



# Strategic Planning Board Updates

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**Date:** Wednesday, 2nd February, 2022  
**Time:** 10.00 am  
**Venue:** The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

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

**Planning Updates** (Pages 3 - 8)

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**APPLICATION NO: 21/1727W**

**PROPOSAL: Proposed extension to Silica Sand Extraction with Progressive Restoration at Bent Farm Quarry, Brownlow Farm, Wallhill Lane, Congleton**

**ADDRESS: BENT FARM QURRY, WALLHILL LANE CONGLETON CW12 4HW**

**APPLICANT: Sibelco UK Limited**

**Correction**

Page 73 - Correction to the paragraph outlined in bold and underlined.

The Environment Agency raised concerns regarding the proposed increased depth of dewatering and the potential for this to derogate or divert existing water interests, as well potentially increasing diversion of groundwater flow from the wider Bent Farm Quarry, depriving natural contribution to Arclid Brook, and transferring it all to Loach Brook. In order to ensure there are no adverse impacts, they recommend that a condition is imposed to ensure that any mineral extracted below 83m AOD is worked wet so that dewatering is only carried out to a maximum of **83m** AOD unless the necessary dewatering permit is obtained from the Environment Agency. Subject to this condition being imposed the Environment Agency are satisfied with the proposal. The applicant has agreed to this requirement and therefore propose to extract the last 2 metres wet using a long reach excavator and propose the use of a bathymetric survey (which maps the depths and shapes of underwater terrain) to ensure compliance. These measures can be secured by planning condition.

**Correction**

The proposed restoration plan which is contained in the Key Plans provided to Members has been amended to correct a very minor drafting error. The correct version is shown below. The amendment relates to the position of the lake edge in the north west corner of the main lake. The amendment does change any of the consultee comments and no changes are required to the officer report to committee.



- KEY**
- Existing Woodland / Trees
  - Existing Hedgerows
  - Trees and Shrubs for Upper Slopes (TS1)
  - Trees and Shrubs for Lower Slopes and Lake Margins (TS2)
  - Trees for Upper Slopes (T1)
  - Shrubs for Upper Slopes (S1)
  - Shrubs for Lower Slopes and Water Margins (S2)
  - Water Margins (WA)
  - Water Margins (WB)
  - Higher Use Grass Sward
  - General Use Grass Sward
  - Wild Flower / Grass Mix
  - Restored to Agriculture
  - Surface levels in metres AOD
  - Existing Ponds
  - Fodpaths
  - Eastern Extension Area**
  - Oak Woodland
  - Wet Woodland
  - Scrub
  - Hedge
  - Hedgerow Trees
  - Marginal Aquatics / Reed Swamp
  - Lake Areas
  - Proposed Ponds
  - Acid Grassland
  - Inundation Grassland
  - Neutral Grassland

Drawn by: J. B. 12/05/2021  
 Checked by: J. B. 12/05/2021  
 Date: 12/05/2021

Rev	Description	By	Date
1	Overhead line removed adjacent to lake	J. B.	12/05/21
2	Added hedgerow to grassland	J. B.	12/05/21
3	Added hedgerow to water margin	J. B.	12/05/21
4	Added hedgerow to water margin	J. B.	12/05/21

**THE ENVIRONMENT PARTNERSHIP**  
 General Centre, Withwood Science Park, Watlington Road 7961  
 Tel: 01235 444444    [info@tep.co.uk](mailto:info@tep.co.uk)    [www.tep.co.uk](http://www.tep.co.uk)

Project: **Bent Farm Quarry**

Site: **Eastern Extension Plan**

Drawing Number: **08542-054D**

Drawn	Checked	Reviewed	Date	Scale
EL	CH	CH	11/05/2021	A2

Sheet: 24/02/02/21

**APPLICATION NO: 21/4440C**

**LOCATION:** Land to the west of Viking Way, Congleton

**PROPOSAL:** Outline application with details of access (details of appearance, landscaping, layout, and scale are reserved for future determination) for the erection of flexible Use Class B2/B8 employment units (including ancillary offices), vehicle and pedestrian access, parking, landscaping and associated works.

### **ADDITIONAL INFORMATION**

The applicant's agent has submitted additional information in relation to the two outstanding matters, namely Biodiversity Net Gain (BNG) and contaminated land. With regards to BNG they suggest:

*"To agree the commuted sum based on the indicative masterplan. There is a requirement for 2.3 units and discussion between our ecologist and the Council's Ecologist indicate that the cost per credit in the draft Biodiversity SPD is circa 11k per unit, so a total commuted sum of £25.3k.*

*Within the Section 106 agreement there will also be a requirement to:*

- submit an updated Biodiversity Impact Assessment (BIA) based upon the final design, layout and detailed landscaping plans to be submitted and approved by the Council with the reserved matters submission; and*
- where the BIA shows an alternative credit amount is required, for this to be calculated based on an agreed formula for the indicative masterplan (so £11k per credit required) and for this to be paid to the Council prior to occupation."*

Additional information has been submitted with regards to contaminated land to address the Environmental Health Officers questions,

### **CONSULTATIONS:**

**Ecology** – The Council's Ecologist accepts that this is a reasonable approach in this case.

**Contaminated land** - Comments on additional information from the Council's Environmental Protection Officer are still awaited at the time of writing this report.

### **KEY ISSUE:**

**Biodiversity Net Gain** – The suggested approach to the Section 106 is agreed.

**Contaminated Land** - Members will be updated verbally at the meeting on this matter.

**CONCLUSION**

That the Section 106 Agreement refers to the wording on BNG as set out above. Members will be updated verbally at the meeting with regards to Contaminated Land, but in the event these comments are not forthcoming, the standard contaminated land conditions would need to be applied in place of condition 21.

**APPLICATION NO: 21/5514C**

**LOCATION: Land off Faulkner Drive, Middlewich.**

## **CONSULTATIONS**

Natural England has now responded to the consultation and confirmed that they have no objection to the proposal.

A further badger survey has now been completed. This latest survey covered the full extent of habitats on site. Evidence of Badger activity was recorded on site, but no setts were present. It is considered that the proposed development is likely to result in a minor adverse impact on this species as a result of the loss of habitat. The status of badgers on a site can change so if planning consent is granted, it is considered that a condition be attached requiring an updated Badger Survey to be provided if development does not commence before July 2022.

**The recommendation remains the same as set out in the main report with an additional condition relating to the Badger Survey.**

## **RECOMMENDATION:**

**Approve subject to the completion of a Section 106 Agreement to secure £241,147.72 for off-site habitat creation and the following conditions:**

- 1. Time limit (3 years)**
- 2. Development in accordance with the approved plans**
- 3. Materials**
- 4. No development other than site clearance works to take place prior to submission and approval of a detailed drainage plan**
- 5. No development other than site clearance works to take place prior to submission and approval of surface water drainage details**
- 6. No development other than site clearance works to take place prior to submission and approval of an archaeological written scheme of investigation**
- 7. No development other than site clearance works to take place prior to submission and approval of a construction management plan**
- 8. No development other than site clearance works to take place prior to submission and approval of Phase II ground investigations and risk assessments**
- 9. The development shall not be occupied until a verification report (contaminated land) has been submitted**
- 10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken and where necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following the completion of**

any measures identified in the approved remediation scheme a validation report shall be submitted to and approved in writing of the Local Planning Authority prior to the occupation of any buildings.

11. Details of any external plant and machinery shall be submitted prior to installation
12. Provision of low emission boilers
13. Provision of electric vehicle charging points
14. Submission of details of any piling operations
15. Construction hours: 09:00 – 17:30hours Mon to Fri, 09:00 – 14:00 hours Sat, with no working on Sundays or public holidays
16. Submission and approval of a site specific dust management plan
17. Nesting bird protection
18. Provision of a construction environmental management plan (nature conservation)
19. Each reserved matters application to be supported by a strategy for the incorporation of features to enhance the biodiversity value of the proposed development
20. The development hereby approved shall only be occupied in connection with operations at British Salt
21. If the consented development has not commenced by the beginning of July 2022 an updated badger survey report is to be submitted to the LPA. The submitted report to include mitigation measures to address any adverse impacts identified.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of the Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

1. £241,147.72 contribution to off-site habitat creation