided:

- All gas fired boilers to meet a minimum standard of <40mgNOx/kWh;
- 1 Electric vehicle charging point per dwelling with dedicated parking or 1 charging point per 10 spaces (unallocated parking);
- Mitigation in accordance with the Institute of Air Quality Management (IAQM) Guidance on the Assessment of Dust from Demolition and Construction.

Reason: In the interests of amenity and minimising air pollution in accordance with policy BNE24 of the Medway Local Plan 2003.

- 24 No development above foundation level shall take place until a detailed design for a new footway on the eastern side of Mierscourt Road and pedestrian refuge has been submitted to and approved in writing by the Local Planning Authority. The detailed design for the footway shall include a link to the existing bus stop, and an optional link to the existing footpath south of Oast View. A timetable for the provision of the new footway and pedestrian refuge shall be submitted and approved in writing and thereafter the new footway and pedestrian refuge shall be constructed in accordance with the approved details and timetable.

Reason: To provide an attractive and safe means of pedestrian access in accordance with Policy T3 of the Medway Local Plan 2003.