



The Planning Inspectorate

Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: Environmentalservices@planninginspectorate.gov.uk

Sharon Bickerstaff

Civic Centre,
Windmill Street
Gravesend
DA12 1AU

Your Ref: 20230776

Our Ref: APP/K2230/W/23/3336161

Date: 28 August 2024

Sent by email:

planning.appeals@gravesham.gov.uk

Dear Sharon Bickerstaff,

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (SI 571/2017) ('THE EIA REGULATIONS')

Appeal by: P Rutherford

Site Address: Land rear of Hilary Cottage, Hermitage Road, Higham, ROCHESTER, ME3 7NE

I refer to the above appeal. The Secretary of State has considered the application in accordance with Regulation 14 (1) of the above Regulations.

The development proposed, namely, the Removal of 2 No. containers and hard surfacing and conversion of livery stable into 2 No. residential units plus associated gardens and parking falls within the description at 10 (b) of Schedule 2 to the above Regulations. The threshold criteria at 10 (b) of Schedule 2 are not exceeded. In the opinion of the Secretary of State, having taken into account the criteria in Schedule 3 to the above Regulations, the proposal would not be likely to have significant effect on the environment for the following reasons:

The Proposed Development is located near to a number of European sites and Sites of Special Scientific Interest (SSSI), which are sensitive areas as defined in the EIA Regulations:

- Thames Estuary and Marshes Ramsar site, located c. 1.6km north;
- South Thames Estuary and Marshes SSSI, located c. 1.6km north; and
- Thames Estuary and Marshes Special Protection Area (SPA), located c. 2.8km north.

The Proposed Development is likely to result in localised effects on the Thames Estuary and Marshes SPA and Ramsar site from recreational pressure, for which mitigation measures are available (a financial contribution towards the Thames,

Medway and Swale Estuaries Strategic Access Mitigation and Monitoring Strategy (SAMMS)).

Considering the nature, scale and location of the Proposed Development and nature of the receiving environment, whilst there may be some impact on the surrounding area and nearby designated sensitive areas as a result of this development, it would not be of a scale and nature likely to result in significant environmental impact.

Accordingly, in exercise of the powers conferred on the Secretary of State by Regulations 14(1) and 7(5) of the above Regulations, the Secretary of State hereby directs that this development is not Environmental Impact Assessment (EIA) development.

Under regulation 28(1) of the above Regulations, the relevant planning authority must take steps to secure that this screening direction is placed on the part of the Planning Register which relates to the application in question. I would be grateful if you could do so to ensure that the Secretary of State's view is publicly available.

(This direction does not affect any duties of the appellant under other legislation, including The Conservation of Habitats and Species Regulations 2017.)

Yours sincerely,

Sasha Clark

SASHA CLARK
EIA and Land Rights Advisor
(Signed with the authority of the Secretary of State)

cc: Mr Graham Simpkin, Graham Simpkin Planning (Appellant's Agent)

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<https://acp.planninginspectorate.gov.uk/>