

Northern Planning Committee

Update

Date: Wednesday, 11th October, 2017
Time: 10.00 am
Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

The information on the following pages was received following publication of the Committee agenda.

Planning Update (Pages 3 - 6)

Please contact Sarah Baxter on 01270 686462
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NORTHERN PLANNING COMMITTEE – 13 October 2017

UPDATE TO AGENDA

APPLICATION NO.

17/2854M

LOCATION

Land off, Moss Lane, Macclesfield

UPDATE PREPARED

09.10.2017

KEY ISSUES

Ecology

Further comments have now been received from the nature conservation officer noting that this application site falls within the South Macclesfield Development Area. Within the CELPS, site LPS 13 requires the retention and enhancement of trees, water courses and natural habitats as appropriate.

Even with the retention of these features the development proposals may still result in an overall loss of biodiversity. The nature conservation officer has undertaken an assessment of the residual ecological impacts of the proposed development using the Defra 'metric' methodology. This assessment calculates the loss of biodiversity associated with development proposals in 'units'. This can then be used to determine the level of financial contribution which would be required to 'offset' the impacts of the development to enable the total ecological impacts of the development to be fully addressed in a robust and objective manner. Any commuted sum provided would be used to fund habitat creation/enhancement works locally. This assessment has shown that the proposed development results in the loss of 4.82 units of biodiversity.

To calculate the level of commuted sum required each unit is costed at £3,850; this being the average cost of a unit traded in 2013 during the national biodiversity offsetting pilot.

Therefore: 4.82 units x £3,850 (average cost per unit) = £18,557.00 required as a commuted sum to offset the loss of biodiversity associated with the proposed development.

Section 106 agreement

The consultation responses during the application process have raised the following requests for planning obligations:

- Provision of 10 affordable units.

- Educational contribution of £146,791 towards primary and secondary spaces.
- Contribution towards POS £43,416
- Contribution towards ROS £22,000
- Mitigation for loss of biodiversity units 4.82 units x £3850 (average cost per unit) = £18,557.00

Having re-assessed the proposals in relation to CIL compliance it is considered that some of the public open space and recreation and outdoor sport requirements are not necessary to make the development acceptable in planning terms, and therefore would not meet the tests of the CIL regulations. Consequently the figures for POS and ROS have been amended as detailed below.

Community Infrastructure Levy (CIL)

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is 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) Fair and reasonably related in scale and kind to the development.

The provision of affordable housing, financial contributions towards public open space provision, and off site ecological mitigation, are necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

The development would result in increased demand for school places at the schools within the catchment area which have limited spare capacity. In order to increase capacity of the schools which would support the proposed development, a contribution towards primary and secondary school education is required based upon the number of units applied for. This is considered to be necessary and fair and reasonable in relation to the development.

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

Conclusion

As in the original report a recommendation of approval is made, subject to conditions and a s106 agreement which secures the following heads of terms:

- Provision of 10 affordable units
- Educational contribution of £146,791 towards primary and secondary spaces.
- Contribution toward Public Open Space £33,879
- Contribution Recreation and outdoor sport £19,980

- Mitigation for loss of biodiversity units $4.82 \text{ units} \times £3850$ (average cost per unit) = £18,557.00

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