



Mrs Ruth Harding
By e-mail only

Planning and Regeneration Services
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My ref: 20240500
Date: 19th September 2024

Mrs Ruth Harding,

Re: Application under Regulation 77 of the Conservation of Habitats and Species Regulations 2010 under references 20240262.

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 undercroft car park of existing commercial building (Use Class E) to 10 residential flats (Use Class C3), 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 (20240262) for the change of use of undercroft car park of existing commercial building (Use Class E) to 10 residential flats (Use Class C3) 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 proposed under planning reference 20240500 on the North Kent Marshes Special Protection Area and Ramsar Site.

Yours Sincerely

Shazad Ghani
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Head of Planning
Planning Service