

Application No: 21/5724C

Location: Land Off, RADWAY GREEN ROAD, RADWAY GREEN

Proposal: Outline planning permission for the construction of employment floorspace up to 94,761sq.m (1,020,000 sq.ft) for use within Use Classes B2, B8 and ancillary Use Class E(g) of the Use Classes Order (as amended), including detailed approval of means of access at Radway Green Road.

Applicant: Tilstone Radway Limited

Expiry Date: 30-Jun-2022

SUMMARY

The proposed development is considered acceptable in land use terms as it would facilitate the aim of Policy LPS 24 Radway Green Extension by providing up to 25 hectares of commercial development.

The impact on neighbouring residential amenity would not be significant.

The impact upon air quality has been assessed as part of this application and subject to the imposition of planning conditions the development would comply with Policy SE 12.

Details of the proposed landscaping would be secured at the reserved matters stage but the landscaping buffer to the green belt boundary has been secured here. The proposed development is considered to comply with the requirements of Policies SE 4 and SE 5.

Satisfactory access and parking provision can be provided and the development would not result in 'severe harm' on the local highway network subject to the suggested conditions and S106 contributions.

It would appear that ecological impacts of the development can be satisfactorily mitigated by conditions and S106 contributions.

The development would not have significant drainage/flood risk implications and complies with Policy SE 13.

On balance it is considered that the proposed development demonstrates that an acceptable design solution can be secured in accordance with Policy SE 1. However this is a Reserved Matter and the final judgement will be made at that stage.

The development of the site would provide a number of economic benefits in terms of job creation and during the construction phase of the development.

The proposal is therefore found to be economically, socially and environmentally sustainable.

RECOMMENDATION

APPROVE SUBJECT TO CONDITIONS AND S106 TO SECURE ECOLOGICAL AND HIGHWAY IMPROVEMENTS

ECOLOGICAL NET GAIN ISSUE BE DELEGATED BACK TO OFFICERS IN CONJUNCTION THE HEAD OF PLANNING AND CHAIR OF PLANNING COMMITTEE SHOULD MEMBERS BE MINDED TO APPROVE THE APPLICATION

DESCRIPTION OF SITE AND CONTEXT

The application site is situated to the south of Radway Green Road and formerly housed 2 large industrial buildings belonging to BAE Systems, these have now all been demolished.

The site area, including the access is approximately 26 hectares in size.

To the immediate north is the earlier phase for Radway Green Business Park, further north is the railway line, agricultural land and then Crewe Road. To the east and south is open land and the motorway is to the west.

The site is identified as LPS 24 (Radway Green Extension, Alsager) within the Cheshire East Local Plan Strategy

Permission has been granted for similar commercial developments on sites to the north of this application site, these being at Radway Green and Radway Green North.

DETAILS OF PROPOSAL

The proposal seeks outline consent for the construction of employment floorspace up to 94,761 sq.m (1,020,000 sq.ft) for use within Use Classes B2, B8 and ancillary Use Class E(g)1 of the Use Classes Order (as amended), including detailed approval of means of access at Radway Green Road

RELEVANT HISTORY

21/3683S – EIA Screening Opinion – EIA not required 19-Oct-2021

20/3382N – Proposed development of 6 no. commercial units providing up to 74,610 sq.m. GIA of mixed B1c, B2 and B8 (unfettered), of which 34,650 sq.m (Units 1, 2 & 6) will be sought

under detailed approval including associated infrastructure, parking, access and circulation areas, maintenance and improvement of existing access into the site south of the level crossing and the existing vehicular access north of the level crossing, cycle and pedestrian access to the whole site, relocation of existing clock tower, new internal roads and drainage infrastructure. Units 3, 4 & 5 (total proposed floorspace of 39,960sqm) seek outline approval for access and scale, reserving appearance, landscaping and layout for later approval – Approved 05-Mar-2021

18/3348N – Outline application for proposed commercial development (B1c, B2 & B8 use, including ancillary B1 offices) comprising circa 32,980 sq.m floor space , vehicular access, service yards, car and cycle parking, drainage, external lighting, landscaping and associated works – Approved 22-Jan-2019

POLICIES

National Policy

National Planning Policy Framework (NPPF)

11. Presumption in favour of sustainable development.
80-82. Building a strong, competitive economy
124-132. Achieving well-designed places

Local Policy

Cheshire East Local Plan Strategy – Adopted Version (CELPS):

MP1 Presumption in Favour of Sustainable Development
PG1 Overall Development Strategy
PG2 Settlement Hierarchy
PG7 Spatial Distribution
SD 1 Sustainable Development in Cheshire East
SD 2 Sustainable Development Principles
SE 1 Design
SE 2 Efficient Use of Land
SE3 Biodiversity and Geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodlands
SE 12 Pollution, Land Contamination and Land Instability
SE13 Flood Risk and Water Management
EG1 Economic Prosperity
EG3 Existing and Allocated Employment Sites
EG5 Promoting a Town Centre First Approach to Retail and Commerce
CO1 Sustainable Travel and Transport

LPS 24 Radway Green Extension

Appendix C Parking Standards

Saved policies of the Crewe and Nantwich Local Plan:

BE1 Amenity
BE3 Access and Parking
BE4 Drainage, Utilities and Resources
BE21 Hazardous Installations

Alsager Neighbourhood Plan (made on the 15 April 2020)

EE1 – New Businesses
EE4 – Scale, Design and Amenity of New Employment Development
NBE4 – Woodlands, Trees and Hedgerows
NBE6 – Development Affecting Heritage Assets and their Setting
CW3 – Safe and Accessible Routes
TTS1 – Promoting Sustainable Transport
TTS2 – Congestion and Highway Safety
TTS3 – Car Parking and Electric Vehicle Charging Points
TTS4 – Accessibility
TTS6 – Infrastructure
TTS8 – Improving Air Quality
TTS10 – Surface Water

CONSIDERATIONS

CEC Environmental Health (Cheshire East): No objection, subject to conditions relating to the following matters - noise, construction works, dust management plan, floor floating, electric vehicle charging infrastructure, contaminated land. A few informative(s) also included in the representation.

CEC Highways: No objections to the application subject to conditions requiring a site access roundabout, internal road link, ghost right turn lane, signage, pedestrian/cycle path and S106 contribution to the CEC A500 widening scheme and review of the existing speed limit following development on the B5078 Radway Green Road to assess potential reductions in the speed limit of £12,000.

CEC Public Rights of Way: No objection subject to condition requiring a scheme of management or the PROW

CEC Flood Risk: No objection in principle but further information required regarding managing the existing ordinary watercourse throughout the development footprint

United Utilities: No objection but request conditions on matters including drainage and sustainable drainage systems

National Highways: Initial holding objection however this objection has been removed following receipt of further information

Network Rail: Initial holding objection given increased queuing on the level crossing. Further response received accepting the findings of the transport study.

Natural England: No objection

Health and Safety Executive: Do not advise against the granting of planning permission

VIEW OF THE PARISH/TOWN COUNCIL

Barthomley Parish Council – the Parish Council makes the following comments;

- The Parish Council would like to ensure that all the mitigation statements included in the outline application are delivered as part of the scheme.
- That the new roundabout is implemented as submitted.
- That noise screening is applied to all boundaries and HGV manoeuvring locations.
- That the maximum height of buildings should be conditioned and enforced.
- That a through traffic route will be created between all three Radway sites including a pedestrian/cycle route over the BEA Systems bridge.
- That all site and road lighting to be at a low level to reduce light pollution in the area.
- That Rose Tree Farm/Foxley Farm's protective measures will be maintained and improved in the detailed planning application.
- That the Green Belt boundary is respected and that all other major planting, buffer measures, landscaping and all major earthworks will be completed prior to commencement of the main construction work and in the planting season prior to the commencement of any development.
- That the provision of solar panels, drainage, recyclable surface water run-off and electric charging points will be considered as part of the development.

TRAFFIC

- The Parish Council would like to see an assessment of the impact of the additional vehicles that this development will create both to and from the M6, plus a cumulative assessment to include all the new commercial developments either in planning or commenced between the M6 and Alsager. Our focus is obviously on Barthomley, but not exclusively.
- The Parish Council's view is that the submitted Traffic Assessment fails to make any reference to the narrow roads through Barthomley/Englesea Brook. This becomes an issue when junction 16 of the M6 is unavailable. It also offers an alternative route onto the A500 towards Nantwich and the rural west. Any assessment needs to take note of this and should be amended accordingly.
- The fact is that, over the next 10 years or so, there are the added complications of construction works relating to:
 - The widening of the A500
 - HS2a
 - The Basford East and the South Cheshire Growth Village (with a combined total of approx. 1500 new dwellings).

All of these schemes will be to a greater or lesser extent imposing extra heavy vehicles on the narrow road network. Add to this continuing local traffic (e.g. farm tractors etc.) and, unless stringent traffic management measures are put in place to protect the local road system a chaotic situation will ensue and quality of life is going to be ruined. Barthomley conservation area is particularly at risk. The Parish Council believes that these concerns need to be addressed via a robust S106 agreement;-

- That information is shared on the number/impact of relevant M6 delays and closures over the past year (2020-21) and their impact on the surrounding road infrastructure.
- That the roundabout at junction 16 of the M6 will be refigured to improve vehicle flow around it and access on and off the B5078.
- That a 40-mph speed limit will be applied to the B5078 from M6 J16 to Alsager.
- That the junction at Radway traffic lights will be widened to include a substantial filter lane in both east and west directions.
- That the junction into Barthomley village will be improved to create safer and better access in all directions and also should be redesigned to deter HGVs from entering and circumnavigating the narrow lanes in the area.
- That a 7.5 tonne weight restriction, as already applied through Barthomley and Engelsea Brook from the junction with the B5078 to the B5500 (Audley Road) is strictly enforced with additional signage.
- That all of this work and any new infrastructure will be funded using section 106/CIL agreements.

Alsager Town Council – object to this planning application on the following grounds:

- Oversized, overbearing warehouses in close proximity to properties.
- Concerns about the height of the proposed warehouses and location close to the BAE blast zone and asks that an HSE report is submitted.
- The Town Council would prefer smaller industrial units to help smaller business.
- Loss of agricultural land.
- Building on a flood plain with potential drainage issues.
- Insufficient public transport to the site.
- Safe walking and cycling routes are needed from Crewe Road to the site. The Town Council asks for a 278 agreement to provide this should the application be approved.
- Any PROWs to be upgraded.
- Access by rail would be welcome – by re opening the Radway Green station.
- The access road from the M6 J16 is not suitable for HGVs and the increased traffic.
- If approved, a condition to be included that all HVG traffic should left from the site avoid Alsager town centre.

Weston Parish Council

- Concern relates to traffic flows and traffic management to prevent HGVs circumnavigating narrow lanes and 'rat running' through Barthomley, Engelsea Brook, the Snape and Main Road Weston.

- Concern that traffic assessment does not address the impact of traffic problems on the M6
- Concern over construction traffic associated with the site alongside the widening of the A500, strategic sites at Basford East and the South Cheshire Growth Village.
- Support the comments from Barthomley Parish Council
- The Parish Council has not been involved in pre-application consultation exercise.

REPRESENTATIONS

Representations have been received from approximately 28 addresses on the following grounds:

- Object to the impact on footpath Barthomley FP24 and potential impacts on access to the countryside.
- No suitable cycle lanes / pedestrian access on the site.
- Site requires a traffic management plan and provide alternative travel mode options to encourage sustainable travel (including public transport) to / from the site (e.g Cycling and Walking).
- Improvements needed to access the site from local bus stop.
- Limitation of traffic survey - the proposal should be considered in the light of other large developments in the immediate area.
- Concern over traffic survey and impact on the Covid Pandemic on traffic flows and the nature of traffic (i.e agricultural equipment).
- Need to consider traffic flows from deliveries but also from the construction and workforce that visit the site.
- Concern over traffic flows / traffic safety impacts on local lanes Holmshaw Lane, Radway Green Road.
- Speed limit on B5078 is a concern.
- The impact of increased traffic on the surrounding roads will be huge given proximity to M6 J16 and A500. This has particular impact in Barthomley Village, a conservation area with narrow lanes, ancient bridges and high hedges. Concern regarding the turn off to Barthomley Village (B5078).
- The access road, the B5078 Radway Green Road running north from the M6 Junction 16 to the junction with the B5077 (Butterton Lane) should be extensively upgraded.
- The proposed access via Radway Green is not suitable. Road safety risk including from properties adjoining Radway Green Road.
- There is a need to address Rail Crossing and the delays that causes. Need to include the provision of a road bridge instead of a level crossing at Radway Green as a minimum.
- This scheme should be delayed until after the A500 work is complete
- Availability of alternative sites including Brownfield sites and sites including Chatterley Valley on the A500
- Alsager will be turned into an industrial estate
- Impact of this development at a 'gateway' location into Alsager
- Flooding and drainage concerns

- Impact of Valley Brook
- Impact on agricultural land and best and most valuable land.
- Climate change impact of the development - units should be fitted with solar panels and use ground source heating
- Pollution and amenity impacts during construction and operation (air quality, dust, light, noise)
- Impacts on biodiversity, ecology and local wildlife needs to be considered. Any studies on wildlife should be updated.
- Concerned that green spaces are now being taken over for buildings.
- Overbearing nature of the warehouse
- A robust perimeter to protect the adjacent Green Belt / neighbouring residents is essential
- Development of such size will be visible to many local residents – landscaping must be a key component of the approval to minimise impact on the visual amenity of the area
- The heights and size of the units will dominate the landscape and viewpoints for the surrounding area. Issue of overbearing.
- Impact on local properties
- Increased littering
- Impacts on access, noise, visual amenity and loss of residential amenity in terms of location and physical relationship to Rose Trees Farmhouse and Oak Tree Barn.
- A few responses supported additional employment development in and around Alsager / Cheshire East
- There are sufficient existing schemes in the surround area with infrastructure in place along the A500 corridor and on Crewe Road, Alsager which are currently unoccupied.

OFFICER APPRAISAL

Principle of Development

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Policy MP1 'presumption in favour of sustainable development' of the Local Plan Strategy state that planning applications and appeals must be determined "in accordance with the plan unless material considerations indicate otherwise".

Alsager has been identified as a Key Service Centre for Cheshire East. The vision for Key Service Centres is that they will see growth, with high quality homes and businesses premises provided, where smaller independent traders and tourism initiatives will continue to thrive and where all development will contribute to creating a strong sense of place. Alsager is expected to accommodate in the order of 40 hectares of employment land and 2,000 new homes up to 2030 (LPS policy PG 7 'spatial distribution of development').

The application site forms part of strategic site allocation LPS 24 'Radway Green Extension' which allocates the site for 25 hectares of employment land.

Policy EG1 of the CELPS states that proposals for employment development (use classes B1, B2, B8) will be supported in principle within key service centres (which includes Alsager) as well as on employment land allocations in the Development Plan.

Policy EE1 'New Businesses' in the Alsager Neighbourhood Plan also notes that proposals for new businesses, including on the Radway Green Extensions site will be supported provided there is compliance with the Cheshire East Local Plan Strategy.

At a national level the NPPF also requires Local Planning Authorities to "create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development."

The application is for outline planning permission with only the detail of the access and part of the landscaping buffer to be determined at this point. However the submitted documentation puts forward that there would be employment floorspace up to 94,761sq.m (9.4 hectares). The previous consent for phase 1 granted consent for 3.2 hectares and 7.4 hectares so cumulatively 19.1 hectares would be inside the 25 hectares threshold. On this basis the development is considered acceptable in principle subject to meeting the site specific requirements contained within Policy LPS 24 Radway Green Extension.

LPS 24 Radway Green Extension, Alsager

The development of Radway Green Extension over the Local Plan Strategy period will be achieved through:

1.The provision of 25 hectares of employment land.

Site Specific Principles of Development

a. The provision of green infrastructure, including:

- i. The creation of wildlife habitats, including those for protected species;
- ii. The retention, where possible, of important hedgerows and trees that have a cumulative screening impact on development and contribute to the ecological value of the site; and
- iii. A substantial landscape buffer along the site boundaries but particularly along the boundaries of the site with the Green Belt.

b. Improvements to site access, potentially to allow for better access to the Radway Green site as a whole, as well as improvements to existing access and provision of new pedestrian and cycle links to new and existing residential areas and shops.

c. Contributions to improvements to existing and the provision of new public transport links to Crewe Railway Station, Crewe town centre, Alsager town centre and local villages.

d. Contributions to M6 junction 16 improvements and the railway level crossing on Radway Green Road.

e. The delivery of a high quality designed development at this key site in the Green Belt.

f. The development should provide compensatory habitat for protected and priority species, as required, on the site.

g. A desk based archaeological assessment shall be carried out to determine if any further evaluation / mitigation will be needed.

h. The site will be developed only where it can be demonstrated that there is no adverse impact on the Midland Meres and Mosses Phase 2 Ramsar and Oakhanger Moss SSSI particularly in relation to changes in water levels and quality and recreational pressures. This should include a Habitats Regulations Assessment of the direct and indirect impacts of the development on the features of special interest. Where impacts cannot be avoided, appropriate mitigation measures will be required to ensure no adverse effects on the integrity of sites.

i. A minimum of a Phase 1 Preliminary Risk Assessment for contaminated land should be carried out to demonstrate that the site is, or could be made, suitable for use should it be found to be contaminated. Further work, including a site investigation, may be required at a pre-planning stage, depending on the nature of the site.

j. Appropriate boundary treatments should be implemented to provide a clearly defined Green Belt boundary that is likely to endure.

The justification text to policy LPS 24 Radway Green Extension, Alsager notes how the site:-

- adjoins the Radway Green Industrial Estate;
- that the future development of the site is conditional upon contributions to highways improvements. Reference is made to the M6 Junction 16;
- that the site should provide and incorporate green infrastructure, and include sensitive design in terms of scale and massing of any new structures;
- The principal access to the site will be via the existing Radway Green Road (B5078) where there is the potential to provide a safe access with adequate highway capacity to serve a strategic employment allocation of this scale. The access should also be constructed so as to facilitate access to the wider Radway Green Site.
- A new access at this point will avoid conflict with the constrained railway crossing and enhance the attractiveness and efficiency of the site as a whole.
- Further improvements to the public transport network, together with new pedestrian/cycle links, will enhance the site's accessibility to Key/Local Service Centres and the principal rail hub at Crewe.
- that the site will make a positive contribution to the 380 hectares of employment land identified in policy PG 1 (Overall Development Strategy) of the CELPS an archaeological assessment will be required, to ensure that there will not be an impact on undesignated heritage assets.
- The strategic importance of Radway Green and its location within the M6 Growth Corridor from Birmingham to Manchester allows it to act as the key linkage between these major hubs and the wider Cheshire economy
- habitats for protected species, if required, will be provided.
- details of Construction Environment Management Plans, landscaping, green infrastructure and open space proposals should be submitted to the council during any future planning application process on this site
- boundary treatments should be reinforced so as to ensure a strong long term perimeter to the Green Belt.
- at least a Phase 1 Preliminary Risk Assessment for contaminated land needs to be carried out to ensure that any contamination that is present is subject to appropriate remediation.
- that given the sites ecological value and proximity to a European site, that a number of matters are considered including impact on water resource, chemistry (amongst other factors
- that development proposals consider the policy requirements of Policy CO 2 'Enabling Business Growth Through Transport Infrastructure', and the need to improve

- sustainable travel options, particularly in the wider cross border context

Landscape

Policy SE1 of the CELPS advises that proposals should make a positive contribution to their surroundings in terms of sense of place, design quality, sustainable architecture, liveability/workability and safety.

The application does not seek consent for the design, layout or full landscaping of the site. However indicative drawings included within the application show buildings in keeping with the nature of their use that would be considered appropriate in this location. Full detailed plans for the landscaping buffer have been provided for consideration.

The submission includes a Landscape and Visual Impact Assessment, this indicates that it has been prepared in accordance with the Guidelines for Landscape and Visual Impact Assessment (GLVIA3), 2013. The Assessment identifies the baseline landscape – NCA61 Shropshire, Cheshire and Staffordshire Plain as well as the local landscape character, identified in the Cheshire East Landscape Character Assessment 2018 as LCT7: Lower Wooded Farmland and specifically LCA 7f Barthomley. Reference is made to the Cheshire Landscape Character Assessment 2008, this document was superceded by the Cheshire East Landscape Character Assessment in 2018.

The assessment identifies the local character, namely that it is farmland to the immediate south of the existing Radway Green Site – Commercial and ordnance factory. The site consists of a number of fields with existing hedgerows and mature trees, often oaks. The M6 motorway lies a short distance to the west of the application site- approximately 60m and the B5078 follows the north western boundary. The wider landscape to the south, east and west is agricultural and also Gren Belt.

The Landscape Assessment identifies that there would be a Moderate adverse effect and that this would continue for the life of the proposed development. The Visual Assessment examines public viewpoints, residential properties and transport routes (7.3.5). These indicate that for public viewpoints effects range from substantial adverse to moderate adverse at the construction phase, remaining moderate adverse for three of the receptors chosen after 15 years and slight for the remaining receptor. For residential properties the assessment indicates substantial effects for two receptors, substantial to moderate for two and moderate for the remaining chosen receptor. After 15 years the effects are assessed as moderate for four and slight for the remaining receptor. For transport receptors the construction effects are identified as moderate, reducing to slight after 15 years.

It is clear from the assessment that the proposed development will have considerable and adverse effects, even after a period of 15 years and while the assessment states that these effects 'are as would be expected with a development of this scale' (8.1.12) and that there would be 'limited effects upon the landscape character of the wider area' (8.1.13), it remains the case that the proposed development will result in permanent adverse effects for users of footpaths, residential properties and transport routes. As a consequence of this and the LVIA generally, the Councils Ecologist initially advised that further consideration should be given to the design and mitigation proposed in order to reduce the adverse impacts. There was also

concern with the assessment which concluded that there would be a substantial buffer planting to the countryside/Green Belt boundaries.

As a result further detailed plans have been provided which show a significant increase to the landscaping buffer to the more sensitive southern and western boundaries. As a result the Councils Landscape Officer considers this to be a significant improvements and supports the proposal subject to conditions requiring implementation of the landscaping scheme.

Ecology

Statutory Sites

The application site falls within Natural England's SSSI Impact Risk zones and is located in close proximity to Oakhanger Moss SSSI which forms part of the Midland Meres and Mosses Phase 2 Ramsar.

The application is supported by a 'shadow' Habitat Regulations assessment which concludes that no significant effects on statutory designed sites are likely.

Natural England advise that the proposed development is not likely to have an adverse impact upon the features for which the site was designated. An Appropriate Assessment under the Habitat Regulations is therefore not required.

Under the Habitat Regulations the Council is required to undertake an 'Assessment of Likely Significant Effects'. The applicant has submitted a 'shadow' assessment. 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. It is the Council's intent to adopt the shadow assessment as a means of fulfilling its obligations under the Habitat Regulations.

Great Crested Newts

A number of ponds are present on site. The proposed development may therefore affect great crested newts as a result of the loss of both existing ponds and associated terrestrial habitat and the risk of animals being killed or injured during the site clearance and construction process.

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.

Overriding Public Interest

The development would provide social and economic benefits in the form of employment during construction. Adequate mitigation is being provided.

Alternatives

There is an alternative scenario that needs to be assessed, this are:

No development on the site

In this case the development site would meet a wider Policy requirements with significant economic and social benefits and is considered to be acceptable in land use terms given the site specific policy allocation.

Detriment to the Maintenance of the Species Population

In order to address the potential impacts of the proposed development upon great crested newts the applicant has proposed enter of the development into Natural England's District Level Licencing Scheme. This approach is supported and is sufficient to maintain the favourable conservation status of the species. The applicant has now provided a copy of the countersigned agreement with Natural England as evidence that the development is eligible to enter the District Licencing Scheme. The Councils Ecologist suggests that this is secured by condition.

Bats

The bat surveys undertaken on the application site recorded a number of bat species foraging and commuting across the site. Activity by many species, with the exception of those roosting on site, was relatively low. Sufficient numbers of bat (and other mammal) species were recorded on site to meet the thresholds for selection of the site as a Local Wildlife Site (LWS). Sites meeting the LWS selection criteria receive protection through policy SE3 (6) which requires suitable mitigation/compensation to be provided.

The Councils Ecologist advises that the loss of hedgerows, trees and ponds from the site and the installation of what is likely to be significant external lighting has the potential to have an adverse impact upon the levels of bat activity on site.

He therefore advises that if planning consent is granted it must be ensured that sufficient compensatory habitat is provided in relation to that lost. This can be assessed through the biodiversity metric discussed below.

Tree roosts

A number of trees were identified as having potential to support roosting bats during the preliminary ecological assessment. Detailed surveys to establish the presence /absence of roosting bats have been undertaken of the trees that are likely to require removal as part of the development of the site.

Bat roosts were identified in three trees (T3, T17, T35 numbering taken from submitted arboricultural assessment). These trees are anticipated as being retained on the submitted report and revised parameters plan.

The proposed development would therefore be unlikely to have a direct impact upon roosting bats.

If planning consent is granted the Councils Ecologist recommends that a condition be attached which requires any future reserved matters application be supported by an updated bat survey.

Lighting

In order to minimise any adverse impacts on bats resulting from the lighting associated with the development The Councils Ecologist recommends that if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the LPA.

Barn Owls

Barn owls are known to be present in this broad locality. The applicant's ecological consultant has provided additional information the status of this species on site and the Councils Ecologist advises that barn owls are unlikely to be present or affected by the proposed development.

Ponds

There are three ponds present on site. The submitted ecological assessment advises that two ponds would be lost as a result of the proposed development, but the third pond would be retained. The retention of this pond is now shown on the revised parameters plan (drawing ref 21-083-PL-12 Rev D)

There are new ponds shown on the indicative landscape master plan and referred to in the submitted biodiversity metric. The Councils Ecologist advises that the new ponds proposed would be sufficient to compensate for the loss of the existing ponds and should be secured by condition.

Brown Hare and Pole Cat

These priority species were recorded on site. The Councils Ecologist advises that the proposed development would result in an adverse impact upon these species as a result of the localised loss of suitable habitat and the risk of animals being harmed during site clearance and construction works. If planning consent is granted, it is recommend that a condition is attached to secure the submission of a method statement of avoidance measures to minimise the risk of these species being directly harmed during site clearance works. This could be included in the Biodiversity CEMP discussed below.

Hedgerows

Native hedgerows are a priority habitat and hence a material consideration. In addition, hedgerows 3A, 6 and 7 have been determined to be Important under the Hedgerow Regulations.

The proposed development will result in extensive hedgerow loss from the site interior with a corresponding significant loss of biodiversity. The identified Important Hedgerows are however located on the sites boundary and so would be retained.

Figures for the length of hedgerow lost because of the proposed development are not provided with the application. The submitted biodiversity metric however shows that the proposed development is likely to result in the loss of -2.98 hedgerow biodiversity units. The proposed development would therefore result in an adverse impact on this priority habitat. As discussed below the applicant proposes off-site habitat creation to ensure that the development delivers a net gain for biodiversity. It must be ensured that an appropriate level of hedgerow creation is included with the off-site habitat creation proposals to address the loss of this habitat type.

Other Protected Species (OPS)

There is extensive OPS activity on the site including a number of setts. The proposed development is likely to result in the loss of a sett on site. In order to avoid OPS being disturbed or injured during works the applicant is proposing to close the OPS sett under the terms of a Natural England license and provide an artificial sett as compensation. An access tunnel is also proposed under the main access road. In the event that planning consent is granted the Councils Ecologist advises that this approach is acceptable.

As well as disturbance of the sett the application is also likely to result in the loss of OPS foraging habitat, which the Councils Ecologist advises would have a localised adverse impact on this species. This impact could be partly compensated for through the incorporation of fruit trees into the landscaping scheme for the site.

The status of badgers on a site can change in a short timescale. The Councils ecologist therefore recommends that if outline consent is granted a condition should be attached requiring each reserved matters application to be supported by an updated badger survey and mitigation strategy. Mitigation measures to be informed by the proposals submitted in support of the outline application.

Wintering Birds

Only a single ornithological scoping visit was undertaken in winter rather than a full wintering bird survey. Priority bird species, which are a material consideration, were recorded as being present on site during this initial visit. The site does not however appear to be of significant importance for wintering birds based on the available survey information.

Breeding Birds

A number of bird species were recorded on during the breeding bird surveys undertaken to inform the ecological assessment. This included a number of priority species which are a material consideration for planning. Breeding activity on site was associated with mature trees, tree lines and hedgerows on site. The loss of these habitats would therefore be likely to have an adverse impact on breeding birds that is significant in the local context.

If planning consent is granted it must be ensured that adequate compensatory habitat is provided to address his impact, this can be assessed using the biodiversity metric discussed below.

Biodiversity Construction and Environmental Management Plan (CEMP)

The submitted Ecological Appraisal recommends the production of a biodiversity CEMP. This should cover:

- Biodiversity protection zones (fencing off and safeguarding of retained habitats)
- Nesting bird management
- Measures to minimise pollution risk to retained or offsite habitats.
- Polecat, badger and Hedgehog Reasonable Avoidance Measures

The Councils Ecologist recommends that the submission of a CEMP with future reserved matters applications be made condition if consent is granted.

Biodiversity Net Gain

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. In order to assess the impacts of the proposed development the

applicant has submitted an assessment undertaken using the Defra biodiversity offsetting 'metric' version 2 methodology.

The metric as submitted shows that the proposed development would result in a net loss of biodiversity amounting to -37.4 units.

The Councils Ecologist has reviewed the metric and has the following observation/queries:

- The ponds on site have been entered as being 'poor' condition but are identified in the preliminary ecological appraisal as being of 'moderate' condition.
- The Target condition of the 'neutral grassland has been entered as 'fairly poor'. It is best practice to avoid these intermediate categories for targeted habitat creation.
- The on-site stream has been entered as 'good' condition but is referred to as being in 'poor' condition in the preliminary ecological appraisal.

It is therefore recommended that the metric is reviewed in light of these points.

In order to address the loss of biodiversity resulting from the development the applicant has indicated that they have begun negotiations with a third party habitat provider to deliver sufficient habitat creation to ensure a 10% net gain in biodiversity. This approach is supported, however, the Councils Ecologist recommends that the applicant provides an indication as to what stage these negotiations are at and whether a suitable off-site location has been identified.

If planning consent is granted a legal agreement would be required to secure the delivery of the offsite habitat creation. Detailed landscaping proposals have been submitted with this application but the Councils Ecologist recommends that these be treated as indicative at this stage.

If planning consent is granted, once the biodiversity metric has been revised, the following condition would be required to ensure the delivery of the on-site habitat creation as detailed in the biodiversity metric.

- The reserved matters application for each phase of the development shall be accompanied by: a habitat creation method statement; ecological monitoring strategy and a 30 year habitat management plan for the retained, enhanced and newly created habitats for that phase of the development.

Ecological enhancement

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Local Plan Policy SE 3.

The Councils Ecologist therefore recommends that if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy with each reserved matters application. Suggested wording below:

Ecology conclusion

Subject to the biodiversity offsetting 'metric' being revised, it would appear that the majority of ecological impacts can be mitigated by the conditions as noted below. Any revised metric would be subject to a legal agreement to secure the delivery of the offsite habitat creation.

The Council's preference is for all mitigation to be secured on site. Therefore in the first instance the applicant is required to provide a scheme for consideration on site and pay any balance by financial contribution for habitat creation off site. Only if it is demonstrated that the site is unable to deliver any on site contributions would a contribution for fully off site habitat generation be considered.

The Council's Ecologist has calculated the required contribution for habitat creation to be 600k.

During the course of the application, the Council has been in discussion with the applicant to find a suitable site/scheme to deliver the habitat creation. However in absence of not knowing what onsite mitigation is proposed and with no identified site for net gain, the Council has no option but to seek the 600k contribution with requirement for onsite provision in the first instance.

Therefore it is recommended that should members be minded to approve the application the ecological net gain issue be delegated back to the Head of Planning in consultation with the Chair of Planning Board. The agreed scheme would then be subject to a S106 agreement.

The following conditions are also proposed:

- Updated bat survey is support of any future reserved matters application.
- Any future reserved matters application to include proposals for the creation of wildlife ponds to compensate for any ponds lost to the development.
- Any future reserved matters application to be supported by an updated badger survey and mitigation strategy. Mitigation measures to be informed by mitigation proposals submitted in support of the outline application.
- Submission of Biodiversity CEMP
- Offsite habitat creation to achieve Biodiversity Net Gain (secured by legal agreement once metric agreed)
- On site habitat creation method statement, 30 year habitat management plan and monitoring strategy
- Reserved matters application to be supported by strategy for the incorporation of features to enhance the biodiversity value of the development (bat and bird boxes etc).

Trees

The site contains several trees to the site boundaries. As such an arboricultural Impact Assessment (AIA) has been provided. At this stage no comments have been received from the Council's Forestry Officer however it is not expected that there will be major forestry concerns given the siting of the existing trees to the boundary rather than being spread around the site.

Further comments on this matter will be provided in the update report.

Design

Siting, layout and design are not matters currently being sought at this stage, so the final design/appearance of the buildings is unknown, however illustrative plans have been provided to show how the site may be developed.

The indicative plan shows x6 buildings spread across the site. The indicative layouts provide sufficient room for the landscaping buffer as required by Policy LPS 24.

The appearance of the building is shown as being similar to the consented site to the north so the proposal will be viewed in the context of the existing/consented commercial development rather than stand alone buildings. The maximum buildings heights is shown as being 17m tall, again matching the highest buildings on the consented northern site. However to ensure consistency with the consented site, it is considered necessary to set the maximum buildings heights by condition to match that of the consented site.

Whilst the proposals would fill a large part of the site, this is inevitable given the policy allocation for the site to provide cumulatively up to 25 hectares of employment development.

Therefore it would appear that the site is able to accommodate the development proposed, albeit final design/layout and appearance will not be known until reserved matters stage.

Highway Safety

Access

There is one main access to the proposed from Radway Green Road, this will be a 3-arm roundabout with 7m wide approach arms that accommodates two 3.5m entry lanes. The access roundabout has been designed to accommodate HGV's and swept paths have been provided to show that manoeuvres can be undertaken safely.

An internal access is also provided that links to the site directly to the north 20/3382N. As this is an outline application it is important that access is determined as part of this application and a condition attached requiring a road link to be provided that connects with the internal road network of application 20/3382N.

Internal Layout

A masterplan has been submitted that indicates that there are units of varying floorspace totalling 94,760 Sq,m, as this is an outline application these details are subject to change but the internal road layout submitted does not raise any design concerns.

Car Parking

Details have been submitted indicating the level of car parking to be provided, 1,863 spaces shared between the units and 445 HGV spaces, 37 disabled spaces and 227 cycle spaces. No details have been provided on the level of EV spaces to be provided within the site.

The levels of parking will be determined at the reserved matters stage and as such there is no need to comment on parking in this application.

Development Impact

The scope of impact of the development on the road network was agreed with the applicant as being at the following junctions.

B5077 Butterson Lane, B5077 Crewe Road and B5078 Radway Green Road
Northern Site access /Radway Green Road
BAE site access North of level crossing.
M6 J16 /A500 junction.
Railway level crossing on Radway Green Road
New access roundabout Radway Green Road.

The trip rates used for the assessment of this application is consistent with rates used at the adjacent site 20/3382N which has been approved for a B2/B8 use. In order to provide a robust assessment B2 rates have been used for the total floorspace as B2 trip rates are higher than B8.

94,761sqm GFA	Weekday AM Peak (07:30-08:30)		Weekday PM Peak (17:00-18:00)	
	IN	OUT	IN	OUT
Total Vehicle Trips	176	81	73	167
HGV Trips	30	44	41	25
PCU Trips	234	164	150	214

The two-way traffic generation from the development is:

398 AM peak
364 PM peak.

The background traffic flows on the road network are from traffic survey figures obtained in June 2021, traffic growth and committed development have been added to provide the Base Flows for assessment.

The assessment of the junctions has been undertaken at the following years:

2021 application
2026 5 years post application
2031 10 years post application at J16

The distribution of the trips has been undertaken for Light vehicles which are home based commuting to and from work based upon census data and the HGV trips using current traffic flow percentages from the traffic survey data.

Capacity Assessments

The capacity assessments at the existing site access junctions to the BAE site, the approved northern site access and the new roundabout access has been undertaken using modelling software . These programmes provide the Ratio to Flow Capacity (RFC) of the junctions and also the likely traffic queues that would occur.

The results of the capacity assessments show that all of the site access junctions are operating well below capacity levels and with minimal queue lengths.

M6 J16 /A500 junction

To provide a robust assessment of the operation of the junction, 100% HGV traffic has been routed through the junction.

The capacity results for this junction are shown below, it is evident that without any development taking place in 2026 and 2031 that there will be capacity problems on some arms of the junction. The addition of the development and committed development increasing the level of queuing at the junction, consideration needs therefore to be given whether the resultant queues and congestion are likely to result in a severe impact.

Consideration has been given as to potential improvement schemes that could provide mitigation at the junction, the current layout is operating at optimum level and further capacity improvements using the existing configuration is not possible. Improvements to the B5078 Radway Green approach have already been implemented.

There are increases in queue lengths on some arms resulting from this development predominately on the A500. The development will generally increase the level of delay at the junction. From an operational point of view it is not desirable to increase traffic levels at the junction due to the additional development traffic however as this will not be a material change in the operation of the junction it is not deemed to have a severe impact.

Scenario	Arm	AM		PM	
		DoS	Queue Length (PCUs)	DoS	Queue Length (PCUs)
2021 Base	M6 North	0.87	14.1	0.77	9.8
	A500 East	0.94	22.3	1.00	34.2
	M6 South	0.71	4.7	0.67	4.3
	A500 West	0.96	19.0	0.93	16.1
	B5078	0.58	2.0	0.63	2.3
2026 Base	M6 North	0.93	18.5	0.77	10.1
	A500 East	1.00	34.7	1.03	48.1
	M6 South	0.82	5.9	0.70	4.6
	A500 West	1.01	30.6	0.97	21.1
	B5078	0.65	2.0	0.74	3.3
2031 Base	M6 North	0.92	17.9	0.81	9.6
	A500 East	1.03	44.9	1.06	61.3
	M6 South	0.76	5.3	0.72	4.8
	A500 West	1.02	37.6	0.99	26.2
	B5078	0.69	2.7	0.75	4.2

2026 Base + Committed	M6 North	0.98	16.8	0.79	10.3
	A500 East	1.05	53.2	1.06	59.9
	M6 South	0.77	5.5	0.74	5.1
	A500 West	0.99	26.6	1.01	28.7
	B5078	0.76	3.1	0.84	6.5
2031 Base + Committed	M6 North	0.98	24.4	0.81	10.5
	A500 East	1.08	69.9	1.09	74.1
	M6 South	0.88	7.4	0.76	5.3
	A500 West	1.02	35.3	1.00	27.0
	B5078	0.76	3.6	0.87	7.3
2026 Base + Committed + Development	M6 North	0.96	18.6	0.86	11.3
	A500 East	1.09	74.3	1.10	77.7
	M6 South	0.80	5.9	0.76	4.9
	A500 West	1.00	27.3	0.86	11.7
	B5078	0.89	5.7	0.90	8.5
2031 Base + Committed + Development	M6 North	1.00	28.5	0.81	10.5
	A500 East	1.13	91.7	1.09	76.6
	M6 South	0.83	6.1	0.76	5.3
	A500 West	0.89	12.2	0.73	8.9
	B5078	0.84	5.2	0.79	4.9

B5077 Butterson Lane, B5077 Crewe Road and B5078 Radway Green Road

Although approval has been given for a new roundabout to be constructed at this junction that will also serve the White Moss Quarry site, it is not certain that it will be in place by 2026. Therefore, an assessment has been undertaken on the existing traffic signal scheme using Linsig software with a 2021 base and also 2026 base + committed development. The results are shown in the table below:

Scenario	Arm	AM		PM	
		DoS	Queue Length (PCUs)	DoS	Queue Length (PCUs)
2021 Base	Crewe Road	0.56	7.4	0.29	3.1
	Radway Green Road	0.58	3.9	0.57	4.9
	Butterson Lane	0.18	1.6	0.39	4.6
2026 Base	Crewe Road	0.57	7.8	0.30	3.2
	Radway Green Road	0.60	4.0	0.59	5.0
	Butterson Lane	0.18	1.6	0.40	4.7
2026 Base + Committed	Crewe Road	0.65	9.8	0.35	3.9
	Radway Green Road	0.71	5.5	0.61	5.8
	Butterson Lane	0.25	2.1	0.43	5.3
2026 Base + Committed + Development	Crewe Road	0.71	11.7	0.38	4.4
	Radway Green Road	0.73	6.1	0.65	6.7
	Butterson Lane	0.44	2.9	0.48	5.9
2026 Base + Committed + Development	Crewe Road	0.73	12.2	0.38	6.0
	Radway Green Road	0.75	6.6	0.70	9.4
	Butterson Lane	0.45	3.0	0.47	7.9

The results show that the degree of saturation (how much of the available junction capacity is predicted to be utilised) is less than 90% which indicates that the traffic signal junction would operate satisfactorily without undue queuing occurring.

Level Crossing Assessment

A survey of the operation at the level crossing has been undertaken in the peak hours and has looked at the number of times that the barrier was lowered in the hour and also the maximum length of queue that occurred.

The length of time the barrier was lowered was not consistent and varied in time and as such the length of queue also varied, on average the barriers were closed four times within the hour.

The length of queue is tidal in that the am queue was 5 vehicles northbound and 21 vehicles southbound and in the pm it was 4 vehicles southbound and 15 vehicles northbound.

As in the consideration of the impact of other planning applications at the level crossing all the necessary safety improvements have already been made including CCTV and there are no other improvements that can be made at the crossing. Therefore, it must be accepted that there will be queuing when the barriers are lowered although there is stacking space available for queuing to occur.

Consideration needs to be given to the level of impact the development would have on the level crossing, in this particular application as the main access to the site is to south of the crossing and almost all HGV movements would not need to cross the railway line. In addition, as there is an internal access link between the sites, some of the light traffic would also not need to cross the railway and use the access to the north of the crossing.

Accessibility

Currently there are no segregated footways along Radway Green Road and as such pedestrian access to the proposed main site access is not available by foot. However, pedestrian and cycle access to the site can be achieved through the adjacent sites that link across the internal railway bridge and exits onto Radway Green Road at the current BAE access point. There is a section of footway that links the BAE access to the Radway Green traffic signal junction, this path is currently narrow and should be improved to a 3m shared pedestrian/cycle facility, sufficient width is available within the verge.

There are bus services available near to the site and these services run along Crewe Road and Butterton Lane which reinforces the need to provide improved pedestrian connection to Crewe Road from the site.

Local Highway Impact

Several concerns have been raised by the Parish Council's regarding the impact of this development on the local highway network and development traffic using unsuitable rural roads in the vicinity of the site.

These points of concern have been considered as part of the assessment of this application and a number of measures are proposed in mitigation of the traffic impact.

- A ghost right turn lane – Junction of Radway Green Rd Barthomley/ B5078
- Improved Signage at the Junction of Radway Green Rd Barthomley/ B5078 to indicate no through HGV traffic.

- Pedestrian and Cycle signage to use the internal road network of the site to avoid use of Radway Green Road.

In addition, an assessment has been made of providing a footway/cycleway northbound from the junction of Radway Green Rd Barthomley/ B5078 to the site access roundabout. This facility cannot be achieved within the highway boundary and would require third party land.

Radway Green Road B5078 is currently de-restricted from the junction at Crewe Road to Barthomley Interchange, a reduction in the speed limit has been requested. As Cheshire East Council is currently reviewing its speed management strategy throughout the Borough, no decisions are being made on reduction in speed limits until the revised speed management strategy is in place.

Whilst previous assessments have found that the current speed limit is appropriate, the introduction of the new site access roundabout will have the effect of reducing speeds and therefore the northern section of the B5078 may be suitable for a reduction in speed limit. Therefore, a S106 contribution is required to assess the reduction in speed limit once the speed management strategy is in place, should a speed limit reduction not comply with policy the funds can be returned.

Network Rail

Network Rail initially had a holding objection and requested further information of the increased queuing on the level crossing as a result of the proposed development.

Further information was provided by the applicant in the form of a transport study. A further response was received from Network Rail who advised that they accept the findings of the transport study.

However, they have requested further clarification on the level crossing assessment as Network Rail are taking the view that this means that forecasted future traffic increases are going to make the situation worse but seek clarification on the severity of the impact from the Council.

This has been put to the Councils Highways Engineer who advises that there will be occasions when the queue back from the level crossing extends beyond some of the access points to this site and the BAE site, although crucially there is enough stacking space on Radway Green Road and it would not affect the operation of Crewe Road.

It is acknowledged that the queues will extend as a result of this development but there are no changes that can be made to the LC to improve matters.

The Transport Assessment has looked at the committed development traffic and also this application's traffic on the approach to the crossing. It is difficult to relate this into actual queues due to the times the barriers are closed, however the increase in traffic using the crossing resulting from this development is not considered significant to warrant a refusal on NPPF policy.

National Highways

Initial holding objection from National Highways who requested that the developer provides further information to determine the potential impact that the development may have on the operation of the M6 Junction 16, which forms part of the Strategic Road Network.

Further information was provided by the applicant to consider impact on the M6 to which National Highways are satisfied with and now raise no objection.

Highways - Summary and Conclusion

This is an outline application with access being determined at this stage, the internal layout and car parking are matters for subsequent applications. It is important from a highway point of view that the new roundabout access is secured and also that there is an internal road link to the adjacent site to allow through traffic to occur.

The main highway impact of the development has focused on junctions that are likely to have capacity problems as a result of the development. There are two main points of impact and these are at J16 Barthomley interchange and at the railway level crossing.

In regard to the Barthomley interchange this junction already suffers from congestion problems and is forecast without any development to increase the levels of queuing and delay. The proposed development will add additional traffic to the junction and this would further impact upon the capacity of the junction and increase vehicular delay. Consideration has been given as to whether additional changes could be made to the junction that would improve capacity, there are no identified schemes that would improve matters as the current signalised roundabout is running at its optimum efficiency. CEC have an improvement scheme on the A500 to improve traffic flow and reduce congestion, as this development will add further traffic to this route it is considered that a contribution towards this scheme is appropriate in mitigation of the impact. The impact of the development on the slip roads and M6 motorway have been considered by National Highways and have provided a separate response on this application.

The railway level crossing on Radway Green Road has caused delay and congestion for some time and a number of improvements have already been made to the crossing to improve safety, there are no further identified improvements that can be made to the existing crossing that would reduce queues and delay. The introduction of additional development traffic will add to the queue lengths at the level crossing and it is the extent of the impact that needs to be assessed. This application benefits from the main site access being south of the level crossing and that the vast majority of trips will travel south to the M6/A500, there is also an internal link to the adjacent site that allows traffic to use the northern access which is located north of the crossing. There will be some increase the queue lengths at the level crossing resulting from this application but not of a significant level to cause operational issues on the local road network.

The introduction of this development also has an impact on the local road network with a potential of traffic using unsuitable routes to access the site and in mitigation of these impacts a number of schemes are required to be implemented either as S278 schemes or contributions via a S106.

In summary, this application does result in increased levels of congestion at certain junctions/locations but in consideration of the policy test in the NPPF the Councils Highways Engineer does not consider severe impact on the road network would result.

Therefore he raises no objections to the application subject to conditions and S106.

Highways Conditions

- Site access roundabout to be constructed and operational prior to occupation – S278
- Prior to Occupation an Internal road link to be provided to link to Phase 1 development 20/3382N
- Ghost right turn lane – Junction of Radway Green Rd Barthomley/ B5078 prior to occupation – S278
- Signage at the Junction of Radway Green Rd Barthomley/ B5078 to indicate no through HGV traffic prior to occupation – S278
- Prior to occupation the Pedestrian and Cycle signage to use the internal road network of the site to be submitted and approved by the LPA
- Prior to occupation a 3m shared pedestrian/Cycle path to be constructed on the eastern side from the BAE access to the junction of Crewe Rd/Butterton Lane – S278

S106

- Contribution to the CEC A500 widening scheme – exact figure to be confirmed in the update report
- Review of the existing speed limit following development on the B5078 Radway Green Road to assess potential reductions in the speed limit. - £12,000

Flooding & Drainage

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps but the site is over 1 hectare in size, therefore a Flood Risk Assessment (FRA) is required.

An FRA has been provided which concludes that in compliance with the NPPF and subject to the proposed mitigation measures, the proposed development could proceed without being subject to significant flood risk. It also advises that the proposed development would not increase flood risk to the wider catchment area subject to suitable management of the surface water run off discharging from the site.

United Utilities have been consulted as part of this application and have raised no objection subject to conditions requiring a drainage strategy and Sustainable Drainage (SUDS).

The Councils Flood Risk Team has also been consulted who have raised no objection to the principle of the development however request further information regarding managing the existing ordinary watercourse throughout the development footprint. This has been requested and is expected to be reviewed in the update report. However given the in principle support, it is not expected that this will be problematic to the scheme.

As a result it is not considered that the proposal would pose any significant drainage/flooding issues.

HSE

The Council have consulted the Health and Safety Executive (HSE) using the PHADI+ system which advises that they do not advise against the granting of planning permission on safety grounds.

Amenity

The nearest residential properties re sited to the north-east (Rose Trees Farm) and south (Toad Hole Farm House and Foxley Farm) of the site.

The indicative plans suggests that the nearest unit to Rose Trees Farm would be 40m away and sited 34m away from the shared boundary.

To Foxley Farm the nearest unit is shown as being sited 47m away and sited 37m away from the shared boundary.

These distances and the non-direct orientation would likely prevent any significant harm by reason of overbearing/overshadowing/overlooking.

The indicative plans suggests a 200m separation to Toad Hole Farm House, which would also be sufficient to prevent any significant harm by reason of overbearing/overshadowing/overlooking.

It is accepted that some level of noise and disturbance would occur from the commercial use of the site. However a Noise Impact Assessment (NIA) has been provided which has considered the impact of the noise from HGV movement and installed plant from the proposed development has been assessed in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound.

The report recommends noise mitigation measures at section 5 designed to achieve BS8233: 2014 and WHO guidelines; to ensure that future occupants of the properties / occupants of nearby properties are not adversely affected by noise from HGV movements and plant noise.

The reports methodology, conclusion and recommendations are accepted by the Councils Environmental Protection Officers who are satisfied that noise impact can be suitably mitigated by the below conditions:

- The mitigation recommended in the acoustic report MCP 2408-002 dated Nov 2021 shall be implemented in full prior to the occupation of each unit / dwelling / phase.
- The agreed mitigation scheme shall be maintained for the purpose originally intended throughout the use of the development.

This is an outline application and therefore specific details over amenity will be considered at reserved matters stage. However, the above conditions will provide appropriate safeguards that the development could be accommodated without causing detrimental impact to amenity of neighbouring properties.

Air Quality and Contaminated land comments

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.

This is an outline proposal for an employment development. Air quality impacts have been considered within the air quality assessment submitted in support of the application by BWB, dated September 2021. 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:

- Scenario 1: 2019 Verification Year;
- Scenario 2: 2021 Base Year;
- Scenario 3: 2023 Opening Year without development; and
- Scenario 4: 2023 Opening Year with development.
- Scenario 5: 2023 Opening Year without development, sensitivity analysis; and
 - Scenario 6: 2023 Opening Year with development, sensitivity analysis.

The assessment concludes that the impact of the future development on the chosen receptors will be not significant with regards to NO₂, PM₁₀ and PM_{2.5} concentrations. None of the receptors are predicted to experience greater than a 2% increase relative to the AQAL. A sensitivity analysis has also been undertaken which makes the assumption that real world driving emissions will not reduce as much as predicted over the coming years. This can be taken as a "worst case scenario" assessment and the results of this also show that the impacts on the receptors are predicted to be not significant with only one receptor predicted to see a slight impact in NO₂.

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

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

On this basis the Environmental Health Officer has no objection to this proposed development subject to conditions regarding electric vehicle charging.

Contaminated Land

The Contaminated Land team has no objection to the above application subject to the following comments with regard to contaminated land:

- G&J Geoenvironmental Consultants Ltd report GJ187 'Site Investigation Interpretative Report, dated December 2019, was submitted in support of the application. The report demonstrates that the site poses a low risk with respect to contaminated land.
- Rose Tree Farm, adjacent west of the application area was impacted by the 1967 Foot and Mouth outbreak. According to available records 30 cattle and 46 pigs were culled as part of this outbreak. We do not know the location of the associated burial pit and, as such, further information regarding this possible pit should be obtained. Should evidence of this burial pit be found on the subject site, the Animal & Plant Health Agency should be contacted for advice. We would expect a watching brief for potential contamination to be undertaken during the ground works, and the findings of this watching brief submitted to us prior to first occupation/use of the development. The findings relating to the potential foot and mouth burial pit should also be discussed in this document.

As such, and in accordance with paragraphs 174, 183 and 184 of the NPPF 2021, the Environmental Protection Officer recommends that a condition be added to any decision regarding unidentified contamination.

Public Rights of Way (PROW)

The development, if granted consent, would affect Public Footpaths Nos. 24 & 26, Barthomley, as recorded on the Definitive Map and Statement.

The Councils Public Rights of Way Team have been consulted and have been provided with a commitment from the applicant that due consideration to the future of FP24 will be given at the reserved matters stage and agreement on revised conditions which require a higher degree of detail for works to the PROW prior to the commencement of development.

As such they raise no objection subject to condition requiring the applicant provided at reserved matters stage a Public Rights of Way scheme of management.

Archaeology

The supporting documentation includes a Heritage Environment Assessment, this document outlines sufficiently the potential for archaeological deposits which may be encountered during this development.

The document outlines that while there are no known archaeological deposits relating to prehistory, roman or medieval, there is clearly a significant potential for post medieval remains to be present. This is supported by the field boundary evidence seen on the historic mapping of the area. The field systems appear unchanged from the Tithe Map (1838) and are consistent up to 1971-3 Aerial Images of the area. This highlights the potential for archaeological features relating to the uses of these fields to remain as below ground features.

Subsequently, Cheshire Archaeology recommend that a programme of non-invasive archaeological survey be undertaken prior to the commencement of development to identify any areas of potential archaeological remains. This programme of non-invasive archaeological

survey should take the form of a geophysical survey to map and record these historical field boundaries. This work should be followed by targeted trenching over any anomalies which are clearly archaeological.

Agricultural Land

The proposal would result in the loss of agricultural land. However the site has been allocated for development under Policy LPS 23 as such its loss agricultural land has already been accepted.

Planning Balance

The proposed development is considered acceptable in land use terms as it would facilitate the aim of Policy LPS 24 Radway Green Extension by providing up to 25 hectares of commercial development.

The impact on neighbouring residential amenity would not be significant.

The impact upon air quality has been assessed as part of this application and subject to the imposition of planning conditions the development would comply with Policy SE 12.

Details of the proposed landscaping would be secured at the reserved matters stage but the landscaping buffer to the green belt boundary has been secured here. The proposed development is considered to comply with the requirements of Policies SE 4 and SE 5.

Satisfactory access and parking provision can be provided and the development would not result in 'severe harm' on the local highway network subject to the suggested conditions and S106 contributions.

It would appear that ecological impacts of the development can be satisfactorily mitigated by conditions and S106 contributions.

The development would not have significant drainage/flood risk implications and complies with Policy SE 13.

On balance it is considered that the proposed development demonstrates that an acceptable design solution can be secured in accordance with Policy SE 1. However this is a Reserved Matter and the final judgement will be made at that stage.

The development of the site would provide a number of economic benefits in terms of job creation and during the construction phase of the development.

The proposal is therefore found to be economically, socially and environmentally sustainable.

RECOMMENDATION:

Delegated to Head of Planning in Consultation with the Chair of Strategic Planning Board to Approve subject to a S106 agreement to Secure Ecological And Highway Improvements:

S106	Amount	Triggers
Highways	<p>Contribution to the CEC A500 widening scheme</p> <p>Contribution of 12K towards review of the existing speed limit following development on the B5078 Radway Green Road to assess potential reductions in the speed limit</p>	<p>50% Prior to first occupation of first unit</p> <p>50% at occupation of 4th unit</p>
Ecology	600k to secure the delivery of the offsite habitat creation	<p>50% Prior to first occupation of first unit</p> <p>50% at occupation of 4th unit</p>

And the following conditions

1. Standard Outline 1
2. Standard Outline 2
3. Standard Outline 3
4. Approved Plans
5. Implementation of the approved Landscaping Buffer
6. Implementation of noise mitigation measures
7. Details of piling methods
8. Details of dust suppression measures
9. Details of floor floating
10. Details of electric vehicle charging points
11. Reporting of any contamination not previously identified
12. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation
13. Any reserved matters application shall include a Public Rights of Way scheme of management to be submitted and approved by the Local Planning Authority in liaison with the Public Rights of Way team as the Highway Authority
14. Site access roundabout to constructed and operational prior to occupation
15. Prior to Occupation an Internal road link to be provided to link to Phase 1 development 20/3382N.
16. Ghost right turn lane – Junction of Radway Green Rd Barthomley/ B5078 prior to occupation
17. Signage at the Junction of Radway Green Rd Barthomley/ B5078 to indicate no through HGV traffic prior to occupation

18. Prior to occupation the Pedestrian and Cycle signage to use the internal road network of the site to be submitted and approved by the LPA.
19. Prior to occupation a 3m shared pedestrian/Cycle path to be constructed on the eastern side from the BAE access to the junction of Crewe Rd/Butterton Lane
20. Updated bat survey in support of any future reserved matters application
21. Any future reserved matters application to include proposals for the creation of wildlife ponds to compensate for any ponds lost to the development
22. Any future reserved matters application to be supported by an updated badger survey and mitigation strategy. Mitigation measures to be informed by mitigation proposals submitted in support of the outline application.
23. Submission of Biodiversity CEMP
24. Offsite habitat creation to achieve Biodiversity Net Gain (secured by legal agreement once metric agreed)
25. On site habitat creation method statement, 30 year habitat management plan and monitoring strategy
26. Reserved matters application to be supported by strategy for the incorporation of features to enhance the biodiversity value of the development (bat and bird boxes etc).
27. Maximum building height

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

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