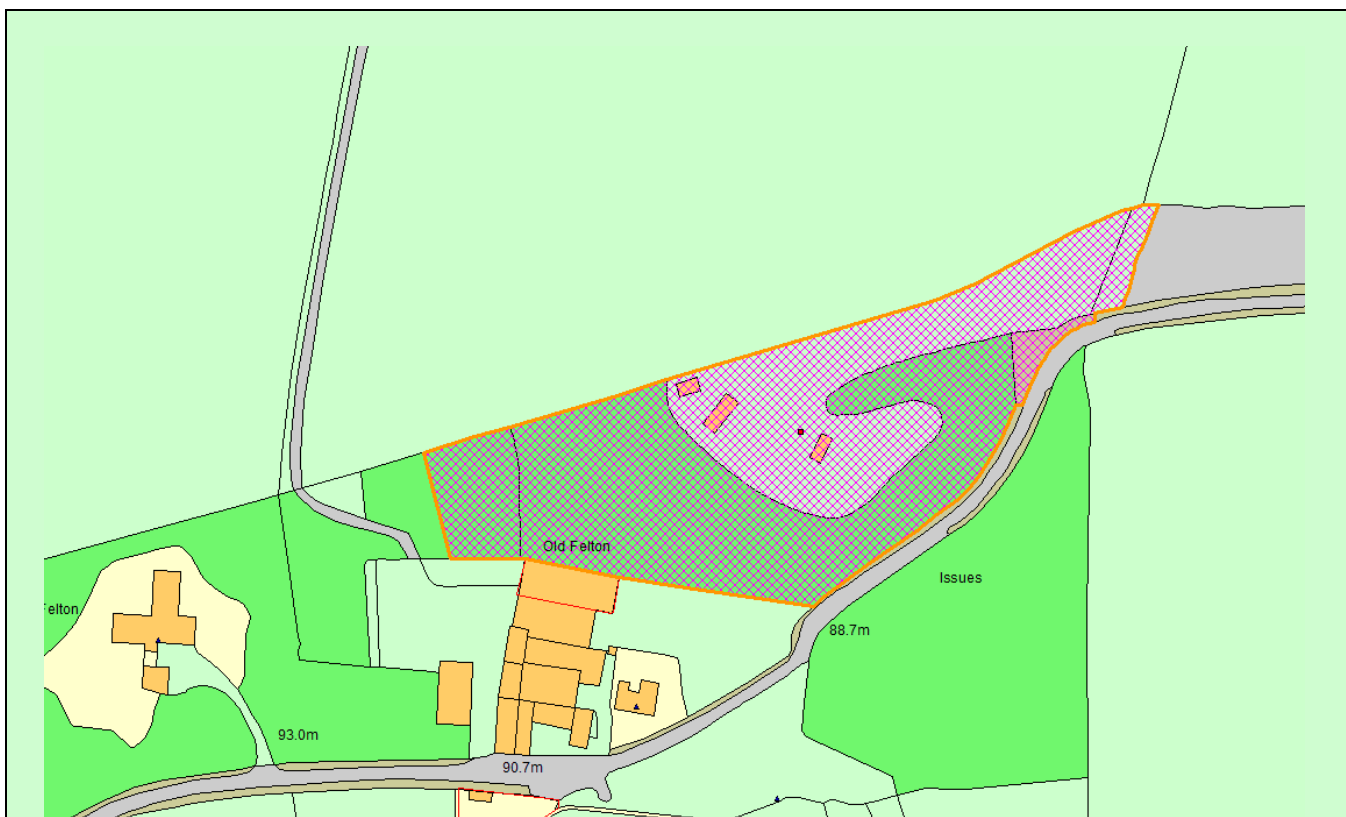




Northumberland County Council

North Northumberland Local Area Council
19th April 2018

Application No:	17/04565/FUL		
Proposal:	Proposed camping pods, tree house, lodge and touring van bases along with amenities and services (amended 6th April 2018).		
Site Address	Acton Caravan Site, Felton, Morpeth, Northumberland NE65 9NS		
Applicant:	Mrs Jill Campbell Old Felton Farm, Felton, Morpeth, Northumberland NE65 9NT	Agent:	Mr Michael Rathbone 5 Church Hill, Chatton, Alnwick, Northumberland NE66 5PY
Ward	Shilbottle	Parish	Felton
Valid Date:	30 January 2018	Expiry Date:	20 April 2018
Case Officer Details:	Name: Mr Chris McDonagh Job Title: Planning Officer Tel No: 01670 622646 Email: Chris.McDonagh@northumberland.gov.uk		



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1. Introduction

1.1 Under the provisions of the Council's current Scheme of Delegation, this application has been subject to substantive neighbour representation. The application has been reviewed by the Head of Service and the Planning Chair of the North Northumberland Local Area Council confirming that the application should be referred to Planning Committee for determination.

2. Description of the Proposals

2.1 Full planning permission is sought for the redevelopment of Acton Caravan Park, Felton. The site is located within an area of woodland to the northwest of Old Felton Farm and has previously operated as a caravan park. Existing access remains from the U3041 minor road to the south. The application involves the installation of the following on the site;

- *3no touring van pitches;*
- *3no 'glamping' pod pitches;*
- *2no camping pitches;*
- *1no treehouse;*
- *1no lodge;*
- *Ancillary infrastructure (car parking, cycle racks, upgraded access).*

2.2 The majority of the accommodation will be sited around a circular courtyard area, formed by the looping of the access road in to the site, with 1no glamping pod and the treehouse located towards the western extent of the site. Access is taken from the U3041 road to the south, which runs east to west branching from the C111 minor road to the west. The A1 is accessed from this road to the northwest.

2.3 The treehouse is of similar timber clad construction, with brown timber framed double glazed windows and timber shingle roof. The treehouse would be elevated on stilts, incorporating a decking area and simple internal layout. The treehouse is 9.7m at its widest point, 8.8m in length and reaches a total height of 5.2m measured from ground level.

2.4 The glamping pods are of timber construction, with grey tiled roofs and grey aluminium doors. The pods measure 6.7m (L) x 2.7m (W) x 2.7m (H) and are of simple curved roof form, with en-suite facilities internally.

2.5 The lodge is two-bedroomed and of similar timber clad construction, with shingled roof and brown-finished doors and windows. The lodge measures 12m (L) x 9.6m (W) x 5m (H). The remaining elements of the proposal are areas of hardstanding for 3no touring pitches, 4no additional car parking spaces and access tracks.

2.6 The site has extant planning permission and has previously operated as a caravan park, having been approved under planning application reference Q64/96A in 1965 and Q68/20 in 1968. A site licence has been provided from 1978 by the applicant providing proof of operation of the site as a caravan park.

2.7 The site is located within the River Coquet and Coquet Valley Woodland Site of Special Scientific Interest (SSSI) Impact Risk Zone (IRZ). Consultation was undertaken with Natural England on this basis, with no objection raised.

3. Planning History

Reference Number: Q64/96A

Description: Provision of hardstandings for the stationing of caravans and the erection of storage shed and toilets at Old Felton Farm, Alnwick

Status: Permitted

Reference Number: Q68/20

Description: Continued use of site for caravans.

Status: Permitted

4. Consultee Responses

Highways	<p>No objection subject to conditions</p> <p><i>When assessing this application, the Highway Authority checks that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets.</i></p> <p><i>The information submitted has been checked against the context outlined above, it is considered that this development will not have a severe impact on highway safety, and there are no objections in principle to the proposals.</i></p> <p><i>It is considered that the proposal is in accordance with the NPPF in highways terms, and the principle of development acceptable.</i></p> <p><i>There are no recommended amendments to the scheme to set out.</i></p> <p><i>The imposition of conditions and informatives with regards to car parking, cycle storage, access works, highway works/passing places, advertisements and the impacts during the construction phase will address any concerns with the proposed development.</i></p>
Felton Parish Council	No response received.
Natural England	<p>No objection.</p> <p><i>Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites has no objection.</i></p>
County Ecologist	<p>No objection subject to condition.</p> <p><i>Thank you for the consultation on the above application and submission of the Preliminary Ecological Appraisal. From this and correspondence with</i></p>

	<p><i>the applicant I note that the existing outbuilding, with potential to support roosting bats, will remain unaffected by the proposals.</i></p> <p><i>The site currently comprises areas of amenity grassland and planting with mature trees. These trees are also to remain unaffected by the proposals, with the exception of a single ash tree that will only have its outer branches trimmed. The site currently supports two invasive non-native species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).</i></p> <p><i>No objections to the proposals on ecological grounds are raised on condition that the avoidance, mitigation and enhancement measures detailed in the condition below are carried out in full. The following condition is therefore advised for inclusion should permission be granted.</i></p>
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5. Public Responses

Neighbour Notification

Number of Neighbours Notified	3
Number of Objections	25
Number of Support	8
Number of General Comments	4

Notices

General site notice; posted 14th February 2018.
No Press Notice Required.

Summary of Responses:

25no objections; Issues include -

- *Highway safety;*
- *Principle of development (location);*
- *Drainage/flooding;*
- *Site safety;*
- *Amenity.*

4no general comments; issues include -

- *Some concern on highway safety;*
- *General agreement with proposal.*

8no supporting comments; issues include -

- *Support local business;*
- *Already has planning permission for caravans;*
- *Job creation;*
- *Plans address highway safety concerns;*
- *Rural diversification.*

6. Planning Policy

6.1 Development Plan Policy

Alnwick Core Strategy (2007) - ACS

S1 Location and scale of new development
S2 The sequential approach to development
S3 Sustainability criteria
S10 Tourism Development
S11 Locating development to maximise accessibility and minimise impact from travel
S12 Protecting and Enhancing Biodiversity and Geodiversity
S13 Landscape character
S16 General design principles

Alnwick Local Plan (1997) - ALP

RE6 Sites of Nature Conservation Importance
R20 Rural Diversification Proposals
TT5 Controlling car parking provision (and Appendix E)
T4 Static and Touring Caravan Developments
CD32 Controlling development that is detrimental to the environment and residential amenity

6.2 National Planning Policy

National Planning Policy Framework (2012) - NPPF
National Planning Practice Guidance (2014, as updated) - NPPG

7. Appraisal

7.1 The application has been assessed against national planning policy and guidance, development plan policies and other material planning considerations and the advice of statutory consultees. The starting point for determination of the application remains the development plan; in this case, the saved policies of the Alnwick Local Plan (ALP) and Alnwick Core Strategy (ACS). The key planning issues raised by the proposal include;

- *Principle of development*
- *Design*
- *Landscape*
- *Amenity*
- *Ecology*
- *Highway Safety*

Principle of Development

7.2 Policy S1 sets out the hierarchy of settlements to inform the location and scale of development in the former Alnwick District. The application site is located in the small settlement of Acton, approximately 1.2 miles north of the village of Felton. Felton is identified in Policy S1 as a Sustainable Village Centre where a strong service base

exists, offering access to shops, café, pubs/restaurants and other amenities. Although the site is out-with the defined settlement of Felton, it is within a reasonable distance to access these services.

7.3 The NPPF seeks to promote sustainable development, with paragraph 7 providing the starting point against which the sustainability of a development proposal should be assessed. This identifies three dimensions to sustainable development - an economic element, a social element and an environmental element.

7.4 Paragraph 14 of the NPPF then establishes a presumption in favour of sustainable development. Approving development proposals that accord with the development plan without delay (unless material considerations indicate otherwise); and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.

7.5 Paragraph 28 of the NPPF promotes a strong rural economy, whereby local and neighbourhood plans should;

- *support the sustainable growth and expansion of all types of businesses and enterprise in rural areas.*
- *promote the development and diversification of agricultural and other land-based rural businesses.*

7.6 It is considered that the proposed location and scale of development would be sustainable in relation to economic and social considerations. It would deliver economic benefits through new visitors to the area and in social terms would deliver additional tourist accommodation in an appropriate location, which would help to sustain the existing community and associated services, as well as being able to contribute to improvements to existing services. In terms of its environmental role there would not be any significant or unacceptable harmful impacts on the site and wider area and the development could be assimilated into this location, which has already functioned historically as a caravan park

7.7 Policy S2 sets out a sequential approach for development where weight is given to previously developed land or buildings before other suitable sites within the built up area of settlements which applies in this case. However limited weight can be attached to this policy as the NPPF does not require a sequential test in residential development.

7.8 Policy S3 sets out sustainability criteria stipulating that development must satisfy the criteria with exceptions to compensate for sustainability shortcomings through condition/legal agreement but also states that it may be necessary to allow development which does not meet one or more of the criteria. The site would be accessible to the main settlement without the need for private car as well as satisfying the remaining criteria in the policy.

7.9 Policy S10 states proposals for new built cultural and tourism development must be in or adjacent to the rural service centres, sustainable village centres and local

needs centres in accordance with the development strategy and provide a high quality development, which assists rural regeneration. The application site is located adjacent to Felton within reasonable distance and will assist in rural regeneration principles of the policy. The policy should be considered against Policy S14 of the ACS.

7.10 Policy S14 sets out allowances for development in the open countryside in accordance with S3 and where development is essential to support farming and other countryside-based enterprise and activity, supports recreation and sustainable communities. It is also required to carry out a sequential test as per S2 although as previously stated S2 is not considered wholly in line with the NPPF. The application will support recreation and sustainable communities in line with Policy S3 via the provision of new visitors to the area.

7.11 Therefore it is considered that the proposals would be in general accordance with ACS policies S1, S3, S10 & S14 and will accord with the provisions and intentions of the NPPF.

Design

7.12 Policy S16 of ACS sets out that all development will be expected to achieve a high standard of design reflecting local character and distinctiveness in traditional or contemporary design and material and Paragraph 58 of the NPPF sets out the principles of design that planning policies and decisions should seek to ensure in new developments.

7.13 The size of scale of the glamping pods, treehouse and Warden's lodge are acceptable given their location, with a suitable material palette chosen relative to the woodland setting. The timber clad structures will assimilate well into the location and are of suitably modern design to offer a high quality and distinctive experience for visitors.

7.14 Attempts have been made to integrate the hardstandings into their surroundings, with 'grasscrete' floor coverings chosen, of green colour. These pitches are also considered suitable for purpose, with the development in general acceptable in design terms in accordance with Policy S16 of the ACS and design aims of the NPPF.

Landscape

7.15 Policy S13 of the ACS seeks to protect the landscape qualities of the Alnwick District, stating proposals for development and change will be considered against the need to protect and enhance the distinctive landscape character of the district. All proposals will be assessed in terms of their impact on landscape features and should respect the prevailing landscape quality, character and sensitivity of each area.

7.16 Similarly, Paragraph 109 of the NPPF states the need for development to protect and enhance valued landscapes where possible.

7.17 The site is well screened from view, situated on a clearing within a small area of woodland and would not be viewed from most receptors in the immediate area. It is

the judgement of the officer that the landscape impact would be negligible, in accordance with Policy S13 of the ACS and provisions of the NPPF.

Amenity

7.18 Policy CD32 of the ALP states that permission will not be granted for development which would cause demonstrable harm to the amenity of residential areas or to the environment generally.

7.19 Paragraph 17 of the NPPF sets out its core planning principles, to underpin both plan-making and decision-taking. One of these principles is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

7.20 The proposed development has the potential to impact upon the amenity of residents in the vicinity of the site given its proximity to adjacent, existing development. This would primarily be in relation to occupants Old Felton Farm to the southwest; however, potential amenity impacts are limited to those immediately adjoining the site.

7.21 Due to the proposed separation distance of 65m from the nearest new structure of the development to the curtilage of Old Felton Farm (the nearest residence), and the residence's proximity to a working farm, it is considered there would be negligible amenity impacts as a result of noise from the proposal.

7.22 The proposal is therefore considered to accord with ALP policy CD32 and the provisions of the NPPF.

Ecology

7.23 Policies S3 and S12 of the ACS are relevant in relation to assessing the potential effects on protected species, ecology and biodiversity whilst Paragraph 118 of the NPPF seeks to conserve and enhance biodiversity and sets out that assessment of potential impacts from development should be undertaken.

7.24 The application site is located within the Impact Risk Zone (IRZ) of the River Coquet and Coquet Valley Site of Special Scientific Interest (SSSI), although the application type is below the threshold required for consultation with Natural England. In the interests of thoroughness, Natural England was consulted, offering no objection to the proposal.

7.25 Due to the potential for protected species to be impacted by the development, NCCs ecology team were consulted on the proposal, offering no objection in their response pending the adherence to a condition and mitigation. Therefore the proposal is not considered to have an adverse impact on ecology. The development of the site would not be likely to result in significant impacts and would be in accordance with Policy S12 of the Alnwick Core Strategy and the NPPF.

Highway Safety

7.26 Policy TT5 / Appendix E of the Local Plan relates to car parking provision within development, and Policy S11 of the ACS relates to accessibility principles and the impacts of travel from new development.

7.27 Paragraph 32 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.28 A number of the objections received raise concerns in respect of the effects of the proposed development on highway safety, including additional traffic particularly along the U3041 minor road which will afford access to the site.

7.29 The application has been assessed by the Highway Development Management (HDM) team, which has no objection to the proposal subject to conditions. They advise that the existing highway network is adequate to cope with the minimal additional traffic resulting from the development, the proposed arrangements for access / egress will allow the safe and efficient movement of vehicles.

7.30 With regards to safety implications of the development, HDM state in their response there have been no recorded road traffic incidents within 600 metres of the proposed access to the site in the previous five years; although upgrades to the highway as detailed in the application are to be secured via condition to aid with safety concerns.

7.31 It is therefore considered that the proposed development on this site is in accordance with Policy TT5 of the ALP, Policy S11 of the ACS and transport provisions of the NPPF, and will not have a severe impact upon highway safety.

Equality Duty

7.32 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

7.33 These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

7.34 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's

peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.35 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

8. Conclusion

8.1 The main planning considerations in determining this application have been set out and considered above stating accordance with relevant Development Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.

8.2 Following consultation with the relevant bodies, the application has demonstrated that it is possible to satisfactorily address and mitigate issues in relation to highway safety, amenity, ecology and design/landscape impacts. The proposal would therefore result in a sustainable form of development that would be in accordance with Policies BE8 / Appendix A, TT5 / Appendix E of the Local Plan, Policies S1, S2, S3, S10, S11, S12, S13 & S16 of the ACS and the provisions of the NPPF.

8.3 The application is therefore recommended for approval.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions

01. 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)

02. Approved Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:-

1. Location plan; Drawing ref: 71/17 Sheet 5
2. Proposed site plan; Drawing ref: 71/17 Sheet 3
3. Proposed glamping pod plans; Drawing ref: 71/17 Sheet 3
4. Proposed treehouse plans; Drawing ref: 71/17 Sheet 4
5. Proposed Warden's lodge; Drawing ref: 71/17 Sheet 2

Reason: To ensure that the approved development is carried out in complete accordance with the approved plans and complies with the National Planning Policy Framework.

03. Materials

The facing materials and finishes to be used in the construction of the development shall be in accordance with details contained in the application. The development shall not be constructed other than with these approved materials.

Reason: In the interests of the satisfactory appearance of the development upon completion and in accordance with the provisions of Policy S16 of the Alnwick Core Strategy.

04. Implementation of car parking area

The development shall not be occupied until the car parking area indicated on the approved plans, including any disabled car parking spaces contained therein, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

05. Means of vehicular access to be constructed

The development shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

06. Completion of highway works before occupation

Development shall not commence until details of the proposed highway works have been submitted to and approved in writing by the Local Planning Authority. The building(s) shall not be occupied until the highway works have been constructed in accordance with the approved plans.

Reason: In the interests of highway safety, in accordance with the National Planning Policy Framework.

07. Implementation of cycle parking

The development shall not be occupied until cycle parking shown on the approved plans has been implemented. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety, residential amenity and sustainable development, in accordance with the National Planning Policy Framework.

08. Construction Method Statement

Development shall not commence until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Construction Method Statement shall, where applicable, provide for:

- i. vehicle cleaning facilities;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials;
- iv. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework.

09. Refuse - No external refuse outside of the premises

No external refuse or refuse container shall be stored outside of the approved refuse storage area except on the day of refuse collection.

Reason: In the interests of the amenity of the surrounding area and Highway safety, in accordance with the National Planning Policy Framework.

10. In accordance with ecological appraisal

No development shall take place unless in accordance with the avoidance, mitigation and enhancement measures detailed within the ecological report ('RH Ecological Services Preliminary Ecological Appraisal Acton Chase Caravan Park, Old Felton Farm, Felton, NE65 9NT. November 2017') and the avoidance, mitigation and enhancement measures detailed in this condition, including but not restricted to;

- *Creation and implementation of a landscaping method statement. To include, but not restricted to, methods of habitat creation and long-term management. To be submitted to and agreed with the LPA prior to construction commencing.*
- *Adherence to timing restrictions.*
- *Installation of a minimum of 4No. bird nest/bat boxes. Numbers, types and positions to be agreed with LPA prior to construction commencing.*
- *Adherence to external lighting recommendations in accordance with 'Bats & Lighting in the UK', Bat Conservation Trust/Institution of Lighting Engineers, 2008.'*
- *Installation of mammal/amphibian escape ramps in any excavations left open overnight*
- *Adherence to methods of removal for spoil/rubble mounds.*
- *Implementation of an pollution prevention methods*
- *Root protection zones will be implemented around all existing trees and hedgerows in accordance with the guidance given in BS5837.*
- *Creation and implementation of a method statement to ensure compliance with section 14 the Wildlife and Countryside Act 1981 (as amended) with respect to species listed on Schedule 9 of the act. To be submitted to and agreed with the LPA prior to construction commencing.*

Reason: To maintain the favourable conservation status of protected species and to conserve and enhance the biodiversity of the site in accordance with paragraphs 109 and 118 of the NPPF.

11. Restriction of Lodge Occupancy

The occupation of the Lodge shall be restricted to genuine holidaymakers for individual periods not exceeding 4 weeks in total within any consecutive period of 13 weeks. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Council at all reasonable times.

Reason: A permanent residential use in this location would conflict with the established planning policy for this rural area and in accordance with Policy S1 of the Alnwick Core Strategy.

12. Restriction of Holiday Lets

The occupation of the camping pitches, touring van pitches, camping pods and treehouse shall be restricted to genuine holidaymakers for individual periods not exceeding 4 weeks in total within any consecutive period of 13 weeks. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Council at all reasonable times.

Reason: A permanent residential use in this location would conflict with the established planning policy for this rural area and in accordance with Policy S1 of the Alnwick Core Strategy.

Informatives

01. Health and Safety

The applicant is advised to seek advice from the Fire & Rescue Service regarding requirements for separation distances between the camping pods and the licensing department of Northumberland County Council regarding any licensing requirements for the site.

02. Advertisement Consent

This permission does not give consent to any advertisement(s) intended to be displayed on the site for which separate Express Consent may be necessary under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as Amended/Revoked).

03 Alterations to Vehicle Crossing Point

You should note that alterations to the existing vehicle crossing point(s) are required. These works should be carried out before first use of the development. To arrange alterations to the existing vehicle crossing point(s) (and to make good any damage or other works to the existing footpath or verge) you should contact the Highways Area Office at:

North Northumberland - northernareahighways@northumberland.gov.uk

04. Section 278 Agreement

You are advised that offsite highway works required in connection with this permission are under the control of the Council's Technical Services Division and will require an agreement under section 278 of the Highway Act 1980. These works should be carried out before first occupation of the development. All such works will be undertaken by the Council at the applicant's expense. You should contact Highway Development Management at highwaysplanning@northumberland.gov.uk to progress this matter.

05. Section 278 Agreement (2)

The following highway works will be agreed under the terms of Section 278 of the Highways Act 1980 - Provision of passing places on the U3041.

06 Reminder to not store building materials on the highway

Building materials or equipment shall not be stored on the highway unless otherwise agreed. You are advised to contact the Streetworks team on 0345 600 6400 for Skips and Containers licences.

07. Reminder to not deposit mud/debris/rubbish on the highway

In accordance with the Highways Act 1980 mud, debris or rubbish shall not be deposited on the highway.

08. Planting

The Government's National Pollinator Strategy: for bees and other pollinators in England November 2014 recognises the importance of gardens in supporting pollinating insects, encourages nature friendly garden planting. Where possible I would advise the applicant to make new nature friendly garden planting across their scheme which will include where possible native species. Some useful links for advice on how to do this are:

<https://www.rhs.org.uk/science/conservation-biodiversity/wildlife/perfect-for-pollinators>
<http://www.wildlifetrusts.org/gardening>

Please note that Buddleia is not a native species and can be invasive. I would not recommend using this species in wildlife friendly gardening.

09. Protected Species

The risk of encountering bats, nesting birds or other protected species in connection with the execution of this planning consent is low providing the conditions are strictly adhered to, but there remains a small risk that individual animals may be encountered during works. All species of bat and their roosts (whether occupied or not) are strictly protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010. Similarly, all wild birds and their nests are protected whilst in use and it is an offence to recklessly or intentionally destroy nests or dependent young when on or near the nest, or to kill or take them.

Applicants and contractors should note that the protected species legislation operates independently of the planning system, planning consent does not override the legislation relating to protected species and that they should be aware that there is a small chance of encountering protected species during works.

In the unlikely event of protected species such as bats or nesting birds being encountered during development then works should cease immediately and professional advice should be sought straight away.

Further information about protected species and the law can be found on the Natural England website at www.naturalengland.org.uk '

Date of Report: 28.03.2018

Background Papers: Planning application file(s) 17/04565/FUL, Q64/96A, Q68/20