

Householder Delegated Report



South
Northamptonshire
Council

Application Details

1	Application No.	S/2020/0877/FUL	
2	Case Officer	Ashley Bidwell	
3	Site Address	Norfolk House 194 Watling Street East Towcester NN12 6DB	
4	Proposal	Part conversion of existing garage/stores to create ancillary accommodation.	
5	Statutory Expiry Date	23 July 2020	
6	Ward:	Towcester Mill	
7	Councillors:	Cllr Chris Lofts & Cllr Catharine Tarbun	
8	Consultation Expiry Date	Consults date: 28 June 2020 Re-consults date:	
9	Amended plans	Have amended plans been received?	Y/N
			N
		If yes, the changes were:	

Constraints and Relevant Planning History

10	Constraints	<p>TC - Town Confines: Towcester</p> <p>AHAS - Archaeological Assets, Name: Lactodorum, Monument ID: MNN3659</p> <p>AHAS - Archaeological Assets, Name: Towcester, Monument ID: MNN3660 AHAS</p> <p>Archaeological Assets, Name: Old Stratford to Dunchurch Turnpike, Monument ID: MNN102925</p> <p>BKTP - River Bank Top</p> <p>FZ2 - Flood Zone 2</p> <p>FZ3 - Flood Zone 3</p> <p>SWFM - Medium Risk of Surface Water</p> <p>SWFL - Low Risk of Surface Water Flooding</p> <p>AC4 - Aerodrome Consults, Height Consultation: 90m Obstacles</p> <p>SGW - Technical Site Safeguarding Map for Wind Turbine Developments (all wind turbine applications must be forwarded to NATS for consultations, irrespective of size and location)</p> <p>LWSB - Local Wildlife Site - Within 2km buffer, Name: Cappenham Bridge Drain, Site ID: S276</p> <p>WDAB - Waste Development Allocations 300m Buffer, Name: WL4 Towcester - Old Greens</p>
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		Norton Road, Policy: Policy CMD12 Preventing land use conflict CIL - CIL Charging Zones, Name: Urban Zone Towcester, Charge: 50 pounds	
11	Site History	None on record that are relevant to this application.	
12	Permitted Development Rights	Have permitted development rights been removed from this property?	Y/N
		If Y, please explain below what rights have been removed and why:	
13	Pre-Application Advice	Has pre-application advice been sought for this proposal?	Y/N
		If yes, the details of this were: N	
Relevant Planning Policies and Considerations			
14	Development Plan	<ul style="list-style-type: none"> • West Northants Joint Core Strategy (JCS) • Minerals and Waste Local Plan (MWLP) • Local Plan Part 2 ¹ (LPP2) 	
15	Material Considerations	<ul style="list-style-type: none"> • National Planning Policy Framework (NPPF) • Planning Practice Guidance (PPG) • Supplementary Planning Guidance and Documents • Conservation Area Appraisal Document • Village Design Statements and Guidance • SNC Design Guide • Corporate Priorities² - Protected, Green & Clean, Thriving Communities & Wellbeing, Opportunity & Growth 	
16	Equalities Act	Due regard has been taken to South Northamptonshire Council's equality duty as contained within the Equalities Act 2010.	
17	Human Rights Act 1998 Considerations	There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.	
Summary of Consultation Responses			
Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.			
18	Town/Parish Council	No objection	
19	Consultations	<ol style="list-style-type: none"> 1. Building Control - No objections. All surface water to soakaways 2. Clerk to Towcester Town Council – No objection 3. Cllr Chris Lofts & Cllr Catharine Tarbun – No comments received 	
Summary of Neighbour Responses			
20	Publicity	This application has been publicised by way of:	Y/N
		a) by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records (amend as appropriate); or	N

		b) a site notice displayed near the site.	Y
		c) by advertisement in the local newspaper (if affecting a listed building, conservation area, right of way, a departure from the development plan etc)	N
		d) By doing one of (a) or (b), along with (c) if required, this has fulfilled the Council's statutory requirements to publicise the application	Y
21	Neighbours	Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.	Y/N
		a) Have any letters have been received from neighbours/third parties? If N, skip to question 22, if Y, go to question (b) below	N
		b) List the number of the neighbours who have commented and summarise their concerns:	
Site Visit/Assessment			
22	How the site is assessed	Not all applications require a site visit to assess a proposed development. Where possible a site will be assessed remotely. Only where a physical visit to the site is necessary due to complexity/scale of a proposal or site will a site visit take place	
		How was the site assessed?	Y/N
		a) Site Visit	N
		b) Photos submitted by applicant/agent	Y
		c) Photos submitted by neighbours	N
		d) Documents/plans submitted with application	Y
		e) Online mapping/GIS/aerial photos and street view	Y
		f) Council photos taken on previous visits to the site	N
		Comments (if any): All of the above means that Officers have been able to fully appreciate and consider all aspects of the proposal and reach a decision.	
Case Officer Appraisal			
23	How the application is assessed	Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The assessment below has taken into account all relevant policies within the development plan along with the material considerations related to the proposal.	
24	Principle of Development Policies: • SA (JCS) • SDP2 (LPP2)		Y/N
		a) Is the application site within the settlement confines of town or village?	Y
		b) Is the development in open countryside?	N
		Y to (a) The principle of the development is considered acceptable, subject to complying with the policies below Y to (b) move to question (c)	
		c) The principle of development of an extension in the open countryside will not be acceptable if it results in one of the following:	Y/N
		i) The extension is overlarge	
		ii) The development effectively represent a new residential dwelling in the open countryside	
		iii) Is of a size and scale that does not reflect that of the host property	
		Comments (if any): The Council has adopted guidance on what constitutes ancillary accommodation, this is set	

		<p>out in chapter 4.9 of the Design Guide:</p> <p><i>“Ancillary accommodation should:</i></p> <ul style="list-style-type: none"> • <i>Be clearly subservient to the main house in terms of scale and height.</i> • <i>Be sympathetic to the character of the main house and wider area.</i> • <i>Share the same private garden space.</i> • <i>Share the same parking space/area and access to the highway.</i> • <i>Not result in pressure for additional on-street parking where it would be inappropriate.</i> • <i>Protect neighbouring amenity in accordance with the design guidance provided within this document”.</i> <p>In this case I consider the proposed development does constitute ancillary accommodation in accordance with the above key factors, in particular the same garden area, same parking and access. As such the development is acceptable in principle, subject to design and impacts on neighbour amenity (see sections below).</p>	
25	<p>Impact on character of host dwelling & surrounding area</p> <p>Policies:</p> <ul style="list-style-type: none"> • SA, (JCS) • SS2, SDP1, SDP2, (LPP2) • SNC Design Guide • Residential Extensions SPG • Village Design Statements • NPPF 	<p>Paragraph 56 of the NPPF explains that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. The importance of high-quality responsive design also forms a central component of the policies of the development plan and local guidance. Therefore to be supported development proposals should meet the following design tests:</p>	Y/N
		a) Does the development use matching materials ?	Y
		b) Is the design in keeping (use of similar style windows and architectural detailing, fencing/walling) with the host dwelling and the surrounding area?	Y
		c) Is the development in scale with the adjacent properties, especially when considered in relation to the size of the plot?	Y
		d) Is the extension subservient to the host dwelling?	Y
		e) For two storey side extensions, does the dwelling avoid a terracing effect ?	N/A
		f) For upward extensions to single storey dwellings , the proposal will only be acceptable in principle where they meet the following criteria:	
		i) are detached ; or the proposal involves the whole of a semi-detached pair or terrace ?	
		ii) are in an area with little uniformity of design and layout ;	
		iii) are in keeping with the existing property and context with regard to style and materials .	
g) Is the development consistent with the SNC Design Guide ?	Y		
<p>Comments (if any):</p> <p>The extent of the external changes is minimal with no extensions to the existing building and only a couple of new windows. From the public realm/streetscene the building will appear unchanged as the garage door remains, in fact the first section of the building will continue to function as a garage for the host property. overall, the Council considers the development will not have any impact on the character of the host property and the surrounding area.</p>			
26	Impact on		Y/N

	Listed Buildings	a) Is the development to or affecting the setting of a listed Building? ⁴	N
		N Move onto question 27 Y The proposal needs to be assessed against the policies, legislation and guidance on listed buildings and their setting	
27	Impact on Conservation Areas		Y/N
		a) Is the development in or adjacent to a Conservation Area? ⁵	N
28	Impact on Scheduled Ancient Monuments		Y/N
		Does the development affect a Scheduled Ancient Monument (SAM) ?	N
		N Move onto question 29 Y The proposal needs to be assessed against the policies, legislation and SAMs	
29	Impact on Historic Park and Gardens		Y/N
		Is the development within or adjacent to an Historic Park or Garden?	N
		N Move onto question 30 Y The proposal needs to be assessed against the policies, legislation and guidance Historic parks and Gardens and their setting	
30	Impact on Registered Battlefields		Y/N
		Is the development within or adjacent to Registered Battlefield ?	N
		N Move onto question 31 Y The proposal needs to be assessed against the policies, legislation and guidance on Registered Battlefields and their setting	
31	Impact on Special Landscape Area		Y/N
		Is the development within a Special Landscape Area?	N
		N Move onto question 32 Y The proposal needs to be assessed against the policies and guidance on Special Landscape Areas	
32	Impact on non-designated heritage asset		Y/N
		Does the development affect a non-designated heritage asset ?	N
		N Move onto question 33 Y The proposal needs to be assessed against the policies, legislation and guidance on non-designated heritage assets	
33	Impact on Archaeology		Y/N
		Is the site within a known area of archaeology , or does the development have the potential to impact on archaeology ?	Y
		N Move onto question 34 Y The proposal needs to be assessed against the policies, legislation and guidance on archaeology	
33a	Impact on archaeology Policies: <ul style="list-style-type: none"> • BN5, S10 (JCS) • HE1, HE2 (LPP2) • NPPF 	If the development affects archaeology, then the significance of the archaeology needs to be first understood :	
		a) Explain below why the site is known for archaeology or has the potential to impact on archaeology (ie is it of local or national importance, is it in a known asset area):	
		Comments: The application site is located within Towcester which is designated as an area of possible Archaeological interested, additionally the application site is located near a possible site of Archaeological interest - Old Stratford to Dunchurch Turnpike	
		b) Has the application submission demonstrated through a proportionate but thorough and systematic heritage assessment the significance of the archaeology that is present?	Y/N
			N

		c) If so, is the assessment sufficient so as to understand the potential impact of the proposal on the significance of the asset?	N/A
		<p>Comments (if any):</p> <p>Whilst no survey has been submitted with the application it is not a reason to withhold permission in this case. It is clear that the development will not pose a risk to any Archaeological assets due to the fact there is no new building works, all the development is within the existing footprint of the building.</p>	
34	Impact on neighbours Policies: <ul style="list-style-type: none"> • H1 (JCS) • SS2, SDP2 (LPP2) • SNC Design Guide • Residential Extensions SPG • NPPF 		Y/N
		a) Does the development comply with the separation guidelines of the SNC Design Guide and Residential Extensions SPG?	Y
		b) Does the development provide an acceptable garden size in accordance with the SNC Design Guide, along with suitable amenity and utility space ?	Y
		c) Does the extension(s) comply with the Council's 45 degree rule ?	Y
		d) Will the development dominate or be overbearing upon a neighbour's garden or property?	N
		e) Will the development cause adverse degree of overshadowing ?	N
		f) Will the development cause an adverse degree of overlooking to the any neighbouring property	N
		g) will the development provide an acceptable standard of living for future occupiers , including noise, privacy, daylight, outlook, air quality etc?	Y
		h) Will the development adversely affect neighbouring non-domestic uses?	N
			<p>Comments (if any):</p> <p>There are four properties to the north-west of the application site, the building proposed to be converted backs onto the gardens of these properties. To the south-east side of the application site is a plant nursery and no residential properties.</p> <p>The use of the building as accommodation could pose an impact to privacy amenity for the occupiers of these properties to the north-west. In this case there are no new windows proposed that would overlook the neighbouring properties but there are some existing windows facing these gardens. However, they are high level windows and a condition is to be attached to require these to be obscure glazed and non-opening to prevent any loss of privacy. This is justified on the grounds that although the rear windows of these properties are approximately 10m from the application site (thus exceeding the minimum separation distances as set out in the Council's Design Guide) the annex and its windows would sit immediately on the rear garden boundaries to these dwellings.</p> <p>Overall, the Council considers that there will be no significant loss of privacy or light amenity for the neighbouring residents.</p>
35	Impact on highway safety Policies: <ul style="list-style-type: none"> • H1 (JCS) • SS2 (LPP2) • SNC Design Guide (4.14) • SNC Parking SPD 		Y/N
		a) Does the development have an adverse impact on highway safety?	N
		b) Does the development result in an appropriate number of parking spaces in accordance with the Parking SPD?	Y
		c) Does any new access proposed meet highway standing advice/NCC response (width, visibility splays etc)?	Y
		d) Does the layout of the parking accord with the SNC Design Guide ?	Y
	<p>Comments (if any):</p> <p>The host property plus the new accommodation will likely exceed four bedrooms, as such</p>		

	<ul style="list-style-type: none"> • NPPF 	<p>the Council's guidance expects a minimum of three off road parking spaces. As seen in the image below the existing driveway of the site is large enough for at least 3 vehicles.</p> <p>Whilst the guidance does not include single garages as parking spaces it is feasible that it could still be used for parking, especially as much of the building has been retained as 'garage' on the floor plans. The application site could therefore have at least 4 off road parking spaces.</p> 																					
36	Impact on Flooding and drainage (in Flood Zone 1) Policies: <ul style="list-style-type: none"> • BN7A, BN7 (JCS) • SS2 (LLP2) • NPPF 	<table border="1"> <tr> <td colspan="2"></td> <td style="text-align: right;">Y/N</td> </tr> <tr> <td colspan="2">a) Is the application site in Flood Zone 1?</td> <td style="text-align: center;">N</td> </tr> <tr> <td colspan="3">N Move onto question 37</td> </tr> <tr> <td colspan="3">Y The proposal is acceptable in flood zone terms</td> </tr> <tr> <td colspan="2">b) Is the site subject to other sources, and forms, of flooding and/or where other bodies have indicated that there may be drainage problems, such as risk of surface water drainage?</td> <td></td> </tr> <tr> <td colspan="2">c) If, Y have you added a condition requiring details of surface water drainage?</td> <td></td> </tr> <tr> <td colspan="3">Comments (if any):</td> </tr> </table>			Y/N	a) Is the application site in Flood Zone 1 ?		N	N Move onto question 37			Y The proposal is acceptable in flood zone terms			b) Is the site subject to other sources, and forms, of flooding and/or where other bodies have indicated that there may be drainage problems , such as risk of surface water drainage ?			c) If, Y have you added a condition requiring details of surface water drainage ?			Comments (if any):		
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37a	Development in flood risk zones 2 and 3	<table border="1"> <tr> <td colspan="2"></td> <td style="text-align: right;">Y/N</td> </tr> <tr> <td colspan="2">a) Is the proposed development less than 250sqm and maintains existing floor levels within the property?</td> <td style="text-align: center;">Y</td> </tr> <tr> <td colspan="2">b) If yes, then in accordance with Environment Agency standing advice for minor developments no consultation with the Environment Agency is required and</td> <td style="text-align: center;">Y</td> </tr> </table>			Y/N	a) Is the proposed development less than 250sqm and maintains existing floor levels within the property?		Y	b) If yes, then in accordance with Environment Agency standing advice for minor developments no consultation with the Environment Agency is required and		Y												
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		the development does not represent a significant increase in the risk of flooding.	
		c) If no, the Environment Agency were consulted and raised no objections	N/A
		Comments (if any):	
38	Air Quality • BN9 (JCS) • SS2g (LPP2)	In order to be acceptable in relation to air quality , the development needs to meet the following tests :	Y/N
		a) Is the development within or adjacent to an Air Quality Management Area (AQMA)?	N
		b) If Y , has appropriate regard been given to the effects of air quality on the future occupiers of the proposed development?	
		c) If N , is there any reason why dwellings in this location would be affected by air quality or why the development would give rise to adverse impact on air quality to the locality or neighbouring properties?	N
		Comments (if any):	
39	Impact on Trees/Hedges / Landscaping • BN3 (JCS) • NE4 (LPP2)	In order to be acceptable in relation to trees/hedges/landscaping , the development needs to meet the following tests :	Y/N
		a) Are there mature trees with a high amenity value that the proposed development is adjacent to or in the Root Protection Area of?	N
		b) If Y , will the development result in adverse harm to the tree or its loss?	
		c) Is the tree in a conservation area or protected by a Tree Preservation Order (TPO) ?	
		d) Do the benefits of the development outweigh the loss of the tree ?	
		e) Do any trees need to be protected by a TPO ?	
		f) Will the development result in the loss of landscaping/important hedgerows that will help screen/soften the development/ lessen the impact to neighbouring properties ?	
		g) Does the development propose appropriate landscaping to help screen or soften the development?	
		h) Have you proposed any conditions to secure the retention of or planting of any trees/hedges/landscaping?	
		Comments (if any):	
40	Impact on Ecology • BN2 (JCS) • SS1 (LPP2)		Y/N
		Does the site or proposed development possess/impact on any of the features where protected species are likely to be present (assessed against Natural England's standing advice) and where species are likely to be found ?	N
		N Move onto question 41 Y The proposal needs to be assessed against the policies, legislation and guidance on impact on ecology	
41	Response to Comments		Y/N
		The above report incorporates all of the concerns of the Parish Council, consultees and/or neighbours. If no, the response to other matters raised by Parish Council, consultees and/or neighbours are detailed below.	Y
		Comments (if any):	

42	Section 73 Applications		Y/N	
		a) Is this application made under Section 73 of the Town And Country Planning Act (to vary or delete conditions on a previous planning permission)?	N	
		N Move onto question 43 Y The proposal needs to ensure the correct process is followed		
Conclusion				
43	Conclusion	<p>Due to its siting, scale and design I consider that the proposed development will be sympathetic to the context of the development and will be compatible with the character of the host property and the surrounding area. The application site also benefits from ample parking in accordance with the Council's adopted Guidance.</p> <p>I also consider that the proposal will provide adequate standards of amenity and privacy for existing and/or proposed residents. The proposal therefore accords with the policies and considerations as set out at section 14-17 above., and those within sections 24-40 above.</p>		
Recommendation				
44	APPROVE	Subject to the conditions and reasons set out on the attached decision notice.	Y	
	REFUSE	For the reasons set out on the attached decision notice.	N	
Community Infrastructure Levy (CIL)⁶				
45	CIL Liability		Y/N	
		a) Is this an application for an extension ? Y Answer the CIL questions related to Extensions	N	
		b) Is this application for a residential annex ? Y Answer the CIL questions related to Residential Annexes	Y	
45a	CIL Liability for residential annexes	a) Does the development involve the loss of any existing floorspace?	N	
		b) If Y has that existing floorspace been in a lawful use for a period of 6 months out of the last 36 months? Y this floorspace can be off set against any proposed floorspace N this floorspace cannot be off set		
		If Y, what is the amount of existing floorspace in square metres?		
		What is the floorspace of the proposed annex in square metres?	67.30 sqm	
		c) Is the development proposing a net increase in floor area? Y you need to answer question 45b below N the development is not CIL chargeable and skip to question 46	N	
		Comments (if any): The development uses existing floorspace and does not create any new floorspace, as such it is not CIL chargeable.		
Authorisation				
46	Case Officer	Ashley Bidwell	Date: 21/07/2020	

	Authorising Officer	Suzanne Taylor	Date:	22/07/2020
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Notes				
1	<p>Part 2 Local Plan</p> <p>The draft South Northamptonshire Part 2 Local Plan was submitted to the Planning Inspectorate for Examination on 22nd January 2019. The examination was held during the two weeks commencing 10th and 17th June 2019. The Inspector’s Final Report is awaited now that consultation on the Main Modifications has been completed (November 2019). In accordance with Paragraph 48 of the National Planning Policy Framework (NPPF) the Council may now give weight to relevant policies in the draft Plan according to:</p> <ul style="list-style-type: none"> a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given) <p>The policies in this report refer to the policies in the submission draft of the LLP2 as amended by the main modifications. There are considered to be no significant objections to the policies quoted in this report and the quoted policies align with the NPPF and as such these now have significant weight in the decision making process.</p>			
2	<p>Council Corporate Priorities:</p> <p>South Northamptonshire Council’s Business Plan for 2019-20 sets out the Council’s three strategic priorities which form our overarching business strategy. Below these are the key actions for the year 2019–20. This is a strategy which looks to the future taking into account the priorities and aspirations of the communities who live and work in the district.</p> <p>The three corporate priorities are to ensure the District is “Protected, Green & Clean”, is a place which supports “Thriving Communities & Wellbeing”, and is a District of “Opportunity & Growth”. All three priorities are of significance to the determination of planning applications and appeals. Below these priorities, the key actions which are of most relevance to planning applications and appeals are: (1) deliver the Local Plan; (2) increase tourism and increase employment at strategic sites; (3) develop our town centres; (4) protect our built heritage; (5) protect our natural environment; (6) promote environmental sustainability; (7) promote healthy place shaping; (8) delivery innovative and effective housing schemes; and (9) deliver affordable housing.</p> <p>The remaining key actions may also be of significance to the determination of planning applications and appeals on a case by case basis.</p> <p>The above corporate priorities are considered to be fully compliant with the policy and guidance contained within the National Planning Policy Framework and National Planning Practice Guidance.</p>			
3	<p>Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the duty of Local Planning Authorities (when considering whether to grant planning permission for development which affects a listed building or its setting) to have special regard to the desirability of preserving the building or</p>			

	its setting or any features of special architectural or historic interest which it possesses.
4	Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the duty of Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
5	<p>Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC 2006) states that “every public authority must, in exercising its functions, have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity”.</p> <p>Strict statutory provisions apply where European Protected Species (EPS) are affected, as prescribed in Regulation 9(5) of Conservation of Habitats and Species Regulations 2010. When determining a planning application that affects a EPS, local planning authorities must have regard to the requirements of the EC Habitats Directive which states that “a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions”.</p> <p>Under Regulation 41 of the Conservation Regulations 2010 it is a criminal offence to cause harm to a EPS and/or their habitats which includes damage or destruction of a breeding site or resting place. However, licenses from Natural England for certain purposes can be granted to allow otherwise unlawful activities to proceed when offences are likely to be committed, but only if 3 strict legal derogation tests are met which include:</p> <ol style="list-style-type: none"> 1) Is the development needed for public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature? 2) Is there any satisfactory alternative? 3) Is there adequate compensation being provided to maintain the favourable conservation status of the species? <p>In order for the local planning authority to discharge its legal duty under Reg 9(5) of the Conservation Regulations 2010 when considering a planning application where EPS are likely or found to be present at the site or surrounding area, local planning authorities must firstly assess whether an offence under the Regulations is likely to be committed. If so, the local planning authority should then consider whether Natural England would be likely to grant a licence for the development. In so doing to authority has to consider itself the 3 derogation tests above.</p> <p>In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/ very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.</p>
6	<p>CIL Charge</p> <p><u>Officer comment:-</u> Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local finance consideration as a grant or other financial assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.</p> <p>In this particular instance, any financial payments listed at section 49 above are not considered to be material to the decision as they would not make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a</p>

	local authority and hence the calculated CIL amount referred to above is therefore provided on an information basis only.
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