

# Strategic Planning Board Agenda

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**Date:** Wednesday 26th August 2020  
**Time:** 10.00 am  
**Venue:** Virtual Meeting

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## How to Watch the Meeting

For anybody wishing to watch the meeting live please click in the link below:

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**Please note that members of the public are requested to check the Council's website the week the Strategic Planning Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.**

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the top of each report.

It should be noted that Part 1 items of Cheshire East Council decision meetings are recorded and the recordings are uploaded to the Council's website.

## **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**
2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

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**Please Contact:** Sarah Baxter on 01270 686462  
**E-Mail:** [sarah.baxter@cheshireeast.gov.uk](mailto:sarah.baxter@cheshireeast.gov.uk) with any apologies or request for further information  
[Speakingatplanning@cheshireeast.gov.uk](mailto:Speakingatplanning@cheshireeast.gov.uk) to arrange to speak at the meeting

3. **Minutes of the Previous Virtual Meeting** (Pages 5 - 10)

To approve the minutes as a correct record of the virtual meeting held on 29 July 2020 as a correct record.

4. **Public Speaking-Virtual Meeting**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Strategic Planning Board
- The relevant Town/Parish Council

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the Strategic Planning Board and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **19/5934N - Phase 1 Basford East Land, DAVID WHITBY WAY, WESTON: Approval of Reserved Matters following Outline Approval 14/4025N - Outline application for the erection of upto 490 residential dwellings and a primary school - 2000m2 (D1) a pumping station, substation, recreational open space, ecological mitigation area, internal access routes, ground modeling and drainage works, parking provision, footpaths, cycle routes, landscaping and associated works including details of access at the Basford East site Crewe** (Pages 11 - 36)

To consider the above planning application.

6. **19/4759M - Land To The West Of, PENDLETON WAY, WILMSLOW: Outline application with all matters reserved except for access for the erection of up to 17,162m2 of B1 office floorspace and ancillary amenity space, car parking, cycle hub, landscaping and associated infrastructure** (Pages 37 - 58)

To consider the above planning application.

7. **20/1709N - A500 NEWCASTLE ROAD, BARTHOMLEY: Dualling of the existing 3.3km stretch of the A500 between Junction 16 & Meremoor Moss Roundabout (Resubmission of planning permission ref. 18/3766N including proposed amendments to the approved design)** (Pages 59 - 90)

To consider the above planning application.

8. **Brooks Lane (Middlewich) Development Framework Supplementary Planning Document** (Pages 91 - 202)

To consider the above report.

**Membership:** Councillors A Critchley, S Edgar, A Farrall, S Gardiner (Vice-Chairman), P Groves, S Hogben, M Hunter (Chairman), D Jefferay, R Moreton, P Redstone, J Weatherill and P Williams

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**CHESHIRE EAST COUNCIL**

Minutes of a virtual meeting of the **Strategic Planning Board**  
held on Wednesday, 29th July, 2020

**PRESENT**

Councillor M Hunter (Chairman)  
Councillor S Gardiner (Vice-Chairman)

Councillors S Edgar, A Farrall, P Groves, S Hogben, I Macfarlane (Substitute),  
R Moreton, P Redstone, J Weatherill and P Williams

**OFFICERS IN ATTENDANCE**

Mrs C Coombs (Principal Planning Officer), Ms S Dillon (Planning Lawyer), Mr  
P Hurdus (Highways Development Manager), Mr D Malcolm (Head of  
Planning)

**8 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A Critchley and  
D Jefferay.

**9 DECLARATIONS OF INTEREST/PRE DETERMINATION**

In the interest of openness in respect of application 20/0246M, Councillor  
M Hunter declared that he was a non-Executive Director of ANSA who  
were a consultee on the application, however he had not discussed the  
application or made any comments on it.

In the interest of openness in respect of application 20/0246M, Councillor  
S Edgar declared that he was the Chairman of the Public Rights of Way  
Committee, however he had not discussed the application or made any  
comments on it or been consulted on it.

In the interest of openness in respect of application 20/0246M, Councillor  
S Hogben declared that he was a non-Executive Director of ANSA who  
were a consultee on the application, however he had not discussed the  
application or made any comments on it.

In the interest of openness in respect of application 20/0246M, Councillor  
S Gardiner declared that in his work he was involved with Barratt and  
David Wilson Homes but had no involvement in the application.

In the interest of openness in respect of agenda item 6, Performance of  
the Planning Enforcement Service 2019-2020, Councillor S Gardiner  
declared that many years ago one of the sites referred to was adjacent to  
a site he was acting on behalf of the owners for.

In the interest of openness in respect of application 20/0246M, Councillor R Moreton declared that the Councillor M Warren who was speaking on the application was a Member of the same political group, however he had not discussed the application with him.

It was noted that Members had been sent correspondence in respect of application 20/0246M.

## **10 MINUTES OF THE PREVIOUS VIRTUAL MEETING**

### **RESOLVED**

That the minutes of the meeting held on 24 June 2020 be approved as a correct record and signed by the Chairman.

## **11 PUBLIC SPEAKING-VIRTUAL MEETINGS**

### **RESOLVED**

That the public speaking procedure be noted.

## **12 20/0246M-APPROVAL OF RESERVED MATTERS, APPEARANCE, LANDSCAPING, LAYOUT & SCALE ON OUTLINE PLANNING APP 15/4287M, FOR PARTIAL CHANGE OF USE AND PARTIAL DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES, INCLUDING THE CHANGE OF USE OF FENCE HOUSE INTO 27 APARTMENTS, AND ERECTION OF 273 DWELLINGS, LANDSCAPING, SUPPORTING INFRASTRUCTURE AND MEANS OF ACCESS, THE KINGS SCHOOL, FENCE AVENUE, MACCLESFIELD FOR MR ANDREW TAYLOR, BARRATT & DAVID WILSON HOMES NORTH WEST AND HOMES**

Consideration was given to the above application.

(Councillor M Warren, the Ward Councillor, Town Councillor Fiona Wilson, representing Macclesfield Town Council and Andrew Taylor, the agent for the applicant attended the virtual meeting and spoke in respect of the application).

### **RESOLVED**

That the application be delegated to the Head of Planning, in consultation with the Chairman and Vice Chairman of the Strategic Planning Board, to approve subject to:-

- (i) receipt of a satisfactory bat survey and, if appropriate, mitigation recommendations, and
- (ii) the following conditions:-

1. Time Limit
2. Development in accord with approved plans
3. Remediation Strategy Approval
4. The development hereby approved shall be carried out in accordance with the Affordable housing statement received 04.03.2020
5. Archaeological written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority
6. Details of the reservation, storage and re-use of site soils
7. Details of levels along gravel perimeter path, details of vehicular maintenance access to SUDs area, details of regrading and contouring of the area between main Avenue, the LEAP and the canal
8. Details of Hard Landscaping for the Green Street including street furniture, planters, sculptural screens, benches and bins
9. Details of all Boundary Treatments including Fence Avenue Frontage
10. Details of Soft Landscaping (softworks ornamental planting, swales, gravel footpath, Green Street and swales
11. Site soils management plan
12. Updated final Landscape Masterplan to be submitted to include all amendments and details of landscaping located to the rear of plots 293-300
13. Landscape Phasing Plan to be submitted
14. Landscape and Habitat Management Plan to include 25 year management plan for species rich grassland area
15. Landscaping details of earthworks
16. Surface materials (including social spaces) Samples to be approved prior to commencement of construction
17. Materials (Roof and Elevational) Samples to be approved prior to commencement of construction
18. Details of cycle storage for apartments and dwellings without garages
19. Details of bin storage (required at outline stage however full details not submitted)
20. Provision of features for bats and nesting birds
21. Updated badger mitigation strategy to be submitted to include proposals to mitigate the loss of the Badger Nest identified in the January 2020 Phase One Habitat Survey
22. Nesting bird survey
23. Details of lighting to be submitted prior to installation
24. The proposed development to proceed in accordance with the recommendations to safeguard Brown Hare detailed in paragraph 5.26 of the submitted Phase One Habitat Survey prepared by CES dated January 2020
25. Submission of a method statement for the creation of species rich grassland informed by the results of soil testing
26. Safeguarding of nesting birds
27. Implementation of protective fencing measures proposed by arb impact assessment
28. Tree protection
29. Construction Specification/Method Statement 1 – Trees
30. Construction Specification/Method Statement 2 – Trees

31. Site supervision - Trees

32. Access available for use before occupation

In the event of any changes being needed to the wording of the Board's decision (such as to delete, vary or add Conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Board's decision.

(The virtual meeting was adjourned for a short break. During consideration of the application, Councillor J Weatherill lost connectivity. As a result she was unable to take part in the debate or vote on the application).

**13 PERFORMANCE OF THE PLANNING ENFORCEMENT SERVICE 2019-2020**

Consideration was given to the above report.

(Councillors L Gilbert and A Kolker attended the virtual meeting and spoke in respect of the application).

**RESOLVED**

That the report be noted.

**14 DRAFT HOUSES IN MULTIPLE OCCUPATION SUPPLEMENTARY PLANNING DOCUMENT**

Consideration was given to the above report.

Members made the following comments:-

- (i) In respect of paragraph 5.16 of the document the text should be clarified to refer to a single person or two persons;
- (ii) All bedrooms should have at least one opening window;
- (iii) In respect of paragraph 5.22 of the document it should be amended to read as follows 'any proposed parking must not result in the loss of front gardens and/or boundary walls';
- (iv) In terms of Section 6 of the Licensing and Management document, could the Council consider licensing HMO's that accommodate less than five people;
- (v) The Council must have the ability to enforce the guidance particularly the signage aspect;

- (vi) The document was overly restrictive, applying to areas where it wasn't necessary;
- (vii) That the Council consider the inclusion of guidance with regard to the provision of sound insulation measures internally when assessing proposals for HMO's.

Members of the Board were advised that if approved by the Council's Portfolio Holder, the draft Supplementary Planning Document would be subject to six weeks public consultation, the precise method of consultation would take place in accordance with relevant legislation and the adopted Statement of Community Involvement in place at that time.

**RESOLVED**

- (1) That the Portfolio Holder for Planning, be recommended to approve the Draft HMO SPD, SEA and EQIA for public consultation for a period of six weeks.
- (2) That the comments outlined above be reported to the Portfolio Holder for Planning for her consideration.

The meeting commenced at 10.00 am and concluded at 1.30 pm

Councillor M Hunter (Chairman)

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Application No: 19/5934N

Location: Phase 1 Basford East Land, DAVID WHITBY WAY, WESTON

Proposal: Approval of Reserved Matters following Outline Approval 14/4025N - Outline application for the erection of upto 490 residential dwellings and a primary school - 2000m2 (D1) a pumping station, substation, recreational open space, ecological mitigation area, internal access routes, ground modeling and drainage works, parking provision, footpaths, cycle routes, landscaping and associated works including details of access at the Basford East site Crewe

Applicant: Mr Rob Stratton, Lane End Developments

Expiry Date: 10-Apr-2020

## SUMMARY

The site forms part of the wider Basford East Strategic Allocation under CELPS Policy LPS 2.

The principle of erecting up to 449 dwellings on this site has already been permitted under application 14/4025N. This application considers the Approval of Reserved Matters, which comprises layout, scale and appearance, landscaping and also access.

The S106 agreement secured a minimum of 15% of the dwellings of the development to be affordable homes. However, notwithstanding this, the applicant (Onward Homes), a Registered Provider, is proposing that 123 dwellings (29%) comprise affordable housing units, and therefore now just short of the 30% requirement of Policy SC5 of the CELPS

Amendments to design and layout of the proposal have been secured during the course of the application, although further clarification is awaited on some detailed design and layout issues. This information will subject to a final review by the Council's Urban Designer to ensure that the design of the scheme has developed to a point where it is considered to be acceptable, when considered against the requirements of policies SD2 and SE1 of the CELPS, and the CEC Design Guide.

Strong green infrastructure around the perimeters of the site is retained and significant areas of green amenity space provided within the development. The provision of play and amenity open space accord with the requirements of Policy SE6 of the CELPS.

The impact on the wider highway network arising from the development of this site was addressed during the consideration of the outline application. The internal road network

meets relevant highways design standards and adequate car parking is provided in accordance with parking standards identified in the CELPS. Added to this the proposed footway / cycleway route from the Northern boundary to James Whitby Way via the school site provides excellent permeability through the site to ensure a future link to the South Cheshire Growth Village to the east as well as to other development within the wider Basford East allocation (LPS2).

Issues relating to amenity, ecology, flooding and drainage, or public rights of way have been addressed, subject to conditions where deemed necessary.

**The application is therefore recommended for APPROVAL, subject to the receipt of further consultation responses.**

## **DESCRIPTION OF SITE AND CONTEXT**

The site is redundant arable land, covering 22.46 hectares forming part of the wider Basford East Strategic Allocation under CELPS Policy LPS 2. It is subject to outline planning approval 14/4025N primarily relating to the erection of up to 490 residential dwellings, a primary school, open space provision, ecological mitigation areas, ground modelling and drainage infrastructure.

The site is bound to the north by the Stoke-on-Trent/Nottingham railway line, to the west by David Whitby Way, and to the south by the A500. Open agricultural land with the strategic green gap adjoins the eastern site boundary. Allocation LPS 8 – South Cheshire Growth Village, which relates to a future development of around 650 new homes a community centre, village square and sports and leisure facilities lies to the east.

The Crewe Green Link Road (David Whitby Way) providing access to the strategic allocation which runs between the Weston Gate Roundabout (A5020) to the north and the A500 to the south, was constructed several years ago.

Outline approval 15/1537N was granted in 2016 within the strategic allocation on the opposite (western) side of the David Whitby Way and also to the north of this site for mixed use residential and commercial development including up to 325 dwellings. Reserved Matters approval was granted last year for infrastructure including road access and a crossing over Basford Brook to facilitate the development of future phases here.

The area known as Phase 3 of the Basford East Strategic Allocation which will accommodate employment uses, lies between the western boundary of this development (15/1537N) and the Crewe/Stafford/Chester railway, which links to the West Coast main railway line.

## **DETAILS OF PROPOSAL**

This application seeks approval with respect to all Reserved Matters relating to the appearance, landscaping, layout, access and scale of 449 dwellings, and associated open space and infrastructure following the approval of outline application 14/4025N. The outline application was supported by an Environmental Impact Assessment (EIA).



Vehicular access to the site is via the eastern arm of the existing roundabout on David Whitby Way.

The proposed 449 dwellings will be made up from 326 market dwellings and 123 affordable units. These will comprise of a mix of detached, semi-detached and apartment units ranging from 1-4 bed units. This large scheme is proposed to be implemented on a phased basis (comprising four separate phases) over several years.

The development will provide around 6 hectares of public open space including amenity green space and recreational and play facilities, incorporating a NEAP and MUGA in accordance with the S106 Agreement.

To accord with Condition 25 of the outline consent, this reserved matters application is accompanied with an Ecological Management Plan which include the provision of an ecological area accommodating an amphibian habitat area alongside the northern boundary

To ensure that connectivity is secured throughout the Basford East allocation a cycle/pedestrian way will run through the spine of the site from a proposed toucan crossing on James Whitby Way up to the north eastern corner of the site where a future connection can be made through to the South Cheshire Growth Village (LPS 8).

Revised plans have been received during the application process in response to issues raised by the Council, predominantly in relation to design & open space, planting/landscaping, street hierarchy and pedestrian/cycle routes.

### **RELEVANT HISTORY**

14/4025N - Outline application for the erection of up to 490 residential dwellings and a primary school - 2000m<sup>2</sup> (D1) a pumping station, substation, recreational open space, ecological mitigation area, internal access routes, ground modelling and drainage works, parking provision, footpaths, cycle routes, landscaping and associated works including details of access at the Basford East site Crewe. Approved subject S106 Agreement - 08-Feb-2016

19/0652N - Application for Reserved Matters following Outline Approval 14/4025N Condition 1: Phase 1 which includes 22 number houses and associated landscape works. The appearance, layout and scale will be described for this phase. A design code and parameter plans will be submitted that will describe the whole site and future phases. Condition 31: Renewable Energy Strategy Condition 32: Existing and Proposed Levels. To Be Determined.

17/2851N - S106 Deed of variation proposal 14/4025N. Approved 04-Aug-2017

16/2465N - Variation of Conditions 4, 5 and 6 on application 14/1366N - to fell additional trees as part of the Crewe Green Link Road Scheme. Approved 03-Nov-2016

15/3550N - Non material amendment to 14/1366N - Dual carriageway road, know as the Crewe Green link Road (south) linking A500 with the A5020 and associated works. Approved 25-Aug-2015

14/2485N - Outline application for the erection of upto 490 residential dwellings and a primary school - 2000m2 (D1) a pumping station, substation, recreational open space, ecological mitigation area, internal access routes, ground modeling and drainage works, parking provision, footpaths, cycle routes, landscaping and associated works including details of access at the Basford East site. Withdrawn.

14/1366N - Variation of condition 2 (plans) attached to planning application 12/4115N. Dual carriageway road, known as the Crewe Green Link Road (South) linking the the A500 with the A5020 and associated works. Approved 06-Jun-2014

12/4115N - Dual carriageway road, known as the Crewe Green Link Road (South) linking the A500 with the A5020 and associated works. Approved 18-Jan-2013

P96/0815 - O/A for employment development classes B1, B2 and B8. Legal Agreement. S.106. Approved 31-Mar-1999

P98/0371 - Construction of Regional Mail Distribution Centre. Approved 31-Mar-1999

P03/1046 - Erection of Four Storage and Distribution Warehouse (B8) buildings, Construction of Associated Car Parking & Servicing and Landscaping of the Site – Reserved Matters to P96/0815 – Withdrawn 04.04.05

## **POLICIES**

### **Cheshire East Local Plan Strategy (CELPS)**

LPS 2 - Basford East

PG 1 - Overall Development Strategy

PG 2 - Settlement Hierarchy

PG 7 - Spatial Distribution of Development

SD 1 - Sustainable Development in Cheshire East

SD 2 - Sustainable Development Principles

SE 1 - Design

SE 2 - Efficient Use of Land

SE 3 - Biodiversity and Geodiversity

SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland

SE 6 - Green Infrastructure

SE 8 - Renewable and Low Carbon Energy

SE 9 - Energy Efficient Development

SE 12 - Pollution, Land contamination and Land instability

SE 13 - Flood Risk and Water Management

CO 1 - Sustainable Travel and Transport

CO 2 - Enabling Business Growth Through Transport Infrastructure

CO 4 - Travel Plans and Transport Assessments

EG 1 - Economic Prosperity

EG 3 - Existing and Allocated Employment Sites

IN 1- Infrastructure

IN 2 - Developer Contributions  
SC 1 - Leisure and Recreation  
SC 2 - Outdoor Sports Facilities  
SC 4 - Residential Mix  
SC 5 - Affordable Homes

The Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy Local Plan that still apply and have not yet been replaced. These policies are set out below.

### **Crewe and Nantwich Replacement Local Plan**

BE.1 – Amenity  
BE.3 – Access and Parking  
BE.4 – Drainage, Utilities and Resources  
BE.6 – Development on Potentially Contaminated Land  
BE.16 – Development and Archaeology  
NE.5 – Nature Conservation and Habitats  
NE.7 – Sites of National Importance for Nature Conservation  
NE.8 – Sites of Local Importance for Nature Conservation  
NE.9 – Protected Species  
NE.11 – River and Canal Corridors  
NE.17 – Pollution Control  
NE.20 – Flood Prevention  
NE.21 – New Development and Landfill Sites  
TRAN.3 – Pedestrians  
TRAN.5 – Provision for Cyclists  
RT.9 – Footpaths and Bridleways

### **Weston and Basford Neighbourhood Plan**

- Made on the 16 November 2017.

However the Neighbourhood Plan states that. “For the avoidance of doubt the policies in the Plan do not cover the land at the major allocations at Basford West, Basford East and South Cheshire Growth Village”.

### **Other Material Considerations**

National Planning Policy Framework 2019 (NPPF)

National Planning Policy Guidance (NPPG)

### **CONSULTATIONS**

**Strategic Highways Manager:** No objection,

**Environmental Protection:** No objection subject to conditions in respect to lighting details and noise mitigation with informatives relating to hours of construction, Piling and Dust Management. Issues relating to contaminated land and air quality are being addressed under conditions of outline approval 14/4025N.

**Strategic Housing Officer:** No objection to affordable housing provision but an Affordable Housing Statement is required to support proposals.

**United Utilities:** No objection

**Natural England :** No objection

**Historic England:** No comments.

**Sport England:** (Updated Comments) Advises that the proposals should be considered against Sport England's design guidance with further details required of the design and specification of the proposed MUGA.

**Health and Safety Executive (HSE):** No objection subject to relocation of play area from inner zone of pipeline major accident hazard pipeline ref. 1875: Audley/Crewe operated by Cadent Gas Ltd .

**Cadent:** No comments received at time of writing report

**Public Rights of Way Unit (PROW):** No objection subject to Weston FP 10 being 2m in width and details of its surfacing provided.

**Network Rail :** No objection

**CEC Flood Risk (LLFA):** No objection in principle to the reserved matters application, on the basis that drainage design is undertaken in line with the originally approved FRA under 14/4025N.

**Environment Agency:** Object;  
Potential impact on white-clawed crayfish and their habitat. Insufficient information has been provided to assess the risks posed by the activity of discharging water to Basford Brook.

**Weston and Basford Parish Council :** Objects as follows;

*“ - It was a requirement at outline application stage that there should be a dense planting / landscape buffer along the eastern boundary of the site to help screen this development from the adjoining Strategic Green Gap area (known as D1) along with the approach to Weston Village when viewed from Main Road. The applicants have now produced a detailed landscape scheme. Provided the species are of the order of 7 - 8 ft. in height at the time they are planted and that the whole of the landscape screening along the eastern boundary of the site is undertaken in the next planting season (Autumn 2020) prior to the commencement of any development and managed thereafter, then the Parish Council is happy with this aspect of the proposal.*

*- The scheme still lacks any details of the proposed Primary School. The potential traffic conflict, off street parking and highway safety implications which are likely to be created because of the impact of this large-scale development on the operation of the Primary School exiting and entering through a single access off David Whitby Way is considered to be a*

*major issue. Wychwood Village is a classic case in practice which illustrates the constant problems of conflict/safety with schoolchildren and the manoeuvring/parking of residents' vehicles, school buses etc. in relation to school pick up / dropping off points – this situation must not be allowed to be repeated. It is understood that the school is not only intended to serve the whole of Basford East but also the South Cheshire Growth Village and possibly also cater for overspill at Weston. The Parish Council urge the Local Planning Authority not to make any decision on these reserved matters until the full details of the school and its associated traffic circulation and parking etc. have been submitted and fully analysed.*

*- It is also noted that there still does not appear to be any off-street parking provision to serve the proposed allotments*

*- The Parish Council is still most unhappy at the lack of co-ordination and a detailed Master Plan which would provide a proper understanding of the proposed linkages between this development, the South Cheshire Growth Village and the proposed school, no details of which have yet been submitted. Also, how is all of this is going to be achieved? Of concern is the routing of the pedestrian footways /cycle ways associated with 'safe routes to school' between the two developments. The submitted plans appear to show this transgressing into the Strategic Green Gap on the eastern side of the site instead of following the edge of the boundaries of both sites, preferably via a footbridge across the Crewe to Derby Railway Line, which was specifically referred to as an option to be explored in the Local Plan*

*- The design of the layout along with the multiplicity of house types still represents nothing more than a dense urban scheme shoehorned into a rural landscape. The Parish Council's does not consider this to be in keeping with the rural character of the area around Weston Village."*

## **OTHER REPRESENTATIONS**

None received

## **APPRAISAL**

### **Key Issues–**

- Principle of development
- Housing
- Design
- Highways
- Primary School
- Landscape Impact
- Open Space
- Ecology
- Amenity
- Flood Risk/Drainage

### **Principle of Development**

The application site lies within the Basford East Strategic Site which is allocated under policy LPS 2 of the CELPS for the delivery of employment use together with the associated of up to 850 new homes. It is considered that the proposals meet the requirements of policy LPS 2 as they relate to this site.

This application relates to the acceptability of the proposed development in context of the reserved matters as the principle of erecting 449 dwelling has already been granted under outline planning approval 14/4025N. Therefore considerations of the Layout, Scale Appearance, Landscaping and Access are the principal considerations of the proposed development and the details of all relevant technical matters are discussed within the report.

The development is bound by the terms of the Section 106 agreement which secured the following:

- Affordable housing provision (15%)
- Education contribution and securing of primary school site
- Highway contributions
- Neighbourhood Equipped Area of Play (NEAP) and Multi-Use Games area (MUGA)
- Open Space provision and management

### **Housing**

The S106 agreement secured a minimum of 15% affordable housing provision due to viability concerns at this time over the delivery of significant infrastructure to serve the Basford East Strategic site, such as the Crewe Green Link Road (David Whitby Way) .

However notwithstanding this, the developer (Onward Homes), a Registered Provider, is proposing that 123 dwellings (29%) comprise affordable housing units, and therefore now just short of the 30% requirement of Policy SC5 of the CELPS for the provision of both social rented and/or intermediate housing, as appropriate.

Given the additional provision now proposed, the Housing Officer has advised that in overall terms, an appropriate mix of property sizes and tenure split is proposed with affordable units being satisfactorily distributed throughout the site. In terms of tenure 67 units are for rent, and 59 units will be available for Shared Ownership (Intermediate units). The provision includes;

- 44 - One bed units (including ground floor flats)
- 45 - Two bed units
- 34 - Three bed units

To ensure compliance with the requirements of the S106 Agreement a full affordable Housing Statement has been requested by the Housing Officer to enable these matters to be addressed. This is being prepared by the applicant. However, the delivery of additional affordable units is a significant benefit of the scheme as a whole.

Policy SC4 of the Cheshire East Local Plan requires developments to provide a reasonable mix of housing types, tenures and sizes. The 449 dwellings will be made up from 326 market dwellings and 123 affordable units. These will comprise of a mix of detached, semi-detached

and apartment units ranging from 1-4 bedroom units. This large scheme is proposed to be implemented on a phased basis (comprising four separate phases) over several years.

It is considered that the proposed mix is acceptable by size, tenure and type. Therefore the proposal accords with policy SC4 of the CELPS

### **Layout / Design**

Policies SD2 and SE1 of the CELPS expect housing developments to achieve Building for Life 12 (BfL12) standard, and that development proposals consider the wider character of a place in addition to that of the site and its immediate context, to ensure that it reinforces the area in which it is located. These principles are also reflected in the CEC Design Guide. BfL12 uses a traffic light system, with the aim of eliminating reds, whilst maximising the number of greens. The Council's Design Officer has undertaken a BfL12 assessment of the application, which is reflected in the commentary below.

### Connections – **GREEN**

A Single vehicular access will serve the site with emergency access off David Whitby Way. Pedestrian connection via main entrance but also via the east/west strategic cycle/pedestrian link future proofing the potential for connection to the western part of the wider site and the South Cheshire Growth Village (SCGV) to the north east of the application site

The route of the east/west green link is clearly defined and characterised as a people focused environment through street surfacing in block/setts. Whilst there is some uncertainty about connections beyond the site boundary, the application positively enables those connections. Notwithstanding those limitations, there are high levels of connectivity planned into the development with scope for wider connection designed to the wider development of Basford East and South Cheshire Growth Village.

### Facilities and services - **AMBER**

The site is presently some distance from existing facilities but forms part of a wider allocation that will include local commercial and employment development and a local centre. The site will also connect to SCGV which will also have local facilities. A primary school site is to be provided as part of this scheme, but CEC Education is responsible for the delivery of the school itself.

A variety of open space is proposed, including several areas of formalised play including a NEAP and MUGA adjacent to the school site, smaller local areas of play, allotments/community garden and trim trails and a peripheral leisure footpath around the site. The layout provides for opportunities for the provision of strategic pedestrian links to the western part of the wider CELPS site and the South Cheshire Growth Village, which are secured within the layout. If all elements come forward then a green could be awarded but considered appropriate to award amber at this stage given the phasing/timing of nearby facilities and the school.

### Public transport – **GREEN**

A bus route has been designed into the layout, penetrating to the centre of the site with 2 bus stops along the route. Bus stops on David Whitby Way are to be provided. Bus route 85 will serve the site which is hourly in both directions linking Nantwich and Newcastle-under-Lyme. All parts of the site are readily accessible on foot to either the proposed bus route or stops within the site and those on David Whitby Way.

Meeting local housing requirements – GREEN

A range of house types are proposed from 1 and 2 bed apartments to intermediate and larger family houses. Housing mix and tenure plans have been provided evidencing the distribution and mixing of house and tenure types and the extent of their pepper potting. Affordable homes are in the main widely spread out across the application site.

Character - AMBER

A Design Code has been developed for the site to inform the detailed layout and character of elements. It includes a local character assessment and the Code establishes 3 main character areas.

The layout provides a framework that creates a positive structure of streets and spaces and a distinct hierarchy of street types, with the Avenue forming a north- south spine at the centre of the site, whilst the east-west pedestrian route create a key pedestrian focused axis through the site. It also provides an outward looking development overlooking the main public spaces and the countryside and landscaped edges.

However the Design Officer has advised that street design and surfacing materials are not fully in accord with the CEC design guide and further clarification to agree this issue is to be provided by will applicant.

Whilst the contemporary approach is welcomed in respect of the design of house types, concerns have been raised about the lack of architectural distinctiveness and variation given the scale of the site. The design detailing of house types needs to be refined to incorporate greater variations in materiality and architectural features throughout the site to reinforce the structure of the scheme and add to the overall quality of the development.

To address these issues and in accordance with the advice of the Design Officer the applicant will provide amended and fully worked up, detailed house type drawings for the first phase of the development. Provided these revisions are acceptable and achieve the quality of design and variety of detailing which is necessary, a planning condition is recommended requiring working designs to be agreed for each plot within each subsequent phase of the development. Such an approach is considered appropriate given the scale of development in that it will take several years to implement and ensures flexibility in finalising the detailed design of plots in later phases.

The assessment of the amended details will be reported in an update to the Committee.

Working with the site and its context – GREEN



The main landscape features are retained and incorporated into peripheral landscape of the site.

The watercourses/ponds have been incorporated into areas of POS, supplemented by additional SUDs within the layout. The peripheral hedgerow is retained and excluded from development areas, whilst the few trees on the site have largely been retained and included into areas of open space. An ecological mitigation area including new ponds and grassland is proposed to the north of site, associated with other ecologically sensitive land in accordance with the outline approval.

The layout creates an outward looking development overlooking the surrounding countryside to the east and open space to the south between the development and the A500. Buffer tree planting is proposed to the south east and southern boundaries.

Further information is required in terms of microclimatic considerations including how the site arrangement, massing and building design responds to the passive opportunities presented by the site, particularly with the use of south facing units. Although the orientation of many streets east-west would enable a positive passive solar response. It is considered that this issue can be addressed through the detailed design of each phase of the development.

In all other respects the proposed development relates well to its context and provides a positive interface to countryside, ecological areas and landscape features and utilises those within the layout.

### Creating well defined streets and spaces – GREEN

There is a hierarchy within the street design and generally a perimeter block structure has been formed with buildings presenting active frontages onto streets and spaces, but there are certain localised issues.

In places buildings positively address corners but there were previously some concerns about the strength of corner turning designs, and whether there is sufficient emphasis on both elevations in terms of architectural quality and interest. Revised plans ensure the provision of stronger corner turners incorporating additional features to aid legibility. The quality of elevational detailing for all house types will be secured through each phase of this large scheme by a planning condition as set out in the “character” section above.

There are some localised parts of the development where there is an irregular building line adjacent to the street which could result in poorly defined and maintained space with a weaker sense of street containment and continuity would occur. This can be remedied through the introduction of further planting which would benefit the street scene and definition of its edge, particularly where higher concentrations of frontage parking are proposed. It is considered that this can be addressed on a plot by plot base through the detailed landscaping scheme for each phase of the development.

### Easy to find your way around – GREEN

There is a definite street hierarchy with the Avenue defining the main route into the heart of the site. Feature spaces are designed within the layout and scale is used in part along the Avenue to reinforce it as the primary street within the movement hierarchy.

The green east-west pedestrian route creates a defined linear route for pedestrians. The entrance into the site will be defined by the school and commercial development initially but with a strong linear avenue into the housing development.

The scheme is generally legible and revised plans have reinforced that through stronger landscaping of the principal and secondary streets.

Amended plans have been submitted for local/landmark positions within the site to satisfactorily strengthen these way marking locations within the site. In particular the apartment grouping overlooking the northern square (plots 101 -104 & 122 -125) has been enhanced through the inclusion of additional features and increased height which achieves greater presence at this prominent point..

A green is awarded, because of the strong axes and hierarchy of streets and spaces.

### Streets for all - **GREEN**

There is a distinct hierarchy to the framework of streets. The tree lined character of the primary street helps to reinforce its human scale without detracting from its function as the main vehicular route. Separation of the pavement by verges helps to maintain a pleasant pedestrian environment.

Feature spaces and Mews areas with block or sett paving are designed into the layout to calm traffic, punctuate the secondary streets with a more formal street design and help define transition points and changes in street character to highlight them as people focused spaces.

The lower tier streets and key spaces (squares) need to more closely follow the materials palettes of the CEC Design Guide. Clarification on the surfacing materials will be provided as an update.

### Car parking - **AMBER**

A mix of parking solutions is encouraged by the Design Guide to ensure that the street scene is not dominated by vehicles. Although many plots have parking spaces to the front of units, amendments have included the insertion of further landscaping and the breaking up of groups of spaces to achieve a greener street scene.

Whilst concerns have been raised in respect of the surfacing of parking courts and prominent siting of bin/cycle stores these matters can be addressed through the hard/soft landscaping details for each phases of the development .

### Public and private spaces - **GREEN**

There are 3 main areas of usable open space within the scheme;

- The entrance green space would provide informal play and open space adjacent to the boundary with the school and is connected by the peripheral pedestrian route.
- The main centre for play provision providing a NEAP and MUGA would be located to the south of the school site and directly off the main east west pedestrian access through the centre of the development, ensuring it is accessible to the entire site.
- The central green spine running laterally east/west through the site connected to the NEAP by the green pedestrian route is also connected by the peripheral pedestrian route. There is also direct connection east to enable a future link to the SCGV. Community gardens are also proposed as part of this space, where it widens out to the eastern edge of the site.

In addition there are a number of other green infrastructure (GI) elements including SUDs, the watercourse to the south, peripheral landscape and buffer planting areas and the ecological mitigation area. There is an acceptable and diverse range of space and direct and informal connectivity between those promoted as formal usable spaces, with a backdrop of other informal spaces and areas of GI.

Amendments to the area of open space including the SUDs within the southern part of the site have ensured this is more usable. In addition, enhancement of the northern square has created more of a “dwell space”. However to maximise, the potential of key feature spaces, including the northern and southern squares, a condition is recommended requiring the detailed specification of their hard and soft landscaping lighting and street furniture.

This is awarded a green.

### External storage and amenity – AMBER

Whilst this large scheme provides sufficient private amenity space there are a small number of gardens of modest size ( e.g. plots 301 and 322) . It is unclear whether communal or private amenity space will be provided for apartment accommodation within the scheme, albeit the majority of these units will have access to open space and play provision.

The submitted Refuse Strategy Plan and Design Code states that many properties have garages which will accommodate storage, including that for cycle storage. Whilst unspecified it is stated that properties without a garage will have some form of storage in their rear garden. Waste and recycling bin storage will be provided in the rear gardens with paths giving direct access to the streets for collection.

The apartments will have communal bin storage areas in locations with easy access for refuse collection operatives. However there is little detail of cycle storage and it is recommended that this is secured through a planning condition.

### Design Conclusions

There have been numerous amendments to the proposal which have addressed issues that have been raised with the applicant during the course of the application.

This development has the potential to be a high quality scheme and already has positive attributes, including a robust underlying structure. Considerable effort has been employed by

all parties thus far , reflected in the design code and supporting information for the application. However as noted above, there are still important design and layout matters that require further clarification to address the schemes performance against BFL 12 criteria such as the refinement of the detailing/materiality of the house types and hard surfacing materials.

The applicant has confirmed that further information will be submitted by the applicant in advance of the Committee meeting. This will be subject to final review by the Design Officer to ensure that the design of the scheme has developed to a point where it is considered to be acceptable, when considered against the requirements of policies SD2 and SE1 of the CELPS, and the CEC Design Guide.

### **Highways and Accessibility**

#### Highway Infrastructure

The impact on the wider highway network arising from the development of this site with access from the Crewe Green Link Road (DavidWhitby Way) was addressed during the consideration of the outline application. The S106 agreement requires substantial financial contributions towards the provision of new infrastructure and improvements to the wider highway network to facilitate the development of the site.

The main access road serving the site connects to the existing roundabout on David Whitby Way. This roadway is 5.5m wide and minor roads are 4.8m wide. The design of the internal roads accords with the strategy of providing linked streets and minimising the use of cul-de-sacs.

The Head of Strategic Infrastructure (HSI) has advised that the proposed road infrastructure layout is acceptable and enables the site to be served by public transport. The level of off street parking for the residential units complies with CEC parking standards.

A segregated cycle link is provided through the centre of the site, this will link to an 'at grade' crossing facility (toucan) on David Whitby Way, and also provide links via a shared pedestrian/cycle path to the proposed South Cheshire Growth Village site. The remaining internal road network within the site is suitable to be used for on road cycling given low traffic speeds.

A refuse strategy has been submitted indicating the routes within the site and also the turning facilities being provided.

With regard to the school site, consideration has been given as to the position of the main school access within the site. After careful assessment an independent access in a location away from the residential roads is preferred by the Highway Engineer, and therefore the access will be located off the main access road. Details of access arrangements to the school will be subject of a separate planning application for the primary school.

In summary, the proposed highway infrastructure has been designed to meet current standards and serve the level of development proposed. As a result no objections are raised to the proposals by the Council's Strategic Infrastructure Manager.

### Pedestrian/Cycle Route

A specific policy requirement of LPS 2 (Basford East, Crewe) is for development of pedestrian links (allowing for cycle access) to the South Cheshire Growth Village (LPS 8) to the east and the wider development with the Basford East Strategic Allocation to specifically provide a safe and secure environment for children to travel to school.

These proposals ensure that a satisfactory pedestrian/cycle link can be secured between the proposed South Cheshire Growth Village and the primary school on the Basford East site. The link will also connect the school site and this large housing scheme to future residential and commercial development to the west, as well as the existing cycleway network, via a new Toucan crossing on David Whitby Way.

The route will run through the landscaped green spine of the scheme to a point on the north-eastern boundary of the site which will enable a future connection through to South Cheshire Growth Village (LPS 8). This is the most logical and practical position given the need to avoid the ecological mitigation area as well as being the nearest point of the site to the Growth Village.

Although the Parish Council's concerns are understood, only a very short section of the route will need to pass through the Strategic Green Gap to link through to the growth village development. Furthermore this land will become landscaped green space associated with the Growth Village, and consequently the link would not constitute an unacceptable visual intrusion within the Green Gap. In addition, the route and design of the pedestrian/cycleway beyond the site boundary would be considered as part of future proposals of the Growth Village (LPS 8).

### **Primary School**

This application does not relate to the development of primary school site (1.8ha) that occupies the north western corner of the site which was subject to outline approval 14/4025N. The school site is secured through the s106 agreement and the Council's Education team have advised that proposals for a 2 Form Entry Primary School is at an early stage of preparation. However, through further to discussions with the Highway Engineer it has been determined that given the location of the school the most practical point of vehicular access is from the main access road on its approach to the roundabout junction with David Whitby Way. Importantly, Cycle and pedestrian access will also be provided from the eastern side of the school from a cycle/pedestrian link connecting to future development to the west via a toucan crossing and to the South Cheshire Growth Village to the north east.

Given the concerns raised by the Parish Council, the provision of a visitor parking/area drop-off is shown on the opposite side of the access road from the school site to minimise traffic disruption at peak periods. Although this can only reasonably be provided in conjunction with the development of the school. A condition is therefore recommended requiring details of future arrangements to secure this land to enable the drop-off area to be provided in conjunction with the future development of the school.

### **Ecology**

There are various ecology matters to consider. These are broken down into the following subsections and assessed accordingly. Additional survey information and clarification in respect of ecological issues has been provided during the course of the application.

### Statutory Designated Sites

The application site does not fall within Natural England's SSSI impact risk zones. The submitted Ecological Assessment concludes that the proposed development is not likely to have a significant effect upon Natura 2000 sites due both to the distance between the application site and the nearest designated site and the lack of similarity between the habitats and species found on the site and the designated site.

The proposed development is therefore not likely to have a significant effect on any statutory designated site.

The Council's Nature Conservation Officer advises that no further action in respect of statutory designated sites is therefore required under either the Habitat Regulations or the Wildlife and Countryside Act.

### Non-statutory Designated Sites

Mere Gutter and Basford Brook Local Wildlife Site located 50m from the application site. This Local Wildlife Site supports one of few remaining populations in Cheshire of White Clawed Crayfish in Cheshire. This species is very sensitive to changes in water quality.

Based upon the submitted drainage strategy the proposed development would not discharge directly into Basford Brook, but surface water from the development would discharge into Basford Brook via SUDS features .

The Council's Nature Conservation Officer and the EA (Ecology) raised concerns that although a "treatment train" for the surface water discharge is proposed, sufficient information had not been provided to demonstrate that this will be enough to prevent longer-term water quality deterioration of Basford Brook.

To minimise contamination of the Local Wildlife Site it is considered that the SUDS scheme for the site must be designed to incorporate three levels of SUDS treatment, such as an attenuation pond, surface flow wetland and swale. Confirmation has now been received from the applicant to confirm that these measures are included with the submitted drainage strategy.

The submitted Ecological Assessment recommends that a Construction Environmental Management Plan is produced to safeguard aquatic environments on and off site. A condition is recommended to require this.

### Trees with bat roost potential

An oak tree within Group 15 has been identified as having High potential to support roosting bats. Three bat survey visits have been undertaken of this tree to establish the presence/absence of roosting bats. No evidence of roosting bats was recorded during the survey and the Nature Conservation Officer advises that on balance roosting bats are not reasonably likely to be affected by the removal of this tree.

### Barn Owls

An oak tree within G15 was identified as having potential to support barn owls during the updated ecological assessment.

The submitted ecological assessment concludes that barn owls are breeding at this tree. Barn owl are a priority and protected species and hence a material consideration.

This tree would be lost as a result of the proposed development. The Nature Conservation Officer considers that the loss of roost associated with this tree is likely to have a significant adverse impact upon barn owls. As the tree is located within the centre of the proposed residential development it would not be possible to retain this tree as part of the proposed development under the current layout.

However the Nature Conservation Officer has advised that a suitable mitigation strategy for the loss of the roost has been submitted as part of the submitted Ecological Management Plan.

As anticipated at the determination of the outline application, the proposed development would result in the loss of a small area of suboptimal barn owl habitat. The applicant is proposing to compensate for this loss through the payment of a commuted sum amounting to £3,000 that could be used to fund offsite habitat creation for barn owls in partnership with the local barn owl group.

### Lighting

Bat activity recorded during earlier ecological surveys at this site was relatively low. Additional lighting associated with this proposed development could however have a localised adverse impact upon foraging and commuting bats. A condition is recommended requiring any additional lighting to *Bat Conservation Trust Guidance Note 08/18 (Bats and Artificial Lighting in the UK)* to be agreed with the LPA.

### Badgers

An updated badger survey has been undertaken. Two setts were recorded during the survey. Both setts can be retained, however, works are proposed within 30m of one of the two setts, which may result in it being disturbed during the works. The applicant's ecologist has therefore indicated that this sett would be closed under licence from Natural England if found to be active prior to disturbing works taking place. The submitted method statement proposes that a 30m buffer be marked off around each sett prior to the commencement of works.

The Nature Conservation Officer advises that the proposed development will result in the reduction of the available foraging habitat for the resident badger population. This is likely to result in a moderate impact upon the local badger population. Fruit trees have been incorporated be incorporated into the ecological mitigation area to provide a seasonal food source for badgers to go a small way towards compensating for the habitat lost.

As the status of badgers on site can change it is recommended that a condition be attached which requires the submission of an updated badger survey and mitigation method statement prior to the commencement of development.

### Great Crested Newts

Great Crested Newts have been identified at a number of ponds in close proximity to the proposed development. In the absence of mitigation the proposed development would result in a moderate adverse impact upon great crested newts as a result of the loss of terrestrial habitat and the risk of great crested newts being killed or injured during the construction phase.

### **Important**

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected the proposed development the planning authority must have regard to whether Natural England would be likely to subsequently grant the applicant a European Protected species license under the Habitat Regulations. A license under the Habitats Regulations can only be granted when:

- The development is of overriding public interest,
- there are no suitable alternatives and
- the favourable conservation status of the species will be maintained.

The development relates to a substantial part of the Basford East Strategic site allocated within the Cheshire East Local Plan Strategy which is necessary to meet housing and employment needs within the Borough. The development of the site is therefore in the overriding public interest, and there are no other suitable alternative sites which are capable of delivering this scale of development in accordance with the objectives of the Local Plan Strategy.

In order to compensate for the loss of ponds on site 5 new ponds are proposed within a substantial ecological mitigation area (1.65 Ha) sited alongside the northern boundary of the site.

In order to mitigate the risk of newts being killed or injured during the proposed works the applicant is proposing to undertake works further than 250m from the identified breeding pond under a method statement of Reasonable Avoidance Measures.

Land within 250m of the pond would be cleared of great crested newts prior to works commencing under the terms of a Natural England license using standard best practice methodologies with newts transferred to the ecological mitigation area.

The Nature Conservation Officer advises that the proposed mitigation/compensation is adequate to maintain the favourable conservation status of great crested newts. A condition is required to ensure the implementation of the submitted great crested newt mitigation and compensation measures which are detailed in the Ecological Management Plan.

### Common toad

Common toad is a priority species and a material consideration. No evidence of this species was recorded during the submitted survey however the species is known to occur in this locality. It is advised that the proposed mitigation area and replacement ponds would be sufficient to address the potential impacts of the proposed development upon this species.

### Reptiles



Slow worm is known to occur on the railway embankment to the north of the application site. An updated reptile survey has been undertaken in support of this application. which confirm the continued presence of this species on site.

This species was recorded within the part of the site proposed to be used as an ecological mitigation area. The proposed development would have an adverse impact upon this species as a result of the loss of small areas of suitable habitat and the risk of animals being killed or injured during the construction phase.

However, The Nature Conservation Officer advises that the construction of the ecological mitigation area will compensate for the loss of habitat for this species and proposals have been submitted as part of the Ecological Management Plan to minimise the risk of this species being killed or injured during the works.

### Broadleaved Woodland

The updated Ecological Assessment refers to small areas of broadleaved woodland being present on site. Broad-leaved woodland is a priority habitat and hence a material consideration.

The proposed development will result in the loss of two small areas of woodland/scattered trees. This would result in a minor adverse impact that was anticipated at the time of the determination of the outline consent.

### Hedgerows

Native species hedgerows are a priority habitat and hence material consideration. In addition, Hedgerow H8 has been identified by the submitted ecological assessment as being Important under the Hedgerow Regulations. H8 is retained as part of the proposed development.

The proposed development will result in the loss of two short sections of hedgerow. A significantly greater length of new hedgerow planting is proposed as part of the submitted landscape plan in relation to that lost. The hedgerow losses associated with the development are therefore adequately compensated for.

### Ponds

The proposed development will result in the loss of three ponds. Compensatory ponds are shown on the submitted plans. The Nature Conservation Officer advises that in the event that planning consent is granted the loss of the existing ponds would be adequately compensated for.

A condition is however recommended to secure detailed designs for the proposed ponds.

### Breeding and wintering Birds

A number of bird species including some species considered to be a priority for nature conservation, have been recorded on site. Breeding and wintering birds would be affected by the loss of habitats on site, this impact would however in part be compensated for through the creation of the ecological mitigation area.

Conditions for the safeguarding of nesting birds were attached to the outline planning permission at this site.

Proposals for the provision of bird and bat boxes have been included at Appendix 5 of the submitted Ecological Management Plan. The submitted proposals are welcomed and are sufficient to discharge Condition 36 of the outline consent.

#### Hedgehogs

No evidence of hedgehogs was recorded during the submitted surveys however the habitats on site may be suitable for this species. The submitted ecological assessment includes proposals for the re-location of any hedgehogs encountered during the works. A condition is recommended to ensure that features for hedgehogs are provided within the development.

#### Landscape and habitat management plan

Condition 18 of the outline permission requires the production of a Landscape Management Plan and Condition 25 requires the submission of an Ecological Management Plan.

Specific proposals for the Ecological Mitigation Area have been provided within the submitted Ecological Management Plan, whilst proposals for the remainder of the site are included with the submitted Landscape Management and Maintenance Plan.

The Nature Conservation Officer has raised a number of queries in respect to the contents of the Ecological and Landscape Management plan in respect of the long term management required under condition 25. It is considered that these can be dealt with through the relevant discharge of conditions application (19/4087D).

The Ecological Management Plan includes proposals for the mitigation of the impact of the proposed development upon protected species. A condition is recommended to secure the Ecological Mitigation Measures.

### **Landscape**

The key landscape requirement within LPS 2 is the retention of trees and woodlands on the edges of the site, with new planting to re-enforce boundaries with the A500 to the south and alongside the eastern boundary with open countryside of the green gap, which is specifically required by Condition 16 of the outline approval.

This is achieved within the amended landscaping proposals with enhanced tree planting provided along the eastern site boundary. Significant areas of planting and landscaping earth bunding wrap around the southern side of the development with A500 and James Whitby Way in addition to the substantial ecological mitigation area located alongside the northern site boundary. Although the development will involve the loss of two small areas of woodland/scattered trees this will be compensated by the proposed planting scheme and furthermore the majority of hedgerows within the site are also retained in accordance with one of the site specific principles of development listed under LPS 2.

The proposals incorporate a street hierarchy, with avenues and tree lined streets. Updated tree planting details and landscape plans (hard and soft) have been received during the application process to reflect the changes made in response to design and open space concerns. These include enhanced planting within areas of POS and the amendments to the layout to ensure sufficient space is available to enable successful roadside tree planting.

Although as set out above, to maximise the potential of key feature spaces including the northern and southern squares, a condition is recommended requiring details of the specification of hard and soft landscaping, lighting and street furniture.

Areas of landscaping and open space are subject to management arrangements secured under the S106 agreement and need to accord with a management plan required by Condition 18 as well as a five year landscape establishment plans under Condition 19 of the outline approval.

### **Open Space**

The S106 Agreement accompanying 14/4025N requires the provision of formal and informal recreation areas, green space, a Neighbourhood Equipped Play Area (NEAP) and Multi-Use Games Area (MUGA) within the development. As set out below the proposals comply with these S106 requirements.

Policy SE 6 of the CELPS sets out the open space requirements for housing development which are (per dwelling):

- Children's play space – 20sqm
- Amenity Green Space – 20sqm
- Allotments – 5sqm
- Green Infrastructure (GI) connectivity 20sqm

The proposal for 449 dwellings triggers a requirement for 8,980sqm of formal and informal play provision in line with policy SE6 of the CELPS. This will be met by the provision of a NEAP and multi-use games area (MUGA) which are proposed adjacent to the school site with several small play areas and informal play features provided within areas of green space.

To address the requirements of the HSE a small play area (LAP) has been relocated away from their inner zone of a High Pressure gas main. In addition, a small informal play feature has been omitted from within a surface water attenuation basin (No.2) further to concerns raised by the Flood Risk Officer.

The Council's ANSA Open Space Officer and Sport England have raised no objection to the proposed play facilities subject to the design and specification of the proposed MUGA and play areas being secured through a planning condition.

The submitted landscape proposals indicate that over 1.34 ha of amenity greenspace will be provided, together with significant areas of green infrastructure (3.15 ha). This shows that there will be an over provision of amenity greenspace, and a significant over provision of green infrastructure over that required by Policy SE.6.

In terms of allotments, the requirement of Policy SE.6 is 5 sq.m per family dwelling. For 449 dwellings this would amount to 2,245 sq. m of allotment space. No financial contributions were secured for allotments at the time of the outline planning permission, and therefore it is a requirement for them to be provided on site. To meet this requirement Community Gardens are proposed with POS adjacent to the eastern site boundary, and which are shared growing spaces as opposed to traditionally secured private plots. In terms of the maintenance of the

area this is anticipated to be a shared responsibility of the Management Company (required by S106 Agreement) and residents using the space.

This approach has the advantage of having a less visual impact than traditional allotments and achieve a satisfactory relationship with the adjacent Ecological Mitigation Area and route of the pedestrian /cycle link. However given the limited details provided, and the need for some dedicated parking provision, a condition is recommended requiring full details to be provided of the layout and design of the Community Gardens. Whilst there is an under provision of allotments in terms of areas on a plan, the proposed approach is considered to be acceptable in principle.

Overall, the proposed development is sited within a robust network of green open spaces ensuring easy access for residents. Play areas, MUGA and Community Gardens have been provided within the open space and strategically located along the key pedestrian and cycling links and also accessible from informal footpaths passing through green space.

The proposals are therefore considered to comply with the open space requirements of LPS2 and policy SE 6 of the CELPS.

### **Amenity**

There are no residential properties close to the site. Consequently the siting and design of the development will have no adverse on the residential amenities of existing dwellings.

In consideration of amenity for future occupiers of the proposed development, the layout adheres to, or closely adheres with, the recommended separation standards within CEC Design Guide to ensure the future occupiers of the proposed development are not detrimentally impacted in terms of loss of light, or privacy, or an overbearing impact from each other.

In particular amended plans have been received which satisfactorily improves the relationship of two blocks within the Mews Court (plots 177 -184) avoiding an overbearing impact on the rear gardens and elevations of the dwellings sited directly behind through the reduction in their size and height to 1.5 storey.

Although some of the proposed gardens are a little small in size, notwithstanding this, it is deemed that they are sufficient in order for the future occupiers to enjoy normal activities e.g. sitting out, hanging washing, BBQs etc. Furthermore, large areas of shared public green space are provided within the development.

Environmental issues associated with this development in terms of noise, air quality and contaminated land were considered as part of the outline application and a number of planning conditions are attached to the outline consent to safeguard residential amenity.

However In relation to road traffic noise, the site lies north of the A500 and alongside David Whitby Way and a Noise Impact Assessment (NIA) has been submitted in support of these proposals. This recommends the following measures to ensure that future occupants of the properties are not adversely affected by transportation noise;

- Acoustic fencing fully surrounding the gardens ( plots 213 and 281)
- Landscaped bunding running alongside the boundary of the site with the A500 and David Whitby Way. The proposed 4m high bunding along the southern boundary is necessary given that the A500 is elevated above the site, whilst there is scope for this height to be reduced to 3m along David Whitby Way. Some of the necessary bunding is already in place along the site boundary with David Whitby Way as part of works associated with the construction of this road .
- Acoustic trickle vents at properties
- Standard thermal double glazing

The Council's Environmental Protection Officer has advised that the mitigation details submitted are acceptable, Additional information provided by the applicant has also satisfactorily addressed noise impact from proposed pumping and substations.

### **Flood Risk and Drainage**

The site is predominantly situated within Flood Zone 1, which is deemed to have a low probability of flooding. A small part of the site lies within Flood Zone 2.

Drainage and flood risk issues were addressed at the outline stage. It was considered that the Flood Risk assessment was acceptable and surface water would be dealt with by appropriate SUDs techniques. The proposed drainage strategy includes such SUDs features including attenuation storage in swales and basin/ponds, with discharge to the off site water course through an existing wetland on the western side of James Whitby Way.

The Council's Flood Risk Manager has raised no objections in principle to the Reserved Matters Application, and proposed Drainage Strategy. Although detailed issues are required to be addressed in respect of the design of elements of the drainage system, these matters are controlled by Conditions 4, 6 and 29 imposed on the outline approval. Drainage details are being considered by the Council under a discharge of conditions application (19/5902D). Furthermore, any alterations to an existing ordinary watercourse will be subject to a Land Drainage Consent application under Land Drainage Act 1991.

An informal play feature (boulders) located within attenuation basin 2 has now be omitted given concerns raised by the flood Risk manager and ANSA.

United Utilities raised no objections on the outline application and again have raised no issues in relation to the current application. Other than the concerns raised by the EA's Ecologist which are addressed above, the Environmental Agency have raised no objections to the development.

The application proposals are therefore deemed to adhere with Policy SE13 of the CELPS.

### **CONCLUSION**

The application site lies within the Basford East Strategic Site which is allocated under CELPS policy LPS. It is considered that the proposals meet the requirements of policy LPS 2 as they relate to this site.

The principle of the erection of 449 dwellings on this site has already been permitted under application 14/4025N. This application considers the Approval of Reserved Matters, including; layout, scale and appearance, landscaping and also access.

The S106 agreement accompanying the outline approval secured a minimum of 15% of dwellings to be affordable homes. However, notwithstanding this, the applicant (Onward Homes), a Registered Provider, is proposing that 123 of the dwellings (29%) are affordable housing units, and therefore just short of the 30% requirement of Policy SC5 of the CELPS.

Amendments to the design and layout of the proposals have been secured during the course of the application, although further clarification is awaited on some detailed design and layout issues. This information will be subject to a final review by the Council's Urban Designer to ensure that the design of the scheme has developed to a point where it is considered to be acceptable when considered against the requirements of policies SD2 and SE1 of the CELPS, and the CEC Design Guide.

Strong green infrastructure around the perimeters of the site is retained and enhanced, and significant areas of green amenity space provided within the development. The provision of play and amenity open space accord with the requirements of Policy SE6 of the CELPS.

The impact on the wider highway network arising from the development of this site )was addressed with during the consideration of the outline application. The internal road network meets relevant highways design standards and adequate car parking is provided in accordance with parking standards identified in the CELPS. Added to this the proposed footway / cycleway route from the Northern boundary to David Whitby Way via the school site provides excellent permeability through the site to ensure a future link to the South Cheshire Growth Village to the east as well as to other development within the wider Basford East allocation.

Issues relating to amenity, ecology, flooding and drainage, or public rights of way have been addressed and are subject to conditions where deemed necessary.

Air quality and contaminated land matters were addressed at the outline stage, and the current reserved matters application raised no further points of concern on these matters.

The application is therefore recommended for APPROVAL, subject to the receipt of further consultation responses.

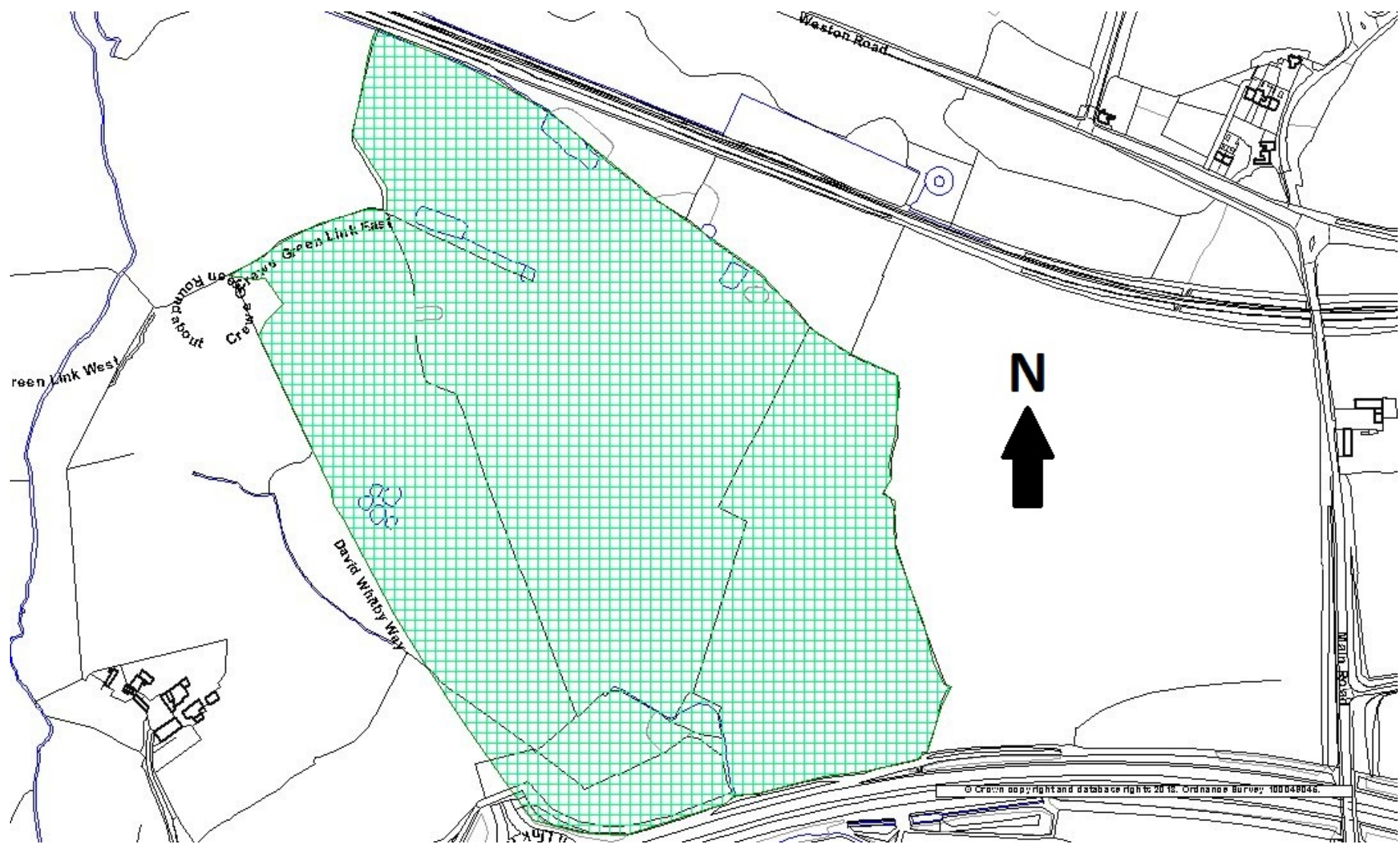
## **RECOMMENDATION**

### **APPROVE, subject to the following conditions;**

1. In accordance with outline permission
2. In accordance with approved plans
3. Submission/approval of facing and roofing materials for each phase

4. Implementation of highway surfacing treatment
5. Submission/approval of working designs for elevations of each plot within each phase of the development (subsequent to first phase)
6. Submission/approval of detailed specification of hard/soft landscape scheme for feature squares and spaces, and courtyards including surfacing treatment, lighting and street furniture for each phase
7. Specification of planting along secondary streets on a plot by plot basis within each phase
8. Submission of details of landscaping for each phase
9. Implementation of landscaping
10. Details of construction and specification of landscaped bunding
11. Details of boundary treatment and retaining gabion walls
12. Noise mitigation – Implementation
13. Implementation of ecological mitigation detailed in the Ecological Management Plan
14. Updated badger survey to be submitted prior to commencement.
15. Hedgehog mitigation measures– Implementation
16. Submission of CEMP for the safeguarding of water courses during the construction phase.
17. Submission of detailed designs of the ponds.
18. Details of lighting – minimize impact on bats
19. Details of Community gardens including parking provision
20. Design detail, specification and implementation of MUGA, NEAP and play area/features
21. Arrangements to enable future provision of school drop-off area
22. Cycle storage details – Apartments
22. Details of specification, surfacing and lighting of pedestrian /cycleway and PROW

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





Application No: 19/4759M

Location: Land To The West Of, PENDLETON WAY, WILMSLOW

Proposal: Outline application with all matters reserved except for access for the erection of up to 17,162m<sup>2</sup> of B1 office floorspace and ancillary amenity space, car parking, cycle hub, landscaping and associated infrastructure

Applicant: Mr A Wain, .

Expiry Date: 31-Mar-2020

#### **SUMMARY 19/4759M**

The site forms part of the strategic allocation LPS 55 contained within the Cheshire East Local Plan. The application proposes to provide 17,162m<sup>2</sup> of a total of around 25,000m<sup>2</sup> as set out in the allocation. The application will provide B1 office floorspace and ancillary amenity space, car parking, cycle hub, landscaping and associated infrastructure. The proposal is in outline form, therefore at this stage an illustrative masterplan showing car parking and positioning of buildings and parameters are included. The proposed parameters are considered to be acceptable. The proposal is considered to be acceptable and policy compliant, however this is subject to a large number of conditions required to ensure at the reserved matters stage all technical requirements are met.

The proposed development is required to ensure a sustainable economic position locally, to provide employment, and would be in line with the Cheshire East Economy Strategy.

No objections have been raised by consultees in relation to technical matters, for the reasons mentioned the application is recommended for approval subject to conditions.

#### **SUMMARY RECOMMENDATION**

**Approve subject to conditions**

#### **PROPOSAL**

The application is for outline planning application with all matters reserved save for access for the erection of up to 17,162m<sup>2</sup> of B1 office floorspace and ancillary amenity space, car parking, cycle hub, landscaping and associated infrastructure for a new office development.

The application is in outline with only the means of access for approval at this stage, the access to the site has been previously approved off the A34 (Pendleton Way). Detailed matters relating to layout, scale, appearance and landscaping are reserved for future approval. The parameters plan states that the development will not exceed 4 storeys in height.

The proposed development will provide a pedestrian footway / cycleway which links to the wider network and allows safe pedestrian and cycle access to Wilmslow and in particular to

Wilmslow Railway Station. The connection will pass through Wilmslow High School land and is required to be provided prior to the development. The proposal also includes a large satellite area of land to be used for biodiversity offsetting through the creation of an area of Grassland Habitat.

The site forms around half of the allocation LPS 55 Wilmslow Business Park, the southern half of the D-shaped area of land covering an area of approximately 4ha. The northern part of the site will remain as existing which is fields and is unaffected by the proposed development. All access from the site is off the main Pendleton Way which runs along the western boundary of the site. The eastern boundary of the site is formed by the railway line.

The illustrative masterplan shows 8 individual units for speculative occupation with associated car parking. There is a single access point off A34 Pendleton Way. The parameters plan shows the buildings as a mixture of 2, 3 and 4 storey buildings. The illustrative masterplan shows 572 associated car parking spaces to serve the development.

## **SITE DESCRIPTION**

The site forms the southern part of a D-shaped area of land. The site is curtailed to the east by the A34 Pendleton Way which runs alongside the full length of the site and to the west by the railway line. The site currently consists of grassland with areas of scrub. The site has a number of mature trees and a dense hedgerow formed of trees and shrubs forms the boundary with the A34.

The site is very well screened due to the trees and shrubs along the site boundaries and is mainly level with rising topography in places.

## **RELEVANT HISTORY**

17/2008M, Proposed creation of an access road, Approved, 05-Oct-2017

## **RELEVANT PLANNING POLICY**

### **Cheshire East Local Plan Strategy 2010-2030 July 2017**

Site LPS 55 – Wilmslow Business Park

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG6 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer contributions

EG1 Economic Prosperity

SE1 Design

SE3 Biodiversity and geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE6 Green Infrastructure

SE9 Energy Efficient Development  
SE12 Pollution, Land contamination and land instability  
SE13 Flood risk and water management  
CO1 Sustainable Travel and Transport  
CO4 Travel plans and transport assessments

### **Requirements for LPS 55**

The development of the Wilmslow Business Park site over the Local Plan Strategy period will be achieved through:

1. The delivery of up to 6.3 ha of employment land for an exemplar B1 Business use development in line with the principles of sustainable development, providing around 25,000 square metres of employment space.

### **Site Specific Principles of Development**

- a. New development will be expected to be of a high quality and innovative design, which will consider site constraints whilst providing an attractive place to work.
- b. A comprehensive landscaping scheme will be required.
- c. New development will be expected to make enhancements to the existing access point or provide a new access to the A34. It must also improve connectivity and accessibility within the site and to the wider local area including pedestrian and cycle links to Wilmslow Railway Station.
- d. The existing playing fields on site must be retained within the site or contributions made for off site provision. The retention and / or replacement of the outdoor sports facilities should be in accordance with the findings of an adopted, up to date and robust needs assessment.
- e. New development will be expected to respect any existing ecological constraints on site and where necessary, provide appropriate mitigation.
- f. A minimum of a Phase 1 Preliminary Risk Assessment for contaminated land should be carried out to demonstrate that the site is, or could be made, suitable for use should it be found to be contaminated. Further work, including a site investigation, may be required at a pre-planning stage, depending on the nature of the site.

**By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.**

**The Development Plan for Cheshire East currently comprises the saved policies from the Congleton Borough (January 2005), Crewe and Nantwich (February 2005) and Macclesfield Local Plan (January 2004).**

**The Macclesfield Borough Local Plan is the relevant plan in relation to this site.**

Therefore the relevant Local Plan policies are considered to be:

Policy DC3: Amenity  
Policy DC6: Circulation and Access  
Policy DC7: Car Parking  
Policy DC8: Landscaping  
Policy DC9: Tree Protection  
Policy DC13: Noise

Policy DC14: Noise  
Policy DC15: Provision of Facilities  
Policy DC17: Water Resources  
Policy DC63: Contaminated Land  
Policy DC64: Floodlighting  
Policy NE14: Natural habitats  
Policy NE11: Protection and enhancement of nature conservation interests  
Policy NE17: Nature Conservation in Major Developments

### **Wilmslow Neighbourhood Plan – Made 11<sup>th</sup> November 2019**

LSP 1 Sustainable Construction  
LSP 2 Sustainable Spaces  
LSP 3 Sustainable Transport  
NE1 Countryside around the town  
NE4 Countryside Access  
NE5 Biodiversity Conservation  
TA2 Congestion and Traffic Flow  
TA5 Cycling in Wilmslow

### **National Policy:**

The National Planning Policy Framework

### **CONSULTATIONS** (External to planning)

**Network Rail** - The scheme details indicate future use of the underbridge as a future pedestrian/cycle link. Any proposal to create a pedestrian / cycle link under the railway to Royal London would need prior agreement with NR, including the agreement of commercial arrangements and entry into all necessary property and engineering agreements. NR to have absolute discretion on whether such a connection is permissible.

Drainage in the design: With the ground being clay it will create more surface run off in the direction of the watercourse situated at the low point of the site. The watercourse then flows towards the upline of the tracks through a 1.10m diameter culvert, it is unknown if the culvert will be able to handle the capacity of water running into the watercourse without a drainage plan from the site. The drainage on site will need to be agreed with Network Rail. All surface and sub-surface waters will drain in the direction away from the railway. Condition to be included for drainage to be designed with agreement from NR.

List of informatives and conditions to be included on decision notice.

**Cheshire Constabulary** – No objections to the outline. Items to be considered at the detailed design stage with regard to designing out crime:

Site access (including height restrictions and conditions)  
Parking and security of  
Design of multi-story car parking and security of

Unit design to maximise security  
Cycle parking provision  
Bin storage design  
Lighting plan  
CCTV coverage  
Footpaths access, design, restriction and linkages.  
Site rule setting  
Application of Secured by Design Commercial and Park Mark and strongly recommended.

**United Utilities** – No objections subject to conditions.

**Lead Local Flood Authority** – No objection subject to conditions.

**Environment Agency** - No objections to the development proposals.  
The proposed development site appears to have been the subject of past historical activity which poses a low risk of pollution to controlled waters.

**Manchester Airport** – Consultation carried out by ecologist, relating to proposed Biodiversity net gain area. Manchester Airport are satisfied with the proposals for the area of net gain, providing Manchester Airport is consulted on the detailed habitat creation and management plan when it is submitted which will be by condition.

**Highways** – No objection. The comments are considered in detail in the main body of the report.

**Archaeology** – No objections

## **VIEWS OF THE TOWN COUNCIL**

**Wilmslow Town Council** – Wilmslow Town Council's Planning Committee raised no objections in principle but did raise concerns regarding infrastructure issues and that of drainage and await more detailed plans with interest.

## **REPRESENTATIONS**

6 representations have been made to the application, which raised the following issues:

- Transport data that was submitted was not accurate.
- Flood risk information not correct, the proposal should not exacerbate flooding at the Royal London site.
- There is no fixed OD level shown on parameters plan.
- Proposal does not connect to existing pedestrian or cycle links (comments submitted prior to additional information being submitted regarding this matter)
- Cheshire Ramblers – There is no recorded PRow between Wilmslow footpath 63 and the Prestbury Link roundabout on A34.
- Oversupply of office development in Wilmslow
- Commercially unviable
- Should provide for a mixed business use not just offices.

## **APPLICANT'S SUPPORTING INFORMATION**

- Transport Assessment
- Highways Technical Notes
- Ecological Appraisal
- Landscape and Visual Impact Assessment
- Flood Risk Assessment
- Biodiversity Metric Calculations
- Supporting Planning Statement
- Arboricultural Impact Assessment
- Noise and Vibration Impact Assessment
- Air Quality Assessment
- Statement of Community Involvement
- Archaeological Desk Based Assessment
- Environmental Statement
- Design and Access Statement
- Supporting Planning Statement

## **APPRAISAL**

### **Key Issues**

- Principle of development
- Design
- Highways/Accessibility
- Landscape Impact
- Trees
- Archaeology
- Ecology
- Amenity
- Air Quality
- Contaminated Land
- Flood Risk
- Representations
- Conclusions
- Recommendation

### **Principle of development**

The site is located on the south east side of Wilmslow. The site forms part of the wider LPS 55 strategic site allocation within the Cheshire East Local Plan Strategy adopted in July 2017. The site was originally within the Green Belt, however the allocation of the site removes the site from the Green Belt and the site is no longer afforded the protection provided by its former status.

The application proposes 17162sq.m of employment land, through B1 office space.

LPS 55 at point 1 states:

*The delivery of up to 6.3 ha of employment land for an exemplar B1 Business use development in line with the principles of sustainable development, providing around 25,000 square metres of employment space.*

This application site covers an area of around 4ha, which makes up a significant parcel of the 6.3ha allocation. The application proposes 17162sq.m of B1 employment land. It is considered therefore that the proposal meets the allocation requirement.

The site specific principles of the development are considered to be achievable through this proposal. All points of the allocation (a-f) are able to be met through this proposal and are not hindered by it.

Point a) requires a high quality and innovative design, which can be achieved through the detail provided at the reserved matters stage.

Point b) requires a comprehensive landscaping scheme, which will be provided at the reserved matters stage.

Point c) requires enhancements to the access point and a pedestrian and cycle link to Wilmslow Railway Station. These are to be provided and are discussed in the highways section of the report.

Point d) the playing fields must be retained. This relates to the northern part of the allocation which does not form part of this proposal, therefore this application does not prevent this.

Point e) requires ecological constraints to be respected. An area of land for biodiversity offsetting is to be secured through this consent and is discussed in the ecology section of the report.

Point f) requires a phase 1 risk assessment for contaminated land to be carried out. This has been carried out and is discussed in the contaminated land section of the report.

This application will provide 17,162 of the 25,000 required by the allocation. Therefore this scheme makes a significant contribution to this aim, and ensures that the allocation is proposed to be developed in an efficient way..

The proposals therefore make a significant contribution to the delivery of site LPS 55, and do not preclude other elements of the allocation from coming forward.

Notwithstanding the fact that the site is no longer within the Green Belt, the landscape context and setting as an edge of town site is important and the transition from rural to urban fringe, particularly when viewed from the railway line and A34 and must be carefully designed, and this will be considered further at reserved matters stage. The parameters will be set out as part of this application.

The proposal makes an important contribution to the Council's requirements to provide employment land - and in particular B1 development - in order to maintain a sustainable economy and economic growth within Cheshire East. The proposals are in line with the aspirations of the Cheshire East Economic Strategy. As an outline application the proposal is acceptable in principle as this has been established through the allocation of the site.

### **Design**

The illustrative plans show the potential use and form of the site, however, as an illustrative plan, this will not be tied to the outline permission and design of the layout and buildings will be expected at the reserved matters stage.

There is an opportunity to provide creative SuDs solutions within the site as part of future flood defence systems.

The treatment of the roofscape is paramount to achieving a high quality design (green roof/garden/amenity space) and the creation of a central hub is welcomed.

Futureproofing further development on the site with the consideration of additional parking (under-croft or additional storey).

The Design and Access Statement sets out high aspirations for the site and used as a design code, sets the bar high for use at the reserved matters stage and material specification/architectural styling should take cues from the local vernacular. There is the opportunity for the proposed development to be energy efficient, and as required by policy SE9 of the Cheshire East Local Plan, all non-residential development must provide 10% of the energy required from decentralised and renewable or low carbon sources unless it is demonstrated robustly that this is unfeasible. This is required by condition.

Connectivity to the town centre and adjacent sites is vital to the success of the site and investment into the local economy and services. The connectivity is to be provided through the footpath/cycle link to Wilmslow which is to be secured by condition, and the direct vehicular link onto the A34 making it easily accessible by car.

The outline proposals show a potentially high quality development which would be supported by CEC policy, albeit at the outline stage. The illustrative layout clearly demonstrates what is able to be achieved on the site. The parameters plan will be approved as part of this proposal.

### **Highways/Accessibility**

This application is in outline form for access only. There is an approved access to this site, this consists of a left in/left out arrangement which is taken from the northbound carriageway of the A34. That same approved scheme is to be considered as part of this outline application so the principle already exists. Although this is an outline application a masterplan has been submitted that indicates a single main internal spine road to serve the development. A possible internal road connection has been identified that would provide a link to the remaining LPS 55 allocation. There are no technical comments on the internal layout as this is a matter for determination at reserved matters.

### **Accessibility**

It is important that this site is readily accessible to both pedestrians and cyclists and it does provide connections to Wilmslow town centre and also the railway station. An internal pedestrian/cycle link has been indicated to the south of the site under the railway bridge and linking into the Royal London site. Whilst, it would be beneficial if this link can be provided there is no certainty that this is possible as it involves third party land.

However, a new footway/cycleway northwards along Pendleton Way can be provided that links the site with Holly Road North, this path would continue past Wilmslow High School and connect with Broadway. The applicant has submitted a plan that indicates this route and that a 3.0m shared pedestrian/cycle facility can be provided that links to the site.



The details of this scheme and delivery will need to be agreed by condition prior to commencement of the development. A plan showing the route has been provided.

### Development Impact

Further to the previous comments submitted on the application requiring an additional assessment to be carried out, the applicant has provided additional information in Technical Notes 3 and 4 that assesses the traffic impact of the development at the Melrose and Holly Road roundabouts on the A34.

The assessments have been undertaken using a number of scenarios, scenario 1 Base (existing layout) + Development Traffic no Royal London and scenario 2 Base + Royal London + Wilmslow Business Park + growth + widening of Alderley Road. The applicant was also asked to assess the validation of the models against existing queue lengths at the Melrose Way roundabout in the peak hours.

The results of the modelling presented in technical note 3 and 4 indicate that in scenario 1 Melrose Way roundabout will operate generally within capacity levels but there are capacity problems with increases in queues on Wilmslow Road but generally the same queue lengths on Alderley Road.

Scenario 2 test which included Royal London office development and mitigation indicates a similar type of impact, the capacity of the roundabout has risen generally with the main impact in both peaks being on the Wilmslow Road approach to the roundabout.

The junction models submitted have also been assessed by CEC that has considered the validity of the base traffic flows used and the geometry model inputs of the roundabouts. Whilst, the CEC assessment of both scenario 1 and 2 models show that whilst there is some under estimation of the capacity of the roundabouts, the junctions do not indicate that there will be severe levels of impact resulting from the development. The development does not affect the Melrose Way roundabout to the same extent as the Royal London office scheme and does not require the same mitigation scheme. There is concern regarding the level of queues on Wilmslow Road although given the land constraints there is no identified mitigation scheme that can be implemented.

In summary, as the application is not for the whole allocation, a lower B1 office floorspace is proposed and thereby reducing the level of traffic generation arising from the development. The traffic impact will predominantly be felt at the Melrose Way and Holly Road North roundabouts on the A34, the assessments indicate that generally these roundabouts will operate within capacity but with some arms affected that will see queues increase. In terms of the policy test, it is not considered that the development will have a severe enough impact to warrant a refusal.

Subject to conditions relating to the provision of the pedestrian/cycle infrastructure to be implemented prior to commencement of development; to secure offsite works on Prestbury Road; to ensure that the access is provided to the site; details of cycle parking facilities; and a construction management plan the proposal is acceptable with regard to highways impact.

### **Landscape Impact**

As part of the application a Landscape and Visual Assessment has been submitted, this states that it has been carried out with reference to the guidance found within the 'Guidelines

for Landscape and Visual Assessment' Third Edition, 2013 (GLVIA). This assessment identifies the baseline landscape of the application site and surrounding area, these are the National Character Areas as identified by Natural England, and that although the application is identified as being within the urban area in the 2018 Landscape Character Assessment, although it is bound to the east by the Lower Wooded Farmland, Chonar Character Area. Which is defined in the Wilmslow's Countryside: A Landscape Character Assessment - which forms part of the Wilmslow Neighbourhood Plan - as being; a gently undulating pastoral landscape, defined by medium sized, irregular fields divided by hedgerows and abundant hedgerow trees and is rich in ponds. The area has a strong rural character despite the urban fringe location. The Chonar character area stretches from south Wilmslow to Alderley Edge and to the east to Mottram St Andrew.

The submitted Landscape Assessment identifies that the landscape value of the site and the landscape character of the immediate locality is low, that the susceptibility to change is low and that the resulting sensitivity is low; with a medium value, susceptibility to change and sensitivity for the Chonar Lower Wooded landscape Character Area. The assessment indicates that there would be a neutral magnitude of change for the landscape features of the site and a resulting neutral long term/ permanent significance of effect, and that this would also apply to the immediate landscape; but with a minor adverse significance of effect for the Chonar Lower Wooded landscape Character Area.

The visual assessment identifies a number of receptors including the Wilmslow Scholl playing fields, the A34, the informal nature reserve, a number of footpaths (FPs 51, 50, 47 and 46) and for passengers on the West Coast Main Line. The resulting significance of effects range from negligible – FPs 46 and 50, Minor adverse/negligible –footbridge over A34, minor adverse – West Coast rail Line, FP 51 and Wilmslow playing fields and the A34, and moderate minor adverse for the informal nature reserve and FP 47. FP 47 is located to the immediate south of the site on the southern side of the A34.

Whilst the Landscape Officer broadly agrees with the submitted Landscape and Visual Assessment, this is an outline application, and while there is an Illustrative Masterplan, only access – proposed Junction Improvements and a Parameters Plan which indicates a maximum building height of 4 storeys, are actually definitive features of the proposals. While the Illustrative Masterplan, configuration and associated landscape proposals works well with existing constraints, the very nature and location of the site, in such close proximity to the main west coast line and A34 mean that any significant deviation from the illustrated masterplan could result in an inappropriate and incongruous development. It is important that the proposals retain a bespoke campus style layout surrounded by green spaces.

No landscape objections are raised in respect of the application.

## **Trees**

Trees within the site are not protected by a Tree Preservation Order and the site is not situated within a designated Conservation Area.

The application is supported by an Arboricultural Impact Assessment which states that the site has been colonised by self seeded trees of various young and semi mature species including Hawthorn, Elder, Birch, Oak, Willow, Ash, Blackthorn and Beech.

A single mature Beech (T4) identified as a low (C) category specimen stands to the east of the site and there are a number of scattered moderate (B) and low (C) category mature Oak and Ash to the north and west.

It is recognised that the majority of trees within the site are of low quality and do not merit formal protection. The indicative layout design allows for the retention of moderate (B) quality trees identified and some low value tree cover, although much of the low quality trees, most of which is self seeded will require the removal for access, visibility splay arrangements and level changes.

The indicative design does allow for the retention of higher value trees within the site, although their successful retention will require more detailed scrutiny within the design requirements of BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations.

A condition requiring a scheme for the protection of retained trees to be submitted with any reserved matters application is required. Subject to the condition the arboricultural officer raises no objections to the proposed development.

### **Archaeology**

The application has been accompanied by an Archaeological Desk Based Assessment. The Council's Archaeologist has reviewed the supporting documentation and the information held on the Cheshire Historic Environmental Records, and the old maps and the tithe maps for this proposed development area and there are no archaeological features or indicators of potential archaeological features within the proposed area.

There may be some small archaeological features or artefacts relating to the building of the railway to the West of the site, however, this is likely to be very small features or casual loss items.

Given the information provided and the information the Archaeologist has access to, it is unlikely that that proposed development will impact any significant below ground remains, and therefore, there would be no archaeological observations required for this particular development.

### **Ecology**

#### Grassland Habitat

Local Plan Policy SE 3(5) and Wilmslow Neighbourhood Plan policy NE5 require all developments to aim to positively contribute to the conservation of biodiversity.

The DEFRA Biodiversity Metric Calculator was used to assess the impact on biodiversity of the proposed development. Calculations were done for the proposed Scenario 2 which, following discussion with the ecologist has been revised to include 0.74ha of other neutral grassland habitat. The results show a loss of 37.85 habitat units post development.

As the Local Plan core strategy requires a net gain for biodiversity, the developer was asked to look first to maximise habitats on site but as it was deemed impossible to deliver all the required units onsite, offsite habitat provision was explored.

Offsite provision was proposed at an area of land c. 600m distant to the southeast of site. An appropriate survey including soil sampling of the proposed site was carried out to inform an outline habitat creation strategy which included an update set of metric calculations (Biodiversity Net Gain Appraisal, Tyler Grange, 24/07/2020). The proposed habitat creation will consist of a matrix of: Temporary Lakes, Ponds and Pools; Neutral Grassland – Fairly Good condition; and mixed scrub.

The indicative plan provided by the ecologist is considered to be an acceptable submission for the outline application. A detailed Habitat Creation and Management Plan which reflects the proposals detailed in the Biodiversity Net Gain Appraisal will need to be secured by appropriate means which will be by way of a Grampian condition following the submission of a blue line edged plan.

Manchester Airport have been consulted on the plans and following some requested alterations to the scheme have indicated that they find the indicative plans broadly acceptable but have requested that they are consulted on the Habitat Creation and Management Plan before its submission.

### Breeding Birds

A condition is required with regard to breeding birds and their protection.

### Bats

The submitted Ecological Appraisal (Tyler Grange, 10/10/2019) report describes the site as lacking significant bat roosting and foraging habitat. It draws attention to the presence of a mature beech tree which may contain potential roosting features however, it is understood this tree is to be retained under current plans. Should plans change in the future in such a way that the beech tree will be impacted, surveys of the tree may be required.

### Great Crested Newts (GCN)

Ponds near the site have been subject to GCN eDNA surveys which indicated no GCN. No further survey effort for this species is required in respect of this application.

### Hedgehog

Hedgehogs are a biodiversity action plan priority species and hence a material consideration. There are records of hedgehogs in the broad locality of the proposed development and so the species may occur on the site of the proposed development. If planning consent is granted it is recommended that a condition be added to survey for hibernating hedgehogs between 1<sup>st</sup> December and 31<sup>st</sup> March in any year.

### Badger

The submitted Ecological Appraisal (Tyler Grange, 10/10/2019) makes recommendations relating to badgers including that an updated badger survey is carried out no more than 3 months prior to the commencement of works. A condition is therefore required for the developer to adhere to the recommendations made in section 4.14 of the report.

### Wildlife Sensitive Lighting

In accordance with the BCT Guidance Note 08/18 (Bats and Artificial Lighting in the UK), any future reserved matters application should be supported by details of the proposed lighting scheme.

### Ecological Enhancement

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with this policy. It is therefore recommended that a condition is attached which requires the submission of an ecological enhancement strategy.

### **Amenity**

In order for the proposals to be acceptable, it is important that they do not have a detrimental impact on the amenities of existing residents and that the development is not located within an area which would harm the amenities of future residents. The proposal does not affect any neighbouring properties due to the distances involved, however it is important that the proposal does not affect the community or the future users of the site.

### **Noise**

In support of the application the applicant has submitted a noise impact assessment (NIA). The NIA has primarily been prepared to identify key noise sources in the vicinity of the Site which may have the potential to impact upon the proposed development. However, it is a requirement that the noise impact arising from the proposed development on future noise sensitive receptors are identified and addressed.

The author acknowledges that at the time of producing the NIA, the precise details of any operational plant or processes had not been determined. Therefore, the NIA has set noise emission limits for any fixed plant or proposed operations associated with the development in relation to the background sound level and the guidance given in BS4142:2014.

The Environmental Protection Team accepts the background sound level and plant noise emission limit rating levels detailed within the report. The author has concluded that the Rating Level, from any single or combined plant items and operations, shall not exceed the existing background sound level, when measured or calculated at the façade of the closest existing and proposed residential receptors.

The impact of the noise from operational plant or processes upon noise sensitive receptors (existing and future) in proximity to the proposed development have been assessed in accordance with:

- BS4142:2014 Methods for rating and assessing industrial and commercial sound which is an agreed methodology for the assessment of the noise source.

The Environmental Protection Team is satisfied with the findings of the report and has recommended a condition in relation to this. Therefore subject to the condition being fully implemented, it is considered that the proposed development is acceptable in terms of noise impact on existing and future receptors.

### **Air Quality**

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 181 of the NPPF and the Government's Air Quality Strategy.

When assessing the impact of a development on Local Air Quality, this office has regard to (amongst other things) the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance "Land Use Planning & Development Control: Planning for Air Quality January 2017)

This is a proposal for an office development of up to 17,162 sq. m including up to 572 parking spaces. Air quality impacts have been considered within the air quality assessment submitted in support of the application by REC Ltd dated October 2019, reference AQ108170r1. The report considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows. The assessment uses ADMS Roads to model NO<sub>2</sub> and PM<sub>10</sub> impacts from additional traffic associated with this development and the cumulative impact of committed development within the area.

A number of modelled scenarios have been considered within the assessment. These were:

- Scenario 1: 2018 Model Verification;
- Scenario 2: 2023 Completion Year 'without development'; and
- Scenario 3: 2023 Completion Year 'with development'.

The proposed development is considered significant in that it is highly likely to change traffic patterns and congestion in the area.

An air quality damage cost calculation has also been undertaken. The damage costs associated with emissions arising from vehicle movements from the development for 5 years have been calculated as £123,069 for NO<sub>x</sub> and £138,056 for PM<sub>10</sub>. The cost of mitigation to be implemented to offset the impact of emissions should reflect this value.

The assessment concludes that the impact of the future development on the chosen receptors will be not significant with regards to NO<sub>2</sub> and PM<sub>10</sub>. Concentrations. Two of the receptors are predicted to experience a slightly adverse impact for NO<sub>2</sub> whilst the rest a negligible impact. For PM<sub>10</sub> the predicted impacts are negligible for all the chosen receptors. Emissions factors from 2018 have also been used in the model which can be seen as a worst

case scenario, i.e. the assumption that levels will not drop off in the coming years as predicted.

That being said there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality. Taking into account the uncertainties with modelling, the impacts of the development could be worse than predicted.

Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. The report also states that the developer should implement an adequate construction dust control plan to protect sensitive receptors from impacts during this stage of the proposal.

The Environmental Protection Team is satisfied that the proposal is acceptable subject to conditions relating to the installation of Electric Vehicle Charging Points to aid sustainability and the installation of low emission boilers.

### **Contaminated Land**

The application area has a history of landfill use and therefore the land may be contaminated. This site is on a known landfill site or area of ground that has the potential to create gas.

A Phase I Preliminary Risk Assessment and a Phase II ground investigation report have been submitted in support of the planning application. It is noted that these reports are both over two years old and as such confirmation that site conditions have not changed in the interim period, or otherwise, should be provided.

- The Phase I assessment identified a number of landfills both on and in the vicinity of the site which required further investigation.
- A Phase II site investigation has been completed and encountered suspected reworked material and peat deposits on site.
- Boreholes were installed for ground gas monitoring purposes but it is noted that the peat deposits on site were not targeted by these installations. Peat is capable of generating quantities of ground gas. We would expect some discussion into this aspect in the report.
- Three ground gas monitoring rounds were completed at the time of writing the report, given the nature and proposed use of the site, according to best practice guidance we would expect further ground gas monitoring to have been completed on the site. If only three rounds of gas monitoring have been completed in total, we would expect to see some justification for the reduction of monitoring compared with best practice guidance and any uncertainties or impacts on the ground gas risk assessment as a result of this reduced monitoring period also presented. Therefore further testing is required which is covered by condition.

The contaminated land team has confirmed that they raise no objections to the proposals and has recommended conditions which require the submission of a supplementary phase II ground investigation to address the deficiency of information described above and risk assessment and remediation strategy if required necessary by the phase II ground

investigation. Further conditions are required in relation to the submission of a verification report, the import of soils to the site and unexpected contamination.

With regard to air quality Environmental Health has commented that transport emissions associated with new development has the potential to worsen air quality and affect the health of people. The impact of this can be felt wherever additional vehicles use the highway network. Conditions have been recommended to mitigate this. With regard to land contamination, detailed reports were submitted as part of the planning application process, Environmental Health and the Environment Agency has raised no objections to the proposals subject to conditions. There are no neighbouring residential properties adversely affected by the proposed development.

Therefore the proposals accord with policies in the development plan and the NPPF.

### **Flood Risk**

The site is a greenfield site and to ensure that flooding is not caused by the development, run-off rates must not exceed the current greenfield levels. A Flood Risk Assessment was submitted with the application.

The site is located within Flood Zone 1, indicating that the site is not at risk from fluvial or tidal sources according to the Flood Map for Planning. A watercourse forms the northern boundary of the site. To the south of the site there is a significant area on Pendleton Way itself which is outside of the site in Flood Zones 2 and 3 which indicates that this area is at a medium or high risk of flooding.

The Lead Local Flood Authority has commented on the revised Flood Risk Assessment that was submitted and has no objections to the development subject to conditions.

The Environment Agency has commented and they have no objections in principle to the proposals, and have commented that the site has been the subject of past historical activity which poses a low risk of pollution to controlled waters.

United Utilities has commented on the application and raised no objections to the proposals subject to conditions.

Network Rail has commented on the application and has suggested a drainage condition to ensure that the proposed development does not have a detrimental impact on the railway line by way of flooding, soil slippage and pollution.

It is concluded therefore that the proposals accord with policy SE13 of the CELPS and the NPPF.

### **Representations**

A small number of representations have been received in relation to the application. Issues in relation to highways and flooding have been raised. These issues have been addressed within the main body of the report. The highways and flood risk team, United Utilities and the Environment Agency have raised no objections to the proposals, following the submission of additional information.



The pedestrian/cycle link route to Wilmslow Railway Station has been set out on a plan, which is to be provided prior to the commencement of the scheme.

A representation has been made regarding the type of development proposed and if there was the possibility of it including uses other than B1. The allocation is for B1 use therefore the proposal meets this requirement.

A representation has been made regarding public rights of way. This proposal will include the formation of a new footpath/cycleway which leaves the main access of the site and goes along the A34 into Wilmslow.

A representation has also been received in the lack of requirement for office development in Wilmslow, and the impact this development will have on Wilmslow Town Centre. As part of the local plan process, the site has been allocated for employment development. The evidence provided by Cheshire East has demonstrated a need for B1 employment land to be provided, and forms an important part of delivering the objectives of the CELPS.

Comments relating to this scheme and its merits have been addressed in the main body of the report. Having taken into account all of the representations received including internal and external consultation responses, the material considerations raised have been addressed within the main body of the report.

Paragraph 11 of the NPPF states that development that accords with an up-to-date development plan should be approved without delay.

## **CONCLUSIONS**

The site forms part of the strategic allocation LPS 55 contained within the Cheshire East Local Plan. The application proposes to provide 17162sq.m of employment space to contribute to the allocation at the site. The site will provide B1 office use and associated infrastructure which includes access. The proposal is in outline form, therefore at this stage an illustrative masterplan showing car parking and positioning of buildings and parameters are included. The proposed parameters are considered to be acceptable. The proposal is considered to be acceptable and policy compliant, however this is subject to a large number of conditions required to ensure at the reserved matters stage all technical requirements are met.

The proposed development is required to ensure a sustainable economic position locally, to provide employment, and would be in line with the Cheshire East Economy Strategy.

No objections have been raised by consultees in relation to technical matters, for the reasons mentioned the application is recommended for approval subject to conditions.

## **RECOMMENDATION**

**The application is recommended for approval subject to the following conditions:**

1. Time Limit
2. Development in accord with approved plan

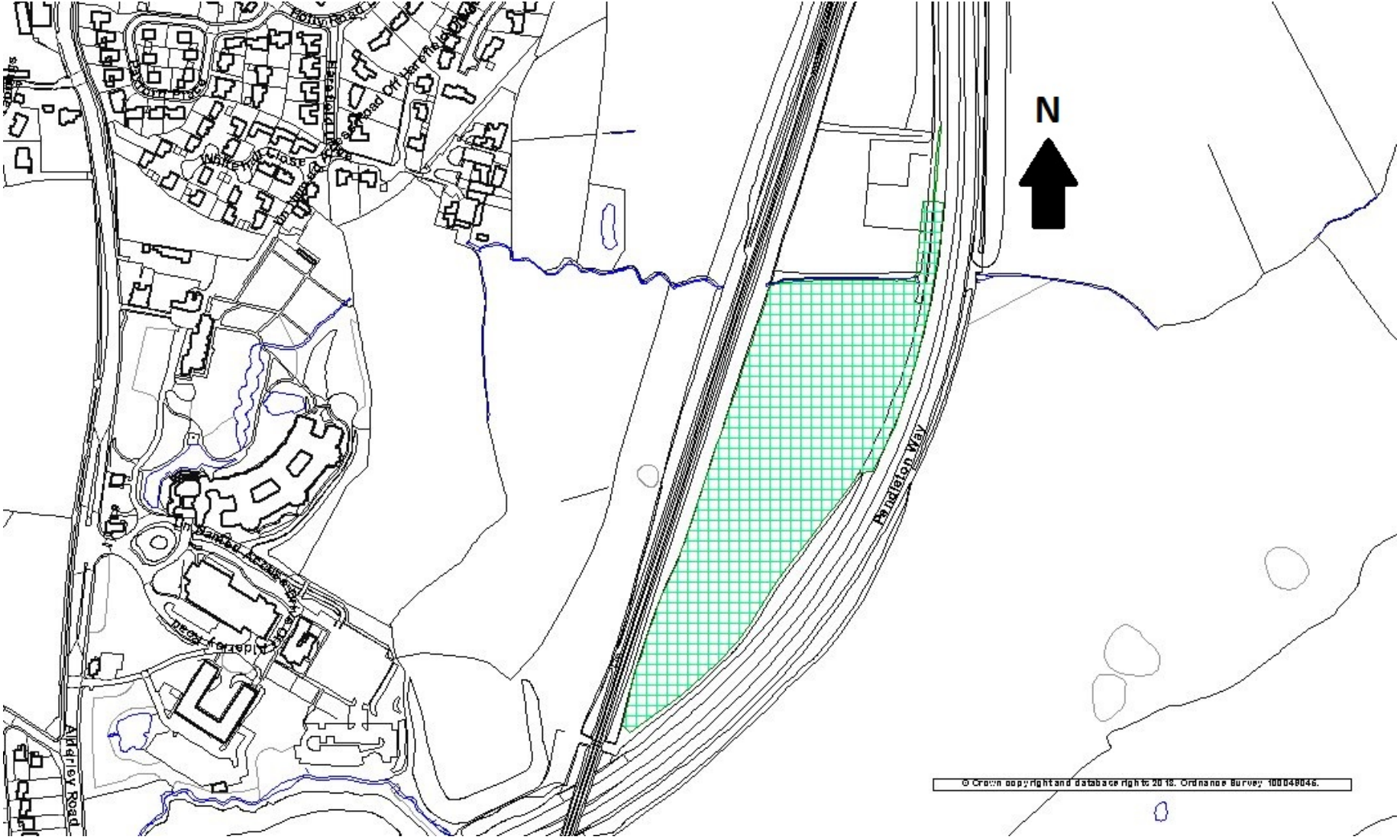
3. Submission of reserved matters
4. Limitation on use (B1) removal of permitted development rights to other use classes
5. A construction management plan to be submitted prior to commencement.
6. Refuse storage facilities to be provided as part of reserved matters
7. Submission of materials
8. Submission of a scheme at the reserved matters stage showing that 10% of the energy required is from decentralised and renewable or low carbon sources, unless it is demonstrated robustly that this is unfeasible.
9. Low emission Travel Plan
10. Restriction of floorspace to 17,162 square metres
11. Network Rail – trespass proof fencing details to be submitted
12. Network Rail – details of scaffolding works within 10m of railway boundary to be submitted
13. Network Rail – vibro-impact works risk assessment and method statement to be submitted
14. Surface Water Drainage Scheme to be submitted
15. Full details of ground levels, earthworks and excavations details to be submitted
16. A sustainable drainage management and maintenance plan for the lifetime of the development to be submitted.
17. Surface Water Drainage Scheme to be submitted
18. Foul and surface water shall be drained on separate systems.
19. Plant Noise Emission Limits in acoustic report to be implemented.
20. Electric Vehicle Charging Points
21. Low Emission Boilers to be installed.
22. Phase II Ground Investigation Report to be submitted
23. Contaminated land verification report to be prepared
24. Soil to be tested prior to importation onto site
25. Grampian condition to ensure biodiversity net gain on offsite area identified on blue line plan. Detailed Habitat Creation and Management Plan to be submitted.

26. Updated badger survey is carried out no more than 3 months prior to the commencement of works.
27. Breeding Birds survey prior to the removal of any vegetation.
28. Hedgehog Survey to be submitted prior to the removal of any vegetation.
29. Reserved matters application should be supported by details of proposed lighting scheme.
30. Any future reserved matters application to include a strategy for Incorporation of features to enhance biodiversity value of the development.
31. Any future reserved matters application to include a method statement to protect the watercourse as a wildlife corridor.
32. Scheme for the protection of retained trees to be submitted with any reserved matters application.
33. Grampian condition pedestrian/cycle infrastructure to be implemented prior to commencement of development.
34. Offsite works on Prestbury Road to be carried out as identified in transport assessment.
35. Access to the site to be provided prior to occupation
36. Details of cycle parking facilities to be provided as part of any reserved matters application.

In the event of any changes being needed to the wording of the Board's decision (such as to delete, vary or add Conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Management has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Board's decision.

1. Network Rail - fencing
2. network rail condition - scaffolding
3. Network Rail condition - vibro impact works method statement
4. Network Rail condition 4 -drainage
5. Network Rail - levels

6. sustainable maintenance and management plan
7. foul and surface separate
8. noise condition bespoke
9. lighting
10. Electric Vehicle Charging Points
11. Low Emission Boilers
12. Contaminated Land 1
13. verification report
14. soil importation
15. unexpected contamination
16. trees



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Application No: 20/1709N

Location: A500 NEWCASTLE ROAD, BARTHOMLEY

Proposal: Dualling of the existing 3.3km stretch of the A500 between Junction 16 & Meremoor Moss Roundabout (Resubmission of planning permission ref. 18/3766N including proposed amendments to the approved design)

Applicant: Chris Hindle, Cheshire East Council

Expiry Date: 26-Aug-2020

## SUMMARY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” The National Planning Policy Framework, which is the Secretary of State’s guidance, also advises Councils as to how planning decisions should be made. The ‘presumption in favour of sustainable development’ at paragraph 11 of the NPPF means “approving development proposals that accord with the development plan without delay”

In this instance the proposed development would have an impact on openness and would therefore constitute inappropriate development in the Green Belt which by definition would be harmful.

There would also be additional harm caused by adverse impacts of the development due to the loss of countryside and some landscape and ecological impacts

However in this case it is considered that very special circumstances exist to outweigh the harm caused namely:

- 1) Economic benefits
- 2) Assisting the delivery and unlocking the benefits of High Speed 2
- 3) Local transport benefits
- 4) Expansion of existing road with no other option viable
- 5) Social and environmental benefits

The development would also provide benefits in terms of increasing capacity of the existing highway network, economic benefits and enhanced landscaping and ecological impacts thus representing betterment from the existing situation.

The development would have a neutral impact upon flooding, living conditions,

design, air quality, right of way, public safety, historic environment and contaminated land.

Applying the tests within paragraph 11 it is considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development constitutes sustainable development and should therefore be approved.

## **RECOMMENDATION**

**MINDED TO APPROVE SUBJECT TO REFERRAL TO THE SECRETARY OF STATE AND SECTION 106 AGREEMENT**

## **PROPOSAL**

The application seeks full planning consent for the dualling of the existing 3.3km stretch of the A500 Newcastle road, Barthomley. The dualling would consist of widening the existing 3.3 km single carriageway stretch of the A500 between the M6 Junction 16 and the Meremoor Moss roundabout. Each carriageway would be 7.3 m wide (with a 1 m hard strip on either side) and a 3.5m wide central reservation.

The western end of the proposed scheme would connect into the existing Meremoor Moss roundabout, which would itself include junction capacity improvement works as part of the scheme. Specifically, it connects into three carriageways, namely A531 Newcastle Road, A500 Shavington Bypass and B5472 Weston Road (via Meremoor Moss Roundabout).

The scheme continues in cutting in the easterly direction for approximately 100m after which the cutting reduces and passes predominantly through agricultural farmland, to the north and south. The village of Barthomley is located approximately 300 m to the south.

This section of the existing A500 also crosses four watercourses (Engelsea Brook, Englesea Brook Tributary, Barthomley Brook and an unnamed drain (Drain 3), the safeguarding/realignment of which is included as part of the scheme.

The two road overbridges, Barthomley Road overbridge and Radway Green overbridge, that currently cross the existing section of A500, would require demolition and two new bridges with a larger span to cross the widened road would be constructed in their place. The A500 scheme would be cutting approximately 5 m deep below the Barthomley Road overbridge, and from this overbridge to the Radway Green Road overbridge, the cut becomes shallower to approximately 1 m before it deepens again to between 4 m and 5 m to pass under the Radway Green Road overbridge.

The road continues in a cutting 5 m deep for a while and then proceeds to get shallower until it extends onto a small embankment until it connects into the M6 J16 roundabout.

The eastern end of the proposed scheme ties in before the circulatory carriageway of J16.



## DIFFERENCES BETWEEN THE APPROVED AND PROPOSED SCHEMES

The application is a resubmission of approved application ref 18/3766N which gained full planning consent for the widening of the existing 3.3km stretch of the A500 between Junction 16 & the Meremoor Moss roundabout to facilitate 2 lanes on both sides of the road.

The current proposal in essence seeks to widen both to the north and south of the existing A500 carriageway between Barthomley Road and Radway Green Road to allow for statutory diversions, rather than just develop the south of the existing carriageway with the following knock on changes:

Scheme Component	Description of Changes
Meremoor Moss Roundabout redesign	A smaller, oval shaped roundabout has been proposed.
Realignment of access tracks north and south of Meremoor Moss Roundabout	The redesign of Meremoor Moss Roundabout has resulted in the eastbound A500 exit being shifted north, having knock on effect on the alignment of the access track north of the roundabout, and a farmer's access track has been proposed directly off south side of the roundabout to remove need for 250m of track.
Realignment of A500 westbound approach to Meremoor Moss Roundabout	The carriageway has been shifted 10 to 15m south of the consented scheme design.
Flood protection change at agricultural drain	Installation of a new flood attenuation pond at an agricultural drain located approximately 250m to the east of Meremoor Moss Roundabout, to the north of the carriageway, to provide flood protection. This, along with the pond to the northwest of Englesea Brook Culvert, have replaced a pond that was to the southwest of Englesea Brook Culvert. This is because they are in locations that have more favourable ground conditions.
Extension of Englesea Brook culvert	A further extension to the Englesea Brook culvert as a result of the realignment of the A500 westbound approach to Meremoor Moss Roundabout.
Flood protection change at Englesea Brook	A new flood attenuation pond is to be constructed to the north west of Englesea Brook culvert. This, along with the pond close to Meremoor Moss Roundabout, have replaced a pond to the south west of Englesea Brook culvert, which has now been removed from the design. This is because the
Mainline fuels protection and construction working area	Protective measures are required over this pipeline in order to construct the A500 Dualling scheme. The red line boundary also covers the working area required in order to lay this slab.
Flood protection change at Barthomley	A barrier wall solution proposed as part of the original scheme design to retain flood water in extreme flood events, has been changed to a bunded earthwork solution. Barthomley Brook culvert will be extended further south to accommodate the earthwork bund.

Changes to outline drainage design	The original scheme design included a straight extension of Barthomley Brook culvert, and on the southern side a realignment of the brook channel to tie into the culvert.
Barthomley Road and Radway Green Road bridges to	Full closure of Barthomley Road bridge and the Radway Green Road bridge, in order to demolish the structures and re-built them online rather than in new locations.
Diversion of National Grid pipeline under the A500 and	A National Grid gas pipeline running under the existing A500 requires a short diversion in order to allow for the construction of the A500 Dualling scheme. At the time of the submission of the Approved Scheme no details of these works were available. The proposed pipeline diversion will be tunnelled
Realignment of A500 between Radway Green Road bridge	Change the dualling proposal to widen both to the north and south (previously only on the south) of the existing A500 carriageway between Barthomley Road and Radway Green Road to allow for statutory diversions. The road would be moved 10m to the north
Extension of access	Extension of an access track by approximately 45m to the north west of Smithy Lane, to replace an existing track that is lost beneath the footprint of the road as a result of the A500 shifting to the north.
Bluemire Farm retaining wall	The retaining wall solution proposed as part of the original scheme design has been changed to an earthworks solution, which requires additional land take.
Removal of Laybys	The two laybys proposed in the Approved Scheme are no longer required and therefore not included in the Proposed Scheme.
Removal of elements from within the borough of	Removal of an attenuation pond and part of a construction compound (from within the borough of Newcastle-under-Lyme)

See key plans pack/committee presentation for plans comparing the approved and proposed schemes.

## **APPROVED SCHEME**

## **PROPOSED SCHEME**

## **SITE DESCRIPTION**

The land lies within the Green Belt on land predominantly used for agricultural purposes. The route mainly crosses undulating, agricultural and grassland interspersed with hedgerows and woodland areas.

Topography in the area is gently undulating between 105 m Above Ordnance Datum (AOD) at the eastern end of the existing A500, and 60 m AOD at the western end. A ridgeline runs through the area between Bridgehouse Farm in the north and Englesea- Brook village in the south in the same north-south alignment as two brooks. The ridgeline is at a height of between 70 m and 83 m AOD and where the existing A500 crosses the ridgeline it is in deep cutting.

Several ponds are found scattered within the farmland, including a large pond at the Duckaries north of the existing A500 near Monneley Farm. Two brooks, both towards the western end of the scheme, cross

the study area and flow beneath the existing A500; Englesea Brook, and Barthomley Brook near Monneley Farm. In addition to the two brooks, there are also smaller watercourses and ditches that the existing A500 crosses.

## **JURISDICTION**

The proposed A500 duelling scheme, is now wholly located within the boundary of Cheshire East. Previously 1% of the scheme was located within land under the borough of Newcastle-under-Lyme.

## **RELEVANT HISTORY**

18/3766N – Dualling of the existing 3.3km stretch of the A500 – approved 24-Apr-2019.

## **RELEVANT PLANNING POLICY**

### **Cheshire East Local Plan Strategy (CELPS)**

MP1- Presumption in Favour of Sustainable Development  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
SE1 – Design  
SE2 - Efficient Use of Land  
SE3 - Biodiversity and Geodiversity  
SE4 - The Landscape  
SE5 - Trees, Hedgerows and Woodland  
SE6 – Green Infrastructure  
SE7 – The Historic Environment  
SE12 - Pollution, Land Contamination and Land Instability  
SE13 – Flood Risk and Water Management  
IN1 – Infrastructure  
IN2 – Developer Contributions  
PG1 - Overall Development Strategy  
PG2 – Settlement Hierarchy  
PG3 – Green Belt  
PG6 – Open Countryside  
PG7 – Spatial Distribution  
EG1 – Economic Prosperity  
CO1 – Sustainable Travel and Transport  
CO2 – Enabling Business Growth through Transport Infrastructure  
C04 – Travel Plans and Transport Assessments

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy Local Plan that still apply and have not yet been replaced.

### **Crewe & Nantwich Borough Local Plan**

NE.1 (Development in the Green Belt)

NE.5 (Nature Conservation and Habitats)  
NE.8 (Sites of Local Importance for Nature Conservation)  
NE.9 (Protected Species)  
NE.10 (New Woodland Planting and Landscaping)  
NE.11 (River and Canal Corridors)  
NE.20 (Flood Prevention)  
BE.1 (Amenity)  
BE.3 (Access and Parking)  
BE.4 (Drainage, Utilities and Resources)  
BE.6 (Development on Potentially Contaminated Land)

### **Other Material planning policy considerations**

### **Weston & Basford Neighbourhood Plan (Made)**

**H4 – Settlement Boundary**  
**GG1 - Green Gap Policy**  
**LC2 - Landscape Quality, Countryside and Open Views**  
**LC3 – Woodland, Trees, Hedgerows and Walls**  
**LC5 –Footpaths**  
**LC6- Weston and Basford’s Wildlife Corridors**  
**LC8 – Biodiversity**  
**T1 Footpaths, Cycle ways and Bridleways**  
**T2 Traffic Congestion**  
**T3 Improving Air Quality**

*National Planning Policy Framework ('The Framework');*

The relevant paragraphs include;

11 Presumption in favour of sustainable development  
124-132 Achieving well-designed places  
102-111 Promoting Sustainable Transport  
143-147 Protecting Green Belt Land  
170-183 Conserving and Enhancing the Natural Environment  
184-202 Historic Environment

### **CONSULTATIONS**

**CEC Highways:** No objection subject to condition requiring a construction management plan

**CEC Flood Risk Manager:** No objection subject to conditions requiring a drainage strategy and compliance with the FRA

**CEC Environmental Health:** No objection subject to conditions/informatives regarding contaminated land

**CEC Public Rights of Way (PROW):** The development, if granted consent, would affect Public Footpaths No. 4, 7, 15, 17, 18, 25 and 33 in the Parish of Barthomley therefore suggest condition requiring a public rights of way management scheme to provide replacement/redirected right of way

**Newcastle-under-Lyme Borough Council (NULBC):** No objection but ask that impact of PROW is considered

**Highways England:** No objection subject to condition requiring full design and construction details of any required improvements to Junction 16 of the M6

**Cadent Gas/National Grid:** No objection

**HSE:** Do not advise against the granting of planning permission

**Cheshire Archaeology:** No objection subject to condition requiring a programme of archaeological work

**Cheshire Wildlife Trust:** Need more information regarding the biodiversity metric calculation. Specific measures to address impacts on acid grassland, invertebrates and habitat for lapwing, skylark and yellow wagtail should be put forward to support the application. The impacts on lapwing, skylark and yellow wagtail could be addressed by offsite habitat creation. A detailed water vole monitoring and management plan must be produced.

**Natural England:** No objection as proposal will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes

**Historic England:** No need to be consulted

**United Utilities:** No comments received at the time of writing the report

**Canal and River Trust:** No need to be consulted

**District Footpath Inspector for Crewe and Nantwich:** Measures required to protect walkers and cyclists crossing the A500

**Environment Agency:** Holding objection given subject to further detail regarding culverting of the brook.

## **VIEWS OF THE PARISH/TOWN COUNCIL**

**Ward Cllr Steven Edgar** – It has to be accepted that the new A500 proposition has a lot of new design features and changes that have had to come about from the most recent survey, the High Pressure Gas Main and water table being the concerns.

But of great significance are the numbers of vehicles counted using the two bridges that cross the A500 every day.

I have managed to access an official survey that were done for Cheshire East Council with regards to the area around the A500 widening in November 2015

## NMU Data

Site 1 (Barthomley Rd ) number 19557001

Tues 3rd– Mon 9th Nov 2015 ,northbound 1313, southbound 1433 vehicles

Site 2 (Radway Gn Rd) number 19557002

Tues 3rd– Mon 9th Nov 2015 ,northbound 4320, southbound 3960 vehicles

It must be borne in mind that the survey was done in the late autumn when agricultural use is low and there are also a lot fewer tourists in the area.

(And it would also be easy to argue that there are a few more cars on the road as well in 2020 than in 2015)

Site 1 Barthomley Road Bridge (BRB) saw >2700 vehicles crossing it per WEEK or 385 per day

Site 2 Radway Green Rd Bridge (RGRB) saw >8000 vehicles crossing per WEEK or 1100 per day

The build project would be over 7 months for each bridge.

Site 1 (BRB)  $2700 \times 4 \times 7 = 75,000$  vehicles diverted

Site 2 (RGRB)  $8000 \times 4 \times 7 = 225,000$  vehicles diverted

This is a combined total of 300,000 diverted vehicles.

The significance of Radway Green Road Bridge (RGRB) is put into perspective.

I certainly cannot accept the argument, given at the presentation to Barthomley and Weston & Basford Parish Councils, that the disturbance to local residents would not be significant. Each diversion would have an approximate 5 mile diversion. 300,000 diversions x 5 miles is 1,500,000 miles of detour over 14 months. As well as extra time, fuel costs will for residents will rise. A daily commuter will see 5 days, 5 miles each way = 50 miles per week. Adding about 2 hours to journey times per week. Add into this the environmental impact if 1,500,000 miles worth of exhaust gases in a rural area.

I'm sure that the local horse riders and cyclists would have a lot to say when they realise how many more cars are going to be using the narrow lanes.

1,500,000 miles of diversion seems like a very exaggerated number, but I have checked the calculations carefully.

CO2 emissions (Quoted from Lightwood Fleet Management) The average passenger vehicle emits about 150 grams of CO2 per mile.  $1,500,000 \text{ miles} \times 150\text{g} = 225,000,000\text{g}$  or 225 tonnes of CO2 (no allowance given for HGVs, Tractors, Diesel vehicles added in)

We may be able to accept that Barthomley Road Bridge (BRB) could be demolished and rebuilt, the extra traffic diverted to RGRB would show an increase of about 30%but still have the need for extra mileage.

But if RGRB is demolished BRB would see an increase of 300% and this is using the low autumn count of vehicles, in reality it will be more.

Barthomley road is not a suitable road for more traffic. it is too narrow, has a poor surface and does not have enough passing places.

After a couple of days of chaos caused by the RGRB closure, drivers to and from Barthomley will be looking for alternatives, Audley Road, Englesea Brook Lane and Snape Lane could well be used, none of which are any more suitable as a diversion.

The B5077 in Oakhanger will see even more traffic as diversions are set up. (Already a major concern for speeding through the village)

The extra traffic on the already busy A500 will come from new build projects. 50 houses in Crewe Green, new warehousing at Radway Green, 400 houses at Basford East, 600 houses at South Cheshire Growth Village, Basford West warehousing. All these sites will require materials being brought in as they come forward during the expected A500 widening schedule.

One very significant point not accounted for is the agricultural traffic involved in this area. Very large tractors cannot pass each other in opposite directions, they have adopted an informal one-way-system, to avoid meeting head on. The roads are very narrow, cars have problems passing each other, let alone large tractors and HGV's. To close one bridge would cause hundreds, if not thousands, of head to head confrontations. A heavy tractor with a trailer is nigh on impossible to reverse.

It is imperative that RGRB is NOT closed for demolition and then rebuilt. The new RGRB must be built alongside the old and then the old bridge demolished, in an ideal world the same should happen for BRB.

It could be argued that BRB could be demolished at the same time as the new parallel bridge at RGRB is being built. That would mean only 7 months of lesser disruption instead of 14 months, and only cause 75,000 vehicles to be diverted, ideally both bridges must not be closed. An engineering solution provided to build new bridges alongside the old

I am sure that the original concept of building new bridges along side the old was based on the data gained from both the consultation and traffic survey. I am also sure that the engineering was well thought out before the idea was proposed as a solution. I simply cannot accept the argument given at the recent presentation that the concept of building alongside would present too many safety and engineering concerns to make it impractical.

The engineers who conceived the original idea in 2019 designed a practical solution and the Strategic Planning Board were asked to pass that design. Now this design is found to be impractical and a demolition of bridges proposed. I find it very hard to accept.

**Ward Cllr Mary Addison** – Welcome the scheme and do accept that some disruption to the residents of Barthomley is unavoidable. However, I feel that the closure of both bridges at the same time is deeply unfair and will have a major impact on those travelling to and from the village. I ask you to please consider reverting to the original plan of erecting the new bridges alongside the existing ones, erecting temporary bridges or, at worst, work on one bridge at a time. I have significant concerns about Barthomley Road being used as a diversion route, the road surface is poor, floods often, is narrow and is used daily by horse riders, cyclists and farm vehicles. I have also been approached by members of the equine community in Barthomley and asked if you would consider building the new bridges with higher sides. The Barthomley Road bridge, in particular, sees a number of horses cross each day. Horses can

easily be spooked by the traffic below and the addition of higher sides may reduce the risk on the riders safety.

**Barthomley Parish Council** – Members considered the application and expressed concerns about the close proximity to both Radway Green Road and Barthomley Road whilst the bridges on those roads are replaced. Such a move would cause significant disruption to the residents of the village of Barthomley and the surrounding areas for a considerable amount of time. Also concerned regarding potential large amount of tree loss. Also require assurances that the large intake of land will be returned once works are completed.

**Haslington Parish Council** – Object as they consider the bridge closures would result in local vehicular conflict and noise and disturbance resulting from the works.

**Weston and Basford Parish Council** – No objection to principal of the development but concerned regarding local traffic circulation from the closure of the bridges and request a traffic management plan to provide safe access routes in liaison with local groups.

## **REPRESENTATIONS**

X 40 letter received regarding the following:

- No need to dual the road given improvements work to junction 16
- Bridge closures will cause local traffic and inconvenience and safety issues
- At least one bridge should remain open
- Bridge closures would significantly increase commuting times given the increase in journey time given diversions
- Litter from use of the road
- Ecological harm
- Air pollution
- Cost to council not justified and would be better spent elsewhere
- Further discussion/consultation with local residents is required given submission in the pandemic
- Impact of PROW
- Impact on local business/facilities/farms as users will not be able to reach them easily
- Mitigation areas will result in a loss of agricultural land
- Both sides of the replaces bridges should be made higher to avoid spooking the horses from sight and sound of cars
- Cost of the scheme would be best spent on the NHS given the pandemic

**Duchy of Lancaster:** Need to consider drainage to protect surrounding farm land, traffic management plan required, more detail required regarding stopping up of access points and noise impacts

## **APPRAISAL**

**Principle of Development/Green Belt/Open Countryside**



### Countryside

The site lies partly in the Open Countryside and Green Belt.

In terms of Open Countryside Policy PG6, advises that new development in the Open Countryside will only be permitted subject to a number of criteria. The most relevant here being development which is essential for the purposes of public infrastructure and essential works undertaken by public service authorities/statutory undertakers.

The proposal seeks to upgrade the existing transport infrastructure (A500) to improve existing traffic flows. As such the proposal complies with Open Countryside Policy in terms of the land use.

### Green Belt

In terms of Green Belt Policy PG3 and the NPPF, advise that new development will only be permitted subject to a number of criteria. The most relevant here being local transport infrastructure that can demonstrate a requirement for Green Belt location. The policies also contain a further requirement which is that the accepted forms of development/use preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt.

The proposal seeks to upgrade the existing transport infrastructure (A500) to improve existing traffic flows. As the A500 is already sited in the Green Belt it is logical that the existing road be extended rather than seek a new site thus justifying its Green Belt location. As a result the proposal complies with the first part of the above criteria in terms of the land use.

In terms of the second criteria, consideration needs to be given to whether or not the works preserve the openness of the Green Belt and whether or not they conflict with the purposes of including land.

The proposal in essence involves land excavation, creation of surface water drainage features, temporary compounds, lighting, demolition and erection of x2 new bridges and roundabout junction improvements. These would not technically preserve openness and would conflict with the purposes of including land as they would occupy space which is currently free from development and would encroach further into the countryside.

As the proposal would not preserve openness and would conflict with the purpose of including land, it is considered to constitute inappropriate development in the Green Belt.

The NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

### Other harm

The NPPF advises that any other harm additional to that of inappropriateness must also be considered. As noted above, the proposal due to its scale and nature will have an impact on the openness of the Green Belt as well as resulting in encroachment into the countryside, contrary to the purposes of

including land in the Green Belt. There would also be some landscape and ecological harm given the loss of existing trees/planting/habitats as also detailed below.

In terms of the visual impact, the changes are predominantly limited to road level which when viewed from the wider setting, would not significantly affect or detract from the openness of the Green Belt. Other new structures such as land excavation, creation of surface water drainage features, lighting, roundabout junction improvements etc would be seen in the context of the existing road. The replacement bridges would replace those existing which already have a visual impact on openness and this will just be replicated – albeit covering a wider span. The proposal also involves the erection of temporary compounds however these are only required during the construction period and are not permanent structures.

In terms of landscape and ecological impact, whilst the proposal would result in some loss of trees/hedging and associated habitat, the proposal seeks to provide a significant increase in new planting and new off-site habitats over and above that to be lost.

As a result whilst the actual harm caused by the proposal is not considered to be significant the level of harm needs to be considered and substantial weight must still be attributed to the loss of openness and encroachment.

#### Very Special Circumstances (VSC's)

The question then is whether there are other considerations in favour of the development that clearly outweigh the identified harm. If so, then VSC's may exist to justify granting planning permission. The applicant sets them out in their supporting statements. In brief these are:

##### 1) Economic benefits

The Council has growth plans and the proposed A500 Dualling scheme is considered to be essential for the success of several development plans for the area, including the Constellation Partnership's Growth Strategy and supporting the development of HS2 and the Crewe Hub Station.

A number of key Local Plan Strategy (LPS) sites are located within a close proximity of the scheme including Basford East/West, the South Cheshire Growth Village, the Radway Green Extension and the White Moss Quarry in Alsager. The LPS is accompanied by an Infrastructure Delivery Plan which sets out the needs for the area, and identifies the A500 as a key strategic corridor with a need to improve traffic flow at Junction 16 of the M6 and link capacity on the A500 Barthomley Link Road. If existing traffic conditions were to continue and the proposed A500 Dualling scheme was not implemented, this could affect the full achievement of regional growth aspirations and the full development potential may not be reached.

Closely linked to this are the aims of the Constellation Partnership. This aspires to unlock major new growth and investment opportunities to deliver more than 100,000 new homes and 120,000 new jobs by 2040 by creating a new growth zone at the gateway to the Northern Powerhouse and Midlands economic engine. Crewe is a cornerstone of the partnership with clear growth opportunities and the proposed A500 Dualling scheme is a key element to unlocking such growth aspirations.

The draft Strategic Transport Plan (STP) outlines a number of both short-term and long term priorities, with the proposed A500 Dualling scheme identified as a key short term priority as evidenced below:

*“A dualling scheme is required to increase capacity on the A500 on the approach to J16 of the M6 Scheme to improve journey times and connectivity between Crewe (including the Crewe Hub), Stoke and the M6 to help facilitate housing and employment growth”.*

## 2) Assisting the Delivery and Unlocking the benefits of High Speed 2 (HS2)

The development of HS2 and the Crewe Hub presents a significant investment opportunity for attracting business and increasing regional growth. Given existing network capacity constraints and the additional traffic demand which will be generated via both HS2 construction and operation, it is key for A500 capacity improvements to be completed prior to the most significant HS2 construction activities. Whilst some HS2 traffic will begin prior to the completion of the A500, the proposed A500 Dualling scheme is forecast to cater for the greatest proportion of construction traffic.

For HS2 Phase 2a construction, this section of the A500 will form part of the route that would carry construction traffic to the proposed construction compounds required to build the route south of Crewe and for the proposed Crewe Hub station. Therefore, it is crucial to ensure the A500 route can accommodate high volumes of goods vehicles and abnormal loads as construction commences.

The route is currently suffering from congestion, which will further deteriorate the existing issues into the future if mitigation work is not undertaken. With the addition of HS2 traffic and the growth aspirations of the Constellation Partnership, the scheme is considered vital to support the future prosperity of the region.

Post HS2 construction, as a key strategic route in Cheshire East, the A500 is the main highway route from Crewe, Nantwich and the proposed HS2 hub station to the M6 Motorway and the wider East of Cheshire, Stoke and Staffordshire.

With HS2, passenger numbers at Crewe station are expected to grow and journey times, between Crewe and London, are predicted to reduce by 35 minutes. This is predicted to generate 120,000 jobs by 2040 and inject £10bn a year into the wider region's economy. The proposed A500 Dualling scheme is key to improving connectivity to facilitate this, whilst increasing the capacity of the highway network to ensure the full potential of HS2 is achieved.

The network improvements, as a result of the scheme, will open investment opportunities whilst meeting the growing need for improvements in east-west links to access Crewe rail station without the requirement of travelling through the centre of Crewe and exacerbating the existing congestion and air quality issues in this area.

Ensuring that the aims of HS2 and the proposed A500 Dualling scheme objectives are well incorporated is essential in supporting the delivery of key national infrastructure. If the capacity improvements of the A500 were not completed, this is likely to have a detrimental impact upon the success and investment levels created by HS2 since this will affect business conditions.

## 3) Local Transport Benefits

The A500 corridor is linked to a number of highway capacity upgrades which have recently been completed between Crewe and the M6. These upgrades include:

- Highways England and Cheshire East Council pinch point schemes to improve capacity at Junction 16 of the M6;
- The recent completion of the A5020 Crewe Green Link Road which provides access from the A500 to the southeast of Crewe; and
- The recent completion of the B5071 Basford West Spine Road which provides access from the A500 to the southwest of Crewe.

The remaining sections of the A500 corridor between Nantwich and the M6 are of dual carriageway standard and the scheme would therefore remove the final 'pinch point' along the corridor. This section of the A500 is the only section between the Meremoor Moss roundabout and the Barthomley interchange junction (approx. 2 miles) on the A50/A500 corridor which is not dualled.

The proximity of the A500 corridor to other nearby and congested urban areas of Crewe and Stoke means the road experiences commuter traffic and through traffic to the M6, and thereby suffers from peak hour congestion. This in turn increases the reliance on the local road network which also hinders access to and investment in Crewe. The proposed A500 Dualling scheme would complete the necessary highway capacity upgrades in the area and provide the required capacity to accommodate future growth.

#### 4) Social and Environmental Benefits

The Environmental Masterplan illustrates the extent of new habitat creation to reduce the effects and compensate for the habitat loss. This includes the creation of several areas of woodland planting, wolverine habitat improvement and the retention, and replacement of trees and hedgerows over and above the level of those being removed. Bat 'hop-over', comprising mature planting, has been also provided to ensure bats can cross the dualled carriageway, again this is betterment from the existing situation.

#### 5) Other benefits

Although not put forward by the applicant as a VSC, the proposal seeks to extend an existing road way which already has an impact in Green Belt terms. Therefore it is logical that the existing roadway be extended rather than create a new roadway in a separate Green Belt location.

#### Summary of VSC

In short the proposal is required to improve traffic flow, to support the delivery of wider Council projects/priorities including HS2 and to provide betterment in terms of the landscape and ecological impacts. Other options have been considered but the number of viable options are very limited, each lies in the Green Belt and will have a least as much, if not more impact on the openness of the Green Belt as the current proposal. Logically therefore it is sensible to continue extend the existing roadway. It is considered that these factors, in combination, do clearly outweigh the harm to the Green Belt and the other harm identified.

#### **Residential Amenity**

The majority of residential properties are sited to north eastern and south western sections of the site area. The nearest property to the actual road duelling works is sited 30m away. Given the extent and

nature of works proposed, it is likely that some nearby properties may experience noise and disturbance during the construction period and use of the road.

To assess such impact, the application has been supported by a Noise and Vibration report.

The Noise and Vibration chapter of the July 2018 Environmental Statement (ES) identifies the potential for significant noise effects during the construction period of the proposed scheme and therefore a range of mitigation measures are proposed which will ensure noise and vibration effects during construction are minimised. Specific mitigation measures include two noise barriers, to provide noise mitigation during construction, and will remain in place during operation. When operational, in the long term, two dwellings are anticipated to have daytime noise increases of a 'minor adverse' magnitude. The Updated ES identifies no additional significant adverse effects from the proposed amendments, in addition to those already described in the July 2018 ES. Overall, the scheme is considered to result in a neutral noise impact in the long-term. Therefore, the proposed scheme is considered to not conflict with NPPF Paragraph 180 and LPS Policy SE12.

Based on the findings of the noise and vibration report it is considered that the actual noise impacts from the use of the extended road would not be significantly above that of the existing road use.

Environmental Health Officers have also considered the submitted noise and vibration survey and concur with the finding and as such raise no objections.

### **Air Quality**

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 181 of the NPPF and the Government's Air Quality Strategy.

Air quality impacts have been considered within the air quality assessment submitted in support of the application. The report considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows. The assessment uses ADMS Roads to model NO<sub>2</sub> and PM<sub>10</sub> impacts from additional traffic associated with this development and the cumulative impact of committed development within the area.

A number of modelled scenarios have been considered within the assessment. These were:

- Baseline 2017;
- Do Minimum (DM) 2021; and
- Do Something (DS) 2021.

From these various modelled scenarios it is concluded that the impact of the future development on the chosen receptors will be negligible with regards to NO<sub>2</sub> and PM<sub>10</sub> concentrations. Four receptors are predicted to experience a slight adverse impact for NO<sub>2</sub>, and two for PM<sub>10</sub>s. Five receptors are predicted to experience an improvement in NO<sub>2</sub> concentrations, and three for PM<sub>10</sub>s. All the other receptors modelled including those within the nearby AQMAs are predicted to experience imperceptible impacts.

This is a proposal for the dualling of the existing 3.3km stretch of the A500 between Junction 16 & Meremoss Roundabout. Air quality impacts have been considered within the air quality assessment submitted in support of the application by Jacobs in 2018 along with an updated summary and

conclusion in April 2020. The reports considered whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows. The assessment used ADMS Roads to model NO<sub>2</sub> and PM<sub>10</sub> impacts from additional traffic associated with this development and the cumulative impact of committed development within the area.

A number of modelled scenarios were considered within the assessment. These were:

- Baseline 2017;
- Do Minimum (DM) 2021; and
- Do Something (DS) 2021.

Environmental Health Officers have considered the submitted air quality survey and concur with the findings and advise that the impact of the future development on the chosen receptors will be negligible with regards to NO<sub>2</sub> and PM<sub>10</sub> concentrations with the chosen receptors seeing an imperceptible change in concentrations. As such they raise no objections.

### **Contaminated Land**

Environmental Protection and the Environment Agency have assessed the application and have both raised no objection as they consider that contaminated land issues could be addressed by conditions requiring investigation, mitigation and monitoring.

### **Public Rights of Way (PROW)**

The Councils Public Rights of Way Team have been consulted regarding the application and have advised that the development, if granted consent, would affect Public Footpaths No. 4, 7, 15, 17, 18, 25 and 33 in the Parish of Barthomley.

To mitigate the impact they have suggested planning conditions which require the following:

- a management scheme to be provided for the design, diversion and closure of the existing right of way
- The line of the amended right of way to be marked out prior to commencement of the development
- A pre-completion inspection of the affected Public Rights of Way to ensure acceptable construction standard

As a result subject to the above conditions it is considered that any impact on the existing PROW can be suitably mitigated.

### **Highways**

#### ***Meremoor Moss Roundabout***

Following modelling work that was undertaken using the previously approved Crewe SATURN model, (utilised by CEC as to inform the Local Plan Strategy modelling work) to support the original application a revised ARACDY assessment has been undertaken to establish the impact the revised design of Meremoor Moss roundabout would have on traffic flow and capacity.

This modelling work has illustrated that compared with the previously approved roundabout design, expected queueing and delay is generally within acceptable limits at the future year scenario. However,

as before, slightly more queueing and delay has been identified on the B5472 arm. This is considered acceptable as the modelling has included the future South Cheshire Growth village. However, it is envisaged that through traffic using this arm will reduce as this traffic will be reassigned via the A500 and David Whitby Way as result of highway works associated with the Growth village.

### ***Amended construction phasing of bridge works***

Due to safety requirements the associated bridge works will result in separate closures of Radway Green Road and Barthomley Road. These closures are expected to be in the region of 6/7 months and will involve diversion routes for all highway users being in operation during this time.

Inevitably these closures will result in some local inconvenience, however, given the low level of traffic using these routes and the availability of alternative routes during this period, it is considered acceptable.

### ***Other highway matters***

A number of representations have raised concerns about the closure of Radway Green Road and Barthomley Road to facilitate constructions of over bridges and the potential for disturbance to the local road network.

The previous planning application for this scheme indicated that the new bridges would be constructed without closing the roads for long periods. It assumed that the new bridge would be constructed in two halves with the existing bridges being demolished after the western half of each new bridge was built. Traffic would temporarily run single file on the partly constructed new bridge deck.

Subsequent review of this approach, including taking into account the Contractor's experience, concluded that the space allowance proposed for parapets, safety zones and working space was inconsistent with current safety practices and also that the construction process would be complex and time consuming.

To keep the bridges open to be viable, the new bridge decks would need to be built further away from the existing bridge than originally proposed and the carriageways and bridge decks would both need to be at least 1.3m wider. This would have made the bridge difficult to construct and would have required additional land take for a greater distance along the bridge approach roads to achieve appropriate and safe road geometry.

There were also a number of safety concerns associated with the original proposal including queuing traffic on the approaches to facilitate single lane running, conflicts between local traffic and construction traffic movements, maintaining a live highway immediately adjacent to works areas and construction plant and public in close proximity. There would also have been greater long term maintenance issues due to the construction techniques that would have been required.

Whilst the closure of the bridges will cause some disruption, this will be mitigated by only closing one bridge at a time so access across the A500 is maintained. Consideration will be given to the provision of passing places on the roads leading up to the bridges to facilitate passing for larger vehicles. Once the detailed construction programme has been established a traffic management plan will be developed in partnership with the Council's highways network team which will include taking into account any other developments and highway works.

## **Conclusion**

The amendments to the previously approved scheme have been assessed against their impact on the wider network and they are considered to be acceptable being mindful the upgrading of this strategic link will facilitate longer term growth aspirations subject to condition requiring a construction traffic management plan detailing the proposed routes construction traffic will utilise, necessary closures/diversions, times of operation, compound arrangements and operative car parking facilities.

Highways England have been consulted on the scheme proposals and have raised no objections subject to conditions being attached requiring the submission of full design and construction details of any required improvements to junction 16.

As a result it is not considered that the proposal would cause any significant harm to the existing highway network.

## **Landscape/Trees**

This application site lies within the Lower Farms and Woods Landscape Character Area. The additional carriageway will be constructed on the south side of the road requiring removal of existing landscape planting and extension of the road corridor and embankments/ cuttings into the adjacent fields.

The changes are largely along the northern part of the route and the Arboricultural Statement identifies that in total 61 trees will be removed, 29 groups identified as either hedgerows, woodlands or groups will be removed and that the proposed works will encroach on the RPA (root protection area) of a further 57 trees. The Planning, Design and Access Statement identifies that the proposed scheme would result in an increased loss and potential changes to the significance of effect to a number of habitats including woodland, semi-improved grassland, marshy grassland and veteran trees. The Landscape and Visual Assessment indicates that there would be increased adversity on three visual receptors, but that these would not be significant.

The proposed mitigation measures may, over time, help restore vegetation lost due to construction and help to re-establish the landscape character.

The loss of this existing tree cover and landscaping is clearly a negative of the schemes and represents 'harm' in terms of Green Belt. However, there is an overall net increase in replacement planting for the scheme which limits the harm caused. The following conditions are therefore required to mitigate the landscape impacts:

- Landscaping scheme
- Tree protection measures
- Detailed tree felling / pruning specification
- 30 year landscape and ecological management plan

As a result it is considered that the proposal could be accommodated into the existing landscape.

## **Design**

The majority of changes relates to the dualling of the existing road way. As such it is not considered that the changes would cause any significant harm to the overall character of the area.



Whilst there are some ancillary structures/signage/new bridges/retaining walls which would be required these would be seen as paraphernalia associated with any road.

Similarly whilst some existing planting will be lost, this can be suitably mitigated by replacement planting which can be secured by condition.

## **Ecology**

### ***Submitted Phase One habitat Survey***

Much of the survey work to inform the Phase One habitat survey undertaken as part of the ecological assessments of this site were completed in winter which would place a significant constraint on the reliability of the survey results. Follow up detailed botanical surveys at a better time of year where however undertaken of the habitats thought to be of greater ecological interest. The timing of the initial survey is therefore not a significant concern.

### ***Statutory Designated Sites***

The proposed development is located within 2km of Oakhanger Moss SSSI and Black Firs and Cranberry Moss SSSI which forms part of the Midland Meres and Mosses Phase 2 Ramsar.

Under the Habitat Regulations the Council is required to undertake an 'Assessment of Likely Significant effects'. A shadow assessment was undertaken by Jacobs and submitted as part of the previous consented planning application (18/3766m). The assessment concludes that the proposed development is not likely to have a significant impact upon the features for which the statutory site was designated and consequently, a more detailed Appropriate Assessment under the Habitat Regulations is not required.

Natural England have also been consulted on this application and have advised that the proposed development will not have significant adverse impacts on the SSSI or Ramsar.

The Council's Ecologist however recommends that the applicant be requested to update the shadow Assessment of Likely Significant Effects and submit this in support of the application. If the shadow assessment is acceptable, the Council should then adopt the assessment, a copy of which should be maintained on the planning file and the conclusions of the assessment documented in the officers/committee report produced in respect of this application.

### ***Non-statutory Designated Sites***

Potential Local Wildlife Sites are sites which are of Local Wildlife Site quality but which have not been selected as a local Wildlife site. Sites of this kind receive protection under Local Plan Core Strategy Policy SE 3 paragraph 6.

#### **Town House Farm Wetland Potential Local Wildlife Site (pLWS)**

At the time of the determination of application 18/3766n it was determined that the proposed scheme would have a direct adverse impact on this site as a consequence of the loss of habitat to the construction of the road which would result in the loss of 4795 square meters of woodland amounting to 6.85% of the existing potential Local Wildlife Site. This site is currently severed by the existing A500. The

widening of the A500 in this location would however result in the increased ecological fragmentation of the two halves of the pLWS.

To compensate for the impacts of the consented development upon the pLWS it was proposed to plant an area of broad leaved trees and the removal of poplar and replanting a more diverse mix of native tree species within part of the site.

Confirmation should be sought from the applicant that the proposed revisions to the scheme have not altered the impacts of the proposed development upon the pLWS as detailed in the original ES. The original mitigation and compensation proposals developed in support of the consented application should also be submitted in support of this current application.

In order to minimise the impacts on the proposed widening the Councils Ecologist recommends that in the event that planning permission is granted a condition should be attached which requires the submission of a construction method statement designed to minimise construction phase impacts on the potential Local Wildlife Site.

**Monnoley Meadows potential Local Wildlife Site (pLWS)**

The revised scheme would result in the loss of 9% of this potential Local Wildlife Site. This impact has been assessed as being significant the Local level.

Outline Mitigation measures are proposed in the April 2020 ES in respect of this pLWS. These measures are designed to reduce impacts such as vehicle movements within the pLWS. If planning consent is granted the Councils Ecologist recommends that a condition be attached for the submission and implementation of a detailed mitigation method statement. No specific compensation is proposed in respect of this potential local wildlife site. The results of the Biodiversity metric, discussed below, will assist with determining whether sufficient compensation has been provided to address the impacts of the proposed development on this site.

### ***Semi-improved Acid grassland***

426 square meters of this habitat is lost under the revised scheme. This habitat is a priority habitat and hence a material consideration and would also meet the criteria for selection as a Local Wildlife Site.

### ***Marshy Grassland***

A total of 3,201 square meter of this habitat would be lost under this application. An significant increase in comparison with the consented application. Whilst the marshy grassland lost is not of priority or Local Wildlife Site quality its loss does increase the overall loss of biodiversity associated with the proposed development, which will be considered during the biodiversity metric calculations.

### ***Veteran Tree***

The proposed scheme would result in the loss of a veteran alder tree. Veteran trees receive specific protection though paragraph 175c of the NPPF as irreplaceable habitats. The Councils Ecologist advises that in accordance with the mitigation hierarchy the proposals must be amended to allow the retention of this feature.

### ***Woodland***

Taking figures from the April ES, the proposed scheme would result in a total loss of over 39,000 square meters of woodland of varying quality, an increase of more than 4,000 square meters in comparison with the consented scheme. There is however a slight decrease in the loss of higher quality woodland from that lost during the previous scheme, with the ES advising that just over 2500 square meters of priority woodland would be lost. The loss of Priority woodland is a material consideration..

Just over 44,000 square metres of woodland planting is proposed to compensate for that lost. To ensure that adequate compensate is delivered for those habitats lost, the proposed development must demonstrate that an overall loss of biodiversity is avoided through the results of the biodiversity metric calculations discussed below.

### ***Ponds***

The proposed development will result in the loss of a single pond. The April 2020 ES states that four ponds would be provided to compensate for this loss. Only two new wildlife ponds are however shown on the submitted Environmental Master Plans along with a number of attenuation features. As is usually required by CEC these new ponds must be separate to and additional to the ponds created as attenuation features for the road. Confirmation of the number of wildlife ponds proposed and whether they are additional to the attenuation ponds should be sought from the applicant.

### ***Great Crested Newts and Common Toad***

Great Crested Newts were identified as being present at two ponds and common toad at a single pond within 500m of the proposed works. The submitted great crested newt survey was constrained in part by limited access to some ponds and the cold weather that may have reduced amphibian activity during some of the earlier survey visits.

Due to the distance of the ponds from the proposed works and the barrier effect caused by the existing road network it is not anticipated that the proposed development would have an impact on great crested newts. Impacts on common toads would be associated with the loss of distant terrestrial habitat. This loss should be addressed by ensuring that there is adequate compensatory habitat delivered as part of the scheme. This should be quantified by the Biodiversity metric discussed below.

### ***Bats***

During the determination of the original application it was anticipated that the proposed development would result in the loss of a number of confirmed and suspected bat roosts. Updated bat surveys have been undertaken to inform this revised application and these have identified roosts in different locations to those considered during the determination of application 18/3766n. This revised application must therefore be supported by a revised assessment of the impacts of the proposed development upon roosting bats and updated mitigation and compensation measures submitted to address any adverse impacts identified.

The original ES assessed the level of bat activity recorded as being of between Local-district importance. The ES however only assessed the value of bats on a species by species basis. The Councils Ecologist advises that the number of species recorded would be sufficient for the study area to be considered of

County value. The number of bat species recorded does, however, to a large extent reflect the very extensive area that was surveyed as part of the assessments.

#### Important

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected the proposed development the planning authority must have regard to whether Natural England would be likely to subsequently grant the applicant a European Protected species license under the Habitat Regulations. A license under the Habitats Regulations can only be granted when:

- the development is of overriding public interest,
- there are no suitable alternatives and
- the favourable conservation status of the species will be maintained.

Increased light levels, severance of habitats and construction related disturbance may have an effect on the foraging and commuting activities of bats.

Bats were recorded as crossing the existing A500 at a number of points. To ensure that the widened road does not present an increased barrier to the movement of foraging and commuting bats bat 'hop overs' are proposed. The Councils Ecologist recommends that the detailed planting specification for these be secured by means of a condition in the event that planning permission is granted.

Bats may potentially be moving through the existing culverts below the road. To ensure that the barrier effect of the extended culverts is minimised it must be ensured that the extended culverts are no lower or narrower than the existing. Designs of the proposed culverts and bridge crossings have been submitted. The Councils Ecologist recommend that information be sought as to how these compare with the dimensions of the existing culverts.

#### ***Other Protected Species (OPS)***

An updated OPS survey has been submitted in support of this resubmitted application. A detailed assessment of the impacts of the proposed development upon this species was included with the original ES. No assessment of the impacts on OPS, informed by the latest survey results has been submitted in support of the application.

The Councils Ecologist advises that an assessment of the impacts of the proposed development upon this species and mitigation and compensation to address any impacts identified must be submitted in support of the application. If the impacts of the proposed development remain unchanged from those detailed in the original ES then the applicant should confirm that this is the case.

In the event that planning permission is granted the Councils Ecologist recommends that a condition is attached which requires the completion of an updated OPS survey and the submission of an updated OPS mitigation strategy prior to the commencement of development.

#### ***Brown hare***

This priority species was recorded within farmland adjacent to the A500.

The Councils Ecologist does not anticipate there being a significant impact on this species provided adequate compensatory habitat is provided to ensure an overall net gain for biodiversity as assessed by the Biodiversity metric..

### ***Breeding Birds***

A number of breeding birds were recorded during surveys to inform 18/3766n including those considered to be a priority for conservation. The bird interest of the study area is considered to be of County value.

The original ES submitted with 18/3766n states that impacts on breeding birds, in the absence of mitigation, would be significant at the local level. It seems unlikely that this impacts would have changed as a result of the changes to the scheme proposed under this application.

Impacts on breeding birds could be mitigated through the imposition of a standard condition to safeguard nesting birds and also through ensuring that adequate compensatory habitat is provided in relation to that lost as quantified by the biodiversity metric.

### ***Wintering Birds***

The wintering bird interest recorded within the study is of County value, district as stated in the April 2020 ES. The ES anticipated a Local level adverse impact occurring in respect of wintering birds in the absence of mitigation. As the value of wintering birds was originally underestimated this may also be an underestimation of the effects of the proposals.

As with breeding birds impacts on wintering birds are unlikely to have significantly changed in relation to this identified during the determination of 18/3766n Impacts on wintering birds must be addressed by ensuring that adequate compensatory habitat is provided in relation to that lost as quantified by the biodiversity metric calculations.

### ***Barn owls***

One barn owl breeding site and two roosts were recorded within the study area. The study area is considered to be of local value for barn owls. Major roads schemes, such as dual carriageways, can have a significant adverse impact on barn owls populations due to mortality resulting from road traffic collisions. The removal of existing vegetation at the start of construction when the A500 remains operational has been identified as being likely to pose a significant risk to barn owls, as birds would respond by flying lower over the road bringing them into conflict with traffic. The proposals will also result in the loss of barn owl foraging habitat.

The Councils Ecologist advises that the proposed development is likely to have an adverse impact on barn owls that is significant at the Local level.

In order to minimise the risk of barn owls coming into conflict with traffic the original ES recommended the provision of tall woodland or hedgerow planting where the road is at grade or on an embankment.

Whilst this provision is annotated on the keys for the Environmental Master Plans it is not shown on the plans themselves due to its extensive nature. The Councils Ecologist recommend that details of this provision be dealt with by means of a condition in the event that planning permission is granted and incorporated into the detailed landscaping drawing for the scheme.

### ***Water Vole***

Evidence of water vole activity was previously recorded on Barthmomely Brook on the northern side of the A500 and on Englesea Brook on both sides of the A500. No evidence of this species was however recorded during surveys undertaken in 2019. It is likely that this species has been lost from the water courses in the vicinity of the development, but there is a possibility that the species remains in low numbers and has evaded detection during the surveys.

The proposed development would result in the loss of potential water vole habitat. There are increased lengths of culverts proposed for a number of water courses. The increased length of culverts on some watercourses is likely to limit the ability of water voles to move through the wider landscape in the future.

To address the impacts of the proposed development on water voles the following mitigation was proposed as part of the ES submitted with application 18/3766n:

- Retaining the existing access along water courses under the A500 during the construction phase.
- Provision of mammal ledges on existing box culverts.
- Enhancement of retained habitats
- The creation of an additional length of water course.

If planning consent is granted The Councils Ecologist recommends that a condition be attached which requires the submission of a detailed water vole mitigation and conservation strategy to include detailed designs for the proposed habitat creation works.

### ***Otter***

This species was recorded in on Englesea Brook 1.4km north of the scheme in 2017. No evidence of otter was however recorded during surveys undertaken in 2019. The proposed development is therefore not likely to result in an offence in respect of otters. It is however likely that this species makes at least transitory use of the water courses in the vicinity of the development. Therefore if planning consent is granted it must be ensured that mammal ledges are incorporated into the proposed culverts to facilitate the movement of this species. This may be dealt with by means of a planning condition in the event that permission is granted.

### ***Reptiles***

No evidence of reptiles was recorded during the surveys undertaken to inform the Environmental Assessment submitted in support of application 18/3766n. The proposed development is therefore unlikely to have an impact upon this species group.

### ***Lesser silver diving beetle***

This protected species is associated with ponds that often hold water for only brief periods. Only one pond is identified as being lost by the ES submitted in support of the application and this held water at the time of the survey with no evidence of this species recorded.

### ***Crayfish***

No evidence of White Clawed Crayfish was recorded during the submitted survey and the Councils Ecologist advises this protected species is not reasonable likely to be present or affected by the proposed development.

### ***White letter hairstreak***

This priority butterfly species was identified during the desk study. The Councils Ecologist recommends that in the event that planning permission is granted a condition should be attached which requires the incorporation of Wych Elm, the food plant for this species, into the landscaping scheme.

### ***Hedgerows***

Hedgerows are a priority habitat and hence a material consideration. The proposed scheme will result in a total loss of 5298m of hedgerow. An increase of 513m in comparison with the consented scheme. The ES submitted with application 18/3766N stated that this losses includes hedgerows considered to be 'Important' under the Hedgerow Regulations.

To compensate for this loss 8,846m of new hedgerow is proposed. Newly created hedgerows take a number of years to mature and hedgerow plantings may fail with time. It is therefore usual practice for a greater length of hedgerow to be planted in relation to that lost.

### ***Grassland Habitat Creation***

The scheme proposes the creation of significant areas of marshy and neutral grassland as part of the proposed ecological compensation measures. If planning consent is granted a method statement for the creation and establishment of these habitats must be secured by condition. Habitats of this type are only viable if subject to continuous regular management. Management proposals for this habitat must therefore be included in the habitat management plan produced for the site which again must also be secured by condition.

### ***Lighting***

Lighting can have an adverse impact upon wildlife. The submitted lighting plans show that lighting would be limited to the two roundabouts junctions at each the end of the proposed scheme. In the event that planning permission is granted The Councils Ecologist recommends that a condition is attached to ensure an appropriate lighting strategy is submitted.

### ***Biodiversity Net Gain***

The applicant has undertaken an updated biodiversity metric calculation to assess the residual losses and gains of biodiversity resulting from the revised proposed development. Local Plan Policy SE 3(5) requires all development proposals to aim to positively contribute to the conservation of biodiversity.

The submitted metric spreadsheet shows a net gain of 1.2 units (1.6%).

The Councils Ecologist has reviewed the applicant's submission and requires further confirmation on a number of factors including:

- Confirmation of which habitats are lost from the pLWS.
- Line 102 of the submitted spreadsheet has “transport corridor/verges” entered as Medium distinctiveness habitat in Moderate condition. This entry covers both open grassland and amenity grassland types. This seems an overestimation of the value of the amenity grassland element of this entry. To more accurately reflect the likely biodiversity value of these habitats the amenity and open grassland element of this be split and each assessed separately.
- In the Habitat Creation section of the spreadsheet ‘marshy grassland’ and ‘neutral grassland’ have been entered as taking 20 years to achieve target condition. The standard time scale for the establishment of this habitat (which is the default on the spreadsheet) is 10 years. Confirmation is required as to why it is thought that a particularly long time scale is required in this instance.
- As highlighted by Cheshire Wildlife Trust the areas given for habitats lost to the scheme in the April 2020 ES do not appear to match those entered in the spreadsheet. (For example for marshy grassland and acid grassland). Clarification of this point should be sought from the applicant.

### **Conclusion**

It is recommended that the applicant reviews the metric calculations in light of the above and resubmits the revised calculations to accurately consider the proposed ecological loss and gains as a result of the proposal.

If the spreadsheet shows a the proposed development being likely to result in a loss of biodiversity a strategy for the delivery of additional habitat creation measures will be required to ensure compliance with Local Plan Policy SE 3.

As a result an updated ecology appraisal will be provided in the update report.

### **Historic Environment**

There are a total of 23 historic buildings in proximity of the site. These comprise:

- x1 Grade I Listed Building;
- x2 Grade II\* Listed Buildings;
- x13 Grade II Listed Buildings;
- x2 Conservation Areas; and
- x5 undesignated historic buildings.

The application has therefore been supported by a Cultural Heritage Baseline Study. This confirms the proposal would not have any significant impact on the identified heritage assets given the separation distances involved.

This has been assessed and accepted by the Councils Conservation Officer who raises no objection on heritage grounds. Historic England have also raised no objection.

Cheshire Archaeology have also raised no objections subject to condition requiring a programme of archaeological work.

As a result it is considered that there are no significant impact to heritage assets.

### **Gas Pipelines/Explosives**



The proposal is located in close proximity two high pressure gas pipelines which are designated as major accident hazard pipelines. As a result both National Grid and Cadent have been consulted and have raised no objection on the basis that work within the easement is agreed with National Grid before it takes place.

The Health and Safety Executive (HSE) also does not advise against the granting of planning permission, as long as any changes to the road network in the vicinity of the high pressure gas pipelines are in accordance with the appropriate standards (required by the relevant sections of 'Steel pipelines and associated installations for high pressure gas transmission', published by the Institution of Gas Engineers and Managers (IGEM)), or any detailed internal standards used by National Grid.

### **Flood Risk**

The majority of the scheme lies in Flood Zone 1, with watercourse crossings located within Flood Zones 2 and 3. The A500 as on transport infrastructure is classed as 'essential infrastructure', which is compatible with Flood Zones 2 and 3 provided it meets the exceptions test.

A Flood Risk Assessment (FRA) has been undertaken and found that the flood risk to the proposed scheme is low and the proposed scheme will not significantly increase flood risk elsewhere. The scheme is not expected to exacerbate the surface water flood risk elsewhere by virtue of the betterment provided by attenuation and restriction of runoff rates. Improvements to the drainage infrastructure provided for the A500 will also provide improvements on the existing surface water flood risks associated with the road. The flood risk from groundwater, sewers, reservoirs and canals is considered to be low. Overall, it has been concluded that flood risk to the Approve Scheme is low, and will not significantly increase flood risk elsewhere.

The Councils Flood Risk Team have been consulted and raised no objection subject to conditions requiring the development to be carried out to the submitted FRA and a drainage strategy be provided for the management and maintenance of the site.

The Environment Agency have also been consulted who have raised an objection who require further detail regarding culverting of the brook. This information has been requested and will be provided in the update report along with formal comments of the Councils Flood Risk Team.

### **Economic sustainability**

With regard to the economic role of sustainable development, the proposed development would provide jobs in construction and economic benefits to the construction industry supply chain.

### **CIL Regulations**

In order to comply with the Community Infrastructure Regulations 2010 it is necessary for planning applications with planning obligations 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) fairly and reasonably related in scale and kind to the development.

The development would result in the loss of 1.2 biodiversity units. In order to mitigate for the loss, a contribution is required but is not yet confirmed given the need for further information. However this would be used to deliver off-site habitat creation This is considered to be necessary and fair and reasonable in relation to the development.

Through the planning process the Council are not able to compel applicants to purchase land to deliver mitigation and compensation works. So whilst the Council would prefer applicants to own the land where works were being undertaken a management agreement would be acceptable in this instance.

The funding would be used to facilitate the deliver of offsite habitat creation. The following are candidate sites where the funding could be used, however this is not an exhaustive list just an illustration of where the funding might be used.

- Nature conservation land owned and controlled by Audlem Parish Council.
- Land purchase and Habitat Creation at Cheshire Wildlife Trusts Blakenhall Moss reserve.
- Habitat Enhancements along Forge/Wynbunbury/Checkley Brook as part of a Landscape scale conservation project in Partnership with Cheshire Wildlife Trust.
- Species rich grassland and marginal aquatic habitat creation at Queens Park, Crewe
- Species Rich Grassland Creation at Macclesfield Leisure Centre
- Hedgerow creation at Sutton

Of these sites the Sutton, Macclesfield Leisure Centre and Queens Park Projects, are fully developed and costed up. Preliminary habitat creation proposals for the Audlem site have been discussed with the parish councillors.

The habitats required as part of the A500 compensation works will take up to 20 years to achieve their target condition, but the Council expect them to be maintained long after this. It is a concern that any habitats on third party land would be very vulnerable to loss through actions of the land owner over whom the Council would have no control over. With this in mind the Council suggest the management agreement be in perpetuity (200 years)

As indicated above, the Council cannot enter into a s106 legal agreement with itself so a payment will be made prior to any grant of permission should that be forthcoming. However, taking a pragmatic view on the position it is still considered that the payment is compliant with the CIL Regulations 2010.

## Other

The majority of responses from representations have been covered above in the report, however the remaining responses are addressed below:

- No need to dual the road given improvements work to junction 16 and cost of works would be better spent elsewhere in particular the NHS – *the need for the dualling would improve traffic flows in the area and would support a number of wider projects including HS2*
- Bridge closures will cause local traffic and inconvenience and safety issues and should remain open – *the proposal has been assessed by the Councils Highways Engineer who is satisfied that any highway impact can be mitigated by condition requiring a construction management plan which will look at construction traffic/road closures/diversions*

- Litter from use of the road – *litter produced from road users would not be a reason to withhold planning permission and is dealt with under separate legislation*
- Further discussion/consultation with local residents is required given submission in the pandemic – *the timing of the application is unfortunate however the Council has allowed in excess of the standard 21 day consultation for any comments to be received*
- Impact on local business/facilities/farms as users will not be able to reach them easily – *as noted above the Councils Highways Engineer has suggested a condition be imposed which would look at construction traffic/road closures/diversions*
- Mitigation areas will result in a loss of agricultural land – *management plan would ensure after the required period land is restored to an agreed condition*
- Both sides of the replaces bridges should be made higher to avoid spooking the horses from sight and sound of cars – *this would not be a reason to withhold planning permission*

## **PLANNING BALANCE**

The proposed development would have an impact on the openness of the Green Belt and constitute inappropriate development in the Green Belt which by definition would be harmful.

There is also other harm caused by the adverse impacts of the development which would be the loss countryside alongside some landscape and ecological impacts.

However in this case it is considered that very special circumstances exist to outweigh the harm caused namely:

- 1) Economic benefits
- 2) Assisting the delivery and unlocking the benefits of High Speed 2
- 3) Local transport benefits
- 4) Expansion of existing road with no other option viable
- 5) Social and environmental benefits

The development would provide benefits in terms of increasing capacity of the existing highway network, economic benefits and enhanced landscaping and ecological impacts thus representing betterment from the existing situation.

The development would have a neutral impact upon flooding, living conditions, design, air quality, right of way, public safety, historic environment and contaminated land.

Applying the tests within paragraph 11 it is considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development constitutes sustainable development and should therefore be approved.

**RECOMMENDATION:**

Minded to approve subject to consultation with the Secretary of State and the following heads of terms

**Heads of terms**

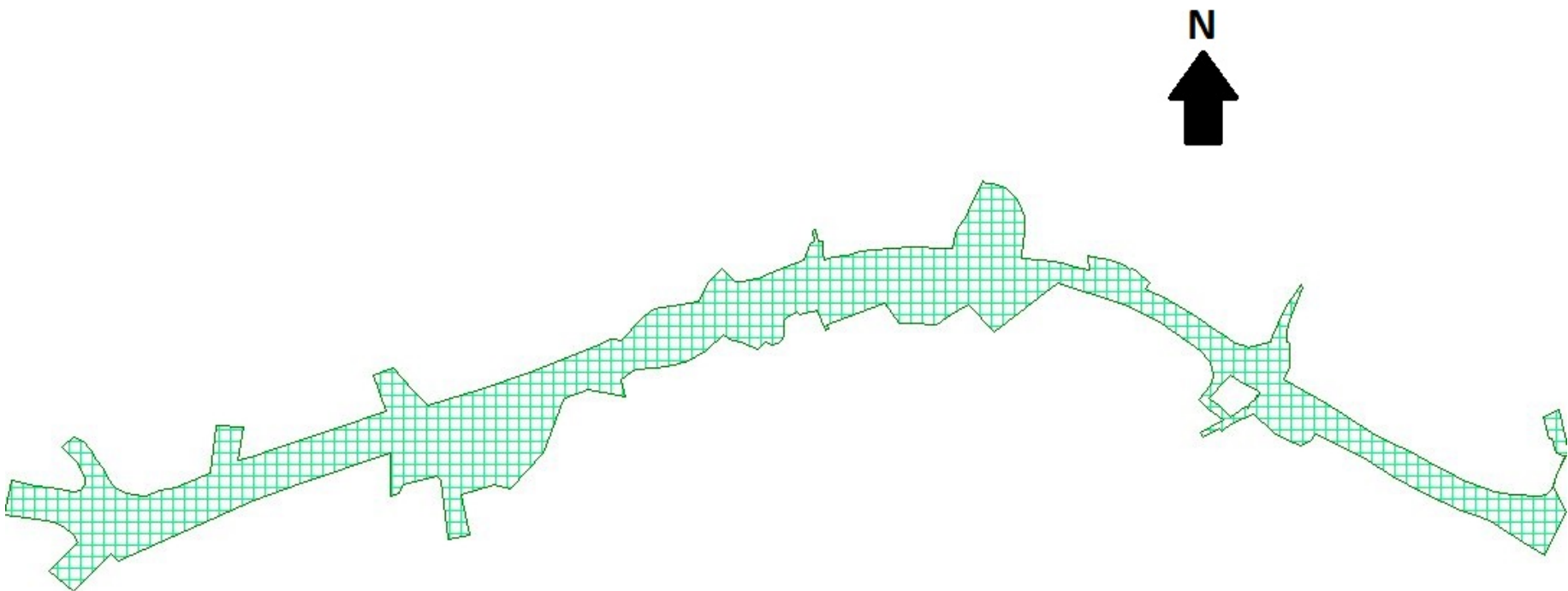
<b>S106</b>	<b>Amount</b>	<b>Triggers</b>
To deliver off-site habitat creation	To be confirmed	As the biodiversity impacts will be felt from commencement of development 100% of the contribution will be required prior to the issuing of a decision notice

In the event that the consented development is not implemented the payment would be returned to the applicant.

**And the following conditions:**

1. Time limit
2. Plans
3. Materials
4. Drainage strategy
5. Contaminated land
6. Remediation strategy
7. Verification report
8. Ongoing contamination
9. Foundation Design / Piling
10. Management scheme of the PROW
11. Landscaping scheme provided
12. Landscaping scheme implementation
13. Tree Protection measures
14. Retention of existing trees/shrubs
15. Detailed tree felling / pruning specification
16. Programme of archaeological work
17. The provision and management of proposed compensatory habitat creation Englesea Brook and Barthomley Brook
18. 30 year landscape and ecological management plan
19. Full design and construction details of any required improvements to M6 junction 16
20. Carried out in accordance with the Flood Risk Assessment
21. Construction Management Plan to include temporary “unsuitable for HGV” signage at Snape Lane, Radway Green Road and Main Road
22. Liaison Committee with Parishes to be established for construction Phase
23. Compliance with the FRA







*Working for a brighter future together*

## **Strategic Planning Board**

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**Date of Meeting:** 26 August 2020

**Report Title:** Brooks Lane (Middlewich) Development Framework  
Supplementary Planning Document

**Senior Officer:** Frank Jordan, Executive Director of Place and Deputy Chief  
Executive

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### **1. Report Summary**

- 1.1 The report seeks the Strategic Planning Board's views on the adoption of the Brooks Lane (Middlewich) Development Framework ("Framework") as a Supplementary Planning Document ("SPD"). As a SPD, it would be a material consideration in the determination of relevant planning applications. The Framework has been subject to two separate six-week consultation stages, the most recent of which took place in January / March 2020.
- 1.2 The framework provides detailed planning guidance to illustrate how high quality, mixed use development can be realised across the area in line with its status as an allocated Strategic Location in the Council's Local Plan Strategy ("LPS") adopted in July 2017 (reference LPS 43; Brooks Lane, Middlewich).
- 1.3 The report outlines the consultation process that has been undertaken, the representations received and how they have informed the final draft of the framework.

### **2. Recommendations**

That the Strategic Planning Board:-

- 2.1 Considers comments made on the final draft of the Brooks Lane (Middlewich) Development Framework SPD and the corresponding modifications proposed as set out in the Report of Consultation (Appendix 1).

- 2.2 Recommends that Cabinet adopt the Brooks Lane (Middlewich) Development Framework (Masterplan) (Appendix 2) as a Supplementary Planning Document.

### **3. Reasons for Recommendations**

- 3.1 The preparation of the Framework fulfils the requirement of the Local Plan Strategy that development on this designated Strategic Location (LPS 43, Brooks Lane, Middlewich) will be achieved through a masterplan-led approach. Its preparation has been informed by early engagement with landowners, businesses and residents across the area and the feedback received during two rounds of six-week public consultation.

#### **Other Options Considered**

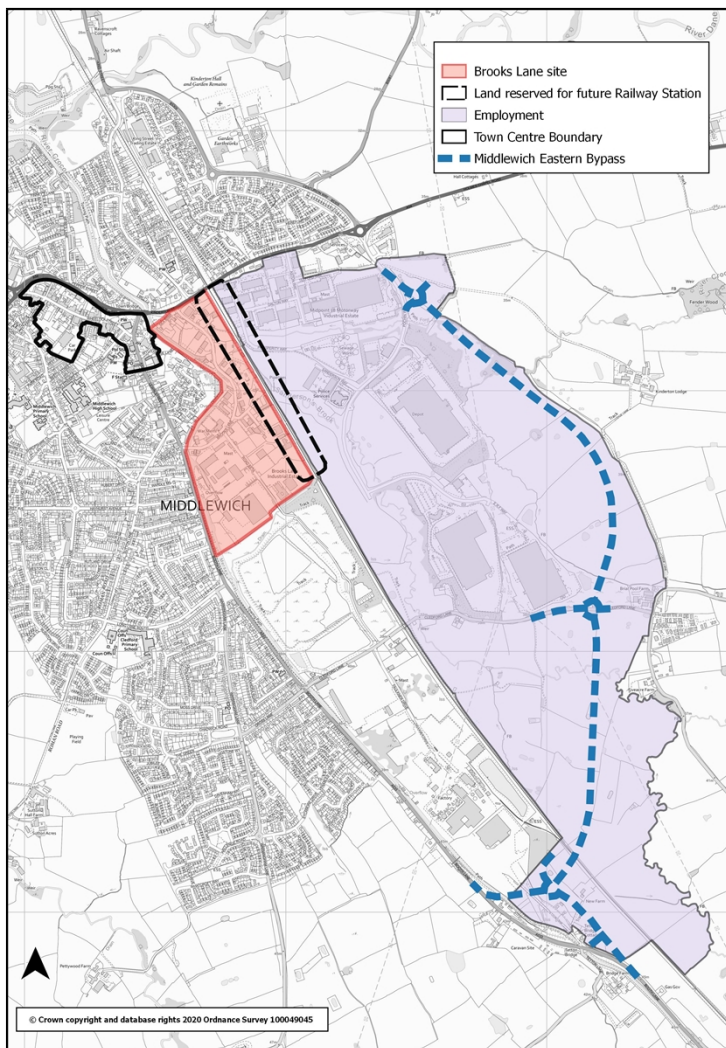
- 4.1 There are no other appropriate options available. The preparation of a masterplan is a requirement of policy LPS 43 (Brooks Lane, Middlewich) in the Local Plan Strategy and the preparation of a SPD is the only way that is recognised in national planning policy of putting in place local planning guidance to supplement policies in an adopted local plan.

### **5 Background**

- 5.1 The LPS identifies the Brooks Lane area (site reference LPS 43) as an area of potential future regeneration. The site area is shown in figure 1 (below). The LPS requires a masterplan led approach to the site, which reflects a number of key principles including:

- The delivery of around 200 homes;
- The delivery of leisure and community facilities to the north of the site;
- The provision of appropriate retail facilities to meet local needs;
- The incorporation of green infrastructure;
- The improvement of existing, and provision of new, pedestrian and cycle links to connect development to existing employment, residential areas, shops, schools health facilities, recreation and leisure opportunities and the town centre;
- The potential provision of a Marina at the Trent and Mersey Canal; and
- The provision of land for a new railway station including lineside infrastructure, access and forecourt parking.





**Figure 1: LPS 43 Brooks Lane Site**

- 5.2 The Framework provides detailed planning guidance to illustrate how high quality, mixed-use development can be realised across the site in line with the Local Plan Strategy. It provides detailed guidance to inform the preparation of development proposals (largely private sector led) for the site, setting out key matters that proposals should address in order to achieve high quality new development that will significantly enhance the area and benefit the town as a whole.
- 5.3 The Framework recognises the opportunities for regeneration, particularly of the canal-side area of the site, the ability to provide new and enhanced green infrastructure, open spaces and pedestrian and cycle links. Specifically it illustrates how around 200 homes could be achieved adjacent to the Canal as a shorter-term opportunity. The Framework has been developed through a careful analysis of the site and its context. It also illustrates how a new railway station could be created, supporting the long-

standing aspiration to see the Sandbach-Middlewich-Northwich rail line re-opened for passenger services.

- 5.4 The Council's Economic Development Team will explore opportunities identified within the SPD to bring forward delivery to support the growth of Middlewich and its town centre.
- 5.5 The production of the BLDF has been informed by engagement and consultation stages including:-
- Workshops with residents, businesses and landowners across the site in April and August 2018. Individual meetings have also been held with Middlewich Town Council and the Canal & River Trust.
  - Public consultation on the initial draft of the SPD in January / February 2019.
  - Public consultation on the final draft of the SPD in January / March 2020, alongside a report of consultation detailing the comments received on this initial draft of the SPD.
- 5.6 The final draft of the SPD and Report of Consultation (relating to the initial draft) were the subject of six weeks public consultation concluding on the 4 March 2020. The documents were published on the Council's website and hard copies were placed in the customer service centres at Crewe and Macclesfield, the Council offices at Westfields and Middlewich Library.
- 5.7 In total 24 representations were received from 23 parties (including three comments received after the closing date). A summary of the issues raised and the proposed response to these is set out in the Report of Consultation, prepared for the final draft of the BLDF, in Appendix 1 of this report.
- 5.8 The representations received covered a wide range of matters, however the key issues raised by businesses and residents related to:
- the provision of infrastructure on the site;
  - improvements to highways, particularly access into the area;
  - the provision of a train station; and
  - the relationship of new housing with existing retained employment uses on the site.
- 5.9 The responses have been carefully considered and a number of modifications are proposed to the document in the light of this feedback. This is set out in the Report of Consultation (Appendix 1) and are incorporated into the proposed final version of the framework (Appendix 2). These final changes to the Framework are quite limited, as might be expected at this late stage of its development, and include:
- Additional reference to cycle parking added to section 5.1.2 (use, amount and density parameter) under the Train Station heading;

- Additional text added to section 5.1.3 (access parameter) to make reference to 'active design' principles advocated by Sport England;
- Additional text added to section 5.1.3 (access parameter) to refer to development proposals having appropriate regard to any material impact on railway crossings;
- Additional guidance about sustainable drainage considerations associated with new development proposals in section 5.2 (development parameters and delivery considerations (point 5));
- Additional text added to section 5.3.1 (point 4) to ensure appropriate regard is given to connectivity with the canal corridor.

## **6 Implications of the Recommendations**

### **6.1 Legal Implications**

- 6.1.1 The Planning and Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2012 provide the statutory Framework for the preparation and adoption of SPDs. These include the requirements in Section 19 of the 2004 Act and various requirements in the 2012 Regulations including in Regulations 11 to 16, which apply, exclusively to producing SPDs.
- 6.1.2 Amongst other things, these require a SPD to contain a reasoned justification of the policies within it and for it not to conflict with adopted development plan policies.
- 6.1.3 The National Planning Policy Framework and the associated Planning Practice Guidance also set out national policy about the circumstances in which SPDs should be prepared.
- 6.1.4 Supplementary Planning Documents provide more detailed guidance on how adopted local plan policies should be applied. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.
- 6.1.5 The process for preparing Supplementary Planning Document(s) is similar in many respects to that of a Local Plan document. However,

they are not subject to independent examination by the Planning Inspectorate. There are a number of stages in their production:

- Publish the initial draft SPD for six weeks public consultation.
- Consider feedback received and make any changes necessary
- Publish the final SPD with the consultation statement setting out who has been consulted in its preparation, the main issues raised in feedback and how these issues have been addressed in the final SPD.

- 6.1.6 Having considered representations, the SPD may then be adopted. Following adoption it must be published and made available along with an adoption statement in line with the 2012 Regulations. There is no legal requirement for SPDs to be accompanied by Sustainability Appraisal, and this is reinforced in national planning guidance. However, “in exceptional circumstances” there may be a requirement for SPDs to be subject to Strategic Environmental Assessment (SEA) where it is considered likely that they may have a significant effect on the environment that has not already been assessed within the SEA of the Local Plan. A screening assessment has been undertaken and consulted upon in the development of the SPD which has determined that a SEA is not required.
- 6.1.7 The final proposed changes to the BLDF are limited in their extent and do not give rise to the need to revisit the SEA (or Habitats Regulations Assessment) screening

## **6.2 Finance Implications**

- 6.2.1 There are no significant direct financial costs arising from the approval to adopt the SPD. The costs of printing and the staff time in developing the SPD are covered from existing budgets of the planning service.

## **6.3 Policy Implications**

- 6.3.1 The SPD will expand and amplify existing development plan policy.

## **6.4 Equality Implications**

- 6.4.1 The Council has a duty under Section 149 of the Equalities Act to have due regard to the need to: eliminate discrimination; advance equality of opportunity between persons who share a “relevant protected characteristic” and persons who do not share it; foster good relations between persons who share a “relevant protected characteristic” and persons who do not share it.

6.4.2 The SPD provides guidance on the regeneration of an existing site and is intended to provide a range of homes. The SPD is consistent with the Local Plan Strategy which was itself subject to an Equalities Impact Assessment (EqIA) as part of an integrated Sustainability Appraisal.

6.4.3 An EqIA screening assessment has been carried out alongside the preparation of the Framework and this has not identified any actual or potential negative impact on people with protected characteristics that would warrant a full assessment being carried out. It is available to read at:

[https://www.cheshireeast.gov.uk/council\\_and\\_democracy/council\\_information/equality-and-diversity/equality\\_analysis.aspx](https://www.cheshireeast.gov.uk/council_and_democracy/council_information/equality-and-diversity/equality_analysis.aspx)

6.4.4 The final proposed changes to the BLDF are limited in their extent and do not give rise to the need to revisit the EqIA.

## **6.5 Human Resources Implications**

6.5.1 There are no direct implications for human resources.

## **6.6 Risk Management Implications**

6.2.2 The subject matter of the report does not give rise to the need for any particular risk management measures because the process for the preparation of an SPD is governed by legislative provisions (as set out in the legal section of the report).

6.6.1 Adoption of the SPD is subject to a three month period during which legal challenges can be made.

## **6.7 Rural Communities Implications**

6.7.1 There are no implications for rural communities. The Framework addresses a brownfield site in the settlement of Middlewich.

## **6.8 Implications for Children & Young People/Cared for Children**

6.8.1 The Framework includes the provision of family housing, community facilities and enhanced connections from the site into the town centre. The future development of the site should be supported by active design principles (advocated by Sport England) to support physical activity and healthy and sustainable communities.

## **6.9 Public Health Implications**

6.9.1 To ensure that any new residents on the site achieve acceptable living conditions, the SPD highlights the need for development proposals to carefully address the relationship between any new homes and existing

employment uses. The regeneration of the area brought about by the proposals within the SPD and the enhancement of the local environment, coupled with improved opportunities for walking and cycling could have a beneficial effect on public health.

## **6.10 Climate Change Implications**

- 6.10.1 The construction of new buildings generally gives rise to additional carbon emissions. However, the site is located within the built-up area of Middlewich and future residents would generally have less reliance on the car, having opportunities to walk and cycle to a range of local services and facilities and be close to bus services. The provision of a new rail station and passenger service, if this is achieved in the future, will provide some people with a more sustainable transport choice. Other policies in the Local Plan regarding climate change mitigation and adaptation will be relevant to any planning application proposals.

## **7 Ward Members Affected**

- 7.1 The site is located within the Middlewich Ward. Councillor Carol Bulman, Councillor Mike Hunter and Councillor Jonathan Parry are the Ward Councillors.

## **8 Consultation & Engagement**

- 8.1 This is set out earlier in this report and has most recently involved six weeks consultation during January / March 2020. Following this, all comments have been considered and modifications proposed to the SPD, so that it is ready for adoption
- 8.2 The consultation period for the Brooks Lane Masterplan was between Wednesday 22 January and Wednesday 4 March 2020. At the close of the consultation, the public was not in formal 'lockdown' in relation to Covid 19 and libraries / council buildings remained open throughout the consultation period.

## **9 Access to Information**

- 9.1 Key documents:-

Cheshire East Local Plan Strategy (July 2017)

Appendix 1: Report of Consultation including summary of representations and responses

Appendix 2: Brooks Lane (Middlewich) Development Framework  
(Masterplan)

Brooks Lane Masterplan Equalities Impact Assessment -

[https://www.cheshireeast.gov.uk/council\\_and\\_democracy/council\\_information/equality-and-diversity/equality\\_analysis.aspx](https://www.cheshireeast.gov.uk/council_and_democracy/council_information/equality-and-diversity/equality_analysis.aspx)

**10 Contact Information**

10.1 Any questions relating to this report should be directed to the following officers:

Name: Allan Clarke

Job Title: Principal Planning Officer, Strategic Planning

Email: [allan.clarke@cheshireeast.gov.uk](mailto:allan.clarke@cheshireeast.gov.uk)

Name: Jeremy Owens

Job Title: Development Planning Manager, Strategic Planning

Email: [jeremy.owens@cheshireeast.gov.uk](mailto:jeremy.owens@cheshireeast.gov.uk)

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Cheshire East Local Plan

# **Report of Consultation: Brooks Lane (Middlewich) Development Framework (Masterplan)**

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**September 2020**

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## 1. Introduction

- 1.1 The Brooks Lane site is identified as a strategic location in the Council's Local Plan Strategy (adopted July 2017) as site reference 'LPS 43'. The Local Plan Strategy ('LPS') requires that future re-development of the site will be supported by a masterplan led approach that will help determine the nature and quantum of development that is appropriate for the site.
- 1.2 Consultants Barton Willmore, on behalf of the Council, prepared a development framework to support the future development of the site. The development framework was prepared as a Supplementary Planning Document (SPD) and intended to provide over-arching guidance for the future development of the site.
- 1.3 The Brooks Lane (Middlewich) initial draft Development Framework (masterplan) SPD was published for consultation between 14 January and 25 February 2019 and a report of consultation prepared summarising the feedback that was received and how this influenced the final draft of the SPD.
- 1.4 The final draft of the Brooks Lane Development Framework, alongside a report of consultation prepared for the initial draft SPD, was consulted on from the 22 January until the 04 March 2020.
- 1.5 This final report of consultation sets out how this consultation was carried out and addresses the feedback received, including the final changes to the SPD made in response to the feedback received.
- 1.6 Consultation was carried out in line with the requirements of the council's Statement of Community Involvement (December 2018).

## 2. Consultation documents

- 2.1 Comments were invited on the final draft Brooks Lane (Middlewich) Development Framework (masterplan) SPD and accompanying report of consultation. A Sustainability Appraisal and Habitats Regulations Assessment Screening Assessment were also included as an appendix.

## 3. Document availability

- 3.1 Electronic copies of the consultation documents were available on the council's consultation portal which could be accessed via the council's website.
- 3.2 A printed copy of the consultation documents were available for inspection at the council's principal offices at Westfields, Middlewich Road, Sandbach CW11 1HZ.

- 3.3 Printed copies of the consultation documents were also available for inspection at:
- Crewe Customer Service Centre, Delamere House, Delamere Street, Crewe CW1 2JZ;
  - Macclesfield Customer Service Centre, Town Hall, Macclesfield SK10 1EA;
  - Middlewich Library, Lewin Street, Middlewich, CW10 9AS.

## 4. Publicity and engagement

### Consultation notifications

- 4.1 Notification of the consultation was sent to all active stakeholders on the council's local plan consultation database. This consisted of 280 printed letters and 2,382 emails sent on 22 January 2020. The stakeholders on the consultation database include residents of Cheshire East, landowners and developers, as well as planning consultants, businesses and organisations.
- 4.2 Copies of the notification email and letter are included in Appendix 1.
- 4.3 Separate email letters were also sent to Natural England, Historic England, the Environment Agency and Natural Resources Wales as statutory consultees.
- 4.4 Town and parish councils adjoining Cheshire East in neighbouring authorities are included in the local plan consultation database and received the notification letter / email as detailed in paragraph 4.1.
- 4.5 A notice of the consultation also appeared on the consultation page of the council's web site (see Appendix 2).

### Other publicity

- 4.6 A number of pages on the Cheshire East Council website provided information and links to the consultation. These pages included:
- The homepage (in the 'have your say' section): [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk)
  - The Cheshire East Local Plan page: [www.cheshireeast.gov.uk/localplan](http://www.cheshireeast.gov.uk/localplan)
- 4.7 A press release was issued; informing people of the consultation (Last chance to comment on marina and homes plan). A copy of the press release is included in Appendix 3.
- 4.8 An item relating to the consultation on the Brooks Lane Development Framework SPD was also included in the Strategic Planning Update (February 2020 edition). The Strategic Planning Update is sent to all town and parish councils and Council Members in Cheshire East. A copy is also published on the Council's website and included in Appendix 4.

4.9 News articles relating to the consultation were published, including:

- Marina Masterplan Comes Under Fire (Winsford and Middlewich Guardian, 21 January 2020);
- Have your say on homes and marina vision for Brooks Lane (Winsford and Middlewich Guardian, 29 January 2020).

## 5. Submitting comments

5.1 Comments could be submitted in a number of ways:

- Using the online consultation portal, linked from the council's website;
- By email to [locaplan@cheshireeast.gov.uk](mailto:locaplan@cheshireeast.gov.uk); or
- By post to Strategic Planning (Westfields), C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ.

5.2 Printed copies of consultation response forms were available for people to take away from the council's offices at Westfields, Sandbach and the locations listed in paragraph 3.3. The response form is shown in Appendix 4.

5.3 Information on how to submit comments was included on the consultation portal; the public notice; in the foreword of the printed and PDF versions of the draft SPD; and on the printed comments form.

## 6. Representations received

6.1 In total, 21 comments from 21 parties were received during the consultation period. A further three comments from two consultees were late submissions received after the closing date of the consultation. These comments can be viewed on the consultation portal at <https://cheshireeast-consult.objective.co.uk/portal/planning/spd/brookslanedevelopmentframework>

6.2 The comments received covered a wide range of topics and issues. However the key matters raised in the feedback related to:

- Provision of infrastructure on the site
- Improvements to highways, particularly access into the site
- Provision of a train station
- The relationship of new housing with existing retained employment uses on the site

6.3 A full summary of the key issues raised alongside the council's response and how the SPD has been amended as a result is set out in Appendix 5.

## Appendix 1: Notification letter and email



*Working for a brighter future: together*

address

**Environment and Neighbourhood  
Services**

1st Floor, Westfields  
c/o Municipal Buildings  
Earle Street  
CREWE  
CW1 2BJ  
01270 685893

[localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk)  
[www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk)

DATE: 22/01/2020

OUR REF: BLDF

**Cheshire East Local Plan - update on planning policy preparation**

You have received this letter because, according to our records, you have previously responded to a Local Plan consultation or you have been asked to be kept informed about the development of planning policies in Cheshire East.

I am writing to update you on two matters, firstly, progress with the Council's Site Allocations and Development Policies Document ('SADPD') and, secondly, to notify you that the Council has published a final draft masterplan for the Brooks Lane site in Middlewich for public consultation.

**SADPD**

The SADPD is the second part to the Council's Local Plan. It will set out detailed, non-strategic planning policies to support the delivery of the Local Plan Strategy adopted in 2017.

As you may know, six weeks of consultation took place on the Publication version of the SADPD between 19 August and 30 September last year. The Council received over 2,700 representations and because of this significant level of feedback, it is now expected that a decision will be made during the summer about the next step towards the Plan's examination.

Careful consideration is being given to all of the comments received about the Plan including the need for any further changes to its proposed policies and allocations.

**Brooks Lane, Middlewich - Draft Development Framework (masterplan)**

In line with the council's adopted Local Plan Strategy, a development framework (masterplan) supplementary planning document ('SPD') has been prepared to support the delivery of the strategic development location at Brooks Lane, Middlewich (reference LPS 43).

OFFICIAL

All other enquiries 0300 123 5500

[www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk)

An initial draft of the development framework SPD was consulted on in January / February 2019. A final draft version of the SPD has now been prepared, alongside a report of consultation which summarises the comments received to the initial draft SPD and how the final version of the document has been amended in the light of this feedback.

The council is now seeking views on the final draft SPD prior to it being considered for adoption as a SPD and the report of consultation. As a SPD, its guidance would need to be taken into account as a material consideration in deciding relevant planning applications affecting the site.

The consultation period begins on the 22 January and ends at 5pm on the 04 March 2020.

The document will be available to view on line at [www.cheshireeast.gov.uk/localplan](http://www.cheshireeast.gov.uk/localplan), at Middlewich Library (Lewin Street, Middlewich, CW10 9AS) and at the following Council Offices during their normal opening hours:

- Delamere House, Delamere Street, Crewe, Cheshire, CW1 2JZ;
- Macclesfield Town Hall, Macclesfield, Cheshire, SK10 1EA; and
- Westfields, Middlewich Road, Sandbach, CW11 1HZ

Comments forms are available at the above locations. We would encourage you to respond using the consultation portal on our website. Alternatively you can e-mail your views to [localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk) or send comments by post to Strategic Planning (Westfields) C/O Municipal Buildings, Earle Street, Crewe, CW1 2BJ.

**Please note that the deadline for the receipt of comments is 5pm on the 04 March 2020.**

Your personal data will be processed in line with our privacy notice and your name and comments will be published and made available to view on the consultation portal.

Further information can be obtained from the Council's website or by contacting the Strategic Planning team on 01270 685893 or by e-mailing [localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk)

Yours sincerely

|

**Jeremy Owens**  
**Development Planning Manager**

□



Follow up. Completed on 22-Jan-2020.

From: LOCAL PLAN  
To: LOCAL PLAN  
Cc:  
Subject: [OFFICIAL] Cheshire East Local Plan - Update on planning policy preparation

Sent: Wed 22/01/2020 11:26

You have received this e-mail because, according to our records, you have previously responded to a Local Plan consultation or you have been asked to be kept informed about the development of planning policies in Cheshire East.

I am writing to update you on two matters, firstly, progress with the Council's Site Allocations and Development Policies Document (SADPD) and, secondly, to notify you that the Council has published a final draft masterplan for the Brooks Lane site in Middlewich for public consultation.

**SADPD**

The SADPD is the second part to the Council's Local Plan. It will set out detailed, non-strategic planning policies to support the delivery of the Local Plan Strategy adopted in 2017.

As you may know, six weeks of consultation took place on the Publication version of the SADPD between 19 August and 30 September last year. The Council received over 2,700 representations and because of this significant level of feedback, it is now expected that a decision will be made during the summer about the next step towards the Plan's examination.

Careful consideration is being given to all of the comments received about the Plan including the need for any further changes to its proposed policies and allocations.

**Brooks Lane, Middlewich - Draft Development Framework (masterplan)**

In line with the council's adopted Local Plan Strategy, a development framework (masterplan) supplementary planning document ('SPD') has been prepared to support the delivery of the strategic development location at Brooks Lane, Middlewich (reference LPS 43).

An initial draft of the development framework SPD was consulted on in January / February 2019. A final draft version of the SPD has now been prepared, alongside a report of consultation which summarises the comments received to the initial draft SPD and how the final version of the document has been amended in the light of this feedback.

The council is now seeking views on the final draft SPD prior to it being considered for adoption as a SPD and the report of consultation. As a SPD, its guidance would need to be taken into account as a material consideration in deciding relevant planning applications affecting the site.

The consultation period begins on the 22 January and ends at 5pm on the 04 March 2020. The document will be available to view on line at [www.cheshireeast.gov.uk/localplan](http://www.cheshireeast.gov.uk/localplan), at Middlewich Library (Lewin Street, Middlewich, CW10 9AS) and at the following Council Offices during their normal opening hours:

- Delamere House, Delamere Street, Crewe, Cheshire, CW1 2JZ;
- Macclesfield Town Hall, Macclesfield, Cheshire, SK10 1EA; and
- Westfields, Middlewich Road, Sandbach, CW11 1HZ

Comments forms are available at the above locations. We would encourage you to respond using the consultation portal on our website. Alternatively you can e-mail your views to [localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk) or send comments by post to Strategic Planning (Westfields) C/O Municipal Buildings, Earle Street, Crewe, CW1 2BJ.

**Please note that the deadline for the receipt of comments is 5pm on the 04 March 2020.**


Your personal data will be processed in line with our privacy notice and your name and comments will be published and made available to view on the consultation portal.

Further information can be obtained from the Council's website or by contacting the Strategic Planning team on 01270 686893 or by e-mailing [localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk)

Jeremy Owens  
Development Planning Manager  
Strategic Planning team  
Westfields, Middlewich Road, Sandbach, CW11 1HZ




## Appendix 2: Screen shot from the council website


[A to Z site index](#)

### I want to find...

<a href="#">Jobs at the Council</a>	<a href="#">Library books to renew or reserve</a>	<a href="#">Care and support for children and adults</a>
<a href="#">Payments to the Council</a>	<a href="#">Council Tax</a>	<a href="#">Housing</a>
<a href="#">Bins and recycling</a>	<a href="#">Benefits entitlements</a>	<a href="#">Leisure and culture</a>
<a href="#">Planning and planning applications</a>	<a href="#">Business and Business Rates</a>	<a href="#">Births, marriages and deaths</a>
<a href="#">Schools and education</a>	<a href="#">Roadworks and highway services</a>	<a href="#">Rangers and outdoor recreation</a>
<a href="#">Council and democracy</a>	<a href="#">Car parks and parking</a>	<a href="#">Environment</a>
	<a href="#">Bus timetables and travel information</a>	

### In Focus



**Food waste collections**  
Find out more about our food caddy deliveries.

### News

- 28/01/2020 - Stay active during the colder months
- 28/01/2020 - Last chance to comment on marina and homes plan
- 24/01/2020 - Cheshire East Council unveils new deputy cabinet member
- 22/01/2020 - Council recognises and celebrates foster carers' long service
- 20/01/2020 - Year 8 HPV vaccinations to take place

[Public Notices](#) | [Media Hub >>](#)

### Have your say

#### Consultations

- Community Governance Review Part one - closes at 5pm 31 January 2020
- SEND Survey to Parent/Carers - closes 5pm on 31 January 2020
- Brooks Lane, Middlewich Draft Development Framework - closes 5pm on the 4 March 2020
- [Join the digital Influence panel](#)

#### Planning applications


- [Comment on a current planning application](#)

[More consultations](#)


### Contact

- [Contact the council](#)
- [Find your local councillor](#)


### Social media



[Other social media channels](#)




**THE VoICE**  
The new Cheshire East Council resident magazine



**livewell**  
Cheshire East

Live Well Cheshire East offers a range of services so you can find support, care and social activities for yourself or a loved one.



**Cheshire East Family Information Service**

[Cheshire East Family Information Service](#)

## Appendix 3: Press releases

[Home](#) / [Council and Democracy](#) / [Council Information](#) / [Media Hub](#) / [Media releases](#) / 28/01/2020 - Last chance to comment on marina and homes plan



### Still time to comment on potential homes, rail and marina developments

28 January 2020

A final round of public consultation is taking place to help shape a proposed housing, open space and marina project - which also includes hopes for a renewed passenger rail service in the borough.

The Brooks Lane area of Middlewich is earmarked for a range of new development opportunities, with aspirations for reintroducing passenger rail services to the town. Both Cheshire East Council and Cheshire West and Chester Council have expressed support for the re-opening of the Sandbach-Middlewich-Northwich line for passenger services.

While this is not within the gift of local councils, the authorities will continue to work with Network Rail, Transport for the North and the Cheshire and Warrington Local Enterprise Partnership to progress this.

Identified as a potential development site within the Cheshire East Local Plan Strategy, the Brooks Lane supplementary planning document details a vision to see an additional 200 homes, a marina, public open space and cycling and walking routes.

Residents and all interested parties have until 4 March 2020 to express their views on the document, which shows how these development proposals progress. This is the last round of consultation before a final blueprint is agreed and put before the council. Once adopted, the masterplan will become an important consideration whenever the council has to determine relevant planning applications.

The final draft masterplan and its associated statement of consultation is available to view on the [Cheshire East Council consultation portal](#)


It is also available for viewing at:

- Westfields, Middlewich Road, Sandbach CW11 1HZ;
- Delamere House, Delamere Street, Crewe CW1 2JZ;
- Macclesfield Town Hall, Macclesfield SK10 1EA.



You can also comment by emailing: [localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk) or in writing to the Spatial Planning Team, Cheshire East Council, Municipal Buildings, Earle Street, Crewe CW1 2BJ.

# Appendix 4: Consultation portal / consultation response form and extract from strategic planning update newsletter



Consultation Portal

[Accessibility](#) | [Privacy](#) | [Home](#) | [Contact Us](#)

[Login / Register](#)
[Who Said What?](#)
[Help](#)

[Consultation Home](#) > [Planning](#) > [Supplementary Planning Documents](#) > [Brooks Lane \(Middlewich\) Development Framework SPD](#)

### Brooks Lane (Middlewich) Development Framework SPD

[Brooks Lane \(Middlewich\) Development Framework Supplementary Planning Document \("SPD"\)](#)

In line with the Council's adopted Local Plan Strategy, a development framework (masterplan) supplementary planning document ("SPD") has been prepared to support the delivery of the strategic development location at Brooks Lane, Middlewich (reference LPS 43). Views are now being invited on the final draft development framework SPD and its accompanying report of consultation.

An initial draft of the development framework was consulted on in January / February 2019. A final version of the SPD has now been prepared, alongside a report of consultation which summarises the comments received to the initial draft SPD and how the final version of the document has been amended in the light of this feedback.

The period for making comments will run between **Wednesday 22 January** and **5pm on Wednesday 04 March 2020**.

**Consultation Documents**

The Brooks Lane Development Framework SPD document, report of consultation and Strategic Environmental Screening Assessment are available to download using the link below:

- Brooks Lane Development Framework SPD, report of consultation and Strategic Environmental Screening Assessment
- Brooks Lane Development Framework SPD Public Notice

**Submitting your views**


The council's online consultation portal is our preferred method for submitting responses, but you can also respond:-

**By e-mail:** to [localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk)

**By post:** Strategic Planning (Westfields), C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ

Please make sure that your comments reach us by **Wednesday 04 March 2020**. We are not able to accept anonymous comments; you must provide us with your name and contact details.

Your personal data will be processed in line with our [Strategic Planning Privacy Notice](#), which is available on the council's website. Your name and comments will be published and made available to view on the consultation portal.


[View and Comment](#)

[Event Information](#)
[Supporting Documents](#)
[All Comments](#)

**Access:** Login required

**Status:** open (From 22/01/20 09:00 to 04/03/20 17:00)

**Privacy:** If you take part: your name may be displayed, your answers may be displayed, your town/city will not be shown

**Description:** Brooks Lane Development Framework Supplementary Planning Document (SPD) has been produced to guide development of the strategic location (LPS 43) in the adopted Local Plan Strategy

**Organisation:** Cheshire East Council

**Contact Name:** Spatial Planning Team

**Contact Email:** [localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk)

**Contact Telephone:** 01270 885593

**Other Contact Information:** Westfields Middlewich Road Sandbach Cheshire CW11 1HZ

**Subject:** Local development plans, Planning (town and country), Local development, Local Development Framework

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[reddit](#)
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What do these do?



## Cheshire East Local Plan

### Brooks Lane Development Framework (Masterplan)

### Supplementary Planning Document - Comments Form

Please return to: Strategic Planning (Westfields)  
C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ or by email to  
[localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk)

Please return by: Wednesday 04 March 2020

This comment form has two parts:

- Part A – Personal details.
- Part B – Your representation(s).

#### Comments Form Part A: Personal Details

	Personal Details*	Agent's Details (if applicable)
Title		
First Name		
Last Name		
Job Title (where relevant)		
Organisation (where relevant)		
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Postcode		
Telephone Number		
Email Address (where relevant)		
Your Reference No. (if known)		

#### Personal Details\*

#### Agent's Details (if applicable)

\* If an agent is appointed, please complete only the Title, Name and Organisation in column 1 but complete the full contact details of the agent in column 2.

Please complete a separate Part B form for each comment that you would like to make. This response form provides enough space for two comments but please copy and attach further part B forms if required.

For further assistance in making comments please contact the Strategic Planning Team at [localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk) or by telephone on 01270 685893.

### Comment Form Part B: Brooks Lane SPD Comment Form

Name and  
Organisation:

Office Use Only:

PID:

RID:

**Q1. Which section of the document are you commenting on?**

Page / Chapter / Paragraph / Figure

(please delete as appropriate and state which): \_\_\_\_\_

**Q2. What is your overall view on this section? (please tick one box)**

☐ Support

☐ Object

☐ Comment only

**Q3. Please set out your comments or views on this section:**

## Strategic planning update

This page provides regular updates on planning policy matters affecting Cheshire East, including:

- progress on the council's Local Plan
- other research, guidance and projects carried out by the council's Strategic Planning Team, and
- neighbourhood planning activity taking place across the borough.

### February 2020 bulletin - edition 17

Keeping you informed about planning policy matters in the borough.

Keyboard navigation: use the spacebar to display further information.

Site Allocations and Development Policies Document	view ▾
Crewe Hub Area Action Plan	view ▾
Brooks Lane Development Framework, Middlewich	close ▾

In line with the council's adopted Local Plan Strategy (LPS), a development framework (masterplan) supplementary planning document (SPD) has been prepared to support the delivery of the strategic development location at Brooks Lane, Middlewich (reference LPS 43).

An initial draft of the development framework was consulted on in January and February 2019. A final draft version of the SPD has now been prepared which also incorporates a report of consultation summarising the comments received to the initial draft SPD and amendments to it in the light of this feedback.

The council is now seeking views on the final draft SPD prior to it being considered for adoption and the report of consultation. As a SPD, its guidance would need to be taken into account as a material consideration in deciding relevant planning applications affecting the site.

The consultation runs between 22 January and 4 March 2020. Further information can be found on the [Local Plan Consultation Portal](#).

#### In this section

- [Brownfield Register](#) >
- [Local Plan Public Notices](#) >
- [Spatial planning update](#)
- [Airport Planning](#) >
- [Local Development Orders \(LDOs\)](#) >
- [Cheshire East Local Plan](#) >
- [Planning Policy Documents Index and Price List](#) >
- [Research and Evidence](#) >
- [Strategic Planning](#) >
- [Saved and Other Policies](#) >

#### Rate this page

We value your feedback. How do you rate this information?





## Appendix 5: Summary of key issues and responses

Consultee Ref	Summary of key issues including where the comment relates	Response to issues raised	Modification(s) required
BLDF 3 – Private Individual	<ol style="list-style-type: none"> <li>1. Missed opportunity to have a road linking Brooks Lane site to the new Middlewich Eastern bypass. If Brooks Lane Bridge cannot be altered then make it 2 ways, then a second exist point added along the A533.</li> <li>2. Plan needs to consider supporting infrastructure including schools etc.</li> <li>3. A bus route should be included along Brooks Lane.</li> </ol>	<ol style="list-style-type: none"> <li>1. The development framework identifies the potential for highway improvements to the Brooks Lane Canal Bridge and the Junction of Brooks Lane and Kinderton Street. Point E of the site specific principles of development for the strategic location (LPS 43) makes reference to contributions towards highways improvements.</li> <li>2. The Local Plan Strategy (LPS) when it established the Brooks Lane site as a strategic location (LPS 43) considered matters in relation to infrastructure through the preparation of an Infrastructure Delivery Plan. Policy wording contained in the site principles for LPS 43 (which the Brooks Lane Development Framework seeks to supplement), includes requests for contributions towards, education, health and highways infrastructure. This will be considered on a case by case basis for planning application(s) submitted on the site.</li> <li>3. There are existing bus routes in close proximity to the site along Lewin Street (services 37 / 42) Service 42 runs along Kinderton Street also. As noted in section 5.1.3 of the draft SPD – all ‘major’ development proposals on the site should be accompanied by a transport assessment and consider the need for a travel plan.</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification(s) required</li> <li>2. No modification(s) required</li> <li>3. No modification(s) required</li> </ol>

BLDF 4 – Private Individual	1. Support for the development.	1. Noted	1. No modification(s) required
BLDF 5 – Private Individual	<ol style="list-style-type: none"> <li>1. Small developments have been taking place for decades with no thought to improving the infrastructure of the town. Infrastructure needs to be built before any future developments take place.</li> <li>2. Brooks Lane is difficult to exit due to the weight of traffic. There should be multiple exits from the site.</li> <li>3. Train station is a great idea but will need to include a large car park and cycle storage.</li> <li>4. Cycle paths should be included in the Plan.</li> <li>5. Alongside HS2 facility at Wimboldsley – impact on both sides of the town.</li> </ol>	<ol style="list-style-type: none"> <li>1. The Local Plan Strategy (LPS) when it established the Brooks Lane site as a strategic location (LPS 43) considered matters in relation to infrastructure through the preparation of an Infrastructure Delivery Plan. The intention of the masterplan is to assist in the co-ordination of development and having appropriate regard to place making requirements across the site. The construction of the Middlewich Eastern Bypass is a major piece of planned infrastructure that will benefit the town.</li> <li>2. The development framework identifies the potential for highway improvements to the Brooks Lane Canal Bridge and the Junction of Brooks Lane and Kinderton Street. Point E of the site specific principles of development for the strategic location (LPS 43) makes reference to contributions towards highways improvements.</li> <li>3. Noted.</li> <li>4. The BLDF makes appropriate references throughout the document to cycle links to connect existing and proposed development in the BLDF area.</li> <li>5. The BLDF has been developed in response to the requirement of a policy in an adopted Local Plan (policy LPS 43).</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification(s) required</li> <li>2. No modification(s) required</li> <li>3. Reference to 'cycle' parking added to section 5.1.2 when making reference to the train station requirements</li> <li>4. No modification(s) required</li> <li>5. No modification(s) required</li> </ol>



BLDF 6 – Private Individual	<ol style="list-style-type: none"> <li>1. Support for regeneration but note that the town is at capacity for schools and general infrastructure.</li> <li>2. Too many houses going everywhere.</li> <li>3. Leisure facilities are necessary</li> <li>4. People have to travel to industrial estates for work, most people not able to cycle to work due to poor cycle routes and over congested roads.</li> </ol>	<ol style="list-style-type: none"> <li>1. The Local Plan Strategy (LPS) when it established the Brooks Lane site as a strategic location (LPS 43) considered matters in relation to infrastructure through the preparation of an Infrastructure Delivery Plan. Site specific principles of development for the strategic location (LPS 43) make reference to the need for contributions towards highways, education and health infrastructure contributions.</li> <li>2. The BLDF has been developed in response to the requirement of policy LPS 43 in the Local Plan Strategy. LPS 43 notes that the Brooks Lane site, as a strategic location, is anticipated to deliver around 200 homes.</li> <li>3. Section 5.1.2 of the masterplan supports the provision of small scale leisure facilities</li> <li>4. This is a general point. The BLDF seeks improvements to pedestrian and cycling connections.</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification(s) required</li> <li>2. No modification(s) required.</li> <li>3. No modifications required</li> <li>4. No modifications required</li> </ol>
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BLDF 7 – Private Individual	<ol style="list-style-type: none"> <li>1. Concern over more traffic with proposal for new homes.</li> <li>2. There is a need to build the Middlewich Eastern Bypass first.</li> </ol>	<ol style="list-style-type: none"> <li>1. As noted in section 5.1.3 of the draft SPD – all ‘major’ development proposals on the site should be accompanied by a transport assessment. Point E of the site specific principles of development for the strategic location (LPS 43) makes reference to contributions towards highways improvements. The detailed traffic impacts of any development proposals and necessary mitigation measures will need to be addressed at a planning application stage.</li> <li>2. Planning Committee resolved to approve the Middlewich Eastern Bypass (planning reference 18/5833c). The current programme (subject to planning and final funding approvals) is for the main construction works to start in 2021 with an estimated 30 month construction period. A new planning application has been registered for the proposed additional areas associated with the new road scheme but not yet determined (ref 20/2164C)</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification(s) required.</li> <li>2. No modification(s) required.</li> </ol>
BLDF 8 – Environment Agency	<ol style="list-style-type: none"> <li>1. We support the proposals in the document and are pleased to note that the comments in our previous letter have been included in the final draft. We have no additional comments to make.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification(s) required</li> </ol>
BLDF 9 – Coal Authority	<ol style="list-style-type: none"> <li>1. No specific comments to make on the final draft of the document.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification(s) required.</li> </ol>

<p>BLDF 10 – United Utilities</p>	<ol style="list-style-type: none"> <li>1. United Utilities (“UU”) wishes to highlight that we will seek to work closely with the Council to develop a coordinated approach for the delivery of the Brooks Lane allocation.</li> <li>2. UU highlight the free pre-application service for drainage strategies and water supply requirements.</li> <li>3. Previous response should be read in conjunction with this one. UU have noted the changes made to the SPD following on from our previous response and we are pleased with the approach to sustainable drainage within the document and the inclusion of linkage between green infrastructure and surface water management.</li> <li>4. This representation will look to focus on how phasing will interact with drainage, ensuring the canal is fully utilised to discharge the developments surface water. Approach to phasing - the experience of UU is that where sites are in multiple ownership, the achievement of sustainable development can be compromised by developers/applicants working independently. It is integral that any proposed phasing and infrastructure schedule ensures each development phase has unfettered access to available infrastructure. The SPD could be used to control the approach to phasing to ensure sustainable drainage is ensured.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> <li>2. Noted</li> <li>3. Noted</li> <li>4. Noted, see proposed modification to the SPD. Given that they would not have control over the whole Brooks Lane site area, it would be impossible for any individual applicant promoting a scheme on part of the area to identify with any certainty how other development schemes would come forward across other parts of the area by way of a phasing plan. However the underlying objective of UU, to best achieve sustainable drainage solutions across the site, is addressed in the additional wording proposed in BLDF.</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification(s) required.</li> <li>2. No modification(s) required.</li> <li>3. No modification(s) required.</li> <li>4. Additional paragraph added to section 5.2 as point 5 – <i>“In line with policy SE 13 Flood Risk ‘Flood Risk and Water Management’ all development should manage surface water effectively, follow the hierarchy of drainage options for surface water, where possible, and not unnecessarily prejudice access to sustainable drainage infrastructure across the site”.</i></li> </ol>
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<p>BLDF 10 – United Utilities cont...</p>	<p>4. Cont.. looking at the Phasing Strategy in Part 6 of the SPD, there is still concern that access to the canal will be restricted and block the discharge of surface water, which is a more sustainable option than the public sewer. Development proposals within the allocation should follow the hierarchy of drainage options for surface water with the expectation that no surface water will discharge to public sewer. Such requirements are supported by Policy SE13 in the adopted 'Local Plan Strategy' and ENV15 of the draft 'Site Allocations and Development Policies Document'. Opportunities for more sustainable options in the surface water hierarchy may be compromised if an overarching Phasing Plan is not produced to provide a degree of certainty as proposals are brought forward. We suggest the following text to be added to '6.1 Summary and Phasing', which can be amended to reflect any local circumstances/preferences: "A comprehensive Phasing Plan shall be as part of any planning application that is submitted within the SPD boundary. The Phasing Plan shall outline how it interacts with adjoining phases and must be updated to reflect any change in circumstances as the allocation are brought forward. The development shall only be carried out in accordance with the approved Phasing Plan after approval from the Local Planning Authority. To align with the Phasing Plan, updated strategies, like the surface water drainage strategy, must be submitted as part of any planning application".</p>		
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BLDF 10 – United Utilities cont...	5. Moving forward, we respectfully request that the Council and associated developers continue to consult with United Utilities regarding development as part of the Brooks Lane SPD. We are keen to continue to ensure that all new growth can be delivered sustainably.	5. Noted	5. No modification(s) required.
BLDF 11 – Private individual	<ol style="list-style-type: none"> <li>1. Support the development as prefer to live in a residential rather than an industrial area</li> <li>2. Feel that Middlewich does need development and welcome any changes to improve the area.</li> <li>3. Concerns over traffic congestion and the only exit being at the 'Boars Head' end of Brooks Lane. There must be a solution of reducing the traffic by creating alternative exits to the site.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> <li>2. Noted</li> <li>3. The development framework identifies the potential for highway improvements to the Brooks Lane Canal Bridge and the Junction of Brooks Lane and Kinderton Street. Point E of the site specific principles of development for the strategic location (LPS 43) makes reference to contributions towards highways improvements.</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification(s) required.</li> <li>2. No modification(s) required.</li> <li>3. No modification(s) required.</li> </ol>

BLDF 12 – Thomas Hardie Commercials Limited	<ol style="list-style-type: none"> <li>1. Previously made representations as to why the document was unsound and unsustainable</li> <li>2. Even with minor changes made, the final document is unsound and unsustainable and the document should be adopted by the Council.</li> <li>3. Thomas Hardie Commercials Limited site ought to be allocated for development alongside the rest of the strategic development area.</li> <li>4. Draw attention to para 180 &amp; 182 of the National Planning Policy Framework (NPPF) – proposed residential use is not appropriate and cannot be integrated effectively with existing uses, Despite the addition of a new section on development parameters and delivery considerations there is inadequate protection for the existing employment / industrial uses retained adj to the residential development. THCL operates 24 hours a day, 365 days a year and so trips could pass by proposed residential development impacting on health safety and noise levels</li> <li>5. THCL support removal of extra care housing which was previously considered around the proposed train station location.</li> <li>6. With the location of the train station, residents will pass by Road Beta directly adjacent to the employment area.</li> </ol>	<ol style="list-style-type: none"> <li>1. Representations made to the initial draft BLDF were considered in the development of the final draft BLDF.</li> <li>2. The Council considers the final version of the BLDF capable of adoption and prepared in line with relevant regulations and the Council’s Statement of Community Involvement.</li> <li>3. The BLDF has been developed to support policy LPS 43 – Brooks Lane, Middlewich. The strategic location requires the production of a masterplan to support the future development of the site and the masterplan is considered to appropriately reflect the policy context set by the Local Plan Strategy. The identification of residential development on the Thomas Hardy site is not currently considered appropriate because it falls within an area of industrial uses to the east of Road Beta which are expected to remain in situ for the foreseeable future. However, the BLDF does not represent a hard and fast blueprint for the area in the long term. Circumstances may change and the intentions of individual landowners may alter over time providing opportunities to explore further development schemes in the future.</li> <li>4. The development framework appropriately considers a number of broad parameters for the site whereas future planning application(s) will provide additional and detailed justification. This detailed information will be considered on their own merits against the policies contained within the Development Plan. The framework includes a section on development parameters which sets out the need for additional assessments in support of future planning applications on the site.</li> <li>5. Noted</li> <li>6. The location of the train station appropriately reflects the outcomes of initial appraisal work by the Local Enterprise Partnership called the Mid Cheshire and Middlewich Rail Feasibility Study.</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification(s) required</li> <li>2. No modification (s) required</li> <li>3. No modification (s) required</li> <li>4. No modification (s) required.</li> <li>5. No modification (s) required.</li> <li>6. No modification (s) required.</li> </ol>
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BLDF 12 – Thomas Hardie Commercials Limited cont..	<p>7. Increase traffic (including pedestrians and cyclists raise safety concerns when coupled with high intensity industrial and employment traffic on Brooks Lane.</p> <p>8. Consider buffer planting will be insufficient to mitigate the effects of disturbance from employment / industrial uses, particularly at sensitive times.</p>	<p>7. There are references in section 5.1.3 (access parameter) in the development framework to development supporting appropriate pedestrian and cycle access to try and secure user safety.</p> <p>8. Section 5.1.4 of the development framework refers to buffer planting and landforming used to secure the future amenity of residents whilst supporting the continued operation of existing businesses on the site. The adequacy or otherwise of specific noise mitigation measures will need to be judged at a planning application stage.</p>	<p>7. No modification(s) required.</p> <p>8. No modification(s) required.</p>
BLDF 13 – Sport England	<p>1. The importance of promoting healthy communities is a key focus of the NPPF in achieving sustainable development. Sport England's current strategy 'Towards an Active Nation' builds on the Government's sports strategy 'Sporting Future: A New Strategy for an Active Nation' which, alongside participation, focusses on how sport changes lives and is a force for social good. <a href="http://www.sportengland.org/planningforsport">http://www.sportengland.org/planningforsport</a></p>	<p>1. Noted</p>	<p>1. No modification(s) required.</p>

<p>BLDF 13 – Sport England cont...</p>	<p>2. Active Design - Sport England advocates the concept of “active design” to promote the role of sport and physical activity in creating healthy and sustainable communities  <a href="https://www.sportengland.org/facilities-and-planning/active-design/">https://www.sportengland.org/facilities-and-planning/active-design/</a></p> <p>3. Sport England generally welcomes the opportunities presented as part of the masterplan, however suggest that the vision and the opportunities for the area are developed further to encompass and ensure that a key element of the SPD is the creation of healthy and sustainable communities. Sport England would request that embedding the principles of Active Design and using the 10 principles to guide further detailed development proposals would be beneficial and recommend liaising with Sport England as the design proposals are progressed.</p>	<p>2. Noted and change proposed.  3. See response to point 2 (above).</p>	<p>2. Section 5.1.3 has been amended to add ‘Active Design – “<i>The future development of the site should be supported by active design principles (advocated by Sport England) to support physical activity in creating health and sustainable communities</i>”.</p> <p>3. See modification (2) noted above.</p>
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<p>BLDF 13 – Sport England cont...</p>	<p>4. Additional Demand for Sport. - The occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facilities Strategy, Playing Pitch Strategy (PPS) or other relevant needs assessment. This is supported by the Governments National Planning Policy Framework (paragraph 96).</p>	<p>4. Noted, the need for contributions for sports facilities would be considered on a case by case basis in line with policy SC2 'indoor and outdoor sports facilities' of the Local Plan Strategy. Any development proposals would still need to be assessed against all relevant development plan policies.</p>	<p>4. No modification(s) required</p>
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BLDF 13 – Sport England cont...	<p>5. The masterplan suggests the site will accommodate initially 200 new homes in the short term and a further 250 homes in the long term. This will therefore give rise to demand for sport facilities. It is not clear whether existing facilities are adequate enough (facilities, in the right location and of the right quality) and have enough capacity to absorb this additional demand. Potential costs provided by the representation. The applicant, in consultation with the Council should assess whether:</p> <ul style="list-style-type: none"> <li>a. Existing facilities within the Analysis Area can accommodate the additional demand; or</li> <li>b. Improvements to existing facilities are required to build in the additional demand; or</li> <li>c. A contribution towards planned new provision is required</li> <li>d. More information on the Sports England website.</li> </ul>	<p>5. Noted, the need for contributions for sports facilities would be considered on a case by case basis in line with policy SC2 'indoor and outdoor sports facilities' of the Local Plan Strategy and other relevant policies in the Local Plan.</p>	<p>5. No modification(s) required.</p>
BLDF 14 – Historic England	<p>1. No comments to make on the document content.</p>	<p>1. Noted</p>	<p>1. No modification(s) required</p>

BLDF 15 – Canal & Rivers Trust	<ol style="list-style-type: none"> <li>1. Paragraph 5.1.1 – relates to the core elements of the Masterplan Framework. The canal corridor is well represented in the contextual appraisal/evaluation section of the document; however, the canal is not really referenced in paragraph 5.1.1 (apart from the potential marina). We would welcome the core overarching masterplan elements being expanded to include enhanced pedestrian/cycle routes though the site to the canal corridor &amp; providing an active frontage, connectivity and engagement with the canal corridor (not just to the Marina). Figure 18 should also be expanded to reflect these changes.</li> <li>2. Figures 20 and 21 Access Plan and Green Infrastructure Plan – the legend for both figures contain an error with ‘along’ duplicated in the ‘pedestrian access along along (sic) Canal Lock’. It is noted that Figure 21 does not appear to include any ‘new/enhanced pedestrian &amp; cycle route’, despite this being included in the legend.</li> <li>3. Paragraph 5.3.1 –specific reference should be made to ‘Providing an active frontage, connectivity and engagement with the canal corridor’. Figure 22 should also reflect this. The canal should not be a backdrop to development, but be fully integrated. We would not support a rear/side boundary fencing to the canal. If canal frontages cannot be provided, then creating a broader green corridor along the water and preventing the need for the multiple layers of boundary treatment would be preferable.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted and change proposed</li> <li>2. Noted and change proposed</li> <li>3. Noted and change proposed</li> </ol>	<ol style="list-style-type: none"> <li>1. Additional text added to 5.1.1 (point 6) to read <i>“alongside enhanced routes, connectivity and engagement with the canal”</i>.</li> <li>2. The duplicated text in figure 20 &amp; 21 has been removed.</li> <li>3. Additional text added to 5.3.1 (point 4) to read <i>“alongside enhanced routes, connectivity and engagement with the canal”</i>. &amp; additional text added to section 5.3.2 ‘urban form principles to read - <i>“providing an active frontage, connectivity and engagement with the canal corridor, where possible”</i></li> </ol>
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<p>BLDF 15 – Canal &amp; Rivers Trust cont....</p>	<p>4. Paragraph 5.3.2 - relates to Urban Form Principles and includes a section on 'Canal frontage', however this only relates to the scale of development. This ought to be expanded to clearly state: "New housing adjacent to the canal should be laid out to provide an active frontage and positive engagement with the waterway. A range of housing types and building heights from 2-3 storey should be provided".</p> <p>5. Paragraph 6.1 The summary and phasing section provides a summary of what is to be provided on the site and mentions 'provision of a c.20 boat marina' elsewhere this is referred to as 'potential provision'. We consider that 'potential' should also be added here to avoid ambiguity.</p> <p>6. Within our previous comments, we mentioned the reference to the Trust and the incorrect use of our registered name. It is noted that Appendix 5 which provides a summary of key issues and references states that these have been corrected, however we note that the wrong name has been added here and that there are still numerous references within the revised document which include 's' to River and use 'and' instead of the ampersand (&amp;). Please can all references to us be changed to 'Canal &amp; River Trust' (i.e with no 's' added or 'and' instead of the ampersand (&amp;)). It is hoped that the above comments and suggested additions/amendments can be incorporated into the SPD.</p>	<p>4. Noted and change proposed</p> <p>5. Noted and change proposed</p> <p>6. Noted and change proposed</p>	<p>4. Additional text - <i>"providing an active frontage, connectivity and engagement with the canal corridor, where possible"</i> added to section 5.3.2 'urban form principles'</p> <p>5. The word <i>'potential'</i> has been added to section 6.1 with reference to the provision of a marina.</p> <p>6. The document has been amended to refer to the Canal &amp; River Trust</p>
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BLDF 16 – National Grid	<ol style="list-style-type: none"> <li>1. Background to National Grid provided.</li> <li>2. No comment to make in response to the consultation</li> <li>3. Further guidance provided on development considerations concerning the national grid network (electricity and gas assets).</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> <li>2. Noted</li> <li>3. Noted</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification(s) required</li> <li>2. No modification required (s)</li> <li>3. No modification required (s)</li> </ol>
BLDF 17 – Homes England	<ol style="list-style-type: none"> <li>1. Background to Homes England</li> <li>2. Homes England does not have any land holdings affected by the consultation and therefore we do not propose to make at representations at this point.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> <li>2. Noted</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification (s) required</li> <li>2. No modification (s) required</li> </ol>
BLDF 18 – Private individual	<ol style="list-style-type: none"> <li>1. Support for the document</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification (s) required</li> </ol>

<p>BLDF 19 – Avison Young on behalf of Tritax Symmetry</p>	<ol style="list-style-type: none"> <li>1. Tritax Symmetry is a landowner of sites in the Ma6nitude strategic employment allocation (LPS 44) and generally supports the final draft SPD but provides detailed comments / recommendations below</li> <li>2. New Train Station and Lineside Infrastructure – supports the railway station delivery in principle but does not support the proposed train station car park, outside of the masterplan boundary and on land controlled by Tritax Symmetry. The land also has consent for B1,B2 and B8 (ref 07/1442/REM). The SPD states that the train station car park will extend to approximately 0.6ha. Tritax Symmetry acknowledges that LPS 44 states that lineside infrastructure, parking and access should be accommodated within the Ma6nitude site. However, Ma6nitude is a valuable strategic employment allocation and the delivery of lineside infrastructure in this location would prevent important employment floorspace from coming forward, particularly as the proposed site is already consented for employment development. Therefore, Tritax Symmetry strongly requests that the location of the proposed lineside infrastructure is revised and is instead accommodated within the Brooks Lane Masterplan area and on the same side of the railway line as the entrance to the train station, so as to not prejudice the delivery of consented, and prospective, employment floorspace at Ma6nitude.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> <li>2. The SPD makes clear that the location of the train station car park east of the railway line would be subject to further investigation as it is the subject of an approved planning application for employment development. However, to emphasise this point further it is proposed to add to work ‘potential’ to references to a car park east of the train station in section 5.1.1. &amp; 5.3.1. The development of land for employment uses is important however the provision of a new rail station with associated facilities is a key strategic ambition for the town as set out in the Local Plan Strategy. As such it is vital that the BLDF, as far as it can, looks to support the return of rail passenger services to the town.</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification (s) required</li> <li>2. Change point 8 of section 5.1.1 to read “<i>potential provision of a train station car park...</i>” &amp; the word ‘<i>potential</i>’ added to point 5 in section 5.3.1 illustrative masterplan</li> </ol>
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BLDF 19 – Avison Young on behalf of Tritax Symmetry continued	3. Financial contributions to the Middlewich Eastern Bypass – Brooks Lane is the only site in Middlewich that does not require contributions towards the Middlewich Eastern Bypass. Tritax Symmetry requests that development within the masterplan area should provide contributions to the bypass.	3. Policy LPS 43 (Brooks Lane Middlewich) in the Local Plan Strategy does not make any specific reference to the Middlewich Eastern Bypass. Therefore, the SPD, as providing supplementary guidance on policy wording, cannot in itself require contributions to the Middlewich Eastern Bypass. However, as noted in section 5.2 of the SPD, LPS 43 does include reference to contributions towards highways, education and health infrastructure. As such, schemes as they come forward, where it is evident that a contribution to the bypass is required in line with the relevant regulations, may be asked to make a contribution.	3. No modification(s) required.
BLDF 20 – Natural England	1. Natural England do not have any additional comments to make on the Brooks Lane Masterplan.	1. Noted	1. No modification required

<p>BLDF 21 – Middlewich Town Council</p>	<ol style="list-style-type: none"> <li>1. Middlewich is a town in transition. Industrial heritage such as the canal does not serve the community well and is an income stream which we have not taken advantage of.</li> <li>2. Heritage officer at the town council is working on the Brine Pump project.</li> <li>3. Heritage is a key part of the Middlewich Vision. This encompasses a number of projects. The Middlewich Canalside Masterplan could play a defining role in the future of Middlewich and Cheshire East</li> <li>4. In response to each element of the policy:- <ol style="list-style-type: none"> <li>a. Delivery of around 200 homes – 10% of units should be bungalows and the maximum percentage of social housing obtained</li> <li>b. Leisure / community facilities – welcome contribution to upgrade to Middlewich Victoria buildings and hall as a connected community centre</li> <li>c. Retail facilities to meet local needs – seek a contribution towards producing a study and project into the regeneration of Wheelock Street.</li> <li>d. Green infrastructure – should be more than a patch of grass and used to bring the development into the town. Public Rights of way should be incorporated into the design of the masterplan area.</li> <li>e. Open space – each phase should provide a Children’s play area and the play areas should be overlooked.</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. Noted, the SPD considers the industrial heritage of the town in its introduction and assessment of the context for the town.</li> <li>2. Noted, the SPD considers the Murgatroyd Brine Works asking that it is sympathetically restored with enhanced public access.</li> <li>3. Noted.</li> <li>4. Noted, in response to the points raised <ol style="list-style-type: none"> <li>a) The SPD makes clear in section 5.1.2 that affordable homes will be required in line with policy SC5 (Affordable Homes) of the Local Plan Strategy. Policy SC 4 (Residential Mix) of the Local Plan Strategy requires a mix of housing tenures, types and sizes including meeting the needs of older people.</li> <li>b) As noted in section 5.2 in the SPD and in line with policy IN2 of the Local Plan Strategy, section 106 agreements will only be used, where appropriate and justified, on a case by case basis</li> <li>c) See response to point b (above). Any request for a contribution will be considered on a case by case basis in line with the requirements of policy IN2 of the Local Plan Strategy and the CIL Regulation 122 tests, namely necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.</li> <li>d) The SPD requires a network of green infrastructure across the site.</li> <li>e) Point 4 of policy LPS 43 notes that development should include the incorporation of open space, including an equipped children’s play space.</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. No modification(s) required.</li> <li>2. No modification (s) required.</li> <li>3. No modification(s) required.</li> <li>4. No modification (s) required.</li> </ol>
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BLDF 21 – Middlewich Town Council	<p>f. Pedestrian and cycle links – concerned that residential and industrial traffic will be sharing Brooks Lane. Cycle routes should offer alternative exits and cycle paths should also avoid Brooks Lane. Public rights of way should be upgraded. Brooks Lane bridge should be modified so it can be used as a pedestrian route.</p> <p>g. Marina – Middlewich is probably the most important Junction on the Cheshire ring from Middlewich. A marina is long overdue. Provision of a 20 bay marina is inadequate. The town council would support a 50 bay marina and would consider this an essential part of the redevelopment of this area.</p> <p>h. Land for a new railway station – support for the position marked on page 46 of the masterplan area.</p> <p>i. Archaeological potential – should remove references to ‘potentially’ when talking about roman remains and should refer to industrial heritage. The document should appropriately refer to heritage assets on the site and the design of canal facing houses need to reflect some of the town’s heritage.</p> <p>j. Vehicle access – the masterplan should say, on page 36, that significant highways enhancements to the junctions Wording should be changed to - ‘The future redevelopment of the Site should be supported by highways enhancements which keep in character and heritage of this Listed bridge and the potential signalisation of the Brooks Lane Canal Bridge and the installation of a footbridge for the safety of Pedestrians’</p>	<p>f) Section 5.1.4 Green and Blue Infrastructure – includes a section on the provision of pedestrian and cycle connections across the Site and connect with the surrounding pedestrian and cycle network.</p> <p>g) Support for the provision of a marina is noted. The references to circa 20 berth marina are considered appropriate, following engagement in the development of the masterplan with an indicative location identified and tested at a high level through the SPD.</p> <p>h) Noted.</p> <p>i) References to potential roman roads is considered to be appropriately termed in the SPD, although it is acknowledged that there are other heritage assets within and adjacent to the site which are also referenced in the document.</p> <p>j) Reference to highways enhancements is considered to be appropriately framed in the document.</p>	
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<p>BLDF 21 – Middlewich Town Council</p>	<p>k. Masterplan should ensure that vehicle traffic, cyclists and pedestrians are separated.</p> <p>l. Footbridge across the canal to allow east access to Lewin Street.</p> <p>m. All development should conform to the Design Guide.</p>	<p>k. Section 5.1.3 refers to pedestrian connection points that should be enhanced to improve user safety.</p> <p>l. Noted. The BLDF seeks improvements to pedestrian and cycle facilities within the site and also between the site and the surrounding area. The ability and justification for a development scheme to provide for a new footbridge to Lewin Street would need to be considered at a planning application stage in the light of the type, location and scale of the scheme.</p> <p>m. The introduction to section 5.3.1 illustrative masterplan refers to the design framework being aligned with the requirements of the Design Guide. The Design Guide will also be a relevant to the formulation of development schemes and a material consideration in the determination of planning applications.</p>	
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BLDF 22 – Visualise	<ol style="list-style-type: none"> <li>1. Represents client who owns land off Sea Bank Middlewich</li> <li>2. Support residential development on the site but the masterplan should recognise the development to be available in the short term given previous planning application status.</li> <li>3. In a general response the master plan represents a very bold concept and changing this long-term employment area in the manner proscribed will present a significant challenge perhaps especially the reliance upon essentially the single transport artery of Brooks Lane, satisfactory improvements to the junction with Kinderton Street and the Sea Bank access appear to us vital and need to synchronise as it were, with the rail passenger facility.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> <li>2. Following a detailed assessment and having been tested through a number of consultation stages - the identification of a short term phase to meet the Local Plan requirement is considered appropriate in the SPD.</li> <li>3. See response at point (2) above. However, the BLDF describes and acknowledges the characteristics of the current road network and highlights the need for any development proposal to demonstrate an acceptable form of access. It recognises that access will be a key consideration in determining any planning applications promoting significant land use change in the area.</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification (s) required</li> <li>2. No modification (s) required</li> <li>3. No modification (s) required.</li> </ol>
BLDF 23 – Coal Authority	<ol style="list-style-type: none"> <li>1. No specific comment to make on the masterplan.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> </ol>	<ol style="list-style-type: none"> <li>1. No modification(s) required</li> </ol>
N.B - the following responses were received after the formal consultation closing date.			

BLDF 24 – Network Rail	<p>1. Network Rail is a statutory consultee for any planning applications within 10 metres of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedure Order) and for any development likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway of the Development Management Procedure Order). Network Rail is also a statutory undertaker responsible for maintaining and operating the railway infrastructure. Network Rail aims to protect and enhance the railway infrastructure, therefore any proposed development which is in close proximity to the railway line or could potentially affect Network Rail's specific land interests. Network Rail's concern with the current text (on Page 36 of the SPD) is the ambiguity it leaves around whether or not a development proposal impacts on Network Rail level crossings. Network Rail would request that the comments are strengthened to reflect the Rail Network Operators, Schedule 4 (J) of the Development Management Procedure Order that you quote in your letter to the Council(14/02/19). Suggested amendment: "Development proposals that could result in a material increase in the volume, or a material change in the character of traffic using a level crossing over the railway, should be supported by an assessment on the impact in consultation with Network Rail." All developers are requested to engage with Network Rail to understand the impact of their plans at an early stage of the development process.</p>	1. Noted and modification proposed	<p>1. Section 5.1.3 (access parameter) has been amended with reference to railway crossings as follows-  <i>"Development proposals that could result in a material increase in the volume, or a material change in the character of traffic using a level crossing over the railway, should be supported by an assessment of the impact on railway level crossings in consultation with Network Rail".</i></p>
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BLDF 26 – Network Rail	<p>2. Network Rail has the following additional comments associated with works proposed on each side of the rail corridor: Construction activities having the potential to affect the stability of NR land &amp;/ or assets and requiring NR Asset Protection's prior acceptance: • Excavation works • Construction of piled foundations • Activities causing vibration • Dewatering • Any intent to direct the flow water towards NR land • Installing any soak-away within 30m of NR land • Increasing the volume of water flowing through the existing culvert passing beneath operational railway. Other construction activities requiring NR Asset Protection's prior acceptance: • The operation of any plant &amp;/ or equipment within a collapse radii of NR land (not just the railway tracks) Protective measures required: • To mitigate increased trespass risk consequent to the local population increase, the Developer shall finance the upgrade of the NR boundary fence to a specification agreed by NR • Vehicle incursion risk to be fully assessed and mitigation measures constructed to NR's satisfaction • Should an acoustic boundary fence be proposed to shield residents from railway noise, its maintenance in perpetuity must be financed by the Local Authority &amp;/ or Property Management company, not by individual residents.</p>	2. Noted	2. No modification(s) required
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BLDF 26 – Network Rail cont..	<p>3. • Restrictive covenants to be included within property deeds preventing residential owners/ users sited immediately adjacent to the rail corridor from: - Installing high intensity security type lighting directed towards the operational railway that could potentially compromising railway safety by affecting the ability of train drivers to safely sight railway signals - Planting specific species of trees/ shrubs that have the potential to affect operational railway use, and the maintenance of its land - Constructing new building or structures in the vicinity of operational railway land without NR's prior agreement - Changing ground levels or drainage that in NR's opinion may lead to additional flows entering NR land</p> <p>Queries:</p> <p>1. Page 35 of report references a 'Flood Zone' adjacent to NR land. Is this proposal or existing? Please supply full details.</p> <p>2. Page 36 of the report refers to a railway underpass. Is this a railway underbridge? (Please note that if construction of a railway underpass - rather than railway footbridge – is proposed, given that it would be subject to rail loading, the structure would have to be designed and constructed in accordance with Network Rail's requirements and be maintained in perpetuity at the Local Authorities expense. Network Rail is unlikely to agree to any underpass proposal.)</p>	<p>3. Noted. The content of property deeds are beyond the control of the Council. Design measures have already been taken in the SPD to protect the railway infrastructure. Network Rail are also able to request planning conditions are added to planning permissions, as appropriate, when consulted on planning applications.</p> <p>In response to the detailed queries raised</p> <ol style="list-style-type: none"> <li>1. Figure 15 (landscape analysis plan) of the development framework highlights Flood Zone Areas 2&amp;3 in the area of the development framework (Sanderson's Brook).</li> <li>2. There is an existing pedestrian subway running underneath the railway line - footpath (FP19). The development framework supports its enhancement but for continued use as a pedestrian subway.</li> </ol>	3. No modification(s) required
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<p>BLDF 25 Sandbach Town Council</p>	<p>1. Issues and opportunities that need to be addressed • Restricted traffic access over Brooks Lane canal bridge - this is an old narrow bridge with one way traffic • Provision of a site for a replacement passenger station for Middlewich • Enhance and respect the Roman history of Middlewich • Opportunity to enhance the site of the historic Murgatroyds brine pump • Visual improvement of the canalside areas as people enter Middlewich • Need to ensure that provision of small scale, mixed industrial and commercial employment provision is retained within Middlewich.</p> <p>2. The development framework considers a phased approach to redevelopment. The first phase, furthest from the town centre, would involve the former HQ for Pochins and the upper level of the Trent and Mersey Canal. This could involve the creation of a 20 berth canal marina and approx 200 houses. A critical aspect of this residential development will be the need for an effective buffer between the new residential area and the retained and enhanced employment area running through to the railway line. Not sure of the wisdom of linking the new residential access through to the employment areas located on Road Beta, it would not be wise to permit commercial road traffic to access the residential areas.</p>	<p>1. Noted, the BLDF already addresses the matters raised in this representation.</p> <p>2. Noted, the development framework requires development (particularly residential) proposals to consider amenity impacts of surrounding employment areas. Section 5.1.3 (access parameter) notes that the longer term intention is for Road Beta to accommodate employment traffic only.</p>	<p>1. No modification(s) required.</p> <p>2. No modification (s) required.</p>
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BLDF 25 Sandbach Town Council	<ol style="list-style-type: none"> <li>3. An area adjacent to the Murgatroyds pump house is reserved as a possible site of a new Middlewich railway station - plans are progressing to upgrade the goods line to reintroduce passenger trains on the line that links Sandbach through Middlewich to Northwich. Parking facilities for the station would need to be on the other side of the railway line from the redevelopment with an enhanced subway linking to both the parking and existing employment areas.</li> <li>4. Sandbach Town Council strongly supports the upgrading of the railway line and provision of a station in Middlewich.</li> <li>5. Later phases of development whilst providing opportunities for new retail and community facilities close to the town centre and the canal, must not be provided at the cost of lost small employment sites.</li> <li>6. Effective visual and noise buffer is required between the retained employment area and proposed new housing.</li> <li>7. Support for the provision of a passenger station in Middlewich</li> <li>8. Need to ensure the later redevelopment of existing employment areas closer to the town centre are matched with the provision of new mixed employment areas elsewhere in Middlewich.</li> <li>9. Need to ensure that the Roman history of Middlewich is not damaged during redevelopment.</li> </ol>	<ol style="list-style-type: none"> <li>3. Noted</li> <li>4. Noted</li> <li>5. Noted, the intention of the development framework is to support the delivery of housing on the site whilst supporting an acceptable relationship between housing and existing employment uses on the site.</li> <li>6. The development framework supports a suitable landscape buffer and acoustic mitigation along Road Beta</li> <li>7. Noted</li> <li>8. Noted, Midpoint 18 (or Ma6nitude), a large strategic employment site, is allocated in the Local Plan Strategy. The Local Plan Strategy envisages 70 hectares of land being developed for employment purposes at this site by 2030.</li> <li>9. Noted. This is addressed in the BLDF and also in the Local Plan Strategy under policy LPS 43. Site specific principles of development c, h and j of the policy refer to how development proposals should account for the presence of heritage assets within or adjacent to the site.</li> </ol>	<ol style="list-style-type: none"> <li>3. No modification(s) required</li> <li>4. No modification (s) required</li> <li>5. No modification (s) required</li> <li>6. No modification (s) required</li> <li>7. No modification (s) required</li> <li>8. No modification (s) required</li> <li>9. No modification (s) required</li> </ol>
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# Cheshire East Local Plan

## Brooks Lane (Middlewich) Development Framework - Supplementary Planning Document

September 2020



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**Barton Willmore**

Tower 12  
18/22 Bridge Street  
Spinningfields  
Manchester  
M3 3BZ

T: 0161 817 4900  
E: [info@bartonwillmore.co.uk](mailto:info@bartonwillmore.co.uk)

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# 1 INTRODUCTION

This development framework is the result of a study undertaken by Barton Willmore on behalf of Cheshire East Council, to provide a strategy for the redevelopment of land at Brooks Lane, Middlewich (the Site). The strategy proposed has been underpinned by a detailed site and contextual assessment, alongside engagement with a range of groups, including people who own property and work on the Site, the Council and other relevant stakeholders.

## 1.1 PURPOSE

The purpose of the framework is to unlock the Site's regeneration benefits, whilst recognising that there are existing businesses that may wish to remain operating on the Site.

The development of this framework is linked to the adopted Cheshire East Council Local Plan Strategy (2017), which has identified the Site as 'Strategic Location LPS 43: Brooks Lane, Middlewich' and addresses the expectation that its development will be achieved through a masterplan-led approach.

It provides guidance to inform the preparation of development proposals for the Site, setting out key matters that proposals should address in order to achieve high quality new development that will significantly enhance the area and benefit the Town as a whole.

The development framework should be read alongside the policy provisions set out in the Local Plan Strategy, particularly policy LPS 43 (Brooks Lane) Strategic Location.

## 1.2 THE STUDY

The study has been underpinned by an analysis of the Site and an assessment of Middlewich and its history. At an early stage, workshop(s) were held with people who own property and work on the Site, to understand their views on redevelopment. Their feedback, and the feedback of other stakeholders, helped to inform the preparation of a preferred masterplan option.

A draft version of the development framework, which set out the preferred masterplan option (consulted on as a draft Supplementary Planning Document), was the subject of public consultation from the 14 January 2019 until the 25 February 2019.

A final draft of the Supplementary Planning Document was consulted on between Wednesday 22 January and Wednesday 04 March 2020.

This engagement-led approach has directed the production of this report, which sets out an analysis of the Site and the local area, informed by engagement and consultation with the local community and other relevant stakeholders. The development framework addresses the potential future redevelopment of the Site, both in the shorter and longer term. In the shorter-term, it envisages the delivery of c.200 units (as identified within Strategic Location LPS 43), whilst retaining a significant amount of employment uses on the Site. In the longer-term, this could see a greater proportion of the Site redeveloped over the next 15-20 years or more (outside of the period covered by the Local Plan).

The redevelopment of the Site would be subject to land owners intentions and an acceptable relationship between housing and employment uses being achieved on the Site.

## Document Structure

The document is structured as follows:

- » **Part 1:** Introduces the work and sets the relevant planning context.
- » **Part 2:** Sets out a baseline analysis of Middlewich and the Site.
- » **Part 3:** Summarises the engagement process.
- » **Part 4:** Presents an evaluation of the site and details the development parameters for future development.
- » **Part 5:** Details the masterplan framework and illustrative proposals to help inform future proposals.
- » **Part 6:** Provides a summary of the report and a proposed phasing strategy.



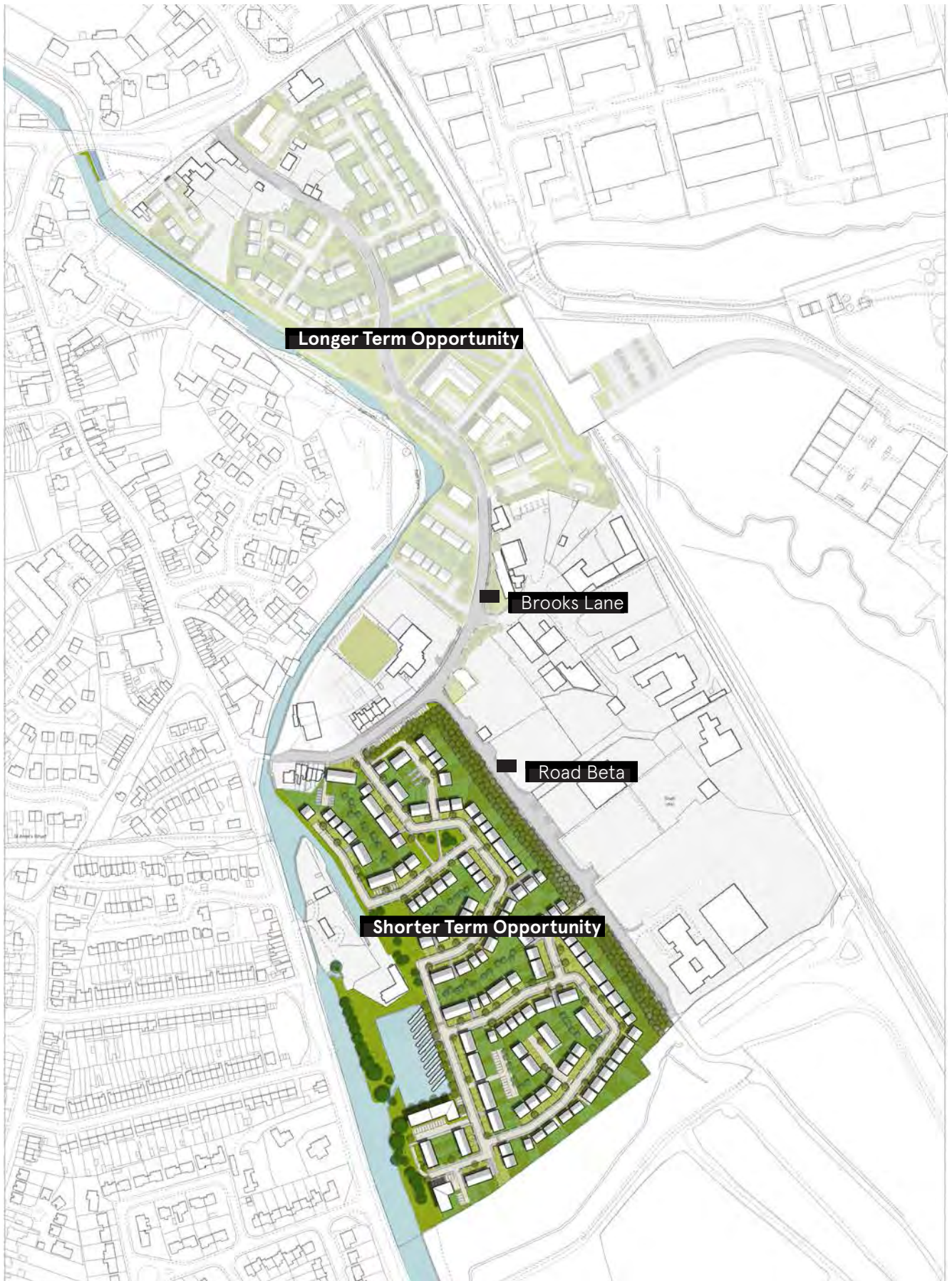


Figure.1 Illustrative Masterplan



### 1.3 THE VISION

The Site provides an exciting opportunity to deliver an attractive mixed-use development comprising new homes, leisure, community facilities, a potential new train station and a Marina,

The transformation from industrial uses to a new mixed-use community could regenerate the canal-side, enhance the vitality of the Town Centre and provide significant benefits to the Middlesbrough community.

Retained Bowling Green

Trent & Mersey Canal

Canal Boat Marina







Figure.2 Illustrative Birdseye Model

## 1.4 LOCAL PLANING POLICY CONTEXT

### 1.4.1. Cheshire East Local Plan Strategy (2017)

The adopted Local Plan Strategy (2017) identifies the Site as 'Strategic Location LPS 43: Brooks Lane, Middlewich', with the potential to include:

- » The delivery of around 200 homes;
- » The delivery of leisure and community facilities to the north of the Site;
- » The provision of appropriate retail facilities to meet local needs;
- » The incorporation of Green Infrastructure (Green Corridor and Open Space including an equipped children's play space);
- » The improvement of existing and provision of new pedestrian and cycle links to connect development to existing employment, residential areas, shops, schools health facilities, recreation and leisure opportunities and the town centre;
- » The potential provision of a Marina at the Trent and Mersey Canal; and
- » The provision of land for a new railway station including lineside infrastructure, access and forecourt parking.





Figure.3 Strategic Location LPS 43: Brooks Lane, Middlewich (the Site)

## 2 ASSESSING THE CONTEXT

The Development Framework has been informed by an understanding of the unique nature of Middlewich and the Site. Accordingly, this chapter explains the various contextual and site-specific elements that should influence and shape the future development of the Site.

### 2.1 HISTORICAL CONTEXT

Middlewich dates back to the medieval times. The Town's heritage is heavily influenced by salt production, the Industrial Revolution, and the canal network which underpinned its growth.

The maps opposite show the expanding built development across the Town and on the Site through the 19th and 20th Century. The 1898 Map is the oldest map to show development on the Site, with the Mid-Cheshire Works and the tramway being evident. Since 1898, the Town has witnessed several stages of predominately residential growth, encompassing the Site. The Present-day Map shows the Site situated between the railway and the canal, towards the edge of the settlement but also sitting close to the historic core.

#### 2.1.1. Salt Manufacture

Production of salt has been a common thread throughout Middlewich's history. The Roman Army set up a settlement at Middlewich centered on salt production,

which included a Medieval Market that forms the historic core of today's Town Centre. By the early 20th century, there were nine industrial scale salt companies in Middlewich.

#### 2.1.2. Canal Network

The need to export the salt deposits of Middlewich efficiently and economically was a driving force behind the construction of the canals during the 18th century. The Industrial Revolution saw the expansion of the canal network in Middlewich and today three canals converge in the Town; the Trent and Mersey Canal; the Shropshire Union Canal; and the Wardle Canal.

#### 2.1.3. Railway

Railways were first introduced to the Middlewich area in 1867. In 1868, the line provided a passenger service and became a vital mode of transport for the Town. Train services ran from Crewe via Sandbach to Middlewich and Northwich. By 1922, nine services a day operated between Crewe and Northwich, and

a service to Manchester Oxford Road and London Euston also operated on weekdays.

There was a drastic reduction in the number of train services serving Middlewich Station during World War II and the years that followed. Eventually, the Station was closed as part of the Beeching British Railways closure programme, and passenger trains ceased to use the station by early 1960. The Station buildings were subsequently demolished, and the railway line, whilst still active, is only used by freight trains today.

A strategic outline business case to re-open the line to passenger traffic has been formally requested by government. The Mid Cheshire and Middlewich Rail Feasibility Study was jointly commissioned by the Council in-conjunction with Cheshire West and Chester Council and the Local Enterprise Partnership. The initial findings of the study are available to view on the Cheshire and Warrington Local Enterprise Partnership website







Figure.4 1899

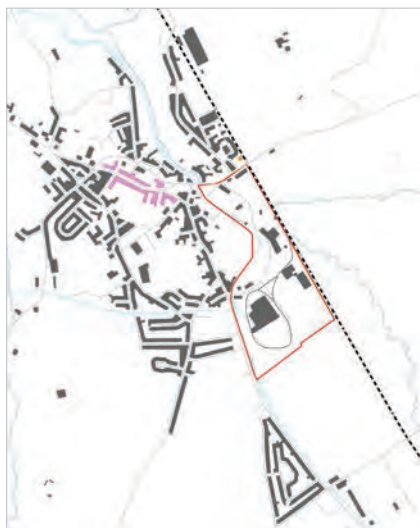


Figure.5 1954



Figure.6 1969



Figure.7 Present-day





## 2.2 MIDDLEWICH STRUCTURE

Throughout this section, an overview is provided of the structure and character of present-day Middlewich before identifying the changing context of the Town and providing an analysis of the Site.

### 2.2.1. Middlewich Today

The population of Middlewich was estimated at 14,100 people in mid-2018. Salt still plays an important role in the economy, with British Salt, the UK's leading manufacturer of pure dried vacuum salt products, located within the Town.

While the commercial use of the canals has reduced, they remain an important cultural asset and the leisure industry is a continued source of activity and investment, as is a renewed interest in the heritage value of the canal system.

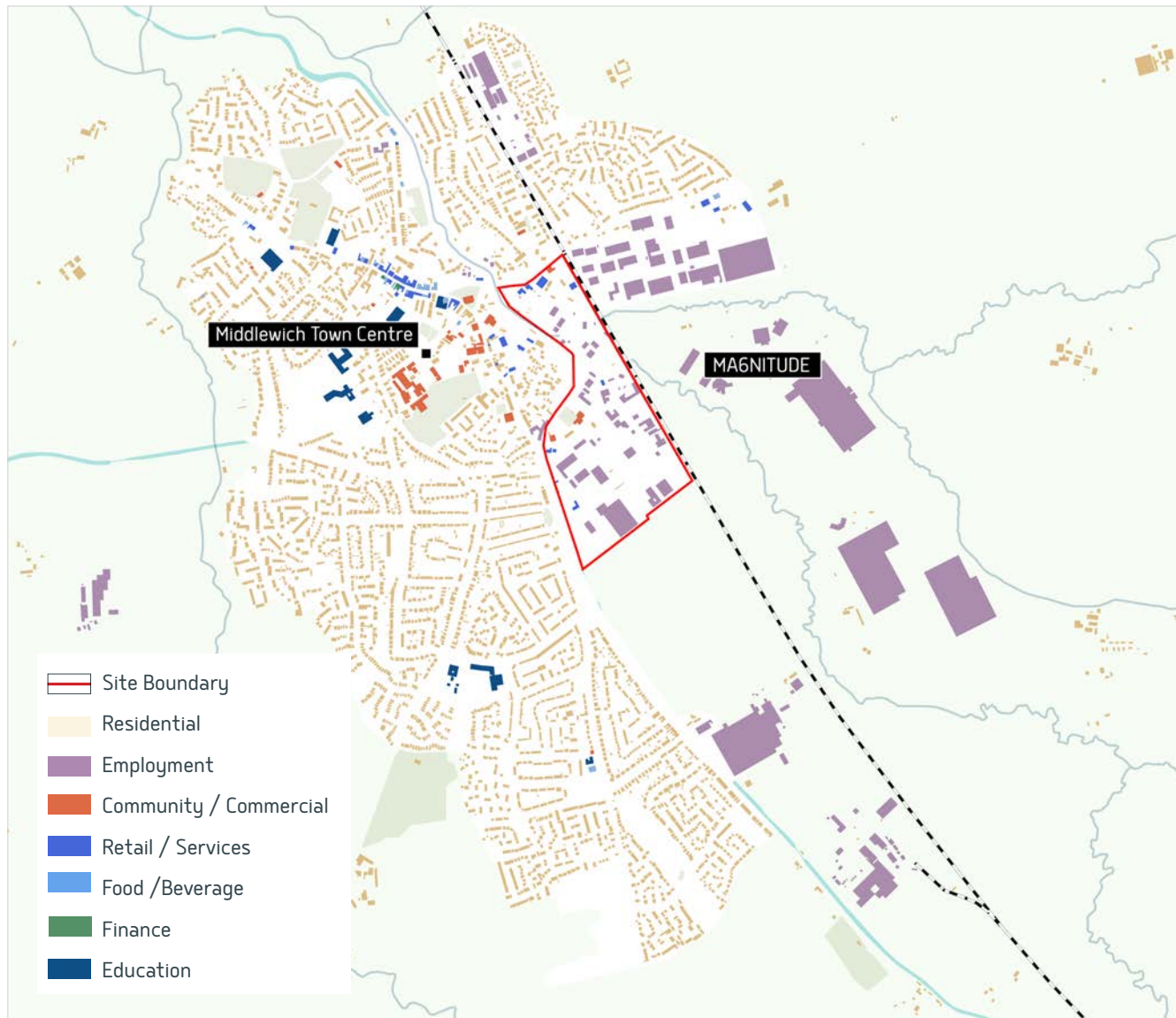








Figure.8 Land Use Plan



### 2.2.2. Land Use

The Town comprises a mix of residential, commercial, industrial and community uses.

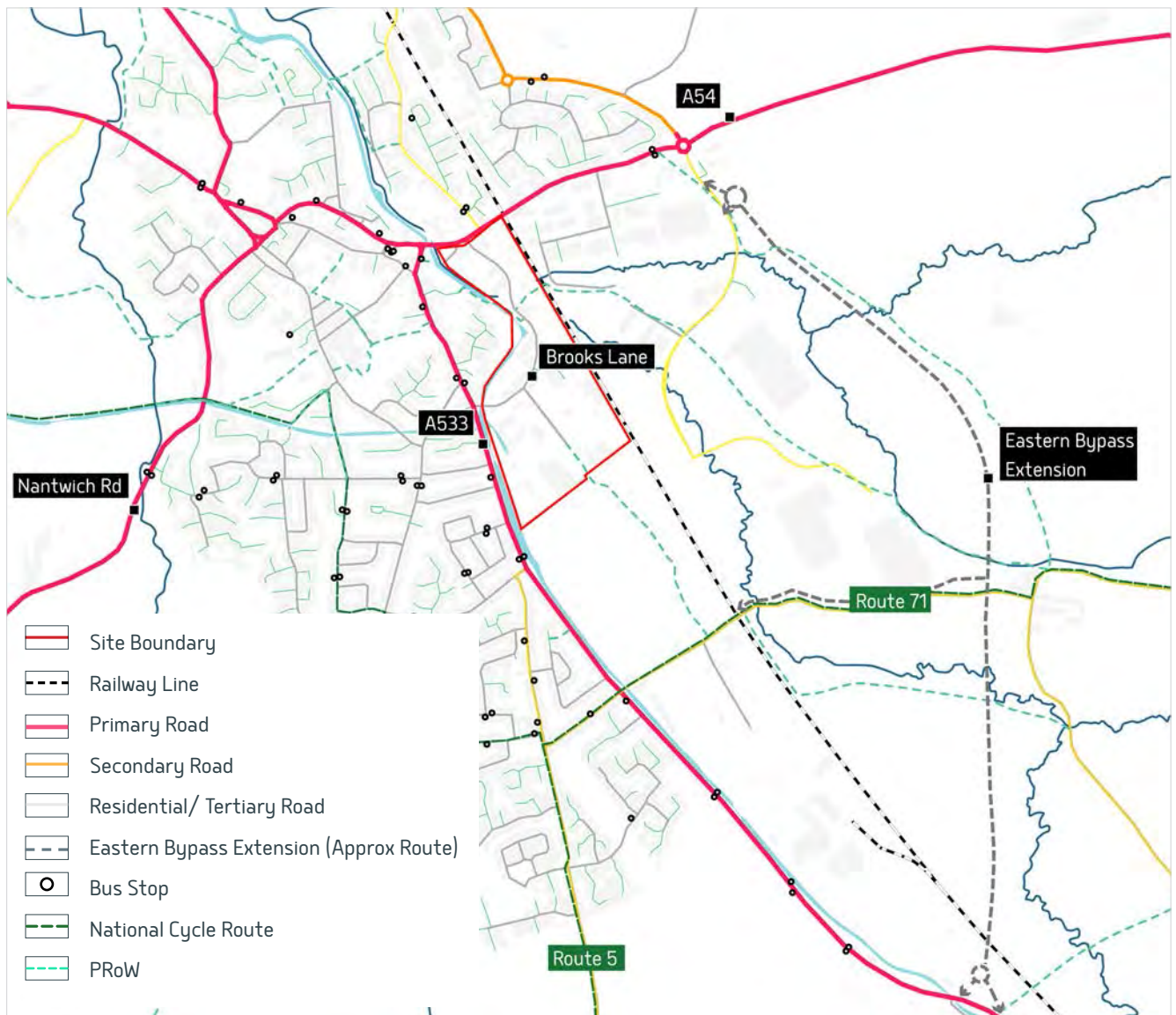
The Town Centre is located to the north of the Site and comprises the length of Wheelock Street, the Hightown and, to a lesser extent, Lewin Street. There are some smaller branch roads including Leadsmithy Street and Lady Anne Court. The Town Centre has several local shops, a public house, cafes and restaurants. There are also four supermarkets; Jacks, Lidl, a Tesco Express, and Morrisons.

The Town's industrial and employment uses have historically been focused around the Trent and Mersey Canal and the railway line. The Site, which is contained to the west and east by the canal and railway respectively, is predominately industrial in nature but does also include residential and community uses.

To the east of the Site, beyond the railway line, lies a significant business park known as Midpoint 18 (MAGNITUDE) which is planned for expansion within the Local Plan period.

The proposed redevelopment of the Brooks Lane Site has the potential to deliver new homes and bring significant regeneration benefits to the wider settlement and Town Centre.

Figure.9 Connectivity Plan



### 2.2.3. Connectivity

The plan above shows the street hierarchy of Middlewich. The A533, A530, and the A54 meet at the Town Centre and the latter provides connectivity to Junction 18 of the M6, which is within 3.5km of the Site. Secondary roads provide through routes that link with the primary roads, beyond which is a network of tertiary roads and cul-de-sacs.

Permeability across the settlement is dictated by the canal network and the railway line. Reasonable connections are provided across the Shropshire Union Canal, with four vehicle bridges. However, connections across the Trent and Mersey

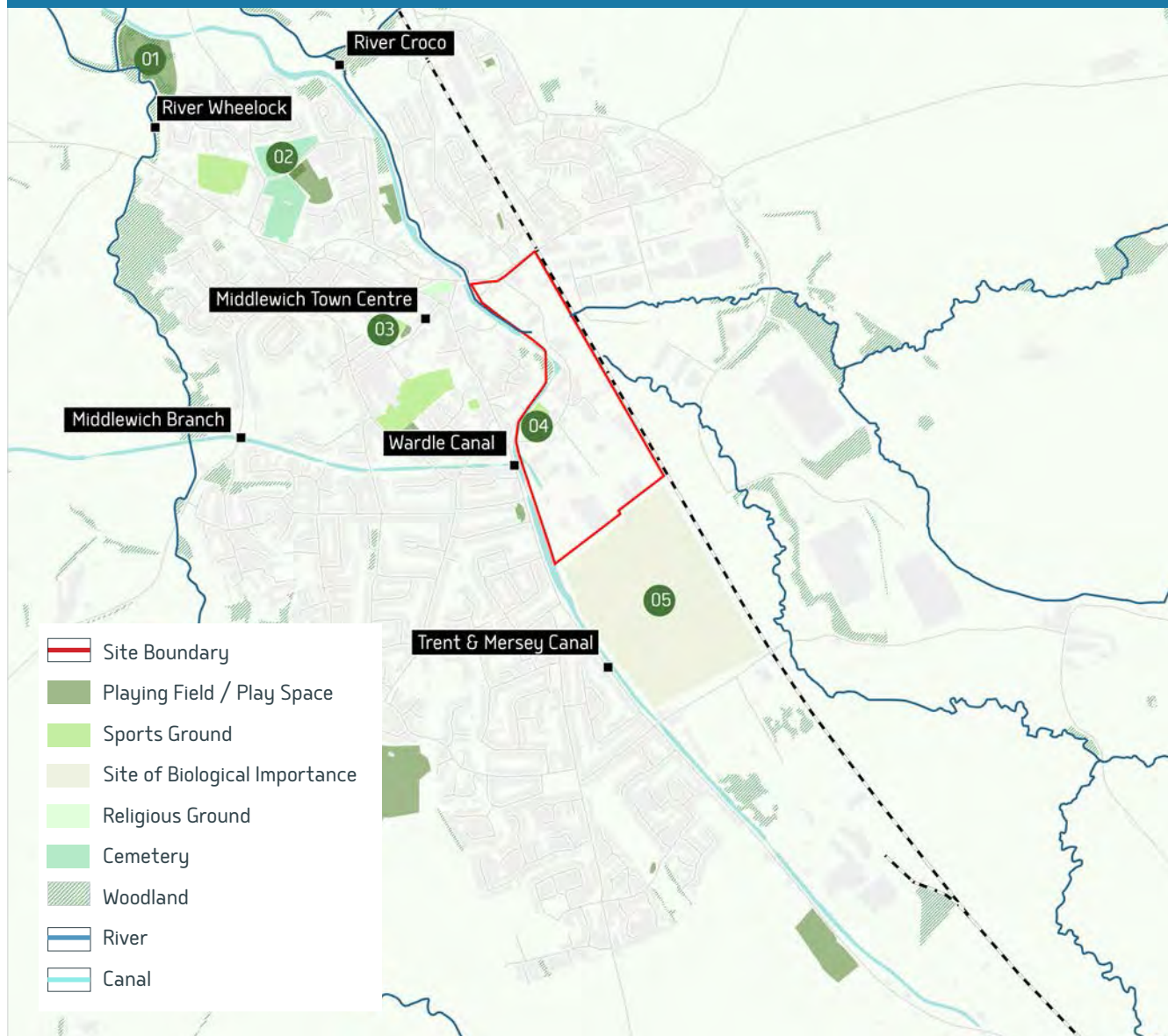
Canal are limited to only two vehicle crossing points, including the Brooks Lane Bridge which connects the Site with the A533. Vehicle movement across the railway is even more limited with only one vehicle crossing point. The combined effect is traffic congestion within the Town Centre and particularly at the junction of the A54 and A533.

The construction of the Middlewich Bypass, linking the A54 with the A533 to the south of the Town, will help alleviate congestion. The redevelopment of the Site will help reduce the number of heavy vehicles crossing the railway into the Town Centre.

Middlewich is well served by national cycle routes and PRoWs. This includes the Middlewich Waterside Trail which is a c.5km route connecting Town Wharf with the Shropshire Union Canal.



Figure.10 Landscape Plan



#### 2.2.4. Landscape

Middlewich is a generally flat and open landscape at the confluence of three rivers, the Dane, the Croco and the Wheelock.

Industry and salt production have impaired the Towns wider landscape quality, which offers less aesthetic value and less mature vegetation cover than elsewhere across Cheshire.

Whilst Middlewich's rural hinterland is a predominately agricultural landscape, there is marked influence of industry

on the settlements urban fringe. The Site lies within a corridor of industrial infrastructure that runs between the A533, the Trent and Mersey Canal and the railway. Due to the relatively low land-form and low vegetation cover, this industrial corridor is prominent from many views.

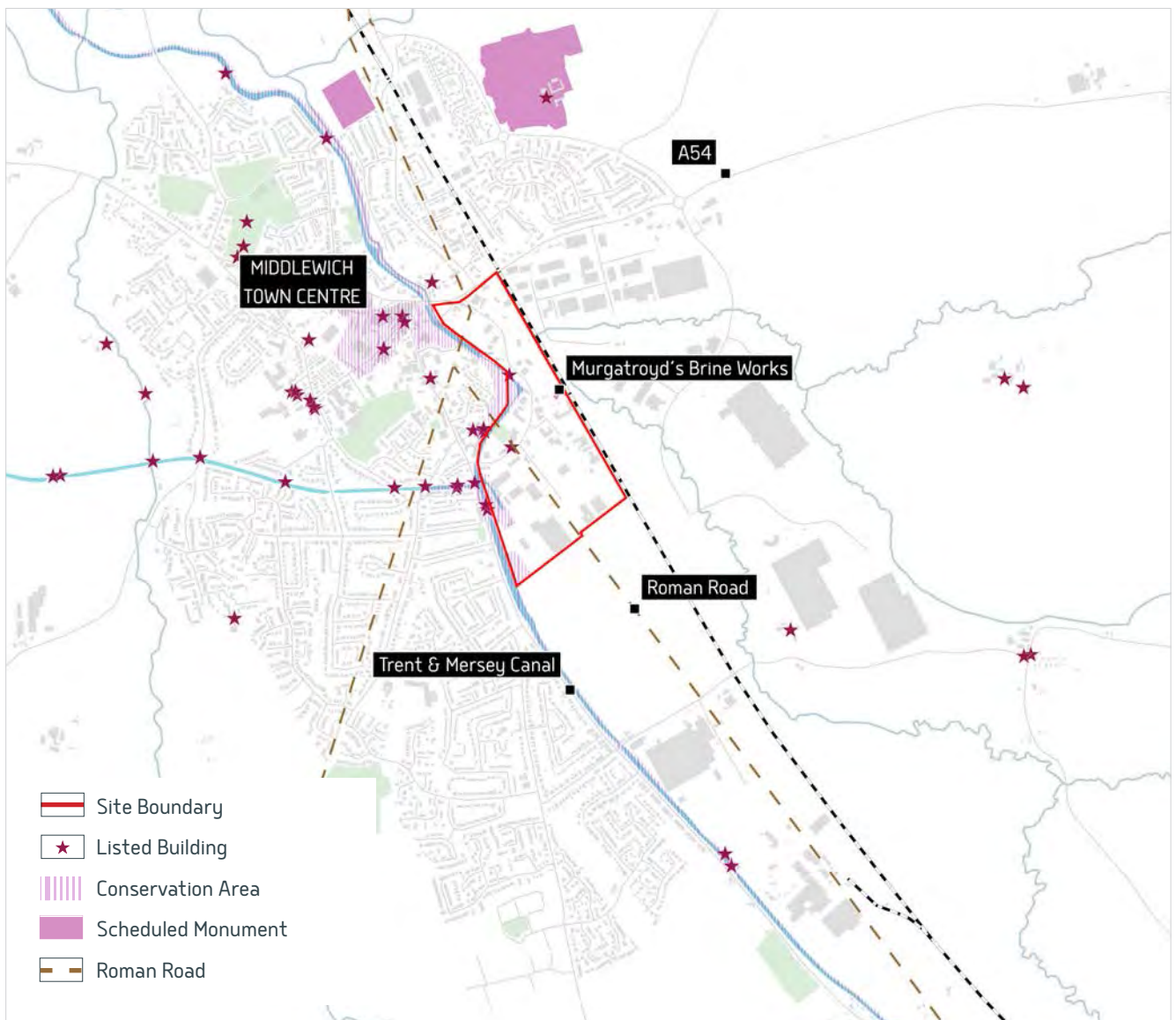
The proposed redevelopment of the Site has the potential to provide new landscape features, whilst also forging green connections with nearby areas of landscape quality. This includes the

Cledford Lane Lime Beds local wildlife site (LWS)) which is located directly to the south of the Site and contains lagoons and a diverse flora. The Canal is also an important landscape feature and wildlife corridor.

Notable recreation and landscape assets shown on the plan above include but are not limited to: 1. Croxton Park; 2. Middlewich Cemetery; 3. Fountain Fields Park; 4. Bowling Green at Middlewich Church; and 5. Cledford Lane Lime Beds.



Figure.11 Heritage Plan



### 2.2.5. Heritage

Middlewich has 40 Listed Buildings. There are also 3 Scheduled Monuments, including the Murgatroyd's Brine Works which is located within the Site. There are 2 Conservation Areas in Middlewich; Middlewich Conservation Area which is focused around the historic core of the Town Centre, and The Trent and Mersey Canal and Wardle and Shropshire Union Canal Conservation Area which lies along the Site's eastern most boundary. There is also a network of historic Roman roads that potentially remain below the ground and run through Middlewich and the Site.

## 2.3 CHANGING CONTEXT

Cheshire East Council has an ambitious investment strategy for Middleswich, aimed at boosting economic growth and enhancing the vibrancy and attractiveness of the Town. The overarching objectives include the provision of new housing, support for the Town Centre, new employment opportunities, enhancement of the built and natural environment, and improved infrastructure, including road and rail.

To help Middleswich deliver these objectives, the Council has affirmed its commitment to securing several development proposals through the Local Plan. This includes new employment development at Midpoint 18 (MAGNITUDE), new housing at Glebe Farm and the completion of the Middleswich Eastern Bypass. In addition, the Brooks Lane Site has been identified to deliver attractive mixed-use development comprising new homes, leisure and community facilities and a potential new train station. This offers an exciting opportunity to regenerate the canal-side, whilst also enhancing the vitality of the Town Centre.

### 2.3.1. Middleswich Eastern Bypass

The Middleswich Eastern Bypass, running to the east of Middleswich, between Pochin Way and the Salt-Cellar Roundabout and Booth Lane (A533) now has planning permission and will reduce traffic congestion in the Town Centre once constructed, and support the development potential of the Site, whilst also helping the wider settlement realise its full employment and housing growth potential

### 2.3.2. Glebe Farm

Glebe Farm is a large green field to the south of Middleswich covering approximately 17ha. It is expected that around 525 new homes will be delivered on this site, along with the provision of pedestrian and cycle connections and enhanced green infrastructure. The site will provide contributions to the delivery of the Middleswich Eastern Bypass and towards local facilities.

### 2.3.3. Midpoint 18

Midpoint 18 (MAGNITUDE) is a large strategic employment site with a total area of some 221.7ha. It comprises an area of existing employment development of 100.7ha and an undeveloped area of 121ha. It is expected that up to 70ha of the undeveloped area will come forward within the plan period, with the remainder in reserve for employment purposes, when required. The site is strategically important due

to its ability to deliver significant employment growth, whilst potentially helping to unlock the future redevelopment of the Brooks Lane Site.

### 2.3.4. Brooks Lane, (the Site)

The Brooks Lane Site comprises an area of around 23ha of land that is largely used for employment purposes and includes under-used land. The Site is c.0.5km to the south of the Town Centre and provides an exciting opportunity to regenerate the canal-side whilst also enhancing the vitality of the Town Centre.

The Site is well related to the existing urban area of Middleswich, with excellent access to services and facilities in the Town Centre and includes the Trent and Mersey Canal and associated Conservation Area within its boundary. The Site's central position makes it an ideal location for a new train station and a modern mixed-use community.

A detailed assessment of the Site is provided throughout the following section.

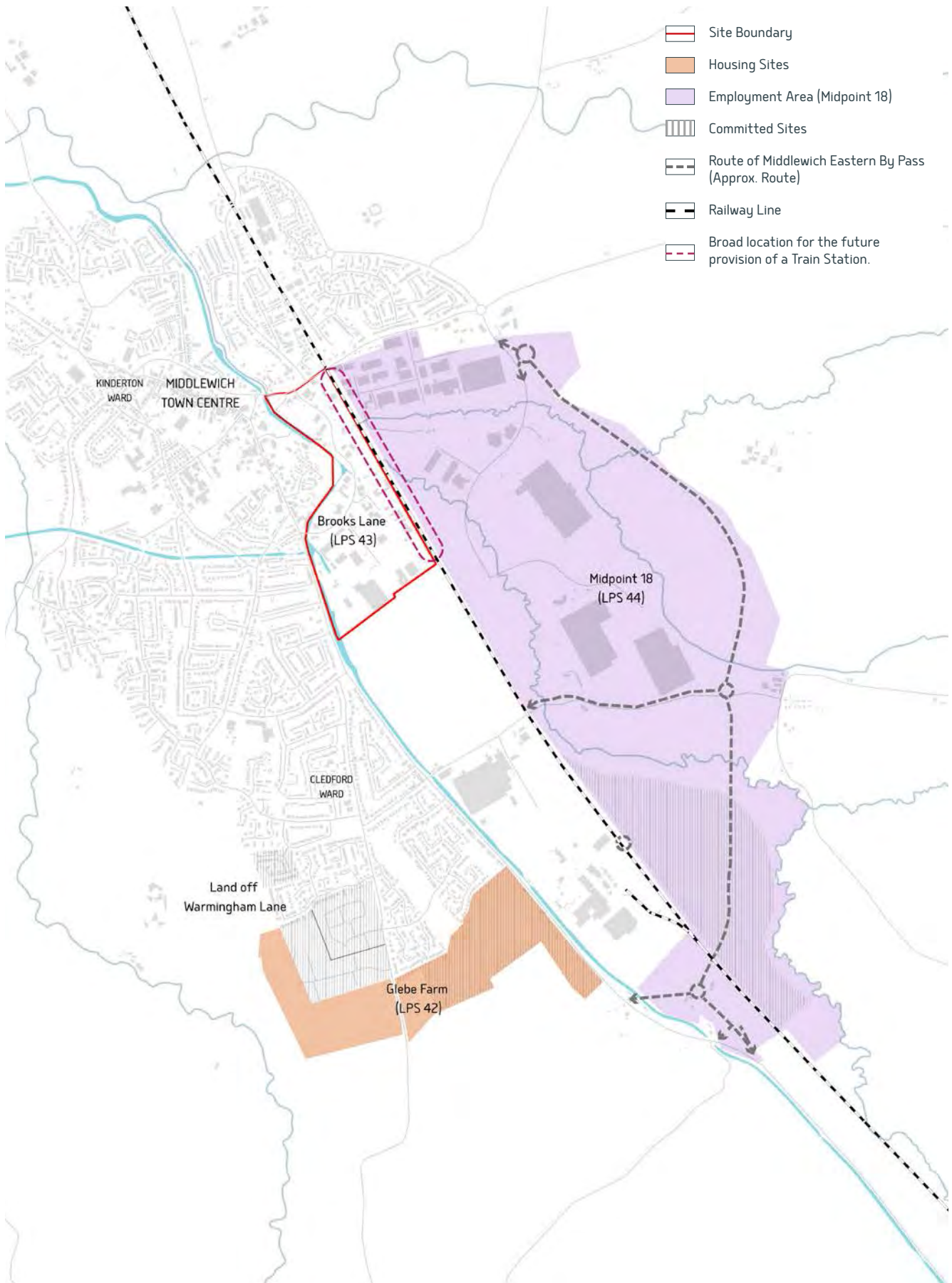


Figure.12 Changing Context Plan

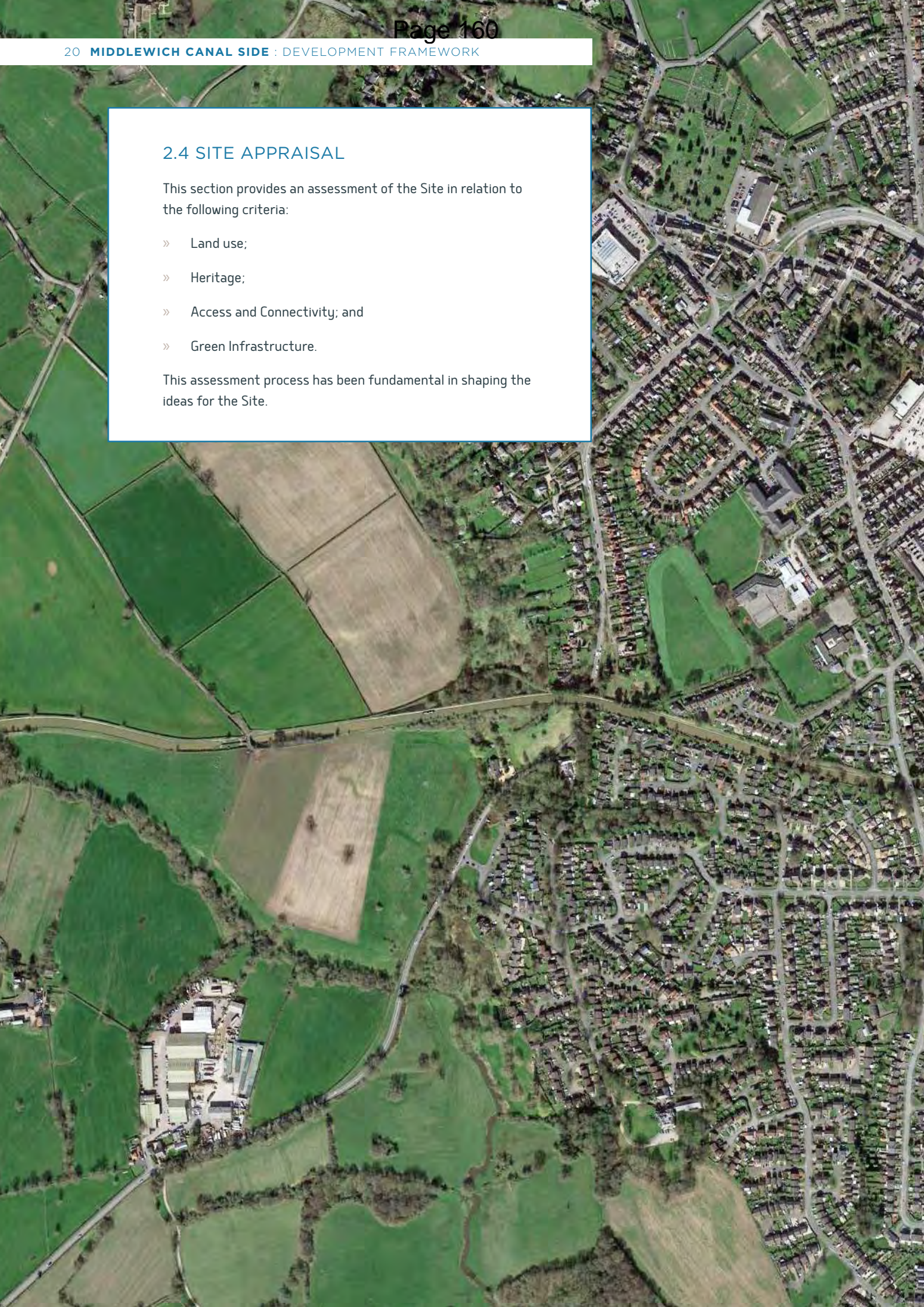


## 2.4 SITE APPRAISAL

This section provides an assessment of the Site in relation to the following criteria:

- » Land use;
- » Heritage;
- » Access and Connectivity; and
- » Green Infrastructure.

This assessment process has been fundamental in shaping the ideas for the Site.







A54 (Holmes Chapel Rd)

Brooks Lane

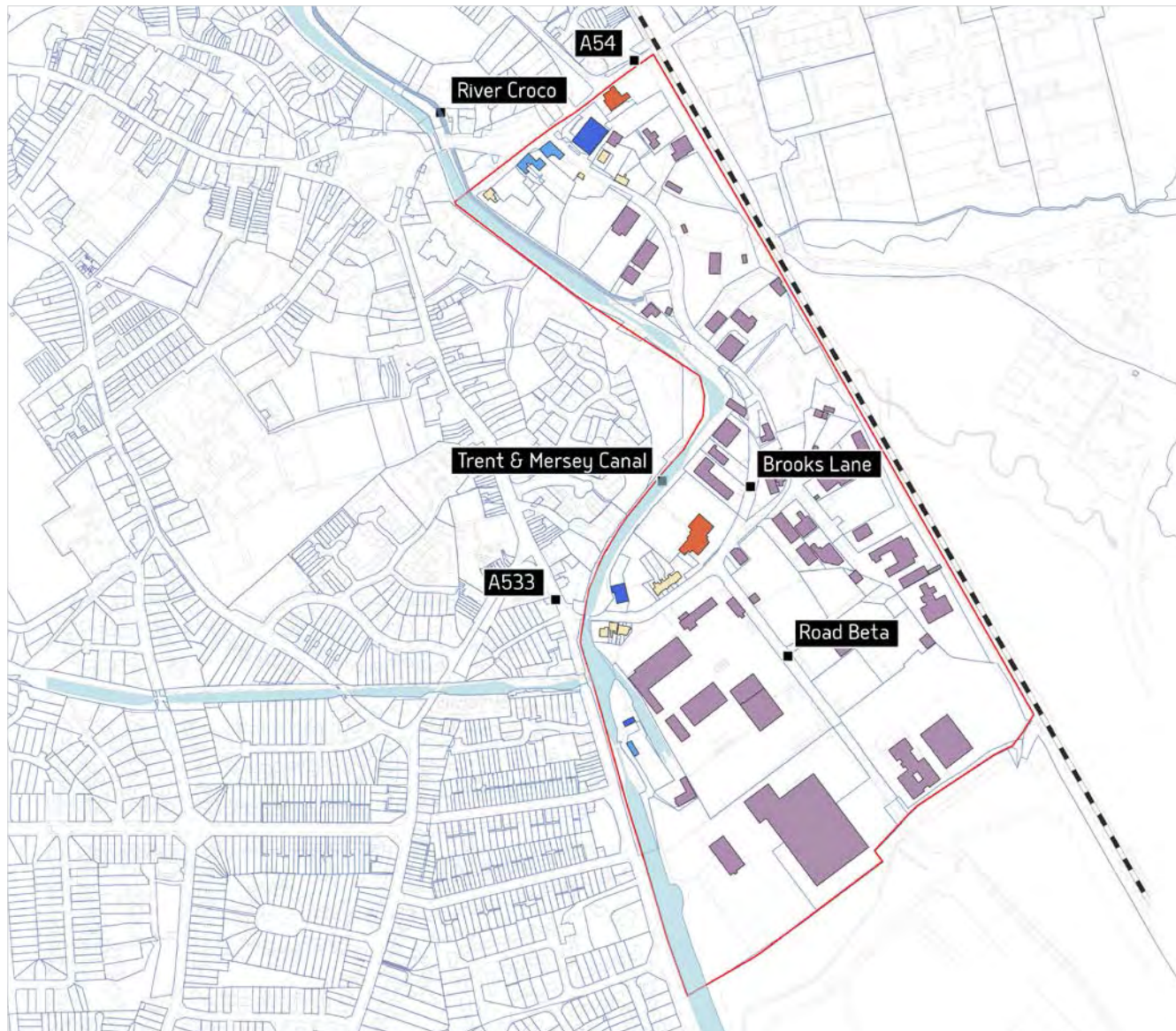
Road Beta

A533 (Booth Lane)

Trent & Mersey Canal



Figure.13 Land Use Site Analysis Plan



### 2.4.1. Land Use

The plan above shows the boundaries of over 60 businesses on the Site. These range from haulage and chemical manufacturing to smaller scale local employers.

Several residential properties are located within the Site. This includes four semi-detached properties and eight terrace properties, located adjacent to the Canal in the south western area of the Site, three houses located towards the northern part of the Site and two properties accessed via Seabank Road.

Existing commercial uses located within the Site include the Kings Lock Pub, the Boars Head Pub, the Kinderton House Hotel, Kings Lock Chandlery and Unique Fitness Gym. Community/commercial uses include Middlewich Community Church, which is located at the centre of the Site, Middlewich Masonic Hall at the northern most edge of the Site, and the Rainbow Day Nursery.

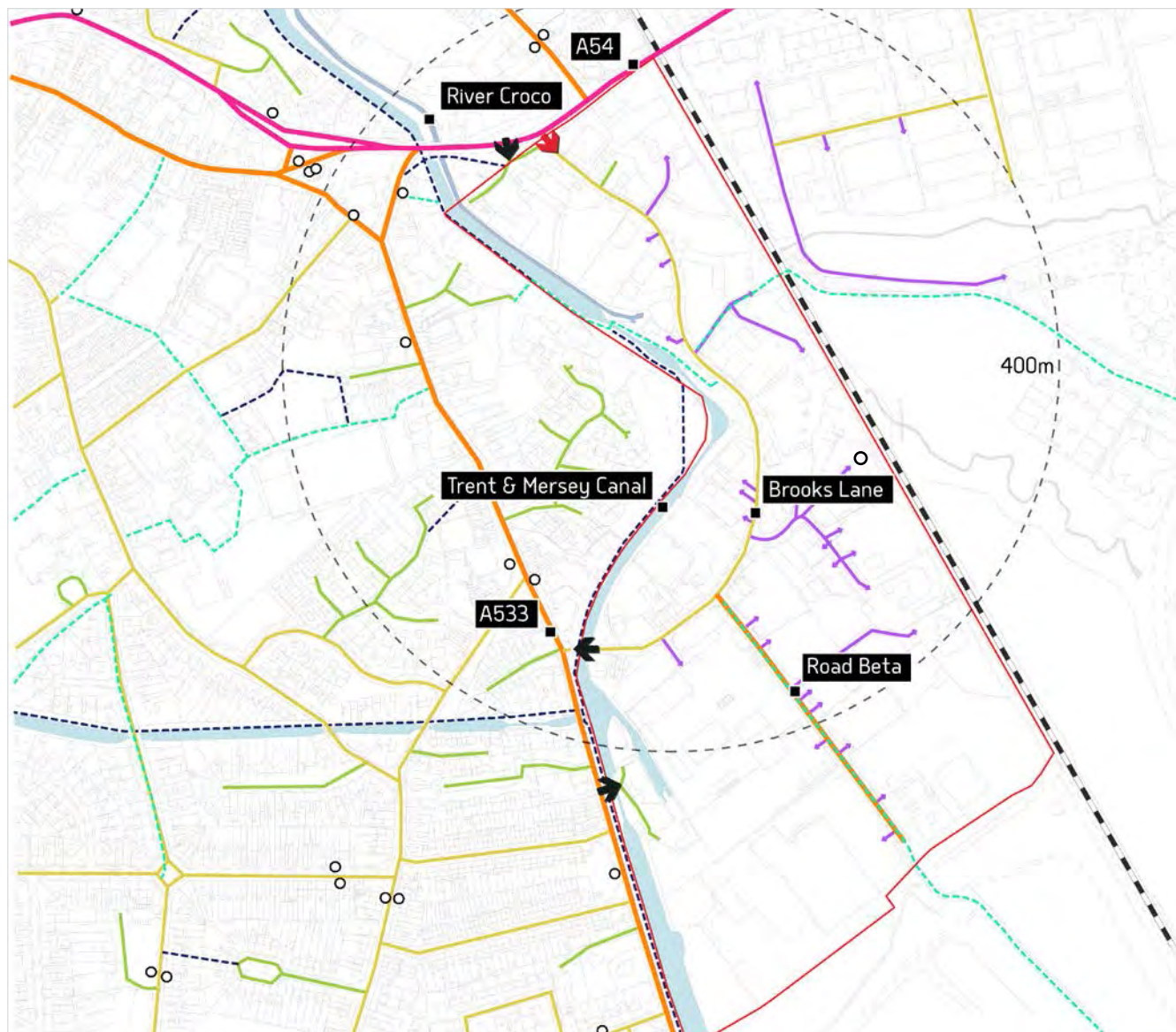
- Site Boundary
- Land Ownership Boundary
- Residential
- Employment/ Industrial
- Community/ Commercial
- Commercial
- Food/ Beverage







Figure.14 Access and Connectivity Plan



### 2.4.2. Access & Connectivity

Vehicle access into the Site is via the Brooks Lane and Kinderton Street junction and via the Brooks Lane Bridge. The latter provides a one-way crossing point over the Trent and Mersey Canal.

A third point of vehicle access enters the Site adjacent to the Kings Lock Inn. However, existing land uses prevent traffic moving through the Site from this location.

Brooks Lane is the primary road traversing the Site and connects with Road Beta, which runs south of Brooks Lane and provides a connection to the southern part of the Site.

The existing railway line runs along the eastern edge of the Site.

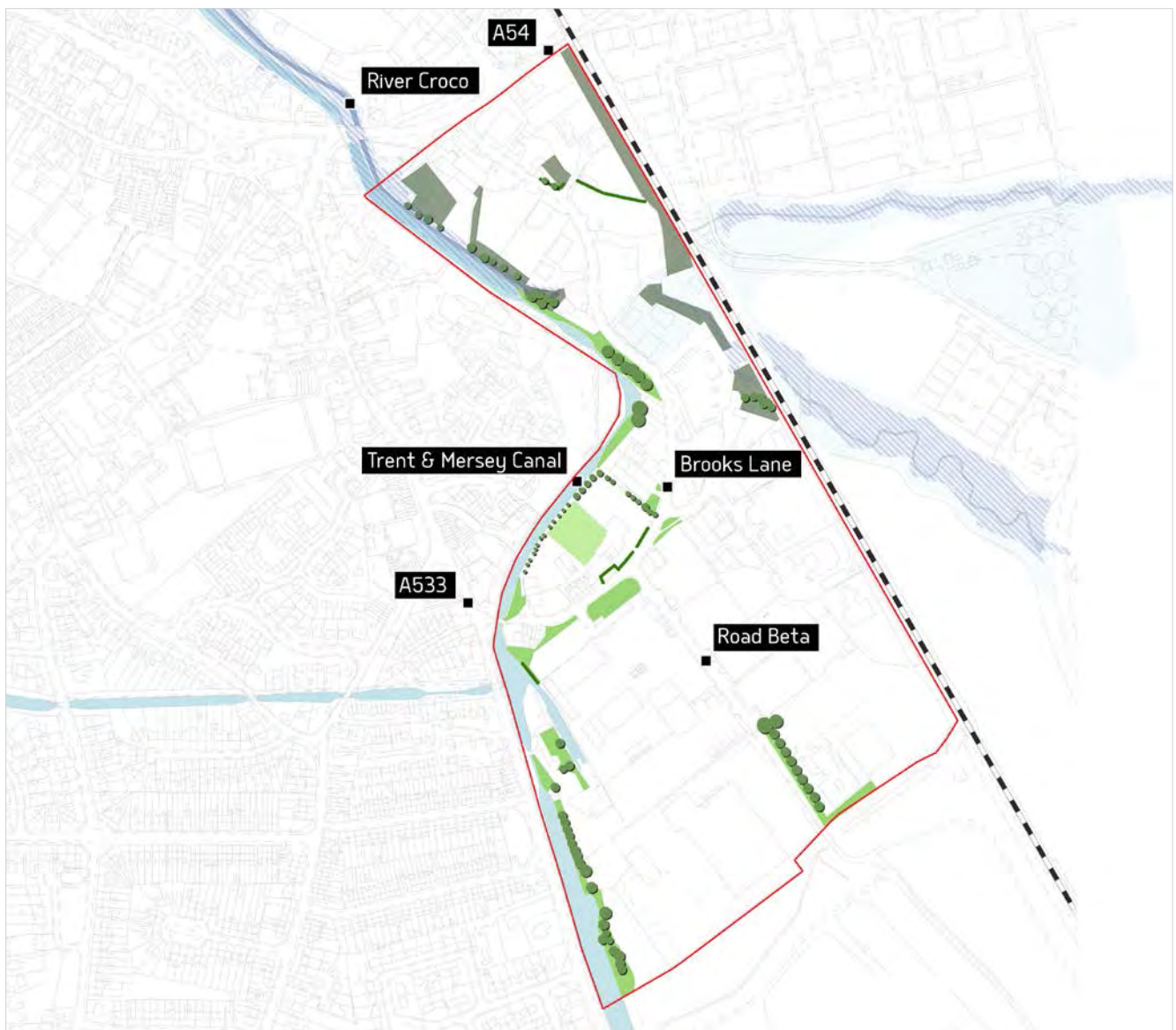
The closest bus stops to the Site are located along the A533 with services that run to Northwich, Congleton and Winsford.

The Site is within a 400m walking distance of the Town Centre and an existing PRoW connects the Site to the Town Centre and runs east beyond the railway line. A second PRoW runs south from the Site towards the Cledford Lane Lime Beds LWS. The canal tow path also provides for a sustainable transport route.

- Site Boundary
- Primary Vehicle Access
- Secondary Vehicle Access
- Railway Line
- Primary Road
- Secondary Road
- Tertiary Road
- Cul-de-Sac
- Employment Access Road
- PRoW
- Pedestrian / Cycle Path
- Bus Stop



Figure.15 Landscape Analysis Plan



### 2.4.3. Green and Blue Infrastructure

The Trent and Mersey Canal runs along the western edge of the Site. The canal splits and forms Carillon Dock, a mooring point and dry dock.

The River Croco runs within the Site, following the Trent and Mersey Canal, before running in a culvert towards the railway. This watercourse includes a flood risk area within the Site; however, restoring the waters natural flow may alleviate this issue.

Green infrastructure across the Site is limited due to its industrial nature.

Features include a bowling green, semi-natural green space, existing mature trees running adjacent to the Canal in the south-western edge of the Site, areas of green space and scrub planting along Brooks Lane, scrubland along the edge of the railway and an area of scrubland located adjacent to the culverted sections of the River Croco. The Site also includes the occasional mature tree and hedgerow.

As documented, the Cledford Lane Lime Beds Local Wildlife Site sits adjacent to the southern boundary of the Site.











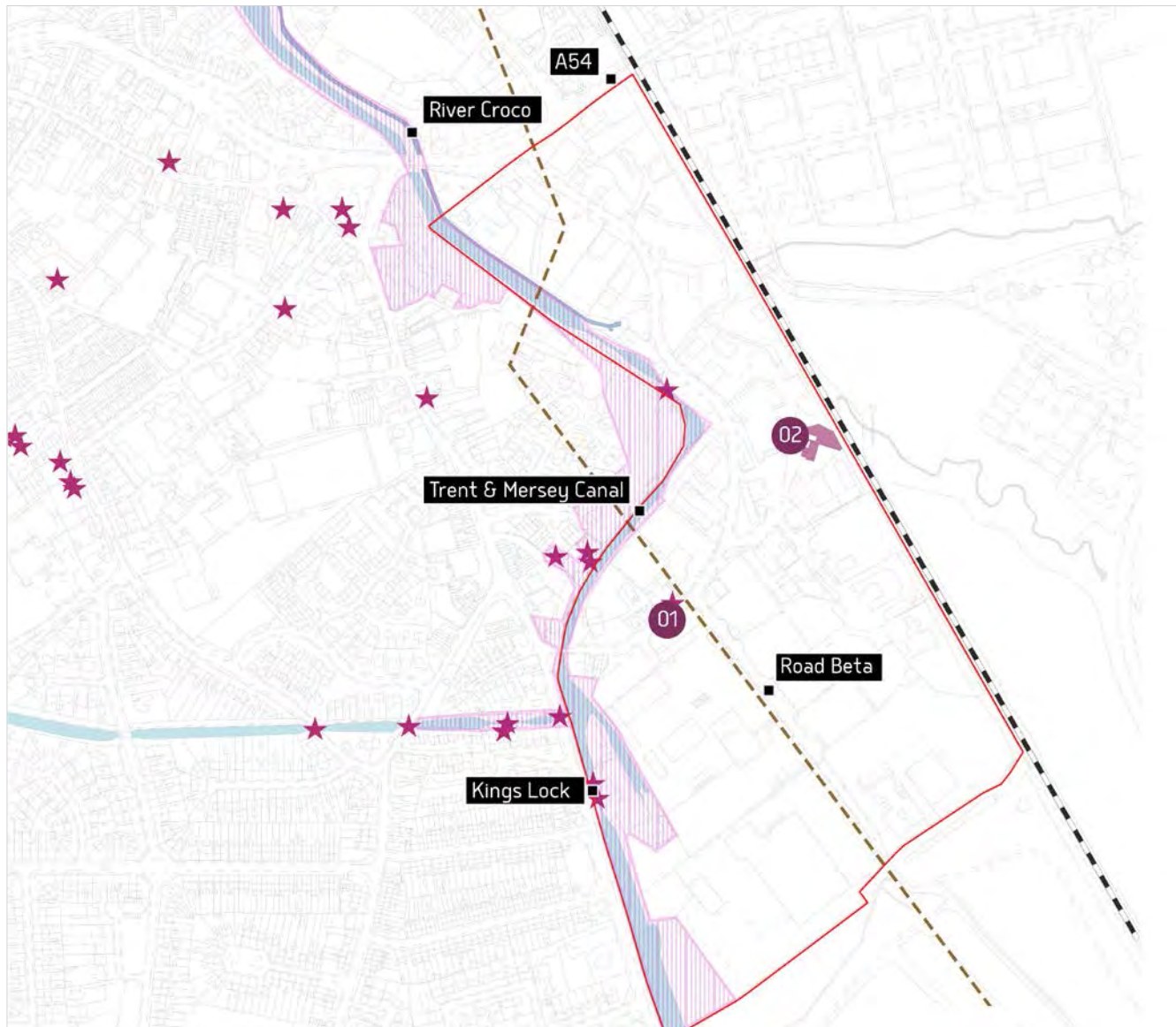
-  Site Boundary
-  Bowling Green
-  Informal Green Space
-  Shrubland
-  Hedgerows
-  Trees
-  River
-  Canal
-  Flood Zone 3
-  Flood Zone 2

Figure.16 Heritage Analysis Plan



#### 2.4.4. Heritage

Brunner Mond Middlewich War Memorial is a Grade II listed WWI memorial, erected in 1921 and is located along Brooks Lane.

There are several Grade II listed structures that form part of the Trent and Mersey Canal including the King's Lock, several listed mileposts and a bridge over the Trent and Mersey Canal. The Canal is also a Conservation Area.






Murgatroyd's Brine Pump is a Scheduled Monument and is the last remaining part of Murgatroyd's Salt Works, located within the central area of the Site. It

is not currently accessible to visitors and can only be accessed by private arrangement.

A historical Roman road is believed to run through the Site adjacent to Road Beta.

Notable heritage features on Site, include but are not limited to:

1. Brunner Mond Middlewich War Memorial; and
2. Murgatroyd's Brine Pump.

-  Site Boundary
-  Conservation Area
-  Listed Building
-  Scheduled Monument
-  Roman Road Location





Murgatroyd's Brine Pump



Brunner Mond Middlewich War Memorial

Trent & Mersey Canal



## 3 ENGAGEMENT-LED APPROACH

This chapter provides a summary of the engagement process, including a summary of engagement with the people who own property, live and work on the Site, the Local Planning Authority, relevant stakeholders and the local community.

### 3.1 INVOLVEMENT

Engagement on this project has included:

- » Project and technical team meetings - held with representatives of the Council and Barton Willmore to provide clarity on policy and technical matters.
- » Landowner and business workshop(s) – held on the 11 April 2018 & Thursday 23 August 2018 to seek views on initial option(s) regarding the future development of the site.
- » Meetings with Middlewich Town Council – held on 11 April 2018 & Thursday 23 August 2018 to seek views on initial option(s) development regarding the future development of the site.
- » Canal & River Trust Meeting – one on one meeting regarding the marina proposals included in the development framework followed by a further investigation of site options.
- » Formal consultation on the Brooks Lane Development Framework draft SPD which took place between 14 January 2019 until the 25 February 2019
- » Formal consultation on the Brooks Lane Development Framework final draft SPD took place between Wednesday 22 January and Wednesday 04 March 2020

#### 3.1.1 Canal & River Trust Meeting

Given the importance placed on the delivery of a canal boat marina by the Council and Town Council, a one-on-one meeting was held with the Canal & River Trust. Representatives from the Canal & River Trust, in 2018, provided advice on the most likely suitable location for the marina.

Following this meeting an investigation into canal boat marinas was undertaken, including an analysis of the size required to accommodate up to 50 boats. Precedent images of UK based marinas are shown opposite.

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An analysis of UK based canal boat marinas was undertaken to understand the preferred design and size requirements. Precedent images and dimensions are shown opposite.

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c.14 Berth Residential Marina in Edinburgh



c.50 Berth Leisure Marina in Carnforth, Lancaster



## 4 EVALUATION

This chapter takes account of the assessment and engagement stages set out previously to provide a concise summary of the Site's constraints and opportunities.

### 4.1 OPPORTUNITIES AND CONSIDERATIONS

#### 4.1.1. Considerations

- » Multiple landownerships on the Site.
- » The Books Lane and Kinderton Street (A54) junction provides the primary means of vehicle access to the Site and will require improvements to support redevelopment.
- » The Brooks Lane Canal Bridge provides a one-way vehicle route from the Site to Booth Lane (A533). Improvements and the potential signalization of the Bridge junction need to be explored to support the redevelopment.
- » Existing residential properties on the Site.
- » Enabling of businesses which wish to remain operating on the Site.
- » The railway line running along the Site's eastern boundary and its associated no- development easement.
- » Existing public rights of way (PRoW).
- » Existing landscape features.
- » Existing culverted watercourse and associated Flood Zone 2.
- » Potential land contamination.
- » Site levels adjacent to the Canal and protection of the structural integrity of the canal both during and post construction'

#### 4.1.2. Opportunities

- » The restoration of the Grade II listed scheduled monument (Murgatroyd's Brine Pump) and the provision of a visitor information centre.
- » Provision of new homes across the short-term phase, subject to securing an acceptable relationship between employment and residential uses.
- » Potential to deliver longer-term, more extensive, redevelopment proposals, capable of delivering more new homes and considerable canal-side enhancements – subject to securing an acceptable relationship between employment and residential uses.
- » Potential provision of a canal boat marina in consultation with the Canal & River Trust and subject to separate consent procedure
- » Potential new railway station and associated line-side infrastructure.
- » Potential to provide new pedestrian/ cycle routes through the Site, including new canal-side footpaths.
- » Opportunity to restore the culverted watercourse running through the Site and potential to reduce any flood risk from the Site.
- » Potential to intensify the community use of Middlewich Community Church
- » Retention of the existing bowling green
- » Enhancements to the existing pedestrian subway connecting the Site with Midpoint 18.
- » Enhancement of Green and Blue Infrastructure across the Site.



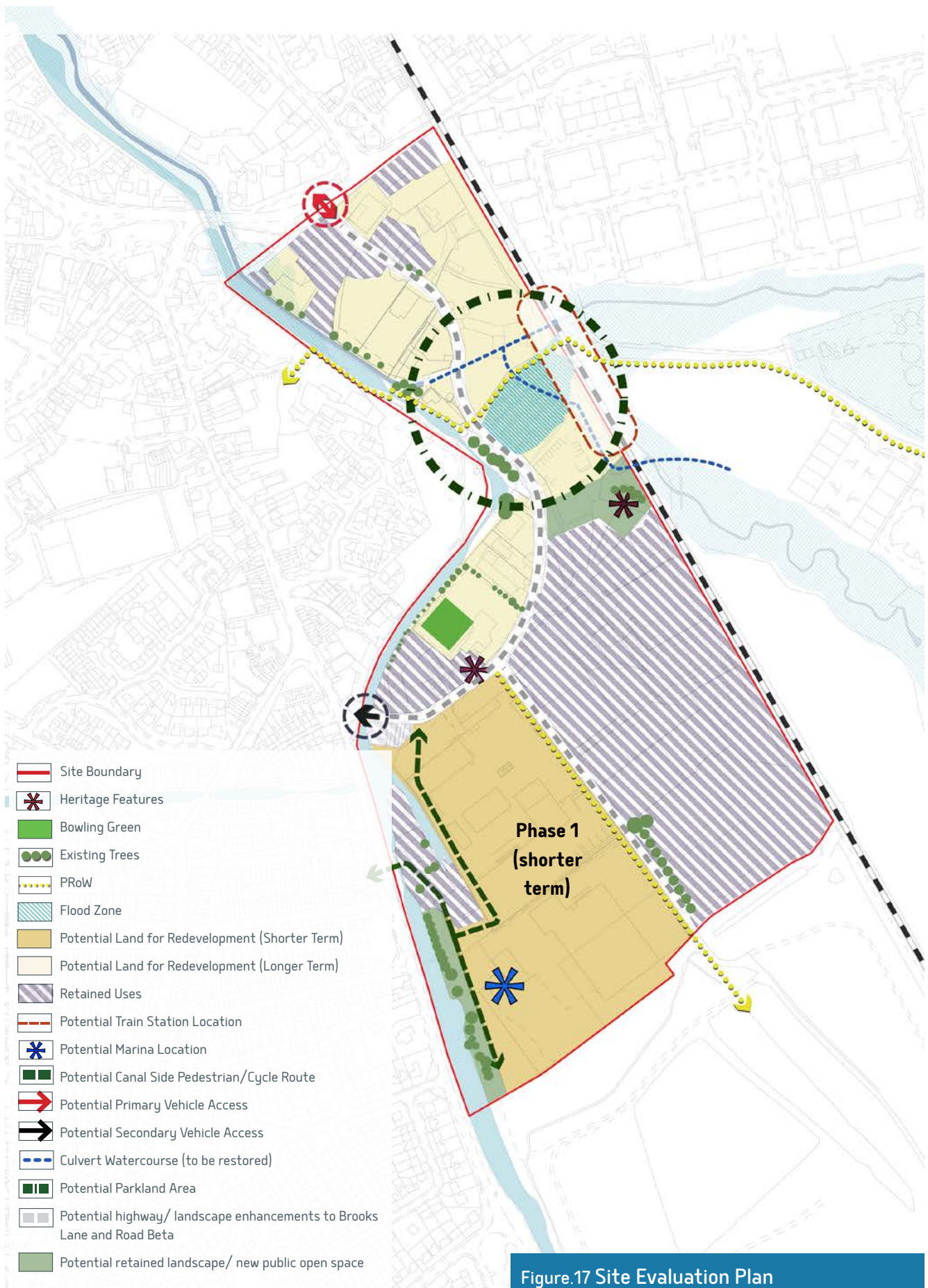


Figure.17 Site Evaluation Plan

## 5 DESIGN AND DEVELOPMENT PARAMETERS

This Chapter details the Masterplan Framework and illustrative proposals to help inform future design proposals.

### 5.1 MASTERPLAN FRAMEWORK

The Masterplan Framework, shown opposite, represents an amalgamation of the engagement process and the considerations and opportunities set out in the previous section.

The Masterplan Framework illustrates the broad structure that future design stages should follow. The following pages provide a description of the Masterplan Framework in terms of the following layers:

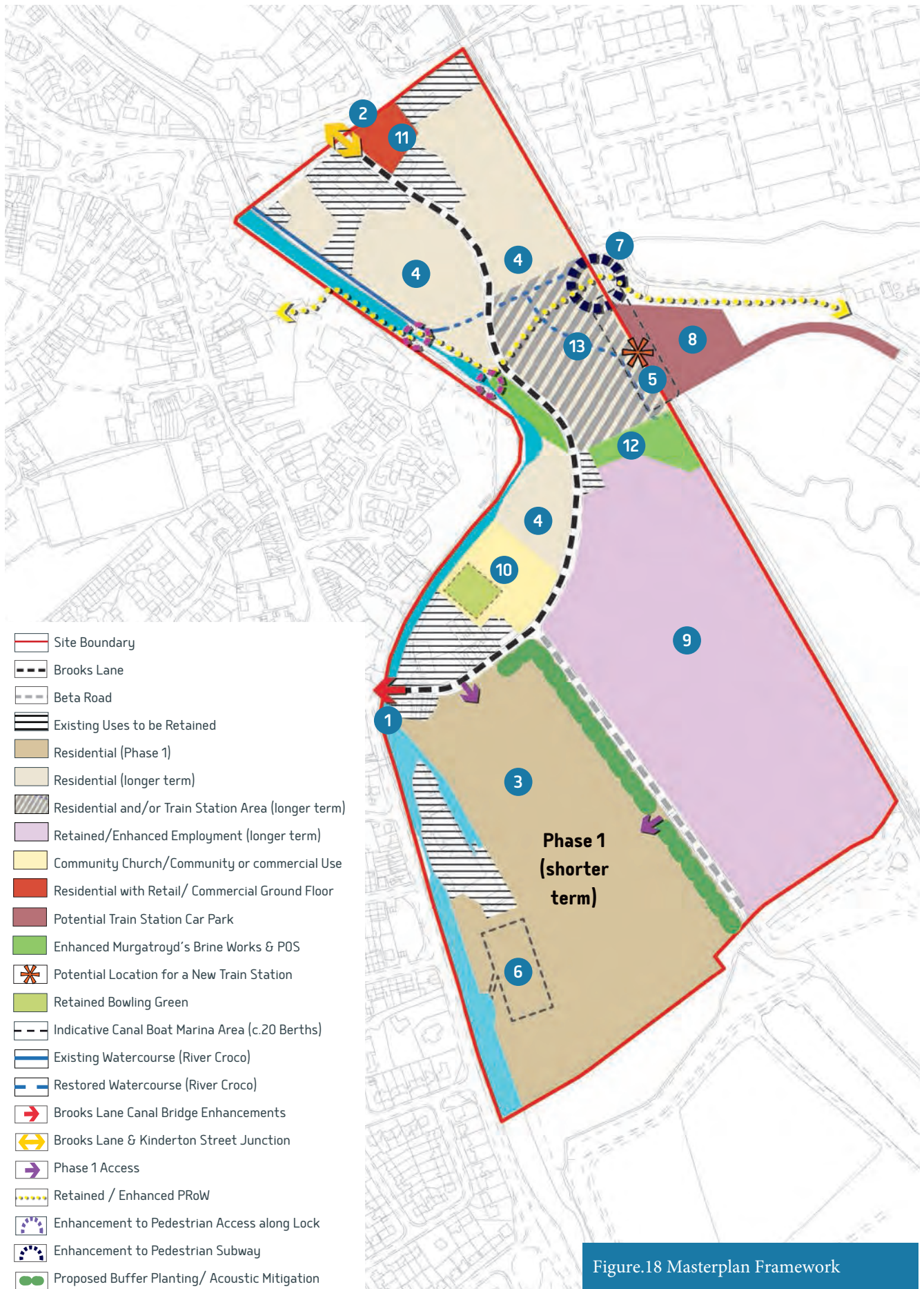
- » Land Use;
- » Access and Movement; and
- » Green and blue Infrastructure.

The Masterplan Framework will be a material consideration in determining relevant planning applications across the site. It is important that development proposals have appropriate regard to the masterplan proposals when read alongside relevant policies in the Local Plan, particularly LPS 43 (Brooks Lane, Middlewich) in the Local Plan Strategy.

#### 5.1.1. Core elements of the Masterplan Framework

- 1 Highway enhancements to the Brooks Lane Canal Bridge.
- 2 Highway enhancement to the Brooks Lane and Kinderton Street Junction.
- 3 Redevelopment of the Site in the shorter-term (Phase 1), subject to securing an acceptable relationship between employment and residential uses.
- 4 Potential redevelopment of the wider Site in the longer-term, subject to securing an acceptable relationship between employment and residential uses.
- 5 Opportunity to provide a train station.
- 6 Potential delivery of a circa 20-berth canal boat marina (indicative location shown) alongside enhanced routes, connectivity and engagement with the canal.
- 7 Enhancements to the pedestrian subway.
- 8 Potential provision of a Train Station Car Park to the east of the railway line and outside the Site boundary. This land is subject to an approved planning application for employment development. As such, further investigation would be required.
- 9 Area of retained/ enhanced employment use.
- 10 Middlewich Community Church retained for commercial/ community use.
- 11 Potential residential development with ground floor retail adjacent to the Town centre.
- 12 Enhancements to Murgatroyd's Brine Works.
- 13 Reinstate culvert watercourse.





### 5.1.2. Use Amount and Density Parameter

#### **Residential**

**Shorter Term:** Approximately 6.2ha of land has been identified to deliver residential development in the shorter- term, subject to securing an acceptable relationship between employment and residential uses. This land can provide c.200 dwellings which addresses the Local Plan Strategy LPS 43 requirements. The average net development density of 200 dwellings is approximately 40 dph. Densities higher than 40dph may also be considered.

**Longer Term:** There may be the potential to achieve additional residential development in the longer-term on other parts of the site over the next 20 years or more (beyond the Plan period), subject to securing an acceptable relationship between employment and residential uses.

#### **Canal Boat Marina**

An approximate location has been identified for the provision of a circa 20 berth canal boat marina, subject to feasibility / viability and the separate consent procedure with the Canal & River Trust.

#### **Housing Mix**

To provide a balanced community, the development should provide a wide variety and mix of new homes, comprising apartments, older person housing and a range of family house types and sizes in line with policy SC4 (residential mix) of the Local Plan Strategy.

#### **Affordable Housing**

The development should provide affordable homes including those available for a mixture of tenures. In line with policy SC5 (affordable homes) in the Local Plan Strategy.

#### **Train Station**

Land has been identified as having the potential to accommodate a new train station. Whilst the exact position of the train station will be subject to a further technical and feasibility assessment, the following design requirements should be considered;

- » Platform length and its relationship with the culvert watercourse and pedestrian subway crossing the railway line;
- » Connectivity with the Town Centre and Midpoint 18;
- » Relationship with Murgatroyd's Brine Works and the potential to combine train station infrastructure with a visitor information center; and
- » The provision of line-side infrastructure, including a bus stop, taxi rank, drop-off point, car parking and cycle parking facilities

#### **Train Station Car Park**

An approximate area of land, extending to some 0.6ha, has been indicated to accommodate a car park for the train station. The land is located outside the Site boundary and is affected by an approved planning application for employment development. As such, further investigation would be required.

#### **Middlewich Community Church**

It is envisaged that the Middlewich Community Church site and bowling green would be retained for community use.

#### **Commercial Uses**

An area of land, adjacent to the Town Centre and extending to 0.2ha, has been provided for residential development and commercial uses i.e. community or town centre uses.

Additional small-scale leisure or commercial uses could be provided adjacent to the marina e.g. a local café. However, this would be subject to a further assessment to ensure provision does not detract from the vitality and viability of the Town Centre in line with policy EG 5 (promoting a town centre first approach to retail and commerce) in the Local Plan Strategy.

#### **Employment**

An area of land extending to c7.7ha has been provided for retained/enhanced for employment provision.

#### **Murgatroyd's Brine Works.**

Murgatroyd's Brine Works should be sympathetically restored with enhanced public access (including the potential provision of a visitor information centre). Public space, green infrastructure and new landscaping should be provided adjacent to the Brine Works. This will improve the setting of the Monument whilst helping to separate retained employment uses and new development.



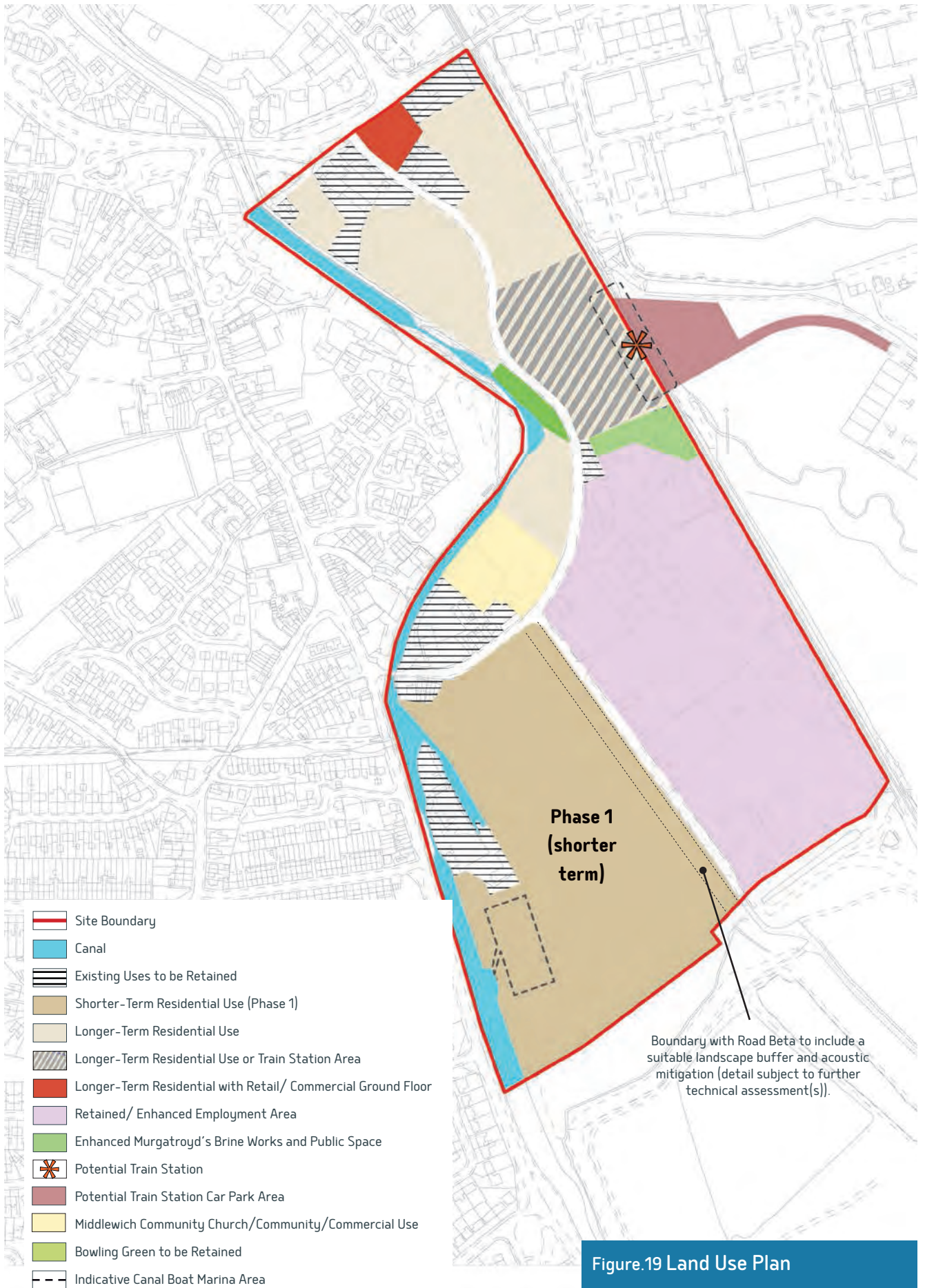


Figure.19 Land Use Plan

### 5.1.3. Access Parameter

#### **Vehicle Access**

The future redevelopment of the Site should include highways enhancements to the Brooks Lane / Kinderton Street junction.

The future redevelopment of the Site should be supported by highways enhancements and the potential signalisation of the Brooks Lane Canal Bridge.

In line with policy CO4 (Travel Plans and Transport Assessments) of the Local Plan Strategy – all ‘major’ development proposals on the site should be accompanied by a transport assessment including parking and access arrangements into and out of the Site.

#### **Brooks Lane**

Brooks Lane should accommodate both employment and residential vehicle traffic.

#### **Road Beta**

In the longer-term, the aspiration is that Road Beta should accommodate employment traffic only. Emergency residential vehicle traffic could also be permitted.

#### **Phase 1 Vehicle Access**

Residential vehicle access to the shorter-term development opportunity (Phase 1) should ultimately be provided from Brooks Lane as opposed to Road Beta. Notwithstanding, a residential access from Road Beta may also be necessary in the shorter-term to serve Phase 1. The aim will be to eventually change this to solely an emergency access into residential development.

A construction vehicle access to Phase 1 should be provided from Road Beta.

#### **Train Station Access**

The train station should be dual aspect with connections to the Site and Midpoint 18.

The provision of line-side infrastructure, including a bus stop, taxi rank, drop-off point and car parking should be provided on the Site and, potentially, Midpoint 18.

#### **Street Hierarchy**

The proposed development should include a hierarchy of street types designed in accordance with the Cheshire East Design Guide.

#### **Pedestrian and Cycle Access**

Pedestrian access to the Site should be provided from:

- » Brooks Lane Canal Bridge;
- » Brooks Lane/ Kinderton Road junction;
- » The two locks crossing the Canal, subject to enhancements to support user safety;
- » The canal bridge located adjacent to the Kings Lock Pub; and
- » The subway crossing the railway line

Each of these pedestrian connection points should be enhanced to improve user safety.

#### **Permeability**

The proposed development should include a permeable network of routes to provide easy access throughout the Site.

#### **Residential Car Parking**

Car parking provision should be provided in accordance with the Local Plan Strategy Parking Standards and the Cheshire East Design Guide. The general approach should be to provide streets which are attractive and functional places for pedestrians, cyclists and cars.

#### **Public Rights of Way**

Existing public rights of way should be retained and where possible accommodated in new areas of public open space. . Proposed developments should present an opportunity to deliver and improve sustainable transport initiatives. There are, under the Council’s statutory Rights of Way Improvement Plan, aspirations for the improvement of Public Footpaths Nos. 19 and 21 for use by both pedestrians and cyclists.

#### **Railway Crossings**

Development proposals that could result in a material increase in the volume, or a material change in the character of traffic using a level crossing over the railway, should be supported by an assessment of the impact on railway level crossings in consultation with Network Rail.

#### **Active Design**

The future development of the site should be supported by active design principles (advocated by Sport England), to support physical activity and healthy and sustainable communities



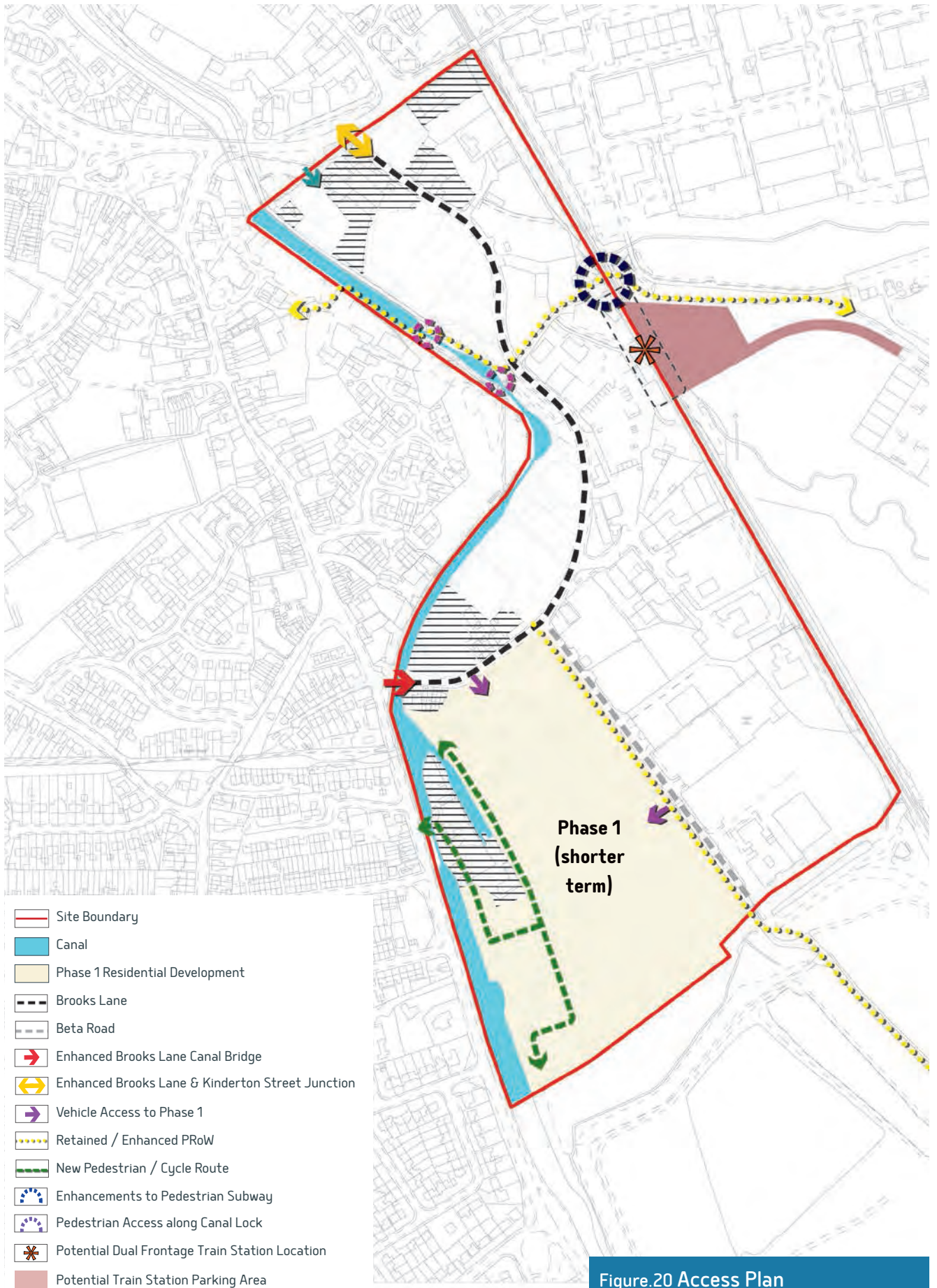


Figure.20 Access Plan

#### 5.1.4. Green and Blue Infrastructure Parameter

##### ***Landscape Enhancements to Brooks Lane and Road Beta***

In line with policy SE 4 (the landscape) in the Local Plan Strategy The redevelopment of the Site should include new landscape planting and environmental enhancements along Brooks Lane and Road Beta. This will improve the appearance of the street-scene and help soften the relationship between new residential development and retained employment uses.

##### ***Road Beta Buffer Planting***

Buffer planting and land-forming should be provided between Phase 1 and Road Beta. This will help to separate residential development provided within Phase 1 from the retained/enhanced employment area. The aim of which will be to secure the amenity of future residents whilst supporting the continuation of existing business operations.

##### ***Culvert Watercourse***

The culvert watercourse running through the Site should be restored and improvements should be made to the flow of the watercourse to remove any flood risk from the Site in line with policy SE 13 (flood risk and water management) in the Local Plan Strategy.

##### ***Parkland***

An area of parkland should be provided to accommodate the restored watercourse, an existing PRoW and Murgatroyd's Brine Works (the extent of the parkland area on the plan opposite is shown indicatively).

##### ***Existing Landscape Features***

Existing landscape features of value, including hedgerows and trees should be retained and incorporated into a green infrastructure network.

##### ***Drainage***

The future redevelopment of the Site will be expected to provide a Sustainable urban Drainage Strategy (SuDS) in line with policy SE 13 (flood risk and water management) in the Local Plan Strategy.

Detailed design processes need to consider water drainage. The development of the Site will be expected to follow National Planning Guidance and provide evidence of thorough investigation of the surface water hierarchy and incorporate Sustainable Drainage methods, where possible.

The Canal may be able to receive surface water, in certain circumstances and subject to a commercial agreement with the Canal & River Trust.

##### ***Ecology***

The proposed development should conserve and enhance any ecological assets identified on the Site in line with policy SE 3 (biodiversity and geodiversity) in the Local Plan Strategy. New development should be designed to provide ecological enhancements. Consideration should be given to the impact on the Cledford Lane Lime Beds Local Wildlife Site to the south of the Site.

##### ***Retained Bowling Green.***

The bowling green should be retained and provided for community use.

##### ***Trent and Mersey Canal***

Future development of the Site should include environmental enhancements and improved public access to the Trent and Mersey Canal.

##### ***Landscape Framework***

The proposed development should provide a connected network of landscaped streets and open spaces of varying sizes, to cater for a range of uses.

##### ***Canal-side Park***

The proposed development should include a canal-side park; separating new development from retained canal-based employment uses including the existing dry dock (the extent of the park is shown indicatively on the plan opposite).

##### ***Pedestrian & Cycle Connections***

The proposed development should provide pedestrian and cycle connections across the Site to link up proposed green infrastructure and connect with the surrounding pedestrian and cycle network.

##### ***River Croco and Sanderson Brook***

A permit is required from the Environment Agency for any proposed works or structures in 8 meters of the River Croco and Sanderson's Brook. It is standard and recommended practice to seek the inclusion of green infrastructure along the watercourse.



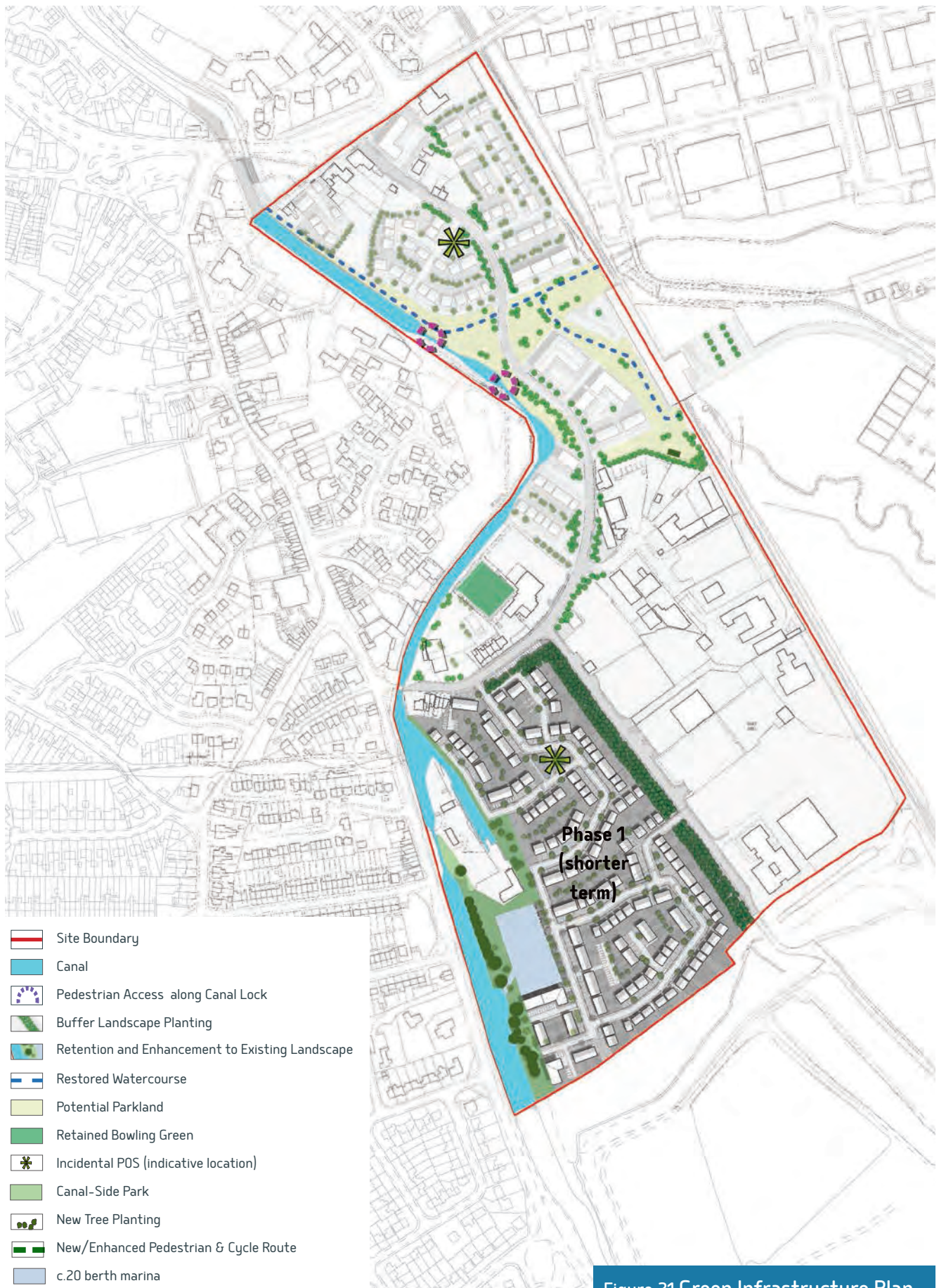


Figure.21 Green Infrastructure Plan

## 5.2. DEVELOPMENT PARAMETERS AND DELIVERY CONSIDERATIONS

A key purpose of the SPD is to establish the overarching planning and design framework for the delivery of the Site. The framework should be taken into account by those parties wishing to bring forward development proposals on the site. This framework should be read alongside relevant policies in the Local Plan Strategy, particularly LPS 43 (Brooks Lane, Middlewich). Those parties wishing to promote development schemes are advised to contact the Council at an early stage to, amongst other things, agree the supporting information that should be submitted with their planning applications.

Planning applications should be accompanied by appropriate studies and reports including, for example, design and access statements, transport assessments, environmental statements, flood risk assessments and drainage strategies. The development framework also identifies a number of key additional planning considerations that require further assessment and potential mitigation, including:

1. In line with policy SE 12 (pollution, land contamination and land instability) in the Local Plan Strategy, the Council will expect the following considerations to be addressed in any future planning application on the Site:

» **Noise** – The introduction of potential noise sensitive residential properties is required to be adequately assessed through a noise impact assessment in order to ensure adequate protection for future noise sensitive occupiers from

existing industrial and transport noise sources and allow Brooks Lane Industrial Estate business operators to continue work activities without risk of significant complaint from future residential neighbours.

» **Air Quality assessment** - to consider the impacts on air quality of any future proposal and establish adequate mitigation measures, such as electronic car charging points, where necessary. Contact should be made with the Council's environmental health team regarding the scope of this assessment

» **Construction Management Plan** – to consider matters such as opening hours, noise, dust, piling and delivery requirements

» **Contaminated land and geotechnical assessments** – to consider historical uses on the Site. This should include consideration of impacts of additional surface water, for example through the marina and reinstatement of culverted watercourse, on the Site. This may include ongoing monitoring / maintenance obligations that should be built into viability assessments on the site.

2. In line with SE 7 (the historic environment) in the Local Plan Strategy, development should respond positively to the heritage assets on the Site including:

» The Scheduled Monument (Murgatroyd's Bring Works)

» Listed Buildings.

» The Trent and Mersey Canal and its Conservation Area.

» Applications should also be supported by an archaeological desk-based assessment, as a minimum, to consider the presence of archaeological deposits on the Site.

» Reference should also be made to the heritage impact assessment prepared by the Council to support the sites allocation in the Local Plan Strategy.

3. In line with SE1 (design) in the Local Plan Strategy and the Cheshire East Design Guide - Site specific coding and masterplanning should be utilised to manage the delivery of design quality across the Site.

4. In respect of policies IN1 (infrastructure) and IN2 (development contributions) in the Local Plan Strategy - the Cheshire East Community Infrastructure Levy was implemented in March 2019. The whole of the Brooks Lane, Middlewich Site is within Zone 1 (£0 per sqm) for residential uses. Section 106 agreements will be used, where appropriate, to secure infrastructure across the Site. It will also be used to secure long term use, maintenance and management of infrastructure across the site. Policy LPS 43 (Brooks Lane, Middlewich) in the Local Plan Strategy notes the likely need for contributions towards highways, education and health infrastructure which will be considered on a case by case basis.

5. In line with policy SE 13 'Flood Risk and Water Management' all development should manage surface water effectively, follow the hierarchy of drainage options for surface water, where possible, and not unnecessarily prejudice access to sustainable drainage infrastructure across the site.









### 5.3. LAYOUT AND APPEARANCE

This section provides guidance on how the layout and the appearance of the proposed development could be progressed at the more detailed design stages.

#### 5.3.1. Illustrative Masterplan

The purpose of the Illustrative Masterplan is to demonstrate how the Masterplan Framework can be combined with best practice urban design standards and the Cheshire East Design Guide to provide a varied and attractive development comprising of both residential and employment uses, alongside community infrastructure and a rich green infrastructure framework. Alternative approaches to the Illustrative Masterplan may be considered provided they offer suitable design justification and pay due regard to the underlining Masterplan Framework.

#### *Key components of the Illustrative Masterplan:*

- ① Middlewich Community Church retained and intensified for community.
- ② Retained and enhanced employment area.
- ③ Provision of c.200 new homes (c.40dph) across the shorter-term phase to meet the Local Plan requirement, subject to securing an acceptable relationship between employment and residential uses.
- ④ Provision of a circa 20-berth Marina alongside enhanced routes, connectivity and engagement with the canal.
- ⑤ Provision of a new railway station drop off point within the site and potential car parking to the east of the railway line.
- ⑥ Restoration of Murgatroyd's Brine Works and potential provision of visitor information centre.
- ⑦ New pedestrian/ cycle routes through the Site, including new canal-side footpaths .
- ⑧ Retention of existing landscape features and provision of new landscape and public spaces.
- ⑨ Buffer planting along Brooks Lane and Road Beta.
- ⑩ Retail and community facilities close to the Town Centre.
- ⑪ Restored watercourse.

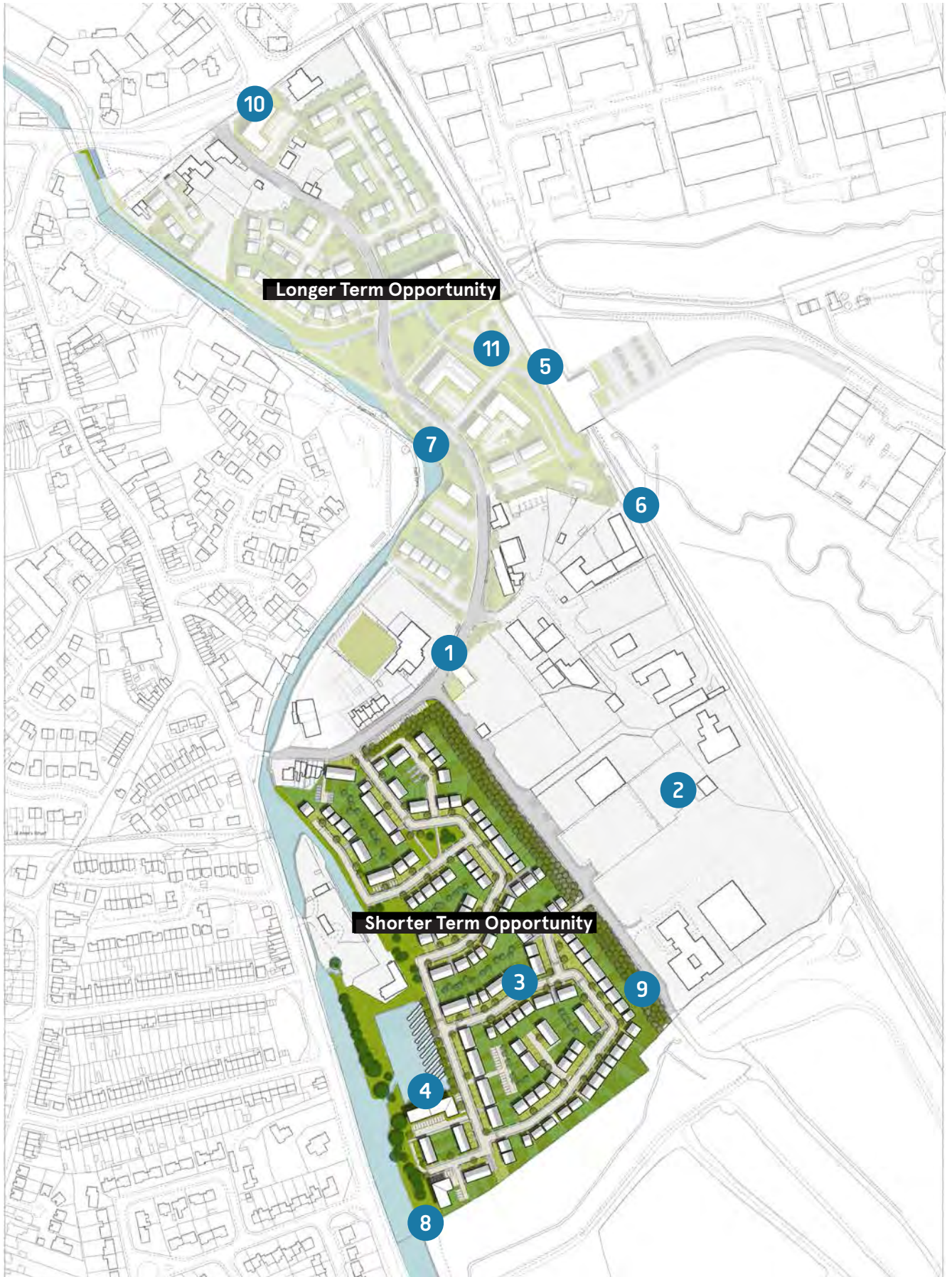


Figure.22 Illustrative Masterplan



### 5.3.2. Urban Form Principles

The Illustrative Masterplan has a distinctive urban form and structure, strongly influenced by the Site's context, proposed infrastructure such as the train station, and the marina, and best practice urban design principles. The urban form principles are described through this section.

#### **Brooks Lane Frontage**

In general, new residential development should be orientated to avoid directly facing Brooks Lane. This approach, alongside the provision of new landscape features, will help soften the impact of employment traffic on future residential properties. Gables that front onto Brooks Lane should be animated with windows and architectural details.

Where new residential development is orientated to overlook Brooks Lane, additional landscape features and public open space should be provided

#### **Train Station Arrival**

An area of parkland accommodating larger blocks of 3 storey residential development has been illustrated adjacent to the proposed train station. The use of scale, massing and landscape should help accentuate this area as an important gateway to Middlewich.

#### **Canal Boat Marina**

Residential development overlooking the marina comprises a continuous building line with buildings varying in height, from 2 storey to 3 storey. A range of parking typologies are provided, alongside street trees and a shared public realm.

The Marina and its immediate context should cater to the needs of boat users, future residents and visitors. Early engagement with the Canal & River Trust should take place. The provision of a Marina will be subject to a separate consent procedure with the Canal & River Trust. Conflict between these users should be minimised through careful design, including:

- » Positioning the marina to maximise its physical and visual connections with the Canal.
- » Provision of an adequate separation between the marina and residential development
- » Integration of tree planting to filter views and help maintain amenity.

#### **Canal Frontage**

New housing positioned adjacent to the Canal comprises a range of house types with building heights ranging from 2-3 storey providing an active frontage, connectivity and engagement with the canal corridor, where possible.

#### **Dry-dock Interface**

Residential development has been set-back from the dry-dock and the proposed buildings have been orientated to avoid directly overlooking the business operations.

#### **Key Buildings**

Key buildings have been used to emphasise spaces and routes throughout the Site and assist with legibility.

#### **Key Spaces**

A sequence of spaces should be provided throughout the development to provide variation in character, promote traffic calming, and assist with legible movement for pedestrians and cyclists.

#### **Corner Elevations**

Generally, corner elevations should have windows, avoiding long sections of blank walls.

#### **Signposting**

Clear signposting and directions will be required at key locations across the Site.

#### **Heritage led approach**

Where possible, regeneration should focus on the historic waterside and look to maximise that opportunity, whilst fully integrating and supporting the working character of the site. Green and blue infrastructure can be used to help reinforce the areas distinctive sense of place. Green Infrastructure and public realm can create a high quality green infrastructure framework to help characterise different parts of the site.

Further masterplanning and design coding, in line with this development framework, could help ensure there is a strong interface with the Canal and associated mixed use. Future detailed masterplanning should also make reference to the heritage impact assessment prepared for the site (dated 19 September 2014).

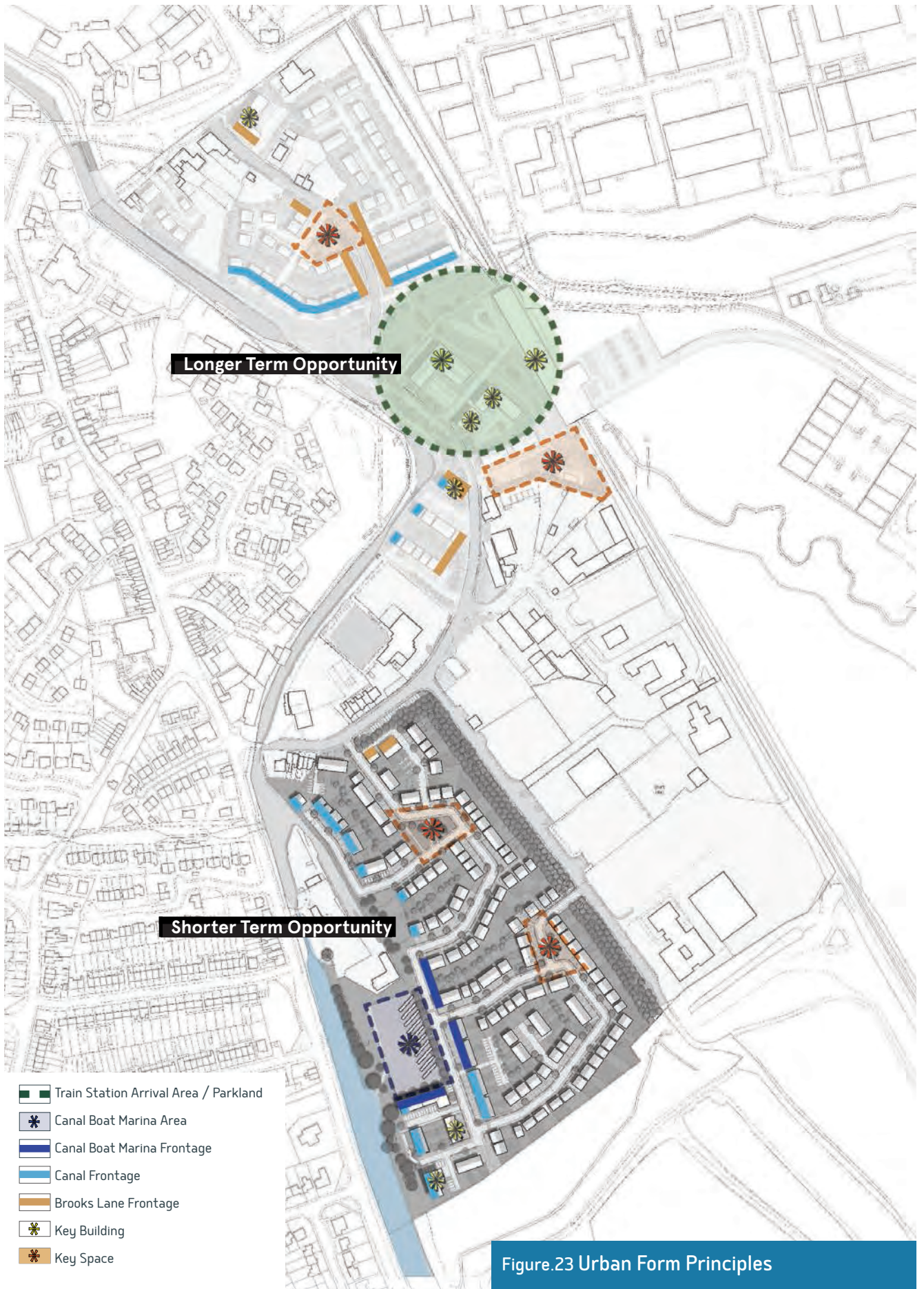


Figure.23 Urban Form Principles



### 5.3.3. Street Hierarchy

The principles for the design of streets set out over the following pages have been prepared to be in accordance with 'Manual for Streets' and the Cheshire East Design Guide. The streets create a legible and permeable network and the identity of the street types will assist in developing a sense of place as well as enhancing legibility.

In preparing the Illustrative Masterplan, the following design principles have been applied and these should be reflected in any proposed schemes on the Site:

- » The creation of a grid of connected streets to facilitate a 'walkable neighbourhood' where cycling is also encouraged.
- » A network of quiet shared streets will be provided.
- » The design of streets will be integrated with the character area they are within and the built form enclosing them. It may be appropriate for the character of streets to change along their length.
- » Measures such as shared surfaces, changes in surface materials, horizontal alignment, lighting and the design of the street should be used as appropriate to encourage slow speeds.

#### *Street Types*

The development has five types of street hierarchy as follows:

- » Brooks Lane and Road Beta;
- » Primary Residential Street;
- » Secondary/ Shared Residential Street; and
- » Private Drive.

The location of each street type is shown on the plan opposite (figure 24) and an indicative cross section on each street type is shown on the following page (see figures 25-28).



Primary Street



Shared Street



Private Drive





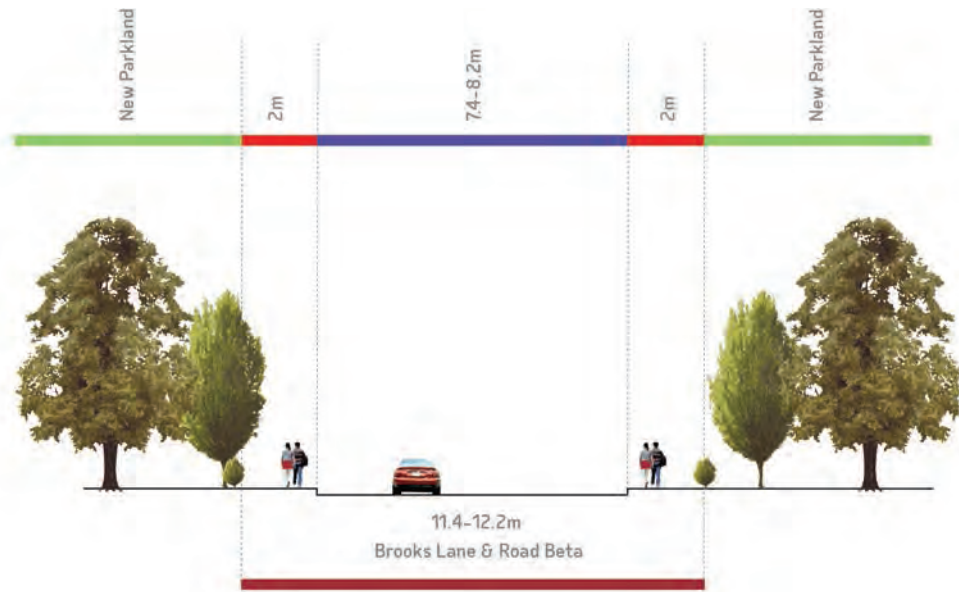


Figure.25 Brooks Lane/ Road Beta

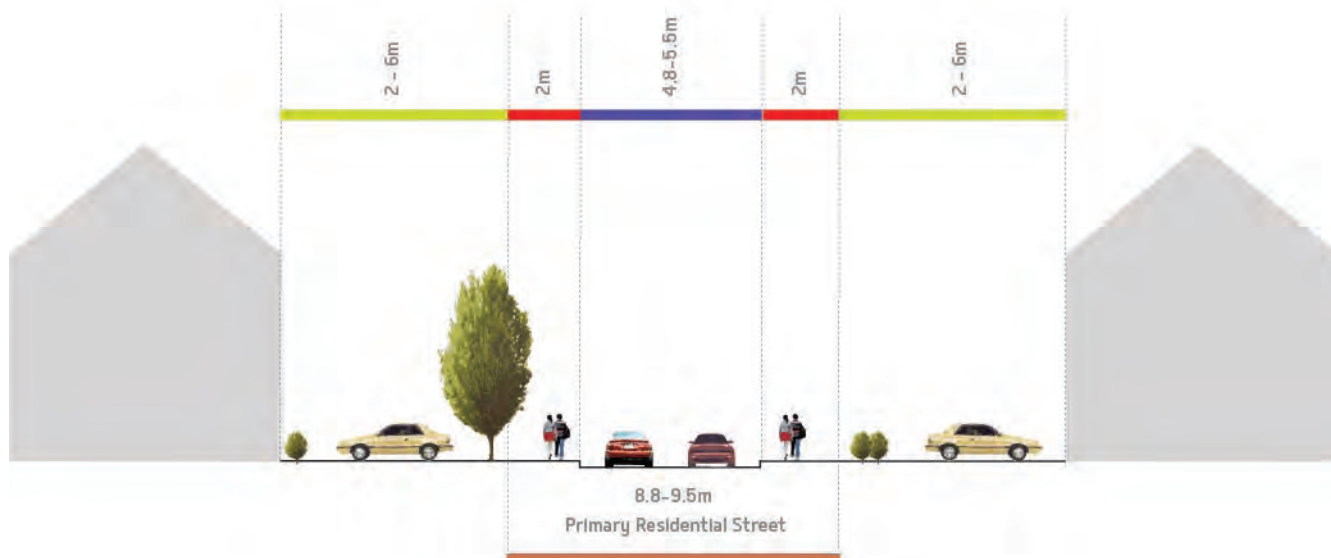


Figure.26 Primary Street

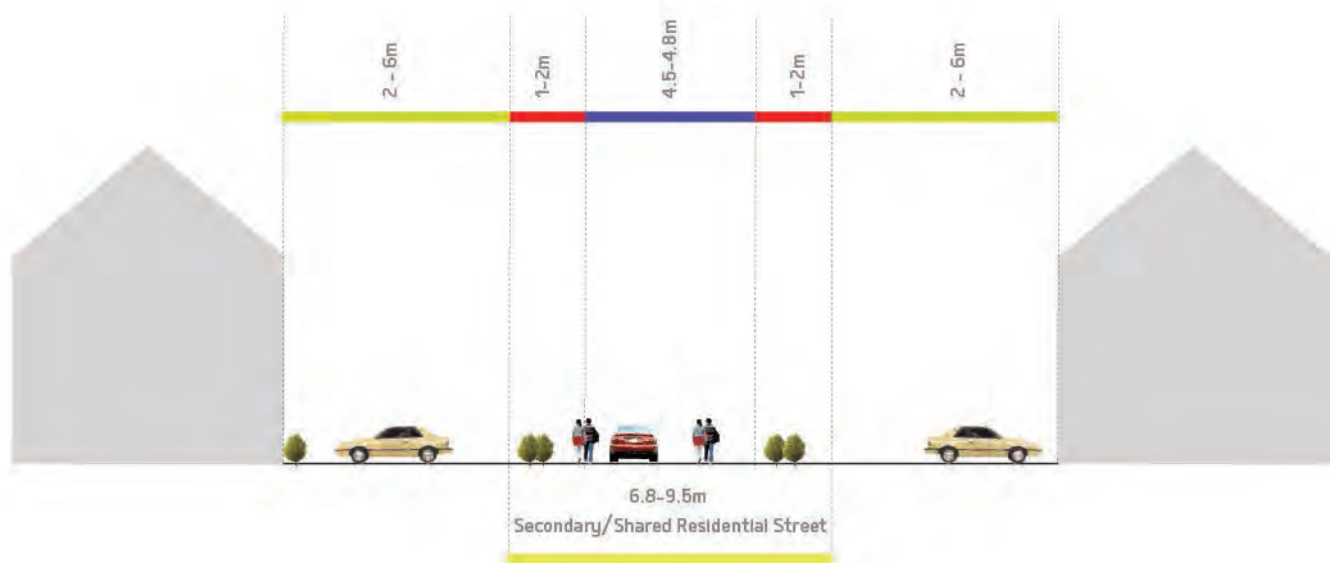


Figure.27 Shared Street




Figure.28 Private Drive



### 5.3.4. Character Areas

The purpose of this section is to provide an illustration and description of the different character areas that could be provided across the proposed development.



**Shorter Term Opportunity**

**Shorter Term Opportunity**





**Longer Term Opportunity**

**Longer Term Opportunity**

-  Town Centre Gateway
-  Train Station Gateway
-  Canal Side Village
-  Marina Village

Figure.29 Character Areas

### 5.3.5. Town Centre Gateway Village

An acceptable relationship between employment and new residential uses will need to be achieved and demonstrated.

The Town Centre Gateway has the opportunity to provide a gateway to the Site from Middleswich Town Centre. The Brooks Lane junction with Kinderton Street will potentially be defined by a 3-story residential apartment block with ground floor commercial space. A range of house types should be provided throughout the character area, and could include a high proportion of family homes. Development overlooking the Canal could comprise larger family homes, with a subtle variation in building heights. The parkland that sits to the south of the character area is illustrated as being defined by 3 story apartment blocks.

The following characteristics define the character area:

#### *Layout and Built Form*

- » Existing residential development is retained.
- » Provision of a 3 storey apartment block with ground floor commercial uses at the Brooks Lane and Kinderton Street junction.
- » A range of family homes.
- » Heights ranging from 2-3 storeys.
- » Larger family homes adjacent to the Canal.
- » Higher densities and 3 story apartment blocks to define an area of urban parkland.
- » Development softened by areas of parkland and planting.
- » Residential development has been orientated so gables of new dwellings facing Brooks Lane.

#### *Landscape*

- » Informal planting along Brooks Lane including buffer planting.
- » Scattered tree planting to property frontages and public open space. Native hedgerow planting to front of properties. Tree and hedgerow species palettes to be native / informal in character.
- » Provision of a landscape space adjacent to the Canal, accommodating the existing watercourse.
- » Incidental open spaces provided throughout.









### 5.3.6. Train Station Village

Should an acceptable relationship be achieved between employment and residential uses

The Train Station Gateway has the potential to provide an important gateway to the Site and Middleswich Town Centre. The train station will be a defining feature and the provision of 3 story residential development will help signify a sense of arrival. An area of urban parkland surrounding the 3 storey development and accommodating the restored watercourse and Murgatroyd's Brine Pump, could help to create an attractive and welcoming gateway to Middleswich.

The following characteristics define the character area:

#### *Layout and Built Form*

- » Train station as the defining feature.
- » Provision of higher density residential development.
- » 3 storey apartment blocks to provide a sense of arrival adjacent to the railway.
- » 2.5 storey town houses overlooking Murgatroyd's Brine Pump

#### *Landscape*

- » Parkland area to accommodate new planting, restored watercourse, Murgatroyd's Brine Pump, short stay car park, bus stop and taxi rank, pedestrian and cycle links and children's play.
- » Landscape enhancements adjacent to the Canal.
- » Enhancements and improvements to pedestrian and cycle connections across two locks to improve user safety.









### 5.3.7. Canal-side Village

The Canal-side Village will provide an area of mixed residential development comprising a range of house types. The character area will also feature existing residential development and Middlewich Community Church. The interface between new residential development, retained canal-side businesses and retained employment uses to the east are key structural elements underpinning the design of the Illustrative Masterplan.

The following characteristics define the character area:

#### *Layout and Built Form*

- » Medium density family homes.
- » Streets to provide improved connections to the Canal.
- » Middlewich Community Church intensified for community use.
- » Continuous frontages.
- » Development set-back from the working dry-dock.
- » Variation in building heights, ranging from 2 storey to 3 storey.
- » Formal parking provided adjacent to Brooks Lane.
- » Retention of Brunner Mond Middlewich War Memorial.

#### *Landscape*

- » Planting along Brooks Lane.
- » Buffer planting and land-forming, along the eastern edge of the Character Area, to provide separation between new residential development and the retained/enhanced employment.
- » Scattered tree planting to property frontages and public open space. Native hedgerow planting to front of properties. Tree and hedgerow species palettes to be native / informal in character.
- » Provision of parkland to separate the dry-dock from new residential development.
- » Incidental open spaces provided throughout.









### 5.3.8. Marina Village

The character of the Marina Village will be heavily influenced by the provision of a new circa 20-berth canal boat marina. New development positioned immediately adjacent to the marina will comprise a range of house types including 2.5 storey town houses and 3 storey apartment blocks. The marina will become an important focal point for the redeveloped Site and a destination for Middleswich. Its importance will be emphasised through the provision of a high-quality public realm and landscaping, alongside the potential for the occasional commercial use i.e. a small café with outdoor seating. The marina is positioned with its longest edge adjacent to the Canal as this will ensure maximum physical and visual connectivity with the waterway, which will be favoured by canal boat users. The amenity standards for both canal boat users and the residents of new housing will be protected through the provision of adequate separation distances and well considered landscape design.

The following characteristics define the the character area:

#### *Layout and Built Form*

- » circa 20-berth marina.
- » Ensure adequate boat access arrangements are provided for the marina (to be agreed with the Canal & River Trust).
- » Residential dwellings to be provided with parking in accordance with the Local Plan.
- » Marina to provide the focus with higher densities and variation in scale.
- » Residential development orientated to avoid directly overlooking the dry dock
- » Provision of a car parking for canal users.
- » Residential streets designed in accordance with the Cheshire East Design guide and to provide a range of housetypes
- » Development density at c.40dph.
- » Variation in scale from 2-3 story.

#### *Landscape*

- » High-quality public realm adjacent to the marina.
- » Buffer planting and land-forming, along the eastern edge of the Character Area, to provide separation between new residential development and the retained/enhanced employment.
- » Retention of existing landscape features, including mature trees between the marina and the canal.
- » Scattered tree planting to property frontages and public open space. Native hedgerow planting to front of properties. Tree and hedgerow species palettes to be native / informal in character.







## 6 CONCLUSION

### 6.1. SUMMARY AND PHASING

This document sets out a planning and design framework to guide, in additional detail, the redevelopment of the Brooks Lane Site in line with policy LPS 43. It shows the rigorous design process based on Assessment, Consultation, Evaluation and Design has been carried out. The design process has been strongly informed by the businesses wishing to remain operating on the Site.

#### *Summary of Proposal*

- » Provision of c.200+ homes in the shorter term (Phase 1) to meet the Local Plan requirements.
- » Redevelopment of the wider site in the longer term, with the potential to deliver a further c.250+ new homes, comprising a range of house types, including family homes, starter homes and older persons accommodation.
- » Potential provision of a train station, including line-side infrastructure.
- » Potential Provision of a c.20 boat marina.
- » Provision of commercial uses close to the Town centre.
- » Highways enhancements.
- » Environmental enhancements and the provision of public open space.

The redevelopment of the Site needs to be considered alongside the wish for existing businesses to remain operating in the area. This reality may see part of the Site redeveloped in the shorter-term to deliver new homes in accordance with the Local Plan Strategy requirements (circa 200 dwellings), whilst the rest of the Site remains in employment use. However, a more significant regeneration proposal could see more of the Site coming forward for redevelopment in the longer-term extending beyond 2030, the end of the current Local Plan period.

The plan opposite shows a potential phasing strategy for the Site. Phase 1 shows an area of the Site that could deliver homes in the shorter-term, meeting the Local Plan requirements. We could perhaps then see development moving clock-wise around the Site, over the course of the next 15-20 or more years, with businesses remaining in operation during this period.



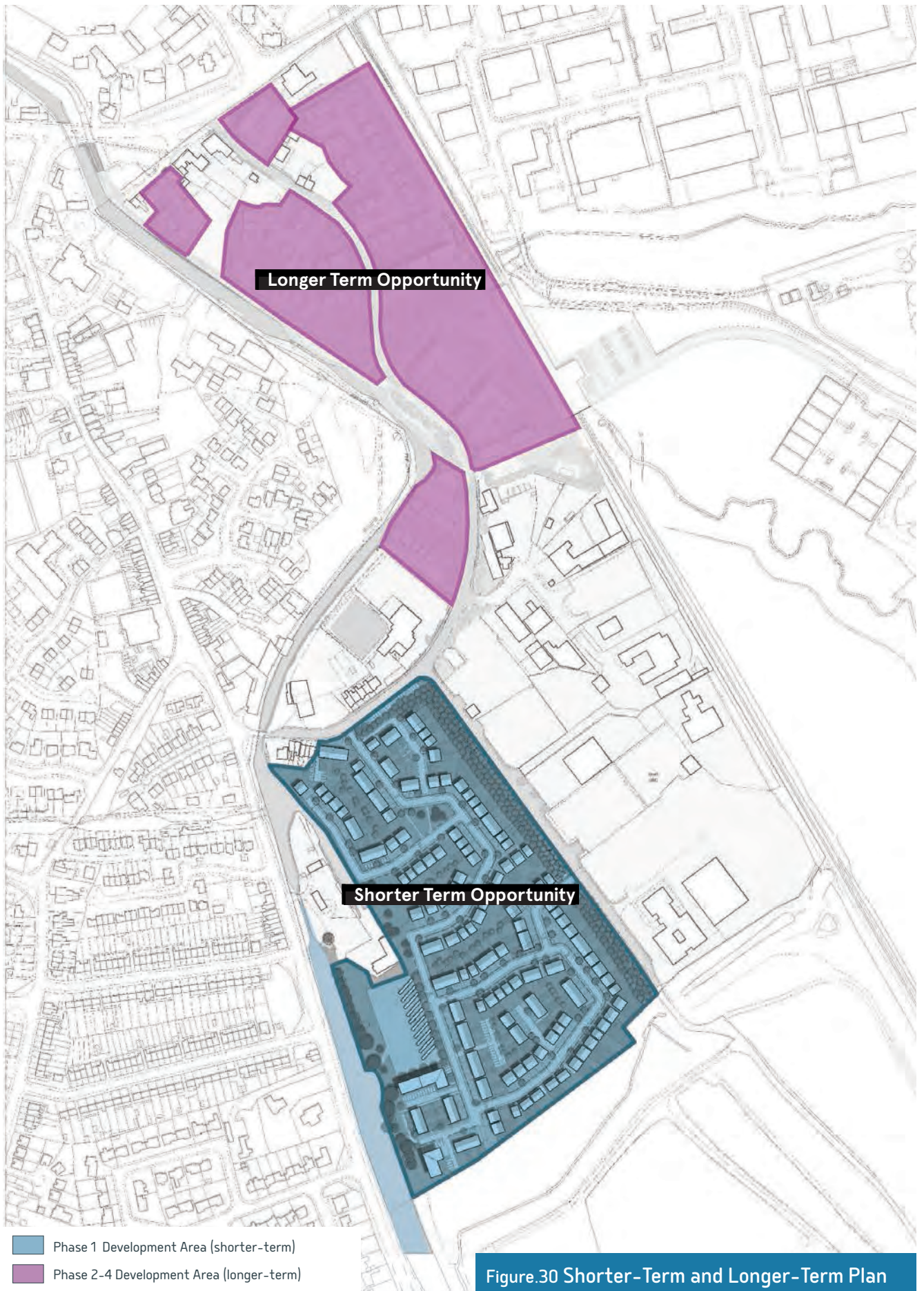


Figure.30 Shorter-Term and Longer-Term Plan



**Cheshire East Council**

Email: [localplan@cheshireeast.gov.uk](mailto:localplan@cheshireeast.gov.uk)

[www.cheshireeast.gov.uk/localplan](http://www.cheshireeast.gov.uk/localplan)

Tel: 01270 685893