

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 Bathomley 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 NO₂ and PM₁₀ 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 NO₂ and PM₁₀ concentrations. Four receptors are predicted to experience a slight adverse impact for NO₂, and two for PM₁₀s. Five receptors are predicted to experience an improvement in NO₂ concentrations, and three for PM₁₀s. 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 NO₂ and PM₁₀ 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 NO₂ and PM₁₀ 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 than 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 these 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 owl 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

S106	Amount	Triggers
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

