

## **PLANNING APPLICATIONS COMMITTEE**

### **ADDENDUM 11<sup>th</sup> March, 2025**

#### **Item**

- 2.** ADD to 'neighbours notified' - 18 Coton Road.

ADD to '6. Ecology and Biodiversity':

For sites subject to mandatory BNG, there is a condition for developers to demonstrate and deliver a BNG of 10%.

The current findings as shown in the BNG spreadsheet for small sites and the Biodiversity Net Gain Assessment show that the proposal results in a net loss in biodiversity by -13.01%. This means that the current proposals do not comply with the relevant legislation (Environment Act 2021).

In order to achieve the minimum 10% net gain in biodiversity, the provision of additional or alternative landscaping should be explored and the plans should be amended to achieve a 10% net gain, or to reduce the off-site compensation requirements that may be required to achieve a net gain.

If the application is approved, an informative note will be added to the decision notice that details how this 10% gain will be demonstrated.

- 3.** AMEND recommendation to:

Planning Committee is recommended to make a revocation order under s.14(2)(b) of the Planning (Hazardous Substances) Act 1990, i.e. revoking the Hazardous Substances Consent reference 005286 (TP/0432/02) pertaining to Abbey Metal Finishing Co. Weddington Road subject to its confirmation by the Secretary of State under Section 15 of the Act.

AMEND Paragraph 2 in Legal Considerations to:

Whilst the risk of compensation being sought from the Council would not apply if the consent was revoked under s.14(2), the following criteria would apply:

- a) That there has been a material change in the use of the land to which the HSC relates; or
- b) Planning permission has been granted and commenced for development of the site and would involve making a material change in

the use of the land; or

c) In the case of a HSC which relates only to one substance, that the substance has not for at least five years been present on, over or under the land to which the consent relates in a quantity equal to or exceeding the controlled quantity or

d) In the case of a HSC which relates to a number of substances, that none of those substances has for at least five years been so present.

As an approved planning application for a new food retail store which was granted in 2015 and has subsequently been carried out and is in operation by Aldi, it is considered that the revocation of the consent under s.14(2) (b) is therefore possible. It is also noted that only *one* of the above criteria (a-d) need apply in order to continue with a revocation order.

AMEND Paragraph 4 of Legal Considerations the reference to "HSE" should be replaced with "HSC".

AMEND Paragraph 8 of Summary of Recommendation to read Arbury Citroen, Weddington Road (reference 040288).

AMEND Paragraph 10 of Summary of Recommendation to read:

A response received from the HSE states that if the hazardous substance consents for the Abbey Metal Finishing Co Ltd site is/are revoked *before* a decision on planning application 040288 is made, then the HSE's "advice against" the recommendation would be removed and there would be no need for the Council to notify the HSE that it is minded to grant planning permission. However, in the event that the consent revocation has not been completed by the time the a decision on this planning application is made, HSE have stated that they would withdraw its objection subject to a Grampian condition being attached to the application.

AMEND Paragraph 11 of Summary of Recommendation, the reference to "HSE" should be replaced with "HSC".

ADD Site Plan for TP/0432/02 and HSE Consultation Zone Plan.

TP043202

SITE PLAN



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Scale 1:1250





HSE Consultation Zone Plan