

**Planning Inspectorate**

Appeal Decision

Site visit made on 2 December 2025

by I A Dyer BSc (Eng) FCIHT

an Inspector appointed by the Secretary of State

Decision date: 23rd January 2026

Appeal Ref: APP/V2255/W/25/3368586

Former Kingsfield Care Home, Jubilee Way, Faversham ME13 8GD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Churchill Living Ltd against Swale Borough Council.
 - The application reference is 24/505332/FULL.
 - The development proposed is retirement living accommodation for older people (sixty years of age and/or partner over fifty-five years of age) comprising 48 retirement apartments and three retirement cottages including communal facilities, access, car parking and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for retirement living accommodation for older people (sixty years of age and/or partner over fifty-five years of age) comprising 48 retirement apartments and three retirement cottages including communal facilities, access, car parking and landscaping at Former Kingsfield Care Home, Jubilee Way, Faversham ME13 8GD in accordance with the terms of the application, Ref 24/505332/FULL, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The site lies in close proximity to the Faversham Conservation Area and four Listed Buildings. I have, therefore, had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).
3. A signed Planning Obligation, in the form of a Unilateral Undertaking (UU) was provided by the appellants, relating to various social, ecological and infrastructure contributions to mitigate the effects of the proposal. The UU includes a 'blue pencil' clause. I return to this matter later in the decision.
4. Since the Council made its decision the Government has, on 16 December 2025, published a consultation document regarding proposed changes to the National Planning Policy Framework (the draft Framework), together with proposed reforms and other changes to the planning system. This document was accompanied by a Written Ministerial Statement.
5. The consultation and draft Framework do not constitute Government policy or guidance, although they may be treated as material considerations in appeals. The proposed reforms are in draft and therefore may be subject to change before the final document is published and so the draft Framework carries limited weight in my deliberations.

6. There is, within the draft proposals, little change to the thrust and direction of the National Planning Policy Framework (the Framework) and this remains substantially unaltered in regard to the matters in dispute in this appeal. It has, therefore, not been necessary to consult the parties concerning the documents.

Main Issues

7. The Council have set out in their written statement the matters still in dispute between the parties, and these are confirmed in a Statement of Common Ground. On this basis the main issues in this appeal are whether the proposal makes appropriate provision for: -
- National Health Services Healthcare
 - Waste disposal; and: -
 - Fitness equipment.

Reasons

Background

8. The parties have agreed a Statement of Common Ground, and it is a matter of agreement that the proposal is acceptable in principle.
9. The site is located within the built-up area boundary of Faversham and is a disused care home. To the north and east of the site lies residential development. Former industrial warehouses and a sports centre lie to the west, across Jubilee Way.
10. The proposal would demolish the existing building and replace it with 48 retirement living apartments and 3 retirement living cottages for independent retired people with associated communal facilities, vehicular access, car parking and landscaping.
11. Whilst many of the contributions within the UU are agreed between the parties as set out in the Statement of Common Ground, it is necessary that I consider those matters, and their associated contributions, that remain in dispute against the tests that require the obligations to be a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development. The UU includes a 'blue pencil' clause. This has the effect that if I find that any of the contributions do not comply with the tests, then they fall away.

Healthcare services

12. A contribution of £22,464 is included in the UU to be paid to the NHS for the refurbishment, reconfiguration and/or extension of existing general practice and other healthcare premises covering the area of development or new premises for general practice or healthcare services provided in the community in line with the healthcare infrastructure strategy for the area.
13. The proposal would increase the local population, and, thereby, demand on local healthcare facilities. This is particularly relevant to this proposal as the proposed development comprises specialist accommodation for older people enabling longer independent living. The NHS identifies that there is currently limited capacity within existing healthcare facilities and that this demand, and that from other local development, needs to be addressed by increased capacity local to the

development. The NHS identifies that the additional demand from this proposal would fall, in all likelihood, predominantly on the Newton Place Surgery and Faversham Medical Practices, within whose operative areas the site lies, and it is in this area that the money would be spent.

14. The appellants have brought my attention to an appeal at 26-38 Commercial Road, Paddock Wood¹. In that appeal the Inspector did not consider that it had been identified with sufficient clarity where the monies would be spent. It will be seen, above, that the NHS have identified where these moneys will be committed, and so that is not the case here.
15. The appellants identify that the provision of their proposal would result in savings to the NHS. However, this relates to revenue savings whilst the identified need is for infrastructure.
16. There is no certainty that the future occupiers currently live within the catchment of the facilities that would bear the brunt of the demand from the proposal. Whilst those patients would already have healthcare needs in their current location, any relocation would be likely to result in their changing practice and thus alter demand locally. Whilst central NHS funding for treatment would follow, it is necessary to ensure that the base infrastructure is available to accommodate future patient demand.
17. Further, any homes becoming vacant as a result of future occupiers of the development relocating would not remain so, and new occupiers would move in and need healthcare infrastructure.
18. The contribution is based on occupancy of the accommodation and is, therefore directly proportionate to the local increase in demand for healthcare.
19. The Council, through Policy CP5 of Bearing Fruits 2031 - The Swale Borough Local Plan (2017) (the Local Plan), promotes the health of the Borough's population and the provision of appropriate healthcare facilities, whilst Policy CP6 aims to provide community facilities and services to meet local needs, identifying in Statement 6 of the Local Plan, that health facilities are within the definition of infrastructure.
20. The Framework identifies that part of the social objective of good planning is to support healthy communities. Further, the Framework identifies that planning decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lives through both promoting good health and preventing ill-health.
21. I therefore find that the provision of the healthcare contribution is necessary to make the proposal acceptable, and is directly and fairly related to the proposal, thus satisfying the tests.

Waste disposal

22. The UU makes provision for a contribution of £7248.63 to be paid to Kent County Council (KCC) for increasing capacity at Waste Transfer Stations (WTSs) as part of their duties as the local Waste Disposal Authority (WDA). The proposal would, as identified above, increase the number of local residents.

¹ PINS Ref: APP/M2270/W/3225289

23. These residents would have needs for the disposal of domestic waste and thus increase demand on the existing infrastructure of WTSs. The WDA has calculated that, on average, Kent households generate 1/2 of a tonne of waste that needs to be processed at WTSs each year. Thus, each of the households within the proposed development would contribute to an increase in pressure on the WTS infrastructure.
24. The Kent Waste Disposal Strategy 2017-2035 makes provision for contributions to be sought towards the extension or upgrading of existing Waste facilities, or towards the creation of new facilities where a proposed development is likely to result in additional demand for Waste services.
25. The WDA has calculated the proportionate costs, on a per household basis, for additional provision in line with housing growth during the period of the Development Plan. From this the scale of the contribution required by the Council has been calculated for an average household.
26. The appellants argue that the proposal would not provide for a typical household, as the accommodation is mainly in the form of small, flatted development, primarily is single person occupancy, and the grounds would be managed by a management company, thus obviating the generation of garden waste on an individual household basis.
27. Nonetheless, garden waste would still be generated, albeit pooled over the entire development. No specific means of its disposal has been identified that would not use the WDA facilities. Further, green waste is not restricted to garden waste, but also includes kitchen waste, which will be generated by occupiers.
28. In calculating an average, in terms of generation per household, the WDA has produced a practicable, manageable means of allocating costs for additional infrastructure generated by development. Generating individual costs based on the likely specifics of any particular household within a proposed development would be unwieldy and impractical. I find that the WDA and Council have adopted a pragmatic, practicable approach within the planning system.
29. Waste disposal facilities qualify as public service infrastructure as defined in Statement 6 of the Local Plan and is therefore within the remit of Policy CP6 of the Local Plan. Thus, the mitigation of additional demands on such infrastructure is justified within that policy.
30. I therefore find that the planning obligation is necessary to meet the policy requirement for the provision of adequate infrastructure, and is directly related to the development as it is sought to address the effects of increased waste generated by the development. By calculating the tariff based on an average household, rather than the specific needs of the development on a plot-by-plot basis, the Council have related the effects of the proposal to the tariff in a sufficiently direct and practicable way. The contribution is thus fairly and reasonably related in scale and kind to the development. I therefore find that the obligation meets the tests.

Fitness equipment

31. There is dispute between the parties whether the contribution of £13,992.62, set out in the UU for the enhancement of fitness equipment on the Faversham Recreation Ground fulfils the test on necessity.
32. Policy CP5 of the Local Plan seeks to promote, protect and work to improve the health of Swale's population, and reduce health inequalities. It identifies that the policy will seek to safeguard or provide as appropriate, open space, sport and recreation in accordance with Policy DM 17, where this is appropriate.
33. Statement 6 of the Local Plan identifies social and community facilities, sports facilities, open spaces (including accessible natural space), and parks, as social infrastructure and so such facilities fall within the scope of Policy CP6 in regard to the provision of infrastructure, as appropriate, in association with development proposals.
34. Policy CP7 of the Local Plan seeks to ensure that natural assets are enhanced, as appropriate, by seeking the provision of new recreational facilities in accordance with Policy DM17.
35. Policy DM17 of the Local Plan seeks, where it is not appropriate to make provision for new open space, as would be the case here, to make contributions to the off-site funding of facilities to meet local deficiencies or to the qualitative or quantitative improvement of existing provision.
36. The contribution requested by the Council has been calculated using the sum as set out in the Council's Open Space Strategy, modified to reflect the likely usage of residents of the proposed retirement development.
37. The Framework seeks to promote healthy communities and prevent ill-health, for example through the provision of accessible sports facilities, to provide the recreational services the community needs of social and cultural well-being for all sections of the community.
38. The proposal is specifically for persons aged sixty years and over, with partners over 55 years of age. Whilst usage of outdoor sports and fitness equipment may fall off as residents age, and this has been addressed by a reduction in the tariff, that does not mean that they should not have the opportunity to maintain and prolong a healthy lifestyle through out-door exercise.
39. The appellants have identified that provision already exists at Faversham Recreation Ground. However, the proposal, through increasing the local population, would increase the demand for and reliance upon such facilities. Further, the contribution would allow the enhancement of the facilities to address any specific needs of the demographic of future occupiers.
40. Given the location of the recreation ground in regard to the appeal site I find that the provision would directly relate to the proposal.
41. I therefore find that the planning obligation is necessary to meet the policy requirement for the provision of adequate infrastructure, and is directly related to the development, as it is sought to address the effects of increased demand for facilities generated by the development. By adjusting the tariff on the basis of the demographic of future occupiers, the Council have related it to the specific needs of

the proposal and so the contribution is fairly and reasonably related in scale and kind to the development. I therefore find that the obligation meets all of the tests.

Other Matters

Heritage

42. The site is located within close proximity to the Faversham Conservation Area (the CA) and four Grade II Listed Buildings (LBs); the former Goods Shed to Faversham Station, Gardener's Lodge, Church of St. Saviour and Boundary Stone sited 50m northwest of Gardner's Lodge.
43. Whilst the parties are in agreement that the proposal would not have an unacceptable effect on the CA or LBs, the Act places a duty on me to have special regard to sections 66(1) and 72(1) of the Act. I have, therefore considered the effect of the proposal on heritage assets further. The parties have had the opportunity to comment on the effect of the proposal on heritage assets and I do not consider that any party would suffer injustice in my so doing.
44. The heritage significance of the CA derives from its architectural, artistic and historical interests and relate primarily to the area's historic development and relationship with the railway, as well as the development and design of civic communal spaces like the Recreation Ground and Cemetery.
45. The appeal site can be seen in views of Jubilee Way. However, due to the local topography of the CA the current building is not perceived to be dominant in the landscape and does not draw attention away from the Conservation Area. The proposal will be experienced against the contemporary residential backdrop of its surrounding area. The appeal site lies some way from the cemetery and the recreation ground and does not inform their immediate settings due to intervening development and planting. I therefore find that the proposal would conserve the historic significance of the CA.
46. The significance of the former Goods Shed to Faversham Station (Grade II Listed; Ref: 1261086) relates to its historic and architectural interest associated with the operational needs of the railway network. The setting of the LB insofar as it relates to this appeal, relates to its position on Jubilee Way and its relationship to the surrounding warehouses which form a group relating to the operation of the railway network, which is still evidenced by the line to the south.
47. The proposal would be some distance from the LB but appears in views along Jubilee Way towards the Listed Building. However, in its context it would not draw the eye away from, or interrupt these views of, the LB and would conserve its historic interest.
48. The significance of the Gardener's Lodge (Grade II Listed; Ref: 1240641) derives from its historic and architectural interests. Its setting is defined by its position within the Faversham Recreation Ground. There is no visual linkage between the appeal site and the LB, due to the local topography and intervening development and vegetation. The proposal will not, therefore, impact on the setting of the LB and its historic interest will be conserved.
49. The significance of the Church of St Saviour (Grade II Listed; Ref: 1240313) derives from its historic and architectural interests. Its setting is defined by its position on the north side of Whitstable Road and corner of Cyprus Road, facing

the Recreation Ground. Again, there is no visual linkage between the appeal site and the LB, due to intervening development. The proposal will not, therefore, impact on the setting of the LB and its historic interest will be conserved.

50. The significance of the Boundary Stone sited 50m northwest of Gardner's Lodge (Grade II Listed Building; Ref: 1240605) derives from its historic interests. Its setting is its position within the Recreation Ground. The setting is therefore limited to the Recreation Ground and there is no linkage in visual or historic terms to the appeal site. Thus, the proposal will not affect its setting and the historic interest of the LB will be conserved.
51. I therefore find that the proposal will not have any adverse effect on heritage assets and therefore accords with the aims of Policy CP8 of Bearing Fruits 2031: The Swale Borough Local Plan (2017) (the LP) in as much as this, amongst other things, seeks to sustain the historic environment.

Protected sites

52. There is no dispute between the parties that the site is located within the zone of influence (Zol) of the Swale Special Protection Area (SPA) and RAMSAR site, which is a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended) (The Habitat Regulations).
53. Notwithstanding the agreement of the main parties on these matters the Court of Justice of the European Union has ruled that the decision maker, when considering the effect that a proposal may have on the European Designated Site, must consider mitigation within the framework of an Appropriate Assessment (AA) rather than at the screening stage. This responsibility now falls to me within this appeal.
54. Within the development plan the north Kent Strategic Access Management Plan and Monitoring Scheme (SAMMS) incorporates strategic mitigation measures to be delivered to avoid adverse impacts.
55. There is a potential impact pathway whereby development within the Zol is likely to result in significant effects on the SPA in regard to the effects of urbanisation, with a particular focus on the effects of disturbance from recreational activities arising from new residents, on the over-wintering bird interest at the SPA.
56. The development would increase the number of residents within the district who would be likely to participate in recreational activities in the locality. Thus, the development would, alone or in combination with other development, result in a likely significant effect on the integrity of the SPA, as a result of recreational pressures.
57. Through the development of the SAMMS the Council has, with the agreement of Natural England, provided a strategic district-wide approach to mitigating recreational pressures on the SPA through the securing of financial contributions for mitigating measures. As this is an agreed approach with Natural England, the proposed development can be assessed within the context of the SAMMS. On this basis I consider that this is an appropriate approach to mitigating identified harms.
58. The UU makes provision for the payment of the appropriate financial contributions, and it is a matter of agreement between the parties that the UU satisfactorily addresses this matter.

59. I therefore conclude that following mitigation secured through the UU there would be no adverse residual effect on the European Protected Site and, as a consequence, the proposal is in accordance with the requirement of Policies DM28 and CP7 of the LP which amongst other things, seeks to provide long term protection to SPAs and RAMSAR sites.

Other considerations

60. In addition to the matters discussed above, local residents have raised concerns about the disposal of surface and foul waste water. The local drainage authorities have raised no objection to the proposal and, subject to the imposition of suitable planning conditions, there is no substantive evidence before me on which I find the proposal unacceptable in this respect.

Conditions

61. I have considered the conditions agreed in the Statement of Common Ground between the appellants and the Council, together with those suggested by third parties, having regard to Planning Policy Guidance.
62. Condition 1 limits the time within which the development must be begun and is necessary to comply with the requirements of legislation, and to prevent the accumulation of unimplemented planning permissions.
63. Condition 2 is necessary to provide certainty in what this permission authorises.
64. Conditions requiring details of materials and hard and soft landscaping and boundaries have been suggested. Such details are necessary to ensure that the visual appearance of the proposal is acceptable such that the amenity of occupiers of neighbouring properties and visitors to the area is protected. These aims are achieved through Conditions 3, 4 and 5. Condition 4 also satisfies the need to encourage wildlife and biodiversity.
65. It is necessary to restrict occupancy of the proposed residential units in order to deliver the benefits indicated within the application for the provision of older persons accommodation. This is achieved by Condition 6.
66. The site lies within a residential area. Thus, a Construction and Environment Management Plan (CEMP) is necessary to safeguard the amenity of local residents. This is ensured by Condition 7. As any works on site have potential to impact neighbour's amenity or highway safety the plan is needed prior to the commencement of any work on site. The appellants have agreed the wording and necessity for this condition.
67. In order to preserve the character and appearance of the locality and the living conditions of surrounding occupiers, I have included a condition, Condition 8, requiring details of any external lighting to be installed on the development.
68. Condition 9 requires the installation and retention of measures required to achieve the identified energy efficiency and energy generation for those apartments that are detailed within the Energy Statement that accompanied the application. These are necessary to achieve the Government's intention of moving to a low carbon economy.

69. It is necessary, in the interests of highway safety and residential amenity, to secure and retain adequate space for car parking within the site, and for their manoeuvring to enter and leave the site in forward gear. This is secured by Condition 10.
70. Condition 11 secures and retains the provision of suitable cycle and buggy storage. This is necessary to ensure that the development has suitable access to appropriate and sustainable modes of transport and to reduce reliance on the private car.
71. Condition 12, requiring the installation and retention of storage facilities on the site is necessary so as to safeguard residential amenity and to support the sustainability of the site.
72. Whilst the site has been previously developed, it lies in an area previously associated with rail transport and employment. It is, therefore, necessary to ensure that any unexpected contamination encountered during the works is addressed effectively. This is achieved through Condition 13.
73. To ensure that 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 an appropriate drainage system must be secured and retained thereafter. This is achieved through Condition 14. These details and accompanying calculations are required prior to the commencement of any development other than demolition.
74. To safeguard the amenity of nearby occupiers it is necessary to control the use of impact pile drivers on the site and so I have included Condition 16.
75. The Council have suggested other conditions, the need for which is disputed by the appellants.
76. In regard to a condition suggested by the Council requiring the submission of a Verification Report pertaining to the surface water drainage system and prepared by a suitably competent person, whilst the matters within such a report are largely covered within the Building Regulations, these do not secure details of future maintenance of the system to the detail necessary and so, to secure this, I have included Condition 15.
77. The Council have suggested a condition requiring the demonstration that internal and external noise levels are acceptable for the proposed use. However, the appellants consider that the development on a site with a similar existing use suggest that the condition is unnecessary.
78. However, the existing building will be demolished and a new building constructed. The site lies in close proximity to noise-generating uses. It is necessary, in order to ensure that future occupiers would have adequate living conditions, to ensure that the new building can provide these with regard to noise disturbance. I have, therefore, included Condition 17 to this end. I have modified the wording of this condition to reflect that this need is only in regard to internal noise. I have consulted the parties in regard to the proposed wording of the condition and have taken any comments that they have made into account.
79. The Council have suggested a condition requiring that off-site water drainage works be appropriately secured. However, the off-site drainage lies outside of the control of the appellants and so the imposition of such a condition would be unreasonable.

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80. The Council has suggested a condition requiring the provision of Electric Vehicle Charging Points. These are required under the Building Regulations. The Local Highway Authority is concerned that these may not be delivered, as the Building Regulations allow for such charging points to be omitted if costs are prohibitive, whilst no such provision for their omission is made in planning policy.
81. As such, the condition would seem to make a higher requirement than an existing regulatory regime and this would be unreasonable. A case for omission of charging points would need to be made under the Building Regulations regime, in any case. Therefore, a condition to require their provision is unnecessary and would be unreasonable.
82. I have, where necessary, amended the Council's suggested wording for the conditions for clarity and to secure the ongoing provision and maintenance of some features of the development.

Conclusion

83. For the reasons given above the appeal should be allowed.

I A Dyer

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: -
 - Site Location Plan 20094FV-PL01 Rev P1
 - Site Plan 20094FV-PL02 Rev P1
 - Ground Floor Plan 20094FV-PL03 Rev P1
 - First Floor Plan 20094FV-PL04 Rev P1
 - Second Floor Plan 20094FV-PL05 Rev P1
 - Roof Plan 20094FV-PL06 Rev P1
 - Elevation AA 20094FV-PL07 Rev P1
 - Elevation BB 20094FV-PL08 Rev P1
 - Elevations CD 20094FV-PL09 Rev P1
 - Elevations EG 20094FV-PL10 Rev P1
 - Cottages plans & Elevations 20094FV-PL11 Rev P1
3. The development shall be carried out in accordance with the materials detailed within the materials schedules shown on the plans hereby approved.
4. Prior to the commencement of any above ground works, details of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The hard landscape proposals shall include hard surfacing/paving materials. The soft landscaping details shall include schedules of plants noting species, plant sizes and proposed numbers/densities.

The approved landscaping scheme shall be carried out fully prior to the first occupation of any of the apartments hereby approved. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.
5. No development beyond the construction of foundations shall take place until details of all screen and boundary walls, fences and any other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved details and the buildings hereby approved shall not be occupied until the details have been fully implemented.
6. Each unit of the development hereby permitted shall be occupied only by: -
 - i. a person aged 60 or older;
 - ii. persons living as part of a single household with the above person (i); or

- iii. persons aged 55 or older who were living as part of a single household with the above person (i) who has since died.
7. Prior to the commencement of construction works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall then be carried out in accordance with the approved Plan and BS:5228 Code of Practice for Noise Vibration Control on Construction and Open Sites 2009 (as amended) (or any subsequent revision).
- The CEMP shall include: -
- i. An indicative programme for carrying out the works, including the sequence of construction;
 - ii. Measures to minimise the production of dust on the site;
 - iii. Measures to minimise the noise (including vibration) generated by the construction process to include the careful selection of plant and machinery;
 - iv. Measures to reduce transport related air pollution from the development during construction;
 - v. Maximum noise levels expected 1 metre from the affected façade of any residential unit adjacent to the site;
 - vi. Management of traffic visiting the site including temporary parking or holding areas;
 - vii. Provision of off road parking for site operatives;
 - viii. Measures to prevent the transfer of mud and extraneous material onto the public highway;
 - ix. Measures to manage the production of waste;
 - x. Measures to minimise the potential for pollution of groundwater and surface water;
 - xi. The location and design of site offices and storage compounds; and
 - xii. The arrangements for public consultation and liaison during the construction works.
8. No external lighting shall be installed until a detailed scheme of lighting has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill. The lighting shall be installed, maintained and operated in accordance with the approved scheme.

9. Prior to the first occupation of the dwellings hereby approved, the measures required to achieve the identified energy efficiency and energy generation for those apartments that are detailed within the Energy Statement (Rev B, Dated December 2024) that was submitted with the application shall be installed. Subsequently these measures shall be retained at all times.
10. The parking spaces shown on plan 20094FV_PL02 hereby approved shall be provided prior to the first occupation of any part of the development hereby approved. The parking spaces shall be retained for the use of the occupiers of, and visitors to, the development, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and reenacting that Order), shall be carried out within the parking spaces or in such a position as to preclude the use of such facilities.
11. The cycle parking and buggy storage facilities shown on plan 20094FV-PL02 shall be provided for prior to the first occupation of any part of the development hereby approved.
12. The refuse storage facilities as shown on the submitted plans (Drawing number: 20094FV_PL02) shall be provided prior to the use of the development hereby approved and retained at all times thereafter.
13. If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include: -
 - a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology;
 - b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site;
 - c) If no contamination has been discovered during the build, then evidence (e.g., photos or letters from site manager) to show that no contamination was discovered should be included.
14. Development other than demolition shall not begin until a detailed sustainable surface water drainage scheme 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 Flood Risk Assessment prepared by AWP dated 13 December 2024. The submitted scheme shall demonstrate compliance with the required technical standards at the time of submission 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 detailed drainage scheme will also be required to demonstrate that any existing surface water flow paths can be accommodated and disposed of without increase to flood risk on or off site. The drainage scheme shall also demonstrate (with reference to published guidance): -

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

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

15. No building of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, 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, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed. The drainage system shall be maintained in accordance with that operation and maintenance manual thereafter.
16. No impact pile driving in connection with the construction of the development shall take place on the site on any Saturday, Sunday or Bank Holiday, nor on any other day except between the following times:- Monday to Friday 0900 - 1700 hours unless in association with an emergency or with the prior written approval of the LPA.
17. Prior to any works above ground, a scheme to demonstrate that the internal noise levels within the residential units and internal relevant amenity areas will conform to the standard identified by the current version of BS8233 2014 - Sound Insulation and Noise Reduction for Buildings - shall be submitted to and approved in writing by the Local Planning Authority. The assessment should have regard to ProPG: Planning & Noise (2017) and the Acoustics Ventilation and Heating Guide (2020) to ensure that there is a good balance between acoustics, ventilation and thermal comfort for future occupants. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

END OF CONDITIONS