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| REFERENCE NO - 16/506068/FULL | | | |
| APPLICATION PROPOSAL Erection of chalet bungalow with detached double garage/store and associated parking, access and landscaping works | | | |
| ADDRESS Land At Callaways Lane Newington Kent ME9 7LU | | | |
| RECOMMENDATION Grant with conditions | | | |
| SUMMARY OF REASONS FOR RECOMMENDATION The Council does not currently have a five year supply of housing land and therefore the policies in the Local Plan related to housing are considered to be out of date. The site adjoins the built up area boundary, is considered to be in a sustainable location when assessed against the NPPF and the benefits of one dwelling in this location outweigh any harm caused to the countryside. Furthermore, the proposal would not cause harm to the setting of the conservation area or residential amenities. | | | |
| REASON FOR REFERRAL TO COMMITTEE Recommendation contrary to Parish Council view. | | | |
| WARD Hartlip, Newington And Upchurch | PARISH/TOWN COUNCIL Newington | APPLICANT Mr J Lane AGENT DHA Planning | |
| DECISION DUE DATE 17/10/16 | PUBLICITY EXPIRY DATE 01/11/16 | | |
| RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): | | | |
| App No | Proposal | Decision | Date |
| None | | | |

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site comprises an undeveloped parcel of land measuring 48m-55m in depth and 24m-28m in width.
- 1.02 The site is bounded to the northwest by Callaways Lane and to the northeast by an access track. To the south of the site lies open countryside. The built up area boundary abuts the site to the northeast and also runs along Callaways Lane to the northwest of the site. The Newington Manor conservation area lies approximately 14m to the west of the closest part of the application site.

2.0 PROPOSAL

- 2.01 The application seeks planning permission for the erection of a chalet bungalow with a detached double garage / store.
- 2.02 The dwelling would be set back from Callaways Lane by a distance of 22m-24m and as a result would be located towards the centre of the application site. The property will have a footprint of 13m x 7m at ground floor level with the floor area reducing to 11m x 6.5m at first floor level. The proposed dwelling has a pitched roof with three

pitched roof dormers on the front roofslope and three on the rear. There will be a catslide roof on the northeast elevation. The eaves height will be 2.4m on the northeast elevation and 3.5m elsewhere. The ridge height will be 8m. A chimney rising to 8.3m will be located on the southwest elevation.

- 2.03 A double garage / store will be located in advance of the front elevation of the dwelling, close to the access track which abuts the northeast boundary of the application site. This structure measures 10m x 6.5m and has a pitched roof with a catslide element. The eaves of the building will be 1.6m on the catslide element, 2.5m elsewhere and 6m to the ridge.
- 2.04 A courtyard / parking area would be located in the area in front of the dwelling and to the rear of the site would be private amenity space measuring 21m in depth and 27m in width. A 1.2m high post and rail fence would be situated on the front and side boundaries of the site.

3.0 PLANNING CONSTRAINTS

- 3.01 Newington Manor conservation area – Would affect the setting of.

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)

- 4.01 The NPPF at paragraph 14 states that central to the NPPF is “*a presumption in favour of sustainable development.*”

For decision-taking this means:

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.”*

- 4.02 At paragraph 49 the NPPF states that “*Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*”

Development Plan

- 4.03 Policies SP1 (Sustainable Development), SP2 (Environment), SP4 (Housing), SP5 (Rural Communities), SH1 (Settlement Hierarchy), E1 (General Development Criteria), E6 (The Countryside), E15 (Development Affecting a Conservation Area), E19 (Achieving High Quality Design and Distinctiveness), RC3 (Helping to Meet Rural Housing Needs), H2 (Providing for New Housing), T1 (Providing Safe Access to New Development) and T3 (Vehicle Parking for New Development) of the adopted Swale Borough Local Plan 2008

- 4.04 Policies ST1 (Delivering Sustainable Development in Swale), ST2 (Development Targets for Jobs and Homes 2011-2031 2014-2031), ST3 (The Swale Settlement Strategy), CP3 (Delivering a Wide Choice of High Quality Homes), CP4 (Requiring Good Design) and DM14 (General Development Criteria) of The Emerging Swale Borough Local Plan 'Bearing Fruits 2031' Proposed Main Modifications 2016.

5.0 LOCAL REPRESENTATIONS

- 5.01 Surrounding properties were sent a consultation letter, objections were received from two separate addresses raising the following summarised points:

- The application site provides a barrier between the developed side of Callaways Lane and the open countryside;
- A vast array of wildlife resides within the application site;
- The site is close to the conservation area and development in this location could impact on views into and out of this designated area;
- The site is sensitive and should not be built upon;
- Many well established trees and bushes will have to be cleared to allow for the development;
- The vehicular access will be dangerously located;
- The development site abuts an accessway which could cause damage to the banked area and impact upon the users of the access;
- The cumulative impact of planning applications for housing in the vicinity will create the urbanisation of this rural area within which the infrastructure does not exist to support new residents;
- Existing residents will have to endure months of construction related disturbances;
- The surrounding road network is not large enough to deal with construction vehicles;
- The property would give rise to light pollution to existing residents and wildlife and would impact upon the darkness of the countryside;
- The proposal would lead to a loss of views from neighbouring properties;
- The owner of the land promised not to develop the site;
- Developers promise new facilities but these are rarely delivered.

6.0 CONSULTATIONS

- 6.01 **Newington Parish Council** *"objects to this application.*

The proposed dwelling is within the conservation area and would be visible from Cranbrook Farm and Little Cranbrook Farm. It would extend the built-up boundary of the Village.

There seem to be errors in the application: it is contradictory stating, the land is in the centre of the village and also that it is on the periphery. Much is made of the 1998 Cranbrook Farm application, quoting this as a precedent; in fact this application was in respect of the conversion of a redundant farm outbuilding, rather than building on rural land a dwelling that would not fulfil any social or agricultural need."

- 6.02 **KCC Ecology** request conditions related to a method statement for ecological mitigation, a lighting strategy, bat boxes, bird boxes and the provision of additional native hedgerow planting.
- 6.03 The Council's **Environmental Protection Team** state that *"the land is currently used for agricultural purposes of which details have not been given. It will be necessary for a desk top study to be provided for this site. There is also the potential to cause a*

noise nuisance during construction.” No objection has been raised subject to conditions related to land contamination and construction noise.

7.0 SUPPORTING DOCUMENTS

- 7.01 A Design and Access Statement and Heritage Statement have been submitted in support of the application. This sets out that the Council cannot demonstrate a five year supply of housing and the site lies within a sustainable location. Further to this, in response to the objection letters received the applicant has commented stating that there has never been a promise not to develop the site and the proposed dwelling will be occupied by the applicants.

8.0 BACKGROUND PAPERS AND PLANS

- 8.01 Application papers and correspondence relating to planning reference 16/506068/FULL.

9.0 APPRAISAL

Principle of Development

- 9.01 Although the site adjoins the built up area boundary, in planning policy terms it lies outside of the built up area and is therefore in the countryside. In regards to this the Council can not currently demonstrate a five year supply of housing land and because of this the Council’s policies in relation to residential development are to be considered out of date, as set out in paragraph 49 of the NPPF. This means that policies E6 (Countryside) as far as it relates to housing, H2 (Providing for New Housing) and RC3 (Helping to Meet Rural Housing Needs) of the adopted Swale Borough Local Plan 2008 (SBLP) are out of date because they seek to restrict housing development in the countryside as defined by the Proposals Map of the SBLP. Therefore these policies can only be afforded limited weight.
- 9.02 Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. It dictates that where relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the whole framework, or where specific policies in the framework indicate development should be restricted.
- 9.03 The NPPF identifies three dimensions to sustainable development; economic, social and environmental, and states that planning needs to perform roles in all three dimensions. I consider each in turn below.
- 9.04 As set out above, the boundary of the application site abuts the boundary of the built up area. As such, the site is only 330m from the centre of Newington (via Callaways Lane and High Street). Although there is not a footpath immediately adjacent to the application site there is a footpath which begins approximately 50m away which provides access into the centre. I also note that the nearest bus stop is 320m away from the site, the mainline railway station 500m away and a primary school is located 950m away. Therefore I consider that the site has extremely good accessibility to goods, services and public transport and relatively good links to the nearest primary school. Due to this a dwelling in this location would support the well being of the village and help to perform the social role in sustainable development.
- 9.05 In terms of the proposals contribution to the economic role of sustainable development there is some limited potential for future residents of the proposal to find

employment at one of the services which are provided within the village centre. In addition, the construction phase of the development would generate some short term employment. Therefore I consider that this dimension to sustainable development has been satisfied, albeit in a limited way.

- 9.06 The northern side of Callaways Lane is defined by existing residential development. Further to this, immediately to the northeast of the application site, on the southern side of Callaways Lane, the environment is built up in nature. Therefore, although to the south of the application site the setting is largely rural this does not solely define the characteristics of the surrounding area in my view. As such, I do not consider that the development would cause unacceptable harm to the character and appearance of the countryside.
- 9.07 Paragraph 55 of the NPPF advises that isolated new homes in the countryside should be avoided. However, as the site abuts the built up area boundary and due to its close proximity to the village centre and other built form I do not at all consider that the site can be defined as isolated. As such I believe that there would be limited harm arising from the development which would be considerably outweighed by the benefits that an additional dwelling would bring when considered against the NPPF as a whole. Overall there are no specific policies in the NPPF which indicate that the development should be restricted in this case.

Impact upon the setting of the conservation area and visual amenities

- 9.08 As set out above the site lies close to the Newington Manor conservation area. Therefore a key consideration in the determination of this application is the requirement of the proposal to preserve or enhance the setting of, or views into and out of this designated heritage asset.
- 9.09 Upon receipt of the original application the garage / store was located close to the southwestern boundary of the application site. I considered that this created a barrier between the application site and the open space beyond. As a result I liaised with the agent and suggested that the garage / store building be moved close to the northeastern boundary on the opposite side of the application site. Amended drawings have been forthcoming which reflect this and alongside the proposed property being set back into the site this has, in my view, resulted in the development complimenting the open space to the southwest.
- 9.10 Further to the southwest of the site lies Cranbrook Farm. A reasonably sized area of open land between this address and the application site would be retained. It is also important to consider that as set out above, the proposed dwelling will be set back into the site, allowing views from Callaways Lane towards the conservation area to be retained. It is further noted that the dwelling to the northeast of the application site, known as 'Cromac' is of an undistinguished design and as such, the traditional design of the proposed dwelling in comparison would enhance the area in my view. As a result I am of the opinion that the proposal as amended would have a positive impact upon the setting of the conservation area and visual amenities and is acceptable in my opinion in this regard.

Residential Amenity

- 9.11 The site faces neighbouring residential properties on the opposite side of Callaways Lane and the adjacent access track. Although the proposed detached garage will be set forward of the proposed property, this element of the application will still be separated from the closest dwellings by a distance of 30m (from Longview) and 22m

(from Cromac). As a result I am of the view that the proposal will have little impact on residential amenities and is acceptable in relation to this.

Impact upon SPA and Ramsar sites

- 9.12 I have for completeness set out a Habitat Regulations Assessment below. This confirms that whilst mitigation could be provided by way of developer contributions, this is not considered appropriate for developments under 10 dwellings. The cost of mitigation will be met by developer contributions on developments over 10 dwellings. In view of this it is not considered that the development will have a harmful impact on the special interests of the SPA and Ramsar sites.

Other Matters

- 9.13 A number of the points raised in the objection letters have been responded to by virtue of the discussion above. However, of those that remain I respond as follows. In regards to wildlife and vegetation on the site I have consulted with KCC Ecology who recommended a number of conditions. I have included these and therefore take the view that these matters can be dealt with satisfactorily. In relation to the new access, Callaways Lane is an unclassified road and therefore KCC Highways have made no comment. However, I note that a number of residential properties in the vicinity have accesses onto Callaways Lane and I do not believe that the access proposed here to be any worse than those existing.
- 9.14 In regards to the point raised about the cumulative impact of housing developments, I give significant weight to the fact that this is a proposal for one dwelling which is located adjacent to the built up area boundary. Therefore, in this location, I do not believe that the scale of development proposed, even accounting for other dwellings, would give rise to a significantly unacceptable strain on infrastructure and services.
- 9.15 I do not believe that the disturbance from construction of one dwelling would be so significant as to substantiate a reason for reason. However, I have included a condition which restricts hours of construction to protect the amenities of neighbours. Furthermore, due to the relatively small scale of the development I do not consider that construction vehicles would have a significantly harmful impact upon the surrounding road network. In relation to light pollution, due to the distance between the proposed and surrounding properties I am of the view that standard domestic lighting would not have an unacceptable impact upon neighbouring amenities or the wider countryside. Furthermore, KCC Ecology have requested a condition in relation to lighting which I have imposed to protect species on the site.
- 9.16 Loss of views, comments that the applicant may or may not have made previously in relation to site and the stability of the bank adjacent to the application site are not material planning considerations and therefore I make no further comment in relation to these. I also note the comment raised relating to developer contributions but as this is a scheme for one dwelling this proposal would fall below the threshold for this.

10.0 CONCLUSION

- 10.01 Overall I consider that due to the Council's housing policies being out of date as a result of the current five housing land supply position that the benefits that the development would bring in terms of a welcome, albeit limited contribution to the housing land supply in a sustainable location would outweigh the very limited harm that this proposal would cause. I have also assessed the impact upon the setting of, and views into and out of the conservation area and take the view that the proposal

has been appropriately designed and laid out to preserve this designated heritage asset. I consider that the development would cause very little harm to residential amenities. Due to the above I recommend that planning permission is granted.

11.0 RECOMMENDATION – GRANT Subject to the following conditions:

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

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

- 2) The development hereby permitted shall take place in accordance with the following drawings: 16.27.1000A; 16.27.SK01E; 16.27.SK04B; 16.27.SK05A; 16.27.SK06C; 16.27.SK11A; 16.27.SK20; 16.27.SK21; 16.27.SK22; 16.27.SK23, received 7th November 2016).

Reason: For the avoidance of doubt and in the interests of proper planning

- 3) No development shall take place until details have been submitted to the Local Planning Authority and approved in writing, which set out what measures have been taken to ensure that the development incorporates sustainable construction techniques such as water conservation and recycling, renewable energy production including the inclusion of solar thermal or solar photo voltaic installations, and energy efficiency. Upon approval, the details shall be incorporated into the development as approved.

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

- 4) Prior to the commencement of development, details in the form of samples of external finishing materials to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity and to preserve the setting of the conservation area.

- 5) Notwithstanding the details set out in the application form, detailed drawings at a suggested scale of 1:5 of all new external joinery work and fittings together with sections through glazing bars, frames and mouldings shall be submitted to and approved by the Local Planning Authority before any development takes place. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to preserve the setting of the conservation area.

- 6) No development shall take place until constructional details at a suggested scale of 1:5 of the eaves and ridges 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 visual amenity and to preserve the setting of the conservation area.

- 7) 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 before work is commenced.

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

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

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

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

- 10) No development shall take place (including any ground works, site or vegetation clearance) until a method statement for ecological mitigation (including provision for reptiles, amphibians, nesting birds, and hedgehogs) has been submitted to and approved in writing by the local planning authority.

The content of the method statement shall include the:

- a) Purpose and objectives for the proposed works;
- b) Detailed design(s) and/or working method(s) necessary to achieve stated objectives;
- c) Extent and location of proposed works, including the identification of a suitable receptor site, shown on appropriate scale maps and plans;
- d) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) Persons responsible for implementing the works, including times during construction when specialist ecologists need to be present on site to undertake / oversee works;
- f) Use of protective fences, exclusion barriers and warning signs
- g) Initial aftercare and long-term maintenance (where relevant);

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: In the interest of protecting reptiles on the site and to ensure that such matters are agreed before work is commenced.

- 11) No development shall take place until a “lighting design strategy for biodiversity” for the site boundaries has been submitted to and approved in writing by the local planning authority. The lighting strategy shall:
- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
 - b) Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory.
- All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.
- Reason: In the interests of preventing disturbances to species in the vicinity and to ensure that such matters are agreed before work is commenced.
- 12) Details of the location and completion of the following enhancement measures shall be submitted to, and be approved by, the Local Planning Authority prior to the occupation of the dwelling hereby approved:
- a) 2 x Schwegler Bat Box: Type 2F;
 - b) 1 x Schwegler Bat Box: Type 1FF
 - c) 2 x Schwegler Bird Box: Type 1B;
 - d) 1 x Schwegler Sparrow Terrace: Type 1SP;
 - e) Provision of native planting.
- Reason: In the interests of biodiversity.
- 13) The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the Local Planning Authority:
- a) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 - b) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

d) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in 3. This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean;

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall thereafter be implemented as approved.

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

- 14) No construction activities shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no working activities on Sunday or Bank Holiday.

Reason: In the interests of residential amenity.

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

Reason: Development without adequate provision for the parking of cars is likely to lead to car parking inconvenient to other road users and in a manner detrimental to highway safety and amenity.

- 16) The garage hereby approved shall be kept available for the parking of vehicles 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 or in such a position as to preclude vehicular access thereto.

Reason: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users and in a manner detrimental to highway safety and amenity.

- 17) The access details shown on the approved plans shall be completed prior to the first occupation of any dwellings hereby approved, and the access shall thereafter be maintained in perpetuity.

Reason: In the interests of highway safety and amenity.

Habitats Regulations Assessment

This HRA has been undertaken without information provided by the applicant. The application site is located 2.8km south of Medway Estuary and Marshes 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 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 a proposal 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:

- Offering pre-application advice.
- Where possible, suggesting solutions to secure a successful outcome.
- As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The 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.