

Application No: 12/4115N

Location: FIELDS BETWEEN THE A5020 WESTON ROAD AND THE A500, WITH AN ADDITIONAL AREA TO THE SOUTH OF THE A500 OFF WESTON LANE, CREWE

Proposal: Dual carriageway road, known as the Crewe Green Link Road (South) linking the A500 with the A5020 and associated works.

Applicant: Kevin Mellings, Cheshire East Council

Expiry Date: 19-Feb-2013

### **SUMMARY RECOMMENDATION**

**Approve with conditions**

### **MAIN ISSUES**

**Impact of the development on:-**

- **Principal of the development**
- **Highway implications**
- **Amenity**
- **Landscape**
- **Trees**
- **Ecology**
- **Flood Risk & Drainage**
- **Impact upon Listed Buildings and the Historic Park and Garden**
- **Archaeology**
- **The impact upon the Public Right of Way**
- **The impact upon the Hazardous Installation**

### **REASON FOR REFERRAL**

This application has been referred to the Strategic Planning Board as it is a major application and includes an Environmental Impact Assessment.

#### **1. DESCRIPTION OF SITE AND CONTEXT**

The application site is located between the A500 and the Weston Gate Roundabout. The site is also known as Basford East and currently consists of an area of relatively flat agricultural land which is peppered with trees, hedgerows and ponds. To the north the Crewe – Stoke-on-Trent railway line crosses the site with a band of woodland located between the railway line and the Weston Gate Roundabout. Gresty Brook and Basford Brook run to the west of the site.

## **2. DETAILS OF PROPOSAL**

This application relates to the provision of a dual carriageway which would link the A500 and the Weston Gate Roundabout. The proposal would be approximately 1.1km in length and would be a standard two lane dual carriageway with a central reservation. A segregated footway/cycleway would run along both sides over the full length of the scheme and would be separated from the carriageway by a grass verge. A four arm roundabout (70m in diameter) would be constructed approximately half way along the road to provide spur roads into the Basford East development site (150m to the east and 185m to the west). At a point 20m south of the Weston Gate roundabout the road would descend approximately 2 metres into a cutting below the Crewe-Stoke Railway line. A bridge would be installed within the railway embankment which would allow the proposed road to cross beneath.

The alignment of the scheme is substantially the same as application 11/1982N and the additional elements include the following:

- A modification to the A5020 Weston Road roundabout approach
- A new railway under bridge design/detail (using a single span)
- Construction site compounds
- Pumping station and kiosk building (2m wide, 1.5m deep and 2m high) located adjacent to the railway under bridge
- A borrow pit
- Topsoil storage areas
- A flood compensation area
- Temporary site security bunds along the line of the road
- Temporary surplus soil bunds
- Great Crested Newt mitigation areas

## **3. RELEVANT HISTORY**

11/1982N - Construction of a Dual Carriageway All Purpose Road Known as Crewe Green Link South (CGLS) on Land Between Weston Gate Roundabout and the A500 – Approved 12<sup>th</sup> October 2011

P01/1199 – Construction of Crewe Green Link Road (Southern Phase) – Approved 5<sup>th</sup> February 2002

## **4. POLICIES**

### **National Planning Policy**

The National Planning Policy Framework

### **Local Plan policy**

BE.1 – Amenity

BE.2 – Design Standards

BE.3 – Access and Parking

BE.4 – Drainage, Utilities and Resources

BE.5 – Infrastructure

BE.6 – Development on Potentially Contaminated Land

BE.14 – Development affecting Historic Parks and Gardens

BE.16 – Development and Archaeology

BE.21 – Hazardous Installations  
NE.2 – Open Countryside  
NE.5 – Nature Conservation and Habitats  
NE.8 – Sites of Local Importance for Nature Conservation  
NE.9 – Protected Species  
NE.10 – New Woodland Planting and Landscaping  
NE.11 – River and Canal Corridors  
NE.12 – Agricultural Land Quality  
NE.17 – Pollution Control  
NE.20 – Flood Prevention  
E.3 – Regional and Strategic Employment Allocations at Basford  
TRAN.3 – Pedestrians  
TRAN.5 – Provision for Cyclists  
TRAN.11 – Non Trunk Roads  
RT.9 – Footpaths and Bridleways

### **Regional Spatial Strategy**

DP1 – Spatial Principles  
DP2 – Promote Sustainable Communities  
DP3 – Promote Sustainable Economic Development  
DP7 – Promote Environmental Quality  
DP9 – Reduce Emissions and Adapt to Climate Change  
RDF1 – Spatial Priorities  
RT3 – Public Transport Framework  
RDF2 – Rural Areas  
RT1 – Integrated Transport Networks  
RT2 – Managing Travel Demand  
RT4 – Management of the Highway Network  
RT9 – Walking and Cycling  
EM1 – Integrated Enhancement and Protection of the Regions Environmental Assets  
MCR1 – Manchester City Region Priorities  
MCR 4 – South Cheshire

### **Other Considerations**

‘All Change for Crewe’  
‘Planning for Growth’  
‘Presumption in Favour of Economic Development’  
The EC Habitats Directive 1992  
Conservation of Habitats & Species Regulations 2010  
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System  
Circular 02/99: Environmental Impact Assessment  
Town and Country Planning (Environmental Impact Assessment) Regulations 2011

## **5. CONSULTATIONS (External to Planning)**

**English Heritage:** It is not necessary for Natural England to be consulted on this application. The Application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

**Environment Agency:** No comments received at the time of writing this report.

**Natural England:**

Natura 2000 site (Ramsar)– No objection

Natural England advise that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which the Midland Mere's and Mosses and Oakhanger Moss has been classified.

Special Sites of Scientific Interest (SSSI) - No objection

This application site is in proximity to a number of SSSI's (all over 2 km from the proposed development). Given the nature and scale of this proposal, Natural England is satisfied that the proposal will not damage or destroy the features for which these sites have been notified as a result of the proposal being carried out in strict accordance with the details of the application as submitted.

European Protected Species (EPS) – No objection

Natural England do not object to the proposed development. On the basis of the information available the advice is that the proposed development is likely to affect bats, great-crested newts, and otter through disturbance of EPS, damage, destruction of a breeding site or resting place. However, Natural England are satisfied however that the proposed mitigation would maintain the population status identified in the survey report.

Schedule 1 bird Species

Based on the information and proposed mitigation Natural England is satisfied that kingfisher and barn owl will not be significantly impacted upon by the proposal.

Domestic Protected Species

Reference should be made to the Natural England standing advice.

**United Utilities:** No comments received at the time of writing this report but as part of the last application they stated that:

*United Utilities have no objection to the development subject to the following concerns being met:*

- *A public sewer crosses the site and therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary.*
- *If possible this site should be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.*
- *All surface water drains must have adequate oil interceptors*
- *The level of cover to the water mains and sewers must not be compromised either during or after construction.*

**PROW:** The proposed development will affect Public Footpath No. 1 in the Parish of Basford as recorded on the Definitive Map and Statement.

The western spur road proposed within Phase 2 of the development will bisect the Public Footpath. Confirmation has been obtained from the developer that a Side Roads Order will be undertaken prior to the commencement of Phase 2 to process the legal changes required to accommodate the Public Right of Way. It is understood that this requirement will be incorporated in the conditions attached to any planning consent granted. The Public Rights of Way team request to be involved in the drafting of the order and also in the detailed design of how users of the footpath will be accommodated in crossing the road at this location.

**Network Rail:** No comments to make.

**Health and Safety Executive:** No comments received at the time of writing this report but as part of the last application they stated that:

*'in this specific case, and after careful consideration of the risk reduction measures that have been employed, the HSE would not advise against the current proposal'*

**Cheshire Wildlife Trust:** No comments received at the time of writing this report.

**Highways Agency:** No comments received at the time of writing this report but as part of the last application they stated that:

*No objection to this application being granted consent as there will be no impact on the strategic road network.*

**Strategic Highways Manager:** No objection the comments made as part of the last application apply – *'This proposal enables the completion of the Crewe Green Link Road Scheme which provides general traffic relief across the urban Crewe area. It will also provide opportunities for future development at Basford East employment site. There are no highways objections to this proposal.'*

**Environmental Health:** The Environmental Health Officer has assessed the application and has made the following comments;

#### Noise and Vibration

The Design Manual for Roads and Bridges (DMRB) is used as guidance in assessing the potential noise operational impacts of the proposed new road. Aided by computer noise modelling software noise levels have been predicted in accordance with guidance given in the Calculation of Road Traffic Noise, 1988 and is considered as an acceptable method. The noise levels have been predicted and noise monitoring undertaken at representative sensitive receptors agreed in advance.

The modelled predictions show that slight increases in noise levels can be expected at some residential properties to the south of the proposal in Weston. The levels of increases are relatively small at most properties and the likelihood of annoyance at these locations is also small. Some residential properties are predicted to see a small improvement in noise levels as a result of the proposed road scheme. Only 1 property is predicted to be in excess of the long term criteria for consideration of noise mitigation and this exceedance is very marginal. The assessment of night

noise predicts that this will be below the current DMRB criteria for significance for all properties. Based on these findings noise mitigation is not considered feasible or necessary for this scheme. The Environmental Health Officer would not expect the vibration impacts from the operational phase of this development to be significant.

### Construction

The assessment considers the dust, noise and vibration impacts of the construction phase of the proposed development and gives worst case predictions for noise from the expected associated works. Impacts from this phase can generally be considered as transient and controllable through nuisance legislation and by following best practice given in BS5228 (2009). However, the Environmental Health Officer would expect the hours of construction to be agreed with Cheshire East Council prior to works commencing.

Specifically, piling and foundation works at the railway are predicted to potentially give rise to significant noise and vibration impacts particularly at night at nearby properties. Concerns have also been raised by local residents regarding the formation and use of the borrow pit. As a result the Environmental Health Officer would expect details of methods, timescales and potential impacts and mitigation to be agreed with Cheshire East Council prior to any such works commencing. In addition those properties that may be affected should be informed prior to works commencing.

Two conditions are suggested in relation to the construction phase of the development.

### Air Quality

An up dated Air Quality Impact Assessment has been submitted with the application and the methodology and conclusions are accepted. A condition is suggested in relation to dust control.

### Contaminated Land

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

- The application area has a history of agricultural and railway use including some in-filled ponds, and therefore the land may be contaminated.

A condition is suggested in relation to contaminated land.

**Historic Gardens Society:** No comments received at the time of writing this report.

**Ramblers Association:** No comments received at the time of writing this report.

**Archaeology:** The application is supported by an archaeological desk-based assessment which was originally prepared by Castlering Archaeology in connection with an earlier version of this scheme. The baseline information contained in this study, however, remains appropriate and its results have been summarised in Section 7 (Cultural Heritage) of the Environmental Statement.

Section 7.8 of this study contains a summary of the archaeological mitigation that will be required prior to the start of the construction process. Briefly, this will involve works in areas that have already been identified as requiring investigation (mill race of the former Crotia mill, deposits in the valley of the Basford Brook etc) and further investigations (trial trenching, excavation, watching brief) in areas identified as of interest following the extensive geophysical survey that is currently being carried out as part of the site evaluation process. Unfortunately, access difficulties have prevented the completion of the geophysical work prior to the submission of the planning application, which would have allowed the specification of the targeted mitigation in more detail. Field walking may also be used in certain areas to aid the recovery of artefacts from the plough soil.

The archaeologist advises that the staged programme of work outlined in Section 7.8 of the Cultural Heritage study is appropriate and that this mitigation may be secured by condition.

## **6. VIEWS OF THE PARISH COUNCIL**

**Barthomley Parish Council:** No comments received at the time of writing this report

**Crewe Green Parish Council:** No comments received at the time of writing this report

**Haslington Parish Council:** No comments received at the time of writing this report

**Hough & Chorlton Parish Council:** No comments received at the time of writing this report

**Shavington Parish Council:** No comments received at the time of writing this report

**Weston & Basford Parish Council:** No objection to the additional elements associated with this scheme, with the exception of the proposed 'Borrow Pit' area to the south of the A500.

Whilst the Parish Council appreciate that this is included in the application as a 'fall back position' in the event that additional material might be required, and would only be required for 18 months, the Parish Council are extremely concerned about the following aspects:

The use of the existing road system through Weston to serve and gain access to the site, the Council is totally opposed to the use of Main Road Weston, Whites Lane and Weston Lane Basford by heavy lorries moving to and from the site.

Traffic issues represent the single biggest set of problems facing the Parish – reflected in 75% of survey returns associated with our recently published Parish Plan. Of particular concern is the speed and volume of traffic using Main Road Weston. Whites Lane/Weston Lane is narrow and tortuous and used as a rat run. It is included as the Parish's top priority for next years Minor Highways Programme – investigation as to the most appropriate traffic management measures. It is also considered that access to the site directly off Weston Lane adjacent to Dairy House and the adjoining residential barn conversion would be difficult and dangerous.

Two alternative methods of accessing the site would be: (1) over the bridge which spans the A500 from Crotia Mill Farm into Mill Lane along with the creation of a haul road to the rear of the allotments and the spanning of the brook: (2) under the bridge which carries the A500 over the

Main London Railway Line at the bottom of the field behind Dairy House and adjacent to the railway. The second option looks to be the more feasible.

The detailed siting of the 'Borrow Pit area' is extremely close to Dairy House and the adjoining residential barn conversion. This along with direct access from Weston Lane would in the Parish Council's judgement result in extreme detriment to the amenities enjoyed by the occupants of these dwellings.

Given the problems outlined above, the Parish Council would ideally wish to see the 'borrow pit' removed from the application.

## **7. OTHER REPRESENTATIONS**

One letter of objection has been received from the occupants of Dairy House Farm, Weston Lane raising the following points:

- Object to the proposed borrow pit that would be adjacent to their property
- There is little detail in relation to the length of time of use, its extent, details of materials and time taken to back fill the pit
- Concern over the use of heavy vehicles on Weston and Whites Lane

## **8. APPLICANT'S SUPPORTING INFORMATION**

To support this application the application includes the following documents:

- Environmental Statement
- Planning Design and Access Statement

These documents are available to view on the application file.

## **9. OFFICER APPRAISAL**

### **Principal of Development**

The proposed development relates to a new dual carriageway (Crewe Green Link South – CGLS) which would be 1.1km in length and would link the A500 and the Weston Gate Roundabout. The CGLS would provide access to the Regional and Strategic Development Site at Basford East while alleviating the congested A534 Nantwich Road. A link road between the A534 and A500 was approved by Crewe and Nantwich Borough Council in 2002 with a second planning permission approved by Cheshire east Borough Council under application reference 11/1982N. This application includes a number of amendments to the application approved last year with the main amendments being as follows:

- A modification to the A5020 Weston Road roundabout approach
- A new railway under bridge design/detail (using a single span)
- Construction site compounds
- Pumping station and kiosk building (2m wide, 1.5m deep and 2m high) located adjacent to the railway under bridge
- A borrow pit
- Topsoil storage areas



- A flood compensation area
- Temporary site security bunds along the line of the road
- Temporary surplus soil bunds
- Great Crested Newt mitigation areas

Since the approval of the application in 2011 the National Planning Policy Framework has been published. The NPPF includes a strong presumption in favour of economic growth in support of this application with Paragraph 19 stating that:

*'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth'*

The economic dimension of sustainable development states that the planning system should contribute to the economy by supporting growth in infrastructure:

*'contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, **including the provision of infrastructure**'*

One of the 12 core principles for planning contained within the NPPF states that:

*'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, **infrastructure** and thriving local places that the country needs'*

In relation to development that accords with the development plan paragraph 14 states that Local Planning Authorities should:

*'approving development proposals that accord with the development plan without delay'*

In relation to infrastructure the NPPF states that Local Plan Policies should

*'plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework'*

In terms of Local Plan Policy the site is located within the Open Countryside and the proposed route of the CGLS is identified on the Proposals Map contained within the Crewe and Nantwich Replacement Local Plan 2011. Policy TRAN.11 (Non Trunk Roads) states that land along the route of the CGLS as shown on the Proposals Map will be safeguarded from development. The proposed route does deviate from the route shown on the Proposals Map to avoid environmental affects arising from the culverting of Basford Brook. However this is not considered to be a significant issue and the principle of the proposed development is supported by the Crewe and Nantwich Replacement Local Plan.

In relation to South Cheshire (Policy MCR4) the RSS states that plans and strategies should *'support economic growth in Crewe and focus development on sites which accord with RDF1, DP1-9, W2, W3 and MCR1'* and *'promote the role of Crewe as a regional public transport gateway/interchange to the region'*. There is also support in Policy DP3 (Promote Sustainable

Economic Development) which states that it is a fundamental principle of the RSS to '*seek to improve productivity, and to close the gap in economic performance between the North West and other parts of the UK. Sustainable economic growth should be supported and promoted*'.

It is clear that there is support for the principle of this development at National, Regional and Local levels and there are benefits of this scheme which would alleviate congestion on the A534 and also help to facilitate development at Basford East. It is therefore considered that the provision of this road link is acceptable in principle. However, the application is accompanied by an Environmental Statement and there are a number of complex environmental issues which will need to be considered as part of this application.

## **Highway Implications**

The road network in Crewe is constrained by the existing rail infrastructure in the town with congestion forming on a number of routes within the town. The Crewe Green Link Road would remove the barrier effect, transferring traffic from currently congested routes. The following areas currently experience congestion:

- A500/A530 Middlewich Road roundabout
- A5020/A534 Crewe Green Roundabout
- A534/A532 Roundabout
- A534 along Nantwich Road from B5078 Edleston Road to A5020/A534 Crewe Green Roundabout

This congestion occurs mainly at peak times, apart from the A534 along Nantwich Road which occurs in the inter-peak period.

In terms of the impact of the development on the highway network, an assessment of driver stress has been carried out. This shows that with the Crewe Green Link Road traffic flows on some of the smaller roads including Weston Lane, Main Road, Cemetery Road, Narrow Lane and Slaughter Lane would be reduced. There would be some increases on the roads that connect to the Crewe Green Link Road (University Way, Weston Road and A500). These changes in traffic flows are only relatively small and as a result there would be no changes in the levels of stress.

The Environmental Statement has been assessed by the Councils Highways section and also by the Highways Agency as part of the last application. Both have not raised any objection to the development and as a result the development is considered to be acceptable in terms of its highway implications.

In relation to the borrow pit. This would only be in use for a maximum of two periods of 14 days (14 days to extract material and 14 days to refill). The route taken by vehicles would be via the Crotia Mill Farm access and would not go through Weston Village. It is not considered that this would raise any highway implications given the time period would be restricted to a maximum of 28 days.

## **Amenity**

### Noise and vibration

The noise assessment states that there would be negligible impacts upon the majority of the receptor sites. In 2015 there is predicted to be a minor adverse impact for the south façade of Nestfield House and Crotia Mill Farm whilst there would be minor beneficial impacts for the receptors on Casey Lane and Weston Lane. In 2030 negligible impacts are predicted at all receptors except Crotia Mill Farm.

The results show that only Crotia Mill Farm is the only residential property predicted to experience an increase in noise levels greater than 3dB. In response to this issue the Environmental Health Officer states that:

*‘Only 1 property is predicted to be in excess of the long term criteria for consideration of noise mitigation and this exceedance is very marginal. The assessment of night noise predicts that this will be below the current DMRB criteria for significance for all properties. Based on these findings noise mitigation is not considered feasible or necessary for this scheme’*

As a result the impact is considered to be acceptable.

In terms of vibration, the separation distances mean that there will be minimal impact if well maintained. In terms of the construction of the road the impact would be short term and temporary and therefore would not warrant the refusal of this planning application.

#### Air Quality

The pollutants of concern are Nitrogen Dioxide and Particulate Matter. A baseline study of existing air quality has been undertaken and the potential impact during construction and operational phases has been considered within the ES.

The concentrations of Nitrogen Dioxide predicted at 6 chosen sensitive receptors shows that there would be a detrimental increase in Nitrogen Oxide at Weston Road House (this receptor is adjacent to the roundabout between Weston Road and University Way) and Crotia Mill Farm with more general detrimental impacts along parts of the A500, Weston Road and University Way. However all concentrations at the receptor sites are well below the Air Quality Objectives and as a result negligible impacts are predicted.

Beneficial impacts are predicted upon Main Road House, White Lane Farm and Gresty Road and more generally along parts of the A5020 and Nantwich Road.

In relation to Particulate Matter, the construction of the CGLS would result in an increase at Weston Road House only with improvements at Main Road House and Gresty Road. However all impacts are considered to be negligible.

The Environmental Health Officer has accepted and the development would not cause any significant air quality issues.

#### Contaminated Land

The application site has a history of agricultural use, railway development and in-filled ponds. As a result, the Environmental Health Officer has requested a condition to require a risk assessment to be carried out to assess the potential risks caused by land contamination.

### Construction

Construction of the road including the borrow pit could raise some temporary amenity concerns to local residents through noise, dust and vibration. Such issues are controllable through nuisance legislation and by following best practice given in BS5228 (2009). However, in this instance given the scale of the development, it is considered necessary to attach conditions relating to pile driving, hours of operation and dust mitigation.

### **Landscape**

The Environmental Statement has been undertaken in accordance with the Guidelines for Landscape and Visual Assessment, (Landscape Institute/Institute of Environmental Management and Assessment, 2002). The ES offers an accurate assessment of the Landscape and Visual Effects that the proposals would have on the surrounding area. The main mitigation measures proposed are as follows:

- Retention of the majority of the existing trees and hedgerows
- Implementation of new planting comprising a high proportion of native tree species. The proposed new planting will include native trees and shrubs which will provide effective long-term screening and will integrate well with the surrounding landscape
- Reinstatement of trees where possible in the areas adjacent to Weston road and the railway line. Supplementary planting on the Crewe-Stoke railway embankment to reduce visual effects, filter and screen views to and from the railway
- New landscaping adjacent to Fir Tree Cottage to screen views and reduce effects of the removal of vegetation on the railway embankment
- New landscaping adjacent to Crotia Mill Farm to minimise the visibility of the road from this property

An indicative Landscape Masterplan has been submitted which indicates that planting will consist of new structure tree planting, new avenue planting, under storey planting, hedgerows and amenity grassland. However, the Landscape Masterplan is just an indicative plan and, since it will be the landscape proposals that will mitigate the road scheme, a detailed landscape scheme for the whole route should be submitted prior to commencement of development. This will be secured by the imposition of a planning condition should the application be approved.

### **Trees**

This application is supported by an Arboricultural Implications Assessment which identifies the implications for existing trees along the proposed link road and associated infrastructure including a roundabout and exits to facilitate the future development of the employment land. It is not considered that the proposed development would have a greater impact upon trees on the site than the scheme which was approved as part of application 11/1982N.

The trees within the application site are not protected by a Tree Preservation Order. The submitted Arboricultural Report has identified 37 individual trees, 10 groups of trees and one area of mature

woodland towards the northern site boundary adjacent to Weston Road. The trees comprise principally of Oak, Ash and Alder located predominantly within existing and partially redundant hedgerows within field pasture.

A total of 11 individual trees (Oak, Ash and Alder) and two groups of trees (G8 and G9 (Oak and Hawthorn)) are directly impacted by the route of the link road and will require removal. Further trees will also require removal within the woodland belt (W1) at the northern site boundary off Weston Road (A5020).

Of the 11 individual trees, 7 are classed in the submitted report as B category trees (trees of moderate quality and value which make a significant contribution). The remaining 4 individual trees are graded as C category (low quality and value). The two groups of trees which are located on and adjacent to the railway embankment towards the northern end of the site comprise of mature Oak and Hawthorn and only provide a limited contribution to the landscape character and wider amenity of the area and have been given a C category rating in the report.

Two trees (T15 and T24): a Horse Chestnut and Hawthorn are identified as poor quality trees of low vigour and are therefore proposed for removal by virtue of their condition.

The most significant feature in terms of impact in landscape and visual amenity terms will be the removal of the section of woodland (W1) located adjacent to the A5020 Weston Road. The woodland presents a significant visual backdrop to the south of Weston Road and provides a well structured mature screen both visually and acoustically to the railway and potentially to the future use of the employment land. Whilst the number of trees to be removed have not been quantified within the report, the extent of tree loss (comprising principally of Oak, Alder, Birch and Holly) within the woodland area directly impacted by the route in terms of land area is some 4900m<sup>2</sup> or thereabouts.

Further trees within the woodland either side of the proposed road within the working area of the route are also likely be affected and the extent of this in terms of the impact upon the rooting environment of trees will be dictated by working area requirements and the positioning of the root protection area (RPA) barriers.

The location of the proposed route also impacts on parts of tree groups the most significant in terms of its landscape significance is Group G2 (Group of Oak, Alder, Willow and Hawthorn) around a pond. The position of the proposed link road will necessitate the removal of a section of trees within the western section of the group, although further tree losses are anticipated due to the nature of the intensity of the development, and possible impacts from development activities on the water table. It is suggested that an amendment, by relocating the route to the west of its current position would allow for the retention of this important landscape feature, but would need to be balanced against other overriding engineering and layout priorities.

Four further groups are partially affected by the route (identified as groups G4, G5, G6 and G10). Groups G4, G5 and G10 within the central section of the site are impacted by the east and west spurs off the roundabout. Both groups are deemed low 'C' category and are of no outstanding merit in landscape terms. The integrity of these groups are unlikely to survive in the longer term given the proposed level of development activity and future intended use of the site. A section of Hawthorn hedge (Group G6), is located to the southern section of the site and is to be removed to facilitate the route: again, this feature contributes little to the wider landscape of the area.

The report also identifies a further 10 trees (of which six are B moderate, to A high category trees) are located on the periphery of the link road. It is likely that without some adjustment to the route of the link road, the development will affect the rooting environment of these trees and impact upon their long term health and safe well being. Again any such amendments would need to be balanced against other priorities.

The link road cuts across a number of hedgerows to the south of the site and within the central section of the site within the vicinity of the proposed roundabout and east and west spur roads. The former comprises predominantly of hawthorn as the primary woody species; the latter hedgerow being comprised of a number of gaps within it and again comprised mainly of hawthorn. Both features are not considered to meet the 'Important Hedgerow' criteria, as defined within the Hedgerow Regulations 1997.

In respect of tree losses, it is considered that the impact of the development generally is moderate in terms of its effect on visual amenity and moderate to high in respect of the potential losses within woodland W1 to the north of the site, primarily because losses at this location have not been fully quantified within the submissions.

In mitigation, the application is supported by a Landscape Management Plan which comprises of native tree and associated under-storey planting along the length of the proposed carriageway, which appears to be reasonably comprehensive.

In relation to tree mitigation, conditions will be attached regarding tree protection and mitigation.

## **Ecology**

The application site includes a number of habitats and has the potential to support the following protected species: Great Crested Newts, Lesser Silver Water Beetle, White Clawed Crayfish, Water Vole, Otter, Reptiles, Bats, Badgers, Barn Owl, Kingfisher and Birds. Of these species Bats, Otters and Great Crested Newts are European Protected Species.

### Designated sites

The ES is incorrect in stating that Basford Brook Local Wildlife Site (LWS) is managed by Cheshire Wildlife Trust. LWS are non-statutory sites designated for their nature conservation value within Cheshire and are similar in status to Sites of Biological Importance (SBI).

The proposed development has been assessed as having a significant negative impact on Basford Brook Local Wildlife Site due to the impacts of the proposed crossing of the brook by the western spur road and the installation of a number of inlet and outfalls associated with surface water management.

Any pollution of the brook during the construction phase is likely to affect both the Local Wildlife Site an additional SBI further downstream.

The potential impact of the development will be mitigated by means of an 8m buffer zone along the brook and the provision of a wide span bridge for the spur road crossing. The design of the bridge will be finalised at a later stage.

## Habitats

A block of broad leaved woodland is present to the north of the Stoke-Crewe railway. Grassland habitats which make up the largest proportion of the site have all been subject to agricultural improvement which limits their nature conservation value. There are however smaller area of marshy grassland of higher value located to the west of the proposed development.

There are a number of hedgerows on site. None of these has been identified as being Important under the Habitat Regulations. However Hedgerows are a BAP priority habitat and all the hedgerows on site are likely to have some level of value for wildlife and some of the hedgerows on site have previously been identified as being species rich.

The Councils Ecologist advises that for the most part, notwithstanding their potential to support protected species, most of the habitat lost to the proposed development is of relatively low ecological value. Habitats lost towards the northern end of the proposed link road are however of higher value. The impact of the loss of woodland, semi improved/marshy grassland and hedgerows is likely to be significant at the local scale. Additionally, changes to the sites hydrology have also been identified as being likely to affect marshy grassland habitats adjacent to the road corridor. These impacts are all highly likely to be significant at the local scale.

Woodland planting and hedgerow creation along the road verges is proposed to compensate for the loss of broad leaved woodland. The ES acknowledges however that newly planted trees would take a considerable time to mature to the level of those lost. The two newt receptor areas proposed include an element of wildflower grassland which would help to compensate for the loss of marshy grassland associated with the proposed development.

## Great Crested Newts

Updated Great Crested Newt surveys have been undertaken in support of this planning application. There is well documented presence of Great Crested Newts at this site. Whilst the species breeds at a number of ponds the number of animals recorded at each pond is relatively small. The latest assessment identifies the Great Crested Newt population on site as being of local nature conservation importance.

It is not anticipated that any ponds will be lost to the proposed development however the proposed road scheme will result in the loss of Great Crested Newt terrestrial habitat and pose a significant risk of killing/injuring any animals present when the proposed works are undertaken.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places,

- in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is:

- no satisfactory alternative
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implements the Directive in the Conservation of Habitats & Species Regulations 2010 which contain two layers of protection

- a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and
- a licensing system administered by Natural England.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements.

The NPPF advises that LPA's should contribute to *'protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy'*.

The NPPF also states that the planning system should contribute to and enhance the natural and local environment by *'minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures'*.

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

In terms of the 3 tests, it is considered that:

- There are no satisfactory alternatives as the proposed link road would need to cross the development site known as Basford East
- The derogation is not detrimental to the maintenance of GCN as the site supports relatively small numbers of GCN and no breeding ponds would be lost. Furthermore, a scheme of mitigation which includes the construction on new ponds, habitat creation and enhancement will be provided as part of the development.
- There are imperative social reasons of overriding public interest as the development would improve transport links across Crewe and ease congestion along Nantwich Road.

### Common Toad

Common toad was recorded on site during the Great Crested Newt surveys. This species is a Biodiversity Action Plan priority species and hence a material consideration. The Councils Ecologist advises that the implementation of the proposed Great Crested Newt mitigation scheme is also likely to be adequate to mitigate the potential adverse impact of the development upon common toad.



## Otter

Evidence of Otter activity was recorded on both Gresty and Basford Brook. However, no confirmed holts or lying up places were recorded.

The isolation of Otter habitats associated with the western spur road and link road and the risk of direct mortality occurring as a result of collisions with construction vehicles have been assessed as having a significant adverse impact at the local level.

To mitigate the impacts of the proposed development upon Otters the loss of bank side habitat will be minimised through the provision of a wide span bridge crossing the Basford Brook. The bridge will allow a minimum of 2m clearance on each bank to allow free movement of animals under it. The proposed Badger proof fencing would also deter otters from crossing the road and so mitigate the risk of road casualties occurring.

The Councils Ecologist advises that based on the survey information, impact assessment and mitigation proposals currently available it does not appear likely that the proposed development would result in an offence under the Habitats Regulations occurring in respect of Otters.

## Bats

No trees on site were identified as having high potential to support roosting bats and there are no confirmed roosts on site. Bats do however forage extensively across the wider site area.

The proposed development would result in the loss of trees with lower potential to support roosting bats. There is also likely to be a loss and fragmentation of bat foraging/ commuting habitat on site and the adverse impacts of additional lighting associated with the development. These impacts are assessed as being significant at the site level.

The loss of bat foraging habitat will be compensated for by means of the tree planting and the habitats associated with the Great Crested Newt receptor areas will also be of value to bats.

To address the potential impacts of the development on bats resulting from the removal of trees with roosting potential the provision of bat boxes is being proposed. The Councils Ecologist advises that this approach is acceptable. A condition would also be required to ensure that the lighting scheme for the link road is agreed with the LPA. This is to ensure that the adverse impacts of additional lighting are minimised.

The Councils Ecologist advises that based on the survey information, impact assessment and mitigation proposals currently available it does not appear likely that an offence under the Habitats Regulations would occur in respect of Bats.

## Water Vole

This species has previously been recorded on Gresty Brook. No evidence of this rapidly declining species was however recorded during the latest survey and so the Councils Ecologist advises that it is likely that water vole are now absent from the study area.

## Reptiles

A good population of Slow Worm is present on site using the south facing embankment of the Crewe – Stoke railway line. This population has been identified as being of nature conservation value within the context of Cheshire East.

The impact of habitat loss and isolation in respect of Slow Worms has been assessed as being significant at the local scale. Slow Worm mortality associated with the construction phase of the development has been assessed as being significant with the context of Cheshire East.

The loss of Slow Worm habitat will be compensated for by means of habitat enhancement on the railway embankment to the west of the site. The risk of killing or injuring Slow Worms during the construction phase would be mitigated by means of the removal and exclusion of animals from the development footprint prior to the start of works.

The fragmentary effect of the road/rail crossing which would prevent animals moving along the rail embankment to the east of the proposed link road would however remain as a residual unmitigated adverse impact of the proposed development.

#### White Clawed Crayfish

This UK and Local BAP species is present in Basford Brook. This is one of only three remaining known sites for this species in Cheshire.

If pollution or silt contamination of Basford Brook occurs during the construction or operational phases of the road this is likely to have an adverse impact upon White Clawed Crayfish. The impact of this would be significant at the regional scale. The risk of killing or injuring White Clawed Crayfish during the construction phase or any disturbance to White Clawed Crayfish at the inappropriate time of the year is likely to have a significant impact on the species at the local scale.

It is proposed that the loss of habitat for White Clawed Crayfish associated with the scheme would be compensated for by means of the creation of refuges within the brook and the brook corridor would be enhanced by tree planting which on this site appears to be a factor in determining White Clawed Crayfish presence. The risk of pollution would be reduced by means of standard prevention methods and the allowance of an 8m buffer zone between any development and the brook. The risk of killing animals would be addressed by means of a rescue programme appropriately timed to avoid the most sensitive time of year.

The Council's Ecologist advises that the above measures are likely to be adequate to safeguard the population of White Clawed Crayfish at Basford Brook.

#### Barn Owl

This species is well recorded from the general area of the proposed development. A roost and potential nest site were recorded near to the proposed link road during the 2012 surveys.

It is not anticipated that there would be any adverse impacts on the identified roosts/perches however there will be a loss of barn owl foraging habitat which is likely to be significant at the site level. Mortality resulting from road traffic collisions is likely to be significant at the local scale.

The loss of foraging habitat for barn owls will at least partly be compensated for by means of the grassland habitats created as part of the great crested newt receptor areas.

The risk of road traffic collisions can be mitigated through the avoidance of rough grassland habitats which may attract barn owls and the establishment of tall tree lines to encourage barn owls to fly high above the road. These measures are however unlikely to totally remove the risks posed to barn owls.

Barn owl nest boxes are also proposed in the southern newt mitigation area.

### Kingfisher

This species has previously been recorded on the Basford East site. Breeding has however not been confirmed with the study area. The direct impact of the proposed development on kingfisher is not thought to be significant. However any pollution or disturbance of Basford Brook would have a significant impact on Kingfishers at the local level.

To compensate for the loss of potential Kingfisher nesting habitat the provision of Kingfisher nest tunnels is proposed. Noise disturbance of the brook corridor which may have an adverse impact on Kingfisher is however unavoidable and remains as a residual impact of the proposed development.

### Other Protected Species

Two setts for other protected species have been recorded within the survey area. The setts are not anticipated to be affected by the proposed development. There will be a loss of foraging habitat associated with the proposed development. This loss of habitat is not however anticipated to be significant. Construction activities may however pose the risk of killing or injuring individual animals that venture onto the site. Additionally, road casualties associated with the operation of the road are likely to have a significant impact on the local population.

The provision of badger fencing and access tunnels are proposed as a means of reducing potential mortality associated with the proposed development. Potential impacts during the construction phase will be reduced by means of careful site management detailed within an environmental management plan. The Councils Ecologist advises that these proposals are in accordance with current best practise.

### Breeding Birds

The proposed development is likely to have an adverse impact on birds in general including some species which are Biodiversity Action Plan priority species. Such impacts are likely to be local in scale. The use of the standard timing condition would be used to ensure that there would be no impact upon breeding birds.

### Summary

The proposed development is anticipated to have an overall slight adverse impact upon nature conservation interests due to the unmitigated impacts associated with the proposed development

upon broad leaved woodland, trees, slow worm, barn owl and kingfisher. The residual impact of the development on woodland would reduce as the proposed tree planting matures.

Whilst outline mitigation proposals have been provided to address the ecological impacts of the proposed development the effectiveness of these will depend upon the finalised designs for the bridge crossings and inlet outlets associated with the brook and so must be regarded as indicative only at this stage. The Councils Ecologist therefore recommends that a condition be attached that detailed mitigation proposals be submitted to the LPA once designs have been finalised and prior to the commencement of works on site.

## **Flood Risk**

The proposed road runs alongside Basford Brook and crosses several other unnamed watercourses. The Environment Agency Flood Maps indicate that there is potential for fluvial flooding to affect the development where the 1 in 100 year flood event outline extends beyond the river channel.

In terms of the construction phase, there is the potential for a temporary adverse impact due to the restriction of flow due to debris blocking the watercourse, increased water runoff or flooding from a temporary loss in flood plan storage. However it is suggested the good practice is followed and mitigation measures are implemented to reduce the impact to neutral.

In terms of the operational phase, there is the potential for adverse impacts due to the increased in paved areas, loss of floodplain storage, the culverting of the watercourse and the failure of pumping stations. In relation to this issue surface water run-off will be discharged into the watercourse at a rate no greater than the existing run off with detention basins or other temporary attenuation structures to store additional surface water during the construction phase. A Flood Compensation Area would also be provided as part of this development.

This information has been sent to the Environment Agency and a consultation response was awaited at the time of writing this report.

## **Surface Water Quality**

Basford Brook is an EC designated river under the Freshwater Fish Directive. It is a Salmonid river (the ability to support Salmon and Trout) as it flows through most of the site and then becomes a Cyprinid river (the ability to support cyprinid fish such as Carp and Minnow). In addition, White Clawed Crayfish are present in this river and they are a protected species. The brook is classified under the Water Framework Directive as having moderate status and there are no nearby water abstractions (although Basford Brook has importance as a receiving watercourse and as a conveyor of seven effluent discharges upstream/downstream of the site). Overall, the ES identifies Basford Brook to be of high importance.

In terms of the other minor watercourses, these have also been taken into account in the assessment of the potential impacts of the road scheme.

The potential impacts upon water quality are from the construction phase and operational phase of the development. In terms of the construction phase:

- Procedures and mitigation measures will be adopted during the construction phase in accordance with the Construction Environmental Management Plan and will require a number of separate consents and licences from the EA
- A silt management plan will be produced which will aim to help prevent silt from entering the watercourses
- Storage and spillage emergency response measures will be provided

In terms of the operational phase, the proposed road is not predicted to cause a significant impact upon surface water due to road spillages or highway runoff entering the watercourses. Oil interceptors will be incorporated into the road design and will provide some containment of pollutants whilst a proposed attenuation pond west of the road before it crosses beneath the railway line would provide water treatment prior to discharge.

This information has been sent to the Environment Agency and a consultation response was awaited at the time of writing this report.

### **Impact upon Listed Buildings and the Historic Park and Garden**

Given the separation distances and the existing landscape buffers it is not considered that the proposal would have a detrimental impact upon the setting of any listed building or the Crewe Hall Historic Park and Garden.

### **Archaeology**

The ES assesses the archaeological potential of the site. The Councils Archaeologist has assessed the application and has suggested a condition to secure a report on archaeological mitigation.

### **Impact upon the Public Right of Way (PROW)**

Basford FP1 is located to the west of the application site and the spur road would just cross the route of this PROW. This issue could be controlled by the imposition of an appropriately worded planning condition which would protect the route of the PROW.

### **Impact upon the Hazardous Installation**

A TRANSCO gas pipe crosses the application site and this is classified as a hazardous installation. At the time of writing this report no consultation response had been received from the HSE. An update will be provided in relation to this issue.

## **11. CONCLUSIONS**

The principal of the new road link is supported by local, regional and national planning policy as well as the NPPF and the statements made by the Planning Minister in relation to 'Planning for Growth' and a 'presumption in favour of sustainable development'. The proposed CGLS would provide many highway benefits and would relieve highway congestion along Nantwich Road and on other routes within Crewe. The development would not have a detrimental impact upon residential amenity, landscape, trees, the surrounding Listed Buildings and the Historic Park and Garden, Archaeology or the Public Right of Way. Subject to appropriate mitigation and the

imposition of a number of suitably worded planning conditions the development would not have a detrimental impact upon protected species, ecology, surface water quality or flood risk.

As part of the committee update report an update will be provided in relation to drainage and flooding together with the comments of the Environment Agency and information in relation to the hazardous installation and the objection from the HSE.

## **12. RECOMMENDATIONS**

**Approve subject to the following conditions;**

- 1. Standard time 3 years**
- 2. Development to proceed in accordance with the approved plans**
- 3. Details of the diversion of PROW Basford FP1**
- 4. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.**
- 5. Prior to the commencement of development a detailed tree felling/pruning specification shall be submitted to the LPA for approval in writing**
- 6. Prior to the commencement of development a detailed Arboricultural Method Statement shall be submitted and approved by the LPA**
- 7. Prior to the commencement of development a detailed Tree Protection Scheme shall be submitted and approved by the LPA**
- 8. Prior to the commencement of development a detailed Landscaping Scheme (including native species only) shall be submitted and approved by the LPA**
- 9. Implementation of the approved landscaping scheme**
- 10. Prior to any development commencing a scheme stating the hours of construction shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details.**
- 11. Prior to any such works taking place a scheme detailing method, timing and duration of any pile driving, bridge foundation and borrow pit operations connected with the construction of the development shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details. The details should include provisions for mitigation and liaison with residences that may be affected by noise or vibration.**
- 12. Prior to the development commencing:**
  - (a) An investigation and Risk Assessment shall be carried out to assess the potential risks from land contamination as defined in the supplied geo-environmental risk assessment.**
  - (b) If such investigation and Risk Assessment identifies that remedial/protective measures are required, then a remedial/protection scheme shall be submitted to, and approved by, the Local Planning Authority (LPA) and shall be implemented.**
  - (c) If remedial/protective measures are required, a Site Completion Statement detailing the remedial/protective measures incorporated shall be submitted to, and approved in writing by, the LPA in full prior to use of the development.**
- 13. The duct mitigation measures outlined in the updated Air Quality section of the Environmental Impact Statement (Chapter 8) shall be implemented, monitored and enforced throughout the construction phase of the development.**

14. Prior to undertaking any works between 1<sup>st</sup> March and 31<sup>st</sup> August in any year, a detailed survey is required to check for nesting birds
15. Submission of revised protected species mitigation method statements including detailed plans showing Badger fencing, Badger tunnels and barn owl boxes.
16. Submission of environment management plan for the construction phase of the development
17. Submission of ecological monitoring and reporting schedule.
18. Submission of a 10 year Habitat Management Plan
19. Details of all external lighting to be submitted and agreed in writing with the LPA
20. Soil stripping shall not commence on any phase until any standing crop or vegetation has been cut and removed.
21. The stripping, movement, ripping or loosening of topsoils and subsoil shall only be carried out when the material to be moved is sufficiently dry to minimise structural damage.
22. Throughout the operational life of the site all soil mounds shall be maintained and kept free of noxious and pernicious weeds.
23. Restriction on the height of topsoil mounds
24. All topsoil, subsoil and soil making materials shall be stored in separate mounds
25. Prior to soil stripping and formation of storage mounds, a scheme for grass seeding and management of all storage mounds that will remain in situ for more than three months shall be submitted for the written approval of the Local Planning Authority. Seeding and management of the storage mounds shall be carried out in accordance with the approved details.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Management and Building Control has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

