

WARD:

107928/ART16/22

DEPARTURE: Yes

Article 18 consultation from Cheshire East Council in relation to 22/0872M Erection of a Motorway Service Area (MSA), demolition of all existing buildings except for the retention and conversion of one residential building (existing farmhouse) for MSA operational purposes, including associated access and comprising of 3no. buildings (Amenity Building, MSA Hotel and Fuel Filling Station including photovoltaics and required substations), 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

Land Between Junctions 7 And 8 Of The M56, WA14 3SD

APPLICANT: Tatton Services Ltd

AGENT: Pegasus Group

RECOMMENDATION: NO OBJECTION

The application is reported to the Planning and Development Management Committee so Members may consider the impacts of the proposal and a response on behalf of the Council issued to Cheshire East Council.

SITE

The site is within the administrative area of Cheshire East Council, to the south of Trafford and adjacent to the M56 motorway directly between junctions 7 and 8. The site extends to 15.78 ha and comprises a farmhouse and group of farm buildings, agricultural land and woodland. The farmland is currently utilised for cattle and sheep grazing. Access to the site is from Yarwoodheath Lane which is off the Bowdon south roundabout. The site lies within the Green Belt.

PROPOSAL

This is a consultation under Article 18 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 from Cheshire East Council in relation to a planning application for the erection of a Motorway Service Area (MSA) (Cheshire East reference no. 22/0872M). The application site lies entirely within the administrative boundary of Cheshire East Council. Whilst the site is not in the Borough, its proximity and the nature of the proposed development has the potential to impact on Trafford.

The application seeks full planning permission for a new MSA located on the northern side of the M56, with access for both eastbound and westbound motorway traffic from the Bowdon south roundabout. Access to the MSA would also be possible from the A56 to the north and the A556 to the south, also via the Bowdon south roundabout.

The proposed facility comprises an Amenity Building with farm shop and kitchen, 100-bedroom hotel, fuel barn/filling station, 655 car parking spaces, 58 HGV spaces plus spaces for coaches and for caravans/motorhomes, cycle and motorcycle parking and 92 staff parking spaces. Other associated works include access, service yard, open space, landscaping and planting, drainage, vehicular circulation, pedestrian and cycle links (including diversion of cycle track) and earthworks/enabling works. All existing buildings on the site are to be demolished with the exception of the existing farmhouse which will be retained for MSA operational purposes.

The proposed Amenity Building has a Gross Internal Area (GIA) of 6,292 sqm and includes a farm shop and kitchen incorporating facilities for the sale and consumption of hot and cold food and beverages on and off the premises; toilets, hand washing facilities; tourist information point; staff areas including kitchen, catering storage, staff rooms, retail storage, refuse areas and office space. The proposed building is single storey with a mezzanine and has an overall height of 9.4m. It would be of rammed earth and timber rainscreen panel construction with a profiled pitched roof in metal and solar panels on the south facing slopes. The proposed hotel has a GIA of 4,009 sqm and will provide 100 bedrooms with supporting ancillary uses. The hotel is two storeys with a mezzanine deck and would be 11.4m high. A kitchen garden is proposed next to the Amenity Building and hotel to provide an outside amenity space and other incidental open space will also be situated around the buildings. The main parking facilities and the fuel barn are proposed on the south side of the main buildings.

DEVELOPMENT PLAN

The Development Plan in Cheshire East comprises:

- Cheshire East Site Allocations and Development Policies Document
- Cheshire East Local Plan Strategy 2010-2030
- Macclesfield Borough Local Plan

For the purposes of this consultation the Development Plan in Trafford comprises:

- The **Trafford Core Strategy**, adopted 25th January 2012; The Trafford Core Strategy is the first of Trafford's Local Development Framework (LDF) development plan documents to be adopted by the Council; it partially supersedes the Revised Trafford Unitary Development Plan (UDP), see Appendix 5 of the Core Strategy.

- The **Revised Trafford Unitary Development Plan** (UDP), adopted 19th June 2006; The majority of the policies contained in the Revised Trafford UDP were saved in either September 2007 or December 2008, in accordance with the Planning and Compulsory Purchase Act 2004 until such time that they are superseded by policies within the (LDF). Appendix 5 of the Trafford Core Strategy provides details as to how the Revised UDP is being replaced by Trafford LDF.

PRINCIPAL RELEVANT CORE STRATEGY POLICIES

L4 – Sustainable Transport and Accessibility
 L5 – Climate Change
 L7 – Design
 W1 – Economy
 W2 – Town Centres and Retail
 R1 – Historic Environment
 R2 – Natural Environment
 R3 – Green Infrastructure
 R4 – Green Belt, Countryside and Other Protected Open Land

PROPOSALS MAP NOTATION (Land within the Trafford administrative area in the vicinity of the application site)

Green Belt
 Area of Landscape Protection.
 Sites of Importance for Nature Conservation
 Wildlife Corridors
 Scheduled Ancient Monument

PRINCIPAL RELEVANT REVISED UDP POLICIES/PROPOSALS

C4 – Green Belt
 ENV17 – Areas of Landscape Protection

PLACES FOR EVERYONE (FORMERLY GREATER MANCHESTER SPATIAL FRAMEWORK 2020)

Places for Everyone (PfE) is a joint Development Plan Document being produced by nine Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan). Once adopted, PfE will be the overarching development plan, setting the policy framework for individual district Local Plans. The PfE was published for Regulation 19 consultation from 9th August 2021 to 3rd October 2021 and was submitted to the Secretary of State for Levelling Up, Housing and Communities on 14 February 2022. Independent Inspectors have been appointed to undertake an Examination in Public of the PfE Submission Plan and the hearings commenced in November 2022. Whilst PfE is at an advanced stage of the plan making process, for the purposes of this application it is not yet advanced enough to be given any meaningful weight, such that it needs consideration in this report.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The DLUHC published the latest version of the National Planning Policy Framework (NPPF) on 20 July 2021. The NPPF will be referred to as appropriate in the report.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

DLUHC published the National Planning Practice Guidance on 6 March 2014, and was last updated on 25th August 2022. The NPPG will be referred to as appropriate in the report.

NATIONAL DESIGN GUIDE

This document was published by the Government in October 2019 to illustrate how well designed places can be achieved in practice. It forms part of the Government's collection of planning practice guidance and will be referred to as appropriate in the report.

RELEVANT PLANNING HISTORY

None relevant

APPLICANT'S SUBMISSION

The application includes an Environmental Statement, Planning Statement, Design and Access Statement, Transport Assessment and various other supporting technical documents. The Environmental Statement includes chapters on the following environmental topics: -

- Socio Economics
- Landscape and Visual Issues
- Ecology and Nature Conservation
- Archaeology and Heritage
- Agriculture and Soils
- Ground Conditions
- Water Resources
- Transport and Access
- Noise and Vibration
- Air Quality

A Retail Policy Response and subsequent information has been submitted in response to comments made by Officers in respect of the proposed retail, leisure (food and beverage) and hotel elements of the proposal.

CONSULTATIONS

Heritage & Urban Design Manager – Comments incorporated in the heritage section of the report below.

LHA – No objections in principle and comments summarised below.

Pollution and Housing (Air Quality) – Satisfied with the information provided and the conclusion of the air quality assessment in relation to negligible impact at sensitive receptors. No further comment or objections in relation to air quality.

Strategic Planning – No comments received.

REPRESENTATIONS

All representations submitted to Cheshire East Council (although one letter of objection has also been submitted to Trafford Council).

OBSERVATIONS

GREEN BELT

1. The site is located within the Green Belt. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being their openness and their permanence (paragraph 137). It sets out the five purposes of Green Belt which are to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns from merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns and; to assist in urban regeneration, by encouraging the recycling of derelict and other urban land (paragraph 138).
2. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances' (paragraph 147). When considering any planning application, 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 (paragraph 148). A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt and none of the exceptions identified in the NPPF are applicable to the proposed development.
3. Policy R4 of the Trafford Core Strategy states that the Council will protect the Green Belt from inappropriate development and that new development in the

Green Belt will only be permitted where it is for one of the appropriate purposes specified in national guidance, where the proposal does not prejudice the primary purpose of the Green Belt set out in national guidance by reason of its scale, siting, materials or design, or where very special circumstances can be demonstrated in support of the proposal. Policy PG3 of the Cheshire East Local Plan Strategy states that within the Green Belt planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy.

4. The proposed development is inappropriate development in the Green Belt. The site area extends to approximately 16ha and the development includes a significant quantum of development, including buildings, hardstanding and roads in part of the Green Belt which is free of development other than the existing group of farm buildings. The proposals would significantly increase the amount of built form on the site in comparison to the existing buildings and provide extensive areas of parking, resulting in harm to the openness of this part of the Green Belt.
5. In support of the application the applicant considers that the proposals would result in relatively limited harm to openness and that very special circumstances exist that would outweigh the harm to the Green Belt.
6. The applicant's submission has considered the proposal in terms of its impact on the spatial and visual aspects of openness (reflecting guidance in the NPPG) and the potential for impact on the purposes of the Green Belt. In summary the applicant considers there would be relatively limited harm to openness and in relation to the Green Belt purposes. Whilst the site encroaches into the countryside, it is within the context of the existing Strategic Road Network which exerts a heavy influence on the site. As set out in the LVIA, landscape sensitivity is reduced to 'medium' based on the extensive influence of road infrastructure. The applicant's assessment concludes that given the reduced sensitivity, sensitive design and landscape mitigation, there is a moderate effect upon a relatively limited area of Green Belt giving rise to limited visual impacts.
7. With regards very special circumstances the applicant considers there to be a gap in services provision on the motorway network and that this, together with the relatively limited harm to the Green Belt, amounts to very special circumstances. The Department for Transport Circular 02/2013 'The Strategic Road Network and the Delivery of Sustainable Development' provides guidance with regard to maximum distances between motorway service areas and states that this should be "*no more than 28 miles*" (or 30 minutes driving time), also advising that this distance can be shorter (Paragraphs B6 and B7 of Annex B). The Circular states these that distances are considered to be in the interests and for the benefit of all road users regardless of traffic flows or route choice.

8. The applicant has identified that on this part of the Strategic Road Network there are 20 gaps that exceed 28 miles between MSA provision on 10 routes, as well as 8 HGV gaps. A MSA at the application site would reduce the remaining gaps down to 7 in total on 4 routes (3 gaps in two directions on 3 routes and 1 gap in one direction on one route) and would remove 4 existing gaps in HGV parking and amenity provision with the remaining 4 being consolidated within the 7 MSA gaps. The applicant therefore considers the proposed location provides significant benefits in meeting a need for a MSA and a need for HGV parking; and is the most preferable site when compared to other reasonable alternatives as it both addresses the most gaps with also the least environmental impacts. Alternative sites have been considered in an Alternative Sites Assessment Report included with the application. The applicant considers that meeting the 'safety and welfare need' for a MSA that exists in this location, along with other identified benefits, clearly outweigh the harm to the Green Belt by reason of inappropriateness and other harms and that very special circumstances exist for the proposed development.
9. The Green Belt that lies within the administrative area of Trafford would not be directly affected by the proposed development, since no part of the application site is within or directly adjoining Trafford. Furthermore the application site and the Borough are separated by the A556 and slip-roads on and off the M56 and by agricultural land. Nevertheless the openness of this part of the Green Belt, irrespective of local authority boundaries, would be harmed by the proposal. With regards very special circumstances, it is considered that the applicant has demonstrated a need for a MSA in this location when having regard to the advice in DfT Circular 02/2013. Whether or not this need amounts to very special circumstances that clearly outweigh the harm to the Green Belt is a matter for Cheshire East Council given the application site and area of Green Belt directly affected lies entirely within the administrative area of Cheshire East.

LANDSCAPE AND VISUAL IMPACT

10. The adjacent land within Trafford is Green Belt and designated an Area of Landscape Protection. The landscape designation identified in the Landscape Strategy SPG includes land within the 'Wooded River Valley' and 'River Meadowlands' Landscape Types closest to the site. The 'Wooded Claylands' and 'Wooded Estatelands' Landscape Types are also near to the site. The potential visual impact of the development from viewpoints within Trafford is a key issue from a Trafford perspective. The proposed buildings, car park and lighting will potentially be visible from distance and in a rural context devoid of large-scale built development.
11. The proposed Amenity Building would be 9.4m high, which the application states is below the 12m maximum height set out in the 'Zone of Theoretical Visibility' to reduce the potential for buildings to be seen from wider viewpoints in the vicinity of the site. This is also consistent with the height of existing buildings, including

the retained farmhouse. The visual impact would also be mitigated to some extent by existing and proposed landscaping; the proposals would retain the existing area of woodland buffer mix planting on the north edge of the site; native buffer mix of new planting is proposed on the east and west edges of the site; and semi-mature tree planting is proposed throughout the site including on the north side.

12. The application includes a Landscape and Visual Impact Assessment (LVIA) which has assessed the potential impact of the development from the surrounding area and which includes a number of viewpoints from within Trafford, including at Dunham Massey Park and Garden, the Bollin Valley Way close to Watch Hill Scheduled Ancient Monument and in Bowdon. The assessment concludes that the total extent of the landscape and visual effects would be localised and limited in nature given the existing context of the surrounding road infrastructure and the high quality design and mitigation proposals. It states that although some inevitable landscape and visual effects would occur, the long-term significant effects are restricted to the direct physical effects on the land use of the site and 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 proposals surrounding the proposed development.
13. The application describes existing landscaping along the northern side of the site (opposite the Trafford boundary) as 'existing area of woodland buffer mix planting retained', however it is evident that this existing planting provides only limited screening of the application site at present and even as it matures in future years there are gaps from where parts of the proposed development would be visible from the north (including from the A556 adjacent to the site, the slip-roads on and off the M56 and potentially from public footpaths and land north of the site). It is considered that additional tree planting in this area would minimise the harm the proposals will have on the landscape in this otherwise rural context. Subject to additional tree planting it is considered that the proposal would not have a landscape or visual impact from a Trafford perspective that would warrant an objection to the proposal, having regard to the combination of its distance from sensitive viewpoints, the effect of existing and proposed screening, and the immediate context of the site comprising road infrastructure (including the A556 and associated slip roads on and off the M56), bridge structures, lighting columns, pylons and overhead power lines.
14. Prior to submission of the application Officer's raised concern over the rectangular footprint of the main building and the impact such a structure is likely to have from potential viewpoints and in the landscape generally given its size. Officer's suggested that if the building were broken up into a series of smaller, linked buildings i.e. to appear as a collection of farm buildings, it would be likely to have a lesser and potentially more acceptable impact in the landscape. A series of linked buildings would also better reflect the rural character of its

surroundings, where an informal arrangement of buildings is typical of farmsteads in the surrounding area. There is a successful example of this approach in a recent development at Dunham Massey not far from the site, albeit on a smaller scale where a series of linked buildings rather than a large single building on a rectangular or square footprint has been built. The proposals as submitted do not reflect this suggestion, nevertheless given the findings of the LVIA as summarised above, which are accepted, and having regard to the site context and the existing and proposed landscaping (including the additional landscaping as discussed above), it is considered that the proposals are acceptable in respect of landscape and visual impact subject to additional planting as suggested above.

IMPACT ON TOWN AND OTHER CENTRES

15. The proposed development includes elements of retail, leisure (which includes food and beverage uses) and hotel development, all of which are identified as main town centre uses in the NPPF. The NPPF states that local planning authorities should 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. It states main town centre uses should be located in town centres, 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 (paragraph 87). It further states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre.
16. The NPPF goes on to require an impact assessment for retail and leisure development outside town centres which are not in accordance with an up-to-date plan and if the development is over a locally set threshold, or if there is no locally set threshold the default threshold is 2,500m² gross floorspace (paragraph 90). This should include assessment of:
 - a) *the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and*
 - b) *the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme)."*
17. The NPPF states that where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 90, it should be refused (paragraph 91).
18. Policy W2 of the Trafford Core Strategy states that outside of the centres identified in the policy there will be a presumption against the development of

retail, leisure and other town centre-type uses except where it can be demonstrated that they satisfy the tests outlined in current Government Guidance. Policy EG5 of the Cheshire East Local Plan Strategy indicates that town centres will be promoted as the primary location for main town centre uses, including retail, leisure, cultural and office development, and that that the sequential and impact tests will be of relevance to proposals for main town centre uses.

19. A Motorway Service Area (MSA) itself is logically not identified as a main town centre use given the need to be located adjacent or near to a motorway, nevertheless the retail, leisure and hotel elements have the potential to be harmful to nearby town centres, since they may attract customers who would otherwise utilise such facilities in nearby town centre or edge of town centre locations. Importantly the NPPF at footnote 44 recognises that *“The primary function of roadside services should be to support the safety and welfare of the road user”*.

20. The Department for Transport Circular 02/13 ‘The strategic road network and the delivery of sustainable development’ is also of relevance to the proposed development. Paragraph B29 of Annex B relating to roadside facilities for road users on motorways states the following:

“The scope and scale of retail activities at roadside facilities is a matter for consideration by the relevant local planning authority in line with the National Planning Policy Framework and local planning policies. However, local planning authorities should have regard to the primary function of roadside facilities which is to support the safety and welfare of the road user”.

Paragraph B30 similarly confirms that the consideration of hotel uses within roadside developments will also be undertaken with reference to national and local planning policy requirements.

21. Having regard to the policies and guidance summarised above, the scope and scale of the proposed retail and leisure facilities should therefore be restricted to that necessary for the MSA to maintain its primary function to support the safety and welfare of the road user.

Sequential Test

22. In practice, it is accepted that the principal purpose of the proposed development is to cater for needs which arise from those travelling on the highways network. In this regard, paragraph 012 of the Town Centres and Retail Planning Practice Guidance is considered relevant:

“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.”

23. It is accepted that roadside service provision has a very particular locational requirement, i.e. it needs to be close to the vehicular traffic it is intended to serve. It is also accepted that the principal purpose of the proposed development is to cater for car-borne customers travelling along the M56 and the wider highways network. As such, it is not considered any site within or well-connected to a centre could support the proposed development even when allowing for appropriate flexibility in respect of the development's format and scale. The proposal responds to a 'location specific' need and accords with the requirements of paragraphs 87 and 88 of the NPPF on this basis.

Impact Assessment

24. The proposed Amenity Building includes a farm shop and kitchen, incorporating facilities for the sale and consumption of hot and cold food and beverages on and off the premises. The building has a gross internal area of 6,292 sqm, of which the applicant has advised that circa 998 sqm is retail floorspace including the farm shop and kitchen that provide facilities for "*sale and consumption of hot and cold food, and beverages on and off the premises*". A 'kitchen garden' is proposed adjacent to the Amenity Building and MSA Hotel which is to provide a generous space focused around dining. The proposed MSA would therefore provide for a significant quantum of 'main town centre uses'.

25. It is also noted that the MSA would be operated by Westmorland Limited. Westmorland's existing MSAs comprise Tebay, Gloucester and Cairn Lodge, and are something of a unique proposition in respect of the type of produce and experience available. The Planning Statement identifies that: "*Westmorland's MSAs are unique in their industry, without franchises. Instead, their MSAs are supported by Farmshops and Kitchens entirely curated and produced by the Westmorland Family, with homemade food and produce from local suppliers. Westmorland strive to be a meaningful part of the community in which their MSAs are located; socially, economically and environmentally*". It is also noted that the Planning Statement goes on to identify that the economic and employment impacts associated with the development include: serving over 4 million customers per annum; an estimated turnover of £36m per annum; supporting 325 jobs; and supporting 120 local suppliers within 30 miles of the site, and a further 70 regional suppliers within the North West region. The proposal therefore clearly represents a very substantial operation with a significant turnover. There is also a significant level of employment associated with the proposal, and this too could result in some trade diversion away from existing operators within the area by virtue of the number of local people on site and the likelihood of them making food retail purchases to eat later at home.

26. The proximity of the proposed MSA to Bowdon, Altrincham and Hale and the relatively easy accessibility to the site from these areas i.e. a short car journey that could be made without needing to enter the motorway network, is such that there is potential for residents in these areas to use the retail and leisure facilities when they may have otherwise used facilities in existing town and other centres in Trafford. Given the scale and nature of the proposed retail and leisure offer, its proximity to Altrincham, Hale and Hale Barns and their catchment areas, and its relative easy accessibility from these areas, it is considered likely the MSA would attract some custom from these areas, both from a retail and a food and beverage perspective. There is concern that the proposed MSA, in addition to serving its main purpose as a facility for motorway users, could also function as a 'destination' for residents in nearby areas and consequently divert some trade away from the existing centres of Altrincham, Hale and Hale Barns.
27. The applicant has stated that the proposed MSA is not a main town centre use and is a sui generis use and that such facilities always include an element of retail, restaurants, and resting facilities. The applicant considers such uses should not be disaggregated from the whole scheme and be considered as 'main town centre uses' and should instead be seen in the context of the overall scheme. Nevertheless for completeness and reassurance the applicant has submitted a 'Retail Policy Response' and supplementary information to assess the impact of the proposals. This confirms that there will be new and diverted trade to the proposed MSA. It states 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 impact assessment calculates that there will be a less than 1% impact of the development on nearby centres. It states any trade that may be diverted from nearby town centres would not be a result of a dedicated shopping or leisure trip to the MSA, instead a small amount of trade that happens to be diverted would be as a consequence of local residents utilising the MSA prior to entering/exiting the Strategic Road Network to either refuel or utilise the toilets and in the process also purchasing a retail item in passing. However, it is anticipated the vast majority of customers to the MSA will have travelled from further afield rather than the local area. On that basis the diversion of locally available retail and leisure provision is expected to be negligible. Health checks have been completed of the nearby centres which highlights that the town centres are all vital and viable serving an important role as local retail, leisure, and service destination for their surrounding areas. Therefore, given the health of the centres and limited trade diversion, the applicant says the proposals will not result in a significant adverse impact on any nearby centres and as such is considered to fully accord with the relevant impact tests.
28. The retail and leisure impact assessments have been reviewed by consultants on behalf of the Council to advise on the potential impact on town and other centres

in Trafford. This review concludes with regard to the first part of the NPPF impact test, that the proposed development would not lead to an adverse impact in respect of any existing, committed and planned public and private sector investment. In terms of the second part of the test (relating to the vitality and viability of town centres), the review of the applicant's submission has confirmed that impacts arising within Trafford's centres would be low. Key centres (namely Altrincham, Hale and Bowdon) are generally healthy and would not be the subject of any material decline as a result of the proposed development. The consultants advising the Council are therefore satisfied that the impact associated with the proposal would not be of a 'significant adverse' magnitude and that the proposal accords with the NPPF impact test. For the abovementioned reasons, the proposal is consistent with relevant Cheshire East and Trafford development plan policy insofar as it relates to town centres and as such, Trafford Council would have no grounds to object to the proposal on retail and town centre planning policy grounds.

29. The assessment has considered the application on the basis of the use of the Amenity Building as prescribed by Section 7.6 of the applicant's Design and Access Statement. Given this, it is recommended that Cheshire East Council considers the use of restrictive floorspace conditions to ensure that the proposed development trades in practice in the broad manner suggested by the applicant in its submission.
30. The proposals also include a 100-bed hotel, with a gross internal floor area of 4,009 sqm. Hotels are identified as main town centre uses in the NPPF, with the default position being that these should be directed towards main town centre and edge of town centre sites to ensure the continued vitality of these places. Whilst its main clientele would primarily be motorists using the Strategic Road Network, the hotel could also be used by people visiting the area or using the airport who may otherwise have stayed at hotels in the Altrincham, Hale and Bowdon area and therefore take some trade away from existing hotels.
31. Nevertheless, it is considered that the proposed hotel will principally serve motorists travelling along (and close to) the M56 and the surrounding motorway network. The hotel may also be attractive to those using Manchester airport. As such, it is accepted that the hotel element of the development will principally compete against other hotels which are well located in respect of those locational requirements. This includes hotels such as the Ibis at Lymm Services, the Premier Inn at Knutsford Services, and the numerous hotels in proximity to Manchester airport. In short, the hotel will principally compete against other out of centre destinations and it is accepted that there will be no significant adverse in-centre impacts arising from this element of the development.

IMPACT ON HERITAGE ASSETS

32. The application site lies within the setting of a number of designated heritage assets in Trafford as follows: -

- Dunham Massey Estate which includes numerous listed buildings (Grade I, II* and II) and is a Registered Park and Garden (Grade II*). Listed buildings at Dunham Massey include those at Home Farm which are closest to the site.
- Watch Hill Scheduled Ancient Monument
- Bowgreen Farmhouse (Grade II)
- West Bank Farmhouse (Grade II)
- Bowdon Conservation Area
- The Devisdale Conservation Area

The site also lies within the setting of a number of non-designated heritage assets including Watlingford on Dunham Road.

33. Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 advises; *“In considering whether to grant listed building consent or planning permission for any works the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”*.

34. Policies R1 and L7 of the Trafford Core Strategy apply. Policy R1 states that all new development must take account of surrounding building styles, landscapes and historic distinctiveness and that developers must demonstrate how their development will complement and enhance existing features of historic significance, including their wider settings, in particular in relation to conservation areas, listed buildings and other identified heritage assets. This policy does not reflect case law or the tests of ‘substantial’ and ‘less than substantial harm’ in the NPPF. Whilst R1 is inconsistent with the NPPF it is not considered to be out-of-date for the purposes of the determination of this planning application. The following extract from Policy R1 is particularly relevant to the proposal; *“Trafford’s historic environment makes a major contribution to the attractiveness and local distinctiveness of the Borough. Heritage assets are buildings, monuments, sites, or landscapes of historic, archaeological, architectural or artistic interest whether designated or not. The significance, character, and appearance of these heritage assets are qualities that will be protected, maintained and enhanced.”*

35. The requirements of the NPPF including paragraphs 195, 197, 199-200 and 202-203 should also be taken into account. In particular paragraph 195 states LPAs should take the particular significance of any heritage asset into account *“to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal”*.

36. The Heritage Baseline assessment is noted and supports the Cultural Heritage Environmental Statement chapter of the ES. As the ES acknowledges using the

ICOMOS criteria to define significance, impact and effect results in some limitations to the assessment. It is also noted that no views for the SZTVs were assessed from the summit of Watch Hill.

37. With regard to the impact on Dunham Park, the ES concludes that there will be *“no change, which results in a neutral effect to Dunham Massey”*. The Council’s Heritage and Urban Design Manager is in agreement with this assessment and considers that the intervening distance, topography and existing vegetation is sufficient to obscure the development. It is noted the National Trust has also responded to the proposal and agree that no significant effects are predicted in regard to the estate.
38. Watch Hill motte and bailey castle Scheduled Ancient Monument (SAM) is in close proximity to the site and occupies an elevated position on a promontory. Watch Hill is the closest designated heritage asset to the application site and Trafford’s only SAM. The designation affords views to the south including the River Bollin and the application site which contribute to its significance. It is acknowledged these views are heavily filtered by mature vegetation when in leaf. The ES states that *“As part of the LVIA assessment work and to aid the heritage assessment, a viewpoint was taken from the public footpath running to the immediate south of the motte earthwork...The viewpoint could not be taken from the summit of the motte as this was not publicly accessible, however the VP gave an indication that what was visible from this location would also be visible from the summit to a greater extent given the surviving height of the mound”*.
39. The ES identifies that some of this view is interrupted by the existing road network and associated earthworks, however, it is agreed that there will be some minor adverse effect from the proposal particularly from the summit. The harm identified to the setting [indirectly] of Watch Hill is considered to be minor and this is considered to be at the lower end of the scale of ‘less than substantial harm’ [para 202 NPPF]. In order to meet the requirements of paragraph 195 of the NPPF *“to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal”*, it is considered that further landscaping should be provided on the northern side of the site. This further landscaping, comprising tree planting, would provide more effective screening of the MSA building, hotel and large car park in views from the north, which would reduce the harm to the setting of Watch Hill SAM. It is therefore recommended that any permission granted by Cheshire East Council includes a condition requiring the submission and approval of a landscape scheme and its subsequent implementation.
40. Bowdon and The Devisdale Conservation Areas are both to the north of the application site. There are important views from elevated positions within the Bowdon Conservation Area in particular that overlook the Bollin valley and Cheshire plain. The Bowdon Conservation Area Appraisal (CAA) notes that *“Bowdon enjoys beautiful views out of the Conservation Area over the Cheshire*

plain and the church spire is a landmark within a view into the Conservation Area from the A56 and other points. The topography, with the church on the summit of the hill, lends itself to a number of other views within the Conservation Area". The Key Views and Vistas identified in the CAA include "... from the south side of the church there are views out across the Cheshire plain and views back to the church from as far away as the M6".

41. The Archaeology and Heritage chapter of the ES concludes that the impact of the proposed development on both Bowdon and The Devisdale Conservation Areas would be *"no change resulting in a neutral effect"*. The ES has considered the potential impact of the proposed development from the key views identified in both Conservation Area Appraisals and states that there would be no visibility from these key views due to the intervening vegetation and topography. It states the key view identified in the CAA from the churchyard of the Church of St Mary in Bowdon would not be affected by the proposed development. It notes that there is the possibility of glimpses of the proposed development from within individual gardens along the southern edge of both Conservation Areas, however this is unlikely given the level of vegetation between the area and the site and in any event this would not cause any change to the special character of the Conservation Areas or diminish any elements which contribute to their significance. The conclusions of the ES are accepted that there will be no change resulting in a neutral effect on these heritage assets due to the intervening distance, topography and existing vegetation.
42. Similarly with regard to Watlingford, the conclusion of the ES is accepted that there will be no change resulting in a neutral effect on the heritage asset, this again is due to the intervening distance, topography and existing vegetation.

HIGHWAYS AND TRANSPORTATION

43. Paragraph 109 of the NPPF states that *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*.
44. The highway and traffic issues associated with the proposed development are considered in the Transport and Access chapter in the ES and Transport Assessment (TA). The TA concludes that mitigation is required at both Bowdon roundabouts to accommodate the forecast trips associated with the proposed MSA and that the traffic impact of the proposed development can be accommodated at the TA study area junctions with the mitigation scheme in place and that the proposals would not be detrimental to the operation of the local highway network. The proposed mitigation comprises various works at the two Bowdon roundabouts, including alterations to the geometry, signals and increasing the number of lanes on the approach to each roundabout.

Access

45. Access to the proposed MSA would be from Yarwoodheath Lane which is proposed to be upgraded and realigned from the Bowdon southern roundabout, which is outside of the Trafford boundary. All traffic would use this access; this includes eastbound and westbound motorway traffic and traffic from the A56 and A556. Improvements to the existing shared footway/cycleway are proposed as part of highway works to the Bowdon roundabouts, however the LHA comment the proposals lack details how these are connected to the wider existing network (considered further below).

Traffic Impact

46. The TA indicates the methodology set out in the report for trip generation, distribution and assignment is in accordance with the Scoping Note agreed between Cheshire East Council, Trafford Council and National Highways. The LHA has been consulted on the application and initially reiterated the concerns and recommendations raised by National Highways on the TA, as detailed in their initial response to Cheshire East Council. It is understood National Highways has since lifted their holding response and recommended that conditions should be attached to any planning permission that may be granted. The LHA has since confirmed they have no further comments.

Parking Arrangements

47. The TA indicates that the DfT Circular 02/2013 has been used to determine the level of parking required at the proposed MSA. The minimum parking requirements for different types of vehicles has been calculated on the basis of the table 'Parking requirements at motorway service areas' within DfT Circular 02/2013.

Active Travel and Travel Plan

48. Whilst the primary purpose of the MSA is to cater for drivers using the motorway, it is considered that opportunities for staff to cycle or walk to the site should be considered and improvements for cyclists and pedestrians provided where feasible. Public transport should also be considered. Accessibility to the site from Trafford by modes other than the car is currently poor, with no continuous footpath or cycle route along the A56 to get to Yarwoodheath Lane and no public transport provision. The LHA comment they would expect details of how improved existing and proposed footway/cycleway are connected to a wider existing network, in particular from Bowdon to the development site.

49. The application includes improvements to pedestrian and cyclist facilities along Yarwoodheath Lane, comprising a 3m wide shared pedestrian/cycle route from the Bowdon south roundabout alongside and segregated from the road.

Pedestrian and cyclist access into the site which is separate from the proposed vehicle access is also proposed. The submitted drawings also indicate the existing shared footway/cycleway between the northern and southern Bowdon roundabouts will be improved as part of the highway works. Whilst these improvements are welcomed, the fact that existing pedestrian and cycling infrastructure along the A56 is poor means that in isolation the improvements will have limited benefit.

50. The applicant has stated that the footway/cycleway proposal is proportionate to the requirements of the MSA, as pedestrian movements on this link will be very limited given the long distances to the nearest residential areas and services and facilities. In addition, although separate from the planning application, the applicant has advised that they are keen to support the creation of wider cycle linkages (notably a link between Trafford and existing facilities south of the M56) and they are exploring options with stakeholders such as National Highways, HS2, Trafford Council and Cheshire East Council.

51. Whilst further improvements to cycle and pedestrian infrastructure would be desirable it is acknowledged that this would not be proportionate to the impact of the scheme, which by its nature is primarily to cater for users of the motorway network, and those travelling on foot or cycle would be limited. For example it is considered too onerous to expect the applicant to fund new or improved cycle and footway infrastructure along Dunham Road (A56) as part of the proposal.

52. A Framework Travel Plan (FTP) has been submitted although this only suggests measures and incentives that could be adopted for the site-specific Travel Plan (TP) and does not set targets. The LHA advise that a site-specific TP which sets out targets is required and which should include realistic, measurable targets to promote the use of sustainable transport options and reduce car use, in particular single occupant vehicle trips. The LHA reiterate the concerns and recommendations raised by National Highways on the FTP as summarised as below:

- The applicant to confirm the amount of money to be set aside for the Sustainable Travel Fund and demonstrate that it would be sufficient to fund such a service.
- Investigate the potential for a private bus service on appointment of staff in the lead to opening of the site.
- Appoint the TPC before implementation of the FTP so that they are properly involved from the start.

53. The applicant has since advised that the FTP has been prepared as an overarching TP given that details such as the location of end users (i.e. employees) are unknown at this time, as are details such as shift patterns etc., which prevents the preparation of a full TP at this stage. A full/detailed TP will be

prepared and submitted prior to occupation. This will allow for an appropriate and meaningful strategy to be properly planned for.

Public Rights of Way

54. Yarwoodheath Lane is gated off to vehicles and is designated as a Cycle Track (with public rights for pedestrians and cyclists, and private vehicle rights). There are also a number of Public Rights of Way (PRoW) in the vicinity of the site within Cheshire East. The nearest PRoW in Trafford include Bowdon numbers 5, 17 and 18 and these would not be directly affected by the proposed development.
55. The LHA advise that the right of way should remain open for public use during construction if possible. Should it be necessary for safety reasons for the applicant to seek temporary closure or diversion of the path during the construction of the works, a Temporary Traffic Regulation Order is required. The developer should also put measures in place to ensure the surface of the right of way is not damaged by the development and should damage occur carry out repairs to the satisfaction of the LHA.

Conditions

56. The LHA recommend a condition requiring a Construction Method Statement to ensure appropriate details are agreed before works start on site to minimise disturbance and nuisance to nearby property and users of the highway.

AIR QUALITY

57. The Council's Pollution and Housing section has reviewed the air quality assessment provided in support of the application and are satisfied with the information provided and the conclusion in relation to negligible impact at sensitive receptors.

PLANNING BALANCE AND CONCLUSION

58. The proposal is inappropriate development in the Green Belt and should only be approved if very special circumstances exist which outweigh the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal. The proposal would also harm the openness of this part of the Green Belt. It is considered a matter for Cheshire East Council to determine whether or not very special circumstances exist that clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal.
59. The proposed development includes town centre uses (retail, leisure and hotel) and as such must be subject to a sequential test and impact assessment. It is considered the applicant has satisfied both the sequential test and impact

assessment as required by national policy and has demonstrated that the proposals would not have an adverse impact on the vitality and viability of town and other centres in Trafford.

60. It is considered the proposals would result in harm to the landscape and heritage assets (specifically Watch Hill SAM), however this could be adequately mitigated by additional tree planting on the northern side of the application site.

61. It is also considered that the proposed development would have acceptable impact on the road network and the proposals for pedestrians and cyclists are proportionate to the proposed development.

62. For the reasons set out above, it is recommended that the Council raises no objection to the proposed development, subject to the conditions set out below.

RECOMMENDATION:

That Members resolve that officers should respond formally to the Article 18 consultation from Cheshire East Council confirming that this authority has NO OBJECTION to the application provided conditions covering the following matters are imposed on any grant of approval, the precise wording of those conditions to be a matter for Cheshire East:-

- The submission and approval of a detailed landscaping scheme for the north side of the application site, to include a detailed review of the extent and condition of existing tree planting and details of additional tree planting to provide screening of the proposed buildings and car park from views to the north of the application site. The condition should also require the implementation of the approved scheme prior to the MSA being brought into use and its on-going maintenance for the lifetime of the development.
- The submission and approval of a Full Travel Plan and its subsequent implementation and monitoring.
- The submission and approval of a Construction Method Statement and which shall be adhered to throughout the construction period.
- Conditions to restrict the retail and leisure floorspace to ensure that the proposed development trades in practice in the broad manner suggested by the applicant in its submission.

RG
