

Application No; 19/1685M

Location; Land off, M56 to M6 Link Road, Macclesfield

Proposal; The application is for outline planning application with all matters reserved save for access for the construction of up to 287,909m² (3,099,025ft²) (gross internal) of employment floorspace (Use Class B8 and B1(a) offices), demolition of existing agricultural outbuildings and associated servicing and infrastructure including car parking and vehicle and pedestrian circulation, alteration of existing access road into site including works to the M6 J20 dumbbell roundabouts and realignment of the existing A50 junction, noise mitigation, earthworks to create development platforms and bunds, landscaping including buffers, creation of drainage features, electrical substation, pumping station, and ecological works.

Applicant; Mr Neal Biddle, Langtree PP & Panattoni

Expiry Date; 09-Sep-2021

Summary

The site forms the south eastern part of a cross boundary application between Warrington Borough Council and Cheshire East Council. The vast majority of the proposal lies within the jurisdiction of Warrington. As part of this application an assessment has taken place covering the area within Cheshire East only and has addressed any cross boundary impacts the proposal in the Cheshire East area would have on Warrington Borough.

The site is part of a much wider scheme to provide a strategic employment site with links to the M6 and M56 which are within very close proximity to the site, which forms part of a draft allocation in the unadopted Warrington Local Plan.

The application proposes an ecological mitigation zone within the Cheshire East portion of the site. The proposal is located within the Green Belt and has been assessed to not represent inappropriate development within the Green Belt or conflict with the purposes of including land within it. It is considered therefore that the proposal accords with policy PG3 of the Cheshire East Local Plan and the NPPF.

Warrington Borough Council has assessed the area within their jurisdiction against their policy framework and the NPPF and the Warrington Borough Council committee has resolved to approve the application in line with officer recommendation, subject to conditions and a section 106 agreement.

The proposal within Cheshire East is considered to be acceptable, and 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 construction of up to 287,909m² (3,099,025ft²) (gross internal) of employment floorspace (Use Class B8 and B1(a) offices), demolition of existing agricultural outbuildings and associated servicing and infrastructure including car parking and vehicle and pedestrian circulation, alteration of existing access road into site including works to the M6 J20 dumbbell roundabouts and realignment of the existing A50 junction, noise mitigation, earthworks to create development platforms and bunds, landscaping including buffers, creation of drainage features, electrical substation, pumping station, and ecological works.

The application has been accompanied by an Environmental Impact Assessment.

This application is a cross boundary application. The site is shared between Cheshire East Borough Council and Warrington Borough Council and covers an area of 98.09ha.

The vast majority of the proposal is located within the jurisdiction of Warrington Borough (92.16ha), the area of the site located within Cheshire East does not propose any development, however does provide an area of 5.93ha of Ecological Mitigation Zone to the south of the site. The proposed total developable area is 62.9ha.

The site within Cheshire East adjoins the site allocation in the Warrington Updated Proposed Submission Version Local Plan 2021-2038 which is currently out for consultation. The site is located within the Policy MD6 – The South East Warrington Employment Area Allocation.

This allocation has a site-specific requirement to provide benefits to the natural environment, specifically taking into account existing landscape features, including watercourses, woodlands and significant hedgerows. In addition, a scheme for measurable Biodiversity Net Gain through the use of the Defra Metric will be required. Mitigation measures for loss of habitat will only be allowed if shown to be necessary by application of the mitigation hierarchy.

The physical boundary with Warrington Borough (WBC) and Cheshire East (CE) is in part the Bradley Brook which is to be retained as part of the landscape proposals.

The area within CE is shown on the proposed landscape masterplan to comprise a mixture of tree planting, retention of existing trees, scrub planting. The area of ecological mitigation within CE adjoins proposals for further ecological mitigation to the north located within WBC.

Amended plans were received during the course of the application which were a WBC requirement. In addition to this the Environmental Statement chapters were updated accordingly.

In October 2020 amended plans, an ES addendum including amended/updated technical papers and amended/updated supporting documents were submitted following feedback provided on the original submission. The ES addendum includes revised/additional information and reflects changes to the scheme that were made following submission of the application.

The changes include:

The removal of the change of use of Bradley Hall Farm (from residential to B1(a) office) from the application.

Alterations to the parameters plans including:

- a reduction in size of zone D on the disposition parameters plan and a subsequent reduction in the developable area from 64.74ha to 62.9ha, which has resulted in more green infrastructure as shown on the corresponding parameters plan.
- relocation of the proposed roundabout on Grappenhall Lane providing access into the application site further to the east and slight alterations to the route of one of the footpaths as shown on the access parameters plan;
- bunds and acoustic fencing shown on the acoustic parameters plan
- a slight increase in the maximum floorspace within zone B and a slight decrease in the maximum floorspace in zone C as shown on the disposition parameters plan, although the total maximum floorspace across the site remains unchanged
- minor changes to the location of some proposed detention basins and outfalls (around Bradley Gorse and to the east and south of Bradley Hall Farmhouse) as shown on the drainage parameters plan

Alterations to the illustrative masterplan including:

- Relocation of an internal access road previously directly to the south of Bradley Hall Cottages to the south of Bradley Hall Farmhouse
- Relocation of some of the parking spaces for plot 2 (moving some from the west and north to the south of the unit)
- Relocation of the unit at plot 3 further east and relocation of some of the parking spaces (from the east and south to the north and west)
- Relocation of the substation next to the pumping station (to the south east of the Bradley Hall Farm, north of plot 3)
- Alterations to the locations of some of the ponds

In November 2021, a second ES addendum and amended information, including an updated landscape and visual technical paper, revised supporting statement, and an amended heights parameters plans were submitted. The main change was a reduction in the maximum heights from 40m to 30m and from 24.5m to 22m, as shown on an updated heights parameters plan which sets out a number of zones across the application site where different maximum building heights are established.

SITE DESCRIPTION

The site within CE forms the south eastern corner of the main site which covers an area of 5.93ha, which is bounded to the north by Bradley Brook which separates it from the wider site within Warrington Borough and bounded to the south by the M6 J20 interchange.

The wider site as shown within the red line on the location plan includes areas of highways infrastructure to the north of the site including Cliff Lane roundabouts and Grappenhall Lane, which are located to the northeast of Appleton Thorn within Warrington Borough. The site edge red does exclude an of land which includes the residential properties, Bradley Hall cottages and Bradley View. The site does include Bradley Hall Farm and its associated land and buildings.

The site has Grappenhall Lane which runs along the northern boundary, Cliff Lane along the northern boundary, the M6 bounds the site to the east and the M56-M6 slip road (Lymm interchange) is to the southeast and bounds the CE portion of the site. This area has post and rail fencing along its boundary with some trees, with the motorway fencing adjacent to the carriageway. A group of trees can be seen from the highway which are further into the site.

The wider site is farmland and has a fairly flat topography.

RELEVANT HISTORY

None within Cheshire East

RELEVANT PLANNING POLICY

Cheshire East Local Plan Strategy 2010-2030 July 2017

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG 3 Green Belts

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

DRAFT Warrington Updated Proposed Submission Version Local Plan 2021-2038

Requirements for MD6– South East Warrington Employment Area

1. The South East Warrington Employment Area, situated at the junction of the M6 and M56 will be removed from the Green Belt and allocated for employment development to deliver around 137 hectares of employment land to meet strategic and local employment needs.
2. The employment land is allocated for distribution and industrial uses (B8 and B2 and related ancillary uses).

MD6.3 Detailed Site-specific Requirements

Green Infrastructure

5. The Development Framework will include a green infrastructure strategy for the allocation site in order to ensure the provision of an accessible and appropriate level of green spaces to support the employment area.
6. The long term management and maintenance arrangements for the green infrastructure network within the allocation site must be secured.

Natural Environment

7. Development within the allocation site will be required to protect and enhance existing wildlife corridors and provide new corridors to link the site into Warrington's wider ecological network and the Great Manchester Wetlands Nature Improvement Area.
8. The layout of new development must take into account existing landscape features, including watercourses, woodlands, significant hedgerows and contribute to the wider objectives of the Mersey Forest and have regard to sites identified in Policy DC4 (Ecological Network) which should be protected in accordance with the requirements of Policy DC4 and national guidelines.
9. A scheme for measurable Biodiversity Net Gain through the use of the Defra Metric will be required. Mitigation measures for loss of habitat will only be allowed if shown to be necessary by application of the mitigation hierarchy.

Green Belt Boundary

10. The Green Belt boundary is defined by Grappenhall Road to the northern boundary, the M6 to the east and the M56 and Bradley Brook to the south.

11. A scheme of compensatory improvements to the environmental quality and accessibility of land remaining in the Green Belt will be required. Financial contributions will be considered where this would help to ensure that the benefits of compensatory improvements can be maximised by providing them in the most appropriate location.

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 DC8: Landscaping

Policy DC9: Tree Protection

Policy DC13: Noise

Policy DC17: Water Resources

Policy DC63: Contaminated Land

Policy NE14: Natural habitats

Policy NE11: Protection and enhancement of nature conservation interests

Policy NE17: Nature Conservation in Major Developments

National Policy:

National Planning Policy Framework

National Planning Policy Guidance

CONSULTATIONS (External to planning)

United Utilities – No objections subject to conditions.

Environmental Protection – No objections

VIEWS OF THE PARISH COUNCIL

High Legh Parish Council – no adequate provision for increased traffic flow at an already congested motorway junction M6 J20/M56

Likely increase of traffic around junction and further down A50 creating road traffic danger.

Increase in prohibited vehicles using inappropriate routes to avoid danger and obstacles (e.g Swineyard Lane).

Substantial disruption during development.

REPRESENTATIONS

1 letter of representation has been made to the application, which raised the following issues:

- Objection as the site is within the Green Belt, J20 is already congested with queuing in both directions on A50 back into High Legh at peak times, and will encourage use of Swineyard Lane which has HGV weight restriction.

APPLICANT'S SUPPORTING INFORMATION

- Environmental Statement
 - o Design evolution
 - o Ground conditions and contamination
 - o Traffic and transport
 - o Drainage and flood risk
 - o Landscape and visual impact
 - o Ecology and nature conservation
 - o Socio economic
 - o Noise and vibration
 - o Air quality and dust
 - o Cultural heritage and archaeology
 - o Utilities
 - o Energy
 - o Waste
 - o Synergistic (interaction of effects)
 - o Cumulative effects
- Illustrative sections
- Eastern Site Access
- Pedestrian and Cycle Improvements
- Illustrative Masterplan
- M6 J20 and Cliff Lane Mitigation Works
- TPO survey
- Earthworks analysis cut and fill
- Highways Plans
- Finished levels contour with mounds
- Design and access statement
- Alternative sites assessment
- Planning Statement

APPRAISAL

Procedural Matters

The application site covers land within the administrative boundaries of Cheshire East and Warrington Borough Councils, with the majority falling within Warrington. This Council therefore needs to determine the elements of the application that fall within Cheshire East.

Warrington Borough Council resolved to approve the application at their Development Management Committee on 10th March 2022 which has application reference 2019/34799 and is subject to conditions and a section 106 agreement. In accordance with the Consultation Direction 2009, the Warrington application has referred the application to the Secretary of State.

Key Issues

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

Principle of development

The site is located wholly within the Green Belt where there is a presumption against inappropriate development. The application does form part of the South East Warrington Employment Area which is in draft form in the Warrington Updated Proposed Submission Version Local Plan which is not adopted. The portion of the site within Cheshire East is of course excluded from the allocation due to its location being in CE, however, it is intrinsically linked to it through this proposal.

The area of the site within the WBC jurisdiction has been assessed by WBC against the WBC policy framework including the National Planning Policy Framework, and the committee resolved to approve the application subject to conditions and a section 106 agreement in March of this year.

This application is to purely assess the element within CE and any cross boundary impacts the development may have.

The application proposes an ecological mitigation zone within CE. Which includes the planting of various flora including trees and scrub and keeping the zone free from development, this 'mitigation zone' is to mitigate against the wider employment development upon a number of ecological receptors.

The proposal does not include any development, the land use will change from an agricultural land to a safeguarded area for ecological mitigation, which will be subject to a habitat management plan to be maintained as such for at least 30 years.

Within the Green Belt there is a presumption against inappropriate development and any new development should not conflict with the 5 purposes of including land within the Green Belt which are set out in the NPPF paragraph 138 as:

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns merging into one another;
- (c) to assist in safeguarding the countryside from encroachment;
- (d) to preserve the setting and special character of historic towns; and
- (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

As the proposal does not include any physical development and the planting of vegetation does not require the benefit of planning permission, it is not considered that the proposal conflicts with any of the 5 purposes as set out above.

The use of the land will change from an agricultural use to an ecological mitigation habitat, however no development will take place on the land, nor will the intensity of the use of the land be affected by the proposals.

Paragraph 150 of the NPPF sets out what other forms of development are not inappropriate within the Green Belt provided they preserve openness and do not conflict with the purposes of including land within it.

This list includes: (e) *material changes in the use of the land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds).*

Having regard to part (e) material changes of use of the land can be acceptable provided they preserve openness.

It is established that the proposal would preserve openness as it does not propose any development, and a characteristic of openness is the absence of development.

Due to the characteristics of the proposal with no greater activity taking place at the site and no development proposed it is not considered that the change of use of the land within CE is 'material'. The application includes a cut and fill analysis plan which does not show any earthworks or engineering operations within the CE area. The application also includes drainage parameters plans which shows no drainage within the CE area.

It is considered therefore, that the proposal as set out in the scheme for the ecological mitigation zone is not an inappropriate form of development within the Green Belt and therefore the proposal is acceptable in principle.

The proposal would not have any cross boundary impacts on WBC area due to the absence of development and would not conflict with the purposes of including land within the Green Belt on the land within WBC.

WBC has conducted an assessment on the wider development and its impact on the Green Belt within CE, this assessment has concluded that the proposal would not impact the CE Green Belt.

Due to the nature of the proposals and the defensible boundary of the M6 and M56 it is not considered that the area within CE would come under development pressure. The area within CE Green Belt is protected from development as the ecological mitigation zone is required to ensure that the wider development is acceptable. Therefore, the WBC assessment against harm in CE is considered to be accurate.

Should any development come forward within the area within CE this would be subject of a planning application and would be assessed accordingly.

Design

The illustrative and parameter plans show the potential use and form of the site, however, as an illustrative plan, this will not be tied to the outline permission if given. The design and development of the layout will be expected at the reserved matters stage, which will be assessed by WBC against their policy framework. The design will be expected to stay within the parameters plan submitted and approved as part of this application. The design and management plan for the ecological mitigation zone will be submitted to the LPA for approval as part of the first reserved matters application for the site, as secured by condition. The ecological mitigation zone will also be detailed further in detailed landscape plans.

Highways/Accessibility

Objections have been raised regarding the proposal and the impact it could have on the CE road network.

The basis of the traffic impact assessment of the development is that it assumes that all of the road network will be operating at full capacity at all of the time. In this scenario, only the likely staff movements have been assigned to CEC's network which represents 3% of total traffic generation. It has been assumed that no HGV's from the site will use the A50 Cliff Lane.

There are mitigation measures proposed and these are located predominately at the J20 interchange with improvements to the A50 Cliff Lane roundabout to deal with the expected additional generated traffic.

Experience has shown that there have been numerous incidents on the M6 that has affected the operation of J20 in the past and has caused a reassignment of traffic onto the CEC local road network. It is a concern that there is no protection proposed in this application against HGV or car movements using the CEC local road network should an incident arise on the M6. Despite not wanting to see additional HGV movements on the A50, it is a principal route and could be used if necessary by HGV's to access the site. However, the use of Swineyard Lane that leads into Barleycastle Lane and directly to the development should be avoided. The access to the site is off Grappenhall Lane which is accessed off the roundabout with Barleycastle Lane and Broad Lane to the west. The existing 7.5T lorry restriction on Swineyard Lane does not completely prevent access as the Traffic Regulation Order includes Barleycastle Lane where several large businesses are located and is an 'except for access' restriction intended to prevent through traffic.

In view of this, a condition recommended by WBC highways will be replicated for this application to ensure that CEC highways can review the details when submitted. The condition requires a freight traffic signage scheme to be agreed prior to first occupation of any unit on the site. With this mitigation measure in place, it is not considered that any further measures are necessary therefore no further conditions are recommended.

WBC Highways and National Highways have assessed the proposals and concluded that subject to the conditions imposed, the proposed development is acceptable in highways terms.

Landscape Impact

Although part of the application site is located within CE, and a number of viewpoints relating to the visual assessment are located near to, or within the boundary of CE, there was no pre submission consultation of these viewpoints with CE. Information included in the submitted Parameters Plans document includes the Green Infrastructure Parameters Plan Drawing No: P111, this indicates that the whole of the part of the site that is located within Cheshire East, to the south of Bradley Brook, is to be part of the mitigation area.

The submitted Landscape and Visual Impact Assessment identifies that the part of the site located within CE is located within the Lower Wooded Farmland Character Type and specifically the 7a Arley Character Area. The site is bound to the south east by the northbound slip road linking the M56 Motorway with the M6 Motorway; there are no public rights of way in this part of the application site. The submitted LVIA indicates that the area to the south of Bradley Brook has been left untouched by built form in order to preserve the existing mature vegetation within Bradley Gorse (part of which is located within CE) and create an ecological mitigation area (6.5).

There are a number of viewpoints that are located within or adjacent to Cheshire East's boundary; these are:

VP1 Representing the viewpoint from Tan House Farm along Barleycastle Lane. Outside, but immediately adjacent to CE boundary – sensitivity medium.

VP13 taken along Swineyard Lane at the entrance to Sworton Heath Farm – sensitivity medium.

VP14 taken from Moss Lane at the junction with Hobbs Hill Lane – sensitivity medium

VP15 taken from the bend of Pennypleck lane, near to Antrobus FP8 public footpath –outside Cheshire east boundary, but looking across CE to the north – sensitivity high for footpath users and medium for road users.

VP20 taken along Wither's lane next to public right of way north – sensitivity high for footpath users and medium for road users.

The visual assessment indicates that for VP 1 (outside CE boundary) at the construction phase there will be a substantial magnitude of effect and substantial significance of effect and adverse nature of effect and that this will

remain at the operational phase. For VP 13 at the construction phase there will be a negligible magnitude of effect and minor significance of effect and adverse nature of effect and that this will remain at the operational phase. For VP14 at the construction phase there will be a negligible magnitude of effect and minor significance of effect and adverse nature of effect and that this will remain at the operational phase. For VP 15 (outside CE boundary) at the construction phase there will be a negligible magnitude of effect and minor significance of effect and adverse nature of effect and that this will remain at the operational phase. For VP20 at the construction phase there will be a minor magnitude of effect and moderate/high significance of effect and adverse nature of effect and that this will remain at the operational phase, with a slight change to a moderate significance of effect at the operational phase.

The visual effects relate to the large scale industrial premises to be located to the north of Bradley Brook, which will be up to 24m in height, the landscape officer would broadly agree with the assessment as it relates to those areas within CE. The submitted Zone of Theoretical Visibility also indicates the wider theoretical visibility of the proposed structures.

Following the submission of the application, amended plans were received reducing the height parameters of the proposed buildings, showing a reduction of No objections have been raised to the proposals, in relation to the landscape and visual impacts of the proposals, on the part of the application site that is located within the boundary of CE.

No landscape objections are raised in respect of the application.

Trees

The only area affected within CE is the proposed Ecological Mitigation Area. The trees in this area are earmarked for retention, with the proposal for additional tree planting therefore the Council's Arboricultural Officer does not anticipate any significant arboricultural impacts with this proposal.

Ecology

The only part of the development site located within CE has been identified in the indicative landscape masterplan as the majority of the Ecology Mitigation Zone. Within the zone existing trees are to be retained, scrub planting and rough meadow planting are proposed, along with large amounts of tree planting.

The draft allocation within the draft Warrington Borough policy MD6 for the wider site requires the following:

Development within the allocation site will be required to protect and enhance existing wildlife corridors and provide new corridors to link the site into Warrington's wider ecological network and the Great Manchester Wetlands Nature Improvement Area.

The layout of new development must take into account existing landscape features, including watercourses, woodlands, significant hedgerows and contribute to the wider objectives of the Mersey Forest and have regard to sites identified in Policy DC4 (Ecological Network) which should be protected in accordance with the requirements of Policy DC4 and national guidelines.

A scheme for measurable Biodiversity Net Gain through the use of the Defra Metric will be required. Mitigation measures for loss of habitat will only be allowed if shown to be necessary by application of the mitigation hierarchy.

WBC has assessed the wider application against the above criteria in relation to ecology.

The only proposed activity within CE is the creation of an ecological mitigation area. The mitigation area is required to reduce the effects of the proposed development upon a number of ecological receptors. It is anticipated that the ecological mitigation area would be created as part of the first reserved matters application at the site.

A disused badger sett is present within the ecological mitigation area. Vehicle and earth movements associated with the creation of ecological mitigation could potentially have an adverse impact on badgers if an active sett was created on site prior to the commencement of development. Therefore, a condition is required to secure the submission of an updated badger survey of the ecological mitigation area at the time of the submission of the first reserved matters application.

A condition is required to ensure that a detailed design and habitat creation method statement for the ecological mitigation area is submitted at the time of the submission of the first reserved matters application. A condition should also be attached which requires the submission and implementation of a 30 year habitat management plan for the ecological mitigation area. The management plan should include all newly created and existed habitats.

It is considered that with the above measures in place the area will function as a mitigation area and will reduce the effects of the wider development.

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, or the proposals would not cause undue harm by overlooking, loss of light or loss of privacy to neighbouring residents. This application is focused on Cheshire East. Cheshire East residential amenity is not a concern as the majority of the proposals are located within Warrington administrative boundary are of sufficient distance away and further separated by junction 9 of the M56/ junction 20 of the M6. Therefore the proposal is considered to be acceptable in amenity terms with regard to Cheshire East residents.

Air Quality

A detailed air quality assessment has been 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, PM₁₀ and PM_{2.5} 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:

- Without the Proposed Development in 2017;
- Without the Proposed Development in 2021;
- With the Proposed Development in 2021;
- Without the Proposed Development in 2029;
- With the Proposed Development in 2029;

The assessment concludes that the impact of the future development on the chosen receptors will be not significant with regards to all the modelled pollutants providing the appropriate mitigation measures are put in place. Only six of the chosen receptors are located within CE, whilst the remaining receptors are in WBC. The comments below relate only to those receptors within CE, whilst those within Warrington's boundary will be addressed by their Environmental Health team. Of the six receptors, two (no.1 and 12) are predicted to see a substantial adverse impact for NO₂ as a result of the development in 2021, albeit the conservative assumption made for that year is that the development is fully complete. The report then states that the model is overpredicting for those receptors next to the M6 motorway, of which these two receptors are. The report then uses the tube data from the same location as receptor 1 as a more robust method of predicting the impact. These updated figures show that the impact will, therefore, be negligible as with the other four. The Environmental Protection Team accepts this method as a suitable option due to the uncertainties associated with modelling future figures, and the more accurate nature of real-world results in comparison.

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

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.

A development of this scale and duration would be expected to have an adequate demolition, construction and trackout dust control plan implemented to protect sensitive receptors from impacts during this stage of the proposal and this is mentioned within the assessment as a form of mitigation. The assessment also makes reference to the installation of electric vehicle

infrastructure as another form of mitigation. A condition to secure EV infrastructure has been included in the WBC application committee report.

Contaminated Land

The Environmental Protection Team has reviewed the Environmental Statement in particular the supporting Phase 1 Geotechnical and Geoenvironmental Assessment. The report recommends a ground investigation be undertaken in order to further assess identified potential contaminant linkages. The proposed end-use of the area within CE is for ecological mitigation, this is considered to be a low sensitivity end-use. As a result, the Environmental Protection Team has raised no objections to the proposed ground investigation works but request that any findings in CE's area or in influencing distance of CE's area, be provided to for review and comment. This is to be secured by condition.

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 main river Bradleys Brook watercourse forms the northern boundary of the site within CE. The application does not propose development in this area and proposes further tree planting, therefore it is not considered that the proposal would cause run-off to exceed the current greenfield levels, in fact due to additional planting would mitigate against run-off and localised flooding of this greenfield site. No drainage is proposed within the CE area of the site.

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

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 loss of Green Belt have been raised. These issues have been addressed within the main body of the report.

The main development is within WBC who have made assessments in these aspects regarding the main scheme. The area within CE is not considered to cause harm to either the highways network or the Green Belt as it does not introduce new development.

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

considerations raised by consultees have been addressed within the main body of the report.

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

CONCLUSIONS

The site forms the south eastern part of a cross boundary application between Warrington Borough Council and Cheshire East Council. The vast majority of the proposal lies within the jurisdiction of Warrington. As part of this application an assessment has taken place covering the area within Cheshire East only and has addressed any cross boundary impacts the proposal in the Cheshire east area would have on Warrington Borough.

The site is part of a much wider scheme to provide a strategic employment site with links to the M6 and M56 which are within very close proximity to the site, which forms part of a draft allocation in the unadopted Warrington Local Plan.

The application proposes an ecological mitigation zone within the Cheshire East portion of the site. The proposal is located within the Green Belt and has been assessed to not represent inappropriate development within the Green Belt or conflict with the purposes of including land within it. It is considered therefore that the proposal accords with policy PG3 of the Cheshire East Local Plan and the NPPF.

Warrington Borough Council has assessed the area within their jurisdiction against their policy framework and the NPPF and the Warrington Borough Council committee has resolved to approve the application in line with officer recommendation, subject to conditions and a section 106 agreement.

The proposal within Cheshire East is considered to be acceptable, and 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 plans
3. Submission of reserved matters
4. No unit hereby approved shall be occupied unless and until a scheme for the design and implementation of freight traffic signage including timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the freight traffic signage shall highlight that the recommended route for goods vehicles to and from the motorway network is M6 J20 along A50

Cliff Lane to B5356 Grappenhall Lane. The approved scheme shall be implemented prior to first occupation of the development hereby approved.

5. Updated badger survey of the ecological mitigation area is to be submitted at the time of the submission of the first reserved matters application.
6. Detailed design and habitat creation method statement for the ecological mitigation area to be submitted at the time of the submission of the first reserved matters application.
7. The submission and implementation of a 30 year habitat management plan for the ecological mitigation area, to include all existing and newly created habitats.
8. If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority.

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.

