

NORTHERN PLANNING COMMITTEE – 15th February 2023

UPDATE TO AGENDA

APPLICATION NO.

22/0741M

SITE LOCATION

LITTLE STANNEYLANDS, STANNEYLANDS ROAD, WILMSLOW,
CHESHIRE, SK9 4ER

UPDATE PREPARED

13th February 2023

CONSULTATIONS

The following consultation response has been received since the preparation of the report:

Environmental Protection

No objections subject to conditions relating to contaminated land.

Flood Risk

No objections subject to conditions relating to surface water drainage and finished floor levels.

Nature Conservation

Biodiversity Net gain

In accordance with Local Plan policy SE3(5) all development proposals must seek to lead to an overall enhancement for biodiversity and SADPD ENV 2 requires development to provide a Biodiversity Net Gain. In order to assess the overall loss/gains of biodiversity an assessment undertaken in accordance with the Defra Biodiversity 'Small Sites Metric' and submitted in support of the application.

The revised metric calculation as submitted shows that the proposed development would result in a loss of 0.2575 biodiversity units. I advise that this is a minor loss, but means that the application fails to comply with Local Plan Policy for Biodiversity Net Gain.

In order to deliver a net gain of 10% the submitted BNG report advises that 0.2575 biodiversity units are required to achieve no net loss and an additional 0.1450 units to achieve 10% net gain. Therefore a total of 0.4025 biodiversity units are required to achieve a 10% net gain.

These additional units could be delivered through the provision of offsite habitat creation provided by the developer.

However, as the number of additional biodiversity units required is modest the Council may consider accepting a commuted sum. The Council is in the process of revising its Biodiversity Net Gain SPD. In the meantime, I suggest that the costs per biodiversity unit of £15,437.00, with an additional contribution towards officer time and expenses of £1,200 per unit be used to calculate the commuted sum. Total cost of £16,637 per biodiversity unit.

0.425 (units required) x £16,637 (total cost per biodiversity unit) = £7,070.73.

A legal agreement would be required to secure the payment of this contribution.”

An additional condition relating to lighting is also requested.

HEADS OF TERMS

If the application is approved a Section 106 Agreement will be required, and should include:

- Biodiversity compensation = £7,070.73

Community Infrastructure Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The provision of biodiversity compensation is necessary, fair and reasonable to provide a sustainable form of development, and to comply with local and national planning policy.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and type of the development.

REPORT

The comments from Environmental Protection, Flood Risk and Nature Conservation are noted and no changes to the report are required.

CONCLUSION

The recommendation remains as per the main agenda report as approval subject to conditions and the prior completion of a s106 agreement, with the addition of the following conditions.

Additional conditions:

21. Phase II ground investigation and risk assessment to be submitted has been completed.
22. Verification Report to be submitted
23. Testing of imported soil
24. Surface water drainage strategy to be submitted
25. Existing and proposed levels to be submitted
26. Details of any external lighting to be submitted