

REFERENCE NO - 16/504186/FULL		
APPLICATION PROPOSAL Demolition of existing garage and the erection of two bedroom family dwelling and studio space at ground floor level		
ADDRESS Land Opposite 117 Upper Brents Faversham Kent ME13 7DZ		
RECOMMENDATION - GRANT SUBJECT TO receipt of drawings clarifying proposed floor levels and deleting the large side window to the main sitting room.		
SUMMARY OF REASONS FOR RECOMMENDATION The proposal would not give rise to unacceptable harm to residential or visual amenity		
REASON FOR REFERRAL TO COMMITTEE Town Council objection		
WARD Priory	PARISH/TOWN COUNCIL Faversham Town	APPLICANT Mr Damian Rowe AGENT Timothy Hatton Architects
DECISION DUE DATE 26/07/16	PUBLICITY EXPIRY DATE 12/07/16	

1.0 DESCRIPTION OF SITE

- 1.01 The site comprises a narrow plot of land with an area of approx. 0.016ha with a detached single garage on it. The site also contains two small poor quality plum and lilac trees, which would be removed as part of the development.
- 1.02 The site is at the northern end of Upper Brents located at the entrance to the Upper Brents Industrial Estate to the north east. A Victorian terrace of properties lies opposite the site to the north west, and Faversham Reach lies to the south facing Faversham Creek. Finally, an area of open ground lies to the south west beyond some small plots of land opposite the terraced properties.
- 1.03 The plot is within Faversham conservation area and has no relevant planning history.
- 1.04 Two large established trees, a monterey cypress and a lawson cypress are located on the adjoining plot. The proposed house lies outside the root protection area of these trees and they could be protected during construction works.

2.0 PROPOSAL

- 2.01 The proposed development is the construction of a modern style three storey residential property with an artist studio/workshop to the ground floor. The house is of simple minimal design with an unusual "butterfly" (V shaped) roof, and is to be clad in weathered steel.
- 2.02 The house is modest in size and measures nearly 15m in length and just under 5m in width at the front of the building (facing the residential terrace at Upper Brents), increasing to 5.6m wide to the rear of the building.

- 2.03 The butterfly shaped roof is a maximum height of 10m at the rear of the building and falls into a dip of approx. 8m, then rising to a height of 8.5m at the front of the building.
- 2.04 The property will provide a workshop/artist studio, with pedestrian access via the front of the property or via the side off Upper Brents. Additionally, on the ground floor is a porch and entrance hall with stairway access to the first floor which provides front and rear bedrooms, ensuite and bathroom and a rear integrated terrace. The second floor provides open plan living accommodation with an integrated terraced area to the rear.
- 2.05 Parking for two cars is provided to the front of the site with access off Upper Brents
- 2.06 An Arboricultural Survey & Report is provided in which four individual trees and one hawthorn hedge were assessed as part of the Survey. Two trees are included within the site boundary and both are located on the South East boundary of the site. T3 is a category C tree and T4 is a category U tree and it is proposed that these trees be removed in order to facilitate the proposed development. The report further recommends measures to ensure the protection and maintenance of the existing two trees, T1 (Monterey Cypress) and T2 (Lawson Cypress) which are outside the boundary of the site.
- 2.07 A Flood Risk Assessment has been included with the submission and highlights the site is in the EA Flood Zone 3 but adjacent to and with access to Flood Zone 1 and that the residential space is above the 1in100year and 1in1000year levels, no structures are within present or 2115 functional floodplain and that flood resilient designs are inherent and incorporated here, and hence no raising of ground floor levels is considered necessary. It also addressed evacuation for a range of flood events. It concludes that the site is considered to be generally at a low risk from all sources of flooding except for future extreme undefended tidal flooding. Based on the likely flooding risk, it is considered that the proposed development can continue to operate safely in flood risk terms, without increasing flood risk elsewhere and is therefore appropriate development in accordance with the NPPF. The site is said not to have been inundated in either the 1953 or 1978 flood events.
- 2.08 The application is also supported by a Background Noise Assessment, a Heritage Impact Assessment and a Design and Access Statement.

3.0 APPLICANT'S SUMMARY INFORMATION

3.01 Design strategy

The proposals have been designed and will be constructed to a high standard, and seeks to follow the guidance set out in Faversham Creek Neighbourhood Plan Policy NP1, by providing a high quality designed development which respects its context.

A clear aim of the proposal is to achieve a high standard of environmental performance and a high level of protection against the risk of flooding.

We believe the high quality design would preserve and enhance the character of the Faversham Conservation area.

3.02 Layout

The proposals seek to demolish the existing single garage and to provide a two bedroom family dwelling and studio space arranged over three storeys.

The ground floor allows for a studio space that is to be used by the applicant to support his profession as a local craftsman. Although the site is highlighted as being within a flood defended area the scheme ensures that all habitable accommodation is situated on the upper storeys.

The building form is influenced by the constraints of the plot. The narrow plan has been carefully considered to maximise space throughout the scheme. The simple butterfly roof provides additional height where required on the upper living level whilst providing a profile that limits any perception of bulk when viewed from the north or south.

3.03 Material

To enhance and preserve the character of the conservation area new external walls are to be constructed in high quality weathering steel in a finish to be sympathetic to the existing surroundings along the Creek. The specific choice of material aims to reflect the historical industrial context of the Faversham docks

3.04 Access

Following a pre-application submission we were advised that the new access provision should be no worse than the existing. The proposal is to provide two car parking spaces along the front with direct access from the road. There is no fence or gate proposed to maintain maximum visibility as recommended by Kent Highways.

4.0 PLANNING CONSTRAINTS

Conservation Area Faversham
Enforcement Notice
Environment Agency Flood Zone 2
Environment Agency Flood Zone 3 141081
Section 52 S52-13

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan: Swale Borough Local Plan 2008 saved policies SH1, FAV1, E1, E15, E19 and H2.
The Swale Borough Local Plan Proposed Main modifications 2016 policies ST1, ST3, CP4, DM14, DM21 and DM33
Supplementary Planning Documents: Conservation Areas

6.0 LOCAL REPRESENTATIONS

6.01 Two letters have been received from local residents, and a letter from Faversham Reach Residents association, the comments are summarised below:

- The design is industrial in style, size and construction materials unsympathetic to the Victorian/Edwardian terrace opposite, contrary to Local Plan policy
- It is very big for this small site and will affect sunlight to neighbours
- It is three storey and will overshadow the conservation area
- Overlooking to Faversham Reach from third floor windows, despite summer screening
- It will cause the loss of trees and wildlife
- The nearby Town Green is protected from development

- It is not stated what the workshop would be used for
- Workshop doors enter onto the footpath
- The house is in the conservation area not the industrial estate
- Vehicles entering into the industrial estate create noise which is not assessed – the metal cladding will reflect and increase noise levels
- Large flat areas of steel will exacerbate the noise
- Doors are shown to open onto the entrance road to the estate and on the Saxon Shoreway Footpath, which is private land
- Access into the industrial estate has no pavements or surface water drainage, is difficult and cars park anti socially – it needs to be widened
- A previous application for housing here was rejected

6.02 Swale Footpaths Group commented that they note presence of footpath ZF42 nearby.

7.0 CONSULTATIONS

7.01 Faversham Town Council has commented that the proposed development would be harmful to the character of the conservation area by reason of its height and roof shape, but they have no objection to residential use on this site, nor to a modern design

7.02 The Council's tree consultant offered no comment.

7.03 Kent Highways & Transportation commented that the application does not meet the criteria to warrant involvement from the Highway Authority.

7.04 The Environment Agency has commented that they have no objection to the proposal, based on details provided in the applicant's Flood Risk Assessment (FRA) . They add that they are satisfied the proposed building will not be at high risk to tidal flooding under the present day 200yr tidal return period but as the FRA acknowledges, it could be at risk in the future following the impact of climate change. This means the workshop area and the entrance lobby to the dwelling, could be at risk to internal flooding in the future. They note that no topographic survey has been included with the application and so they are unable to confirm the estimated depth of internal flooding to the building. They recommend that if feasible to do so, consideration should be given to raising the finished floor level of the entrance lobby area to the dwelling, to a minimum of 5.83metres above Ordnance Datum (AOD), in order to minimise the risk of internal flooding.

7.05 KCC Public Rights Of Way & Access Service commented that they noted a public footpath passes adjacent to the proposed site. As the application is for the erection of a dwelling as shown on the plans provided, there is unlikely to be a significant impact on the path and therefore raised no objections to the application.

7.06 Southern Gas Networks have commented that low/medium/intermediate pressure gas mains are near to the site and that there should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. Their advice is to confirm the position of services using hand dug trial holes.

7.07 Southern Water have raised no substantive comments on the application

- 7.08 The Environmental Health Manager requested that the acoustic report should be resubmitted, addressing what measures are in place to provide ventilation with the windows closed at the property. This was subsequently done and found to be acceptable. Additionally he recommends conditions be imposed to require the removal of any asbestos, a contaminated land assessment to be completed and implemented, and that the houses of construction should be restricted. These conditions are recommended below.

8.0 APPRAISAL

Principle of Development

- 8.01 The site is located within the built up area boundary of Faversham and as such the presumption in favour of development here applies, in accordance with saved policy H2. However, further issues to be considered include whether the proposal meets the aims and objectives of Policy E15 of the Local Plan in preventing development that fails to preserve or enhance the special character and appearance of the conservation area and whether the proposal would result in harm to the residential and visual amenity of the area.

Visual Impact

- 8.02 The character of the area is quite varied with its mixture of modern housing and modern industrial units, with (as described in the adopted Faversham Conservation Character Appraisal), a rare surviving group of brick workers houses (opposite the application site) adding historical and architectural interest to the area
- 8.03 Given the shape and size of the plot and the poor quality of the existing garage building at the site, I consider that the introduction of the proposed new dwelling, carefully designed with the constraints of the site in mind, and utilising contemporary facing and roofing materials in a very modern form, would add a pleasing point of interest, which would enhance the character and appearance of the conservation area at this location. Given its metal form, and its location, it would mark the transition from the housing area to the industrial area with its 'vernacular' of profiled steel clad buildings
- 8.04 The submitted Heritage Impact Statement states that *'The proposed residential dwelling would be visible from Upper Brents and potentially from the green space between Upper Brents and the Creek. It would also be possible to see the dwelling for people out on a walk returning to Faversham from the Ham Marshes on the Saxon Shore Way public footpath*

The proposed high quality contemporary residential dwelling would screen views from the green space inside the Conservation area towards the unsightly development of the Brents Industrial Estate. Existing trees would further soften the views of the dwelling.

The proposed dwelling would have a positive impact by welcoming everyone walking along the Saxon Shore Way public footpath from the Ham Marshes towards Faversham.

To enhance and preserve the character of the conservation area new external walls are to be constructed in high quality weathering steel in a finish to be sympathetic to the existing surroundings along the Creek. The specific choice of material aims to reflect the historical industrial context of the Faversham docks. The attractive

appearance of mature weathering steel often blends pleasingly with the environment. Its appearance changes and improves with age'.

- 8.05 I have no reason to challenge the assertions made in this statement, and in fact I consider it goes a long way to support the case for a well-designed, contextually sensitive new dwelling at this location, which is ultimately what the application presents.
- 8.06 I understand that weathered steel (best known under the trademark COR-TEN steel) is used to good architectural effect in a wide variety of settings, including in historic towns such as Stratford upon Avon, and I consider it would work well at this location.
- 8.07 However, the effectiveness of the design in overall terms will rest to a large degree on the detailing of areas such as the jointing between the sections of weathered steel, the frame design for the window and door openings, the design and positioning of rainwater goods, and the junction design for the areas where the roof meets the vertical external walls. As such I have included conditions to ensure the detail and the materials will be of a sufficiently high standard.
- 8.08 In terms of the size of the building I consider it fits well when the area is taken as a whole to include the three storey Faversham Reach properties, the two storey terraced properties and the two and single storey industrial units. Additionally, in context it will remain in the shadow of the established cypress tree which will remain on the adjacent site, and thus I do not consider the building will dominate any view.

Residential Amenity

- 8.09 The property will be over 21m from the properties opposite and over 60m from those to the rear, additionally as the main living accommodation is on the second floor I do not consider in particular the amenity of the occupants of the houses on Upper Brents would be adversely impacted by the proposal. I do, however, see the proposed large side facing sitting room window facing out over the adjacent vacant plot to be unacceptable as it might affect development options there, or be vulnerable to any such development. I am seeking that this be deleted from the scheme.

Landscaping

- 8.10 I am conscious of the two large mature trees that exist on the application site and acknowledge that these contribute to the overall character and appearance of the conservation area at this location. Any development taking place on the site can be accommodated without compromising the long term health and retention of these trees, although it is considered that the smaller of the two trees is compromised because of its position within the shadow of the larger Cypress tree. The latter provides more visual amenity to the site as a comprehensive arboriculture report has been provided with this application I have attached a condition to ensure the measures it recommends are implemented to protect the trees.

Flood Risk

- 8.11 The site lies at the very edge of Flood Zone 3 (high risk), but with access from Flood Zone 1 (no risk). Accordingly, the NPPG advises that a Sequential Test should be carried out. In my assessment the design of the building with all residential accommodation at first floor level and above; with less vulnerable use below; and the sustainability benefits of developing on this urban site outweigh the minor flood risk

that may be present. I am also mindful that the Environment Agency do not raise objection to the application.

Other Matters

- 8.12 Whilst I note the comments from the Town Council I consider that the height of the dwelling is not excessive and sits well between the three storey waterside properties along the creek at Faversham Reach, and the tall two storey residential properties, and with the one and two storey industrial units. The roof is an important component of the contemporary design and for the reasons outlined above I consider it to be appropriate here.
- 8.13 I note the comments from residents and I have addressed the additional points they raise regarding the height, and materials and as this is to be considered a transitional site which lies between industrial units and the residential properties I do not consider it to be appropriate to relate and consider it solely in relation to the residential properties opposite but it must be considered in the context of the location as a whole.
- 8.14 I note the initial concern by the Environmental Health Manager but with the additional information confirming the specification to be used to ensure that an adequate level of ventilation is provided, these were sufficiently addressed.

9.0 CONCLUSION

- 9.01 The proposed new dwelling is within the built up area boundary of Faversham and as such the principle of the development is acceptable. The dwelling has been carefully designed with the constraints of the site in mind and in particular its location by the use of contemporary facing and roofing materials and design which would mark the transition from the housing area to the industrial area with its 'vernacular' of profiled steel clad buildings. I therefore consider that the proposal would cause no harm to the amenity of residents and would enhance the character and appearance of the Conservation Area at this location and therefore I recommend that planning approval be granted subject to clarification of floor levels and deletion of the large side window..

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

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 other than in accordance with the following drawings:

1312.P.2.000.01.A, 1312.P.2.001.01, 1312.P.2.001.10.A, 1312.P.2.001.11.A, 1312.P.2.001.12.A and 1312.0.001.20.

Reason: For the avoidance of doubt.

- (3) The development shall include trickle ventilation via the use of product no 2500EA / 5000EA the Acoustic window ventilator from Greenwood, as detailed in email dated 5th July 2016, and should any alternative be considered it must be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity

- (4) 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 and to ensure that such matters are agreed prior to the commencement of development:

- (5) No development shall take place until the following drawings/details have first been submitted to and approved in writing by the Local Planning Authority:
- (i) 1:50 scale drawings of all elevations and a 1:50 scale roof plan clearly showing the positioning of any rain water goods and the form/location of any parapet and/or valley guttering
 - (ii) Drawings and/or specifications of any guttering and/or rainwater pipe products to be fixed to the building, including material(s) and colour finish(es)
 - (iii) Drawings and/or specification details of the glazing system (including glass type(s)) and associated framing design to be used (to include reveal depth(s) and colour finish(es))
 - (iv) 1:1 or 1:2 scale typical vertical section drawing showing the junction between the wall and roof plane
 - (v) 1:1 or 1:2 scale plan and vertical sections showing the junction design between the sheets of weathered steel
 - (vi) A sample of the material(s) to be used for the roof covering
 - (vii) A sample section of the balcony railing design to be used (to be supplied in the intended colour finish(es))
 - (viii) A sample panel of the cedar fence to be erected at the site (note: details of the post design and centre distances should be provided as part of the required landscaping plan)

The approved development shall then be implemented in accordance with the submitted drawings and the details submitted and approved in relation to this condition, and retained/maintained as such thereafter in perpetuity, unless subsequently approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the area and to ensure that such matters are agreed prior to the commencement of development:

- (6) No development shall take place until full details of the method of disposal of foul and surface waters have been submitted to and approved by the Local Planning

Authority. The approved details shall be implemented before the first use of the development hereby permitted.

Reason: In order to prevent pollution of water supplies and to ensure that such matters are agreed prior to the commencement of development:

- (7) No development approved by this permission shall be commenced prior to a contaminated land assessment (and associated remediation strategy if relevant), being submitted to and approved in writing by the Local Planning Authority, comprising

a) A desk study and conceptual model, based on the historical uses of the site and proposed end-uses, and professional opinion as to whether further investigative works are required. A site investigation strategy, based on the results of the desk study, shall be approved by the Local Planning Authority prior to any intrusive investigations commencing on site.

b) An investigation, including relevant soil, soil gas, surface and groundwater sampling, carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analyses, risk assessment to any receptors and a proposed remediation strategy which shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment, including any controlled waters.

Reason: To ensure any contaminated land is adequately dealt with and to ensure that such matters are agreed prior to the commencement of development:

- (8) Before the building is first occupied, all remediation works identified in the contaminated land assessment and approved by the Local Planning Authority shall be carried out in full on site under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If, during the works, contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

Reason: To ensure any contaminated land is adequately dealt with.

- (9) Upon completion of the works identified in the contaminated land assessment, and before the building is occupied, a closure report shall be submitted which shall include details of the proposed remediation works with quality assurance certificates to show that the works have been carried out in accordance with the approved methodology. Details of any post-remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To ensure any contaminated land is adequately dealt with

- (10) No demolition or 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 District Planning Authority.

Reason: In the interests of residential amenity

- (11) 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 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

- (12) The tree protection measures as set out in paragraphs 7.0 to 7.28 inclusive of the submitted Arboricultural Survey and Report by MWA Arboriculture dated 08/05/2016 shall be carried out in full and any amendment shall be approved in writing by the Local Planning Authority

Reason: In order to protect existing trees which are considered to be worthy of retention and add to the visual amenities of the area

- (13) Upon completion, no further development, whether permitted by Classes A, B, C, D, E, G or H of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order) or not, shall be carried out.

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

- (14) 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.

- (15) No development shall commence until details of finished floor levels have first been submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details

Reason: To minimise risk from flooding, and to ensure that such matters are agreed prior to the commencement of development:

- (16) The area shown on the submitted plan as car parking spaces 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 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.

- (17) The ground floor of the property shall not be used as sleeping accommodation at any time, and shall only be used for purposes ancillary to the use of the residential accommodation in the remainder of the building.

Reason: To minimise the risk from flooding and ion the interests of the amenities of that area.

- (18) Upon completion of the development, no asbestos associated with the demolition of the existing building shall remain on the site.

Reason: In the interests of appropriate contamination control.

Habitats Regulations Assessment

This HRA has been undertaken without information provided by the applicant. The application site is located very close to The Swale Special Protection Area and Ramsar site 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. NE also advises that the proposal is not necessary for the management of the European sites and that subject to a financial contribution to strategic mitigation, the proposal is unlikely to have significant effects on these sites and can therefore be screened out from any requirement for further assessment. It goes on to state 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); 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 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 may cost 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, NE have acknowledged that the North Kent Councils have yet to put in place the full measures necessary to achieve mitigation across the area and that questions relating to the cumulated impacts on schemes of 10 or less will need to be addressed in on-going discussions. This will lead to these matters being addressed at a later date to be agreed between NE and the Councils concerned.

- 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 Borough Council is of the opinion that Natural England's suggested approach of seeking developer contributions on minor developments 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 is acceptable to officers as a common route forward. Swale Borough 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 as this is for one dwelling, 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 dwelling proposed but in the longer term the mitigation will be secured at an appropriate level, and in perpetuity.

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:

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

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.