FOSCOTE PARISH MEETING

OBJECTION

to

APPLICATION FOR A NON-MATERIAL AMENDMENT

PL/25/6619/NMA

Foscote Parish Meeting **OBJECTS** to this application for a non-material amendment to Condition 1 of Reserved Matters Approval 23/01636/ADP for the following reasons: -

1. There is statutory prohibition on altering Biodiversity Net Gain by way of a non-material amendment under s96A TCPA 1990.

Foscote Parish Meeting notes the proposed amendment to Condition 1 creates a substantial gap in a created 'native species rich hedgerow (h2NE2)'[1], and also mows through mixed scrub and woodland. The resulting change to the Biodiversity Net Gain would render this amendment UNLAWFUL for two reasons: -

1.1 The amendment would not be consistent with 'Biodiversity Net Gain Report Rev.N prepared by FPCR Environment and Design Ltd', nor with 'BNG Metric Rev.N prepared by FPCR Environment and Design Ltd', both of which are also subject to Condition 1, RMA 23/01636/ADP.

1.2 The amendment would change the BNG calculations which were approved by RMA 23/0161/ADP. There is a statutory prohibition under s96A(3A) TCPA 1990 on altering existing conditions which relate to the Biodiversity Net Gain.

2. The proposed amendment is unlawful because it is inconsistent with other parts of Condition 1, RMA 23/01636/ADP

The proposed non-material amendment would be inconsistent with other plans and documents subject to Condition 1, RMA 23/01636/ADP, including: -

2.1 'Presentation Layout (drawing ref. n2086 009 Rev.J)' which shows a continuous hedgerow along the northern boundary.

2.2 'Planning Layout (drawing ref. n2086 008 Rev.K)' which also shows a continuous hedgerow along the northern boundary.

[1] See TN7, Figure 4 of Appendix A of the 'Biodiversity Net Gain Report Rev.N prepared by FPCR Environment and Design Ltd', also subject to Condition 1 of RMA 23/01636/ADP.

2.3 'Ecological Design Strategy Rev.E prepared by prepared by FPCR Environment and Design Ltd, dated July 2024' which includes the diverted footpath as part of the Phase 1 Habitat Plan in readiness for planting a continuous hedge along that boundary[2].

2.4 'Biodiversity Net Gain Report Rev.N prepared by FPCR Environment and Design Ltd' as discussed in 1.1 above.

2.5 'BNG Metric Rev.N prepared by FPCR Environment and Design Ltd' as discussed in 1.1 above.

3. It allows for the absurdity of a tarmacked cycleway leading nowhere

Apart from being unlawful and in conflict with a statutory prohibition, Foscote Parish Meeting **objects** on the grounds that this amendment allows for the absurdity of a tarmacked cycleway leading into an open field, contrary to what was intended at the Outline Planning stage, and also as part of the Reserved Matters Approval[3].

Dated 7th January 2026

[2] See Figure 5.

[3] See consultation with PROW Officer (Mr Spratley) dated 17.11.23, and subsequent approved plans which do not show a gap in the hedge but have been approved on the basis that the footpath would be diverted.