

Strategic Planning Board

Update

Date: Tuesday, 30th August, 2011
Time: 2.00 pm
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

The information on the following pages was received following publication of the committee agenda.

- a) **Planning Update** (Pages 1 - 6)

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STRATEGIC PLANNING BOARD – 30th August 2011**UPDATE TO AGENDA**

APPLICATION NO: 11/1982N

LOCATION: Land between Weston Gate Roundabout and the A500, Weston

PROPOSAL: Construction of a dual carriageway known as the Crewe Green Link Road on land between Weston Gate roundabout and the A500

UPDATE PREPARED: 26th August 2011

CONSULTATION

Since the original report, significant discussions have taken place with the Health and Safety Executive (HSE) in regard to their 'advise against' response to this scheme.

Their objection is based on the grounds that the route of the proposed link road would cross the Audley to Crewe Gas Pipeline (HSE Ref No 7623). Subsequently, there was a potential for danger to the public using the road should it malfunction. In these circumstances, they advised against granting planning permission for the road until they have assessed additional information from the pipeline operator which would allow them to reassess the risks to the pipeline.

The Council forwarded the relevant information to them on 9th August 2011.

In summary, a new pipe has already been laid in preparation for these roadworks. The pipe is now 200mm in diameter, with a wall thickness of 12.7mm (heavy wall). This compares to the previous pipeline that had a 5.56mm wall thickness. The Council also attached a set of co-ordinates which outlined the line and level of the pipe, including the thrust bored sections that show the depth the pipe is below the proposed road. Currently the pipe is approximately 5m below ground and would be at least 3m below the proposed road at any point.

Currently an HSE gas pipeline specialist is carrying out a "2nd bite assessment" of the road and its impact on the pipeline. He will reassess the risk from the Audley to Crewe pipeline, taking account of the new information which has been provided by National Grid Gas plc.

Unfortunately, because of the HSE's current workload priorities and the work involved in undertaking the reassessment, it is expected that it will be about one month before the HSE is able to complete this work.

In these circumstances, whilst the Council remain confident that the works that already have been carried out will satisfy the HSE's safety concerns, it is still necessary to amend the recommendation to address the current outstanding objection to the application.

Consequently, Officers recommend that the application be recommended for approval, subject to the 29 conditions outlined in the original report plus the agreement of the HSE that the road does not create a safety hazard. Should the HSE not agree, then the application will have to be returned to Strategic Planning Board for further consideration.

FURTHER CONSIDERATION

1. Further Traffic studies

Weston and Basford Parish Council have asked that further traffic surveys are carried out to ensure that the new road does not increase traffic congestion / problems in the adjacent area and that conditions should be imposed to ensure this.

Whilst Officers understand their concerns, the Transport Assessment undertaken within the Environmental Impact Assessment does not indicate that there would be any need for such surveys and therefore such a condition. Consequently, because there is no justification to impose such a condition, the imposition of it could not be made on material planning grounds. Moreover, if it were imposed it would suggest that the applicants Environmental Impact Assessment is not sound, something the Council have no evidence to support.

However, as part of the Council's bid to the Department of Transport for grant funding for this road, the Council has to agree to carry out 'before' and 'after' traffic assessments. In these circumstances, the Council has requested that the applicant confirm that they would be happy to carry out such an assessment in the Parish Council's area. As it happens, they have already agreed to such measures at a public consultation event with the Parish. Consequently, they were happy to agree this.

In the above circumstances, Officers believe that they have reached an accommodation that suits all sides.

2. Route of Construction Traffic

Weston and Basford Parish Council have asked whether a condition could be added to the permission that seeks to limit heavy vehicle traffic through the village of Weston.

Unfortunately, since the roads through the area are public highway, they are by definition open for all the general public to use. As such, a restrictive condition requiring the banning of such traffic would be impossible to enforce using planning legislation.

Whilst it would still be open to the Council to impose a Traffic Management Order to restrict certain types of vehicles, this would be both expensive and time consuming and consequently affect the delivery of this scheme. This would not welcome, particularly in view of recent Government statements that look for Council's to adopt a positive and constructive approach towards planning applications that help promote economic development.

However, it is the Council that is granting the construction contract for the building of this road. Consequently, it was felt that the Parish Council's request could be met by imposing a condition within the contract that ensured that construction traffic on this job use alternative routes, other than going through Weston, to access the site. The applicant has agreed to do this. As such, Officers believe this concern has been addressed.

3. Cycle Path to Crotia Mill Lane

A request has been made to include a cycle path, as well as a pedestrian link to Crotia Mill Lane. However, this part of the site is outside the 'red line' boundary of this application. Therefore, the Council has no powers to impose a condition requiring this.

Nevertheless, the applicant has stated that it is their intention to include a cycle path, as well as a pedestrian link to Crotia Mill Lane. They have confirmed this in writing. As such, this concern has been met.

4. Liaison Group

A suggestion has also been made that a Liaison Group to ensure that there are no problems with:

- the construction traffic during the building of the road,
- general traffic immediately after the opening of the link road,

should be set up.

The applicant has agreed that this is a good idea and has therefore suggested that it should be set up to sit every 2 months once construction starts and be made up of a representative of the applicants construction company and relevant Parish Council's.

Should the Members find this suggestion acceptable, then this will be added as a requirement of the company who wins the construction contract to build the road.

RECOMMENDATION

i) The application should be approved, subject to the agreement of the Health and Safety Executive that the development would not be a safety hazard to the Audley to Crewe gas pipeline and the following conditions:

1. Standard time 3 years.

2. Development to proceed in accordance with the approved plans
3. Details of gaps of gates in boundary treatment of the road are required in order to allow access to Basford FP1
4. 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 which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.
5. Prior to the commencement of development a detailed tree felling/pruning specification shall be submitted to the LPA for approval in writing
6. Prior to the commencement of development a detailed Arboricultural Method Statement shall be submitted and approved by the LPA
7. Prior to the commencement of development a detailed Tree Protection Scheme shall be submitted and approved by the LPA
8. Prior to the commencement of development a detailed Landscaping Scheme (including native species only) shall be submitted and approved by the LPA
9. Implementation of the approved landscaping scheme.
10. Prior to any development commencing a scheme stating the hours of construction shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details.
11. Prior to any development commencing a scheme stating the hours of pile driving shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details.
12. Prior to the development commencing:
 - a) An investigation and Risk Assessment shall be carried out to assess the potential risks from land contamination as defined in the supplied geo-environmental risk assessment.
 - b) If such investigation and Risk Assessment identifies that remedial/protective measures are required, then a remedial/protection scheme shall be submitted to, and approved by, the Local Planning Authority (LPA) and shall be implemented.
 - c) If remedial/protective measures are required, a Site Completion Statement detailing the remedial/protective measures incorporated shall

- be submitted to, and approved in writing by, the LPA in full prior to use of the development.
13. Additional noise monitoring to be carried out within one month of the new road becoming operational any additional mitigation measures shall be provided within 3 months of the road becoming operational
 14. The GCN mitigation outlined in CGLS GCN Method Statement produced by TEP and dated August 2011 shall be implemented as part of the proposed development
 15. Prior to undertaking any works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds
 16. Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds.
 17. The development is to proceed in accordance with the Water Vole mitigation measures only.
 18. Details of all external lighting to be submitted and agreed in writing with the LPA
 19. Prior to the commencement of development details of the design and external appearance of the bridge over Basford Brook shall be submitted to the LPA and approved in writing.
 20. The development is to proceed in accordance with the White Clawed Crayfish mitigation measures only.
 21. Prior to the commencement of the development an additional Kingfisher survey shall be carried out and any necessary mitigation measures shall be incorporated into the scheme.
 22. Prior to the commencement of development a scheme for the provision and management of an undeveloped buffer zone alongside the Basford Brook watercourse, retained non-main watercourse and adjoining ponds shall be submitted to and agreed in writing by the local planning authority.
 23. Prior to the commencement of development, details of all bridges proposed on site shall be submitted to and approved in writing by the local planning authority. Thereafter the bridges shall be constructed as set out in the approved scheme.
 24. Prior to the commencement of development a plan is required for the protection and/or mitigation of damage to the populations of white-clawed crayfish and water vole and their associated habitat during construction works and once the development is complete.

25. The development hereby permitted shall not be commenced until such time as; a scheme to ensure that the proposed road at the southerly side of the railway has a flood bund (built to the western side of the road), set at a minimum level of 50.42 m AOD, has been submitted to and approved in writing by the local planning authority.
 26. The development hereby permitted shall not be commenced until such time as; a scheme to provide compensatory flood storage in the vicinity of the site has been submitted to and approved in writing by the local planning authority.
 27. The development hereby permitted shall not be commenced until such time as; a scheme to limit the discharge of surface water from the proposed road scheme so that it will not exceed the run-off from the undeveloped greenfield site, has been submitted to and approved in writing by the local planning authority.
 28. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.
 29. Prior to the commencement of the development approved by this planning permission the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
 1. A preliminary risk assessment,
 2. A site investigation scheme,
 3. The results of the site investigation and detailed risk assessment,
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete.
- ii) In the event of any changes being needed to the wording of the Committee'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 and Housing is delegated authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.