

## PLANNING & LICENSING COMMITTEE

10<sup>TH</sup> MARCH 2020

### ADDENDUM REPORT

Report no.	Item no.	Application no.	Applicant	Parish
55/2020	1	2019/1410/FUL	JOANNE WHITE	MANTON

#### Amended Plans

#### Revised Condition 2

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers unmarked Site Location and Block Plans, JW/01/PLANNING2019 Proposed Dwelling Adjacent to 2 Wing Road Manton, JW/02/PLANNING2019 Rev. 3.03.2020 Proposed Dwelling Adjacent to 2 Wing Road Manton, and details specified on the application form.

Reason: For the avoidance of doubt and in the interests of proper planning.

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55/2020	2	2019/0433/FUL	STAMFORD STONE	CLIPSHAM

An additional objection has been received from a resident of Oakham on ecology grounds.

A request has also been made by Clipsham Parish Meeting to defer the application for ecological reasons, primarily based on a recent court case relating to new runway at Heathrow Airport. Officers have taken Ecology and Legal advice on this matter. The Legal advice is as follows:

Having reviewed the, email from the Parish Meeting, my thoughts on the issues raised are below. I don't think there are any grounds to defer the application, but turning to the specific points;

#### Heathrow case

In my view this has no bearing on the current application; It was a very limited decision based on the shortcomings of the Airports National Policy Statement ( ANPS), i.e. when the Secretary of State formulated the ANPS he should have had specific regard ( in exercising his duty to carry out an environmental appraisal) to the Paris Agreement on Climate Change, but he failed to do so - all other grounds of challenge failed, it has no bearing on the Clipsham application.

#### Biodiversity duty under the Natural Environment & Rural Communities Act 2014

Assuming this to be a reference to the section 40 duty, the requirement is to "have regard" ( NB not to pay "special regard or attention", as sometimes arises in planning legislation). It is clear from the Committee report that this duty has been fulfilled.

#### Biodiversity 2020/Defra Metric

This emerged in a pilot scheme/policy paper in 2012, and does not constitute a statutory duty to secure net biodiversity gain. This duty is in the Environment Bill, which has just had its Second Reading in the House of Commons, but there is some way to go before it becomes law. Nor is there any policy duty in the NPPF to secure a positive gain.

#### Lack of NVC botanical survey/ invertebrate survey

I note (from para 103 of the committee report) that the latter was covered in the Phase 1 habitat survey, but I couldn't see any reference to the botanical survey-presumably that is covered in draft Condition 50?

The Ecology advice is as follows:

I really can't add anything more than we've already said, our comments on not using the DEFRA metric were made in my email dated 20/12/2019. I note that this application is on the agenda for committee next week and would draw your attention to Natural England's response and the comment of *'Noted that the proposal for mitigation and translocation of the grassland will enable restoration of habitat linking to those within the SSSI providing an enhanced ecological network'*.

I do feel that there may have been some mis-understanding on the proposed translocation of the grassland 'double-counting' habitat creation/restoration with the existing quarry restoration proposals. To be clear, this proposed translocation will take advantage of an opportunity to move an existing seedbank to a nearby site, with ground conditions more suitable for the establishment of calcareous grassland than any nutrient enriched sites in the wider area. This translocation isn't double-counting restoration/habitat creation, it is adding value to the restoration of the existing quarry.

The habitat creation associated with the quarry extension will take place after extraction, during the extension restoration. A larger area of species-rich grassland is proposed in restoration compared with that lost to the development. By translocating the existing extension grassland to the main quarry, the grassland will continue to add value to the existing ecological network.

Members are referred to para 112 of the report in particular.

Officers are content that there is no need to defer this item and that there are no sustainable reasons for refusal. The high quality blockstone and much in demand aggregate from this site are an important national resource and contributor the local economy.