

DEF ITEM 3 REFERENCE NO - 21/500204/FULL		
APPLICATION PROPOSAL Demolition of existing public house and erection of a mixed-use building providing a micro pub (54 square metres) and 8 no. flats with associated parking, amenity space and cycle storage.		
ADDRESS Old House At Home 158-162 High Street Sheerness Kent ME12 1UQ		
RECOMMENDATION – Grant subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION: The proposed scheme will provide 8 residential units and allows for the retention of a public house on the site through the creation of a micropub on the ground floor. The development proposal is considered to meet the requirements of the local plan policies and has the support of a number of the consultees.		
REASON FOR REFERRAL TO COMMITTEE The application was deferred by the Planning Committee in May 2022.		
WARD Sheerness	PARISH/TOWN COUNCIL Sheerness Town Council	APPLICANT Mr M McAllister AGENT Kent Design Partnership
DECISION DUE DATE 20/04/21		PUBLICITY EXPIRY DATE 08/02/22

1 Background

- 1.1 Members will recall that this application was previously reported to the Planning Committee on 12th May. During the Committee, the application was deferred due to a request from members for the applicant to improve the design, to consider a more traditional appearance and form and to incorporate a roof to the building.
- 1.2 The agent for the applicant has since been working with the case officer and the Conservation and Design Manager in order to improve the aesthetic quality of the development and the agent has redesigned the building with a view to achieving a more traditional appearance through the addition of a mansard roof, the use of brick elevations, more traditional window designs and the use of brick headers, banding and coping features.
- 1.3 The amendments to the design of the building have resulted in the creation of an eighth residential unit, as the mansard roof provides a greater amount of internal floorspace on the upper floors. The development description has therefore been amended to take this into account and a further re-consultation process has been undertaken.

Reconsultation Responses

- 1.4 The amended drawings are subject to a reconsultation, which runs to the 16th August. As the consultation period is still running at the time of this report submission, I will update members if any new comments are received.

2 Appraisal

2.1 Due to the amendments which have been undertaken to the design, the potential impact of the proposal upon the following issues have been reassessed below:

- Impact on Visual Amenity
- Impact on the Conservation Area
- Impact on Neighbouring Amenity

Impact on Visual Amenity

The proposed replacement building in its amended form occupies the same footprint as the previously proposed scheme. However, although the curved frontage to the tower element of the building has been retained, the building as currently presented is far more traditional in its form due to the use of wholly brick elevations with traditional window detailing and the addition of a mansard roof to the central tower and to the two wings of the building above the roof parapet. Although the amended roof form increases the height of the building, as the mansard roof is recessed on all sides and the tallest part of the roof is limited to the central tower section of the building, the building should not appear overly dominant in the context of the wider streetscene, where the surrounding buildings are typically two or three storeys in height. The plans also demonstrate that the roof would not be taller than the building on the opposite side of the High Street. The use of arched dormer windows framed in zinc along the full length of the two wings at roof level further enhances the traditional appearance of the development and complements the decorative brick archways to the pedestrian accesses leading on to the High Street and Trinity Way. The design of the fenestration on the lower floors has also been amended to allow for a more traditional design and the use of recessed dark grey powder coated aluminium sash windows with defined cills and soldier course detailing to the window headers helps to add some visual interest to the front and rear elevations of the building.

2.2 In line with the previous scheme, the replacement building continues to afford a strong sense of enclosure along the High Street. The proposed construction materials, which will include the use of Wienerberger Smeed Dean Yellow Brick, natural slate to the roof, zinc and powder coated aluminium are considered to complement the design of the building and are appropriate in the context of the wider area. The eight new flats are also appropriately sized and fall within the minimum national space requirements. As before, adequate provision has been made for parking, refuse storage and bicycle storage on the site. The communal private amenity area remains unaltered and will provide access to green space for future residents.

2.3 In light of the above, the proposal is considered to be of good design and more reflective of the traditional form of development within the High Street that Members were keen to be adopted for the scheme, and in accordance policy CP4 of the Swale Local Plan 2017.

Impact on Heritage Assets

2.4 As mentioned in the officer's report at Appendix 1, the application site is located approximately 35 metres from the boundary of Sheerness Mile Town Conservation Area and the existing building is neither nationally nor locally listed. The Conservation Officer has confirmed that although the building has low heritage significance in architectural terms, its long-standing contribution to the local community through the provision of a public house has resulted in the building having some historic value. However, the creation of a micropub on the ground floor of the new proposed building will help to

ensure that the site retains a public house on the site, which will be of continued benefit to the wider locality.

- 2.5 In my opinion, the design and appearance of the new proposed building would have a very limited impact on the setting of the conservation area, given its distance from the conservation area boundary and intervening development. However I would suggest that the revised form would have a positive contribution to views leading into the Conservation Area by introducing an attractive building with a traditional roof form at the entrance of the High Street. The height and design of the building will better contribute to the sense of enclosure along the High Street and improve the views leading into the Conservation Area.
- 2.6 On this basis, the proposal is considered to meet the requirements of Policy DM33 of the Swale Local Plan 2017.

Impact on Neighbouring Amenity

- 2.7 With regards to the potential impact of the proposed works upon neighbouring amenity, although the new proposed building will be taller due to the amendments to the roof design, the building remains set back from the nearest neighbouring properties and it is unlikely to have an unreasonable impact upon neighbouring access to daylight or sunlight. Similarly, owing to the detached nature of the new proposed building and its relationship with neighbouring buildings, neighbouring outlook is unlikely to be unreasonably affected by the development
- 2.8 With regards to the potential impact of the proposal upon neighbouring privacy, although the design and position of the windows has been amended, the distances between the proposed new building and the nearest neighbouring properties remain the same so the proposed new glazing is unlikely to result in an unreasonable degree of overlooking.
- 2.9 With regards to the potential for noise pollution, the same conditions as were previously proposed for the new windows in the original officer report will be added to any future consent to mitigate against potential noise pollution to any future residents from the micropub.

3 CONCLUSION

- 3.1 The proposed amendments to the scheme as sought following deferral of the application at the May planning committee have, in my opinion, resulted in a scheme that would be of high quality design and would assimilate well with the more traditional form of development on the High Street. The additional resulting scale arising from this is considered acceptable.
- 3.2 The officer assessment as to all other matters detailed in the officer's report which was presented to the Planning Committee (Appendix 1) and the officer recommendation remains unchanged. A copy of the report is attached as Appendix 1 for reference.
- 3.3 It is recommended that planning permission should be granted in accordance with the following conditions :
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place other than in accordance with the following approved plans:

20.39.PL01, 20.39.PL02C, 20.39.PL03C, 20.39.PL05D, 20.39.PL06C, 20.39.PL07C, 20.39.PL08C, 20.39.PL09C, KDP/1702/22, Fellgrove Arboriculture Tree Survey

Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.

3. The ground floor commercial premises shall be used for the purpose of a micropub only and for no other purpose, including any other purposes under the Town and Country Planning (Use Classes) Order 1987 (as amended), and shall be operated in accordance with the following –

- That the business is primarily operated for the sale of real ales and cider
- That no slot machines, games machines, televisions, jukeboxes, live or amplified music are operated from the premises.

Reason: In the interests of the residential amenities of the flats above the premises.

4. The micropub hereby approved shall not be open to the public outside of the hours of 11.00 to 23.00.

Reason: In the interests of the residential amenities of the area.

5. No development beyond the construction of foundations shall take place until a scheme of acoustic insulation measures to mitigate the transmission of noise between the ground floor commercial unit and upper floor residential units has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To protect the amenities of future occupiers of the residential units.

6. No outdoor seating areas, smoking shelters or other outdoor facilities for patrons of the ground floor commercial unit shall be provided or operated.

Reason: To protect the amenities of future occupiers of the residential units.

7. Details of any mechanical ventilation system to be installed shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development, and upon approval shall be installed, maintained and operated in a manner that prevents the transmission of odours, fumes, noise and vibration to neighbouring premises.

Reason: In the interests of the residential amenities of the area.

8. No development shall be commenced until a Construction Management Plan has been submitted to and approved in writing by the local planning authority, and shall include the following:

- (a) Routing of construction and delivery vehicles to / from the site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel

- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage

The approved details shall be adhered to throughout the construction process.

Reason: In the interest of highway safety

9. The site access as shown on the submitted plans, shall be completed prior to the use of the site commencing and maintained for such use thereafter.

Reason: In the interest of highway safety.

10. Prior to the use of the site commencing, the visibility splays as shown on the submitted plan ref: 20.39.PL08C and 2 metres x 2 metres pedestrian visibility splays behind the footway on both sides of the access shall be implemented on site and maintained thereafter, with no obstructions over 0.6metres above carriageway level within the splays.

Reason: In the interest of highway safety.

11. The approved vehicular access shall be created using a bound surface for the first 5 metres of the access when measured from the edge of the highway.

Reason: In the interest of highway safety.

12. No development shall commence until details of the proposed means of foul sewerage and surface water disposal, including measures to prevent the discharge of surface water onto the highway, have been submitted to and approved in writing by, the Local Planning Authority. The drainage systems shall be implemented on site in accordance with the approved details prior to first occupation of the development.

Reason: In order to ensure that existing drainage systems are not overloaded and to prevent surface water runoff on to the highway.

13. The parking spaces and the bicycle store shown on the submitted plans 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 to the parking spaces or access to the bicycle store. The parking spaces bicycle store and access thereto shall be provided prior to the occupation of the development hereby approved.

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

14. One active and 5 passive Electric Vehicle charging points shall be provided at the site prior to the occupation of the development hereby permitted and they shall be retained permanently thereafter. All Electric Vehicle charging points shall be provided to Mode 3 standard (providing up to 7kw) and SMART (enabling Wifi connection). (Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-schem>

[e-approved-chargepoint-model-list](#))

Reason: To ensure the provision and retention of electric vehicle charging facilities in the interest of reducing greenhouse gas emissions.

15. No development beyond the construction of foundations shall take place until a scheme of biodiversity enhancement measures have been submitted to and approved in writing by the Local Planning Authority. These shall include the installation of bat and bird nesting boxes along with provision of native species planting' The approved details shall be completed prior to first occupation of the development and thereafter retained.

Reason: To minimise impacts on and provide net gains for biodiversity in accordance with the requirements of the NPPF.

16. No development shall commence (including site clearance) until an updated bat scoping survey report has been submitted to and approved by the local planning authority. The survey will include a full external and internal inspection of the buildings to be demolished and consider the potential for bats to be roosting within the buildings and identify if there is a need for bat emergence surveys to be carried out. If the survey identifies a need for bat emergence surveys to be carried out, the results of these surveys must be included with the submission for this condition discharge and feature suitable mitigation measures for the construction phase of the development, which will need to be carried out under Natural England licence. The approved mitigation measures must be implemented thereafter.

Reason: To reduce the potential for harm to protected species on the site.

17. No development shall commence 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 key principles contained within the Flood Risk Assessment report by Herrington's Consulting (January 2021). The submission shall also 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 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.

Reason: To ensure 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. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

18. The development shall not 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 in writing by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that 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.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework

19. No development beyond the construction of foundations shall take place until details in the form of samples of external finishing materials to be used in the construction of the development 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

20. The development shall be designed to achieve a water consumption rate of no more than 110 litres per person per day, and the dwellings shall not be occupied unless the notice for the dwellings of the potential consumption of water per person per day required by the Building Regulations 2015 (As amended) has been given to the Building Control Inspector (internal or external).

Reason: In the interests of water conservation and sustainability.

21. The residential units hereby approved shall be constructed and tested to achieve the following measure:

- At least a 50% reduction in Dwelling Emission Rate compared to the Target Emission Rates as required under Part L1A of the Building Regulations 2013 (as amended);

No development shall take place until details of the measures to be undertaken to secure compliance with this condition 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 the interest of promoting energy efficiency and sustainable development.

22. All residential development shall be located at first floor level and above.

Reason To ensure the protection of all residents at the site from flood risk.

23. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in

accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

24. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that historic building features are properly examined and recorded.

25. Other than as specified in condition 27, all hard and soft landscape works shall be carried out on the site in accordance with the details contained in drawing ref: KDP/1702/22. 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. Upon completion of the approved hard and soft landscaping scheme as detailed on the approved drawings, if any trees or shrubs are removed, die, become severely damaged or become seriously diseased within five years of planting, they shall be replaced with trees/shrubs of a similar size and species unless otherwise agreed in writing with the Local Planning Authority.

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

26. Prior to first use of the micropub, full details of the refuse storage and disposal arrangements for the micropub shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to first use of the micropub and retained for such purposes thereafter.

Reason: In the interest of protecting and preserving neighbouring amenity.

27. Notwithstanding the submitted plans, no development beyond the construction of foundations shall take place until details in the form of samples of the hard surfacing materials to be used on any part of the site between the building hereby approved and the public highway 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 the interests of visual amenity

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no fences, wall or other means of enclosure shall be erected between the frontage of the building hereby approved and the public highway.

Reason: In the interests of visual amenity.

INFORMATIVES

1. Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation ([web:www.kent.gov.uk/roads_and_transport.aspx](http://www.kent.gov.uk/roads_and_transport.aspx) or telephone: 03000

418181) in order to obtain the necessary Application Pack.

2. The new pedestrian access which is proposed from Millennium Way into the development will involve the removal of shrubs and trees located in the adjacent verge, which falls under the control of Kent County Council. Kent County Council will need to be compensated for the loss of these assets in line with CAVAT (Capital Asset Value of Amenity Trees). Agreement must be sought and compensation agreed directly with Kent County Council under a Section 278 Agreement prior to the commencement of works to the access and verge.
3. It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

4. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

Please note:

- The 8 inches public water main requires a clearance of 6 metres on either side of the water main to protect it from construction works and to allow for future access for maintenance.
- No excavation, mounding or tree planting should be carried out within 6 metres of the external edge of the public water main without consent from Southern Water.
- No new soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public water main.
- All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

The impact of any works within the highway/access road on public apparatus shall be assessed and approved, in consultation with Southern Water, under a NRSWA enquiry in order to protect public apparatus. Please send these enquiries to: Developer.Services@southernwater.co.uk

5. It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

6. The developer can discharge surface water flow no greater than existing levels if proven to be connected and it is ensured that there is no overall increase in flows into the sewerage system.
7. The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS). Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance available here: water.org.uk/sewerage-sector-guidance-approved-documents/ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

8. Please note that non-compliance with Sewers for Adoption standards will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at:
SouthernWaterPlanning@southernwater.co.uk

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2021 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

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

Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017.

This Appropriate Assessment (AA) has been undertaken without information provided by the applicant.

The application site is located within 6km of The Medway Estuary and Marshes Special Protection Area (SPA) which is a European designated sites afforded protection under the Conservation of Habitats and Species Regulations 2017 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, and an Appropriate Assessment is required to establish the likely impacts of the development.

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 63 and 64 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.

The recent (April 2018) judgement (*People Over Wind v Coillte Teoranta*, ref. C-323/17) handed down by the Court of Justice of the European Union ruled that, when determining the impacts of a development on protected area, “*it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site.*” The development therefore cannot be screened out of the need to provide an Appropriate Assessment solely on the basis of the mitigation measures agreed between Natural England and the North Kent Environmental Planning Group.

However, the proposed development is of a very small scale and, in itself and in combination with other development, would not have an adverse effect on the integrity of the SPA, subject to the conditions set out within the report.

Notwithstanding the above, NE has stipulated that, when considering any residential development within 6km of the SPA, the Council should secure financial contributions 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 that such strategic mitigation must be in place before the dwellings are occupied.

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 (via the NKEPG), I conclude that off site mitigation is required.

In this regard, whilst there are likely to be impacts upon the SPA arising from this development, the mitigation measures to be implemented within the SPA from collection of the standard SAMMS tariff (to be secured by either the SAMMS payment form or unilateral undertaking on all qualifying developments) will ensure that these impacts will not be significant or long-term. I therefore consider that, subject to mitigation, there will be no adverse effect on the integrity of the SPA.

It can be noted that the required mitigation works will be carried out by Bird Wise, the brand name of the North Kent Strategic Access Management and Monitoring Scheme (SAMMS) Board, which itself is a partnership of local authorities, developers and environmental organisations, including SBC, KCC, Medway Council, Canterbury Council, the RSPB, Kent Wildlife Trust, and others (<https://birdwise.org.uk/>).

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.



Ordnance Survey - data derived from OS Premium

21/500204/FULL - Old House at Home 158 - 162 High Street Sheerness ME12 1UQ
Scale: 1:1000
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