

2.4 REFERENCE NO - 18/500738/FULL & 18/500739/LBC			
APPLICATION PROPOSAL			
Conversion of former school building to provide three dwellings with associated demolition/building works, internal and external alterations, provision of additional floorspace at first floor level, including three dormer windows, landscaping, including removal of three trees and car parking			
ADDRESS Tunstall Church Of England Primary School Tunstall Road Tunstall Sittingbourne Kent ME9 8DX			
RECOMMENDATION – Planning permission and listed building consent to be granted			
SUMMARY OF REASONS FOR RECOMMENDATION			
The proposal is in accordance with relevant national and local planning policy.			
REASON FOR REFERRAL TO COMMITTEE			
Parish Council objection			
WARD West Downs	PARISH/TOWN COUNCIL Tunstall	APPLICANT First Bid Developments Ltd AGENT Penshurst Planning Ltd	
DECISION DUE DATE 11/04/18	PUBLICITY EXPIRY DATE 04/04/18		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
17/502970/FULL & 17/502971/LBC	Part demolition and part rebuilding of former school building, conversion with first floor extension to create two 4 bedroom dwellings, together with the erection of two detached 4 bedroom dwellings, with associated landscaping, including removal of three trees and parking.	Withdrawn by Applicant	13.02.2018
SW/12/1317	Temporary change of use of land from agricultural to car park associated with Tunstall School and construction of car park with associated infrastructure (Regulation 3 application, decided by KCC)	Refused	19.03.2013

1.0 DESCRIPTION OF SITE

- 1.01 The property is the former Church of England Primary School, situated within the village of Tunstall. It is a Grade II listed building, constructed in 1846, and still displays an impressive façade. Unfortunately, this high level of design does not continue through to the rear of the building, with a number of less sympathetic extensions which were added to the building.
- 1.02 The front of the property presents a very attractive façade, finished in brick and flint, representing the original school building. Behind this part of the building, the school has been considerably extended over the years. Whilst those changes have perhaps not been made in a manner totally sympathetic to the original building, they clearly

mark the two ages of the school, and the extensions are not visually offensive. The inside of the original part of the building is disappointingly devoid of any interesting or historical architectural features, which appear to have long since been removed

- 1.03 At the rear of the building is a fairly large area of land, a lot of it given over to hard surfacing, which served as recreation space and parking for the school. The rear of the property is accessed by a single track driveway, and I understand that a number of parties enjoy access rights over this land, which also forms a public right of way. I understand that this route was used by staff cars when the school was in use as such. To the rear of the site lies Tunstall village hall; a fairly modern hall surrounded by attractive grounds and generous parking provision.
- 1.04 The site is located outside of any established built-up area boundary; within the Tunstall conservation area, and adjacent and near to other listed buildings.
- 1.05 After the school closed, a planning application and a listed building application were received in 2017 for the conversion of the school to two properties, and the construction of two new detached for bedroomed houses at the rear. As this latter part of the proposal would have caused the application to fail, those applications were withdrawn by the applicant (17/502970/FULL & 17/502971/LBC).

2.0 PROPOSAL

- 2.01 The proposal is for the conversion of the former school building into three C3 residential dwelling houses, two with three bedrooms and one with four bedrooms.
- 2.02 The proposed drawings show the retention of the later rear additions to the school, albeit with considerable changes to the fenestration of those parts of the building. No changes are envisaged to the front façade.
- 2.03 The very rear of the building would have dormer windows added. These dormers are in accordance with the Council's Supplementary Planning Guidance, being of vertical proportions with pitched roofs, and large enough only to let in light.
- 2.04 Each property would have its own rear amenity space, with a communal parking area showing seven spaces (two per dwelling and one visitor space) to the rear of the building, which would be accessed by an existing track which previously served as vehicular access to the rear of the building. This track also forms part of Public Right of Way ZR147, and I understand that a number of local people also have vehicular access rights across this land. The school originally had fifteen vehicle parking spaces to the rear; the proposal is for seven spaces.
- 2.05 The application is accompanied by a Planning Statement; a Heritage Statement; and Ecological Appraisal, a Marketing Appraisal; and an Arboricultural Survey. The Planning statement explains how the applicant has arrived at this proposal and the Heritage Statement discusses the effect of the proposal on the character and setting of the listed building. The Marketing Appraisal is a lengthy letter from a local Estate Agent, considering other uses for the building, including commercial and community uses, but concludes that these uses are not viable.

3.0 SUMMARY INFORMATION

	Existing	Proposed	Change (+/-)
Site Area (ha)	0.31h	0.31h	-
No. of Storeys	2	2	-
Parking Spaces	15	7	-8
No. of Residential Units	Nil	3	+3

4.0 PLANNING CONSTRAINTS

Conservation Area Tunstall

Listed Buildings SBC Ref Number: 1115/SW

Description: G II TUNSTALL C E PRIMARY SCHOOL, TUNSTALL

Outside established built-up-area boundary.

5.0 POLICY AND OTHER CONSIDERATIONS

5.01 National Planning Policy Framework (NPPF): Paragraphs 7 (sustainable development); 55 (re-use of redundant buildings); 131 (creating sustainable uses for heritage assets); and 132 (significance of designated heritage assets).

5.02 Bearing Fruits 2031: The Swale Borough Local Plan 2017 – Policies ST1 (delivering sustainable development in Swale); ST3 (the Swale settlement strategy); CP4 (requiring good design); CP8 (conserving and enhancing the historic environment); DM7 (vehicle parking); DM14 (general development criteria); DM16 (alterations and extensions); DM32 (listed buildings); and DM33 (conservation areas).

6.0 LOCAL REPRESENTATIONS

6.01 One of the Ward Members has expressed concern that the Public Footpath (ZR147) should not be compromised by this proposal, and that pedestrian safety may be compromised.

6.02 The Swale Footpaths Group raises similar concerns.

6.03 Three letters/emails of objection have been received from local residents. Their contents may be summarised as follows:

- Footpath ZR147 is a public footpath, not a public bridleway
- *'The use of a footpath for vehicular access is contrary to the Public Right of Way designation and must not be allowed.'*
- Who will be responsible for maintenance of the front lawned area?
- Seven parking spaces are shown on the drawings: this would represent an intensification of vehicle movements on the site
- *'I am confused as to why KCC Highways previously objected to a 6 car park due to highway safety and feels now that 7 cars is not going to cause the same issues.'*
- *'It would also seem prudent to ensure that both developers and those who use the public footpath are clear on rights of way, who has priority, and who will ensure the section to be used by vehicles will cover the cost of repairs for maintenance, as this was never carried out by the previous occupiers or on their behalf.'*
- Sight lines from access are poor.

- I have rights of access over this land
- The old school does need renovating but lends itself to one dwelling with limited access to the front

6.04 One letter of support has also been received from a local resident. The letter states that the supporter sold part of the land to the developer, but no contingent payments are due to the supporter, should planning permission be granted. The points noted in the letter may be summarised as follows:

- Proposal would bring the building back to life
- Present form has always been acceptable to planners
- Would create three family homes within the village

7.0 CONSULTATIONS

7.01 Tunstall Parish Council raises objection to the proposal. Their comments, in full, are as follows:

“1) Access. While the Parish Council recognises the current proposed route is already in use by two properties and for access to surrounding farm land and that many more cars used it when the school was operational. The Parish Council would be abandoning its duties if it did not draw attention to the safety of the site access keeping in mind a previous application for a new car park was refused due to such concerns. Councillors recognise the current access is used and have no objection to its future use due to precedent being set but would like to see improvements made, for example the expansion of sight lines with the removal of hedges if necessary, an increased width of the access road again with the removal of overgrown trees and hedges to the original field boundary and replanting to improve overall content of hedgerow biodiversity. This may need to be done in cooperation with a third party landowner.

2) Councillors were very disappointed with the new plans in comparison to the old, while Councillors recognise that each application should be viewed in isolation, they could not help but be taken aback by the stark contrast. The new plans do indeed make very clever use of the existing site to shoehorn in 3 properties. Councillors do not think it the best use of the site nor does it respect the existing conservation area. The front of the site is listed and of an attractive knapped flint and tiled roof construction respecting the north Kent Downs vernacular building style. Whereas the modern extensions are not of architectural or design value whatsoever and reflect a value for money basic local government project. The previous plans however were very sympathetic to the conservation area and surrounding local building design, reflecting the original school frontage and mirroring the village hall and other buildings, creating a development, that in Councillors' view enhanced the area. If intensification of the site was an issue for planners why not remove just the one detached home rather than both, you cannot get much more intensified than hundreds of children in a school compared to a handful of dwellings. A conservation area should not seek to create a museum approach where nothing can change but to add and enhance while conserving the overall feel and look. The new plans go right against this principle. The removal of mature trees within the site is unnecessary now as they are in the proposed garden area and more specimen tree planting around the site would also enhance the area and biodiversity.

In summary, the Parish Council still has concerns over access sight lines and access width. Tunstall Parish Council is not happy with the provision of such an inferior proposal when compared to the one that preceded it, and although it had its issues, its benefits were much more pronounced. Councillors would urge planners to be sympathetic to the applicant and come to a via media solution, where site intensification is lessened and a better quality set of dwellings designed that make better use of the site, and are more in keeping with the local building vernacular as exhibited by the listed part of the building, the village hall and local area.”

7.02 Historic England raises no objection.

7.03 No responses have been received from the Six National Amenity Bodies.

7.04 Kent Highways and Transportation raises no objection..

7.05 The KCC Public Rights of Way Officer raises no objection, commenting as follows;

“The applicant has demonstrated their awareness of the Public Right of Way ZR147 although the correct status of the route is a footpath. The proposals do not impact the path; therefore I have no objections to the application. The proposed access route for vehicles is the public footpath, which I understand was historically used by the school.”

7.06 Natural England raises no objection, referring the Council to their Standing Advice.

8.0 BACKGROUND PAPERS AND PLANS

8.01 Application papers relating to applications 18/500738/FULL & 18/500739/LBC

9.0 APPRAISAL

9.01 The issues to consider in this case are those of the principle of development, design & listed building issues, and access. For the sake of regularity, I will take each of these in turn.

Principle of Development

9.02 As noted above, the site is located outside any established built-up area boundary, where policies of rural restraint apply. Policy ST3 of Bearing Fruits 2031: The Swale Borough Local Plan 2017 states that;

“At locations in the open countryside, outside the built-up area boundaries shown on the Proposals Map, development will not be permitted, unless supported by national planning policy and able to demonstrate that it would contribute to protecting and, where appropriate, enhancing the intrinsic value, landscape setting, tranquillity and beauty of the countryside, its buildings and the vitality of rural communities.”

The proposal, if approved, would produce three new properties within Tunstall, which would not normally be in accordance with Policy ST3.

Similarly policy DM3 states that;

“Planning permission will be granted for the sustainable growth and expansion of business and enterprise in the rural area. Planning permission for residential development will not be permitted where this would reduce the potential for rural employment and/or community facilities unless the site/building(s) is demonstrated as having no demand for such purposes or its use would be undesirable or unsuitable.”

- 9.03 The former school has been empty for some years, and as a consequence, the setting and fabric of the building have begun to deteriorate. As such, there is an importance in ensuring a useful future for the building to arrest its present decline. The property has been market tested by auction in May 2016 and the applicant has submitted a detailed report from a local Estate Agent, which suggests that there are no other viable uses for the building other than for residential use and, bearing in mind the location and status of the property, the fact that this property has been put to the market is crucial in my view in addressing the criteria of policy DM3 as this gave the opportunity for the site to be purchased for commercial uses. This did not happen as a matter of fact, and thus is far more weighty evidence than a viability report which might speculate on the potential viability of other uses.
- 9.04 I am also persuaded to give weight to the fact that this proposal is concerned with the conversion of a listed building which is now redundant in terms of its original use, and the importance of conserving the listed building and bring it back into an appropriate use which mitigate against the more general aims of Policy ST3.
- 9.05 Although the previous application would have only converted the school to two properties, and the two conversion properties would have been in accordance with national and local planning policy, the two new build properties would not have been in accordance with policy, which is why that application was withdrawn.

Design and Listed Building Issues

- 9.06 The proposed design changes to the building have been criticised by the Parish Council. This is mainly due to the fact that some of the later extensions to the property would have been removed or re-designed under the previous proposal. However, I would contend that the erection of two new detached dwellings in the former grounds of the school would have had a far more profound effect on the character and setting of the listed building than leaving but improving the design and finish of the existing extensions. As such, I do not agree with the Parish Council's comments.
- 9.07 I note previous comments in relation to the 2017 scheme which was subsequently withdrawn, and consider that the new scheme responds well to the concerns expressed by officers. I have considered the supporting statements and accept that a (necessarily sensitive) residential conversion of the redundant school building offers the best realistic prospect for conservation of the heritage significance of the grade II listed building, and for the building continuing to contribute to the character and appearance of its wider setting within the Tunstall conservation area.
- 9.08 I understand there is some local concern about the prospect of the building being converted into 3 dwellings, but I do not see the harm in this respect. The applicant's agents have correctly identified that the principle heritage significance of the listed building lies in its front elevation and the two flank elevations of the original part of the building. These will be preserved in this scheme and the frontal aspect of the site will remain largely unchanged.

- 9.09 In my view the scheme responds well to the current plan form of the building and necessitates only minor changes to the internal arrangement of walls, which in my view would not materially harm the significance of this designated heritage asset. Essentially, it seems to me that good use is made of the original part of the building and its linked modern rear extension to create three dwellings which would be spacious and achieve a good standard of residential amenity. The proposed alterations to the rear and flank elevations of the modern addition work well as a modern and simpler style, to contrast effectively with the original school building and its more ornate facing and roofing treatments and fenestration design.
- 9.10 Finally, whilst I understand the reason for removing three trees to the rear of the building if two new dwellings were to be built, this is not necessary under the present proposal, and I have included a condition below which would seek to retain those trees.

Access

- 9.11 I understand the concerns raised by local residents with regard to access issues, but have to rely on the expert advice of our colleagues at Kent Highways and Transportation, who have raised no objection to the proposal, subject to the inclusion of conditions and informatives which would include the provision and retention of vehicle and cycle parking, the requirement for a Construction Management Plan, and the use of a trained banksman to assist construction vehicles when leaving the site during the construction period.
- 9.12 I note the comments regarding the refusal of the existing access for the provision of a new staff car park for the school in 2012, and the question as to why the proposal is acceptable now. Highways colleagues have replied as follows:

“My understanding is that the application in 2012 sought to introduce the principle of additional vehicles using the access track, to which we naturally had objections concerning visibility at the time. However, this recent application now represents an actual reduction in vehicle movements from the established use and we cannot object on grounds of highway safety because the principle of access is now established.”

- 9.13 Similarly, the Public Rights of Way Officer raises no objection to the proposal, leading me to the conclusion that he believes that pedestrian access to the site will be safe for pedestrians using the footpath.

10.0 CONCLUSION

- 10.01 I consider that the redundant school building is a vital contributor to the character and appearance of the Tunstall conservation area, which this proposal will conserve and secure a viable future for. All the Council's normal requirements in terms of marketing, design and access have been addressed and I therefore recommend that the applications be approved, subject to the conditions set out below.

11.0 RECOMMENDATION – GRANT Subject to the following conditions:

Planning Permission – 17/502970/FULL

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 shall take place until details in the form of samples of external finishing materials to be used in the development hereby approved have been submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

- (3) No development shall take place until detailed drawings at a suggested scale of 1:5 of all new external and internal joinery work and fittings together with sections through glazing bars, frames and mouldings have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the special architectural or historic interest of the listed building.

- (4) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. measures to control the emission of dust and dirt during construction
 - v. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In the interests of the amenities of the area and highway safety and convenience.

- (5) 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 – 1900 hours, Saturdays 0730 – 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.

- (6) No development 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, means of enclosure, hard surfacing materials, and an implementation programme.

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

- (7) 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.

- (8) 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.

- (9) The trees shown on the plans hereby approved as "existing trees to be retained" shall be retained and maintained. Notwithstanding the details shown on drawing reference SW/16/147.03B, the three trees shown to be removed shall also be retained and maintained.

Reason: In the interests of visual amenity.

- (10) The area shown on the submitted plan as Parking Area on approved drawing SW/16/147.03B 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 dwellings hereby permitted.

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

- (11) Before the development hereby permitted is commenced, details of covered cycle storage for each property shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in complete accordance with these approved details.

Reason: In the interests of visual amenity.

Council's approach to this application

The Council recognises the advice in paragraphs 186 and 187 of the National Planning Policy Framework (NPPF) and seeks to work with applicants in a positive and proactive manner by offering a pre-application advice service; and seeking to find solutions to any obstacles to approval of applications having due regard to the responses to consultation,

where it can reasonably be expected that amendments to an application will result in an approval without resulting in a significant change to the nature of the application and the application can then be amended and determined in accordance with statutory timescales.

In this instance, the application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

Listed Building Consent – 17/502971/LBC

CONDITIONS

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

Reason: In pursuance of Section 18 of the Listed Building Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) No development shall take place until details in the form of samples of external finishing materials to be used in the development hereby approved have been submitted to and approved in writing by the Local Planning Authority, and works shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

- (3) No development shall take place until detailed drawings at a suggested scale of 1:5 of all new external and internal joinery work and fittings together with sections through glazing bars, frames and mouldings have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the special architectural or historic interest of the listed building.

- (4) No pipework, vents, ducts, flues, meter boxes, alarm boxes, ductwork or other appendages shall be fixed to the exterior of the listed building the subject of this consent without the prior written consent of the Local Planning Authority.

Reason: In the interest of the special architectural or historic interest of the listed building.

- (5) All rainwater goods to be used as part of the development hereby permitted shall be of cast iron.

Reason: In the interest of the special architectural or historic interest of the listed building.

- (6) Before the development hereby permitted is commenced, a detailed schedule of works shall be submitted to and agreed in writing by the Local Planning Authority before any works commence. This schedule of works shall be discussed and informally agreed with the Local Planning Authority's Conservation & Design Manager on site, and then formally submitted in writing for formal approval by the Local Planning Authority. The schedule shall include details of repairs to be carried out (including any re-pointing), the removal of redundant wiring/cabbling/pipework and modern insertions, including wall and floor finishes, suspended ceilings and radiators, etc. The schedule must include a timetable for the start and estimated completion

of each item of work, and include inspection slots at appropriate intervals to allow the Local Planning Authority's Conservation & Design Manager to properly monitor the standard of work being undertaken on the listed building.

Reason: In the interest of the special architectural or historic interest of the listed building.

- (7) Before the development hereby permitted commences, drawings at 1:10 elevation and 1:1 or 1:2 part vertical and part horizontal section of each new/replacement window (including dormer windows) and door type (including for internal doors) shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in complete accordance with these approved drawings.

Reason: In the interest of the special architectural or historic interest of the listed building.

- (8) Before the development hereby permitted commences, drawings at 1:10 elevation detail (side and flank) of the proposed dormers shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in complete accordance with these approved drawings.

Reason: In the interest of the special architectural or historic interest of the listed building.

- (9) Before the development hereby permitted is commenced, manufacturer's details and specification of the exact Conservation roof lights to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in complete accordance with these approved drawings.

Reason: In the interest of the special architectural or historic interest of the listed building.

- (10) All making good works to the listed building (including its modern rear extension) shall be carried out using matching finishes and materials (including colour finish), unless otherwise specifically previously agreed in writing with the Local Planning Authority.

Reason: In the interest of the special architectural or historic interest of the listed building.

HABITAT REGULATIONS ASSESSMENT

This HRA has been undertaken without information provided by the applicant.

The application site is located approximately within 6km of The Swale Special Protection Area (SPA) which is a European designated site 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.

