

## **NORTHERN PLANNING COMMITTEE – 6 MARCH 2013**

### **UPDATE TO AGENDA**

**APPLICATION NO: 12/4757M**

**LOCATION Woodside Poultry Farm, Grotto Lane, Over Peover**

**UPDATE PREPARED 5 March 2013**

### **APPLICANTS SUBMISSION**

Updated tree information has been submitted in accordance with BS5837: Trees in relation to Design, Demolition, Construction (2012).

Additionally a draft Unilateral Undertaking has been submitted which addresses the ecological impacts of the proposal and is in line with what was accepted by the Inspector when dealing with the appeal in relation to 10/3506M.

### **OFFICER APPRAISAL**

The updated tree information has been considered by the Council's tree officer and is acceptable.

The draft Unilateral Undertaking has been considered by the Council's Nature Conservation Officer who has confirmed that the contents are acceptable. However, should the application be approved, the content of the unilateral undertaking would also need to be considered by the Council's legal department, and any changes made as necessary prior to a decision being issued.

### **CONCLUSION**

The original recommendation of APPROVAL remains. However, the original report states that the recommendation is subject to a Section 106 Agreement. This should read *Approve subject to a unilateral undertaking and the following conditions*. A unilateral undertaking rather than a s106 agreement is considered appropriate in this instance given that the terms of the unilateral undertaking will largely replicate those previously accepted at appeal.