

<b>2.3 REFERENCE NO - 17/501981/FULL</b>			
<b>APPLICATION PROPOSAL</b> Erection of eight two bedroom bungalows with associated access and car parking.			
<b>ADDRESS</b> Land Adj To No. 4 Eastern Road Leysdown Sheerness Kent ME12 4QA			
<b>RECOMMENDATION</b> GRANT subject to conditions and no adverse comments being received from KCC Highways or KCC Ecology.			
<b>SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL</b>  The application site lies within the built confines of Leysdown, which is a Rural Local Service Centre as defined under policy ST3 of the emerging local plan. The proposal would represent sustainable development and the efficient use of land as a windfall housing site.			
<b>REASON FOR REFERRAL TO COMMITTEE</b> The recommendation is contrary to the views of Leysdown Parish Council			
<b>WARD</b> Sheppey East	<b>PARISH/TOWN</b> Leysdown	<b>COUNCIL</b>	<b>APPLICANT</b> South Leas Development LTD <b>AGENT</b> Michael Gittings Associates
<b>DECISION DUE DATE</b> 23/06/17	<b>PUBLICITY EXPIRY DATE</b> 08/06/17		
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>			
<b>App No</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
SW/12/1343	The siting of a residential caravan and the construction of a stable block of 4 stables to house 4 horses and change the use of the land to enable keeping of horses for recreational purposes.	Refused	08/01/13
<i>This proposal was refused on the basis that the development would be alien to an otherwise urban area, would result in over-grazing, and would be harmful to neighbouring amenities</i>			
SW/06/0042	Outline application for demolition of bungalow and erection of eight single storey dwellings.	Granted	31/03/06
<i>This was approved by the Planning Committee. The outline permission included details relating to siting / layout of the dwellings.</i>			
SW/05/1093	Outline Application for demolition of existing bungalow and erection of 10 single storey dwellings	Refused	10/10/05
This was refused by the Planning Committee on the grounds that the number of units would result in an unacceptably dense and over-intensive form of development that would be out of character with the surrounding area and harmful to residential amenity due to small garden sizes.			
SW/04/1072	Demolition of existing bungalow and erection of nine dwellings.	Withdrawn	28/01/05
SW/03/1007	Demolition of dwelling and erection of eleven new houses.	Withdrawn	28/10/03
SW/88/1836	Outline application for 5 dwellings	Approved	17/02/89

**MAIN REPORT**

**1.0 DESCRIPTION OF SITE**

- 1.01 The application site was formerly occupied by a bungalow known as Roxy, which has since been demolished. It is currently completely overgrown.
- 1.02 The site lies within the built confines of Leysdown, and measures approximately 0.2 hectares in size. Access to the site is via Eastern Road, which is unmade. The access is owned by the applicant. It also serves a number of other dwellings on Eastern Road, as well as providing pedestrian access between the Eastern Holiday Camp and The Promenade.
- 1.03 The site is surrounded by residential development to the south and east and partly to the north. The Eastern Holiday Park flanks the site to the west and partly to the north across the access road. The dwellings on Eastern Road are detached bungalows.

## **2.0 PROPOSAL**

- 2.01 This application seeks full planning permission to erect 8 bungalows on the site. An access would be created through the centre of the site, with four bungalows on each side, facing side-on to Eastern Road. The bungalows would be of the same design and form, although the applicant has stated that differing materials could be utilised to provide some variety between buildings. Each bungalow would be a 2 bed unit, with 2 parking spaces and a rear garden of approximately 8.5 metres in depth. Each unit would measure 10.5m in length, 6.6m in width and 5m in height.
- 2.02 The application also seeks to upgrade Eastern Road to a minimum of 6 metres in width, using MOT Type 1 aggregate or a rolled tarmac finish.
- 2.03 The proposal is essentially the same as the scheme approved in 2006 for 8 bungalows on the site.

## **3.0 PLANNING CONSTRAINTS**

Within built up area boundary of Leysdown

The site is an allocated housing site under the adopted local plan, with an estimated capacity of 5 units.

## **4.0 POLICY AND OTHER CONSIDERATIONS**

- 4.01 The National Planning Policy Framework (NPPF) – paragraphs 2 (primacy of the Development Plan), 7 (dimensions to sustainable development), 14 (presumption in favour of sustainable development), 17 (core planning principles), 50 (delivery of a wide choice of homes), 56-64 (good design).
- 4.02 The adopted Swale Borough Local Plan: Policies TG1 (Thames Gateway Planning Area), SH1 (Settlement Hierarchy), E1 (General Development Criteria), E19 (High Quality Design), T1 (Safe Access for New Development), T3 (Vehicle Parking), H5 (Housing allocations)
- 4.03 The emerging Swale Borough Local Plan “Bearing Fruits 2031” – ST1 (Delivering sustainable development), ST3 (swale settlement strategy), ST6 (The Isle of Sheppey area strategy), CP3 (delivering a wide choice of homes), CP4 (Good design), DM6 (managing transport demand), DM7 (parking), DM14 (general development criteria), DM28 (biodiversity).
- 4.04 Members will be aware that, following publication of the Inspector’s report, the emerging plan now carries significant weight in the decision making process.

## 5.0 LOCAL REPRESENTATIONS

5.01 2 letters of objection received –

- *There would be more bungalows on this site than in the entire road*
- *Additional traffic will cause damage to the existing bungalows, which are lightweight, timber built and with shallow foundations.*
- *An alternative access to Leysdown Road could be provided.*
- *Damage to existing road*
- *These sites are springing up everywhere, with no investment in infrastructure – i.e. police, ambulance, fire service and schools.*

5.02 2 letters received raising no objection to the application, one stating that the development would be right for the road.

## 6.0 CONSULTATIONS

6.01 **Leysdown Parish Council** object on the following grounds –

- *This proposal would constitute an over development of a small area.*
- *The proposed orientation of the houses on the site plan would be out of character with the existing street scene.*
- *The proposed location of the properties would overlook existing properties.*
- *Proposals to develop the road with a turn-around area would have implications for pedestrians and their safety. Please note that this area is presently a walkway from the Eastern Road Holiday Park. Cars reversing in this constricted area could cause a hazard to pedestrians using the cut through.*
- *This development is not part of the Borough Plan*

6.02 **KCC Highways** comment as follows:

*It is assumed that the road would remain private and not form part of the public highway. On this basis KCC comments are advisory to ensure safe and efficient movement within the site.*

*The access road would be 6 metres wide and approx. 110 metres in length, presenting a long straight which could attract unsuitable vehicle speeds. Some form of speed restraint would be advisable, through appropriate surface treatment, or localised narrowing. Creation of parking bays for residents could assist this.*

*The separation of vehicular and pedestrian movement needs to be clarified. A pedestrian splay of 2m x 2m is needed at the access to the new dwellings. Clarification is also sought as to whether a gate is proposed across the access.*

*Suitability of the turning head for refuse and fire trucks needs to be established.*

6.03 In response to these comments, the applicant has provided an amended drawing to address some of the points raised above. Further comments from KCC Highways will be reported to members.

6.04 **Southern Water** comment that a water main is sited within the access to the development and should be protected during construction. No excavation, mounding or tree planting should take place within 4 metres of the water main without consent

from Southern Water. A formal application is also required for connection to the foul and surface water sewer.

- 6.05 **Natural England** comment that the site falls within the zone of influence (6km) of the Thames Estuary and Marshes, Medway Estuary and Marshes, and The Swale Special Protection Areas (SPAs) and Wetlands of International Importance under the Ramsar Convention (Ramsar Sites). It is the Council's responsibility to ensure that the proposals fully adhere to the agreed approach within the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation. Subject to the above, Natural England is happy to advise that the proposals may be screened out as not having a likelihood of significant effects on the designated sites.
- 6.06 **Environmental Health** do not object subject to conditions to control construction work.

## 7.0 APPRAISAL

### Principle of Development

- 7.01 The site is located within the built up area of Leysdown. Policies SH1 of the adopted local plan and ST3 of the emerging plan designate Leysdown as a Local Service Centre, and as a tertiary focus for growth in the Borough. Policy ST6 of the emerging plan sets out the strategy for the Isle of Sheppey and states that West Sheppey will be the focus for development. The supporting text to this policy states that settlements such as Leysdown will support very small scale development aimed at the needs of the local community, due to its peripheral location.
- 7.02 The proposal would deliver eight bungalows. Policy H5 of the adopted plan allocates the site for housing development, with an estimated capacity of 5 units. The plan was adopted in 2008, by which time permission had already been granted for 8 units on the site. Under the emerging plan the site is unallocated. This is because the original permission was never implemented, and the site was not put forward as a housing site by the applicant / owner. Nonetheless it does form a windfall site within the built up area boundary. It would represent a minor form of development, close to the centre of the settlement, and surrounded by other residential development on three sides and a caravan park on the other side.
- 7.03 I consider the principle of development to be acceptable and in accordance with the above development plan policies.

### Visual Impact

- 7.04 The site is located on a private road, with access restricted to the occupants of existing bungalows on the road, and to users of the pedestrian link into Eastern Holiday park. The existing site is unmanaged and overgrown, and the access road is in generally poor condition.
- 7.05 The proposal would continue the pattern of bungalow development along the southern side of the road. The form and scale of the bungalows would be similar to existing buildings on the road. The bungalows would be sited side-on to the road, with roofs pitching away from the roadside. Whilst this would be somewhat different to the prevailing street scene where dwellings generally face the road, the two proposed

units closest to the road would be generally in line with existing buildings and would follow the pattern of development along the road, albeit in a slightly different way. Given the similarities in height, scale and building line, I do not consider the effect on the street scene to be unacceptable.

- 7.06 The layout of the scheme would be different to the frontage-only development on Eastern Road. However it makes good use of this site, and I do not consider this causes any visual harm, given the low form of the units, the close proximity of the brick chalets to the west and the visual containment of the site to the south and east. The layout and design is somewhat repetitious, but I do not consider this in itself would be harmful to the character and appearance of the area. Each property would provide opportunities for landscaping to the front to break up built form, and some variation in external materials could be used to add further interest.
- 7.07 The layout of the scheme would be very similar to that granted permission in 2006, albeit never implemented. The provision of 2 bed units would add to the housing stock in the borough, where there considerable need for such sized units, as evidenced under policy CP3 of the emerging plan.
- 7.08 Policies E1 and E19 of the adopted plan, and CP4 and DM14 of the emerging plan, seek to ensure that developments are high quality and well related to their surroundings. I consider the proposal would comply with these policies.

#### **Residential Amenity**

- 7.09 Policies E1 of the adopted plan and DM14 of the emerging plan seek to ensure that developments do not have unacceptable impacts on the amenities of surrounding properties.
- 7.10 No 4 Eastern Road is sited immediately to the east of the site. It contains 2 x side windows facing the application site. The proposed bungalows to plots 5-8 would face this bungalow and its rear garden, with a separation gap of 9-10 metres. However as single storey buildings, a boundary fence should provide sufficient screening to avoid any loss of privacy. Given the low form and height of the proposed bungalows, I consider that the windows in the side elevation of No 4 would maintain appropriate light and outlook.
- 7.11 Cartref is a bungalow sited on the north side of Eastern Road, opposite the application site. The proposed bungalows would be sited some 16 metres from this property, and as such I do not consider any significant loss of outlook or light would occur. The main front and rear aspects to the proposed bungalows would face away from this property, so no overlooking would arise.
- 7.12 The dwellings to the south front Leysdown Road and back on to the application site. The rear gardens to these properties range between 10 and 18 metres. Again, given the height and form of the proposed bungalows, I do not consider that any unacceptable loss of light or outlook would be likely to occur. The main elevations of the proposed bungalows would not face towards these properties, and I do not consider that any unacceptable overlooking or loss of privacy would occur.
- 7.13 A number of brick chalets at the Eastern Holiday Park also border the site. The chalets at the eastern end of this Holiday Park are sited around 3 metres from the boundary, and would be around 12 metres from the rear of the proposed bungalows. The brick chalets to the north would be around 3 metres from the flank wall of plot 1, and would be most affected by the development. These 2 chalets have windows in the

rear elevation that appear to serve bedrooms and face directly onto a boundary fence. The siting of the proposed bungalow on plot 1 would be likely to further affect light and outlook to the rear of these chalets. However, given that they face directly onto a fence, and that the chalets provide holiday accommodation rather than permanent residential accommodation, I do not consider the effect of this to be so great that it would amount to a reason for refusal. I also note that this relationship is the same as the 2006 scheme, which was found acceptable.

- 7.14 Taking the above into account, I do not consider that there would be any unacceptable impacts on the amenities of neighbours, and that in this respect the development would accord with the above development plan policies.

### **Highways**

- 7.15 Members will note the comments from the highways officer at Kent County Council. As the road is private, his comments are advisory only. No objection is raised to the level of traffic that would be generated by the development, and each unit would be provided with two parking spaces, which would exceed the existing residential parking guidelines for 2 bed units.
- 7.16 The applicant has submitted amended details in relation to the construction of this access road. These set out that a 1.2m wide footway would be provided to the north, and that a parking bay for each existing unit would be provided to the south of the road. Speed bumps or road narrowing would be used to reduce vehicle speeds. The Highways Officer has been re-consulted on this application and I will report his comments at the meeting. In my opinion, the matters raised by the Highways Officer can be addressed in detail via a planning condition.
- 7.17 I note that pedestrian access to Eastern Holiday Camp is provided via Eastern Road, and that at present there is no defined pedestrian path. However given the small number of dwellings on Eastern Road, I do not consider that this is a safety concern. The erection of 8 bungalows as proposed would more than double the number of dwellings served by Eastern Road, and in turn would increase use of the road by cars and pedestrians. However the total number of dwellings on the road would be 14 and traffic generation would still be light. Whilst I do not consider that the development would give rise to any significant concern regarding pedestrian safety on this road, I note that the works to the road as proposed would provide a dedicated pedestrian footway, and would represent an improvement to the existing situation.

### **Other Matters**

- 7.18 Two neighbours have raised concern regarding the impact of additional traffic on the road and the impact on their properties, which are stated to be of timber and lightweight construction with shallow foundations. Members will note that damage to property is not normally a material planning consideration. However the works to the access road have the potential to improve its condition, and in turn this could improve the effect of any impacts on these properties. Whilst the increase in traffic arising from the scheme may cause some additional disturbance to existing properties on Eastern Road, I do not consider that such movements relating to eight units would be so great to be of any significant disturbance.
- 7.19 Concern has also been raised that the development (together with other housing developments) does not make any contribution towards local infrastructure. However the Council's established practice, as set out in policies C2 of the adopted plan and CP6 of the emerging plan, is to seek infrastructure contributions on schemes for 10 or

more units. In addition, the Government has made clear in a written ministerial statement (28/11/14) that contributions should not be sought from developments of 10 or less units. As such it is not possible to seek contributions towards infrastructure on a development of this size.

- 7.20 The applicant has provided an ecological scoping survey which sets out that there is unlikely to be anything of value on the site. Comments from the KCC Ecologist are awaited and will be reported to Members.
- 7.21 The site falls within the zone of influence for the Swale Special Protection Area and Ramsar site. Members will note that Natural England raises no objection to the scheme and that it can be “screened out” using the method adopted by the Council under the SAMMS process. For completeness, a Habitats Regulations Assessment is attached.

## 8.0 CONCLUSION

8.01 The proposal would make good use of a windfall site within the built confines of Leysdown. The scale of development would not upset or harm the scale or functioning of Leysdown and would not cause any harm to the character or appearance of the area or any unacceptable harm to neighbouring amenities. I consider that the development complies with the development plan.

8.02 **RECOMMENDATION** – that planning permission is GRANTED, subject to no adverse comments received from KCC Highways or KCC Ecology, and subject to the following conditions

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) No development beyond the construction of foundations shall take place until details have been submitted to the Local Planning Authority and approved in writing, which set out what measures have been taken to ensure that the development incorporates sustainable construction techniques such as water conservation and recycling, renewable energy production and energy efficiency. Upon approval, the details shall be incorporated into the development in accordance with the approved details prior to the first use of any dwelling.

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

- 3) No development beyond the construction of foundations shall take place until details of the external finishing materials to be used on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details. The materials shall include a variety in finishes to avoid all units being constructed in the same materials.

Reason: In the interest of visual amenity.

- 4) Notwithstanding the provisions of Class B, Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any

order revoking and re-enacting that Order with or without modification), no dormer windows shall be inserted in the dwellings hereby permitted.

Reason: In the interests of residential amenity

- 5) No development shall take place until details in the form of cross-sectional drawings through the site, showing existing and proposed site levels and finished floor levels, 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: In order to secure a satisfactory form of development having regard to the sloping nature of the site.

- 6) Unless otherwise agreed in writing by the Local Planning Authority, a 2 metre high closeboarded fence shall be provided along the south, east and west boundaries of the site prior to the occupation of any part of the development hereby permitted and this fencing shall thereafter be maintained in position in perpetuity.

Reason: In the interests of residential amenity.

- 7) No development beyond the construction of foundations shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage wildlife and biodiversity.), plant sizes and numbers where appropriate, the position and means of enclosure for the front (north) boundary of the site, hard surfacing materials, and an implementation programme.

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

- 8) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

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

- 9) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

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

- 10) No development beyond the construction of foundations shall take place until full details of the upgrading works to Eastern Road have been submitted to and approved in writing by the Local Planning Authority. The details shall include measures to provide parking for existing residents, safe pedestrian access along the length of the road, pedestrian visibility splays, traffic calming measures, turning facilities for service

vehicles, and details of the surface finish to the road. The upgrading works shall be completed prior to first occupation of any part of the development hereby permitted.

Reason: To ensure the provision of suitable access to the development, and to maintain safe and convenient access for existing users of the road.

- 11) The area shown on the submitted plan as car parking space shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the dwelling(s) hereby permitted.

Reason: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users.

- 12) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times :- Monday to Friday 0730 - 1800 hours, Saturdays 0830 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- 13) No development shall take place until a programme for the suppression of dust during construction of the development has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of construction unless any variation has been approved by the Local Planning Authority.

Reason: In the interests of residential amenity.

- 14) No development shall take place until details of the proposed means of foul and surface water sewerage disposal 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: In order to prevent pollution of water supplies.

- 15) The development hereby permitted shall be carried out in accordance with the following approved plans: 2413/1 (location plan only), 2413/1/A, 2413/2/A

Reason: To accord with the terms of the planning permission.

#### INFORMATIVES

- 1) A formal application for connection to the public sewerage system is required in order to service this development. To initiate a sewer capacity check to identify the appropriate connection point for the development, Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).

- 2) You are advised that a public water main is located within Eastern Road. The exact position of the public water main should be determined on site prior to the development taking place. All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. No excavation, mounding or tree planting should be carried out within 4 metres of the public water main without consent from Southern Water.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The applicant/agent was advised of minor changes required to the application and these were agreed.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

### **Habitat Regulations Assessment.**

This HRA has been undertaken without information provided by the applicant. The application site is located approximately 1km to the west of The Swale Special Protection Area (SPA) which is a European designated sites afforded protection under the Conservation of Habitats and Species Regulations 2010 as amended (the Habitat Regulations).

SPAs are protected sites classified in accordance with Article 4 of the EC Birds Directive. They are classified for rare and vulnerable birds and for regularly occurring migratory species. Article 4(4) of the Birds Directive (2009/147/EC) requires Member States to take appropriate steps to avoid pollution or deterioration of habitats or any disturbances affecting the birds, in so far as these would be significant having regard to the objectives of this Article.

The proposal therefore has potential to affect said site's features of interest. In considering the European site interest, Natural England advises the Council that it should have regard to any potential impacts that the proposal may have. Regulations 61 and 62 of the Habitat Regulations require a Habitat Regulations Assessment. For similar proposals NE also advise that the proposal is not necessary for the management of the European sites and that subject to a financial contribution to strategic mitigation and site remediation satisfactory to the EA, the proposal is unlikely to have significant effects on these sites and can therefore be screened out from any requirement for further assessment.

It is the advice of NE that when recording the HRA the Council should refer to the following information to justify its conclusions regarding the likelihood of significant effects: financial contributions should be made to the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring (SAMM) Strategy in accordance with the recommendations of the North Kent Environmental Planning Group (NKEPG) and; the strategic mitigation will need to be in place before the dwellings are occupied.

In terms of screening for the likelihood of significant effects from the proposal on the SPA features of interest, the following considerations apply:

- Due to the scale of development there is no scope to provide on site mitigation such as an on site dog walking area or signage to prevent the primary causes of bird disturbance which are recreational disturbance including walking, dog walking (particularly off the lead), and predation of birds by cats.
- Based on the correspondence with Natural England, I conclude that off site mitigation is required. However, the Council has taken the stance that financial contributions will not be sought on developments of this scale because of the practicalities of securing payment. In particular, the legal agreement would cost substantially more to prepare than the contribution itself. This is an illogical approach to adopt; would overburden small scale developers; and would be a poor use of Council resources.

This would normally mean that the development should not be allowed to proceed. However, the North Kent Councils have yet to put in place the full measures necessary to achieve mitigation across the area and there are questions relating to the cumulated impacts on schemes of 10 or less that will need to be addressed in on-going discussions with NE. Developer contributions towards strategic mitigation of impacts on the features of interest of the SPA – I understand there are informal thresholds being set by other North Kent Councils of 10 dwellings or more above which developer contributions would be sought. Swale Council is of the opinion that Natural England's suggested approach of seeking developer contributions on single dwellings upwards will not be taken forward and that a threshold of 10 or more will be adopted in due course. In the interim, I need to consider the best way forward that complies with legislation, the views of Natural England, and what is acceptable to officers as a common route forward. Swale Council intends to adopt a formal policy of seeking developer contributions for larger schemes in the fullness of time and that the tariff amount will take account of and compensate for the cumulative impacts of the smaller residential schemes such as this application, on the features of interest of the SPA in order to secure the long term strategic mitigation required. Swale Council is of the opinion that when the tariff is formulated it will encapsulate the time period when this application was determined in order that the individual and cumulative impacts of this scheme will be mitigated for.

Whilst the individual implications of this proposal on the features of interest of the SPA will be extremely minimal in my opinion, cumulative impacts of multiple smaller residential approvals will be dealt with appropriately by the method outlined above.

For these reasons, I conclude that the proposal can be screened out of the need to progress to an Appropriate Assessment. I acknowledge that the mitigation will not be in place prior to occupation of the dwellings proposed but in the longer term the mitigation will be secured at an appropriate level, and in perpetuity.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.  
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.