

**APPLICATION NO:** 19/2539C

**PROPOSAL:** Hybrid Planning Application for development comprising: (1) Full application for erection of a discount foodstore (Class A1), petrol filling station (sui generis) and ancillary sales kiosk (class A1), drive-through restaurant (Class A3 / A5), drive-through coffee shop (class A1 / A3), offices (class A2 / B1) and 2 no. retail 'pod' units (class A1 / A3 / A5), along with creation of associated access roads, parking spaces and landscaping. (2) Outline application, including access for erection of a care home (class C2), up to 85 new dwellings (class C3), conversion of existing building to 2 dwellings (class C3) and refurbishment of two existing dwellings, along with creation of associated access roads, public open space and landscaping. (Resubmission of planning application ref. 18/4892C).

**ADDRESS:** Land South of Old Mill Road, Sandbach

**APPLICANT:** Muller Property Group

### **Additional Information**

A letter has been received from the applicant in response to the consultation response from the Councils Ecologist. This letter raises the following points;

- An otter ledge can be provided if agreed with the land owner (Cheshire East)
- The request for otter fencing is noted and should be acceptable. Until the final design is completed it will not be known whether the significant level difference between the brook and road will remove the requirement for vegetation. The condition should specify that these details are provided at the detailed design stage.
- Whilst the LPA Ecology concerns are noted the applicant considers that planted woodland could achieve more than a poor condition (suggested by the LPA) over the long-term. There is no reasons why the principles of adaptive management cannot be adopted and secured through a planning condition to deliver the net gain in biodiversity.
- To demonstrate that the proposed development can deliver a net biodiversity gain the applicant proposes;
  - The proposed landscaping specifications are agreed with the LPA to ensure appropriate native and locally sourced species of high biodiversity value
  - A Landscape and Ecological Management Plan (LEMP) is agreed with the LPA for the management of the habitats over the short term (1-5 years), medium term (6-10 years) and long term (10-20 years)
  - The LEMP will include monitoring to ensure that the success of the planting is maximized and how and when remedial measures are triggered

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- By taking this approach it removes the subjectivity of the biodiversity calculator for predicting the likely ecological value of future habitats and will achieve 'measurable gain' as required by the NPPF.
- In terms of bats the applicants bat ecologist has stated as follows;
  - The building has a high potential to support bat roosts but there is absolutely no evidence of bat activity during the internal inspection. The presence of lighting along the eastern aspect of the building is also likely to reduce the value of the building for roosting bats
  - Guidance does suggest three bat activity surveys as being adequate. The applicants bat ecologist is of the view that two further surveys during the bat activity season would be a sufficient survey effort for the barn in this situation.
  - The applicants bat ecologist suggests that a single bat activity survey is undertaken later in the season. This would equate to two surveys in total and would be an adequate survey effort for buildings having a moderate Bat Roost Potential.
- A further survey will be undertaken and the results submitted in August 2019.

### **Officer Response**

A verbal update will be provided following consultation with the Councils Ecologist.

### **RECOMMENDATION:**

**No change to the recommendation**