

Application Report

Planning, Housing and Health
North Devon Council
Lynton House, Commercial Road,
Barnstaple, EX31 1DG



Application No: 79173
Application Type: Full Application
Application Expiry: 5 December 2024
Extension of Time Expiry: 15 November 2024
Publicity Expiry: 13 November 2024
Parish/Ward: GEORGEHAM/BRAUNTON WEST AND GEORGEHAM
Location: Land off Somerthing Lane
Croyde
Proposal: Erection of a wildlife tower (amended location and block plans)
Agent: Landsense Professional Ltd
Applicant: Simon Maddocks
Planning Case Officer: Mr K. Webster
Departure: N
EIA Development:
EIA Conclusion: NO EIA REQUIRED
Decision Level/Reason for Report to Committee (If Applicable): Committee – The applicant is a District Councillor

Site Description

The site is accessed via Somerthing Lane, a narrow-unmade farm track, to the south of the village of Croyde. The wildlife tower would be sited just south of a hedge within agricultural land.

The site is partially screened by surrounding hedges and trees but would be visible from a small number of dwellings to the north and on the hills to south. The site cannot be seen from Croyde Sand Dune nor from much of the village of Croyde. This is due to the topography and the nearby trees and hedges that screen the site.

The site is outside the development boundary of Croyde, in agricultural land that is within a designated National Landscape (AONB).



Drone Shot from above Sandy Way



Looking South from end of Cott Lane



Looking East



Looking East



Existing Owl Box



Looking West



Looking North at Nearby Dwellings



South at Nearby Hills

Recommendation

Approved

Legal Agreement Required: No

Planning History

Reference Number	Proposal	Decision	Decision Date
24576	RETROSPECTIVE APPLICATION IN RESPECT OF CHANGE OF USE OF AGRICULTURAL LAND TO FORM EXTENSION TO DOMESTIC CURTILAGE (AMENDED APPLICATION TYPE, DESCRIPTION & PLANS) at HOBBS HOUSE, HOBBS HILL, CROYDE, BRAUNTON, EX33 1NE	FULL PLANNING APPROVAL	23 February 1998
40628	REMOVAL OF CONDITION 10 ATTACHED TO PLANNING PERMISSION 86/2116/28/4 & CONDITION 4 ATTACHED TO PLANNING PERMISSION 39488 (NO CARAVAN SHALL REMAIN ON SITE FOR A PERIOD EXCEEDING 3 WEEKS) at BAY VIEW FARM, CROYDE, BRAUNTON, EX33 1PN	FULL PLANNING APPROVAL	30 August 2005
42875	CONVERSION OF LOFT WITH ROOF EXTENSIONS & BALCONY, TOGETHER WITH AMENDED GROUND FLOOR DESIGN TO APPROVED AMENITY BUILDING PLANNING APPROVAL 36743 at BAY VIEW FARM CARAVAN & CAMPING PARK, CROYDE, BRAUNTON, EX33 1PN	FULL PLANNING APPROVAL	19 October 2006
53713	VARIATION OF CONDITIONS 11 & 2 ON PLANNING PERMISSION 86/2116/28/04 & CONDITIONS 4 & 1 ON PLANNING PERMISSIONS 39488/40628 TO ALLOW STORAGE OF CARAVANS IN THE SPECIFIED AREA ON PLAN 2339-01 (FIELD OS 2988) TOGETHER WITH THE USE OF FIELDS OS 2572/2772/3273 FOR TENTED CAMPING & MOTOR VANS FROM 1st MAY TO 1st SEPTEMBER EACH YEAR AT BAYVIEWVIEW FARM CARAVAN AND CAMPING PARK CROYDE BRAUNTON. at BAYVIEW FARM CARAVAN AND CAMPING PARK, CROYDE, BRAUNTON, DEVON, EX33 1PN	FULL PLANNING APPROVAL	3 May 2012
54155	REMOVAL OF CONDITION 3 (LANDSCAPING) ATTACHED TO PLANNING PERMISSION 53713 at BAYVIEW FARM CARAVAN & CAMPING PARK, CROYDE, BRAUNTON, DEVON, EX33 1PN	FULL PLANNING APPROVAL	9 July 2012

Constraints/Planning Policy

Constraint / Local Plan Policy	Distance (Metres)
Advert Control Area: Area of Special Advert Control	Within constraint
Chivenor Safeguard Zone Consultation Structure or works exceeding 91.4m	Within constraint
Landscape Character is: 4C Coastal slopes and combes with settlement	Within constraint
Neighbourhood Plan: Georgeham - NULL - Plan Area - NULL	Within constraint
USRN: 27500059 Road Class: B Ownership: Highway Authority	3.77
USRN: 27500061 Road Class: B Ownership: Highway Authority	3.77
USRN: 27500079 Road Class: Q Ownership: Private	14.73
Within: 100m of Adopted Heritage Coast	Within constraint
Within: Adopted AONB (ST09 & ST14)	Within constraint
Within: Adopted Coast and Estuary Zone	Within constraint
Within: Adopted Development Boundary: Croyde Development Boundary (ST07)	Within constraint
Within: Adopted Unesco Biosphere Buffer (ST14)	Within constraint
Within: Braunton Burrows Zone of Influence	Within constraint
Within: Surface Water 1 in 1000	Within constraint
Within: SSSI 5KM Buffer in North Devon, consider need for AQIA if proposal is for anaerobic digester without combustion plant	Within constraint
Within: Braunton Burrows, SAC 10KM Buffer if agricultural development consider need for AQIA	Within constraint
SSSI Impact Risk Consultation Area	Within constraint
BE1 (GNP) - New Developments BE5 (GNP) - Applications Outside the Development Boundaries BE8 (GNP) - Disturbance and pollution DM01 - Amenity Considerations DM04 - Design Principles DM05 - Highways DM08 - Biodiversity and Geodiversity DM08A - Landscape and Seascape Character NE1 (GNP) - Landscape spaces and open spaces NE2 (GNP) - Flora, Fauna and Forestation ST01 - Principles of Sustainable Development ST04 - Improving the Quality of Development ST07 - Spatial Development Strategy for Northern Devon's Rural Area ST09 - Coast and Estuary Strategy ST14 - Enhancing Environmental Assets	

Consultees

Name	Comment
North Devon Coast National Landscape	Declared an interest in the application as they are offering a grant from the Farming in Protected Landscapes programme on behalf of Defra towards this proposal.
Sustainability Officer	<i>No comment</i>
Reply Received 13 September 2024	
Georgeham Parish Council	<i>Georgeham Parish Council support this application. Some concerns were expressed about granting of permitted development rights as the area should be protected against any more substantial development.</i>
First Reply Received 27 September 2024	
Georgeham Parish Council	<i>Georgeham Parish Council recommend approval of this application with the following comments The comments made with the previous application still apply. The application complies with NE2 of the Neighbourhood Plan (incorporating conservation and habitat enhancement to achieve sustained biodiversity) and should be supported.</i>
Second Reply Received 1 November 2024	
Councillor Maskell P	No comments received.
Councillor Maddocks S	Is the applicant.

Neighbours / Interested Parties

Comments	No Objection	Object	Petition	No. Signatures
0.0	0.0	1	0.0	0.0

At the time of writing, one member of the public has objected due to its location and lack of justification.

The matters raised are considered below as relevant.

Proposal Description

This application seeks full planning permission for the erection of a wildlife tower on agricultural land to the south of the village of Croyde.

The wildlife tower is a funded project, with endorsement from the Barn Owl Trust. The tower aims to benefit biodiversity in the area, with provisions to provide a habitat for barn owls, kestrels, little owls, bats, nesting birds and a variety of invertebrates. The land surrounding the tower would continue to be used for agriculture.



Drone Shot from above Sandy Way



Looking South from end of Cott Lane



Looking East



Looking East



Existing Owl Box



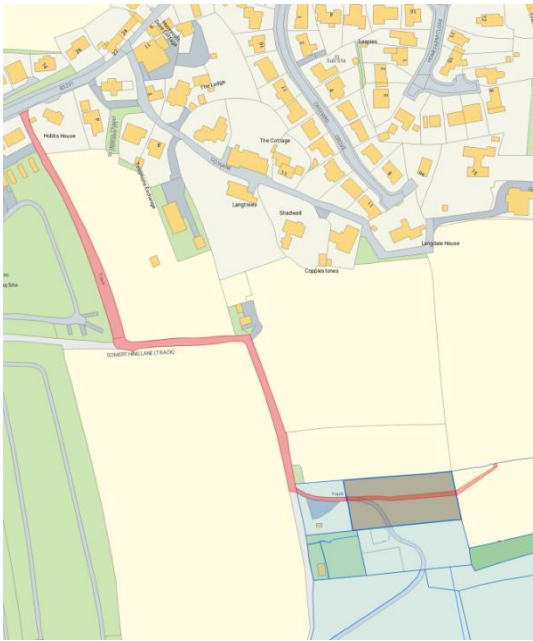
Looking West



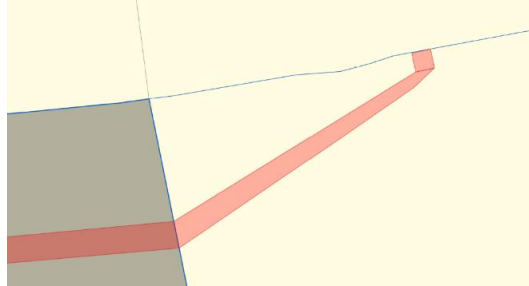
Looking North at Nearby Dwellings



South at Nearby Hills



Location Plan

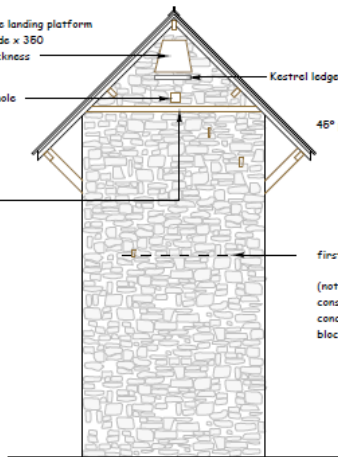


Location/Site Plan

KESTREL access hole
280 wide (top) x 400 wide (bottom)
x 360 high.
with timber or stone landing platform
below size = 400 wide x 360
projecting x 60 thickness

LITTLE OWL access hole
100 x 100

LITTLE OWL perch



WEST FACING ELEVATION

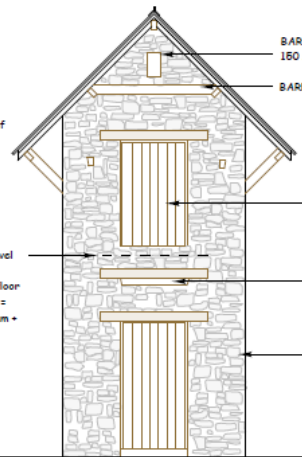
BARN OWL access hole
160 x 260

BARN OWL perch / ledge

timber doors, lintels,
roof rafters and purlins.

BAT slot through stone
facing and inner blockwork
into tower. 700 x 100

walls:
local natural stone facing
to inner blockwork



EAST FACING ELEVATION

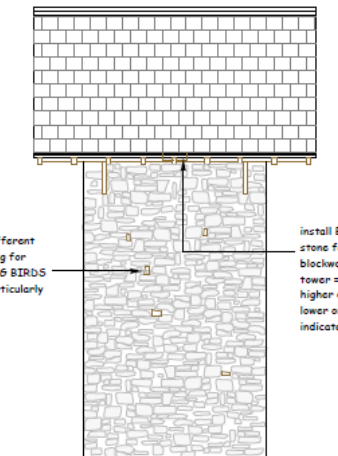
Install lots of cavities of different
sizes in depth of stone facing for
INVERTEBRATES, NESTING BIRDS
etc. to all wall faces, but particularly
to the South face

install BAT slots through
stone facing and inner
blockwork (not roof) into
tower = 180 x 360,
higher on North face,
lower on South face, as
indicated

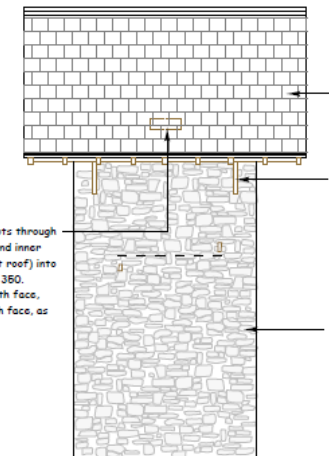
roof:
natural slate.

Timber brackets to be fixed
to the inner blockwork in order
to stabilize the roof overhang

walls:
local natural stone facing
to inner blockwork

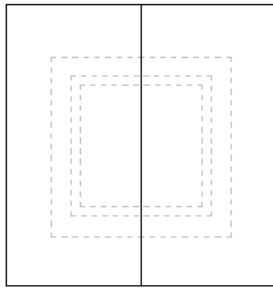


SOUTH FACING ELEVATION



NORTH FACING ELEVATION

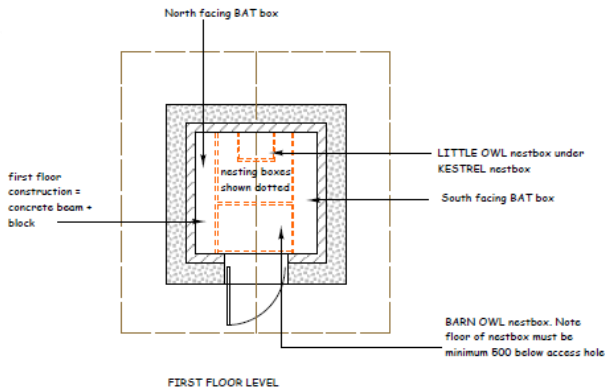
Proposed Elevations



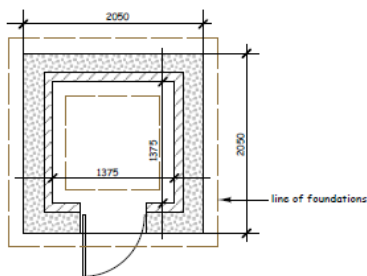
NOTE

generous roof overhang at each gable end provides required shelter for safe fledging of young birds

ROOF PLAN



FIRST FLOOR LEVEL



GROUND FLOOR LEVEL

Proposed Floor Plans

Planning Considerations Summary

- Principle of Development
- Design and Impact on the Landscape
- Amenity Considerations
- Impact on Ecology
- Highways

Planning Considerations

In the determination of a planning application Section 38 of the Planning & Compulsory Purchase Act 2004 is relevant. It states that for the purpose of any determination to be made under the planning Acts, the determination is to be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for this area includes the Devon Waste Plan, the North Devon and Torrridge Local Plan and the Georgeham Parish Neighbourhood Plan. The relevant Policies are detailed above.

On 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONBs) in England and Wales became “National Landscapes”. The site the subject of this application therefore now falls within the North Devon Coast National Landscape (NDCNL). However, the legal designation and policy status of AONBs is unchanged. Section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities in exercising or performing any functions in relation to, or so as to affect, land in an Area of Outstanding Natural Beauty (‘National Landscape’) in England, to seek to further the statutory purposes of the area by way of conserving and enhancing the natural beauty of the AONB. The duty applies to local planning authorities and other decision makers in making planning decisions on development and infrastructure proposals, as well as to other public bodies and statutory undertakers.

The Planning Practice Guidance refers to the relevance of management plans for AONBs for assessing planning applications. Whilst these do not form part of the development plan, they help to set out the strategic context for development and provide evidence of the value and special qualities of these areas. The North Devon Coast AONB Management Plan is therefore a material consideration, as its objectives align with those in the National Planning Policy Framework.

The National Planning Policy Framework (NPPF) is a material consideration.

Principle of Development

Policy BE5 (Applications Outside the Development Boundaries) of the Georgeham Parish Neighbourhood Plan states proposals for development outside the development boundaries should demonstrate and justify why it needs to be located there, and contribute positively to the appearance of the settlement when viewed from the surrounding countryside.

Policy ST01 (Principles of Sustainable Development) of the Local Plan states that:

- (a) Councils will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework;
- (b) Planning Applications that accord with Local Plan policy (and Neighbourhood Plans where applicable) will be approved unless material considerations indicate otherwise; and,
- (c) where policy is irrelevant or out of date, Councils will grant permission unless the adverse impacts would significantly and demonstrably outweigh the benefits, and/or where National Planning Policy Framework policy indicate that development should be restricted.

Policy ST07 (Spatial Development Strategy for Northern Devon’s Rural Area) of the Local Plan supports development in the countryside which meets local social and economic needs and which requires a countryside location.

It is proposed for a small building to be erected outside of a settlement boundary, therefore policies BE5 and ST07(4) apply. They generally require for development in the open countryside to be justified or have an overall benefit when taken on balance with the impact of adding buildings/clutter to the countryside setting.

The proposed wildlife tower would support biodiversity in the area by providing habitats for a range of owls, bats, bird and insect species. The Planning Statement, and subsequent

correspondence with the applicant, have justified this location as it would be well screened yet would be sited in a relatively open location such that animals would be able to locate it. The building requires a height of 5 metres to be an attractive habitat for barn owls and bats. It would have a small footprint and a barn-like appearance in terms of finish so to minimise any harm to the landscape setting. Matters regarding the design and ecology will be discussed in further detail below.

It is considered in this case that there has been adequate justification that demonstrates the wildlife tower requires this location, and that it would have ecological benefits that outweigh any harm to the setting of the National Landscape/open countryside. As such, the proposed development is considered acceptable in principle due to the overall betterment on balance, in accordance with policies BE5, ST01 and ST07. This is provided the proposal accords with other relevant planning considerations and development management policies of the Development Plan.

Design and Impact on the Landscape

Policy BE1 (New Developments) of the Georgeham Parish Neighbourhood Plan states that new developments must respect the density, volume, height, street lines and roof lines (excluding chimneys) of the nearby streetscape, and use appropriate materials, in line with Local Plan policy DM04, and complement key features in the parish Character Area appraisals, and the special character of the AONB.

Policy NE1 (Landscape Spaces and Open Spaces) of the Georgeham Parish Neighbourhood Plan states proposals must demonstrate that there would be no adverse landscape or environmental impacts, or that the benefits would outweigh any adverse impact and that harm is mitigated.

Policy ST04 (Improving the Quality of Development) of the Local Plan states that development will achieve high quality inclusive and sustainable design to support the creation of successful, vibrant places. Design will be based on a clear process that analyses and responds to the characteristics of the site, its wider context and the surrounding area taking full account of the principles of design found in policy DM04.

Policy DM04 (Design Principles) of the Local Plan requires development to be appropriate and sympathetic to setting in terms of scale, density, massing, height, layout appearance, fenestration, materials and relationship to buildings and landscape features in the local neighbourhood.

Policy DM08A (Landscape and Seascape Character) emphasises that great weight will be given to conserving and enhancing the scenic beauty and character of the designated landscapes and seascapes within the North Devon Coast Area of Outstanding Natural Beauty (AONB).

Policy ST09 (Coast and Estuary Strategy) is a consideration as the site is located within the Coast and Estuary Zone and as such, any development in this area will need to ensure that it does not detract from the character, appearance and heritage of the area, while maintaining and enhancing the sustainability of the community.

The building would be 5 metres tall, with a have a small footprint, measuring 2.05 x 2.05 metres. The building would have a pitched roof with overhanging eaves. Due to its countryside location and the height of the building proposed, it must be considered whether

there would be a significant negative impact on the designated National Landscape (AONB) and/or the setting of the village of Croyde.

The North Devon National Landscape did not provide a comment on the application, as they have declared an interest in the development.

The wildlife tower would be sited on low-lying agricultural land just south of Croyde, south of an existing hedgebank. The site would be visible from elevated ground to the south (Saunton Down), however, due to the topography and nearby hedges/trees, the wildlife tower would not be widely visible from the village. Trees to the north-west of the site provide screening such that the wildlife tower would only be visible from a small number of dwellings nearby to the north (at the southern end of Cott Lane).

Despite its height, it is considered that the wildlife tower would have minimal impact on the setting of the National Landscape (AONB) as it would not be widely visible. It is considered that the wildlife tower conserves the AONB's scenic beauty in accordance with The Duty above.

In terms of materials used to finish the building, the wildlife tower aims to mitigate any impact on the landscape by matching the established character of rural buildings in the area. Natural materials are proposed, as the building would have stone walls, a timber-framed slate roof and timber doors. It is considered that the materials are acceptable and contribute positively to the rural character of the setting.

It is considered that the building would have minimal impact on the landscape and is acceptable on balance in terms of design. The building would be of a small-scale, despite its height, and would appear in keeping with the rural character of the character and appearance of landscape. The site is well-screened, there would not be a significant impact.

As such, the development is, subject to planning condition, considered acceptable with regards to its design and in accordance with policies BE5, BE1 and NE1 of the Georgeham Parish Neighbourhood Plan, policies ST04, DM04, DM08A and ST09 of the Local Plan and The Duty above.

Amenity Considerations

Policy BE8 (Disturbance and Pollution) of the Georgeham Parish Neighbourhood Plan states that developments which are likely to generate disturbance by either noise, light, fumes or dust must be capable of mitigation, and regard should be given to the environment and the amenities of surrounding properties, including the environmental effects of light spillage.

Policy DM01 (Amenity Considerations) of the Local Plan states development will be supported where it would not significantly harm the amenities of any neighbouring occupiers or uses; and the intended occupants of the proposed development would not be harmed as a result of existing or allocated uses.

The wildlife tower would be sited on rural agricultural land, over 160 metres from the nearest residential unit. It would not interfere with the use of the land, and would not result in harm to the amenities of nearby residents due to its proposed use.

The scheme is not considered to result in significant harm to neighbouring amenity and is, subject to condition, in compliance with policies BE8 of the Georgeham Parish Neighbourhood Plan and policy DM01 of the Local Plan.

Impact on Ecology

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (Habitat Regulations 2019).

Policy NE2 (Flora, Fauna and Forestation) of the Georgeham Parish Neighbourhood Plan states that proposals which incorporate conservation and/or appropriate habitat enhancement to achieve a sustained biodiversity net gain will be supported. Development should retain and, where possible, enhance the setting, contributing to the character of the landscape, nature conservation and amenity of their surroundings.

Policy ST14 (Enhancing Environmental Assets) of the Local Plan aims to protect and enhance northern Devon's natural environment by ensuring that development contributes to providing a net gain in biodiversity where possible.

Policy DM08 (Biodiversity and Geodiversity) of the Local Plan requires development should conserve, protect and, where possible, enhance biodiversity and geodiversity interests and soils commensurate with their status and giving appropriate weight to their importance.

The proposed wildlife tower aims to benefit biodiversity in the area, with provisions to provide a habitat for barn owls, kestrels, little owls, bats, nesting birds and a variety of invertebrates. The wildlife tower has been endorsed by The Barn Owl Trust, who provided a statement as to why barn owls numbers are in decline.

Over the years we have lost a significant proportion of 'traditional' nest/roost/hibernation sites through the degradation or conversion of old barns and loss of our ancient and veteran trees in our open countryside. This subsequently was one of the factors causing the decline in Barn Owl numbers observed in the last century.

The Council's Sustainability Officer was consulted and raised no objections to the development. The building itself has a small footprint and is not subject to BNG requirements. The building requires this location such that it can be located by the animals that would use it, and due to its intended use, the proposal is considered to provide a biodiversity net gain.

Given the information received, subject to condition, the proposal would be considered acceptable with regard to the ecological impact, in compliance with policy NE2 of the Georgeham Parish Neighbourhood Plan and policies ST14 and DM08 of the Local Plan, along with relevant policies of the NPPF.

Highways

Policy DM05 (Highways) of the Local Plan states all development must ensure safe and well-designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highway users.

The wildlife tower would be accessed via Somerthing Lane, a narrow unmade farm track with hedgebanks either side. There are no proposals to make changes to this access and no proposal for the site to be made accessible by any means other than on foot.

As such, the proposal is, subject to condition, considered to accord with policies DM05 of the Local Plan.

Conclusion

It is considered that the wildlife tower would further the purposes of the AONB by conserving the scenic beauty of the landscape in accordance with The Duty above. The ecological benefits are considered to outweigh any harm the building would have on the setting, especially due to its well-screened location and the use of materials.

It is therefore considered that the proposed wildlife tower is acceptable on balance having regard to the development plan and The Duty detailed above. It is recommended that the application be approved as set out below.

Human Rights Act 1998

The provisions of the Human Rights Act and principles contained in the Convention on Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols identified below were considered of particular relevance:

- Article 8 – Right to Respect for Private and Family Life
- THE FIRST PROTOCOL – Article 1: Protection of Property

Section 149(1) of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it (the Public Sector Equality Duty or 'PSED'). There are no equality implications anticipated as a result of this decision.

Recommendation

Approved

Legal Agreement Required: No

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason:

The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/details:
NDC001A Location Plan received on the 10/10/24
NDC002A Block Plan received on the 10/10/24
04B Proposed Floor - Elevations received on the 20/08/24
(‘the approved plans’).

Reason:

To ensure the development is carried out in accordance with the approved plans in the interests of proper planning.

3. The development hereby approved shall be constructed in accordance with the following schedule of external finishing materials:
 - Walls - Natural Stone
 - Roof - Natural Slate
 - Doors, Eave, Lintels, Rafters, Purlins - Timber

Reason:

In the interests of the character and appearance of the development and its setting in accordance with policies BE5, BE1 and NE1 of the Georgeham Parish Neighbourhood Plan and policies ST04, DM04, DM08A and ST09 of the North Devon and Torridge Local Plan.

4. Prior to the development hereby approved being brought into first use, the biodiversity net gains as indicated on the approved plans, shall be provided in full and maintained and retained thereafter.

Reason:

To achieve net gains in biodiversity in compliance with policy NE2 of the Georgeham Neighbourhood Plan, policies ST14 and DM08 of the North Devon and Torridge Local Plan and paragraph 180 of the National Planning Policy Framework.

5. The building shall be used as a wildlife tower and for no other purpose.

Reason:

Only the proposed use is appropriate and any other use would need to be the subject of a separate application to be considered on its merits.

Informatives

1. The submitted drawings have been numbered as set out in condition 2. Please refer to the planning application tracker on the District Council's website to view the drawings and their allocated numbers, <http://planning.northdevon.gov.uk/search.asp>
2. BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is

deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be North Devon District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
 - 4.2 Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions

3. Statement of Engagement

In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission. This has included: Principle of Development; Design and Impact on the Landscape; Amenity Considerations; Impact on Ecology; and, Highways.