

## Permissions in Principle (PiPs) and Special Areas for Conservation (SACs)

Should a site proposed for Permission in Principle be located within the zone of influence of a Special Area for Conservation (SAC), the Planning Practice Guidance (PPG) provides that Habitats Development is a form of development for which Permission in Principle cannot be granted.

The PPG confirms that Habitats Development is development which is likely to have a significant effect on a qualifying European Site, either alone or in combination with other plans and projects. It has been shown in recent appeal decisions that whilst they acknowledge that where only a single dwelling is proposed, the PPG and the *Conservation of Habitats and Species Regulations 2017* (the Regulations) require that the impact must be considered both alone and in combination with other plans and projects.

Therefore, whilst acknowledging the impact of this one dwelling by itself may be slight, Planning Inspectors have concluded that there could be significant harm to the integrity of the SAC when considered in combination with other similar proposals within the area. Consequently, the proposals were found not to accord with the forms of development for which permission in principle can be granted. The use of obligation was considered in the appeals. However, the provision of mitigation would only be justified if the proposal constituted Habitats Development. This is because it would result in significant harm to the SAC (whether alone or in combination with other plans and projects).

Consequently, it is advised that where the proposal would represent Habitats Development, Permission in Principle cannot be granted and therefore such applications should not be made.

More information on PiPs can be found at:

<https://www.gov.uk/guidance/permission-in-principle>

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