

# **UPDATE SHEET**

## **PLANNING COMMITTEE – 2<sup>nd</sup> November 2021**

**To be read in conjunction with the  
Head of Planning and Infrastructure's Report (and Agenda)**

**This list sets out: -**

- (a) Additional information received after the publication of the main reports;**
- (b) Amendments to Conditions;**
- (c) Changes to Recommendations**

## MAIN REPORT

<b>A1</b>	<b>21/00471/REMM</b>	<b>Erection of a road related storage, maintenance and management facility and associated site works (reserved matters to outline planning permission ref. 17/01081/OUTM)</b> Land off Lountside, Ashby de la Zouch
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### Additional Consultee Responses

**Leicestershire County Council Ecologist** comments on the issue in respect of Great Crested Newts (GCN) as set out in the main report. The County Ecologist comments that a reference to GCN mitigation in the ecological mitigation document previously approved under discharge of condition application ref. 21/00854/DIS is misleading in that measures referred to in the approved mitigation document (a pond and ditch) do not appear to be proposed (and would not, in any event, be necessary). The County Ecologist considers that the required ecological mitigation for the development can be achieved under the layout shown on the current reserved matters application.

**National Forest Company** comments that further clarification will be required in respect of the extent of National Forest planting to be provided on-site (and the amount of any "balance" in respect of that on-site contribution as a commuted sum. No objections are raised in respect of the impacts on existing trees, nor in terms of the size and species of proposed standard tree planting.

### Additional Representations

**Ashby de la Zouch Civic Society** objects on the following grounds:

- Insufficient reports / details submitted to justify approval of the reserved matters application and the Environment Agency objects to the application on the basis of insufficient information being submitted
- Details of the conditions recommended in the report should be available for members to scrutinise

### Comment

It is considered that the reference to a ditch and pond for GCN use in the previously approved ecological mitigation document submitted under discharge of condition application ref. 21/00854/DIS are likely to have been a typographical error in that submission in that, given the established position with respect to GCN use of the site, no such mitigation would be required. In view of the comments of the County Ecologist, it is considered to remain the case that the ecological implications of the development are not a matter directly related to this reserved matters application, and that they are dealt with under the discharge of conditions attached to the outline planning permission. In order to ensure that there would be no compatibility issues between the proposed reserved matters scheme and the stated ecological mitigation, it is recommended that a note to applicant be attached drawing the applicants' attention to this matter, and suggesting that they re-submit their ecological mitigation discharge of conditions scheme under the outline planning permission in order that any erroneous reference to GCN mitigation measures may be deleted.

Insofar as the comments of the Ashby de la Zouch Civic Society are concerned, it is not considered that insufficient information has been provided in support of the application. The Environment Agency does not raise objection to the application; as set out in the main report, advice has been provided by the Agency in terms of the need to provide appropriate surface water drainage and the use of measures within the drainage systems to prevent pollution to controlled waters. As also set out in the report, drainage matters are dealt with under conditions attached to the outline planning permission, and a separate discharge of conditions submission has been made under discharge of condition application ref. 21/01413/DIS. That application has not as of yet been determined, but the Environment Agency has been consulted on it, and has confirmed that it has no comments on the submitted details. Whilst the Civic Society suggests that the full text of the recommended conditions should be included in the report, the summary of recommended conditions set out in the main report follows the Local Planning Authority's usual format and, in accordance with the procedures set out in the agenda front sheet, the wording of conditions is delegated to the Head of Planning and Infrastructure.

#### **NO CHANGE TO RECOMMENDATION**