

## PLANNING APPLICATIONS COMMITTEE

### ADDENDUM 21<sup>st</sup> November 2023

#### Item

1. Section 4 to be updated to state that there will be a total of 300no. spaces including 15 no. disabled parking spaces.

Section 4 also refers to the provision of 30no. electric vehicle charging spaces. These have not been specified in the drawings due to concerns regarding potential fire risk. However, condition 26 of the outline consent states that there shall be no occupation of any phase until Electric Vehicle (EV) charging points at a rate 10% of the total number of parking spaces (32 amp) and at least 1 charging point for every 10 disabled parking spaces has been provided. In addition at that time, the developer is to ensure appropriate cabling is provided to enable increase in future provision.

2. ADD to Ecology & Biodiversity section:

WCC Ecology have been consulted on the application. They have highlighted that Water vole surveys were undertaken in July and September 2022 which is contrary to the Water Vole Mitigation Handbook<sup>2</sup> and Water Vole Conservation Handbook<sup>3</sup>, which state that two survey visits should be undertaken: one between mid-April to the end of June, and the second one between July and September. A rationale for not following the guidance documents is not provided and not discussed in the Limitation section of the Ecological Appraisal report. It is also unclear if the field survey covered the watercourse upstream and downstream, as in accordance with the Water Vole Mitigation Handbook. This information is not included in the Methodology section of the Ecological Appraisal report. Therefore, based on the information provided WCC Ecology can not have confidence in the likely absence of water voles in the watercourse within the site and adjacent stretch of the River Anker.

It is stated in the Ecological Appraisal that skylarks were recorded within the site and the grassland and arable fields could support this species. Skylarks are listed in Section 41 of NERC Act 2006 as a Species of Principal Importance for the purpose of conserving or enhancing biodiversity. Therefore, a breeding bird survey is required, to provide an assessment of the impacts from the development on birds and in particular skylark, to inform an appropriate compensation strategy for the loss of skylark habitat.

WCC Ecology have also raised that according to the proposed Layout, the watercourse that runs through the site would be affected by the construction

of two roads, additional two paths and cycleways. Appendix 1 of the Open Space and Green Infrastructure SPD states that bridges must be used instead of culverts on all brooks, streams and rivers in order to maintain biodiversity connectivity across the site. This is especially important where roads cross these features. Therefore, confirmation needs to be provided that the water course will not be culverted, in accordance with the SPD and should be provided prior to determination.

AMEND reason for refusal number 7 to read:

7. i) Paragraph 174 of the NPPF (2023) states:

Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

ii) Policy NE3 of the Nuneaton and Bedworth Borough Plan 2019 states:

Development proposals will ensure ecological networks and services, and biodiversity and geological features are conserved, enhanced, restored and, where appropriate, created.

iii) The application is contrary to these policies in that it has not been supported by sufficient supporting information to demonstrate the full biodiversity impacts of the proposal. In the absence of a detailed biodiversity offsetting metric to quantify the impact and to calculate an appropriate level of compensation to replace the lost habitat, it cannot be ascertained that the

proposal would result in a biodiversity net gain which would accord with the biodiversity mitigation hierarchy.

iv) The application is contrary to these policies in that it has not been supported by sufficient information to demonstrate the full impacts on protected species such as Water Vole, Skylarks and breeding birds. In the absence of such information, impacts from the development on these species can not be ascertained and adequately assessed.

v) The application is contrary to these policies in that it has not been supported by sufficient information to demonstrate that the watercourse within the site would not be culverted. It has not been adequately demonstrated that the proposals would accord with the guidance contained within the Open Space & Green Infrastructure SPD which requires the use of bridges instead of culverts on all brooks, streams and rivers in order to maintain biodiversity connectivity across the site. (contrary to Appendix 1 of the Open Space & Green Infrastructure SPD 2021).

ADD to Planning Obligations section:

<b>Organisation</b>	<b>Request For</b>	<b>Contribution</b>	<b>Notes</b>
<b>NBBC Parks</b>	Provision and maintenance of play and open space	£576,120.37	