

APPLICATION NO: 20/0901C

LOCATION: Phase 4B and 1B Ma6nitude, OFF ERF WAY, MIDDLEWICH

PROPOSAL: Part full/part outline application proposing: 1: Full planning application for an employment development (Use Class B2 & B8 with ancillary Use Class B1 floorspace), and security gatehouse and weighbridge, the provision of associated infrastructure, including a substation, plant, pumping station, service yards, car and HGV parking, cycle and waste storage, landscaping, ecological enhancement area, drainage attenuation, access from Erf Way and re-alignment of the River Croco tributary. 2: Outline planning application for an employment development (Use Class B2 & B8 with ancillary Use Class B1 floorspace) with all detailed matters except for access reserved for future determination.

KEY ISSUES

Watercourse

As set out in the Officers Report plans have been agreed in principle with the Environment Agency, for the re-alignment of the watercourse, which is understood to already be an engineered channel, and the proposals should there bring with it benefits both in terms of it's function as part of the floodplain and it's management, and in terms of ecology. At the time of writing this report formal agreement is still awaited from the Environment Agency and as such this will need to be reported in a verbal update to Members.

Ecology

The application has submitted the following documents;

- Reptile Mitigation Report
- Updated Badger Strategy Report
- Invasive Species Report
- Conservation Payment Certificate (District License from DEFRA for newt mitigation)
Proposals for Biodiversity net gain

At the time of writing this Update Report the Council's Ecologist was seeking clarification on some relatively minor matters, but it now understood that the first four items are now effectively resolved and he is happy with the proposals. Formal confirmation and any suggested additional conditions will be given to Members at Committee.

With regards to Biodiversity net gain, the "amount" (8.5 units) has now been agreed, and whilst the matter is being discussed with the Cheshire Wildlife Trust, the applicant has proposed the following wording for a payment at part of a Section 106 Agreement as follows:

“Prior to the commencement of development a scheme for offsetting biodiversity impacts on the site shall be submitted to and approved by the local planning authority. The proposed offsetting scheme shall include:

- Details of the offset requirements of the development in accordance with the current Defra biodiversity metric, which has been calculated to comprise 8.5 units conservation credits of grassland;
- The identification of a receptor site or sites which generate a minimum 8.5 units available conservation credits;
- The provision of evidence of arrangements that secures the delivery of the offsetting scheme;
- A management and monitoring plan (which shall include for the provision and maintenance of such offsetting measures for a period of not less than 25 years from commencement of development)’.

The Council's Ecologist is satisfied this achieves the required net gain but the exact wording will need to be finalized.

Economic Benefits

The applicant was keen for the benefits of the proposals to be highlighted to Members, and whilst no doubt they will include this in any presentation in brief they are as follows:

- Economic Investment - The initial investment for land, phase 1 development and infrastructure and machinery will be in the region of £40M.
- Job Creation - It is anticipated that the Phase 1 requirements would be in the region of 65 employees with a longer-term requirement for future Phases to rise to a total of over 150 employees.

CONCLUSION:

There are no proposed changes to the recommendation, however there are two matters with regard to the proposed Section 106 that need to be clarified/included.

Firstly as set out in the report there is a requirement to contribute to the Middlewich eastern Bypass or A54/Leadsmyth Street junction (not the A34 as set out in the report), however the phasing of the development has since been clarified which sets the triggers for the payment as follows:

Prior to occupation of:

- Plot 4B phase 1;
- Plot 4B phase 2
- Plot 4B phase 3; and
- Plot 1B

The basis of the payment will be £30 per sq m as set out in the report, and Highways have clarified this is based on Gross internal area.

Secondly there will need to be a Biodiversity offset payment as set out above in the Ecology section.

Finally there may need to be an additional condition with regards to ecology.