



Mrs Ruth Harding
By e-mail only

Planning and Regeneration Services
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My ref: 20231105
Date: 3rd June 2023

Mrs Ruth Harding,

Re: Application under Regulation 77 of the Conservation of Habitats and Species Regulations 2010 under reference 20231105, relating to prior approval reference 20231016.

I am writing in respect of your request to the Local Planning Authority under Regulations 75 to 78 of the Habitats Regulations (2017) which sought to show that the change of use of part-first, second and fourth floors from commercial floorspace to 30 residential units, through the provision of mitigation towards the North Kent Special Protection Areas (SPAs) and Ramsar Site would not have a significant effect on a European site within the meaning of the Conservation of Habitats and Wildlife Regulations.

This relates to prior notification (20231016) for the change of use part-first, second and fourth floors from commercial floorspace to 30 residential units under Article 3, Schedule 2, Class MA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

In the context of this site, it is located in close proximity to the North Kent Marshes Special Protection Area and Ramsar Site. Natural England has advised generally that additional residential development will, in combination at least, have significant effects on North Kent Marshes Special Protection Area and Ramsar Site.

However, the mitigation proposed is in accordance with the Councils adopted Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy and has been secured through a completed Strategic Access Management and Monitoring Strategy (SAMMS) Contribution Agreement and accompanying payment. It is the conclusion of the Council, as the Competent Authority, that the proposed development would not cause harm to the bird population. Therefore, I can confirm that, in line with Regulations 75 (1), of this letter acts as written approval by the Council in relation to the impact of the development approved under planning reference 20231016, on the North Kent Marshes Special Protection Area and Ramsar Site, as part of this application under Regulation 77 of the Conservation of Habitats and Species Regulations 2010 under reference 20231105.

Yours Sincerely

Shazad Ghani
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Head of Planning
Planning Service