

MC/26/1330

Date Received: 13 July 2026
Location: 25 Franklin Road, Gillingham, Medway ME7 4DF
Proposal: Change of use from dwellinghouse (Class C3) to a 7-bedroom, 7-person house of multiple occupation (Sui Generis) together with construction of a two-storey rear extension, single storey side extension, L-shaped dormer window to rear and installation of roof lights to front to provide additional living accommodation within roof space with associated bin/cycle store and associated external alterations - demolition of existing conservatory.

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Ward: Gillingham South
Case Officer: Chantelle Farrant-Smith
Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 21 October 2026.

Recommendation - Approval with Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Received 13 July 2026:

LHA(32/24C)001 - Existing Location Plan
LHA(32/24C)102 - Proposed Plans
LHA(32/24C)103 - Proposed Plans
LHA(32/24C)104 - Proposed Roof Plans
LHA(32/24C)105 - Proposed Elevations
LHA(32/24C)106 - Proposed Site Plan
LHA(32/24C)901 - Proposed Cycle Storage
LHA(32/24C)902 - Proposed Outlook Plans

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

- 3 Prior to the installation of the L-Shape Dormer details of materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority.

All other materials used externally shall match those shown on Drawing Number LHA(32/24C)105 (Proposed Elevations). 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.

- 4 The house of multiple occupation hereby approved shall be occupied by a maximum of seven people, utilising the bedrooms shown on the approved plans as their main living accommodation and the communal areas shown on the approved plans shall be used as such and not as additional accommodation.

Reason: To regulate and control the amount of occupants of the property in the interests of the amenities of neighbouring properties and of occupants of the site itself which has limited communal facilities, in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 5 The proposed residential House of Multiple Occupation shall not be occupied until a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall contain details of how residents and their visitors will be deterred from parking on street. The Parking Management Plan shall be implemented in accordance with the approved details prior to the first occupation of the residential unit and shall thereafter be retained.

Reason: In the interests of sustainability and residential amenity in accordance with Policies T13 and BNE2 of the Medway Local plan 2003.

- 6 Prior to the first occupation, details of a refuse management strategy for the HMO, including provision for the storage of recyclable materials, shall be submitted to and approved in writing by the Local Planning Authority. The HMO shall not be occupied until the approved refuse management arrangements are in place and all approved storage arrangements shall thereafter be retained.

Reason: In the interests of visual amenity and to ensure a satisfactory provision for refuse and recycling in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 7 Prior to the first occupation of the HMO the approved cycle storage as shown on Drawings LHA(32/24C)-106 and LHA(32/24C)-901 shall be in place and all approved storage arrangements shall thereafter be retained.

Reason: To ensure the provision and permanent retention of bicycle spaces in accordance with Policy T4 of the Medway Local Plan 2003.

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

Proposal

The application property is a semi-detached two storey dwelling.

The proposal seeks the construction of a two-storey extension to rear together with the installation of an L-Shape dormer, single storey side extension replacing an existing conservatory, together with alterations to rear roof slopes. The proposal also seeks the installation of roof lights to front and alterations to side windows to provide additional outlook for occupants of the proposed house of multiple occupation (HMO).

These alterations would facilitate the conversion of the property into a 7-bedroom HMO.

The existing layout comprises:

Basement – Cellar;

Ground floor – Living room, dining room, conservatory, kitchen and reception room;

First floor – 3 bedrooms, shower room, bathroom and toilet.

The proposed internal layout would comprise:

Basement – Kitchen and plant room served by a light well;

Ground floor - an entrance hall, two bedrooms served by ensuites together with W/C, communal study and lounge;

First floor - three bedrooms served by ensuites with communal room;

Loft space - two bedrooms with ensuites facilitated by the L-Shape Dormer.

There is an existing driveway to the front facilitating two car parking spaces, while to the rear garden will be a refuse storage area, bike storage and sheds.

Relevant Planning History

MC/25/0554

Conversion of existing dwelling to a 9-bedroom house in multiple occupation with associated cycle storage, bin storage and parking.

Decision: Refused

Decided: 14 May 2025

MC/25/1154	Application for a Lawful Development Certificate (Proposed) for the change of use from (Class C3) single dwelling house to 6-bed (Class C4) HMO. Construction of single storey extension to side along with an L shaped dormer to rear and roof lights to front to facilitate living accommodation within the roof space. Cycle storage, bin storage and associated landscaping to rear. Decision: Approval Decided: 2 September 2025
MC/25/1488	Change of use from dwellinghouse (Class C3) to a 9-bedroom house in multiple occupation (Sui Generis) together with construction two storey side/rear extension L-Shape dormer window to rear together with alterations to rear roof slopes, installation of roof lights to front and second floor window to side to provide additional living accommodation within roof space with associated external alterations, parking, bin/cycle store, storage sheds and landscaping. Decision: Refused Decided: 23 December 2025 Appeal Dismissed 10 June 2026
MC/26/0322	Change of use of Class (C3) single dwelling house to Class (Sui generis) up to 8-person House of multiple occupation. Construction of a first-floor rear extension and installation of a balcony window to side. Cycle storage, bin storage and associated landscaping to rear- demolition of existing conservatory – Resubmission. Decision: Refused Decided: 22 April 2026
MC/26/0326	Change of use of Class (C3) single dwelling house to Class (Sui generis) up to 9-person House of multiple occupation along with L shaped dormer to rear and roof lights to front to facilitate living accommodation within the roof space. Construction of a two-storey extension to side / rear and installation of a balcony window to side. Conversion of cellar to a habitable space along with Cycle storage, bin storage and associated landscaping to rear- demolition of existing conservatory. Decision: Refused Decided: 16 April 2026

Representations

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

Kent Police commented on the application requesting they are consulted as Designing out Crime Officers (DOCO's) to address Crime Prevention Through Environmental Design (CPTED) and incorporate Secured by Design (SBD) as appropriate.

Four letters have been received raising the following objections:

- Reasons for previous refusal still relevant;
- Increased noise and disturbance through increase in transient occupants;
- Over concentration of HMOs harming character of the area;
- Lack of adequate refuse facilities causing on street rubbish issues;
- Exacerbate on street parking problems;
- Loss of community cohesion;
- Overdevelopment of the site due to combination of extensions and change of use;
- Scale of development excessive and out of keeping with area;
- Increase in parking pressures;
- Extensions will cause loss of light and privacy;
- Loss of a family home;
- Contrary to recent appeal decision.

Southern Water Services have advised that they would like to know details of foul water drainage and surface water run-off. *It is considered that SWS have not fully understood that this is an existing property with existing connections to drainage and existing parking spaces to the front. If approved these matters will be addressed through building regulations anyway.*

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 2026 (NPPF) and are generally considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

The Emerging Local Plan has been submitted to the Inspectorate for examination. The policies within this version of the emerging plan have weight in the determination of planning (and associated) applications.

Planning Appraisal

Background

The application site is located within the Gillingham South Ward, one of seven wards subject to an Article 4 Direction which removes permitted development rights for the change of use of a dwellinghouse (Use Class C3) to a small House in Multiple Occupation (Use Class C4). The Article 4 Direction came into force on 22 January 2026 and was subsequently confirmed on 20 July 2026.

The effect of the Article 4 Direction is to remove the permitted development rights previously available under Class L of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The Direction does not prohibit such changes of use but instead brings them within planning control so that proposals can be assessed against the Development Plan and other material planning considerations.

As detailed above, the property benefits from a Lawful Development Certificate for the construction of a single storey extension to side/rear together with the installation of an L-Shape dormer and rooflights to facilitate a Lawful Change of Use to a 6-bed HMO. Following the introduction of the Article 4 Direction, the use is no longer deemed Lawful, however, the extensions permitted under that application can still be implemented.

An application for a 9-bed, 9-person under reference MC/25/1488 was overturned at planning committee and refused on the following grounds:

- The use of the property as a 9-bedroom, 9-person Sui Generis HMO by reason of the scale and intensity of the use would, due to the increased comings and goings and general activity within the property, create increased noise and disturbance that would result in harm to the level of amenity enjoyed by neighbouring occupiers contrary to Policies BNE2 and H7 of the Medway Local Plan (2003), Policy T8 of the Submitted (Regulation 22) Medway Local Plan 2041 (December 2025), and paragraph 135(f) of the National Planning Policy Framework (2024).
- The proposed internal layout would result in the failure to provide Bedrooms 2 and 5 with an adequate standard of accommodation. The only windows to these bedrooms would look out, in close proximity to the flank elevation of the neighbouring property, which would result in an unacceptable level of outlook for the occupiers, as due to the nature of the HMO would spend a significant proportion of their time within the bedroom, which would result in an unacceptable level of amenity for future occupiers contrary to Policies BNE2 and H7 of the Medway Local Plan (2003), Policy T8 of the Submitted (Regulation 22) Medway Local Plan 2041 (December 2025), and paragraph 135(f) of the National Planning Policy Framework (2024).

That refusal was subject to an appeal which was dismissed on 10 June 2026. The Inspector considered that the existing property has 3 bedrooms and, therefore, as a maximum would have 6 adults living in it, albeit that he thought that unlikely. The proposal would increase the number of adults living at the property by at least 3, therefore. The front door to the property is adjacent to the front door to number 27. The Inspector considered that the increase in comings and goings through that front door of at least 3 extra people, would be unacceptable in terms of neighbour amenity. He also agreed with the Council on reason 2 and the unacceptable outlook for 2 of the bedrooms particularly factoring in the amount of time that residents would spend in those rooms.

Two subsequent applications were submitted (ref MC/26/322 and MC/26/0326). These applications were refused as it was not considered they overcame the previous refusal relating to neighbouring amenity.

The current application seeks to construct a two-storey element in place of the single storey approved, together with alterations to the window facades and roof slopes to rear to facilitate the two-storey extension as well as a rear dormer together with the replacement of the existing single storey side conservatory with a brick built single storey extension. The proposed works seek to facilitate the conversion of the property to a 7-bed HMO.

Principle

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

The site is located within the urban area of Gillingham. The National Planning Policy Framework (NPPF) seeks to support sustainable development through Policy S3, whilst Policy HO7 seeks to ensure that the planning system delivers a sufficient supply and variety of homes to meet identified housing needs.

Policy H7 of the Local Plan permits HMO's subject to the following criteria:

- (i) the property is in an area with a predominantly mixed-use or commercial character;
- (ii) and the property is located where increased traffic, and activity would not be detrimental to local amenity; and
- (iii) either the property is detached, and the proposal would not adversely affect the amenity of the occupiers of nearby properties;
- (iv) or where the property is not detached, relevant nearby or adjoining properties are in multiple occupation or a non-residential use; and
- (v) for changes of use, the property is too large to reasonably expect its occupation by a single household.

Policy H7 pre-dates the introduction of Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015; where the change of use from a Class C3 dwellinghouse to a Class C4 small HMO was established as permitted development irrespective of location. In this respect, Class L of the GDPO effectively represented a shift in national policy thinking and a recognition that small HMOs were a legitimate and mainstream form of accommodation. It was as a result of this that prior to the Article 4 Direction, a LDC was granted for this property to be a small-scale HMO.

The application site is within an urban area of Gillingham and is within walking distance of Gillingham Town Centre. The site is within walking distance of local public transport such as bus services and Gillingham Train Station. The site is within a predominantly residential area, with a number of other HMO's operating in close proximity to the proposed site, alongside flats and single household dwellings. There is a dentist within close proximity to the proposal site, and there are commercial units at either end of Franklin Road.

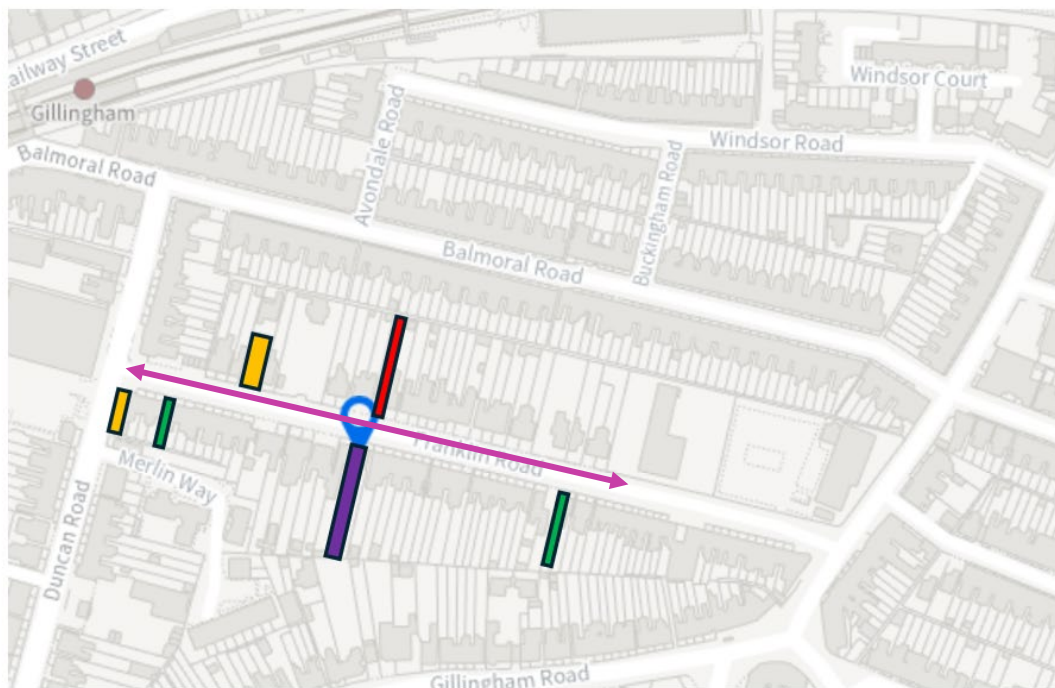
Whilst Policy H7 doesn't state what is considered too large for single household occupation, elsewhere in the Local Plan it states that "the Council considers that

dwellings of less than 120sqm gross floor area in predominantly residential areas should be retained for families and single households.” The existing site prior to any proposed extensions (by virtue of the LDC or this application) has an internal floor area of 160sqm. The proposed development would result in a GIA of 208sqm.

Policy T8 of the emerging Local Plan seeks to avoid detrimental clusters of HMOs and to ensure that they provide a suitable quality of accommodation. The supporting text to the policy acknowledges that HMOs have a role to play in sustainable and inclusive communities providing accommodation for single people on low incomes and can also be accommodation of choice for young professionals moving to an area. The supporting text does though acknowledge harm where there are high concentrations of HMOs and/or poor management of properties. Accordingly, Policy T8 supports planning applications for HMOs where they:

- Do not adversely affect the character and amenity of the area;
- Do not contribute to an over provision of HMOs in an area;
- Do not lead to the loss of suitable units for family accommodation, particularly in areas of high concentration of HMOs;
- Do not generate excessive parking demands;
- Provide a suitable level of amenity complying with national internal space standards and at least one reception room and kitchen or equivalent space.
- Make provision for waste and cycles;
- Do not adversely affect health of residents – new and existing.

The application site is within the urban area of Gillingham and is within walking distance of Gillingham Town Centre, there are no existing licensed HMOs within 200m of the site and a relatively small number of converted flat properties within the surrounding area. It is, therefore, considered that the proposal would not result in a harmful concentration of HMOs nor materially alter the residential character of the locality.



- Application site
- HMO under consideration
- Purpose built flats
- Converted flats

An updated map and figures produced identifying the surrounding land-uses along the length of the road. Franklin road is over 200m in length as such the arrow on the above plan shows the 200m length that has been considered.

A breakdown of uses found through both a search of the planning history and from a walking survey at approximately 200m from the application site, is set out below. In terms of non C3 uses there were no care homes or hostels identified but 2 HMOs were identified. There are a number of flats in the area (set out below).

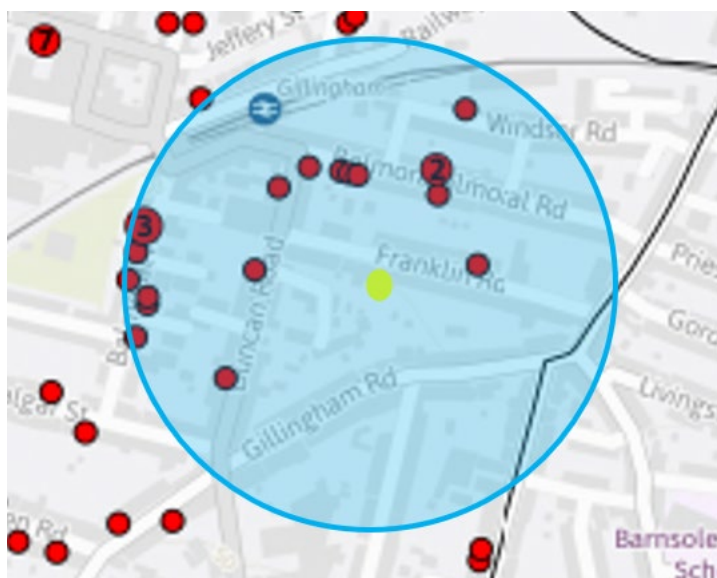
Observations	HMO's	Flats
Public Access	0	54 Franklin Road
Site visits, CTAX and HMO register	0	FF Flat 2 Franklin Road 10A Franklin Road 10B Franklin Road 11A Franklin Road 11B Franklin Road 11C Franklin Road 68 Franklin Road 90A Franklin Road

		90B Franklin Road 92A Franklin Road 92B Franklin Road
Total properties surveyed	67	
Total HMO's	1 Pending consideration (No. 48)	

There are 67 properties within 200m of the site and there appears to be some purpose-built flats, 3 dwellings that have previously been subdivided into flats and a HMO (No.48) that is currently under consideration but no registered HMOs. The proposed development would result in 1% of the 67 properties within the 200m, subject to the approval of the application at 48 Franklin Road this would result in 3% of properties within the 200m radius.

As such, there is no concern with respect to the potential clustering of such uses, proliferation and the associated detrimental impacts upon adjoining residential amenity.

Furthermore, the Gillingham South DHA Location Maps of HMO map shows a 21 existing HMOs with in a 500m radius and 2,606 homes, therefore, less than 1% of the area is covered by HMO's. DHA shows one existing HMO at approximately No.55/57 these properties were checked during the walk though and there is no current evidence of them being an HMO.



As such, it is considered the principle of converting the existing property into an HMO would be acceptable and would accord with the provisions of Policy H7 of the Local Plan and Policy T8 of the emerging plan of the Local Plan.

Design

Both the NPPF and Local Plan stress and emphasis of good design and achieving high-quality buildings. Policy BNE1 of the Local Plan states that the design of

development should be appropriate in relation to the character, appearance and functioning of the built and natural environment by amongst other matters being satisfactory in terms of scale, mass, proportion, details, and materials.

Policy DP3 of the NPPF sets out the key principles of well-designed places. Proposals should respond to their context so that they integrate and enhance their surroundings.

As previously stated, under application reference MC/25/1154 there is approval for the construction of a single storey side/rear extension, together with the construction of a L-Shape Dormer to rear and roof lights to front which previously would have facilitated the formally permitted change of use to a 6-bedroom HMO. While HMO use is no longer lawful due to the Article 4 Direction, the built works do remain lawful.

This application seeks to build a two-storey side extension of comparable width and depth which would not extend beyond the rear elevation of the original dwelling. The two-storey side extension would attach to the original roof scape via a gabled ended roof which the L-Shape dormer would then be built off. The existing two storey rear extension currently comprises of a shallow sloped roof which does not match the original roof scape of the proposed dwelling. This application seeks to raise the slope of the roof which is more in keeping with the original dwelling and surrounding properties.

The property sits within an architecturally unique area with varying forms of residential development to the rear which have been completed over time. There are multiple two storey flat roofed extensions within the immediate vicinity which span across the entire rear elevation up to neighbouring boundaries and as such there is not a uniform design throughout the street.

Therefore, taking into consideration that the roof slope to rear would improve the current design of the property, the two storey rear/side extension would not be highly visible from public vantage points and would not extend past the rear of the original dwelling and taking into account that an L-Shape dormer has been permitted under an LDC application, it is not considered that the development in its entirety would result in a detrimental difference in design to that which has been allowed under reference MC/25/1154. Therefore, the design is considered acceptable.

It is considered that white render on the L-Shape dormer is not acceptable and that more carefully considered materials would help reduce the visual impact of the development within the streetscene. A condition is recommended to secure the use of appropriate external materials for the development.

Subject to the aforementioned condition, the proposed external alterations are considered to comply with Policy BNE1 of the Local Plan and Policy DP3 of the National Planning Policy Framework 2024.

Residential Amenity

There are two main amenity considerations, firstly the impact of the proposed dwelling on neighbours and secondly the living conditions which would be created for

potential occupants of the development itself. Policy BNE2 of the Local Plan and Policies DP3 and P3 of the NPPF relates to the protection of these amenities. This is supported by Policies H7 of the Local Plan and T8 of the emerging Plan.

Neighbour Amenity

There are residential properties either side of the application property. The adjoining semi-detached pair is No 27 and the neighbour to the west being No 23. In terms of the extensions to the property, it is considered that due to the siting of the two-storey extension together with the orientation that it would not result in additional overshadowing of neighbouring properties as the shadow remains behind that of the existing extensions on site. The neighbouring properties also have two storey extensions of sloped roof design and due to the siting of these the proposed extension would not result in a loss of outlook for neighbouring occupants. In terms of overlooking, due to the arrangement of the dwellings within an urban setting there is already a level of mutual overlooking on the site, it is not considered the proposed change of use would result in unacceptable overlooking above and beyond what is already present on site.

In terms of comings and goings of the site, this was a key determining issue in the dismissed appeal for a 9-person HMO and in the more recent refusals for both 8 and 9-person HMOs. The Inspector in the appeal recognised that the existing property had 3 bedrooms and so conceivably have 6 adults living within it, albeit he thought that unlikely. Due to the adjacent nature of the front doors serving the application property and its neighbour at 27, the Inspector found that the comings and goings of 3 additional independent adults would cause unacceptable harm to neighbour amenity. The key consideration here is whether 1 additional adult and their comings and goings would still result in unacceptable harm. This is a matter of balance, and in this instance, reflecting appeal decisions elsewhere in the borough it is not considered that 1 additional occupant would result in detrimental harm to neighbouring amenity in terms of disruption. An appropriate condition is recommended to restrict occupation to 7 residents.

Future Occupants

It is also necessary to consider whether satisfactory environment would be provided for the future occupiers of the proposed rooms in compliance with the Technical Housing Standards – Nationally described space standards March 2015.

The bedrooms proposed all meet with the minimum internal floor area requirement within the Housing Standards including the head height of the kitchen area within the basement. It is also considered that with a kitchen on the lower ground floor, together with separate lounge on the ground floor, and communal spaces by virtue of the study and communal space at ground and first floor in addition to the communal private garden, that more than adequate communal space is provided to comply with the objectives of emerging policy T8. In addition, the oversized bedrooms, relative to the requirements set out by the NPPG standards, grant occupants private leisure space and secure sufficient room for household recreation including the installation of a television, and desk for a computer, reading and the alike.

Subject to the recommended condition restricting occupation numbers and restricting the use of the communal areas, no objections would, therefore, be raised in regard to Policies BNE2 and H7 of the Local Plan, Policy T8 of the emerging plan and Policy P3 of the NPPF.

Highways and Parking

Policy T1 of the Local Plan relates to the assessment of the highways impact of development and outlines the criteria of when development would be permitted. Policy T13 of the Local Plan provides guidance on vehicle parking standards. Policy T4 relates to cycle parking and sustainable modes of transport. Both policies H7 of the Local Plan and T8 of the emerging plan include criteria in relation to impact on parking and amenity.

Policy TR2 of the NPPF relates to local parking standards whilst Policy TR3 relates to locating development within sustainable locations. These Policies support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure. Policy TR4 of the NPPF relates to street design, access and parking and states that a flexible approach can be applied to parking standards. Policy TR6 of the NPPF states that development should only be refused on highways grounds if there is an unacceptable impact on highways safety.

The site benefits from 2 off-road parking space located at the front of the property. The Medway Residential Parking Standards state: "Reductions of the standard will be considered if the development is within an urban area that has good links to sustainable transport and where day-to-day facilities are within easy walking distance". The site is located close to the retail centre of Gillingham, within walking distance of a variety of shops and facilities, employment opportunities and good public transport links. Given its sustainable location, it is not considered that the additional bedrooms by virtue of their occupation would generate an unacceptable impact to highway safety or highway function that would be sufficient to warrant refusal of the application. The development does still, however, have the potential to increase parking demand and, therefore, a condition is recommended for a parking management scheme to be submitted restricting access to permits within the area.

The applicant is proposing 12 cycle parking spaces for this development, which is deemed suitable. The applicant is proposing for the cycle storage to be located in the rear garden, accessible through the back gate and in line with guidance. The proposed bin storage is within 30m of the collection point for residents, and the collection point is within 10m of the Highway which is considered acceptable. The proposed bin storage measures will be secured via planning condition. The applicant is also advised that occupants should present bin bags at roadside on collection day and a refuse management condition is recommended.

Subject to the aforementioned Parking Management Plan condition, no objection is raised in relation to Policies H7, T1, T4 or T13 of the Medway Local Plan 2003, Policy T8 of the Emerging Plan and Policy TR6 of the National Planning Policy Framework 2026.

Biodiversity Net Gain

As of 2 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).

In this instance, no onsite habitat is impacted by the proposal and, therefore, no objection is raised to this with regard to policy N2 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 £350.16 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 applicant has submitted a SAMMS Mitigation Contribution Agreement and payment against application reference MC/25/1488 and, therefore, no objection is, therefore, raised under Policies S6 and BNE35 of the Local Medway Local Plan 2003.

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

It is considered there is not an over concentration of HMOs in the area, and the proposal has been designed to provide a good level of amenity for prospective occupiers without harming the amenity of the neighbouring occupiers. While car parking is an issue in the area, due to the fact that 2 parking spaces are available on site, the general character of occupiers of HMO's not having cars, the sustainable

location of the property and the recommended conditions it is considered that pressure on car parking will be limited and acceptable.

The proposal complies with the provisions set out in DP3, HO7, P3, TR2, TR3, TR4 and N2 of the National Planning Policy Framework 2026, Policies BNE1, BNE2, H7, T1 and T13 of the Local Plan and Policy T8 of the emerging Plan. The application is, therefore, recommended for approval.

The application would normally be determined under delegated powers but is being referred to Planning Committee due to the previous Committee overturn in December 2025.

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 in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess1.medway.gov.uk/online-applications/>.