

Application No: 16/5850C

Location: Land South Of, OLD MILL ROAD, SANDBACH

Proposal: Improvement of J17 Northbound slip road. Provision of new roundabout to provide access to development site, Old Mill Road and slip road

Applicant: W and S Sandbach Ltd

Expiry Date: 21-Apr-2017

### **SUMMARY**

The proposed roundabout will operationally provide an improved junction at J17 of the M6 and Old Mill Road, and will also serve the adjacent development site. The delivery of the roundabout is crucial to the delivery of the employment and housing development on the adjacent site. Without this access the matters referred to in the emerging local plan under Strategic Site CS24 cannot be delivered. These are significant benefits in terms of the planned growth of Cheshire East to 2030.

The comments received in representation are acknowledged, and the relative lack of provision for cyclists does weigh against the proposal. However, the previous approval was similarly lacking in terms of provision for cyclists, and it would therefore be unreasonable to insist on a different approach now. Notwithstanding this position, it is considered that the need to provide a strategic junction for the M6, the A534 and the proposed commercial development site is considered to outweigh the concerns relating to provision for cyclists.

Consequently no significant adverse impacts are identified and a recommendation of approval is made

### **SUMMARY RECOMMENDATION**

**Approve**

### **PROPOSAL**

This application seeks full planning permission to create a new roundabout to improve the northbound slip road and create an access into the adjacent development site.

### **SITE DESCRIPTION**

The application site comprises the existing road junction where the northbound slip roads at J17 of the M6 meet Old Mill Road, and a small section of the adjacent farmland. The site is

located within Open Countryside as identified in the Congleton Borough Local Plan First Review 2005.

## **RELEVANT HISTORY**

14/0043C - Improvement of J17 Northbound slip road. Provision of new roundabout to provide access to development site, Old Mill Road and slip road – Approved 25.04.2014

## **NATIONAL & LOCAL POLICY**

### **National Policy**

The National Planning Policy Framework (the Framework) establishes a presumption in favour of sustainable development. The Framework sets out that there are three dimensions to sustainable development: economic, social and environmental. These roles should not be undertaken in isolation, because they are mutually dependent.

### **Local Plan Policy**

Congleton Borough Local Plan First Review 2005 -

PS8 (Open countryside)

GR1 (New Development)

GR2 (Design)

GR3 (Residential Development)

GR4 (Landscaping)

GR5 (Landscaping)

GR6 (Amenity and Health)

GR7 (Amenity and Health)

GR8 (Amenity and Health - pollution impact)

GR9 (Accessibility, servicing and provision of parking)

GR10 (Accessibility for proposals with significant travel needs)

GR11 (Development involving new roads and other transportation projects)

GR14 (Cycling Measures)

GR15 (Pedestrian Measures)

GR17 (Car parking)

GR18 (Traffic Generation)

GR19 (Infrastructure provision)

GR20 (Utilities infrastructure provision)

GR21 (Flood Prevention)

NR1 (Trees and Woodland)

NR3 (Habitats)

NR5 (Creation of habitats)

### **Other Material Considerations**

National Planning Practice Guidance

Sandbach Business Park Development Brief (1989)

Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994

Cheshire East Local Plan Strategy – Submission Version

### Cheshire East Local Plan Strategy – Proposed Changes Version (CELPS)

The following are considered relevant material considerations as indications of the emerging strategy:

MP1 Presumption in favour of sustainable development  
PG1 Overall Development Strategy  
PG2 Settlement hierarchy  
PG6 Spatial Distribution of Development  
SD1 Sustainable Development in Cheshire East  
SD2 Sustainable Development Principles  
IN1 Infrastructure  
IN2 Developer contributions  
SC3 Health and Well-being  
SE1 Design  
SE2 Efficient use of land  
SE3 Biodiversity and geodiversity  
SE4 The Landscape  
SE5 Trees, Hedgerows and Woodland  
SE6 Green Infrastructure  
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

Strategic Site CS24 – land adjacent to J17 of M6, south east of Congleton Road, Sandbach

### **CONSULTATIONS**

**Highways England** – No objections subject to conditions requiring full design and construction details to be submitted

**Jodrell Bank** – No comments received, but no comments to make on previous scheme

**Cheshire Fire Brigade** – No comments received

**United Utilities** – No comments received

**Environment Agency** – No comments received

**Transco** – No comments received

**Visitor Economy Manager** – No comments received

**Public Rights of Way** – It appears unlikely that the proposal would affect the public right of way

**Environmental Health** – No comments received but no objections raised to previous scheme subject to conditions

**Head of Strategic Infrastructure** – No objections subject to conditions relating to the provision of a banksman to control the use of the field gate access points

**Sandbach Town Council** - Members fully support objections made by members of the public, Cycling UK and NFU and strongly OBJECT to the proposals based on the following grounds:

- Significant safety concern for Pedestrian and Cyclists attempting to navigate the proposed scheme.
- Access for the Farmer is unsafe. These proposals will require exiting their own land by crossing three and four lanes of heavy traffic which will be extremely dangerous.
- Vehicular activated signs will not alleviate any safety issues for farm traffic; this is a tremendously busy stretch of the road and will put all road users in great danger.
- The scheme does not alleviate existing peak time congestion on the A534; proposals to introduce a commercial exit onto the roundabout will significantly worsen the problems.
- The proposals do not manage vehicles exiting Congleton Road at peak hours, nor the incident potential for vehicles turning right into Congleton Road throughout the day.
- Poor visibility will create potential conflicts between traffic exiting the roundabout and vehicles exiting/entering the petrol station.
- The design statement used to support the application uses the PM peak as 1700 to 1800hrs. Recent experience in Sandbach indicates a PM peak between 1500 and 1600hrs.
- The design statement used to support the Application uses data 5 years out of date. Considering the developments that have taken place during this period the data must be considered invalid.
- How will the proposed Capricorn 2 hectares of mixed employment and commercial use are substituted for housing impact this?
- End of commercial entrance to the Capricorn site is unclear
- How is this to be funded?
- Cheshire East Highways appear to be dealing with traffic pinch points in isolation rather than as a whole.
- The Committee requests an independent highways expert produce a considered and thorough plan which ensures the long term safety and protection of all road users.
- All suggestion submitted by Cycling UK for Cycle and Pedestrian route improvements are fully supported.

## **REPRESENTATIONS**

10 letter of representation has been received objecting to the proposal on the following grounds:

- Scheme does nothing to alleviate congestion on A534
- Scheme does nothing to deal with vehicles exiting / entering Congleton Road
- Scheme creates potential conflicts between traffic exiting the roundabout and vehicles exiting/entering the garage due to lack of visibility.
- Recent experience in Sandbach indicates a PM peak between 1500 and 1600hrs, not 1700 and 1800hrs
- The design statement used to support the application uses data 5 years out of date

- Since then, of course, the HA pinch point scheme has been operating for some time which has made a significant difference to local traffic conditions. It has improved egress from the M6 onto the A534 and worsened the congestion on the A534 itself
- Concern about the validity of the VISSIM model used if it has any connection to the Sandbach VISSIM model which has recently been rejected by Sandbach Town Council as invalid
- Submitted layout does not indicate where the road referred to as the commercial entrance to the Capricorn site ends
- Hard to equate the data in the design statement Baseline Person Trip Generation by Mode Profiling
- Cheshire East Highways appear to be dealing with traffic pinch points in isolation rather than as a whole
- Farmer will have to cross 4 lanes of traffic to leave his farm access, which is unsafe for long, slow moving vehicles
- Site boundary includes Farmer's land
- "Slow Down" signs, operated by the farm traffic passing over loops would be inadequate
- Proposals take into account pedestrians, disabled people and cyclists in an adequate manner.
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- Proposal indicates that the northern boundary of Highway be relocated several metres to the south of the current boundary, thus effectively creating a barrier on the ground which would extinguish or dilute the access rights of the farmer and render the his land landlocked, deprived of the accessway that his business needs and currently enjoys

## **APPLICANTS SUBMISSION**

The applicant has submitted the following documents with the application: air quality assessment; noise assessment; flood risk assessment; and a transport assessment.

## **APPRAISAL**

The key issues in the determination of this application are:

- Highways safety and impact on highway network
- The character of the area

## **ENVIRONMENTAL SUSTAINABILITY**

### **Design / character**

The majority of the site (north, east and west) is designated as Open Countryside in the Congleton Borough Local Plan First Review 2005. Policy PS8 of the local plan identifies that facilities for outdoor sport, recreation and tourism, cemeteries and for other uses of land which preserve the openness of the countryside and maintain or enhance its character are acceptable.

The remaining land to the south lies within the settlement boundary where the principle of the development is acceptable.

The proposals involve engineering operations to create a roundabout, and as such will preserve the openness of the countryside. The proposal will replace the existing roundabout whilst the proposals will provide a junction on a larger scale to that which currently exists, the overall visual impact is not considered to be significantly adverse having regard to the existing conditions. Landscaping will help to mitigate some of the engineering impact of the road improvements. It is considered that the development should set the concept for a tree lined entrance and spine through the Capricorn site and landscape enhancement on the embankment of the slip road and therefore a landscape condition should be attached securing this and other landscape design proposals. Subject to this condition, the application is therefore considered to comply with policies PS8, GR1 and GR2 of the local plan.

### **Trees**

There are existing trees and lengths of hedge on the site of the proposed development. The submission is not supported by any arboricultural or hedgerow information and it is not clear from the submission what extent of tree and hedge loss would be involved. However, the trees are not formally protected on this site and the trees concerned do not appear to be of significant merit, although they are readily visible from Old Mill Road. Replacement planting could be secured by condition.

The need for the proposal in terms of the delivery of the access to the commercial aspect of the Capricorn Strategic Site is also considered to outweigh any tree and hedgerow losses.

### **Ecology**

The nature conservation officer has commented on the application and does not anticipate any significant ecological impacts. However, as noted above there will be the loss of some hedgerows. Hedgerows are a Biodiversity Action plan priority habitat and a material consideration. It is therefore recommended that appropriate native hedgerow planting should be carried out to compensate for that lost. A condition to safeguard breeding birds is also recommended.

An updated badger survey has also been requested and further details will be provided as an update.

### **Highways**

The Head of Strategic Infrastructure has provided the following comments on the proposal:

The applicant has not implemented the previously approved roundabout proposal (14/0043C) due to third party land/access issues and has submitted the revised roundabout design to provide access to phase 1 of the commercial development on the Capricorn site. The revised roundabout is located slightly further to the south of the original location and does still provide access to the phase 1 commercial development.

### Revised Roundabout Assessment

It was agreed with the applicant in the original 2014 application that the capacity assessment of the approved roundabout would be undertaken using the Highways England (HE) microsimulation model developed for the Pinch Point scheme which is the current roundabout

layout in place at J17 M6. This approach was agreed for the revised roundabout design and the layout has been re-tested using the VISSIM model by Mouchel consultants acting for Highways England. The Vissim model was updated in 2016 using traffic flow data collected in March 2016.

With regard to the capacity modelling of the revised roundabout, the applicants have submitted a Transport Assessment to support the application and in addition a further addendum report to report on the Vissim model outputs. The capacity assessments have been undertaken using the latest 2016 flows and a future year assessment in 2020 and 2030. A number of scenarios have been assessed in the peak hours that have the highest recorded flows and represent the worse case, these assessments are as follows:

- Base 2016 Network and Flows
- 2020 Base (Capricorn Phase 1 Development flows + Committed Development Flows Revised Access Roundabout scheme 14/0043C)
- 2020 Base (Capricorn Phase 1 Development flows + Committed Development Flows Revised Access Roundabout scheme 16/5850C)
- 2030 Base (Capricorn Phase 1 Development flows + Committed Development Flows Revised Access Roundabout scheme 16/5850C) HE requirement to test the SRN at J17

In assessing this application an important consideration is that permission has already been granted for a roundabout and operationally it is whether this revised design does operate satisfactorily both in capacity and design terms. The results of both the approved consented design and the revised scheme have been compared in terms of queues at the roundabout and also at local junctions affected by the roundabout access such as Old Mill Road/Congleton Road, Congleton Road/Holmes Chapel Road and Wheelock roundabout.

The queuing results for the revised roundabout indicate that overall the scheme does operate better or similar in both the AM and PM peaks in the 2020 scenario. There are some key exceptions: the approaches to the Wheelock Roundabout does experience increased queues in the PM peak although these are not a significant increase in queue length. The Congleton Road approach to Old Mill Road also has increased queues and delay in the PM peak although the delay is below the level that would be experienced if the roundabout was not constructed.

Overall, the revised roundabout design has a minor improvement benefit on the operation of the network as a whole and although there are some areas that do see increased delay these are offset by reductions in delay elsewhere. Therefore, with regard to the operational capacity of the revised application the Head of Strategic Infrastructure concludes that it is acceptable and does not have a further detrimental impact compared to the consented scheme.

The design of roundabout has been subject of a number of technical reviews; Mouchel on behalf of the HE has assessed the scheme in connection with its affect on the M6 motorway and slip roads. In addition, CEC consultants Jacobs have also assessed the scheme in terms of its conformity with highway design standards.

The roundabout layout that is the subject of the technical review is drawing IPD-16-362-115 Highway Layout Option 2 Rev H. The conclusion of the Mouchel technical report is that in principle the design is acceptable for determination of the application although further detailed design work is required. Highways England have not objected to the application subject to conditions relating to this additional detail. The Jacobs review of the roundabout design has also concluded that in principle the design can be accepted although further detailed design aspects will need to be addressed.

An important design consideration for both the consented roundabout and new revised scheme is the operation of the field gates access points to land north of the roundabout. This application provides for an area of hardstanding in grass Crete fronting the land to allow agricultural vehicles to park whilst the gates are opened. In addition, interactive signage (VAS) is provided on the eastbound approach to the roundabout on Old Mill Road to indicate the presence of slow moving agricultural vehicles. Two Road Safety audits (RSA) have been undertaken, the applicant (IPad) has submitted an audit although as this was from the applicant it has been used for information only. CEC commissioned a RSA on the submitted design and the recommendation of the audit was to provide VAS signage on the approaches to the field gate accesses. However, consideration also needs to be given for vehicles approaching from other directions on the roundabout and it is proposed that the use of the field gates are controlled by a banksman. Historically, the use of the field accesses for agricultural vehicles has been controlled by a banksman controlling traffic, this arrangement would remain but with the addition of VAS signing.

Comments received in representation relating to the ownership of this land have been raised with the applicant and further details will be provided as an update.

### Summary and Conclusions

Overall the revised roundabout layout does provide betterment to the road network and queues are generally reduced at most junctions in the AM and PM periods. There are some increased delays but these are more than offset by the reduced queues on the road network. In summary, the revised design operationally is considered not to be any worse than the consented roundabout scheme.

The location of the field gate accesses within the roundabout has proved to be a difficult problem to accommodate within the roundabout schemes. However, having undertaken a safety review, the measures to allow access to these fields by agricultural vehicles are accepted.

Consideration has been given to provide pedestrian and cycle facilities in the roundabout design but given design constraints, a shared footway/cycle facility has not been provided, although a footway has been provided on the southern side of the roundabout that links to the existing footway on Old Mill Road and also the M6 over bridge.

In principal the submitted design is considered acceptable for approval, there are some detailed design issues to be confirmed/clarified, and the provision of a banksman will be required by condition.

Highways England also raise no objections to the proposal subject to a condition requiring the submission of full design and construction details to be submitted and agreed with them.



## **Flood Risk**

The Flood Risk Assessment (FRA) submitted in support of the planning application is that prepared for the proposed mixed use development to the south (planning reference 12/3948C), which the access will serve.

The submitted FRA does not specifically encompass the road improvements proposed as part of the application; however, the flood risk issues remain the same.

In order to ensure that surface water drainage is appropriately addressed, the Environment Agency recommend conditions relating to surface water run off and managing the risk of flooding.

## **Air Quality**

Comments from Environmental Health are awaited and will be reported as an update. However an initial informal response suggests that their response will be similar to that for application 14/0043C. This response noted:

Junction 17 of the M6, Sandbach is designated as an Air Quality Management Area (AQMA) as concentrations of nitrogen dioxide (NO<sub>2</sub>) exceed European, health based limit values. The study area of the submitted Air Quality Impact Assessment encompasses the AQMA.

Dust emissions which would be expected during construction are proposed to be mitigated by a number of measures such as water suppression and cleaning. These measures would be contained within an Environmental Management Plan (EMP).

During the operational phase of the M6 northbound improvements in conjunction with planning application 12/3948C, the report confirms that there is likely to be increased exposure to airborne pollution at all receptors modelled.

Four of these receptors are within the AQMA. Environmental Health advises that that any increase of concentrations in an AQMA is considered significant as it is directly converse to their local air quality management objectives. Mitigation has therefore been recommended as part of planning application 12/3948C to help safeguard residential amenity, public health and manage the cumulative impacts of development in the area.

On balance, Environmental Health raises no objection to this application subject to the mitigation proposed in the linked application 12/3948C being implemented.

## **Amenity**

There are no residential properties within close proximity of the application site. As such, no significant amenity issues are raised.

## **ECONOMIC SUSTAINABILITY**

With regard to the economic role of sustainable development, the proposed development will facilitate the delivery of commercial and residential uses on the wider Capricorn site. Securing a strategic access into this site will help to maintain a flexible and responsive supply of land for housing and employment uses as well as bringing direct and indirect economic

benefits to Sandbach town centre including additional trade for local shops and businesses (in closer proximity to the site than the town centre), jobs in construction and economic benefits to the construction industry supply chain.

## **SOCIAL SUSTAINABILITY**

As noted above, the proposal will facilitate the delivery of commercial and residential uses on the wider Capricorn site, and as such will support the delivery of the social benefits secured under planning permissions on that site, including employment opportunities, affordable housing and open space.

## **PLANNING BALANCE AND CONCLUSION**

The proposed roundabout will operationally provide an improved junction at J17 of the M6 and Old Mill Road, and will also serve the adjacent development site. The delivery of the roundabout is crucial to the delivery of the employment and housing development on the adjacent site. Without this access the matters referred to in the emerging local plan under Strategic Site CS24 cannot be delivered. These are significant benefits in terms of the planned growth of Cheshire East to 2030.

The comments received in representation are acknowledged, and the relative lack of provision for cyclists does weigh against the proposal. However, the previous approval was similarly lacking in terms of provision for cyclists, and it would therefore be unreasonable to insist on a different approach now. Notwithstanding this position, it is considered that the need to provide a strategic junction for the M6, the A534 and the proposed commercial development site is considered to outweigh the concerns relating to provision for cyclists.

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Application for Full Planning

**RECOMMENDATION:** Approve subject to following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Landscaping - submission of details
4. Landscaping (implementation)
5. Design and construction details to be submitted
6. Scheme to limit the surface water runoff to be submitted
7. Scheme to manage the risk of flooding from overland flow of surface water to be submitted
8. Environmental Management Plan to be submitted
9. Breeding birds survey to be submitted
10. Banksman to be provided

