
Site Address: Pepper Pot Cottage, 12 Marshall Road, Hayling Island,
PO11 9NH

Proposal: Proposed 1No. 2 bedroom bungalow on land to rear of 12 Marshall Road,
including shared access with existing dwelling, existing vehicular crossover to be
extended.

Application Type: Full Planning Permission

Application No: APP/22/00339 Expiry Date: 27/05/2022

Applicant: Mrs Stannard

Agent: Mr Douglas Case Officer: Joseph Toole
Jeffrey Douglas Chartered
Architect

Ward: Hayling East

Recommendation: **REFUSE PERMISSION**

1 Site Description

- 1.1 The application site relates to a detached bungalow with a fully hipped roof located to the west side of Marshall Road. The bungalow is constructed of sand render with red clay roof tiles. It is set back from the road by approximately 5 metres with a relatively long rear garden. To the south is a chalet style dwelling having an asymmetrical roof with dormers facing into No.12. The dwelling is also set relatively forward and only marginally behind No.12. To the north is a modest bungalow set back in its plot behind No.12.
- 1.2 The area is predominantly made up of a mixture of detached bungalows and chalet style dwellings set in relatively spacious plots with gaps to the side boundaries. The properties on the western side are particularly staggered in their siting. There are some examples of backland developments within the vicinity, most notably at numbers 2 and 8a Marshall Road. It is however noted that these backland plots both extend across the rear of 2 frontage properties and therefore sit in generous plots. No.7 directly opposite also incorporates a dwelling to the rear although it is noted that this is a historic relationship where a former sub-standard residential chalet previously located to the rear of No.7 was replaced with a more modern, albeit larger, dwelling.
- 1.3 The application site is rectangular in shape with a width of approximately 13 metres and a depth of approximately 51 metres.
- 1.4 The site is not within any current Flood Zone but taking into account climate change the site would fall within Flood Zone 2 and 3 in the future.

2 Planning History

- 2.1 No relevant planning history.

3 Proposal

- 3.1 The proposal would involve the erection of 1No. 2 bedroom bungalow on land to rear of 12 Marshall Road, including shared access with existing dwelling, existing vehicular crossover to be extended.
- 3.2 The proposed dwelling would be 'L' shaped with a pitched/hipped roof.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15 (Flood and Coastal Erosion)
CS16 (High Quality Design)
CS21 (Developer Requirements)

Havant Borough Local Plan (Allocations) July 2014

DM24 (Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Submission Version Havant Local Plan

Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturist

There are no significant trees onsite or on adjacent land that will be affected by the proposals.

Building Control

No Comment.

Community Infrastructure

CIL Liable: <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>.

Additionally, pending a response from Natural England on the 'HRA', instructions should be passed by the Case Officer to the CI Team to:

(a) Issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, based on the number of additional dwellings and their respective number of bedrooms. See <http://www.havant.gov.uk/unilateralundertaking-solent-recreation-mitigation-strategy>.

b) Issue the Nutrient Neutrality Unilateral Undertaking. See <https://www.havant.gov.uk/nitrogen-developers>

Councillor Leah Turner - Hayling East

No Comment.

Councillor M Wilson - Hayling East

No Comment.

Councillor R Raines - Hayling East

No Comment.

County Minerals

No Comment.

Developer Services, Southern Water

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

Hampshire Highways

Thank you for your consultation on the above planning application. The Highway Authority wish to make the following comments.

The Highway Authority will require a diagram showing the length of the extended vehicular access. Additionally, tracking should be provided showing the ability of a standard size vehicle to manoeuvre and access the proposed parking spaces as well as egressing the shared drive in forward gear.

Additionally, it is recommended to the applicant that they should be made aware that subject to any planning permission being granted by the Local Planning Authority, a subsequent agreement will need to be granted by HCC as Highway Authority to undertake the drop kerb works on the Highway. Details of this procedure can be found via the following link: [Apply for a vehicular access | Hampshire County Council \(hants.gov.uk\)](#).

It is important to note that if there are any minor utility diversions that are required to facilitate the dropped kerb then additional costs may arise in addition to the initial application fee. The applicant should also be aware that if an existing access is to be closed, a full height kerb should be reinstalled.

Having regard to the above, the Highway Authority require the following further information requested before a formal recommendation can be made.

Hampshire Highways (2)

Thank you for your reconsultation on the above planning application. The Highway Authority wish to make the following comments

The Highway Authority have reviewed the tracking in drawing 22108/111 Rev A and are satisfied that there is sufficient space for a vehicle to manoeuvre and egress the drive in forward gear.

The applicant is reminded that subject to any planning permission being granted by the Local Planning Authority, a subsequent agreement will need to be granted by HCC as Highway Authority to undertake the drop kerb works on the Highway. Details of this procedure can be found via the following link:
<https://www.hants.gov.uk/transport/parking/droppedkerbs>.

It is important to note that if there are any minor utility diversions that are required to facilitate the dropped kerb then additional costs may arise in addition to the initial application fee. The applicant should also be aware that if an existing access is to be closed, a full height kerb should be reinstalled.

Having regard to the above, the Highway Authority provide no objections to the above planning application.

Norse South East, Operations Director

No Comment.

Nutrient Team

I can confirm there is sufficient capacity within the Council's mitigation scheme for planning application APP/22/00339.

Waste Services Manager

No Comment.

Natural England

Thank you for your consultation on the above dated 08 June 2022 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

DESIGNATED HABITATS SITES – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice should be taken as Natural England's formal **representation on appropriate assessment** given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

Your appropriate assessment, dated 08 June 2022, concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions.

Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development.

This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development. Your authority should be assured that proposed financial contribution rates are proportionate to the identified effects of the proposed development, suitably precautionary, and in line with the Retail Price Index, where relevant. Provided that your authority is assured and satisfied that the budget calculations are suitably precautionary and accurately reflect the proposal, then Natural England raise no concerns with regard to the nutrient budget.

Please note in future cases where the necessary avoidance and mitigation measures are limited to collecting a funding contribution that is in line with an agreed strategic approach for the mitigation of impacts on Habitats Sites then, provided no other adverse impacts are identified by your authority's appropriate assessment, your authority may be assured that Natural England agrees that the Appropriate Assessment can conclude that there will be no adverse effect on the integrity of the Habitats Sites. In such cases Natural England will not require a Regulation 63 appropriate assessment consultation. However please note it is strongly advised you as competent authority seek your own legal opinion on whether to consult under these circumstances.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

6 **Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 16

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 3

Comment	Officer Comment
Severe impact on noise, privacy, environment	Please see Section 7.
Incorrect map used	
Cars passing just over a metre from boundary causing noise and light pollution	
Trees not shown on plans	
Impact on local wildlife	
Narrow access	
Construction noise, fumes and dust	
Site not large enough for construction vehicles	
The proposed site is cramped	
Impact on privacy, access and safety in emergency situations	
Trees have been cut down to build an off the ground swimming pool. I'm not sure if he needed permission for this structure?	Swimming pools can be carried out under Schedule 2, Part 1, Class E of the General Permitted Development Order 2015, as amended.

7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Trees
- (v) Flood Risk
- (vi) Access and Parking
- (vii) Compliance with Habitats Regulations and Nutrients Neutrality
- (viii) Drainage
- (iv) Community Infrastructure Levy

(i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable in principle, subject to the usual development control criteria. The NPPF supports sustainable development with three aims: the economic; social; and environmental objectives. Havant Borough Council development plan comprises the Hampshire Minerals and Waste Plan; the Local Plan (Core Strategy) 2011 and the Local Plan (Allocations) 2014 and in accordance with paragraph 11 of the NPPF decisions should be made in accordance with the development plan.

7.3 It is noted that the Council's Five Year Housing Land Supply Update (November 2021) shows that the Borough has 3.9 years housing land supply with a 20% buffer applied. This is below the five year supply threshold, and as such there is a presumption in favour of sustainable development (para 11d of the NPPF). Significantly, however, it does not follow there is a tilted balance in favour of permission being granted – permission should only be refused where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Significantly, the proposal would result in the provision of a single dwelling which is recognised as making a small contribution to the Council's housing need and should be afforded weight in the overall planning balance accordingly.

(ii) Impact upon the character and appearance of the area

7.4 The National Planning Policy Framework at paragraph 130 f, promotes in planning policies and decision making, amongst other matters, that developments:

" create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users..."

7.5 Policy CS16 (1c) promotes and recognises the value of high quality design:

"Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;"

7.6 The site is located within a residential area, characterised by a mix of predominantly single storey and chalet style form. The staggered siting of adjacent properties is such that there is no strict building line to conform to. Whilst there are some examples of development to the rear of existing dwellings, the prevailing character of the area is one of detached dwellings with small front gardens and gardens to the rear. The sub-division of the site would at odds with the prevailing character of the area appearing cramped and confined to the rear of an established dwelling. The adopted Havant Borough Design Guide SPD sets out the requirement for back-to-back separations of 20 metres and rear gardens of 10m. The proposal here would have a separation distance of approximately 18.5 metres and a rear garden of 6m, not meeting these requirement. Whilst these distances are guidance and guided on a case-by-case basis by the character of an area, failure to meet these standards is further indication of the cramped nature of the plot and the proposed development. Therefore, the proposal dwellinghouse is considered to be an overdevelopment of the site within its locality.

7.7 The proposal is deemed inappropriate in context to the character of the area and is therefore considered to be unacceptable, contrary to the requirements of Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011. In accordance with guidance in the NPPF permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

(iii) Impact upon residential amenity

7.8 The proposed dwelling would be located adjacent to the rear gardens of Nos.10 & 14 Marshall Road and would certainly be perceptible to the occupants of these dwellings. However, having regard to the limited height, position of windows and separation distances it is not considered that the proposed dwelling itself would have an adverse impact on the surrounding neighbouring properties in terms of overlooking, overbearing impact or harmful loss of light. Planning conditions could be used to ensure any future permitted development rights are restricted at the property.

7.9 The proposed access to the dwelling would go along the side of No.12 and No.14 Marshall Road. Within the adopted Havant Borough Design Guide SPD it sets access routes should be located an appropriate distance away from the existing dwelling so not to have a detrimental effect through noise, visual disruption or loss of privacy.

"Routes should usually have a minimum separation distance of 3 metres from the edge of the access road to the edge of the nearest affected house, together with the appropriate boundary treatment to screen the access road from dwellings"

7.10 The proposed access road would go directly to the side of No.12 and have a maximum separation distance of approximately 1.5 metres from the side of No.14 thus sufficiently below the target set out within the Design Guide. Whilst it is accepted that the existing dwelling at the site incorporates a vehicular access to the rear garden the proposal would result in the intensification of this route adjacent to windows of both Nos 12 & 14. This is considered to cause harmful noise and disturbance to these properties by the coming and goings of vehicles down the access road and further into the rear garden.

7.11 Consequently, it is considered that the proposal will have a negative impact upon neighbouring properties in terms of noise and disturbance through the use of the access road, therefore contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

(iv) Impact on Trees

7.12 There are two mature trees close to the rear boundary with No.11a St Hermans Road and an oak tree close to the side boundary with No.10 Marshall Road. The Council's Arboriculturist commented on the application stating there are no significant trees onsite or on adjacent land that will be affected by the proposals therefore raising no objection to the proposal.

(v) Flood Risk

7.13 Since the site would fall within flood zone 2 and 3 in the future, when taking climate change into account there is a fundamental objection to the development of this site to provide new residential accommodation. New residential units need to be directed to areas at least risk of flooding. A Flood Risk Assessment has not been provided with this application. In light of the recommendation of refusal on a number of grounds, this was not requested.

7.14 In terms of development in areas at risk of flooding now and in the future Policy CS15 requires, amongst other matters, that:

"1. It meets the sequential and exception test (where required) in relation to PPS25

2. The site is located in a low hazard area as defined in the Strategic Flood Risk Assessment.

3. A site-specific flood risk assessment demonstrates that the development will be safe, including the access, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

4. The scheme incorporates flood protection, flood resilience and resistance measures appropriate to the character and biodiversity of the area and the specific requirements of the site.

5. Appropriate flood warning and evacuation plans are in place."

7.15 Paragraph 163 of the NPPF requires that Local Planning Authorities steer new development to areas with the lowest probability of flooding (ie Flood Zone 1) and that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. A sequential approach should be undertaken by the LPA in this regard to decision making.

7.16 The aim of the Sequential Test is to steer new development to the areas with the lowest probability of flooding. The Planning Practice Guidance advises that, in applying the Sequential Test, the aim is to steer new development to Flood Zone 1, these being areas with a low probability of flooding. Only where there are no reasonably available sites in Flood Zone 1, should reasonably available sites in Flood Zones 2 and 3 be considered.

7.17 The Planning Practice Guidance states that in the first place it is the Local Planning Authorities responsibility to consider if the sequential test has been satisfied, informed by evidence provided by the developer. No evidence has been submitted that an appropriate search, with regard to the availability of other suitable sites across the Borough, has been undertaken. As such it is considered that a robust search for reasonably available sites in Flood Zones 1 has not been undertaken, the proposed development therefore immediately fails to accord with the Sequential Test required by the Framework and the Planning Practice Guidance. The LPA has published further guidance on the Sequential and Exception Tests setting out national guidance and advice on the areas of search for alternative sites.

7.18 In terms of the Exception Test due to the minor scale of development it is not considered to provide wider sustainability benefits to the community that outweigh the flood risk. The Exception Test is designed to allow appropriate and safe development to proceed in scenarios where the Sequential Test has been passed. In this instance, the Sequential Test has not been passed and therefore, weight cannot be offered to the wider community benefits of the proposal.

7.19 Overall it is considered that the applicant has failed to demonstrate that there would be no alternative sites for a single dwelling within the Borough at a lower risk of flood, that the site would be safe from flooding across its lifetime or that the proposal would not increase the risk of flooding elsewhere. and would therefore be contrary to the aims and objectives of the NPPF and adopted policy CS15.

(vi) Access and Parking matters

7.20 Vehicular and pedestrian access would be via the existing driveway currently providing access for 12 Marshall Road. The drive would be extended to the rear to provide two car spaces and a turning area to allow vehicles to enter and leave in forward gears.

7.21 Hampshire Highways commented on the application requesting further information to show the length of the proposed extended vehicular access. This information was provided, and they are satisfied there is sufficient space for a vehicle to manoeuvre and egress the drive in forward gear thus raising no objection.

(vii) Compliance with Habitats Regulations and Nutrients Neutrality

7.22 The site lies within 5.6km of the Chichester and Langstone Harbours SPA and will lead to a net increase in residential accommodation which results in increased recreational pressure on the Solent SPA sites. Havant Borough Council has adopted a planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP). A European site avoidance and mitigation checklist was submitted with this application.

7.23 A Council Occupancy rate calculator and Solent Nutrient Budget calculator were submitted with this application following the latest Natural England guidance. The Council Nutrient Team commented on the application stating there is sufficient capacity within the Council's mitigation scheme for planning application APP/22/00339.

- 7.24 The Council has conducted a Habitats Regulations Assessment (HRA), including Appropriate Assessment (AA), of the proposed development under Regulation 63 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. The Council's assessment as competent Authority under those regulations is included in the case file. The screening under Regulation 63(1)(a) found that there was likely to be a significant effect on several Solent European Sites due to both the increase in recreation and the decrease in water quality that would result from the proposed development of one new residential unit.
- 7.25 The planning application was then subject to Appropriate Assessment under Regulation 63. This included two packages of avoidance and mitigation packages. The first is a package of measures based on the suggested scale of mitigation in the Solent Recreation Mitigation Strategy. The second is a package of measures based on the Position Statement on Nutrient Neutral Development.
- 7.26 With respect to the Solent Recreation Mitigation Strategy the mitigation package amounts to £614.15 and based on the submitted nitrogen budget the water quality mitigation amounts to £977.84. The applicant has been sent the appropriate joint agreement and Deed requesting these payments but this has not been returned or received and therefore it is considered that both the recreational harm and water quality impacts of the development have not been adequately mitigated against. This lack of mitigation is contrary to policies CS11, CS21 and DM24.
- 7.27 The Appropriate Assessment concluded that, subject to the securing of these packages through a legal agreement/condition, this is sufficient to remove the significant effect on the SPAs which would otherwise have been likely to occur. The HRA was subject to consultation with Natural England as the appropriate nature conservation body under Regulation 63(3) who have confirmed that they agree with the findings of the assessment and raise no objection on this basis. However the lack of receipt of the appropriate mitigation packages means the development would be likely to have a significant effect on the Solent European Sites and be contrary to the Conservation of Habitats and Species Regulations 2017 (as amended) and the National Planning Policy Framework. Therefore, on the basis of a refusal of planning permission for other matters, then it is necessary to include the non-provision of the avoidance and mitigation package for recreational disturbance as a reason for refusal.

(viii) Drainage matters

7.28 Southern Water were consulted on the application and raised no objection.

(ix) Community Infrastructure Levy

- 7.29 The CIL rates to be applied to development are set out in the Havant Borough Community Infrastructure Levy Charging Schedule, which was adopted by the council on the 20 February 2013. This followed two public consultation exercises and an Examination into the Charging Schedule by an independent Examiner. The Examiners Report concluded that the Havant Borough Council Community Infrastructure Levy (CIL) Charging Schedule provided an appropriate basis for the collection of the levy in the borough. The levy is charged at £80 per square metre (plus indexing) on new floorspace (measured as gross internal area) in Hayling Island.

- 7.30 The proposal would result in new residential development which is Community Infrastructure Levy (CIL) liable, and the appropriate forms have been submitted. The proposed total gross floor area would be 76.5 sqm. which would generate a total CIL liability of £11,338.39. The applicant has not claimed relief, assuming liability.

8 Conclusion

- 8.1 It is considered that the proposed dwelling due to its limited space on site would not represent a sustainable form of development. The subdivision of the site in the manner proposed would result in a contrived and cramped plot that would be out of keeping with the prevailing pattern of development in the area and would have a detrimental impact on the amenity of neighbours in terms of increased noise and disturbance from vehicles coming and going. It is also located within a future flood risk zone and is considered to fail the sequential and exception tests contrary to the NPPF and adopted policy CS15. Furthermore, the lack of appropriate mitigation measures for likely significant recreational harm to the Solent European Sites as specified by the Habitats Regulations contrary to policy DM24. The proposal is therefore recommended for refusal.
- 8.2 It is acknowledged that the Council's Five Year Housing Supply is below the threshold and that the proposal would provide a single dwelling making a very small contribution to the Council's housing need. However, the adverse impacts of the proposed development are considered to significantly and demonstrably outweigh the benefits of provision of a single dwelling such that the planning balance is not tilted in favour of the proposal.

9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/22/00339

- 1 The proposal would, by virtue of its location to the rear of an existing dwelling, overall footprint, separation distances to existing and neighbouring properties, proximity of the access along side elevations of existing properties, and garden sizes, result in a cramped form of development contrary to the prevailing character of the surrounding area. The proposal is therefore, considered to be contrary to the requirements of Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the aims and objectives of the National Planning Policy Framework 2021.
- 2 The proposal would, by virtue of its access close to the flank elevations and windows of Nos. 12 and 14 Marshall Road, have a negative impact upon amenity of neighbouring occupiers in terms of increased noise and disturbance. The proposal is therefore contrary to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the aims and objectives of the paragraph 134 of the National Planning Policy Framework 2021.

- 3 The site lies within a future flood zone. The applicant has failed to provide a Flood Risk Assessment to demonstrate that there are no other sequentially preferable sites within the Borough for a single-dwellinghouse, that the development would be safe from flood risk across its lifetime or that the development would not increase the risk of flooding elsewhere. In the absence of adequate information, the proposal cannot pass the Sequential or Exception Tests as set out within the National Planning Policy Framework and would represent unsustainable, inappropriate form of development in an area at future risk of flooding. The proposal is therefore, contrary to Policy CS15 of the Havant Borough Core Strategy, 2011 and the aims and objectives of the National Planning Policy Framework.
- 4 In the absence of a suitable agreement to secure appropriate mitigation measures, the development would be likely to have a significant effect on the Solent European Sites as specified in the Habitats Regulations Assessment that has been undertaken in relation to this planning application. The development would be likely to result in increased recreational pressures from future residents and impact on the water environment and as such, it is contrary to Policy DM24 of the Havant Borough Local Plan (Allocations Plan) 2014, policies CS11 and CS21 of the Havant Borough Local Plan (Core Strategy) 2011, The Conservation of Habitats and Species Regulations 2017 (as amended) and the National Planning Policy Framework.