

TABLED UPDATE FOR ITEM 3.1 – Land Adjoining Westfield House, Breach Lane, Lower Halstow.

Reference: 19/500764/OUT

1. Further to paragraphs 9.5 and 9.6 of the committee report (on Page 40 of the agenda), Members will note that the wording of Paragraph 11d(i) of the National Planning Policy Framework is quoted. Further to paragraph 9.6 of the report, I can clarify that the Swale and Medway Special Protection Areas (SPAs) – designated on account of the international importance of their ecology – are such assets, and the proposed development would be within the six-kilometre buffer designated for them. As such, and in accordance with the regulations, an Appropriate Assessment has been carried out (see Paragraphs 9.40 to 9.48, on Pages 46 and 47 of the agenda). As set out at Paragraph 9.46 of the report, there would be no adverse impact on the integrity of the SPA subject to appropriate mitigation, which would take the form of the tariff of £245.56. In the light of this, Members are advised that the fact that the development is within the SPA buffer does not, in itself, amount to a reason for refusing the development proposed.
2. As set out in the report, the development has been fully assessed under Paragraph 11 and the other relevant policies of the NPPF and the Local Plan.
3. Further to Paragraph 9.38 (on Page 40 of the agenda), the national planning guidance in respect of developer contributions has recently been updated and a scheme of 10 dwellings would now need to make contributions towards infrastructure such as healthcare and education, though this would obviously only apply if the application were to be approved.
4. The Tree Officer has assessed the development and advises that there is no arboricultural reason for refusing the application.
5. In conclusion, officers remain of the view that planning permission should be refused for the reason set out on Page 48 of the agenda, and as fully explained in the appraisal section.

JRW – 13<sup>th</sup> August 2019