

MC/23/2421

Date Received: 15 December 2023
Location: 14 Brompton Farm Road, Strood, Rochester, Kent, ME2 3QY
Proposal: Outline application with some matters reserved (appearance and landscaping) for the demolition of the existing dwelling and for the construction of 5 x 4-bedroomed dwellings and 1 x 3-bedroom dwelling with associated parking, amenity and landscaping.

Applicant Mr Lowe
Agent Ms Han Ebcin
Whitehall Place
47 The Terrace
Gravesend
Kent
DA12 2DL

Ward: Strood North and Frindsbury
Case Officer: Arron Nicholls
Contact Number: 01634 333184

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 23rd October 2024.

Recommendation – Approval with Conditions

- 1 The development for which permission is hereby granted shall not be commenced before detailed plans showing the appearance, and landscaping of the site (referred to as "the reserved matters") have been submitted to and approved by the Local Planning Authority.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted in writing to the Local Planning Authority for approval. Such application for approval shall be made to the Authority before the expiration of three years from the date of this permission and the reserved matters shall be carried out in accordance with the approved details.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 3 The development to which this permission relates must be begun no later than the expiration of 2 years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Received 31 October 2023:
Design code

Received 11 December 2023:
Plot 3 elevations and floor plans (004-Rev-4)
Plot 4 elevations and floor plans (005-Rev-4)

Received 15 December 2023:
Plot 1 elevations and floor plans (002-Rev-4)
Plot 2 elevations and floor plans (003-Rev-4)
Plot 6 elevations and floor plans (007-Rev-4)

Received 12 July 2024:
Proposed street scene (220708-008-Rev-B)
Plot 5 elevations and floor plans (220708-006-Rev-B)

Received 13 September 2024;
Block plan (220708-001-REVC)

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

- 5 Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include amongst other matters details of hours of construction working; measures to control noise affecting nearby residents; wheel and chassis cleaning facilities; dust control measures; pollution incident control and site contact details in case of complaints. The construction works shall therefore be carried out at all times in accordance with the approved Construction Environmental Management Plan, unless any variations are otherwise first submitted to and approved in writing by the Local planning Authority.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents with regard to Policy BNE2 of the Medway Local Plan 2003.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) all dwellinghouses herein approved shall remain in use as a dwellinghouse falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any order amending, revoking and re-enacting that Order with or without modification) and no change of use shall be carried out unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity, in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) no development shall be carried out within Schedule 2, Part 1; Classes A, B, and E of that Order unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of visual and neighbouring amenity in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

- 8 Prior to the first occupation of any dwelling, details of cycle storage facilities shall be submitted to and approved by the Local Planning Authority. The approved cycle storage facilities shall be implemented, prior to occupation of any dwelling approved, in accordance with the approved details and thereafter retained.

Reason: In the interests of sustainability and to encourage cycle use with regard to Policy T4 of the Medway Local Plan 2003.

- 9 The development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within the Climate Change Statement received 11 December 2023. The development shall not be occupied until a verification report prepared by a suitably qualified professional has been submitted to and approved in writing by the Local Planning Authority confirming that all the approved measures have been implemented.

Reason: In the interests of sustainability and to positively address concerns regarding climate change in accordance with paragraph 159 of the National Planning Policy Framework 2023.

- 10 If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until a method statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement must detail how this unsuspected contamination shall be dealt with. The development shall thereafter be implemented in accordance with the approved Method Statement.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 11 Prior to commencement of works, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by, the Local Planning Authority. The content of the LEMP will be based on the recommendations of the Preliminary Ecological Appraisal and Bat Emergence

Survey reports associated with the planning application (Hone Ecology, October 2023) and include details of the following:

- A sensitive lighting strategy for foraging and commuting bats;
- Native species hedging on the boundary of the development (composed of Hazel, Beech, Hornbeam and Guelder Rose);
- Planting of native tree species onsite (including Hazel, Beech, Field Maple Hawthorn and Wild Cherry);
- Integration/provision of bird nest boxes;
- Integration/provision of bat boxes;
- A detailed landscaping/biodiversity enhancement plan with full details of all the above;
- Constraints on site that might influence management;
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- Details of the body or organisation responsible for implementation of the plan; and
- Ongoing monitoring and remedial measures.

The approved LEMP shall thereafter be implemented in accordance with the approved details.

Reason: To ensure ecological enhancements are incorporated into the development in accordance with BNE37 of the Medway Local Plan 2003 and paragraph 180 of the NPPF.

- 12 Prior to the first occupation of any part of the development hereby approved, photographic evidence of the implementation of the approved landscaping measures detailed within the approved Landscape and Ecological Management Plan (LEMP) shall be submitted to the Local Planning Authority for approval. All landscaping shall be retained and maintained thereafter in accordance with the LEMP.

Reason: To ensure ecological enhancements are incorporated into the development in accordance with BNE37 of the Medway Local Plan 2003 and paragraph 180 of the NPPF.

- 13 Applications for the approval of reserved matters in relation to appearance, shall include details and samples of all materials to be used externally, to be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 14 Applications for the approval of reserved matters in relation to landscaping shall include full details of both hard and soft landscape works and a timetable for implementation. These details shall include existing and proposed finished

ground levels; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; all paving, roadways and external hard surfacing; decking; minor artefacts and structures (refuse receptacles, planters, tree grilles) Soft landscape works shall include details of planting plans, written specifications (including cultivation and other operations associated with grass and plant establishment, aftercare and maintenance); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. The development shall be implemented in accordance with the approved details and any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 15 No permanent development shall take place, within or to the garages or parking areas whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or reenacting that Order). The garage's and parking spaces shall remain available for parking.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking and in accordance with Policy T13 of the Medway Local Plan 2003.

- 16 No dwelling shall be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before any dwellings are occupied and shall thereafter be retained.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 17 No development shall take place until a scheme based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The scheme shall include (where applicable):

- i. Details of the design of the scheme (in conjunction with the landscaping plan where applicable).
- ii. A timetable for its implementation (including phased implementation).
- iii. Operational maintenance and management plan including access requirements for each sustainable drainage component.
- iv. Proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be undertaken in accordance with the agreed scheme.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 168 of NPPF.

- 18 Prior to occupation (or within an agreed implementation schedule) a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed scheme and plans. The report shall include details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built drawings, and an operation and maintenance manual for the unadopted parts of the scheme as constructed.

Reason: This condition is sought in accordance with paragraph 168 of the NPPF to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.

For the reasons for this recommendation for Approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

This application seeks outline planning permission with some matters reserved (appearance and landscaping) for the demolition of the existing dwelling and for the construction of 5 x 4 bedroomed dwellings and 1 x 3-bedroom dwelling with associated parking, amenity and landscaping.

Plots 1 to 4 would be two storeys in height whilst plot 6 would be 1.5 storeys in height and plot 5 would be single storey. All properties will be detached, with private amenity areas to the rear or side of the proposed properties with landscaping proposed to the fronts. Parking would be provided in the form of surface parking and garages for the proposed new dwellings. The applicants state the design, scale and massing combined with the proposed materials will reflect the site's rural location enhancing its rural aesthetics ensure that the proposals respects the character and appearance of the surrounding area. This includes indicative materials such as chestnut post and rail fencing, timber porch, clay roof tiles, oak frames, fibre cement board, red/brown brickwork, green/grey timber effect window frames and timber effect cladding.

The proposed vehicular access to the site will utilise the existing access point with minor changes in the removal of a small section of grass verge to enlarge the vehicle crossing area on Brompton Farm Road. The access road would consist of one road into the site which would then divide to enable vehicular access to the proposed dwellings.

Site Area/Density

Site Area: 0.36 hectare (0.89 acre)

Site Density: 14 dph (7 dpa)

Relevant Planning History

No relevant planning applications regarding site.

Representations

The application has been advertised on site and by individual neighbour notification to the owners/occupiers of neighbouring properties.

Six Letters of objection have been received raising the following concerns:

- Overlooking, loss of privacy for existing residents
- Noise from construction
- Loss of privacy, outlook and sunlight
- Concerns in relation to highways safety
- Concerns in relation to the impact of development on the biodiversity

Southern Water (SW) have advised that they require a formal application to connect to public foul and surface water sewerage system. They advise that a sewer deemed to be public could be crossing the development site and that 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. SW provide guidance on SUDS requirements and advise that there is a private communication pipe within the access of the development site. *The representation will be flagged as an informative.*

KCC Ecological Advice Service have reviewed the revised information submitted as part of this application and advise that no further information is required provided the suggested LEMP (Landscaping and Ecological Management Plan) condition that include the provision of a sensitive lighting strategy, native species of trees and hedging, provision of bird and bat boxes and a detailed landscaping/biodiversity enhancement plan is included should the application be approved.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework December 2023 (NPPF) and are considered to conform.

Planning Appraisal

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

The application site is inside the urban area of Strood. The current use of the land is a dwellinghouse and gardens for both No.14 and 16 Brompton Farm Road. Policy H4 of the Local Plan, states that within the urban area, residential development will be permitted on land within residential areas provided such development is without compromise to neighbouring amenity. However, this land is also classed as Backland as it is accessed behind other houses from a narrow access. Policy H9 of the Local Plan states that Backland development will be permitted only when it does not constitute piecemeal development that would threaten the comprehensive development of a wider area and when:

- (i) there is no loss of privacy from overlooking adjoining houses and/or their back gardens; and
- (ii) there is acceptable vehicular access; and
- (iii) there is no significant increase in noise or disturbance to adjacent residents from traffic using the access; and
- (iv) existing natural features, such as trees, which contribute to the amenity of the area are retained or conserved; and
- (v) there is adequate private amenity space for the existing and proposed dwellings; and
- (vi) the character and amenity of the area as a whole is maintained.

The site backs on to the Metropolitan Green Belt and as such policy BNE30 is relevant which seeks to resist inappropriate development unless,

- (i) it is designed and sited so that the open character of the area is maintained; and
- (ii) it accords with the purposes of including land in the Green Belt; and
- (iii) new buildings will only be permitted for specific uses; and
- (iv) the reuse of buildings will only be permitted on specific circumstances.

The application site also backs onto an Area of Local Landscape Importance and therefore Policy BNE34 is relevant which states that development will only be permitted where it does not materially harm the landscape character and function of an area, or where the economic and social benefits outweigh the priority to conserve the area.

In relation to the above policies it is considered that the principle of the development is acceptable subject to more detailed consideration of issues.

Design and Layout

Policy BNE1 requires the design of development to be appropriate in relation to the character, appearance and functioning of the built and natural environment. Whilst Paragraphs 131 and 135 of the NPPF emphasises the importance of good design and Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area.

The surrounding area and street scene contains a mix of house types and designs primarily detached two storey dwellings along Brompton Farm Road, Gravesend Road and Harlech Close with chalet and single storey bungalows located along Westergate Road. It is acknowledged that the spatial pattern of development in the immediate surrounding area is characterised, by residential development, with arable farmland to the north.

In relation to Policy H9, there are examples of other development in the immediate area where backland development has been undertaken in an acceptable way and this includes Harlech Close as well as properties to the rear of dwellings fronting onto Gravesend Road.

The site is not in the green belt and is not in an Area of Local Landscape Importance (ALLI) but adjoins them. As stated above the development is similar in impact to other backland sites, particularly those to rear of properties fronting Gravesend Road which are also close to the green belt and ALLI boundary. The proposal includes the demolition of an existing building close to the boundary as well.

The proposal seeks to utilise the existing vehicular access from Brompton Farm Road and proposes six dwellings. Plots one to four are proposed as two storey detached houses facing on to the farmland to the north of the site. Plot six is proposed as detached chalet bungalow and plot five is proposed as single storey bungalow, one sited either side of the access road.

It is considered that the proposed layout has been informed by an approach that respects the site constraints and the pattern of settlement and surrounding landscape. Whilst the design and scale combined with the proposed materials will ensure that the proposal respects the character and appearance of the surrounding area.

A design code has been submitted with the application, this includes indicative materials such as timber porch, mix of brick types, clay roof tiles, oak frames, timber effect window frames and fibre cement board weatherboarding. The design and scale combined with the proposed materials will ensure that the proposal respects the character and appearance of the surrounding area and the rural edge nature of the site.

As such, it is not considered that the design as shown on the indicative plans would cause detrimental harm to the character or appearance of the surrounding street scene as such the proposal would be in accordance with Policies BNE1, H4, BNE 30 and BNE34 of the Local Plan and paragraphs 131 and 135 of the NPPF.

Amenity

Paragraph 135f of the NPPF states that achieving well-designed places should include creating a high standard of amenity for existing and future users. Policy BNE2 of the Local Plan expects all development to secure the amenities of its future occupants and protect those amenities enjoyed by neighbouring properties. Policy H9 similarly seeks to protect neighbouring amenity. The design of the development should have regard to privacy, daylight and sunlight, noise, vibration, light, heat, smell and airborne emissions and activity levels and traffic generation.

There are two main amenity considerations, firstly the impact of the proposed dwelling on neighbouring amenity and secondly the living conditions which would be created for the potential occupants of the development itself.

Neighbouring Residential Amenity

The application site would be accessed from the existing access road from Brompton Farm Road. A development of six new dwellings would therefore would not result in an intensification in the use of Brompton Farm Road.

Given the arrangement of the proposed dwellings within the site and their relationship with the existing dwellings adjacent to the site, it is not considered that the proposals would negatively impact on the amenity of neighbouring properties with regard to loss of daylight, outlook, privacy or overshadowing.

Amenity of Future Occupiers

With regard to the amenities of the future occupiers, the proposed dwellings have been considered against the Technical Housing Standards - Nationally Described Space Standard dated March 2015 (the national standard). Below is a table showing the proposed floorspace for each flat in comparison to the Technical Housing Standards - Nationally Described Space Standard.

Plot Number	Number of bedrooms and bed spaces	Proposed (m ²)	National Standard (m ²)
Plot 1	4 bed 7 person	170	115
Plot 2	4 bed 7 person	146	115
Plot 3	4 bed 7 person	146	115
Plot 4	4 bed 7 person	170	115
Plot 5	3 bed 4 person	85	74
Plot 6	4 bed 7 person	166	115

As indicated in the table above the gross internal floor areas (GIFA) for each plot have been measured from the submitted floor plans and would exceed the minimum requirements for each plot. In addition, the proposed bedroom sizes exceed the minimum requirements for floor area and width, and all habitable rooms would all be provided with suitable outlook.

With regards to the garden size, in the absence of any technical standards relating to private amenity space within the national standard, the Medway Housing Standards

2011 states that gardens should be 10m in depth and 7m when constraints exist. The proposed private amenity space would be compliant with the guidance.

Given the arrangement of many of the properties and the rural edge nature of the site where further development and the intensification of units could alter the visual amenity of the development, have direct implications on neighbouring amenity and could also have wider implications in terms of traffic generation, particularly if this resulted in the creation of additional bedrooms, it is recommended that householder permitted development rights are removed with regard to Classes A, B and E, and also with regard to the change of use from Class C3 dwellinghouse to Class C4 small HMO.

The construction of the development itself could also lead to noise and dust emissions to nearby residential properties. A condition is recommended for a Construction Environmental Management Plan (CEMP) to be submitted.

Subject to the recommended conditions being imposed, no objections are raised in terms of the impact on amenities of both the future occupiers and neighbours. The proposal is considered to comply with Policies H9 and BNE2 of the Local Plan and paragraph 135 of the NPPF in this regard.

Highways

Policy T1, T2 and T13 of the Local Plan states development proposals should not have a significant or unacceptable impact on highway safety or the existing road network and should make vehicle parking provision in accordance with the adopted standard. Paragraph 115 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The application has been submitted with a Transport Statement undertaken by Entran dated October 2023, Transport letter (TP53XX_L1_RF) received 28 August 2024 and updated swept path analysis's (SKO1-Rev-A and SK05) both received 22 August 2024.

In terms of the impact to the highways, given that this application is for six dwellings, it is not considered that the additional trips associated with the proposal would have a significant impact on the local highway network.

In accordance with the adopted Medway Councils Interim Parking Standards 1 space should be provided for 1 bed, 1.5 spaces to 2 beds and 2 parking spaces for every 3+ bedroom dwelling. Based on the information submitted with the application, for the new dwellings a total of 12 allocated parking spaces 2 per dwelling would be provided with an additional 5 spaces in the form of garages for plots 1,2,3,4 and 6 , totalling 17 spaces, alongside a further parking space provided for visitors. For the existing dwelling at 16 Brompton Road 2 spaces are proposed to the rear of the property. The proposals are considered in accordance with the Councils Interim Parking Standards

The applicant has advised in their transport letter (TP53XX_L1_RF) that secure cycling can be provided on site in the form of external storage or via garages which is

considered acceptable, the provision of the cycle storage will be secured by a planning condition.

The application is considered to be acceptable in respect of the transport and parking Policies T1, T2 and T13 of the Local Plan and paragraphs 115 of the NPPF.

Biodiversity Net Gain and Ecology

A Preliminary Ecological Assessment (PEA) undertaken by Hone Ecology dated 2 October 2023 has been submitted with the application and assessed with regards to Policy BNE37 of the Local Plan and paragraphs 180 of the NPPF.

The PEA concluded that, the habitats on site are of low ecological value. The site is within 2km of Kent Downs Area of Outstanding Natural Beauty (AONB), two areas of ancient semi-natural woodland, and a section of the River Medway, the ecological report confirmed that none of these will be impacted by the development due to their distance from the site.

The site was considered to provide some opportunity for protected and notable species. The PEA has recommended precautionary measures for site management and clearance. The mitigation measures set out in the PEA are suitable for the proposed works for all the species and conditions are recommended to secure the measures.

As of 2nd April 2024, all sites were subject to Biodiversity Net Gain (BNG) as per the conditions of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The application was made prior to the introduction of biodiversity net gain and as such is not required to adhere to 10% increase on site, but the site is required under paragraph 180 of the NPPF to provide a biodiversity net gain. The application site has been almost completely cleared of vegetation prior to the Preliminary Ecological Assessment (PEA) being carried out. KCC ecology have advised that an increase of 1% in line with paragraph 180 of the NPPF can be met on site via conditions for the submission of a Landscape and Ecological Management Plan (LEMP).

Subject to the recommended condition above, no objection is raised regarding Policy BNE37 of the Local Plan and paragraph 180 of the NPPF.

Climate Change and Energy Efficiency

The NPPF identifies that good design “is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”. Paragraph 131 in particular refers to great weight being given to outstanding or innovative designs which promote high levels of sustainability.

The Climate Change Statement (received 11 December 2023) confirms the sustainable technologies which would be incorporated into the scheme which is summarised as follows:

- The proposed dwellings will be built in accordance with the latest Building Control regulations, which incorporate the updated Part L (Conservation of Fuel & Power) requirements.
- LED lighting with PIR and daylight sensors for outdoor lighting.
- All bathroom and kitchen fittings will be low water consuming fittings, whilst any fitted appliances, such as washing machines, dishwashers etc will be A-rated.
- Double glazed windows with Argon filled cavities.
- New planting, new trees and native hedging are proposed.
- Bird Boxes.
- 1 electric vehicle charging point per dwelling.
- Sheltered Cycle storage for each dwelling.
- Residents will be provided with a homeowner information pack.

The proposed application is considered to comply with paragraph 159 of the NPPF.

Flood Risk

The site is situated within Flood Zone 1 'low risk' in accordance with Environment Agency mapping. Additionally, the Environment Agency Mapping suggests a low risk of surface water flooding. As a result, no objection is raised, and the development is considered to be in accordance with paragraph 168 of the NPPF.

Bird Mitigation

As the application site is within 6km of the North Kent Marshes SPA/Ramsar Sites, the proposed development is likely to have a significant effect, either alone or in combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. Natural England has advised that an appropriate tariff of £328.77 per dwelling (excluding legal and monitoring officer's costs, which separately total £550) should be collected to fund strategic measures across the Thames, Medway and Swale Estuaries. This tariff should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation).

These strategic SAMMS mitigation measures are being delivered through Bird Wise North Kent, which is the brand name of the North Kent Strategic Access Management and Monitoring Scheme (SAMMS) Board, and the mitigation measures have been informed by the Category A measures identified in the Thames, Medway & Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMM) produced by Footprint Ecology in July 2014. Further information regarding the work being undertaken is available at The Bird Wise website which can be found at <https://northkent.birdwise.org.uk/about/>.

The SAMMS Mitigation Contribution Agreement and payment has been made therefore no objection is therefore raised under Policies S6 and BNE35 of the Local Plan and paragraphs 186 and 187 of the NPPF.

A decision from the Court of Justice of the European Union detailed that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a full 'appropriate assessment' is needed under the Habitats Directive.

Given the need for the application to contribute to the North Kent SAMMS, there is a need for an appropriate assessment to be carried out as part of this application. This is included as a separate assessment form.

Conclusions and Reasons for Approval

The proposed development is within the urban area of Strood and has been designed to respect the character of the area while not impacting unacceptably on the adjacent Green Belt or ALLI. The proposal will not unacceptably impact on neighbour amenity, is acceptable in highway terms and will deliver biodiversity net gain and be acceptable in ecological terms.

The scheme considered to be acceptable and would comply with Policies BNE1, BNE2, BNE30, BNE34, BNE35, BNE37, S6, T1, T2 and T13 of the Medway Local Plan 2003, paragraphs 11, 60, 70, 115, 123, 124, 131, 135, 159, 168, 180, 186 and 187 of the NPPF

The application would normally be determined under delegated powers but is being referred to committee for decision due to the extent of the representations received expressing a view contrary to the recommendation.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection on Medway Council's Website <https://publicaccess1.medway.gov.uk/online-applications/>