

Application No: 22/0872M

Location: Land between Junctions 7 and 8 of the M56

Proposal: Erection of a Motorway Service Area (MSA), demolition of all existing buildings except for the retention and conversion of one residential building (existing farmhouse) and the part retention and conversion of the Eastern Barn for MSA operational purposes, including associated access and buildings (Amenity Building, MSA Hotel and Fuel Filling Station including photovoltaics and ancillary structures), Service Yard, parking for all categories of vehicle (including electric vehicle charging), open space, landscaping and planting, drainage, vehicular circulation, pedestrian and cycle links (including diversion of cycle track) and earthworks/enabling works.

Applicant: Tatton Services Ltd

Expiry Date: 08-Jul-2022

SUMMARY

The proposed Motorway Service Area (MSA) is inappropriate development in the Green Belt, which reduces openness and encroaches into the countryside. Whilst there will be some localised harm to the open rural character of the site, the visual effects are tempered by the position of the site surrounded by the Strategic Road Network (SRN) and proposed landscaping. The design approach for the development to reflect a modern farmstead is a positive aspect of the proposal, and adequate open space is provided having regard to the location, type and scale of development.

There will be some relatively limited loss of trees and parts of hedgerows that are considered to contribute to one or more of the amenity, biodiversity, landscape character or historic character of the area. But replacement planting and an overall net gain in hedgerows and habitats will mitigate for these losses. There is no significant impact upon the statutory designated site of Rostherne Mere Ramsar and SSSI or the non-statutory designated site of Yarwood Heath Covert Local Wildlife Site, and no significant impact upon protected species. However, 13ha of Best and Most Versatile (BMV) (Grade 2) agricultural land will be lost to the development, which weighs against the proposal.

The development will cause little or no harm to the settings of the designated heritage assets, including the Scheduled Monument of Watch Hill motte and bailey, nearby Conservation Areas and the Grade II* Registered Parks and Gardens of Dunham Massey and Tatton Park. There is the potential for a greater level of harm to be caused to non-designated heritage assets Yarwood Heath Farmhouse/barns through loss of fabric/built form and changes to its setting and the change in character from agricultural to an operational MSA. However, the substantial retention of these buildings as focal points of the development is another positive aspect, with the scheme putting the historic farm group back into active use and saved from dereliction. An archaeological watching brief will be secured by condition.

Subject to appropriate mitigation and conditions, the traffic and transport impacts of the development proposal can be satisfactorily assimilated into the highway network. Improvements relate to the Bowdon roundabouts, including a TOUCAN crossing over the slip road, and the diversion and upgrading of the existing Cycletrack through the site, along Yarwood Heath Lane. No issues are raised with regard to the HS2 safeguarded areas.

In terms of the impact on town centres, there are no sequentially preferable sites for the MSA, and given the relative health of the identified centres and limited trade diversion, it is considered that the proposals will not result in a significant adverse impact on any nearby centres, subject to conditions controlling the amount and use of floorspace.

The proposed new buildings will achieve at least 10% of their predicted annual energy consumption from renewable or low carbon sources and reduce building regulated carbon emissions (kg CO₂/m²) by 50% compared to Part L of the Building Regulations (December 2021) for a building heated by natural gas. However, 10% of the entire development's energy consumption will not be from renewable or low carbon sources due to the very substantial energy requirement of the proposed 96 EV chargers. The EV chargers do however contribute to an overall reduction in carbon emissions by their very nature.

There is considered to be neutral or acceptable impacts upon matters relating to contaminated land, controlled waters, noise, air quality, living conditions, flood risk and drainage subject to relevant conditions.

Both the National Planning Policy Framework and Circular 01/2022, confirm that: "*The primary function of roadside services should be to support the safety and welfare of the road user*". Circular 01/2022 states that the maximum distance between signed motorway service areas (MSAs) should be 28 miles. On this basis the applicant has submitted a Gap Analysis report with the application which identifies the gaps exceeding 28 miles between MSAs, along routes using the SRN involving part or all of the M56 between the M6 and Manchester, where this route on the SRN is either the shortest route or a reasonable alternative route. 20 gaps in MSA provision have been identified on 10 routes that exceed the 28-mile distance. Gaps range from 30.3 miles to 52.8 miles 8 further gaps were identified in provision for HGVs due to the lack of HGV parking at Knutsford. The proposed MSA would remove 9 of the identified gaps and reduce the remaining gaps. The proposed location of the MSA therefore makes a significant contribution towards highway safety and the wellbeing of users of the SRN in this location by removing or reducing all of the 20 identified gaps.

Lymm Truckstop was disregarded in the applicant's Gap Analysis Report as it is not a signed MSA. This appears to be due to its parking capacity. However, Lymm is still a material consideration as it does provide a facility for road users to stop and take a break during their journey on both the M6 and M56. The car parking capacity at Lymm is identified in a current planning application (with Warrington Council) to extend it and change to a dual use MSA from M56 and Truckstop from M6, as 316 spaces. The MSA proposals at Lymm increase this to 628, which gives an indication of the existing shortfall and this capacity limits the weight to be afforded to it in highway safety terms. The application has a holding recommendation from National Highways who have raised a number of concerns regarding the data that supports the application, but they also object to the dual status of a MSA from the M56 and a Truckstop from the M6. The application is therefore stalled, and there is no indication of the concerns being

addressed in a timely manner. The application therefore also attracts very limited weight at this time. There are not considered to be any preferable alternative sites for the MSA.

There are a range of socio-economic benefits arising from the proposal including significant job creation during construction and operation, and specific benefits to the local economy. The applicant is also committing to a target of 15% of the value of all goods and services used during construction will be sourced from individual and businesses within a 10 miles radius of the site. In addition, they intend to partner with at least 50 businesses within a radius of 30 miles of the site, during operation. A local employment and training agreement is also proposed. A Tourist Information Area will be provided within the site. These are all significant benefits arising from the proposal.

Overall, the identified benefits of the proposed development are considered to clearly outweigh the harm to the Green Belt by reason of inappropriateness and the other identified harm in this case. Very special circumstances are therefore considered to exist.

SUMMARY RECOMMENDATION

Approve subject to a s106 agreement, conditions and referral to the Secretary of State

DESCRIPTION OF SITE AND CONTEXT

The application site is a 15.78ha site and comprises an existing farmstead at Yarwood Heath Farm and associated buildings of approximately 2,800sqm, which are accessed from Yarwood Heath Lane. The complex comprises a range of buildings including barns and a red brick farmhouse. An avenue of trees lines the driveway to the farmhouse. The site also contains grazing land which surrounds the existing farm buildings.

The site is located at junctions 7 and 8 of the M56 at the junction with the A556, and is surrounded by these major highways. The site is bordered by the A556 to the west and the M56 to the south, with associated slip roads on and off these roads forming either part of the site or the site's boundaries. Immediately to the west of the site is an area of woodland, known as Yarwood Heath Covert, which is a Local Wildlife Site (LWS) comprising woodland and ponds. The nearest statutory ecological designation is Rostherne Mere Ramsar, Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR), which is located approximately 400m south of the site boundary, on the other side of the M56.

Adjacent to the south east boundary of the site, between the slip roads of the M56, there is a triangular area of woodland, and roadside planting lines the embankments to Yarwood Heath Lane as it rises to cross the motorway. Access to Yarwood Heath Lane is currently restricted for vehicular traffic due to the presence of gates at either end, and provides local farm access only. Yarwood Heath Lane is a designated cycle track, which has the status of a Public Right of Way.

There are a number of designated heritage assets within the wider vicinity of the application site. These include the Grade II* Registered Park and Garden of Dunham Massey and the

Grade II* Registered Park and Garden of Tatton Park to the south east of the site boundary. The Scheduled Ancient Monument (SAM) of Watch Hill Motte and Bailey Castle is located within 1km of the site boundary to the north.

The site is located within the Green Belt and the Bollin Valley Local Landscape Designation Area (LLDA) as identified in the Cheshire East Local Plan. The site lies very close to the administrative boundary of Trafford Council, within the Parish of Rostherne, with the Parish of Little Bollington to the west, and the settlement edge of Bowdon (in Trafford) located approximately 650m north east of the application site.

DETAILS OF PROPOSAL

This application seeks full planning permission for the erection of a Motorway Service Area (MSA), which includes the demolition of all existing buildings except for the retention and conversion of one residential building (existing farmhouse) and the part retention and conversion of the eastern barn for MSA operational purposes, including associated access and buildings. The proposed new buildings will comprise of an Amenity Building (6292sqm), a MSA Hotel (100 bedrooms / 4009sqm.), a Fuel Filling Station (980sqm), and a re-built western barn for cycle parking, and ancillary structures). Additional facilities include a service yard, parking for all categories of vehicle (including electric vehicle charging), roof mounted solar photovoltaics, open space, landscaping and planting, drainage, vehicular circulation, pedestrian and cycle links (including diversion of cycle track) and earthworks/enabling works.

The application is accompanied by an Environmental Statement.

The description of development was amended during the course of the application to allow for the retention of the eastern barn.

RELEVANT PLANNING HISTORY

None relevant to current proposal.

POLICIES

Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in Favour of Sustainable Development

PG1 Overall Development Strategy

PG2 Settlement Boundaries

PG3 Green Belt

PG6 Open Countryside

PG7 Spatial distribution of development

SD1 Sustainable development in Cheshire East

SD2 Sustainable development principles

IN1 Infrastructure

IN2 Developer Contributions

EG1 Economic Prosperity

EG2 Rural Economy

EG5 Promoting a Town Centre First Approach to Retail and Commerce

SE1 Design

SE3 Biodiversity and geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland
SE7 The historic environment
SE9 Energy Efficient Development
SE12 Pollution, Land Contamination and Land Instability
SE13 Flood risk and Water Management
CO1 Sustainable Travel and Transport
CO2 Enabling Business Growth Through Transport Infrastructure
CO4 Travel Plans and Transport Assessments

Site Allocations & Development Policies Document (SADPD)

GEN1 Design Principles
GEN2 Security at crowded places
GEN5 Aerodrome safeguarding
ENV1 Ecological network core areas
ENV2 Ecological Implementation
ENV3 Landscape Character
ENV5 Landscaping
ENV6 Trees, hedgerows and woodland implementation
ENV7 Climate change
ENV12 Air Quality
ENV14 Light pollution
ENV16 Surface water management and flood risk
ENV17 Protecting water resources
HER1 Heritage assets
HER5 Registered parks and gardens
HER7 non-designated heritage assets
HER8 Archaeology
RUR5 Best and most versatile agricultural land
RUR8 Visitor accommodation outside of settlement boundaries
RET3 Sequential and impact tests
RET5 Restaurants, cafés, pubs and hot food takeaways
INF1 Cycleways, bridleways and footpaths
INF3 Highway safety and access
INF9 Utilities
REC3 Open space implementation

Neighbourhood Plan

There is no neighbourhood plan covering the application site.

OTHER MATERIAL POLICY CONSIDERATIONS

National Planning Policy Framework (the Framework)
National Planning Practice Guidance
CEC Design Guide
National Design Guide
Cheshire East Local Landscape Designation Review 2018
Landscape Character Assessment 2018

CONSULTATIONS

There have been two rounds of public consultation – the first in March 2022, when the application was first submitted, and the second in May 2023, following the receipt of revised plans / additional information. The most recent comment from each consultee is summarised below:

Gardens Trust – Do not wish to comment on the proposals (June 2023)

Cheshire Gardens Trust – No comments to make (April 2022)

Historic England – No objection (June 2023)

Archaeological Planning Advisory Service – No objection subject to condition relating to a programme of archaeological work (March 2022)

Environment Agency – No objection subject to conditions relating to fuel tanks and surface water (September 2023)

United Utilities – No objection subject to conditions relating to drainage (May 2022)

Lead Local Flood Authority – No objection – concur with EA comments

Natural England – No objection - the proposed development will not have significant adverse impacts on designated sites. (September 2023)

Cheshire Wildlife Trust - Holding objection due to an outstanding request for additional information in relation to the biodiversity net-gain (BNG) assessment (May 2022)

National Trust – No objection (May 2022)

Cheshire Constabulary – No comments received

HS2 Ltd. – No objection subject to condition relating to access for HS2 vehicles (June 2023)

Cadent Gas – Advise applicant to register development with LinesearchbeforeUdig.

National Highways – No objection subject to conditions relating to highways works (May 2023)

Strategic Transport Manager – No objections subject to conditions relating to highways works (August 2022)

Public Rights of Way – No objection (April 2022)

Manchester Airport Safeguarding – Object to jetty over open water due to potential to feed / attract birds. Conditions recommended relating to flight safety (June 2023)

Environmental Protection – No objection subject to conditions relating to noise and contaminated land (April 2022)

(Former) Cllr Leach – Supports the application (May 2022)

Warrington Council – No comments received

Trafford Council – Object on the grounds that it would be inappropriate development in the Green Belt, harming openness and visual amenity, and would harm the setting of the Watch Hill Scheduled Ancient Monument and there would be no very special circumstances that would outweigh the harm to the Green Belt and other harm. Also raise concern about the potential impact on Altrincham, Hale and Bowdon centres, and the impact of additional traffic on roads within Trafford (January 2023). In the event the application is approved, conditions are recommended relating to landscaping the north side of site, submission of a travel plan, submission of a construction method statement, and restrictions on retail floorspace.

Millington Parish Council – Support the proposal, but seek assurance that Bowdon sewerage works has enough capacity (April 2022)

Little Bollington Parish Meeting – Object on grounds of inappropriate development in the Green Belt, no access from motorway network, increased traffic on local roads, retail impact on nearby towns, flood risk, light and noise pollution, no need for MSA, no case for hotel, and can be accessed from local roads as well as motorway (May 2022)

Rostherne Parish Council – Support the application (May 2022)

OTHER REPRESENTATIONS

During the two rounds of public consultation (March 2022 and May 2023) approximately 150 letters of representation were received from local residents, local groups / organisations (including Bowdon Conservation Group, High Legh Parish Council, High Legh primary School, CPRE and Little Bollington with Agden Community Council) and other interested parties objecting to the proposal on the following grounds:

- Inappropriate development in Green Belt – vastly greater in scale than existing development
- Intrusion into countryside and Area of Special County Value
- Destruction of trees (including ancient woodland)
- Loss of habitats
- Loss of wildlife – already declined due to A556 link road
- Additional traffic, congestion and adverse impact on highway safety
- Roundabout system not designed for use by HGVs
- No EV charging points proposed
- Cycle stores only for workers – dangerous cycle route
- Increased air pollution (proposed clean air zone adjacent to the site)

- Light pollution
- No gaps in MSA provision / no need for MSA at this location – others in area: Lymm, Knutsford, Chester, Saughall, and others on M6, M61 and M62 - all less than 28 miles away
- At junction 6 (less than 4 miles away) there are also extensive retail, fuel, food and hotel services including the Manchester Airport Marriot Hotel and the Holiday Inn Express.
- Petrol station and Waitrose shop in at Bowdon Service Station on the A56, less than 0.5 miles away
- M56 is 38 miles long and there are three sets of services already
- No need for further retail food outlets
- Adequate hotel accommodation in local area
- Altrincham (just a couple of miles away from this site) already has an award-winning market filled with local artisan producers
- Could harm local businesses
- People are attracted by the retail facilities on offer so that the service stations become 'destinations' in their own right and not places to rest/refuel/refresh – increased traffic on local roads
- Impact on local centres – Knutsford, Hale and Altrincham
- Most food supplies to this truck stop food hall will be imported from outside the area.
- Minimum wage jobs created. Employees unlikely to come from local area. No commercial benefit to area. No need for low paid jobs.
- Altrincham is not an area of high unemployment – many similar jobs available locally
- Where is north cycle link from Trafford to Cheshire?
- Infrastructure does not support a site of this size
- Westmorland's Tebay site has different locational characteristics to this site
- Within River Bollin Flood plain, which has flooded regularly in recent years
- Impact on local heritage, ecology and landscape designations
- No public transport nearby, so staff would have to travel by car
- Most drivers on the M56 will have started or be finishing their journeys in Greater Manchester, 10 miles away, or Manchester airport, 4 miles away. No need to stop at this site.
- Eastbound traffic would have a circuitous route to leave the M56 and arrive at the services, via 2 roundabouts.
- Hotel proposal made redundant for above reasons, and truck drivers have sleeper cabs
- HS2 will pass close to one side of the proposed development with an increasingly busy M56 and A56 on the other sides of the proposed site. hardly the peaceful idyllic countryside stopover
- Contrary to climate change objectives
- Contravenes the recent Environment Act which sets targets for restoring Nature
- The list of 'neighbours' who have been formally contacted with regards this proposal is alarmingly small.
- The site could be used in more harmonious way for leisure / local community uses
- The HS2 link will present no end of further disruption on the adjacent roads during its building
- The Tatton Estate, of which this was originally a part, was left to the people of Cheshire with the intention of providing a rural amenity for the local population in perpetuity.

- SMART motorway constructed to ease congestion, and this will now increase congestion
- Support smaller version of development
- Site is large compared to other MSAs and is planned as a general retail outlet - three times the size of the whole of both sides of the Tebay M6 site or the M5 Gloucester site
- Easy access other than from motorway
- Existing road surfaces are already inadequate due to substandard council maintenance and this service area would simply accelerate road and environmental deterioration further.
- Will harm the amenities of nearby occupiers of residential properties because of the overbearing and dominating effect of new buildings, environmental disturbance and pollution; and traffic generation, access and parking.
- A previous proposal for a warehousing facility in a similar location was not progressed for similar reasons having a huge negative environmental impact being close to Rostherne Nature reserve and Dunham Massey park. The additional HGV traffic, light and noise pollution plus safety issues around the same junction were all factors in this proposal not progressing.
- Proposal fails to contribute positively to the borough's quality of place and local identity
- Overdevelopment of site
- Contrary to national and local policies and guidance.
- 4 million customers per year must include a large number of new journeys and cannot only be visits from motorway travellers breaking their journeys.
- The 'gaps' in the motorway network unserved by a MSA which form the basis of the applicant's argument of need are, in our view, in the main contrived journeys between points on the motorway network around Manchester.
- No evidence is provided as to the volume of traffic making these particular journeys
- Alternative sites considered by applicant are only accessible from motorway network
- Such sites are clearly preferred in principle by Highways England because there is less risk of their becoming destination retail operations in their own right
- Redevelop Knutsford services instead
- The provision of new services within 6 miles of J9 is against government recommendations.
- Increased litter
- At a time when the UK is trying to reduce carbon emissions through decarbonising road transport building new infrastructure designed to support diesel and petrol road transport seems counter-intuitive.
- Significant risk of ground pollution from the underground fuel storage for diesel and petrol.
- Vast majority of the traffic on the M56 is local traffic to whom an MSA will be unnecessary
- Extra mileage for vehicles using lengthy slip roads:
 - M56 eastbound – off 1 mile, on 1.5 miles
 - M56 westbound – off 1.2 miles, on 1 mile
- Area south of Altrincham has already lost considerable amounts of Green Belt from the development of the airport and increasing business park developments
- The site serves a number of Green Belt functions of preventing sprawl, countryside encroachment
- Government has to limit greenhouse gas emissions in line with agreed international commitments to combat climate change, there should be no requirement to create capacity for increased traffic volumes

- Proposal would lead to the diversion of existing Public Rights of Way that have cultural and historical associations.
- Loss of farmland
- Object to drive through facility on basis that the point of any MSA is to support the safety and welfare of the road user. A drive through does not support that.
- Arguments based on the competence of the proposed operator and quality offered at Tebay and the M5 operations are immaterial.
- Effects will impact all areas nearby and most seriously outside Cheshire East
- No benefit to rural community
- Revised proposals do not address issues
- If permission is granted to extend Lymm it would permit them to signpost the facility as a MSA
- Impact of extending Lymm is far less than the creation of a new facility at Tatton
- Access is not sufficient as current junction is poorly designed and not capable of dealing with volume of traffic
- Gap analysis omits Warrington MSA at J11 of M62 allowed on appeal in 2022 and Lymm Roadside Facilities located at the M6/M56 junction on the basis that it is not a MSA
- Only 4 defined policy gaps identified by NH during Warrington MSA appeal, not 20 gaps as suggested by the applicant
- Gaps filled by Warrington scheme
- Convoluted route has been used under the pretence of 'route choice'
- purely to create gaps in the SRN
- Lymm is signed for trucks from the M6, but does not prevent the use of the site by cars. It is signed as 'services' from the M56. It is therefore available for all road users and serves the purpose of roadside facilities
- In 2010 document NH included Lymm under its consideration of spacing in relation to motorway service areas
- The approach of the applicant is incorrect re. para B3 and B4 of Circular 02/2013 (now superseded)
- Applicant states that all such facilities required to meet criteria for MSA signage from motorway. May be qualifying criteria for MSA but cannot be used to disregard existing roadside facilities when considering gaps.
- Lymm services functions very much the same as a MSA
- Lymm motorway signage does not indicate that cars and other vehicles cannot use it, but instead indicates its suitability for HGVs.
- In comparison the M6 J38 Truckstop located further north is not open to non-HGVs vehicles and the motorway signage uses the "recognised" black signage for HGV facilities to clearly indicate that the truckstop is for lorries only
- The existing facilities at Lymm already fill the gaps that have been identified by the Applicant bar the M6 Knutsford MSA to M62 Birch MSA route in each direction
- In reality, only two gaps that would be removed by the proposed Tatton MSA, with these being: M6 Knutsford MSA to M62 Birch MSA route in each direction – this gap is only marginally above (3 miles) the recommended 28 miles
- Circular does not use the word 'need' for a MSA and it is not an 'absolute' policy on the provision of services. Instead, it sets a recommendation for spacing based on road safety advice. While a gap on the existing network of more than 28 miles might represent a policy preference for there to be an MSA on a particular section of the SRN, it does not mandate that an MSA must be provided.

- Details missing from Transport Assessment
- Applicant's characterisation of Lymm is at best incomplete and at worst disingenuous
- Signage arrangements do not detract from fact that Lymm acts as a vital facility for users of the SRN
- By omitting Lymm Services from their Gap Analysis Report, the Applicant distorts the provision of motorway services within the locality and, in turn, overstates the importance that the proposed development at Tatton
- Gaps that do exist are only 3 miles beyond the recommended 28-mile gap specified in the Circular. While the existence of these gaps is not disputed, their context in respect to the presence of services only a short distance beyond them should not be ignored. (Doncaster appeal supports this)
- Application to enhance Lymm services currently under consideration by Warrington Council. This includes limited incursion into Green Belt compared to Tatton proposal

27 letters of support have been received from local residents, local groups / organisations (including North Cheshire Chamber of Commerce, South Cheshire Chamber of Commerce, Cheshire Country Land & Business Association, Cheshire Business Leaders and the Economic Development Service of CEC), companies who currently work with Westmorland (based in Manchester, Bolton, Lymm and Stockport), and other interested parties identifying the following points in support of the proposal:

- Cycle and pedestrian routes have been well considered
- Water features should be incorporated.
- Great opportunity to create something positive and enhance the area.
- Extension to the walking/cycling network needed, either with a new bridge across the Bollin to Bow Lane, or a protected walking/cycling route alongside the A56 to allow more cycling between Trafford and Cheshire
- In favour of Tebay ethos – thoughtfully designed with sustainability in mind
- Contribute to local economy and only use local suppliers
- Site already landlocked by multiple roads
- Badly needed EV charging points provided – should be rapid chargers
- The development will provide essential economic oxygen to the area at a time when boosting economic prosperity is vital. 325 jobs will be created and indirectly boost other existing businesses with an expected Gross Value Add in excess of £9m per annum.
- 130 local growers, producers and suppliers will provide fresh produce. Primary and secondary schools will have a better understanding of the 'farm to fork' ethos, and tourism will promote the wider region
- Incorporates low embodied carbon buildings, water management, enhanced biodiversity and renewable energy to meet the needs of electric vehicles
- Sympathetic to local environment
- Significant local employment
- Sell and promote locally sourced produce
- Would enhance attractiveness of Cheshire nationally
- Would retain economic benefits of the facility with the north west and Cheshire in particular
- Will provide an outlet to showcase local produce
- Will bring significant economic, social, environmental and sustainability benefits.

- If the application is successful, the economic development service will work with Westmorland Group, to put in place a supply chain development programme to give local producers an opportunity to supply local produce within the Tatton Services farmshop

10 letters making the following general observations on the proposal have also been received from local residents and interested parties:

- There needs to be effective linkage between the B5569 (de-trunked A556) and Trafford (via Bow Green) for cycles. The A56 is horrendous for cycles and there is not a usable traffic free route south from here.
- Opportunity to join things up – walking / cycling route to Bowden should be provided
- The bend in the shared cycle pedestrian path at the western end of the subway is quite sharp considering that it will be at the bottom of a gradient
- The farm accesses are shown as kerbed as if they are side roads. The pedestrian and cycle path should be continuous with a kerb or ramp between it and the main carriageway.
- A cycle route using the proposed new path through Tatton Services between the boundary with Trafford and Tatton, Knutsford or Northwich should be included in the Council's LCWIP
- Given the site is principally set up for the servicing of people travel by motor vehicles, a cycle route would be a good acknowledgment of the need to reduce reliance on carbon exploit modes of transport and allow green transport alternatives to sit in harmony with this development
- Should be a requirement for hydrogen fuel station
- Cycle access to Cherry Tree Lane is required
- Can public transport go to the site?
- Have sufficient observations been made at peak traffic times?
- Should we have electric bike charging too?
- Concern about increased traffic in an already congested area

OFFICER APPRAISAL

Green Belt

The application site lies within the Green Belt. National and local policies attach great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The two essential characteristics of Green Belts are their openness and their permanence (paragraph 137 NPPF).

Green Belts serve the following five purposes (paragraph 138 NPPF):

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

To achieve this, there are restrictions on the types of development which may be carried out. These are listed as exceptions to inappropriate development in the Green Belt within paragraphs 149 and 150 of the Framework and within CELPS policy PG 3.

Development not falling within one of the listed exceptions is defined as inappropriate development. Paragraph 147 of the Framework confirms that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 148 directs Local Planning Authorities to give substantial weight to any harm to the Green Belt. It confirms that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Whilst “local transport infrastructure which can demonstrate a requirement for a Green Belt location” is listed as one exception to inappropriate development in paragraph 150 c) of the Framework and in policy PG3 of the CELPS, the applicant accepts that the proposal is not local infrastructure, and this exception does not apply. None of the other exceptions listed in paragraphs 149 and 150 of the Framework and/or in policy PG3 are relevant to the current proposal. The proposed MSA is therefore inappropriate development in the Green Belt.

Other Green Belt harm

Openness

The openness of the Green Belt is one of its two essential characteristics. There is no statutory definition of openness. The courts (for example, *Timmins v Gedling BC* and *Westerleigh* [2014] EWHC 654 (Admin), *John Turner v Secretary of State for Communities and Local Government* and *East DC* [2016] EWCA Civ 466, *Samuel Smith Old Brewery (Tadcaster)* and *ors v North Yorkshire County Council* [2020] UKSC 3) have identified a number of matters which may need to be considered when assessing the impact of a proposal on openness. These include, but are not limited to:

- Openness is capable of having both spatial and visual aspects: the visual impact of the proposal may be relevant, as could its volume;
- The duration of the development, and its remediability
- The degree of activity likely to be generated, such as traffic generation

The existing buildings on the site are a consolidated group located in the northern part of the site and comprise a total floorspace of approximately 2,800sqm, with the remainder of the site being predominantly open agricultural land. The tallest of the existing buildings is the farmhouse, which is to be retained, and has a height of 8.7m. The existing barns have ridge heights around 6.5m. The proposed development comprises a total floorspace of 11,834sqm with the remainder of the site being largely dedicated to car parking primarily occupying the southern half of the site, and some staff parking to the north of the proposed buildings. The proposed new buildings would range in height between 8.3m (fuel barn) and 11.2m (hotel).

It should be noted that these heights have been confirmed with the applicant and are marginally lower than those stated in the ES. However, a Parameters Plan approach was used to assess heights, whereby building zones were identified, which are set out below.

- Parameter Plan Building Zones 1 (hotel & amenity building) = Maximum of 12m

- Parameter Plan Building Zone 2 (fuel barn) = Maximum of 9m

These parameter building heights are in excess of the heights of the proposed buildings shown on the submitted plans and, therefore, the ES provides a robust assessment of the impacts of the buildings.

By virtue of the increase in built development resulting from the MSA compared to the existing farmstead development, there will be a significant reduction in openness in both visual and spatial terms by reason of the increased quantum of development, the degree of activity likely to be generated by the MSA and the permanence of the development.

Green Belt Purposes

Given the scale and location of the development compared to the existing, the proposal will also conflict with one of the purposes of the Green Belt through encroachment into the countryside. The proposed development will occupy a much larger footprint to that which currently exists on the site, encroaching into areas where there is currently no development. No other conflict with Green Belt purposes is considered to result from the proposed MSA.

The proposed development is therefore inappropriate development in the Green Belt which is harmful by definition. Additional harm results from a significant loss of openness and encroachment into the countryside. Substantial weight should be afforded to the identified harm to the Green Belt.

Character and appearance

Design and character

CELPS policy SD 2 sets out the Sustainable Development Principles for Cheshire East. It states that, amongst other matters, development will be expected to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of:

- Height, scale, form and grouping
- Choice of materials
- External design features
- Massing of development
- Relationship to neighbouring properties, street scene and the wider neighbourhood

These principles are also reflected within CELPS policy SE1 and GEN1 of the SADPD which deal with design, and Chapter 12 of the Framework.

The scheme has been revised during the course of the application. It was initially proposed to demolish all of the buildings within the Yarwood Heath Farm complex, with the exception of the main farmhouse. This has now been amended so that the farmhouse and its outriggers are retained along with the majority of the two-storey eastern barn. The western barn is to be demolished and replaced with a new brick-built cycle store.

The Design & Access statement explains in some detail that the applicant's overall design ambition is to create the feeling of arriving on a farm, rather than another typical MSA, as a positive way to break a driver's journey.

Typically, MSAs comprise an amenity building, a fuel filling station, and a hotel. Circular 01/2022 “Strategic road network and the delivery of sustainable development” sets out the minimum requirements for roadside facilities to be eligible for signing from the strategic road network (SRN). These include:

- Available 24 hours a day
- 2 hours free parking
- Lighting & CCTV
- Free toilets / handwashing facilities
- Shower/washing facilities for HGV drivers
- Fuel – petrol / diesel / EVC
- Free telephone for emergency use / wifi and power points

These requirements largely dictate what is provided within an MSA and in this case these facilities are provided for within the proposed amenity building and fuel barn. A hotel is not needed to meet minimum requirements for signing from the SRN, but they are a common element of MSAs and do provide an extra facility with some safety and welfare benefits for motorway users. A hotel extends the offer available at MSAs and allows for longer (overnight) stops to be taken by motorway users as required. This is considered to be an additional benefit in terms of highway safety.

Policy RUR 8 of the SADPD relates to visitor accommodation outside of settlement boundaries and states that certain types of visitor accommodation may be appropriate to a rural area where their scale is appropriate to the location and setting, and where there is an identified need for the accommodation which cannot be met in nearby settlements because the type of accommodation proposed is intrinsically linked with the countryside. In this case the hotel provides an additional facility to the requirements set out in Circular 01/2022 for MSAs, which extends the highway safety benefits to motorway users of the MSA and is therefore intrinsically linked to the countryside location of the MSA. The need for the MSA is explored further below and if that need is demonstrated, it is considered the proposed hotel will meet the objectives of RUR 8.

The scale of the development is also dictated by the requirements set out in Circular 01/2022 but has also been informed by the applicant’s experience at their other MSAs. Table 1 below shows a comparison between Gloucester Services (southbound) and the application proposals:

	Tatton Services	Gloucester Services (southbound only)
Traffic flows (Annual Average Daily Traffic flow – 2019)	130,863	93,822
Amenity Building Floorspace	6,291sqm (including first floor)	3,650sqm (including first floor)
Amenity Building Height	9.3m	8.9m
Hotel Building Floorspace	4,009sqm (3 floors)	3,716sqm (4 floors)
Hotel Building Height	11.2m	12.4m

Table 1: Comparison between Gloucester and proposed Tatton Services

Inevitably, most of the developed area of a MSA will be devoted to vehicle parking. The minimum parking requirements for MSAs is also set out within Circular 01/2022 and are based upon traffic flows (vehicles per day). The scheme's parking provision and how this compares to the requirements of Circular 01/2022 is set out in Table 2 below:

Parking Type	Proposed Parking Numbers proposed on Plans	Parking Requirements in Circular 01/2022
Car Parking (including for hotel)	655	599 + 30 for hotel = 649
Disabled Car Parking within above provision (including for hotel)	33	30 + 2 for hotel = 32
HGV	58	58
Caravan	18	18
Coach	13	12
Motorcycle	18	18
Abnormal load	1	1
Staff Parking	92	n/a

Table 2: Parking provision and requirements

The figures in this table show that the proposed parking arrangements meet the requirements of Circular 01/2022, without there being significant overprovision.

The overall scale of the development is therefore considered to meet the relevant requirements of Circular 01/2022, and whilst the hotel is not a requirement for a MSA it is a facility that is common across most MSAs and brings with it additional highway safety benefits by facilitating longer breaks in journeys and is acceptable as part of the wider MSA proposal.

The scale of the development will inevitably result in a significant change to the character and appearance of the site. The nearest key visual receptors are from the eastbound M56 slip road as it passes below Yarwood Heath Lane heading north where the road is situated at a similar level to the site. Continuing along the slip road the site then becomes screened by a landscaped bund until the approach to Bowden South roundabout, where the level of the road rises above the site and becomes visible again. Panoramic views of the site are available from the roundabout, and these views continue from the cycle track along Yarwood Heath Lane.

As noted above, the concept of reinventing the site as a farm is the key theme that the MSA proposal is based upon and is a positive aspect of the scheme. The positioning of the hotel and amenity building is intended to wrap around and protect the central space from the wider highway environment in terms of visual screening and noise attenuation and create a farmstead of buildings around the farmhouse in keeping with the history of the site.

The fuel filling station, which includes a drive thru (coffee shop), is a separate structure located towards the south of the site. The applicant has explained that drive thru facilities are often provided as separate buildings in other British MSAs due to their franchised nature. In this case the drive thru is incorporated with the fuel filling station to meet the operational requirements of the applicant. It also reduces the number buildings across the site. The HGV amenity facility

is also included within the fuel barn enabling it to be located within easy access of the HGV parking area.

The existing farmhouse on the site will be utilised for the MSA staff, with the re-built western barn to be used as a cycle store and the retained eastern barn used for covered seating, a play area and storage.

The Council's design officer has reviewed the proposal and advises that the proposed amenity building and hotel are successful in reimagining the established agricultural character in a contemporary context. The amenity building has a relatively simple but contemporary form and is elevated with timber cladding and rammed earth. The hotel building follows a similar approach, although the roof incorporates a split ridge to allow natural ventilation and light into the building. Overall, the textural qualities and down-to-earth nature of the proposed materials helps to tie the contemporary design into the agricultural context whilst remaining distinct from the existing farm cluster that is retained. Additionally, the provision of photovoltaic cells on the roofs reflects the sustainable approach to design which is a core concept of the scheme.

The proposed amenity building is of a significant scale when compared to the rest of the site, however, the retention of the existing farmhouse and the historic barns helps to maintain an emphasis on the focal point at the centre of the scheme. This also reduces the potential impact on the farmhouse, as the grouping manages to retain some of its agricultural character which contributes to the sense of place. The fuel barn is a lower building compared to the hotel and amenity building, but it follows a similar design approach to these other new buildings on the site.

The central pedestrian avenue creates a spine which connects the fuel barn in the South to the farmyard space in the North. The central axis will be a tree-lined pathway which will direct motorists from their cars to the buildings. The spine ends in a bridged access over the feature swale creating a sense of arrival. An additional entrance will be provided to serve the eastern side of the car park to allow travellers to enter the amenity building directly from the car park. There will be significant areas of surface car parking, however the landscape strategy and approach to creating SuDS areas does help to reduce the impact of those areas upon the character and appearance of the scheme, whilst acknowledging that this level of parking provision is necessary for the proposed use as a MSA. The site is already enclosed by the surrounding road network, and the landscaping around the edges of the site, both existing and proposed, will help to screen it visually within the wider context.

From a design perspective, the retention of the existing eastern barn, and rebuilding of the western barn in a similar form, is a major improvement on the original scheme and helps to reinforce the existing character of the farm cluster whilst retaining the courtyard space.

Landscape

The application site is located within the Bollin Valley Local Landscape Designation Area as identified in the Cheshire East Local Plan. The site is also located within Landscape Character Area 10a – Lower Bollin, as identified in the 2018 CEC Landscape Character Assessment.

Policy SE4 of the CELPS notes that the high quality of the built and natural environment is recognised as a significant characteristic of the borough. All development should conserve the landscape character and quality and should where possible, enhance and effectively manage

the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes. This policy states that in Local Landscape Designation Areas (LLDAs), the Council will seek to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character and appearance and setting. Policy SD2 also includes requirements to respect and, where possible, enhance the landscape character of the area. Policy ENV3 of the SADPD reinforces this approach in LLDAs, and policy ENV5 sets out requirements for landscaping schemes on development proposals.

Chapter 7 of the submitted Environmental Statement (ES) covers landscape and visual issues and incorporates a Landscape and Visual Impact Assessment (LVIA) in accordance with best practice 'Guidelines for Landscape and Visual Impact Assessment Third Edition, Landscape Institute, and Institute of Environmental Management and Assessment', (GLVIA 3). An addendum to the Landscape Chapter of the ES was also provided in May 2023.

The original ES makes reference to the Bollin Valley Area of Special County Value (ASCV) designated under the former Macclesfield Borough Local Plan. The addendum picks up the point that the SADPD has now superseded the policies in the MBLP, and the Bollin Valley ASCV has been replaced by the Bollin Valley LLDA.

There are some minor changes to the extent of the LLDA when compared with the previous ASCV, however this relates to the road infrastructure surrounding the site which has been constructed since the designation of the ASCV. The replacement of the Bollin Valley ASCV with the Bollin Valley LLDA does not change the assessment presented in the original ES.

A study area for landscape and visual effects and Zone of Theoretical Visibility (ZTV) of 3km has been adopted in the LVIA and this is reasonable given the potential effects of the scheme. Pre-application consultation was carried out with CEC in November/December 2020 regarding the methodology, designations, site description, cumulative effects and mitigation and these have been broadly incorporated into the proposals and LVIA.

The immediate application site area comprises a number of agricultural fields surrounding the farm complex of Yarwood Heath Farm. Two areas of substantial woodland are located adjacent to the application site, including Yarwood Heath Covert, which is a Local Wildlife Site (LWS). The other area of woodland lies to the south east of the site between the two carriageways of the M56 slip road. The surrounding road network serves to contain the application site and physically separates it from the wider landscape.

The likely significant effects upon the landscape are summarised below:

Landscape effects

There would be a loss of mature trees and hedgerows, which are considered further below, but the most significant landscape impact would be to Landscape Character Area (LCA) 10A: Lower Bollin, within which the site lies. LCA 10A would be subject to moderate adverse effects, which would be 'significant' at Construction and Operation Year 1. By Operation Year 15, effects would reduce to moderate/minor and 'not significant'. This assessment is agreed by CEC landscape officers.

Visual effects

The National Trust has stated in consultation that there is no objection in terms of visual impact on Dunham Massey, as is stated in the LVIA, which is agreed. The LVIA correctly states that Green Belt is not a landscape designation in its own right and it does not assess the impact upon that designation. However, visual aspects of proposed development may affect the visual openness of Green Belt designated land. In the case of the proposed development, notwithstanding the substantial loss of openness within the site, it appears that the site would be largely visually contained, in the long term, and the proposals would be unlikely to affect the perception of openness in the surrounding areas. This is due to existing areas of roadside woodland planting which would lead to this area being well screened in the future. There would be short term effects on the visual openness of the surrounding area until the planting matures. The change to the site itself would be significant.

Lighting

In terms of the effects of lighting upon visual amenity, a range of lighting will be used across the site. The submitted lighting assessment does not provide a detailed lighting design but does provide details of typical equipment to be used in different areas of the site. The main access road will be illuminated by 12m high lighting columns, the inner roadways and car park areas will have 5m high columns, the service yard will have 7m high columns, and the western pedestrian approach to the farmhouse will have 1m high bollard lighting. The courtyard (and associated building access) will also have 1m high bollard lighting, as well as 2.1m high wall lights. Finally, the HGV, caravan and coach parking and the fuel station will have 10m high lighting columns.

The lighting assessment states that *“Due to the presence of existing artificial highway lighting to adjacent roundabouts and junctions, it is considered that this localised area is the equivalent of an E2 / E3 Zone classification (Suburban, medium district brightness – small town centres or suburban locations).”* Whilst it is accepted that there is some existing highway lighting within this area, it is very much concentrated on the two roundabouts and the links between them. The slip road and the A556 that border the site are not illuminated. Therefore, other than the illumination of any road signs on the surrounding roads, there is no permanent lighting to the south of the roundabouts. Consequently, there will be some visual intrusion by artificial lighting.

Policy ENV14 of the SADPD relates to light pollution and permits lighting schemes subject to it being the minimum required for security / safety; light spillage and glare being minimised; lighting being energy efficient, and; there being no significant adverse effect individually or cumulatively on: residential amenity, pedestrians, cyclists and other road users, the character of the area, nature conservation, heritage assets, specialist facilities, and individuals and groups.

The information that has been provided with the application does suggest that there will be some visual impact upon the local area. The existing street lighting in the local area is relatively limited, however given the presence of this lighting, the position of the site surrounded by the strategic road network, the lighting on the site will be seen as an extension to the existing illuminated roundabouts / junctions. As such whilst there will be some adverse impact upon visual amenity during hours of darkness, due to artificial lighting being an urban, rather than rural, characteristic, this impact would be limited in its extent. Details of the specific lighting

scheme can be dealt with by condition, which will give the council control over further limiting the impacts arising from the proposed lighting.

LLDA

There would be a significant effect on a localised part of the LLDA, in the same way that the applicant identifies that LCA 10: Lower Bollin LCA would be affected. The LVIA does not state this, explaining instead that the “extent and nature of effects would be limited”. The effect on this localised part of the LLDA is therefore underestimated in the LVIA. However, this impact would be localised and not affect the wider LLDA, which is visually and physically separated by the surrounding road network. This containment would increase as the existing roadside planting areas and proposed bund planting mature.

Cumulative effects

It is stated in the LVIA that there would be no significant cumulative or in-combination effects. This is due to other construction schemes having either been completed, or that they are due to be completed prior to construction of the proposed development, and that consequently they are considered as part of the future baseline. There are no other known schemes that may give rise to cumulative effects.

Trafford Council do not raise any concerns regarding the landscape impact of the proposal or compliance with their own landscape policies.

The original ES concludes on landscape matters (at paragraphs 7.7.24 and 7.7.25):

The total extent of the landscape and visual effects would be localised and limited in nature... Although some inevitable landscape and visual effects would occur in the longer-term as a result of the proposed development, the long-term significant effects are restricted to the inevitable direct physical effects on the land use of the site. No significant long-term visual effects are predicted due to the context of the application site in relation to the surrounding infrastructure and the established mitigation surrounding the proposed development.

Visual impact conclusion

The contemporary approach of the design to reflect a modern farmstead is a very positive aspect of the proposal and works well with this site, and wider landscape impacts are considered to be relatively limited due to the containment of the site and additional landscaping (bunding and planting to boundaries) proposed. However, the scale of the proposal and its spread across the site, including the extent of car parking, lighting and the level of activity associated with the operation of the MSA, will have a localised urbanising effect upon this countryside location. The area is largely characterised by sporadic development within a wider setting of open agricultural land, and some woodland, interrupted by the Strategic Road Network (SRN) in several locations. Undoubtedly the position of the site surrounded by the SRN, and adjacent to major junctions, tempers this effect to a good extent. Indeed, it is difficult to imagine a better site for a MSA to serve the SRN, than one that is surrounded by the SRN itself. The proposed landscaping will also serve to reduce the overall visual impact of the development in the longer term, but views into the site from some of the closest visual receptors will remain, and there will be some moderate localised harm to the open, rural character of the site arising from the development. Moderate weight is attached to this harm.

Trees and hedgerows

The application site benefits from some established tree cover to the north side of the M56, and the southwestern boundary of the site abuts the Local Wildlife Site – Yarwood Heath Covert - which is also recorded on the National Forest Inventory for mixed (mainly conifer) woodland, with adjacent areas recorded on the National Forest Inventory for broadleaved woodland.

The application is supported by an Arboricultural Impact Assessment (AIA), which identifies 3 individual and 1 group of high quality A Category trees, 3 individual and 1 group of moderate quality B Category trees and 7 individual and 2 groups of low-quality C Category trees. The AIA has determined that 1 individual A Cat tree (T1), 1 group of B Cat trees (G1) and 1 individual and 1 group of low-quality C Cat trees would need to be removed to accommodate the proposal.

Policy SE5 of the CELPS and ENV6 of the SADPD seek to protect trees, hedgerows or woodlands (including veteran trees or ancient semi-natural woodland), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, unless there are clear overriding reasons for allowing the development and there are no suitable alternatives. Where such impacts are unavoidable, development proposals must satisfactorily demonstrate a net environmental gain by appropriate mitigation, compensation or offsetting.

In terms of the proposed removals, the loss of a Category A Oak tree is unfortunate but given that the tree is not protected or considered to be of high amenity value as it is not clearly visible, its loss is accepted. Group G1 comprises of semi mature trees recorded on the National Forest Inventory and part of this group is proposed for removal to accommodate the access and associated earth works. Given that the trees are relatively recent plantings which have acknowledged collective value, but limited arboricultural value with individual trees of low quality, it is considered that the loss of these trees could be adequately off set elsewhere within and around the site through the provision of new planting within the development to retain and improve canopy cover, enable climate adaptation resilience, and support biodiversity in accordance with Policy SE5.

Hedgerow H1 and part of Hedgerows H2 and H3 are shown to be removed to accommodate the proposal. The hedgerows are described as single species early mature hedgerows, some of which may be subject to the Hedgerow Regulations 1997, and which appear to follow the line of the 1840 tithe map.

A Hedgerow Assessment report has been submitted which concludes that Hedgerows H1, H2 or H3 do not meet the criteria to qualify as 'important' under the Hedgerow Regulations 1997. However, the report does note that hedgerow H3 and the bottom of H2 are referenced as occurring on the 1828 Manor of Rostherne map and goes on to state that they could meet Criterion 5 of the Hedgerow Regulations.

Criterion 5 states:

"5. The hedgerow—

(a) is recorded in a document held at the relevant date at a Record Office as an integral part of a field system pre-dating the Inclosure Acts(8); or

(b) is part of, or visibly related to, any building or other feature associated with such a system, and that system—

(i) is substantially complete; or
(ii) is of a pattern which is recorded in a document prepared before the relevant date by a local planning authority, within the meaning of the 1990 Act(9), for the purposes of development control within the authority's area, as a key landscape characteristic."

The report then considers the key wording of the Regulations and expresses the view that the hedgerow sections located on historic mapping do not meet criterion 5 (a) as they are not considered to be an integral part of the field system as they define access tracks and one field boundary, and do not meet 5(b) as they are not 'substantially complete.

The word 'integral' is not defined in the Hedgerow Regulations and the arboricultural officer considers that it is generally understood that when interpreting maps, roads and trackways are accepted to be part of the field system, since access to the fields would not be possible without them, and due to hedges marking the boundaries between public rights of way and agricultural land. Consequently, hedgerow H3 and the bottom of H2 can potentially be defined as "important" under the Regulations.

As noted above, policies SE5 and ENV6 seek to retain and protect trees and hedgerows. SE5 makes specific reference to those that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area. The trees and parts of hedgerows to be removed are considered to contribute to one or more of these attributes (namely, the amenity, biodiversity, landscape character and historic character of the area). These losses will result in relatively limited harm to the overall site in terms of the extent of tree and hedgerow cover, but despite the limited extent of removals, due the relative significance of them, their loss is considered to attract moderate weight overall. Consequently, this harm will need to be considered in the planning balance section of this report, in terms of whether there are clear overriding reasons for allowing the development. If their loss is accepted, adequate mitigation in the form of native, mixed species replacement hedgerows is to be provided.

Should the application be approved, conditions are recommended to retain and protect existing trees not identified for removal, and replacement planting proposals.

Ecology

The application site is located within an Ecological Network Core Area as identified under policy ENV1 of the SADPD. The closest internationally designated site is Rostherne Mere Ramsar Site, located approximately 0.4km south of the Application Site at its closest point, separated from the site by the M56 and farmland. Rostherne Mere SSSI and NNR is located approximately 0.3km south of the Application Site (the Ramsar designation covers the majority of the SSSI, but not all of it). Finally, Yarwood Heath Covert Local Wildlife Site (LWS) is situated immediately west of the Application Site.

Policy SE3 of the CELPS requires areas of high biodiversity and geodiversity value to be protected and enhanced. The policy also explains that proposals which are likely to have an adverse impact on a Site of Special Scientific Interest (SSSI) will not normally be permitted. All development (including conversions and that on brownfield and greenfield sites) must aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and

should not negatively affect these interests. Policy ENV2 sets out ecological requirements for development proposals.

The Ecology chapter of the ES is supported by a collection of survey reports and assessments covering the ecology matters below.

Statutory Designated Sites

The application site falls within Natural England's SSSI impact risk zones associated with Rostherne Mere Ramsar and SSSI. The application is supported by a 'shadow' Habitats Regulations Assessment (HRA), which considers the potential of the proposed development to result in a significant effect on the Ramsar. Following a request from Natural England for further information to identify the significance of potential impacts and the scope for mitigation, Technical Notes were submitted by the applicant which expanded on the cumulative impacts of air quality and potential hydrological changes on Rostherne Mere arising from the development and other projects (including HS2).

The Council's nature conservation officer advises that the Council should adopt the HRA produced by the applicant to fulfil the Council's duty as competent authority under the Habitats Regulations.

The HRA confirms that all relevant potential pathways for significant effects to arise as a result of the proposed development have been fully examined, and full regard has been given to the comments from Natural England in their consultation responses. Having considered all of the potential significant effects that could arise, the HRA concludes that the proposals are not likely to lead to significant adverse effects on the integrity on the Ramsar Site, when the proposals are considered alone or in combination with other plans or projects.

Based on these conclusions, and the Council adopting the HRA, Natural England considers that the proposed development will not have likely significant effects on the Rostherne Mere Ramsar and has no objection to the proposed development.

Non-statutory designated Sites

The application site is located adjacent to Yarwood Heath Covert Local Wildlife Site (LWS). Sites of this type receive protection through Local Plan policies as noted above.

The Local Wildlife Site is unlikely to be directly affected by the land take of the proposed development, however, it may be adversely affected by insensitive working practices during the construction phase and by excessive lighting during the operational phase. The lighting assessment submitted in support of the application concludes that the lighting scheme for the development can be designed so as to avoid an adverse effect on the LWS. Final lighting details can be secured by condition.

If planning consent is granted a condition is recommended to secure the submission and implementation of a Construction Environmental Management Plan (CEMP) informed by the recommendations of the ecology chapter of the ES.

Woodland

The Biodiversity Net Gain calculation, as discussed below, includes the loss of 0.04 ha of woodland in the vicinity of the southern access. The woodland lost appears to be highways planting associated with the Yarwood Heath Lane crossing over the M56.

Hedgerows

Hedgerows are a priority Habitat and hence a material consideration. The proposed development would result in the loss of 0.38km of existing hedgerows from within the site. Whilst it would be preferable for the proposal to retain the existing hedgerows, the biodiversity net gain (BNG) metric submitted with the application does show that the scheme would result in an overall net gain for hedgerows if an appropriate landscaping strategy, including the new hedgerow planting as entered in the metric, is delivered on site. This can be secured through the BNG condition referred to below.

Great Crested Newts

Whilst previous surveys have recorded the presence of this protected species at ponds a short distance from the application site, no evidence of this species was recorded during the latest round of surveys. Therefore, this species is not reasonably likely to be affected by the proposed development.

Badgers

No evidence of badger activity was recorded during the latest survey. Badgers are currently not reasonably likely to be affected by the development of this site. However, as the status of badgers on a site can change, if planning permission is granted a condition is recommended to require an updated badger survey to be undertaken and submitted to the LPA prior to the commencement of development.

Bats

The number of bat species recorded on site is sufficiently diverse for the application site to be selected as Local Wildlife Site for Mammals. Sites such as this receive protection through Local Plan Strategy policy SE3.

Much of the application site is made up of improved grassland which is of limited value for bats, however the loss of woodland and hedgerows as a result of the development would reduce the available habitat for bats. The submitted BNG metric, however, shows that adequate compensatory planting is provided to mitigate for the losses.

Excessive lighting associated with the development would also be likely to have a significant adverse effect on roosting bats. The additional information submitted alongside the Ecology Chapter Addendum to the ES includes a lighting assessment that concludes that the lighting associated with the access road can be designed so as to result in light spill onto the retained woodland of less than 1 lux. As noted above, a condition is recommended requiring the submission of a lighting scheme if the application is approved.

Barn Owls

No evidence of this protected species was recorded during the submitted surveys. Barn Owls are therefore not reasonably likely to be affected by the proposed development.

Nesting Birds

The application site has the potential to support breeding birds, potentially including the more widespread priority species which are a material consideration for planning. As noted in relation to bats, the development will result in the loss of some habitat for birds, however, adequate compensatory planting is provided to mitigate for that lost. Conditions are recommended

requiring the submission of a nesting bird survey and the provision of bat and bird boxes (to enhance the biodiversity value of the development) if the application is approved.

Non-native invasive plant species

A number of invasive non-native plant species are present on site. If a habitat management plan is produced for the site, it should include proposals for the control of these species.

Biodiversity Net Gain

In accordance with Local Plan policy SE3(5) all development proposals must seek to lead to an overall enhancement for biodiversity. In order to assess the overall loss/gains of biodiversity the applicant has submitted an assessment undertaken in accordance with the Defra Biodiversity 'Metric' version 3.

The metric calculation as submitted shows the proposed development and associated landscaping resulting in a net gain for biodiversity for both area based and hedgerow habitats. The gain is achieved through habitat creation measures on site and the enhancement of the adjacent Yarwood Heath Covert Local Wildlife Site. When including the off-site Yarwood Heath Covert woodland, the development will achieve an increase of 17.05% in habitat units and 12.44% in hedgerow units. Yarwood Heath Covert is shown to be within the applicant's control on the submitted site location plan (within land edged blue) and therefore this can be secured by condition.

Subject to the recommended conditions the proposal is considered to comply with policies SE3, ENV1 and ENV3 of the Cheshire East Local Plan.

Archaeology and Heritage

There are no designated heritage assets located within the application site. The nearest designated heritage asset is the scheduled monument of Watch Hill motte and bailey located approximately 380m to the north of the scheme, on the northern banks of the River Bollin, within the administrative area of Trafford Council.

The Application Site contains a farmhouse, Yarwood Heath Farm, with associated outbuildings. The farmhouse is identified as a non-designated heritage asset for the purposes of the ES. Yarwood Heath Farm is shown on early 19th-century mapping of the site and was an estate farm of the Tatton Estate.

Whilst the initial Heritage Assessment identified the farmhouse as a non-designated heritage asset it considered the other buildings in close proximity to the house to be of little heritage interest. This was not a view shared by the CEC heritage team and it is considered that there is interest to all three buildings both individually and as a group. The form, grouping, massing and configuration of the three buildings plays an important part in their contribution to the landscape. Consequently, further consideration of the existing barns has been undertaken leading to the retention of one of the barns and the re-building of another on a smaller footprint.

The application site also lies between two large estates - The Grade II* Registered Park and Garden of Dunham Massey and the Grade II* Registered Park and Garden of Tatton Park to the south east of the site boundary.

Devisdale Conservation Area and Bowdon Conservation Area are located over 1km north east of the application site, within the administrative area of Trafford Council.

Policy SE7 of the CELPS states that all new development should seek to avoid harm to heritage assets and sets out requirements for development proposals that affect designated and non-designated heritage assets. HER1 of the SADPD requires proposals affecting heritage assets and their settings to be accompanied by proportionate information that assesses and describes their impact on the asset's significance. Policy HER5 expects development proposals affecting a Registered Historic Park and Garden to preserve the heritage asset, its setting and any features of special interest that contribute to its significance. When considering the direct or indirect effects of a development proposal on a non-designated heritage asset (including locally listed buildings), policy HER7 requires a balanced judgement to be made having regard to the significance of the heritage asset and the scale of any loss or harm. HER8 relates to archaeology and scheduled monuments.

The application is accompanied by a heritage assessment and a dedicated chapter within the ES considers the impact of the development upon these heritage assets. These documents are considered to provide a proportionate level of information that assesses and describes their impact on the asset's significance, in accordance with relevant policy requirements.

Farm Buildings

As noted above, the site is comprised of an early 19th century farm group of a house, two barns and courtyard walls, open brick sheds and later 20th century large sheds. The farmhouse and early barns are currently derelict and have been for some years. The later barns to the east of the site and fields remain in active agricultural use.

The scheme initially proposed the demolition of all of the buildings within the Yarwood Heath Farm complex, with the exception of the main farmhouse. Following concerns raised by the Conservation Officer, this has now been amended so that the farmhouse and its outriggers are retained along with the majority of the two-storey eastern barn. The western barn is to be demolished and replaced with a new brick cycle store.

The farmhouse is three bays wide with later porch, sashes to front, casement windows to gables, and extensions to the rear of varying ages, including what appeared to be outdoor privies. The building is in relatively sound condition, given the number of years it has stood empty, with some damp to the interior caused by issues at roof level. The main approach to the front is via a tree lined lane.

The eastern brick barn, dates from the early to mid-19th century and is two storeys in height. The structure retains a large diminishing course slate roof, there are original hopper head windows, circular hayloft window, patterned brick air vents to the elevations. There has been some minor replacement brick work and a later extension of no significance to the rear. The southern portion of the barn and its gable are later additions. The building is in relatively sound condition internally and externally, with some deterioration to trusses, first floor structure and historic slate roof. The original linear footprint and construction to the barn is still readily appreciable.

The smaller single storey (western) barn appears to be of a similar date, possibly once including stables. There are hopper head windows, close boarded doors with strap hinges and

unfortunately a later roof. Subsequent research has suggested that this barn was also originally two storeys and was the subject of a fire which reduced the building to a single storey and left it in a less complete/sound state. Today the building is in a much poorer condition than the farmhouse and the eastern barn and it has been substantially altered. It does, however, still contribute to the group and has architectural elements of historic interest. All three of these buildings are considered to be non-designated heritage assets (NDHA).

The other buildings on the site are of a later date including large cattle sheds which lie to the rear of the farmhouse and eastern barn. They are of no historic or architectural interest.

The existing setting to the south of the farmhouse is one of open fields with an agricultural character, albeit with later large agricultural sheds to the east. This setting will be comprehensively altered by the new development. However, the removal of the large utilitarian, metal sheds from the rear of the farmhouse and barn will be an enhancement to the NDHAs and the new amenity building is to be set away from the rear of the eastern barn, allowing its rear elevation (currently concealed) to become visible.

In order to address initial concerns relating to the demolition of the barns, landscaping and location of the hotel, significant amendments have been made to the design for the scheme. The eastern barn is now to be largely retained and restored, save the later southern end. The walls at the southern end will be rebuilt in the form of a walled courtyard space. The western barn will be replaced, with another single storey brick structure, of a sympathetic design, using salvaged materials. It is designed to reflect the original layout/aesthetic to the group of buildings.

At present there are no detailed proposals for the retained farmhouse building (it is expected to be used as a space for MSA staff); but, if the application is approved, the restoration and reuse of this structure, along with the barn, would need to be subject to detailed conditions in terms of the works required and their timing to ensure the retention and re-use of these historic buildings.

The proposals would cause a slight change in significance and cause minor harm to the non-designated asset of Yarwood Heath Farmhouse through loss of fabric/built form and changes to its setting and the change in character from agricultural to an operational MSA. However, these are a group of buildings which are currently derelict and at risk of further deterioration or loss, as only the later barns to the rear are in active use. This scheme will see the historic farm group put back into active use and saved from dereliction. Modifications have been made to the original submission to ensure that the buildings and landscaping works coming forward respond to the retained heritage assets.

Scheduled Ancient Monument

With regard to the impact of the scheme upon the Watch Hill Scheduled Ancient Monument (SAM), Trafford Council has objected to the proposal on the grounds that it would harm the setting of the SAM. The ES identifies that the construction phase of the development may bring glimpses of construction traffic within the site boundary of the SAM and a slight increase in noise, although there is already an audible intrusion whilst at the site from the traffic along the nearby road network. The glimpses of construction traffic within the proposed development would likely be no more of a distracting element in the view than the glimpses of the traffic along the carriageway of the A556/A56 and M56 junction. However, the potential for taller elements

of construction traffic to intrude into views, such as cranes and larger earth-moving equipment, albeit for a very time-limited period, has the potential to cause a minimal distraction to the contribution this view makes to the significance of the asset. The impact will be , and temporary, the effect being minor adverse. The construction phase of the scheme would not result in any effect upon any other identified heritage asset.

In their consultation response, Historic England notes that the ES presents evidence that the construction of the proposed development would have a very limited impact on the setting of the scheduled motte and bailey castle. Whilst the castle was sited to command views over the river crossing, the view is now constrained by woodland and affected by the construction of the road system which surrounds the site of the proposed development. The design of the proposed MSA, retaining the former farmhouse, and employing an architectural style that evokes agricultural outbuildings, would further limit the impact of the proposed development on the setting of the scheduled monument.

The CEC Conservation Officer has nothing to add to the assessment and comments made by the Inspector at Historic England, and agrees with their conclusions, in terms of the very limited impact upon the motte and bailey SAM. It is also noted that landscape condition for the northern boundary has been suggested by applicant in response to the concerns raised by Trafford Council to limit the impact of scheme upon views of the SAM.

Registered Parks & Gardens

The Grade II* Registered Park and Garden (RPG) of Tatton Park is located to the south east of the site boundary. The northern edge of this designation runs along the southern side of Ashley Road, which is approximately 2km from the application site, and as such given this distance and the scale of the development proposed there is no considered to be any significant impact upon Tatton Park. Similarly, in terms of Dunham Massey (also a Grade II* RPG) the ES states that there is little or no intervisibility of the site from the Dunham Massey RPG and combined with the fact that the application site does not form part of the setting of the asset, the operation of the proposed development will cause no change which results in a neutral effect to Dunham Massey. This position is agreed. Furthermore, Dunham Massey is a National Trust site and the National Trust raise no objections to the proposal.

Archaeology

Chapter 9 of the ES discusses the potential archaeological deposits. The document outlines that the farm buildings associated with Yarwood Heath Farm are seen on the 1847 Tithe map of the area. These buildings are extant throughout the first, second and third editions of the OS Maps for this area, with little alterations to the footprints over that time.

Section 9.3.7 of the document outlines the potential for early Roman deposits within the proposed development area. 9.3.8 discusses the potential medieval deposits within the study area, including the potential for evidence of medieval water management on the land. 9.3.12 outlines the first documentary evidence of Yarwood Farm, with it appearing as an established building on the 1819 Greenwood map of the area, suggesting that the farmhouse may well have been built in the 18th century. Further mapping shows the development of Yarwood Farm complex with the addition and removal of several farm and outbuildings.

The ES then outlines the background of the site in terms of archaeological potential. The CEC archaeologist advises that whilst it suggests that the recovery of evidence for medieval water management is of local interest, it would, however, provide valuable insight into the much broader impact of medieval landscape management in a region with significant peat deposits, it could provide crucial information on a microscale of the water management processes engaged for much larger sites, and therefore would be significant on a regional basis. Furthermore, the previous works on the site which uncovered part of the medieval water management system was only partially excavated and therefore the full extent and significance of this systems has not been assessed.

From reviewing the supporting documentation of this application, along with the information held of the Cheshire Historic Environment Records there is a requirement for archaeological mitigation for this proposed development. This mitigation may include archaeological watching briefs during construction and a level II building survey of the farm buildings in order to identify and record any historical materials and phasing of these buildings. This is also recommended by Historic England and can be secured by condition if the application is approved.

Conservation Areas

The ES concludes that there would be no change to the significance of the Devisdale Conservation Area and the Bowdon Conservation Area, resulting in a neutral impact upon these designated heritage assets, which is agreed with.

Heritage conclusions

Historic England considers that the ES provides an accurate assessment of the limited impacts which the proposed development would have upon the settings of the Watch Hill SAM and of the Registered Park and Garden at Dunham Massey. These impacts will cause little or no harm to the settings of the designated heritage assets. There is the potential for a greater level of harm to be caused to non-designated heritage assets on the site of the proposed designation itself. However, the measures proposed in the ES should provide an adequate level of mitigation for that harm.

Accordingly, subject to conditions, the proposal is not considered to result in any significant harm to the heritage assets within and nearby the application site during the construction or operational phases of the development, in accordance with the heritage policies of the development plan listed above.

Open Space

Policy REC3 of the SADPD requires all major employment and other non-residential developments to provide open space as a matter of good design and to support health and well-being. The provision of open space will be sought on a site-by-site basis, taking account of the location, type and scale of the development. No minimum requirement for open space is specified in the policy. In the case of the current proposals, open space is provided in the form of outdoor seating areas in the central courtyard / kitchen garden area together with walkways around, and access to, the fields to the west of the buildings, including for dog owners, which is considered to meet the requirements expected from motorway users taking a break from their journeys. Whilst noise from and sight of the SRN are inevitable from the site, the open space area will benefit from the setting of the retained farmhouse and tree lined driveway making it a relatively pleasant space to be within. Access will also be available to the

shared pedestrian / cycleway (along Yarwood Heath Lane) that runs through the site. Further details will be provided as part of the landscape scheme but the open space areas as proposed are considered to be appropriate for the proposed use having regard to the location, type and scale of the development.

Agriculture and Soils

Best and most versatile agricultural land (BMV) is defined in Annex 2 to the Framework as land in grades 1, 2 and 3a of the Agricultural Land Classification (ALC). Policy SD1 of the CELPS 'Sustainable development in Cheshire East' requires development to protect the best and most versatile agricultural land where possible. Policy SD2 expects all development to avoid the permanent loss of such land unless the strategic need overrides these issues; Policy RUR5 of the SADPD expands on this principle, explaining that where proposals involve the loss of best and most versatile agricultural land to development, it must be demonstrated that the benefits of development clearly outweigh the impacts of the loss of the economic and other benefits of the land; and every effort has been made to mitigate the overall impact of the development on best and most versatile agricultural land. Similarly, paragraph 174 b) of the Framework requires consideration of the economic and other benefits of the best and most versatile agricultural land.

Chapter 10 of the ES relates to agriculture and soils. The ES explains that the site is shown on the "provisional" ALC maps produced by MAFF in the 1970s as falling mostly into ALC grade 2 "very good" quality land. These maps were produced before the ALC system was amended in 1988, and cannot be relied upon for site specific use, as explained in Natural England's Technical Information Note 049 (2012).

The site is shown on Natural England's "Likelihood of BMV" maps (2017) as mostly falling into the "high (>60% area BMV)" category. Surrounding land is also shown as falling within either the "high" or "moderate (20-60% area BMV)" categories.

There is no published detailed ALC data for the site, therefore a detailed ALC survey was carried by the applicant. This examined the soils across the site on a regular 100 metre grid, in accordance with the approved MAFF methodology (ALC of England and Wales: Revised Guidelines and Criteria for

Grading the Quality of Agricultural Land, MAFF 1988). The site was examined in 14 locations. 13ha of the 15.8ha site (82%) was found to be ALC Grade 2 (very good quality) agricultural land. This land falls within the definition of the "best and most versatile agricultural land" as identified in the Framework.

The proposed development will result in the permanent loss of 13.0 ha of Grade 2 agricultural land. This is below the 20ha threshold for consultation with Natural England, and it is noted that Natural England have not commented on this loss within their consultation response. The area around the site is all predicted to be mostly of BMV quality, and the land affected is detached from surrounding farmland by the road network. The ES concludes that in the local context this loss of good quality land is not significant.

There are also localised effects on the farm business that occupies the land and farm buildings. However, it is understood that these are not occupied on a secure, long-term arrangement and the use of the building for housing cattle broadly equates to the stocking level of the land enclosed by the surrounding roads. The overall effect is stated to be adverse but not significant.

There are no effective measures to mitigate the loss of agricultural land, although it is stated that the soil resources will be stripped for reuse in landscaping wherever possible, but the loss to agricultural use, and consequently the loss of agricultural land, is a permanent and moderate adverse effect. This is therefore considered to weigh moderately against the proposal.

Land Contamination, Ground conditions and Pollution

Policy SE12 of the CELPS explains that all development should be located and designed so as not to result in a harmful or cumulative impact upon air quality, surface water and groundwater, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptably affect the natural and built environment, or detrimentally affect amenity or cause harm. Developers will be expected to minimise and mitigate the effects of possible pollution arising from the development itself, or as a result of the development (including additional traffic) during both the construction and the life of the development. Policy ENV17 of the SADPD supplements this policy and makes explicit the protection of groundwater and surface water in terms of their flow and quality.

Contaminated land

The assessment within Chapter 11 of the ES considers the potential for new pathways between contamination sources (if present) and sensitive receptors (human health and controlled waters) to be created during the operational and construction phases of the proposed development. Phase I and Phase II Geo-Environmental Assessments have also been submitted with the application.

The Council's contaminated land team agree with the recommendation in the submitted reports that further site investigation is undertaken following the demolition of the existing buildings on site. In addition to a general investigation, this should also target specific areas of potential contamination identified within the Phase I report (e.g., potential tank bund, suspected asbestos sheeting area, etc.)

In terms of ground gas, the Phase I report identified the off-site landfills and sewage farm as a moderate risk. This would indicate that in accordance with established good practice (CIRIA C665) that a monitoring period of 6 visits over 3 months should be undertaken rather than the 4 visits over 1 month presented. In addition, the Phase I report recommended that monitoring wells should be placed along the site boundary where possible. Monitoring wells were not placed along the north/northeast boundaries and as a result the proposed main amenity building lies between the offsite ground gas sources and the nearest monitoring well. Finally, there was some flooding of boreholes during monitoring visits. The monitoring was undertaken in December and the ground was noted as wet on each occasion. Consideration should be given to seasonal water table variations and the potential impact of a lower water table during the summer months on the ground gas pathway. Comment should also be provided on the volatile organic compound results recorded.

Whilst the contaminated land team raise no objection to the proposal, they recommend that the above matters are addressed within the required supplementary investigation. Appropriate conditions are therefore recommended.

Controlled waters

Turning to controlled waters, the Environment Agency (EA) originally objected to the proposal because they considered the risks to groundwater to be unacceptable. Within their objection, the EA stated that the applicant had not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed.

Further information was subsequently submitted by the applicant to provide clarification on the issues raised by the EA relating to the underground storage associated with the fuel filling station and the HGV refuelling area. Whilst these facilities will be constructed to relevant industry standards (Blue Book), it is anticipated that any underground storage tanks will be installed below the level of the water table. The EA have therefore noted that any leaks from underground storage tanks installed below the water table would constitute a direct discharge of hazardous substances to groundwater, and as such they require a detailed design of the underground storage tanks to be submitted. The applicant has indicated that the fuel filling station will be designed to accommodate the evolving driver needs in terms of electrification versus traditional fuel usage and does not currently have a detailed picture of the final design requirements in that respect.

Having regard to the above details, the EA raise no objection to the proposal subject to conditions relating to the design of the underground storage tanks and the disposal of surface water.

Subject to the conditions referred to above, the proposal will comply with policy SE12 insofar as it relates to ground conditions and policy ENV17.

Noise

In support of the application, the applicant has submitted an acoustic report within the ES which assesses the impact of the noise from construction of and use of the proposed development in accordance with:

- BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings
- BS4142:2014 Methods for rating and assessing industrial and commercial sound.
- BS 5228 Vibration and Construction on open sites.

Environmental Protection Officers have confirmed that this is an agreed methodology for the assessment of the noise source.

The existing background noise is dominated by road traffic on the A556, M56 and associated slip roads, and indicates that mitigation is likely to be required to reduce internal levels at the MSA hotel to within recommended criteria. There is sporadic residential development in the broad location of the application site, but the nearest is over 200m from the site boundary separated from the site by the strategic road network.

The ES identifies that these existing sensitive receptors may experience a temporary, minor adverse effect as a result of noise and vibration associated with the construction phase. Existing and proposed noise sources have been considered at the proposed noise sensitive areas of the site, such as the hotel. The assessment has demonstrated that without mitigation, internal noise levels as recommended in BS8233 will be exceeded.

A range of mitigation is proposed within the ES to minimise the potential impact from noise and vibration associated with the construction phase. These could be consolidated into a construction environmental management plan, which can be secured by condition.

To reduce noise levels as much as practicable in the outdoor areas of the proposed development, bunding is proposed on the eastern, southern and western site boundaries. In addition, the development itself provides screening to the walled garden. In order to achieve the appropriate internal noise levels within the hotel a glazing specification is recommended, which again can be secured by condition.

Subject to conditions, no significant noise issues are therefore raised.

Air quality

Air quality impacts have been considered within the air quality assessment chapter of the ES. The application site is not located within an Air Quality Management Area and local air quality monitoring in the vicinity of the Application Site identified that pollutant concentrations were well below the relevant air quality objectives.

During the construction phase the potential for dust and emissions to be created is identified in the report. A dust management plan is recommended to mitigate for these potential impacts.

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. It concludes that the impacts will be not significant on the surrounding area and any new receptors introduced by the construction of an on-site hotel.

The applicant has also submitted a detailed plan of the number and type of electric vehicle charging facilities. The proposal is based on a long-term plan of providing 54 high power charge points for the MSA and 42 standard powered chargers for the hotel and staff car parks (96 in total). It is therefore proposed to provide customer side infrastructure, containment and ducting ready to accept this number of charge points to allow progressive installation (up to 2038) in line with future demand.

No significant air quality impacts are therefore anticipated.

Living conditions

CELPs Policy SE1 states that development should ensure an appropriate level of privacy for new and existing residential properties. Policy HOU12 of the SADPD states development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive users or future occupiers of the proposed development due to:

1. loss of privacy;
2. loss of sunlight and daylight;
3. the overbearing and dominating effect of new buildings;
4. environmental disturbance or pollution; or

5. traffic generation, access and parking.

Having regard to the details above relating to pollution, and by virtue of separation distance to the nearest residential properties, and the containment of the application site by the strategic road network, there will be no significant impact upon the living conditions of these neighbours.

Flood Risk and Drainage

Policy SE13 of the CELPS requires developments to integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation, in line with national guidance.

Policy ENV16 of the SADPD requires development proposals to demonstrate how surface water runoff can be managed, including with the use of sustainable drainage systems (SuDS).

The application site is located entirely in Flood Zone 1 and is predominantly at very low risk of flooding from surface water sources according to Environment Agency mapping. There are no records of historical flood events at the site based on the Environment Agency and Local Authority data.

There are existing waterbodies and minor watercourses near the application site, particularly around Yarwood Heath Covert. The nearest EA Main River is the Birkin Brook, located to the east of the M56 on the eastern site boundary. The Birkin Brook enters the River Bollin approximately 180m northeast of the application site. The River Bollin has a number of smaller tributaries, both upstream and downstream of the application site.

The drainage strategy for the site has considered the drainage hierarchy as identified below:

- i. into the ground (infiltration);
- ii. to a surface water body;
- iii. to a surface water sewer, highway drain, or another drainage system;
- iv. to a combined sewer

Due to the underlying ground conditions and groundwater levels, disposal of surface water by infiltration is not a feasible option in this instance. There is a 600mm drainage culvert constructed as part of the previous improvement works to the A556. The culvert originates on the site boundary before passing beneath the A556 and discharging into the Birkin Brook. With no indication of another outfall from the site, along with the site levels generally sloping downwards toward the culvert, this is identified by the applicant as the most appropriate way for the site to drain.

A series of attenuation basin are proposed to the west and east, prior to flows being routed along the northern boundary before discharging at the restricted rate to the culvert. Due to the nature of the development, there are a range of pollution risks associated with it.

The proposed buildings are the lowest risk due to the surface water comprising of roof water. Rainwater harvesting and rainwater gardens are proposed to manage the surface water from these areas with the flows being directed to the attenuation basins.

The main and staff car parks have an increased risk compared to the buildings, and a series of dry swales are proposed within the car park to then direct flows to other SuDS features.

Coach and HGV parking, the service yard and parking around the fuel station has a medium risk of pollution due to the potential for hydrocarbons within the surface water. A series of oil separators are therefore proposed and positioned upstream of the attenuation in order to provide treatment ahead of the flows entering the attenuation.

The highest risk is main forecourt of the filling station, along with the HGV fuelling area. Within these areas a Class 1 forecourt separator is proposed.

The proposed SuDS attenuation includes six basins, of which two will hold permanent open water (one to the west of the main site and one to the north). Manchester Airport has commented on the proposals and noted that these features have the potential to attract and support species of birds that are hazardous to aircraft. They raise specific concern regarding the basin holding water to the west with a jetty / platform going out into the pond and objected to this element as it would allow people to feed the birds such as ducks or geese. This jetty has now been removed from the proposal to address the concerns of the Airport.

As noted earlier in this report, the Rostherne Mere Site of Special Scientific Interest (SSSI) and RAMSAR site is located to the south of the application site, beyond the M56. The assessment in the ES has not highlighted any potential for the application site and Rostherne Mere to be connected from a fluvial or groundwater perspective, or by foul drainage.

The LLFA raises no objection to the proposals and advises that no further conditions are required in addition to those recommended by the EA. Subject to these conditions the proposal will comply with policies SE13 and ENV16 of the Local Plan.

Highways

Policy CO1 of the CELPS sets out the Council's expectations for development to deliver the Council objectives of delivering a safe, sustainable, high quality, integrated transport system that encourages a modal shift away from car travel to public transport, cycling and walking; supportive of the needs of residents and businesses and preparing for carbon free modes of transport. Policy CO2 includes a range of criteria to enable business growth through transport infrastructure, including supporting the improvement of national motorway network facilities where appropriate. Policy CO4 requires all major development proposals that are likely to generate significant additional journeys to be accompanied by a Transport Assessment and, where appropriate, a Travel Plan.

Policy INF1 of the SADPD requires developments to contribute positively to local walking, cycling and public transport objectives. Policy INF3 requires development proposals to provide safe access to and from the site for all highway users and ensure that development traffic can be satisfactorily assimilated into the safe operation of the existing highway network.

Chapter 13 of the ES covers Transport and Access matters, and this together a Transport Assessment and a Framework Travel Plan consider the highway issues associated with the proposed development.

Highway Impact

The development will be accessed via the Yarwood Heath Lane arm of the Bowdon South Roundabout. This highway (including the Bowdon North and South roundabouts) falls under the jurisdiction of National Highways, and therefore National Highways have assessed and made recommendations on the proposal from a traffic impact perspective. CEC Highways Authority and Trafford Highways Authority were party to the agreed scope and subsequent inputs of the submitted Transport Assessment (TA).

The estimated peak hour development traffic flows were agreed, and the information used to calculate the peak hour flows was replicated to produce daily traffic flows for the proposed development. The calculated daily traffic flows were then distributed and assigned to the highway network using the agreed distribution patterns from the TA. It is noted the proposed development will add relatively low numbers of new trips to the network (with the exception of employees) and will reassign existing trips from passing traffic onto the slip roads/roundabouts adjacent to the development.

Furthermore, no increase in flow (including development traffic) on the A56 Lymm Road and A56 Dunham Road links at its intersection with the Bowdon North roundabout was observed within the modelling.

Accordingly, National Highways raise no objection to the proposed development, subject to conditions that are required in the interests of ensuring that the M56 motorway continues to fulfil its purpose as part of the national system of routes for through traffic, in accordance with Section 10 (2) of the Highways Act 1980, maintaining the safety of traffic on the road, and preserving its integrity. Furthermore, National Highways recognise that the proposals would increase the amount of Heavy Goods Vehicle (HGV) parking within the area, in line with the requirements set out in Circular 01/2022. The recommended conditions relate to the detail of the proposed highway works, and a travel plan. CEC Highways concur with this recommendation.

Parking

The Department for Transport (DfT) Circular 02/2013 (The Strategic Road Network and the Delivery of Sustainable Development) (now superseded by Circular 01/2022) has been used to determine the level of parking required at the proposed MSA which is appropriate given the location and development under consideration. The proposed vehicular parking provision complies with this guidance. Electric car vehicular charging facilities are also proposed.

The proposed location of cycle parking is acceptable in principle, but details are recommended to be secured by condition.

Sustainable links

The site is surrounded by an existing operational highway network therefore access for non-car modes will be limited, albeit improvements to foot and cycle access are proposed via Yarwood Heath Lane. Furthermore, the signalisation of the Bowdon South roundabout will provide some benefit from an active travel perspective.

Yarwood Heath Lane is an existing Cycle Track which will be partially diverted as part of the proposals to accommodate the main vehicular access to serve the development. The Cycle

Track will be retained (as diverted) as a 3m wide shared facility for pedestrians and cyclists. The northern point of this pedestrian/cycle route will meet the existing TOUCAN crossing at the roundabout immediately adjacent to the northern boundary of the site, which will be upgraded with a 4m wide staggered refuge island and connecting with the existing shared footway/cycleway that will also be improved as part of the highway works to the Bowdon roundabouts. Travelling south through the site, a new eastern spur will be created along the existing tree lined driveway to allow pedestrian and cycle access to the MSA, and an underpass will be constructed to the west, below the proposed access road. The pedestrian/cycle track will then continue along its existing alignment through the site, over the existing motorway bridge onto Tom Lane to the south of the M56.

The CEC Highway officer has noted that there is an absence of a footway/cycleway connection towards Trafford MBC which is an existing situation. National Highways are examining proposals to address this, but no firm proposals are yet available.

The Highways officer has advised that since the submission of this application there has been significant progress with the development of the Bollin Valley Way. Although the scheme is still at "Feasibility Stage" it would offer improved non-motorised linkages to the development from the south. Accordingly, they consider that a contribution towards cycling Infrastructure is warranted. The road between Tom Lane and Yarwood Heath Lane over the Motorway is not adopted highway but does have the status of a Cycle Track. The proposal adjusts the alignment of the existing Cycle Track and therefore it is requested by CE Highways that as part of this development that a dedication agreement is entered into to allow the continuation of a public Cycleway connection to the development.

As noted above, Yarwood Heath Lane is already designated as a Cycle Track and public right of way. Such a dedication agreement is therefore not considered to be necessary in this case. With regard to the contribution towards cycling infrastructure, CEC highways suggest a figure of £75,000. However, no details have been provided of how this figure was calculated, or where it would be spent. Accordingly, these requirements are not considered to be necessary to make the development acceptable and do not meet the tests of Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010.

The absence of cycle linkages between Trafford and Cheshire East is also something that has been raised widely in the letters of representation. Whilst it could be considered beneficial if such a link was created it would be unreasonable to request provision under the current application due to the likely scale and cost of the improvement required set against the proposed development and likely trip generation. As noted above, there are no firm proposals for this at present. As an alternative, details of a staff access facility, potentially through bus provision, is recommended through an updated Travel Plan secured by condition.

Highways conclusion

It is considered that subject to the provision of appropriate mitigation and conditions, the traffic and transport impacts of the development proposal can be satisfactorily assimilated into the highway network. At the time of writing the HS2 Safeguarding Direction remained applicable

HS2

The High Speed Two Phase 2b Crewe to Manchester West Midlands to Leeds

Safeguarding Directions came into force on 23 May 2023, replacing previous Safeguarding Directions which were issued on 6 June 2022. There are a number of interfaces between the proposals that are the subject of this application and HS2 safeguarded areas in this location. At the time of writing the HS2 Safeguarding Direction remains applicable.

HS2 Ltd has confirmed there were extensive proactive discussions with the applicant, and a legal agreement addressing the interface between the proposed MSA development and the HS2 Phase 2b safeguarding directions was completed on 27 June 2023. The agreement is subject to the LPA including a condition which prevents any work taking place in the safeguarded area until detailed design and method statements for all works proposed to be constructed within the safeguarding area have been submitted to and approved in writing by the LPA.

Town Centre Impact

The Glossary within Annex 2 to the Framework defines what is meant by a “main town centre use”. Retail development, restaurants, drive-through restaurants, and hotels are all identified as main town centre uses. MSAs are not referred to in the glossary, but the proposed MSA does include the main town centre uses identified above as its constituent parts.

The applicant maintains that a MSA is not a main town centre use, but a number of representations, including the consultation response from Trafford Council, raise concerns about the potential impact of the development upon the nearby centres of Altrincham, Hale and Bowdon. Given that the site is accessible from the local road network, not just the motorway, it is considered to be appropriate to examine the potential retail impact of the proposal.

Paragraph 87 of the Framework requires local planning authorities to apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Paragraph 90 states that when assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold the default threshold is 2,500sqm of gross floorspace).

These requirements are reflected in policy EG5 of the CELPS, which also confirms that town centres will be promoted as the primary location for main town centre uses including retail, leisure, cultural and office development. Policy RET3 of the SADPD confirms main town centre uses should be located in designated centres, and then in edge-of-centre locations, and only if suitable sites are not available or expected to become available within a reasonable period, should out of centre sites be considered. RET3 also includes locally set thresholds for impact tests (ranging between 200sqm and 500sqm). Policy RET5 includes general requirements for restaurants, cafés, pubs and hot food takeaways.

Sequential test

Circular 01/2022 “Strategic road network and the delivery of sustainable development” states that the primary function of roadside facilities is to support the safety and welfare of road users. This is achieved by providing opportunities for the travelling public to stop and take a break during their journey. The network of signed roadside facilities on the SRN is intended to provide

opportunities to stop at intervals of approximately half an hour, or a maximum distance between signed MSAs should be 28 miles.

As is detailed further below, this application seeks to reduce the number of gaps that exist in MSA provision within the area, and as such has very specific locational requirements. In this regard, paragraph 012 of the Town Centres and Retail Planning Practice Guidance acknowledges this, and states that:

“Use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification will need to be provided where this is the case, and land ownership does not provide such a justification.”

In terms of the sequential test, given that all of the town centre uses that form the MSA collectively (retail, restaurant, drive-through and hotel) are to serve the travelling public, and to support the safety and welfare of those using the M56 motorway, it is not considered that there are any sequentially preferable sites that could accommodate a development for this purpose.

Impact test

The application form indicates that the proposed amenity building has a gross internal floorspace of 6498sqm, and the hotel has a gross internal floorspace of 3533sqm. The total floorspace of main town centre uses therefore far exceeds the thresholds set out in the Framework and policy RET3. Whilst the applicant considers that the proposed MSA is not a main town centre use, an impact assessment has been provided to respond to local concerns regarding the diversion of trade from local centres. The site can be accessed easily from the local road network, and not just the motorway, so the possibility does exist for people from surrounding areas to visit the site as a destination itself, and not just passing traffic on the motorway network.

Health checks of nearby centres (Altrincham, Hale, Bowdon, Lymm and Knutsford) have been completed which highlight that these centres are all vital and viable serving an important role as local retail, leisure, and service destination for their surrounding areas. There is a good mix of retailers with many independent retailers supported by some national retailers. Vacancies across the centres are below national averages.

There is no known existing, committed or planned public and private investment in a centre or centres that would be adversely affected by the proposed development.

The applicant's retail statement states that there will be new and diverted trade to the proposed MSA. They maintain that the diverted trade will be from facilities at the beginning or end of journeys, other MSAs on the strategic highway network and potentially other roadside facilities in the area. After that, any diversion from existing retail facilities and town centres will be so widespread and to such a low extent, there will be negligible impacts felt by any protected town centre. The submitted impact assessment calculates that there will be a less than 1% impact of the development on nearby centres.

Given the relative health of the identified centres and limited trade diversion, it is considered that the proposals will not result in a significant adverse impact on any nearby centres and as such is considered to fully accord with retail policy tests within national and local policy.

Conditions relating to the proposed floorspace and how it is used are recommended to ensure the development operates as assessed and that nearby centres are appropriately protected.

Energy efficient development

Policy SE9 of the CELPS expects non-residential development over 1,000 square metres to secure at least 10 per cent of its predicted energy requirements from decentralised and renewable or low carbon sources, unless the applicant can clearly demonstrate that having regard to the type of development and its design, this is not feasible or viable. It also states that non-residential development of 10,000 square metres gross floor space should install a site-wide district heating network, where feasible and viable. Policy ENV7 of the SADPD requires development proposals to incorporate measures that can adapt and/or demonstrate resilience to climate change and mitigate its impacts.

The isolated nature of the site makes district heating unfeasible as an energy solution, coupled with the high capital cost and future maintenance associated with it. However, a range of energy efficient initiatives are proposed.

The submitted energy strategy highlights that there are two main targets that it seeks to address:

1. To support the planning application and in particular to ensure at least 10% of the project's predicted annual energy consumption (kWh) is met from decentralised and renewable or low carbon sources (Policy SE9).
2. To meet the project sustainability aspiration of reducing building regulated carbon emissions (kg CO₂/m²) by 50% compared to Part L of the Building Regulations (December 2021) for a building heated by natural gas.

(Regulated carbon is a term used in the Building Regulations for emissions associated with heating, cooling, pumps, fans, lighting etc. Emissions associated with 'plug in loads' and catering for example are not included.)

Policy SE9 states that the council will look favourably upon development that follows the principles of the Energy Hierarchy and seeks to achieve a high rating under schemes such as BREEAM (for non-residential development). For non-residential development, this will be especially so where the standard attained exceeds that required by the current Building Regulations (or as updated).

In accordance with the Energy Hierarchy, the proposed development has looked at reducing energy demand prior to considering energy generation from renewable sources. The following passive measures have been included in the design of each building:

- Site layout - The orientation of each building has been developed to reduce unwanted solar heat gain in summer and maximise solar energy generation.
- Topography – New trees have the potential to provide shading to the western glazed areas of the amenity building.
- Shading – Shading provisions have been modelled and the impact on predicted energy reduction demonstrated to all buildings.

- Daylighting – The buildings are afforded good levels of natural daylight. As such, daylight linking lighting controls are proposed to reduce the energy output of artificial lighting accordingly.
- Thermal performance (U-value) - The lower the U-value the lower the energy transferred through the construction fabric. Analysis of the Hotel and Amenity Building has shown that reducing the U-value to 20% lower than the Building Regulation 'Notional Building' values reduces energy consumption and it is proposed these values are implemented. A reduction in the U-values of the Fuel Barn does not provide similar energy improvements and so it is proposed to retain the U-values for the Fuel Barn in line with the 'Notional Building'.

Turning to renewable energy sources, the technologies recommended in the applicant's energy strategy for the proposed development are;

- (i) Amenity Building; Ground Source Heat Pump (GSHP) + Solar Thermal water heating
- (ii) MSA Hotel; GSHP + Solar Thermal water heating
- (iii) Fuel Barn; Air Source Heat Pump + Solar Thermal water heating

These measures would achieve Building Regulation compliance for each of the buildings. Further measures required to achieve a 10% reduction in total predicted annual energy consumption required by policy SE9 would be provided by electricity generation using photovoltaics. It is also anticipated that this would meet the applicant's target of reducing building regulated carbon emissions by 50% compared to Part L of the Building Regulations (December 2021) for a building heated by natural gas.

The details above relate only to the three main new buildings within the development, whereas policy SE9 requires 10% of the development's predicted energy requirements to come from decentralised and renewable or low carbon sources. The proposed development will have a greater energy requirement than just from these three buildings. The energy strategy does not refer to the use of renewables relative to the total predicted energy requirements of the development. More specifically, the energy requirement for the EV charging points is not included.

However, given the anticipated electricity demand of the proposed electric vehicle charging strategy, it is unlikely that this can be achieved. The amenity building, the hotel, fuel barn and the number of vehicle charge points predicted by 2038 would require an 8.45MVA electrical supply from the District Network Operator (DNO). The applicant explains that providing this level of network capacity would be challenging due to infrastructure costs and electrical availability charges. It therefore follows that providing 10% of the predicted energy requirement of the development via renewable sources is unlikely to be feasible or viable in this case. However, no specific details have been submitted to demonstrate this.

It should be noted that the applicant is committing to providing 96 EV charging points by 2038, which is a significant amount, and is in line with the national strategy to phase out petrol and diesel cars. Therefore, whilst the EV charging points will not be powered by on-site renewable energy sources, they will contribute to an overall reduction in carbon emissions by increasing the availability of EV charging points for an increased number of electric vehicles.

The move away from petrol and diesel vehicles will inevitably result in other low carbon fuel technologies coming forward, such as hydrogen and compressed natural gas. Given the relatively early stages of development for such fuels, they have not been included within the current proposals. However, the applicant has confirmed that the site is being developed with flexibility in mind to allow for the incorporation of alternative low carbon fuels in the future to reflect demand.

Consequently, as it has not been demonstrated that the development will secure at least 10% of its predicted energy requirements from decentralised and renewable or low carbon sources, there is conflict with policy SE9. Taken in isolation this is considered to attract substantial weight against the proposal. However, the high energy demand (that will not be provided by renewables on site) is created by the applicant's commitment to provide 96 EV charging points, which carries considerable weight as a benefit of the proposal. As such, taking the energy proposals as a whole, it is considered reasonable to reduce the overall weight afforded to the harm arising from the identified conflict with policy SE9 from substantial to limited.

It is recommended that an energy strategy is required by condition, to ensure that the amount of renewable energy generation is maximised on the site (for the existing buildings as well as the new buildings), given that the 10% target of local plan policies is unlikely to be achieved for the development as a whole, but will potentially be exceeded for the major new buildings on the site.

Other considerations

Need

The applicant's position that there is a need for a MSA in this location and that they can meet that need with the current proposals.

The Department for Transport (DfT) Circular 01/2022 'Strategic road network and the delivery of sustainable development' explains how National Highways will:

- engage with the planning system
- fulfil its remit to be a delivery partner for sustainable economic growth whilst maintaining, managing and operating a safe and efficient strategic road network

It addresses the requirements for roadside facilities, including heavy goods vehicles (HGVs) driver services and new provisions for zero emissions vehicles.

Both the National Planning Policy Framework and Circular 01/2022, confirm that: "*The primary function of roadside services should be to support the safety and welfare of the road user*".

Circular 01/2022 explains that all roadside facilities that are accessed directly from a motorway or motorway junction must be signed for safety reasons. As such, new or improved facilities must meet the minimum requirements for signing as set out in the Circular.

Roadside facilities perform an important safety function by providing opportunities for the travelling public to stop and take a break during their journey. Government advice is that motorists should stop and take a break of at least 15 minutes every 2 hours.

The network of signed roadside facilities on the Strategic Road Network (SRN) is intended to provide opportunities to stop at intervals of approximately half an hour. However, the timing is not prescriptive as travel between services may take longer on congested parts of the SRN. Paragraph 76 of Circular 01/2022 states that on this basis, maximum distance between signed motorway service areas (MSAs) should be 28 miles.

Drivers of many heavy goods and public service vehicles are subject to a regime of statutory breaks and other working time restrictions such that roadside facilities are critical to ensure compliance with these requirements. Paragraph 80 of Circular 01/2022 recognises that on certain parts of the SRN and at certain times a shortage of parking facilities for HGVs can make it difficult for drivers to find safe space to stop and adhere to requirements for mandatory breaks and rests. The maximum distance between motorway facilities providing HGV parking (being service areas, rest areas or truckstops) should be no more than 14 miles.

Paragraph 78 of the Circular explains that when determining applications for new or improved sites, local planning authorities should not need to consider the merits of spacing between different facilities, for safety reasons, as informed by the maximum recommended distances set out above.

A Gap Analysis report has been submitted with the application which identifies the gaps exceeding 28 miles between MSAs, along routes using the SRN involving part or all of the M56 between the M6 and Manchester, where this route on the SRN is either the shortest route or a reasonable alternative route.

The Gap Analysis identifies that for journeys undertaken on routes on the identified SRN, there are 20 gaps in MSA provision on 10 routes that exceed the 28-mile distance set out in Circular 01/2022 (i.e. there is a gap in both directions of travel on each of the 10 routes).

Of the gaps identified, only 5 of them are the shortest SRN route via the M56 junction 7/8. For the other 15 gaps shorter routes along other parts of the SRN exist between the relevant points. However, the previous version of Circular 01/2022 (Circular 02/2013), which set out the same maximum 28-mile distance between MSAs, stated that the distance was appropriate for all parts of the strategic road network regardless of traffic flows or route choice. Whilst Circular 01/2022 makes no reference to route choice, it is considered to be a sensible approach to consider reasonable alternative routes within the gap analysis, even where those routes may be longer. If there are accidents or congestion on the shortest route, then the longer route may be taken, or a driver may be more familiar with a certain route or simply wish to avoid a route.

Any alternative route to be considered should be a reasonable alternative, as some routes are unlikely to be taken. The gap analysis report uses the following example:

A driver could travel from the western end of M58 north of Liverpool and take a circuitous route to the M56 Chester MSA via the M60 on the east side of Manchester, without passing a single MSA. However, this route is 83 miles and the shortest dual carriageway route (via the M57 and Runcorn) is 25 miles and the shortest route wholly on the SRN (using the M58, M6 and M56) is 42 miles.

The applicant has used a three-step process to identify reasonable route choices:

- Firstly, if the route is likely to use either of the east-west motorways between the M6 and Manchester (the M56 or M62) in whole or in part.

- Secondly, if using the M56 between the M6 and Manchester in whole or in part is the shortest route; and
- Thirdly, if using the M56 between the M6 and Manchester in whole or in part is not the shortest route but is a reasonable alternative (as defined below).

In the gap analysis report the applicant has taken reasonable alternative routes as one that either:

- has a negligible difference in length; or
- has a greater than negligible but still small increase in length that is a reasonable choice for a driver to make and digital mapping / satellite navigation is likely to direct drivers on this route, this is more likely during rush hour periods where there is regular congestion at certain critical points in the SRN such as at M60/M62 Junction 12.

Table 3 below, taken from the applicant's Gap Analysis Report, provides a summary of the relevant gaps in MSA provision, whether the SRN route via the M56 J7/8 is the shortest, what the increased distance is for the SRN route via J7/8, and whether that route is a reasonable alternative.

From / To	Is the SRN route via M56 J7/8 the shortest?	Increase in distance for SRN route via M56 J7/8 (miles)	Is the SRN route via M56 J7/8 a reasonable alternative?
M56 Chester MSA to eastern end of M67	Yes	N/A	N/A
Eastern end of M67 to M56 Chester MSA	Yes	N/A	N/A
M6 Knutsford MSA to M61 Bolton MSA	Yes	N/A	N/A
M61 Bolton MSA to M6 Knutsford MSA	No	0.9	Yes
M6 Knutsford MSA to the northern end of M66	Yes	N/A	N/A
Northern end of M66 to M6 Knutsford MSA	No	1.0	Yes
M6 Knutsford MSA to M62 Birch MSA	Yes	N/A	N/A
M62 Birch MSA to M6 Knutsford MSA	No	1.0	Yes
Western end of M58 to eastern end of M67	No	0.2	Yes
Eastern end of M67 to western end of M58	No	0.8	Yes
M6 Charnock Richard MSA to eastern end of M67	No	0.2	Yes
Eastern end of M67 to M6 Charnock Richard MSA	No	0.8	Yes
M62 Burtonwood MSA to eastern end of M67	No	0.5	Yes
Eastern end of M67 to M62 Burtonwood MSA	No	0.8	Yes
M56 Chester MSA to M61 Bolton MSA	No	5.0	Yes
M61 Bolton MSA to M56 Chester MSA	No	5.7	Yes
M56 Chester MSA to northern end of M66	No	5.0	Yes
Northern end of M66 to M56 Chester MSA	No	5.6	Yes
M56 Chester MSA to M62 Birch MSA	No	5.0	Yes
M62 Birch MSA to M56 Chester MSA	No	5.6	Yes

Table 3: Gaps in MSA provision

The MSA gaps, using the same colouring as above, are illustrated in Figure 1 below. The gaps shown take into consideration the recently approved (3 May 2022) MSA at Warrington on the M62 motorway. It should be noted that none of the proposed routes pass by the approved Warrington MSA.

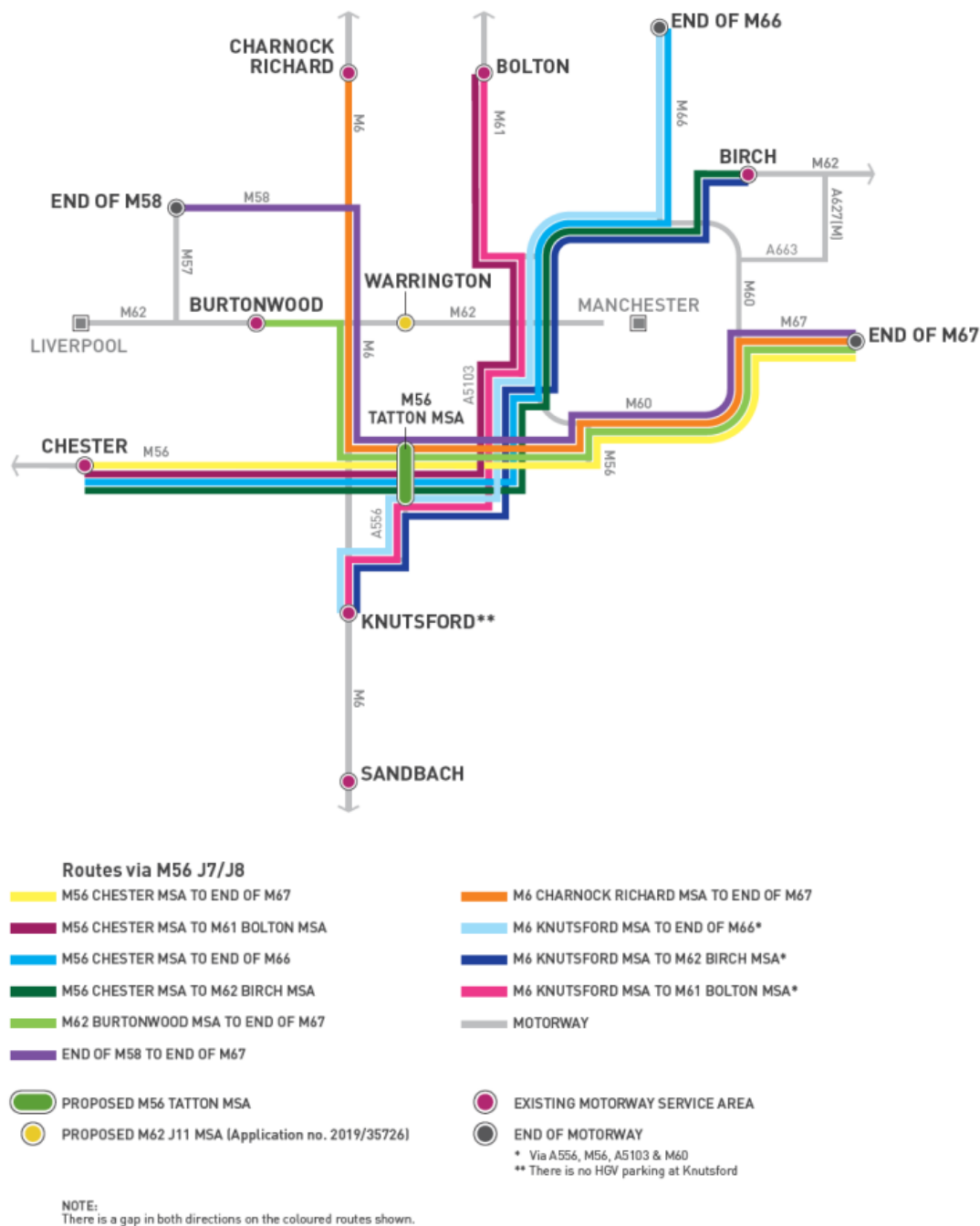


Figure 1: Gaps in MSA provision

Also of relevance to these identified gaps is the fact that the M6 Knutsford MSA only has provision for HGVs to park in emergencies. Whilst HGV parking is usually required at an MSA, the service area provision in this area is split between Knutsford MSA immediately south of Junction 19 (without full HGV parking) and Lymm Truckstop at M6 Junction 20, which in combination provide sufficient overall parking for all road users on this section of the M6. SRN routes using the A556 do not pass the Lymm facility so HGVs would have to stop at Sandbach MSA on the M6, which is 12 miles south of Knutsford MSA. Consequently, there is a longer gap in provision for HGVs on a number of routes. Table 4 below identifies these additional HGV

gaps (using same methodology as above). 6 of the HGV gaps shown in the table below are on the same routes as those identified in Table 3 but are extended due to the lack of HGV parking at Knutsford. The other 2 gaps are gaps on an additional route (not identified in Table 3).

From / To	Is the SRN route via M56 J7/8 the shortest?	Increase in distance for SRN route via M56 J7/8 (miles)	Is the SRN route via M56 J7/8 a reasonable alternative?
M6 Sandbach MSA to M61 Bolton MSA	Yes	N/A	N/A
M61 Bolton MSA to M6 Sandbach MSA	No	1.0	Yes
M6 Sandbach MSA to northern end of M66	Yes	N/A	N/A
Northern end of M66 to M6 Sandbach MSA	No	1.0	Yes
M6 Sandbach MSA to M62 Birch MSA	Yes	N/A	N/A
M62 Birch MSA to M6 Sandbach MSA	No	1.0	Yes
M6 Sandbach MSA to eastern end of M67	Yes	N/A	N/A
Eastern end of M67 to M6 Sandbach MSA	Yes	N/A	N/A

Table 4: Additional HGV gaps

Figure 2 illustrates the location of the additional HGV gaps.

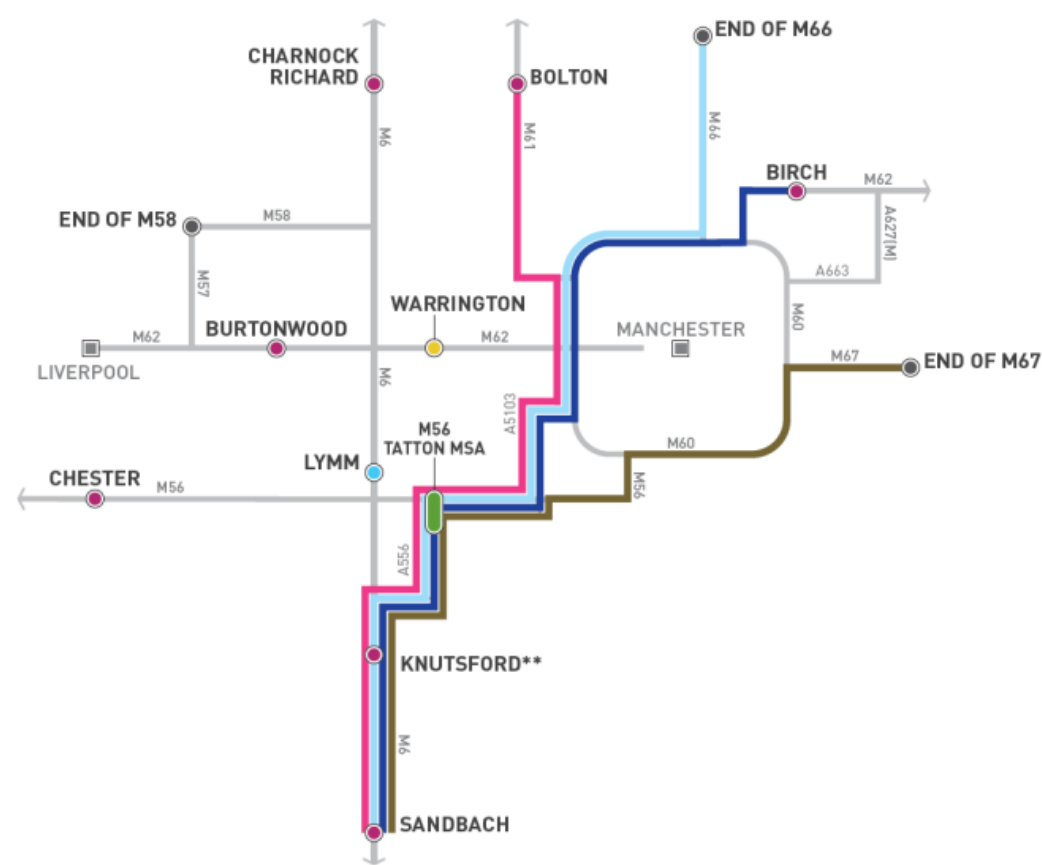


Figure 2: Additional HGV gaps

Table 5 below then shows journey times along the routes with gaps in MSA provision based on average speeds for an HGV travelling at 56mph and a light vehicle at 70mph. These do not take into account variable speed limits that may be in place or planned via Smart Motorway technology, congestion or incidents that can be present on a route.

Gap description	Gap type	Route	Wider strategic context	Length (miles)	Journey time (mins) at 56mph	Journey time (mins) at 70mph
M56 Chester MSA to eastern end of M67	MSA	M56, M60 (south), M67	North Wales & Holyhead to South Yorkshire	39.7	43	34
Eastern end of M67 to Chester MSA	MSA	M67, M60 (south), M56	South Yorkshire to North Wales & Holyhead	39.0	42	33
M6 Knutsford MSA to M61 Bolton MSA	MSA	M6, A556, M56, A5103, M60 (west), M61	West Midlands & South West to North Manchester	34.6	37	30
M61 Bolton MSA to M6 Knutsford MSA	MSA	M61, M60 (west), A5103, M56, A556, M6	North Manchester to West Midlands & South West	35.0	38	30
M6 Knutsford MSA to northern end of M66	MSA	M6, A556, M56, A5103, M60 (west, north), M66	West Midlands & South West to East Lancashire & Yorkshire Dales	37.3	40	32
Northern end of M66 to M6 Knutsford MSA	MSA	M66, M60 (north, west), A5103, M56, M6	East Lancashire & Yorkshire Dales to West Midlands & South West	37.4	40	32
M6 Knutsford MSA to M62 Birch MSA	MSA	M6, A556, M56, A5103, M60 (west, north), M62	West Midlands & South West to West Yorkshire, North East & North Sea ports	30.3	32	26
M62 Birch MSA to M6 Knutsford MSA	MSA	M62, M60 (north, west), A5103, M56, M6	West Yorkshire, North East & North Sea ports to West Midlands & South West	30.7	33	26
Western end of M58 MSA to eastern end of M67	MSA	M58, M6, M56, M60 (south), M67	Liverpool docks & City Region to South Yorkshire	52.8	57	45

Eastern end of M67 to western end of M58	MSA	M67, M60 (south), M56 , M6, M58	South Yorkshire to Liverpool docks & City Region	52.7	56	45
M6 Charnock Richard MSA to eastern end of M67	MSA	M6, M56 , M60 (south), M67	Lancashire, Cumbria & Scotland to South Yorkshire	47.9	51	41
Eastern end of M67 to M6 Charnock Richard MSA	MSA	M67, M60 (south), M56 , M6	South Yorkshire to Lancashire, Cumbria & Scotland	47.9	51	41
M62 Burtonwood MSA to eastern end of M67	MSA	M62, M6, M56 , M60 (south), M67	Liverpool docks & City Region to South Yorkshire	35.4	38	30
Eastern end of M67 to M62 Burtonwood MSA	MSA	M67, M60 (south), M56 , M6, M62	South Yorkshire to Liverpool docks & City Region	34.6	37	30
M56 Chester MSA to M61 Bolton MSA	MSA	M56 , A5103, M60 (west), M61	North Wales & Holyhead to Greater Manchester	48.2	52	41
M61 Bolton MSA to M56 Chester MSA	MSA	M61, M60 (west), A5103, M56	Greater Manchester to North Wales & Holyhead	48.5	52	42
M56 Chester MSA to northern end of M66	MSA	M56 , A5103, M60 (west, north), M66	North Wales & Holyhead to East Lancashire & Yorkshire Dales	50.8	54	44
Northern end of M66 to M56 Chester MSA	MSA	M66, M60 (north, west), A5103, M56	East Lancashire & Yorkshire Dales to North Wales & Holyhead	50.8	54	44
M56 Chester MSA to M62 Birch MSA	MSA	M56 , A5103, M60 (west, north), M62	North Wales & Holyhead to West Yorkshire, North East & North Sea ports	43.8	47	38
M62 Birch MSA to M56 Chester MSA	MSA	M62, M60 (north, west), A5103, M56	West Yorkshire, North East & North Sea ports to North Wales & Holyhead	44.1	47	38
M6 Sandbach MSA to M61 Bolton MSA	Additional HGV	M6, A556, M56 , A5103, M60 (west), M61	West Midlands & South West to Greater Manchester	46.5	50	N/A
M61 Bolton MSA to M6 Sandbach MSA	Additional HGV	M61, M60 (west), A5103, M56 , A556, M6	Greater Manchester to West Midlands & South West	46.9	50	N/A
M6 Sandbach MSA to northern end of M66	Additional HGV	M6, A556, M56 , A5103, M60 (west, north), M66	West Midlands & South West to East Lancashire & Yorkshire Dales	49.1	53	N/A
Northern end of M66 to M6 Sandbach MSA	Additional HGV	M62, M60 (north, west), A5103, M56 , M6	East Lancashire & Yorkshire Dales to West Midlands & South West	49.2	53	N/A
M6 Sandbach MSA to M62 Birch MSA	Additional HGV	M6, A556, M56 , A5103, M60 (west, north), M62	West Midlands & South West to West Yorkshire, North East & North Sea ports	42.1	45	N/A
M62 Birch MSA to M6 Sandbach MSA	Additional HGV	M66, M60 (north, west), A5103, M56 , M6	West Yorkshire, North East & North Sea ports to West Midlands & South West	42.5	46	N/A
M6 Sandbach MSA to eastern end of M67	Additional HGV	M6, A556, M56 , M60 (south), M67	West Midlands & South West to South Yorkshire	37.9	41	N/A
Eastern end of M67 to M6 Sandbach MSA	Additional HGV	M67, M60 (south), M56 , A556, M6	South Yorkshire to West Midlands & South West	37.4	40	N/A

Table 5 Distance & Travelling Time between MSAs

Based on the maximum spacing of 28 miles as stated in DfT Circular 01/2022, and taking each direction separately, the applicant's submitted gap analysis report identifies 20 gaps in MSA provision, and a further 8 gaps (6 extended and 2 new) in MSA provision for HGVs due to

Knutsford MSA only providing emergency HGV parking. Gaps range from 30.3 miles to 52.8 miles.

Table 6 indicates what effect the introduction of the proposed M56 Tatton MSA will have upon the identified gaps:

Gap description	Distance to Tatton from start of gap	Distance from Tatton to end of gap	Effect of M56 Tatton MSA on the gap
M56 Chester MSA to eastern end of M67	19.6	20.1	Gap Removed
Eastern end of M67 to Chester MSA	19.3	19.7	Gap Removed
M6 Knutsford MSA to M61 Bolton MSA	5.4	29.2	Gap Reduced Gap remains between Tatton and M61 Bolton MSA
M61 Bolton MSA to M6 Knutsford MSA	29.3	5.7	Gap Reduced Gap remains between M61 Bolton MSA and Tatton
M6 Knutsford MSA to northern end of M66	5.4	31.9	Gap Reduced Gap remains between Tatton and northern end of M66
Northern end of M66 to M6 Knutsford MSA	31.7	5.7	Gap Reduced Gap remains between northern end of M66 and Tatton
M6 Knutsford MSA to M62 Birch MSA	5.4	24.9	Gap Removed
M62 Birch MSA to M6 Knutsford MSA	25.0	5.7	Gap Removed
Western end of M58 to eastern end of M67	32.7	20.1	Gap Reduced Gap remains between western end of M58 and Tatton
Eastern end of M67 to the western of M58	19.3	33.4	Gap Reduced Gap remains between Tatton and western end of M58
M6 Charnock Richard MSA to eastern end of M67	27.8	20.1	Gap Removed
Eastern end of M67 to M6 Charnock Richard MSA	19.3	28.6	Gap Reduced Gap remains between Tatton and M6 Charnock Richard MSA
M62 Burtonwood MSA to the eastern of M67	15.3	20.1	Gap Removed
Eastern end of M67 to M62 Burtonwood MSA	19.3	15.4	Gap Removed
M56 Chester MSA to M61 Bolton MSA	19.6	28.6	Gap Reduced Gap remains between Tatton and M61 Bolton MSA
M61 Bolton MSA to M56 Chester MSA	28.8	19.7	Gap Reduced Gap remains between M61 Bolton MSA and Tatton
M56 Chester MSA to northern end of M66	19.6	31.3	Gap Reduced Gap remains between Tatton and northern end of M66
Northern end of M66 to M56 Chester MSA	31.1	19.7	Gap Reduced Gap remains between northern end of M66 and Tatton
M56 Chester MSA to M62 Birch MSA	19.6	24.3	Gap Removed
M62 Birch MSA to M56 Chester MSA	24.4	19.7	Gap Removed

Table 6 – Effect of proposed MSA on gaps

Based on the above the following nine gaps in MSA provision would no longer exist if the proposed MSA is provided:

- M56 Chester MSA to the eastern end of M67 (and vice versa);
- M6 Knutsford MSA to M62 Birch MSA (and vice versa);
- M62 Burtonwood MSA to the eastern end of M67 (and vice versa);
- M6 Charnock Richard MSA to the eastern end of M67; and
- M62 Birch MSA to M6 Knutsford MSA (and vice versa).

All of the remaining gaps are also reduced in length by the provision of the proposed MSA. The construction of the proposed MSA would also result in some gaps being duplicated. For example the gaps between M6 Knutsford MSA and M61 Bolton MSA, and M56 Chester MSA to M61 Bolton MSA, would be reduced to gaps between Tatton MSA and M61 Bolton MSA, and vice versa. Therefore, only the following seven gaps in MSA provision (from the original 20) would remain if the Tatton MSA is provided:

- M56 Tatton MSA to M61 Bolton MSA (and vice versa);
- M56 Tatton MSA to the northern end of M66 (and vice versa);
- M56 Tatton MSA to the western end of M58 (and vice versa); and
- M56 Tatton MSA to M6 Charnock Richard MSA

These gaps are shown in Figure 2 below.

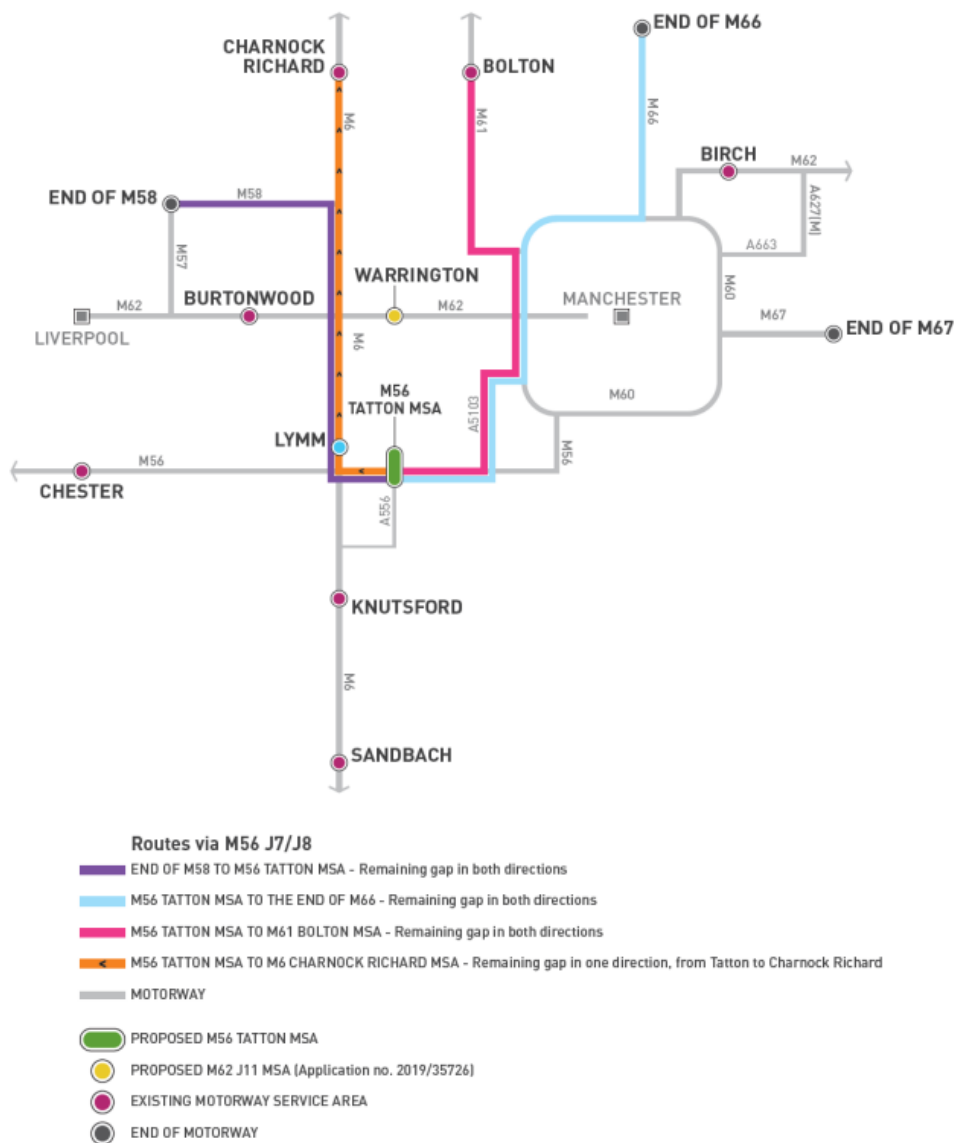


Figure 2: Residual MSA gaps if Tatton MSA is provided

In terms of HGVs the following additional HGV gaps would no longer exist following introduction of the proposed MSA at Tatton:

- M6 Sandbach MSA to M62 Birch MSA (and vice versa); and
- M6 Sandbach MSA to the end of M67 (and vice versa).

The remaining gaps would be the same as those for MSAs as outlined above.

The proposed location of the MSA therefore makes a significant contribution towards highway safety and the wellbeing of users of the SRN in this location by removing or reducing all of the 20 identified gaps. Given the number of gaps it removes or reduces, and the associated road safety benefits, is considered to attract very substantial weight.

As noted by National Highways in their consultation response, the proposals would increase the amount of HGV parking within the area, in line with the requirements set out in DfT Circular 01/2022, which also attracts substantial weight in favour of the proposal.

Lymm Truckstop

The significance of Lymm Truckstop also needs to be considered alongside the above information. The presence of Lymm Truckstop has been referred to within the points made in representation against the proposed development. Lymm Truckstop is located at M6 Junction 20 (and junction 9 of M56). This is signed from the motorway network as a Truckstop and does not meet the criteria set out in DfT Circular 01/2022 for an MSA. As Lymm is a Truckstop and not a MSA, the presence of Lymm has been disregarded from the applicant's analysis of gaps in MSA provision. In this area, the service area provision is split between Lymm Truckstop and Knutsford MSA (which does not have full HGV parking). The next provision to the south is then at Sandbach.

A letter submitted on behalf of Moto (June 2023), who operate Lymm Truckstop, suggests the applicant's characterisation of Lymm is at best incomplete and at worst disingenuous. Moto recognise that Lymm is signed for trucks from the M6, but from the M56 it is signed as 'Services'. Although neither of these signage arrangements identify that Lymm is a 'Motorway Service Area' within the context of Circular 01/2022, this does not detract from fact that Lymm acts as a vital facility for users of the SRN. As such, Moto maintain that by omitting Lymm Services from their Gap Analysis Report, the applicant distorts the provision of motorway services within the locality and, in turn, overstates the importance that the proposed development at Tatton is proclaimed to be providing.

Table 1 of Annex A of Circular 01/2022 sets out the minimum requirements for roadside facilities to be eligible for signing from the SRN, and Table 2 sets out parking requirements at motorway service areas. Lymm Truckstop appears to have all the mandatory requirements to be eligible for signing from the SRN, which include:

- Available 24 hours a day
- 2 hours free parking
- Lighting & CCTV
- Free toilets / handwashing facilities
- Shower/washing facilities for HGV drivers
- Fuel – petrol / diesel / EVC
- Free telephone for emergency use / wifi and power points

However, it does not meet the parking requirements for MSAs as set out in Table 2 of Annex A. Despite, this Lymm Truckstop is considered to be a material consideration as it does provide a facility for road users to stop and take a break during their journey, even though it is not defined as a MSA.

On 30th January 2023 Moto submitted an outline planning application for the extension and conversion of Lymm services to create an MSA from the M56 and improved truck stop off the M6 (ref. 2023/00142/OUTM). Increased parking provision is a key part of this application. The application form outlines a proposed increase of car parking numbers from 316 to 628; and increase of HGV parking from 305 to 368 and an increase in parking for caravans from 0 to 17 to support the proposed dual status of the proposed roadside facility. This demonstrates what parking provision would be required for it to qualify as a signed MSA serving the M56 only, and the shortfall that currently exists.

In terms of the existing situation with Lymm, whilst Lymm does provide a facility for drivers to stop and rest, and is a material consideration in this case, it does not have the capacity to

accommodate the numbers of parking spaces required by a MSA (as set out in Circular 01/2022) in the interests of road safety. It therefore does not function as a MSA as set out in Circular 01/2022, and does not result in the same highway safety benefits as an MSA. This limits the weight to be afforded to it as an alternative to the current proposals.

At the time of writing, a holding recommendation (until 14 September 2023) was the latest response on the planning application to extend Lymm truckstop from National Highways who have raised a number of concerns regarding the data that supports the application, but they also state explicitly that *“the site cannot have dual status”* of a MSA from the M56 and a Truckstop from the M6. They also note that if Lymm was to be a MSA, it would have implications for the Knutsford roadside facility, which would need to be amended to the status of “Motorway Rest Area”, as the Knutsford site does not meet the requirements to be considered a MSA in its own right.

The planning application for extended facilities at Lymm therefore appears to be stalled, with several matters to be resolved. As such, having regard to the status of that application, the concerns raised by National Highways, including them not supporting the concept of a dual use (of MSA and Truckstop) as proposed, and the absence of any indication that these concerns can be resolved, the weight that can be attributed to the proposals at Lymm and the associated planning application is very limited at this time. Even if the Lymm extension scheme was eventually approved, gaps which the current application proposals remove, would still remain.

Added to this, paragraph 80 of Circular 01/2022 recognises that at certain times / locations a shortage of parking facilities for HGVs can make it difficult for drivers to find safe space to stop and adhere to requirements for mandatory breaks and rests. The Circular states that to alleviate the shortage, the expansion of existing facilities on the SRN is likely to be needed alongside the creation of new parking sites. As a result, existing truckstops (including closed facilities) on or near to the SRN must be retained for their continued and future use unless it can be clearly demonstrated that a need no longer exists. Therefore, whilst the outcome of the Lymm application is currently unknown, due to the concerns raised by National Highways regarding the proposed dual use of the facilities at Lymm, the current situation suggests Lymm must be either a Truckstop from both motorways or a MSA from both motorways. If the Lymm application was amended to propose a signed MSA from the M56 and a signed MSA from the M6 this would raise further questions. It is assumed that either more land would be required, or a reduction in HGV parking spaces would be required, in order to accommodate the required car parking spaces. More land, if available, would likely mean a new planning application would be required, and a reduction in HGV spaces would run contrary to the specific objective of the Circular to retain existing truck stops.

Alternative Sites

An Alternative Sites Assessment has been submitted with the application that looks at alternative locations for a MSA that would address the gaps in the Gap Analysis Report.

Paragraph 84 of Circular 01/2022 explains that on-line (between junctions) service areas are more accessible to users of the SRN and as a result more conducive to encouraging drivers to stop and take a break. They also help to avoid an increase in traffic demand at junctions with all-purpose roads. However, where an on-line service area cannot be delivered due to planning, safety, operational or environmental constraints, the development of a site that shares

a common boundary with the highway at a junction with the SRN, and which provides the mandatory requirements to be eligible for signing as set out in table 1 of Annex A, is to be preferred to the continued absence of facilities.

For an online site to be deliverable, there needs to be sufficient space for slip roads to be constructed in accordance with the weaving standards set out in DMRB. This states that the minimum weaving section shall be 2km for motorways in rural areas, and that weaving assessments are to be undertaken for distances between 2km and 3km. The number of gaps to be closed by a proposed MSA location was also considered in the Alternative Sites Assessment.

From this the following sites were taken forward to the next stage to identify whether any had sufficient land to accommodate a MSA:

- M6 / M56 J20 / J9 (8 MSA gaps, Lymm expansion site)
- M56 Broomedge (8 MSA gaps, online site)
- M56 J8/7 (9 MSA gaps, the Application Site and junction site)
- M56 Junctions 3, 4, 5 and 6 (16 MSA gaps at each, junction sites)
- M56 Junction 3A (12 MSA gaps, junction site)
- M60 Junction 5 (12 MSA gaps, junction site)

Once the amount of required land was taken into account, the following remained as potential sites (as shown in Figure 3):

- M6 / M56 J20 / J9 (Lymm expansion/ junction MSA) – 2 sites, 'Lymm 1' and 'Lymm 2'
- M56 Broomedge online MSA – 2 sites, 'Broomedge 1' and 'Broomedge 2'; and
- M56 J8/7 junction MSA – 2 sites, 'Tatton 1' and 'Tatton 2' (the Application Site)

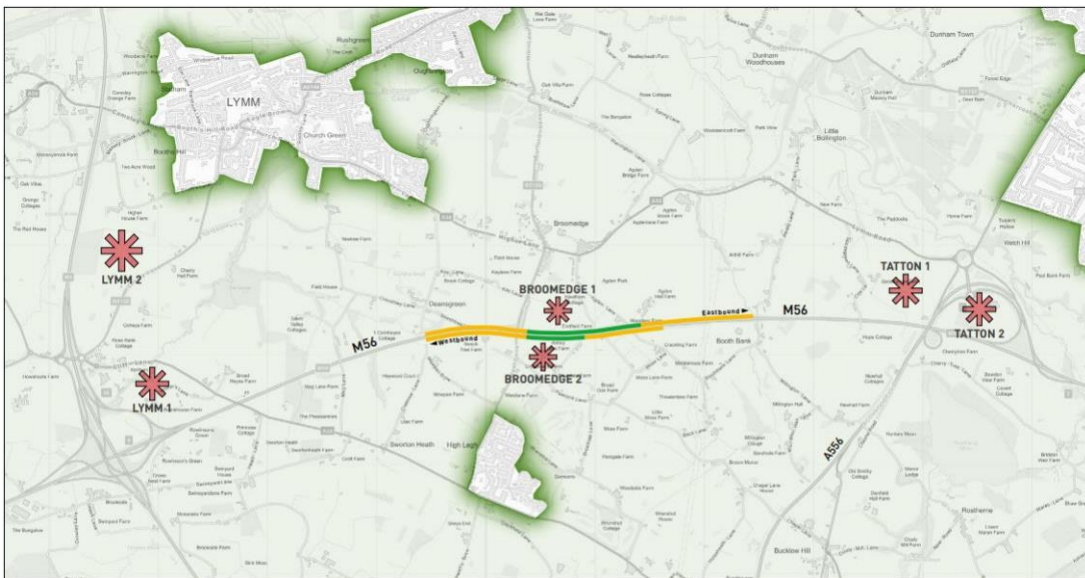


Figure 3 – Potential MSA Sites

The Broomedge sites were the only online sites remaining, all sites are located in the Green Belt, and all of the sites closed a similar number of gaps (8 or 9). All 6 sites were then taken to the third stage of site selection.

Individual site appraisals were then undertaken assessing each site against a range of environmental criteria. Table 7 below summarises the environmental impacts identified by the applicant's assessment. The higher the mark the better the site performed against the stated criteria.

Site	High-ways	Land Use	Land-scape	Green Belt	Heritage	PDL	Ecology	Flooding	Air Quality	Noise	Mineral s	Total
Lymm 1	1.5	3	2	1	3	2	3	2	2	2	3	24.5
Lymm 2	1.5	3	1	1	2	2	3	3	2	2	3	23.5
Broomedge 1	2	3	2	1	3	2	3	3	3	1	3	26
Broomedge 2	2	3	2	1	1	2	3	3	3	2	3	25
Tatton 1	3	3	2	1	2	2	3	3	3	2	3	27
application Site (Tatton 2)	3	3	1.5	2	3	2	3	3	3	2	3	28.5

Table 7: Summary of Environmental Impacts

The site at Lymm 1 would be an expansion of the existing facilities at Lymm on land adjacent to the existing Truck stop. In terms of gaps closed the potential sites at Broomedge and Lymm were found to close 8 MSA gaps, whereas the application site would close 9 MSA gaps in total. Whilst the Broomedge was an online site, and preferable in terms of MSA provision, it closed 1 less gap than the application site. It did not close the gap in both directions between Knutsford and Birch, which the application site would. If Broomedge was taken forward as the site for an MSA, this gap would remain. Consequently, the application site was identified as the most suitable site for a MSA to meet the safety and welfare needs of motorists using the M56 on the identified SRN, and no preferable alternatives exist.

Socio economic issues

The application site (land and some of the buildings) is currently occupied by a local farming business on a short term, seasonal and non-secure basis as part of a wider full-time business. The proposal will result in the loss of 13ha of the best and most versatile agricultural land, and the site as whole will not be available for the current business or any other local business for the purposes of agriculture in the future.

Chapter 6 of the Environmental Statement outlines the socio-economic impacts of the development. It states that there should be 207 direct construction jobs supported on site per annum over the estimated build time of up to two years. The ES also states that the development could support an additional 352 indirect jobs in the wider economy per annum over the construction phase. Up to £66.4million of Gross Value Added could also be generated over the two-year build period.

In terms of the operational phase the proposed MSA is estimated to support 234 full-time equivalent (FTE) jobs on-site, generate around £9.2million of GVA per annum, pay business rates of approximately £628,000 per annum and pay around £4.7million in staff wages per annum once it is fully developed and operational.

The Planning Statement submitted with the application explains that the applicant's existing MSAs are unique in their industry as they operate without franchises. Their MSAs include farm shops and kitchens that include homemade food and produce from local suppliers, actively linking with the local community. In this regard, the applicant seeks to commit to a target of 15% of the value of all goods and services used during construction will be sourced from

individual and businesses within a 10 miles radius of the site. In addition they intend to partner with at least 50 businesses within a radius of 30 miles of the site, including measures to ensure local businesses, industries and trade groups are aware of opportunities relating to the provision of goods and services during operation. It is proposed to secure this within a s106 agreement. Several letters of support have been received from local business groups.

The applicant is also willing to commit to a local employment agreement via a s106 agreement, which will include:

- A target that at least 15% of the total number of jobs available during construction will be taken by residents within 10 miles of the Site.
- A target that at least 60% of the total number of jobs available during operation will be taken by residents within 10 miles of the Site.
- The owner will endeavour to employ no less than 3 construction trade apprentices, and that the minimum qualification which apprentices will work towards is NVQ Level 2
- The owner will endeavour to employ no less than 10 apprentices during operation of the MSA, and that the minimum qualifications which apprentices will work towards is NVQ Level 2.

The applicant also proposes to include a Tourist Information Area within the site to provide information about places, attractions, destinations and events of interest to tourists and visitors to the area. Details of this can be secured by condition.

It should however also be noted that some of the letters of representation objecting to the proposals suggest that Altrincham is not an area of high unemployment, there are many similar jobs to those that would be provided at the MSA, and that there is no need for low paid jobs. Whilst these comments are acknowledged, the economic benefits including significant job creation, are considered to be a significant benefit of the proposal. Taken together with the other stated economic benefits, a commitment to employment and training for local people during construction and operation, and a commitment to work with at least 50 local businesses within a 30-mile radius of the site, these benefits are considered to attract substantial weight in favour of the proposal.

Heads of Terms

Draft heads of terms for a s106 agreement have been submitted by the applicant. This includes securing the following:

- **Off-site highways works**
This can be dealt with by condition as recommended by National Highways
- **Sustainable Travel and Transport Plan**
This can be dealt with by condition
- **Local Employment – Construction**
is recommended that this is secured by s106 agreement
- **Local Employment – Operation**
It is recommended that this is secured by s106 agreement
- **Apprenticeships – Construction Phase**
It is recommended that this is secured by s106 agreement
- **Apprenticeships – End-user Phase**
It is recommended that this is secured by s106 agreement

- **Local Procurement – Construction**
It is recommended that this is secured by s106 agreement
- **Local Procurement – Operation**
It is recommended that this is secured by s106 agreement
- **Construction Management Plan**
This can be dealt with by condition
- **Pedestrian / cycle path improvements**
This can be dealt with by condition
- **Biodiversity Net Gain**
This can be dealt with by condition
- **Yarwoodheath Covert Improvement Works**
This can be dealt with by condition
- **EV Charging Points**
This can be dealt with by condition
- **Energy Strategy**
This can be dealt with by condition
- **Tourist Information Area**
This can be dealt with by condition
- **Works to Yarwood Heath Farm Buildings**
This can be dealt with by condition

From the above, it is currently considered that only the employment and training, and local procurement obligations should be secured as part of a s106 agreement. Should that position change following further discussions members will be update in advance of the committee.

It is therefore recommended that should the application be approved a s106 agreement with the following Heads of Terms is required:

- Local Employment Agreement – Construction
- Local Employment Agreement – Operation
- Apprenticeships Plan – Construction Phase
- Apprenticeships Plan – End-user Phase
- Local Procurement Agreement – Construction
- Local Procurement Agreement – Operation

CIL Regulations

These requirements are considered to be necessary to make the development acceptable in planning, are directly related to the development, and are fairly and reasonably related in scale and kind to the development.

Planning Balance

Harm

The proposed development is an inappropriate form of development in the Green Belt, which does not preserve openness and conflicts with the purposes of Green Belt by encroaching into the countryside. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the Framework states that local planning authorities should ensure that substantial weight is given to any harm

to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Whilst the design rationale of reinventing a traditional farmstead in a contemporary context is a very positive aspect of the scheme, and in the wider context the site is physically contained by the SRN, the scale of the development, the extent of car parking, lighting and the level of activity associated with the operation of the MSA, will have a localised urbanising effect upon what is currently open farmland. As such there will be a harmful impact upon the character of the area, to a moderate degree, which is likely to reduce over time, having regard to these particular site circumstances and proposed landscaping. Moderate weight is attached to this harm.

The loss of a category A Oak tree, the loss of semi mature trees recorded on the National Forest Inventory, and the loss of hedgerows, which all contribute towards the amenity, biodiversity, landscape character or historic character of the surrounding area, attract moderate weight against the proposal. As does the loss of 13ha of the best and most versatile (BMV) agricultural land.

The proposals would cause a slight change in significance and cause minor harm to the non-designated asset of Yarwood Heath Farmhouse through loss of fabric/built form and changes to its setting and the change in character from agricultural to an operational MSA. This minor harm attracts very limited weight, when considered in the context and design principles of the scheme overall.

Finally, in terms of harm, it has not been demonstrated that the development will secure at least 10% of its predicted energy requirements from decentralised and renewable or low carbon sources, and therefore there is harm arising due to the conflict with policy SE9. For the reasons previously given, limited weight is attributed to this harm.

Benefits

Balanced against this harm is the need for a MSA in this location. Circular 01/2022 sets out the government's policy on the provision of roadside facilities on or near to the SRN and their eligibility for signing. This document explains that the network of signed roadside facilities on the SRN is intended to provide opportunities to stop at intervals of approximately half an hour and sets out clearly that the maximum distance between signed motorway service areas should be 28 miles.

The submitted gap analysis report identifies gaps over 28 miles between MSAs, along routes using the SRN involving part or all of the M56 between the M6 and Manchester, where this route on the SRN is either the shortest route or a reasonable alternative route. This report identifies 20 gaps on 10 routes. 5 of the gaps are the shortest SRN route via the M56, and the other 15 are reasonable alternative routes where shorter routes do exist.

The application proposals would close 9 of the identified gaps and reduce the 11 remaining gaps to a maximum of 33.4 miles. This compares to the existing situation of 20 gaps ranging between 30.3 miles to 52.8 miles, and even longer gaps for HGVs.

Circular 01/2022 states that the maximum distance between signed MSAs should be 28 miles in the interests of road safety, and the application site closes more gaps over 28 miles than any

of the other alternative sites examined. Arguably 1 gap in MSA provision could be enough to demonstrate the need for a MSA, and therefore as the proposal closes a total of 9 gaps, and reduces 11, the proposal unequivocally serves an important road safety function which, given the number of gaps it removes or reduces, and the associated road safety benefits, is considered to attract very substantial weight.

As noted by National Highways in their consultation response, the proposals would increase the amount of HGV parking within the area, in line with the requirements set out in DfT Circular 01/2022, which also attracts substantial weight in favour of the proposal.

Lymm Truck Stop lies a short distance from the application site, accessed from both the M6 and M56, and is also material consideration as it does provide a facility for road users to stop and take a break during their journey, even though it is not defined as a MSA. Whilst Lymm has most of the facilities required for a signed MSA (as set out in Circular 01/2002), it does not meet the parking requirements for a MSA. The existing number of car park spaces are stated in a current application to extend the site as 316. These 316 parking spaces are to serve the travelling public on both the M6 and M56. The application seeks to increase this to 628 to support their proposal for a dual use of Truck Stop from the M6 and signed MSA from the M56. This demonstrates what parking provision would be required for it to qualify as a signed MSA serving the M56 only, and the shortfall that currently exists. If the M6 was included as a MSA as well, in order to address the National Highways comments that the *“site cannot have dual status”* the parking requirement would significantly increase even further. Therefore, whilst Lymm does provide a facility for drivers to stop and rest, it does not have the capacity to accommodate the numbers of parking spaces required by a MSA (as set out in Circular 01/2022) in the interests of road safety. Only limited weight can therefore be attached to the presence of the existing Lymm Truckstop as an alternative to the current proposals.

The 28 miles distance referred to in Circular 01/2022 specifically refers to MSAs and not roadside facilities in general. In the context of this current application, and the gaps identified, Lymm's contribution to providing opportunities for drivers to stop and take a break, are relatively limited due to its capacity issues. National Highways currently have a holding recommendation to the planning application that seeks to extend the facilities at Lymm. They do not support the dual status (MSA and Truck Stop) of that site. MSAs have specific capacity requirements, which Lymm falls well short of. To qualify as a MSA from both the M6 and M56 the parking requirement for a MSA based on traffic flows from both motorways would undoubtedly be significantly more than is currently proposed. The proposals at Lymm therefore appear to be stalled, with several matters to be resolved. As such, its potential as an alternative site can only be given very limited weight at this time. Even if Lymm Truck Stop was given increased weight as a rest facility for travellers, gaps which the application proposals remove would still remain. Therefore, there are no preferred alternative sites for a MSA to address the identified gaps in provision, which carries substantial weight in favour of the current proposal.

The proposal has economic benefits including significant job creation which, notwithstanding the comments from some local residents, are considered to be a very tangible benefit of the proposal, together with other stated economic benefits, a commitment to employment and training for local people during construction and operation, and a commitment to work with at least 50 local businesses within a 30-mile radius of the site. Collectively these benefits are considered to attract substantial weight in favour of the proposal.

The design approach of the farmstead, including the retention of the original farmhouse and the eastern barn and the rebuilding of the western barn in a similar form, relates well to the local area, and together with significant areas of landscaping and open space is a positive feature of the proposal. The net gain for biodiversity of 17% in habitats and 12% in hedgerows, the upgrading of the existing Cycle Track through the site along Yarwood Heath Lane complete with underpass beneath the MSA access road, and the provision of a TOUCAN crossing at the Bowdon South roundabout to improve pedestrian/cycle connectivity are all further positive aspects of the development.

There is considered to be neutral or acceptable impacts upon matters relating to contaminated land, controlled waters, noise, air quality, living conditions, flood risk and drainage, highways and town centres subject to relevant conditions.

Overall, the identified benefits of the proposed development are considered to clearly outweigh the harm to the Green Belt by reason of inappropriateness and the other identified harm in this case. Very special circumstances are therefore considered to exist.

Referral to Secretary of State

It should be noted that due to the scale and nature of the proposal, being inappropriate development in the Green Belt, the application will need to be referred to the Secretary of State under the requirements of The Town and Country Planning (Consultation) (England) Direction 2021. Therefore, any resolution to approve will be subject to the outcome of this process.

CONCLUSIONS

The proposal is inappropriate development in the Green Belt, which reduces openness and encroaches into the countryside, results in the loss of BMV, trees and hedgerows of local value, results in some minor harm to a non designated heritage asset, has an adverse impact upon the character and appearance of the area, and does not provide 10% of the predicted energy requirements from renewable or decentralised sources. However, this harm is clearly outweighed by the need for the proposal and the associated highway safety benefits, the economic benefits of the scheme, the opportunities for local businesses, the employment and training opportunities, and the design approach to the extent that very special circumstances exist. Accordingly, the application is recommended for approval subject to a s106 agreement to secure the Heads of Terms below, the following conditions, and consultation with the Secretary of State.

Heads of Terms

- Local Employment Agreement – Construction
- Local Employment Agreement – Operation
- Apprenticeships Plan – Construction Phase
- Apprenticeships Plan – End-user Phase
- Local Procurement Agreement – Construction
- Local Procurement Agreement – Operation

Conditions

1. Time period – 3 years
2. Development to be carried out in accordance with approved plans
3. Details of materials to be submitted
4. Sample panel of brickwork to be submitted
5. Details of all windows and doors of farmhouse, eastern and western barn to be submitted
6. Detailed repair schedule for works to the farmhouse and eastern barn to be submitted
7. Timetable for the construction of the cycle store (western barn) to be submitted
8. Methodology/strategy for the dismantling of the western barn and for the re-use of the salvaged brick work within the new cycle store to be submitted
9. Lighting scheme to be submitted
10. Updated badger survey prior to commencement.
11. Safeguarding of nesting birds – details to be submitted
12. Submission and implementation of a Construction Environmental Management Plan (CEMP) informed by the recommendations of the ES ecology chapter.
13. Submission and implementation of Biodiversity Net Gain measures and 30 years (habitat) management informed by the submitted biodiversity metric.
14. Incorporation of ecological features (Bat and bird boxes etc.)
15. Scheme to install underground tanks to be submitted
16. Scheme to dispose of surface water to be submitted
17. Sustainable drainage management and maintenance plan to be submitted
18. plan for the lifetime of the development
19. Retention of existing trees
20. Tree protection and special construction measures to be submitted / implemented
21. Arboricultural method statement to be submitted
22. Landscaping scheme to be submitted
23. Landscaping implementation
24. Boundary treatment details to be submitted
25. Details of earthworks, including proposed grading and mounding of land to be submitted
26. Landscape management plan to be submitted
27. Full design and construction details of highway improvement works to be submitted
28. Installation of fence along the boundary of the application site alongside the M56 and associated slip road
29. No drainage from the proposed development shall connect into the motorway drainage system / or run-off onto M56 motorway
30. Construction Management Plan to be submitted (highways)
31. Implementation of highway improvement works and works to Yarwood Heath Lane
32. Submission of updated travel plan
33. Provision of car and cycle parking
34. SuDS design details to be submitted (aircraft safety)
35. Bird Hazard Management Plan to be submitted (aircraft safety)
36. All exterior lighting capped at the horizontal with no upward light spill.
37. No reflective materials other than clear or obscure glass shall be added to the buildings

38. Glint and glare assessment for proposed solar panels – no additional solar panels to be installed
39. Method statements to be submitted in advance of any development in HS2 safeguarding areas
40. Retail floorspace to be restricted (extent of floorspace and comparison goods)
41. Submission of Construction Environment Management Plan (noise, disturbance, etc.)
42. Implementation of noise mitigation measures (including glazing specification for hotel)
43. Details of phasing of EV charging points to be submitted
44. Energy Strategy to be submitted
45. Phase II ground investigation report (and remediation strategy if required) to be submitted
46. Verification report in accordance with the approved Remediation Strategy to be submitted
47. Imported soil to be tested for contamination
48. Actions in event of unidentified contamination being found
49. Written scheme of investigation (archaeology) to be submitted and implemented
50. Detail of Tourist Information Area to be submitted

