

CHESHIRE EAST COUNCIL

STRATEGIC PLANNING BOARD

Date: 24th April 2019

Report of: David Malcolm – Head of Development Management

Title: Update following the resolution to approve application 18/3766N – Duelling of the existing 3.3km stretch of the A500 between Junction 16 & Meremoss Roundabout)

Site: A500 Newcastle Road, Barthomley

1.0 Purpose of Report

- 1.1 Planning application 18/3766N was referred to Strategic Planning Board (SPB) on 19th December 2018. This report is to consider an update to condition 18 listed at the bottom of the committee report.
- 1.2 The minutes from the meeting are as follows:

RESOLVED

That the Board be minded to approve subject to the referral to the Secretary of State and the receipt of the financial off-set payment to Ecology of £32,144.86. In the event that the consented development is not implemented the payment would be returned to the applicant. And subject to 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*

2.0 Decision Required

- 2.1 The mitigation period in condition 18 is revised to 25 years with no changes to the Heads of Terms or remaining planning conditions

3.0 Background

- 3.1 This report relates to condition 18 of the committee report which requires the applicant to provide and implement 30 year landscape and ecological management plan.
- 3.2 Since the SPB resolution, the negotiations regarding pre-commencement conditions have been taking place over the number of years the ecological/landscape management plan requires mitigation. The CIL section of the committee report, advises that the mitigation period should be in perpetuity (200 years) but condition 18 at the bottom of the report proposes this as being for 30 years. As members may be aware, similar road schemes have recently been approved by the Council but with a 25 year management plan condition.

4 Proposed Development

- 4.1 The full planning permission that the Council resolved to approve in 2018 was 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.

5 Officer Comment

- 5.1 Following discussions with the Councils Ecologist to consider what is a reasonable mitigation period and to separate what is aspirational and to be consistent with other consented schemes in the Borough for similar infrastructure proposals, it is necessary to amend the wording of the condition to propose a revised mitigation period. There is no change to the proposed level of developer contribution (£32,144.86) towards the ecological mitigation. Therefore the Strategic Planning Board's agreement is sought for the mitigation period for this condition to be revised from 30 to 25 years.
- 5.2 There is an aspiration that the land will be transferred to another body after this period, such as the Woodland Trust, however it is not possible to request this in the application process.

6 Conclusion

- 6.1 Members are asked to give authority for a variation of condition 18 to reduce the mitigation period to 25 years in line with recent consented schemes for similar infrastructure proposals in the borough and following consultation with the Councils Ecologist.

7 Recommendation

- 7.1 The mitigation period in condition 18 is revised to 25 years with no changes to the Heads of Terms or remaining planning conditions.

8 Financial Implications

- 8.1 There are no financial implications.

9 Legal Implications

- 9.1 The Borough Solicitor has been consulted on the proposals and raised no objections

10 Risk Assessment

- 10.1 There are no risks associated with this decision.

11 Reasons for Recommendation

- 11.1 To agree to the conditions and issue a decision notice.

For further information:

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Background Documents:

- *Application 18/3766N*