

Application Number	Date of Appln	Committee Date	Ward
091111/FO/2009/S1	1st Sep 2009	22nd Oct 2009	Chorlton Park Ward

Proposal Creation of service access road from Chelsfield Grove together with new gates in order to provide access to Metrolink sub-station

Location Land Rear 75-125 Chelsfield Grove, Chorlton, Manchester, M21 7BD,

Applicant Mr Kim Dorrington, GMPTE, 2 Piccadilly Place, Manchester, M1 3BG

Agent Mr Steven Boulton, MPACT-THALES (MPT), Trafford Plaza, 73 Seymour Grove, Old Trafford, Manchester, M16 0LD

Description

This application relates to the creation of a service access road from Chelsfield Grove to provide access to a sub-station for Metrolink. Permission is sought for the installation of gates to the proposed access road which would be located at the turning head between 175 Chelsfield Grove and flats 74 to 96 Chelsfield Grove. Permission is also sought for the access road which is to run from these gates to the rear of the properties no.s 75 to 175 Chelsfield Grove inclusive. The sub-station has not yet been erected however, planning permission is not required for the sub-station as it is covered by the Transport Works Act, therefore, the sub-station does not form part of this application for consideration.

Consultations

Local Residents - 5 letters of objection have been received, from local residents, the main comments of which are outlined below:

- i) Concerns regarding increased heavy traffic, and additional cars which no doubt will use the cul de sac as a car park.
- ii) Loss of property value, which needs to be addressed and residents compensated.
- iii) Loss of screening as believed that we wouldn't be able to see the trams because of a line of trees, and a large wooden fence, in creating an access road, the bushes and trees will be taken up and we will be able to see the trams.
- iv) Believes there are much better locations where this access can be made, certainly not off a once quiet, private, residential estate. Is confused why access is needed from Chelsfield Grove, as access would surely be better served from Mauldeth Rd West right next to the sub station.
- v) Opposes the creation of an access road and gates as feels this will probably be used for track, and other electrical maintenance rather than just access to the electrical substation, and access could be served from better locations.
- vi) Strongly objects and has concerns regarding plans to create a service access road right in front of my house. Feels that creating a walk way/access

road here will create a variety of health and safety issues as well as concerns for myself and other residents.

vii) Creating this access road will result in extra traffic on the estate from not only work vehicles but the workers personal vehicles which will pose problems for children's safety as well as adding to the congestion on the estate.

viii) Being a residential area that is populated with many families with children creating an access road will encourage people cutting through to the estate and groups of people congregating in the walk way area which can cause problems with drinking and anti social behaviour which can be intimidating.

ix) Concerns regarding anti-social behaviour, noise/disturbance and privacy as there were incidents of anti-social behaviour in recent past years when Chorlton High School children used to cross through this path.

x) Chelsfield Grove would not cope with large vehicles to gain access to the proposed substation.

xi) Concerns regarding the noise aspect that would occur when contractors disembark from their vehicles to open the gates.

xii) Believes the use of this access road will latter be used by metrolink to carry out other remedial work on the track and would not solely be used for access to the substation.

xiii) Believes the removal of the vegetation and shrub age will increase the level of noise.

xiv) Previous correspondence from Manchester city council for the land behind the proposed gate was for tram turning area? Why has this now turned into an access road to the proposed substation. If granted will this in turn change to something else?

Councillor Bethell - The planning application as it currently stands would cause a disamenity to the local residents who already suffer from a problem of their street being used as a car park by non-residents who continually block-up the road for residents and normal services alike.

The entrance for the proposed access road is generally filled with parked vehicles at various times which realistically could cause problems of access in an emergency or during one of the normal proposed 12 instances throughout the year where routine maintenance would need to be carried out.

Believes that this application would be best served away from any residential area and proposes three alternatives which do not appear in the original documents (though an area on the opposite side of the "track" Pheasant Drive is mentioned and therefore cannot be sure if this is the land that is referred to in the application).

Does not feel that all the alternatives have been considered hence my own which may or may not be feasible. Proposed alternatives are set out below:

Houghend Playing fields can be accessed via the "service" road, which leads down to Broughton Park Rugby Club on Mauldeth Road West located opposite the junction of Alexandra Road South. This service road continues around behind the grandstand and from that point a new road similar to that proposed in the application could be built to the track from that point.

The former site of Waverly House care home also off Mauldeth Road West located opposite the junction with Withington Road could also be described as

likely site and it would possibly shorten the length of the road required since this site is closer to the track.

I cannot be sure who currently owns the plot of land where Waverly House once stood but it is a large plot of land (which if expanded upon by taking land from the adjacent land behind) could be large enough to house the substation. The various power cables could be buried and run underground down to the tracks which would do away with the proposed road. This third alternative proposal would also see an ease of access to the substation in order to carry out necessary routine maintenance which wouldn't impact on residents.

John Leech MP - objects to the above application on the following grounds:

1. The introduction of an access road will result in the removal bushes that should act as a natural noise barrier to lesson the impact of the Metrolink.
2. The hours of operation are said to be 12 times a year. What guarantees will be put in place to ensure that this cannot be used for routine maintenance of the points, which will be conveniently placed close to this gated entrance?
3. Chelsfield Grove is too narrow I argued this when it received planning permission. There are too many cars parked on either side of the road, restricting access. This is therefore not an appropriate location as an access point for the substation.

Head of Highways Services - Chelsfield Grove and Abbeystead Avenue are in the process of being adopted by the authority under S38 of the Highways Act 1980, this is likely to be completed in the near future. Access for routine maintenance (once a calendar month) to the proposed sub-station is unlikely to present particular issues for the highway network. The access road itself does not require adoption. Construction phase should seek to minimise impacts on adjacent properties. However, there are no highway objections to the proposals based on the information submitted.

Greater Manchester Police (Design for Security) - The gate from Chelsfield Grove needs to be sufficiently robust to prevent casual damage. Recommend that drop bolts are fitted to secure the gate in the closed position, capable of being locked in place. Removal of the kerb could give rise to vehicle damage to the gate (deliberate or accidental) and therefore removable bollards should be located in front of it.

Re-grading of the embankment to accommodate the access road could expose the rear boundaries of houses on Chelsfield Grove, making them more vulnerable to intruders. Would recommend that some defensive planting of thorny shrubs/bushes is carried out along this alignment.

In other respects the proposal is considered to be acceptable and support the application subject to satisfactory consideration of the above issues.

GMPTTE response to objections - We wish to emphasise that the application is strictly for maintenance and emergency access to the substation only once the substation building has been constructed.

The existing fence lines that run both sides of the proposed access track would remain.

We do not believe that the application as it stands would cause a disamenity to the local residents. The access we are seeking would not require any parking on Chelsfield Grove whatsoever from the intended service vehicles that would require access through the gate and then continue driving onto the substation. Also the proposed location of the gate is not across an existing parking space to any of the local residents. We have visited the area and are aware that the section of road is a turning head and drive access to the immediate local residents.

Based on the existing road and pavement construction we do not believe maintaining access to the proposed gates would remove parking spaces. Parking is already restricted by the entrance to the driveway for No. 125 on the left and the entrance to apartments 74 to 96 on the right hand side. Contrary to the suggestion that the entrance for the proposed access road is generally filled with parked vehicles at various times, it is our understanding that the access we are proposing is not currently useable as street parking and therefore installing this new access would not remove any current on street parking. Please refer to the attached sketch. Also the Light Maintenance vehicle is a transit type van it is unlikely that the grove will be sufficiently congested to prevent access.

Should this access route is blocked due to vehicles parked in a way that constrains vehicular access, access on foot would suffice as a last resort in an emergency situation. It is important to stress that access will be very infrequent.

We maintain that this application would not influence non resident parking within the local area.

If required we could seek parking restrictions to ensure the road / turning head outside 123 & 125 was not used by non-residents attempting to park. Indeed No Parking Keep Clear signage would be needed to ensure any attempts to manoeuvre a vehicle across the proposed access gate was mitigated.

We enclose comments against the alternatives suggested by Councillor Bethell 1. Houghend Playing fields can be accessed via the "service" road, which leads down to Broughton Park Rugby Club on Mauldeth Road West located opposite the junction of Alexandra Road South. This service road continues around behind the grandstand and from that point a new road similar to that proposed in the application could be built to the track from that point. This alternative was considered but there are a number of reasons why this has to be discounted.

A new access road from this location would need to be almost 4 times longer than the road from Chelsfield Grove.

Land access agreements, easements or property purchase would be needed with MCC, Broughton Rugby Club and Greater Manchester Police (GMP).

In order to access the substation location the access road from this location would need to cross the track twice either side of Mauldeth Road West

Overbridge. This would import a high risk due to the proximity of the access to the bridge affecting the line of sight of the tram driver.

More importantly, Electricity Northwest (ENW) the organisation who will adopt part of the building equipment require uninterrupted 24 hour access to the site and their acceptance criteria would prevent this arrangement being possible.

Finally the access track could not go along the old track bed because of Metrolink Phase 3B, invalidating this option.

2. The former site of Waverly House care home also off Mauldeth Road West located opposite the junction with Withington Road could also be described as likely site and it would possibly shorten the length of the road required since this site is closer to the track.

Again, this type of option was considered when the substation locations were reviewed.

The access road would twice as long as the access track road from Chelsfield Grove.

Land access agreements, easements or land purchase would be needed with MCC and Greater Manchester Police (GMP).

GMP would probably loose the use of a football pitch which would require reinstatement elsewhere under Sport England criteria. Would therefore expect a very valid objection from GMP.

In order to access the traction substation location the access road from this location would need to cross the track twice either side of Mauldeth Road West Overbridge. This would import a high risk due to the proximity of the access to the bridge affecting the line of sight of the tram driver.

More importantly, Electricity Northwest (ENW) the organisation who will adopt part of the building equipment require uninterrupted 24 hour access to the site and their acceptance criteria would prevent this arrangement being possible.

Finally the access track could not go along the old track bed because of Metrolink Phase 3B, invalidating this option.

3. I cannot be sure who currently owns the plot of land where Waverly House once stood but it is a large plot of land (which if expanded upon by taking land from the adjacent land behind) could be large enough to house the substation. The various power cables could be buried and run underground down to the tracks which would do away with the proposed road. This third alternative proposal would also see an ease of access to the substation in order to carry out necessary routine maintenance which wouldn't impact on residents. The location of the substations throughout the Metrolink scheme has been determined on the distance power can be provided to energise the overhead lines should one of the substations fail. In this situation the two substations adjacent both up and down the line are able to maintain the power required. The location of the substation is just about on the southerly range limit based on suitable plots in close proximity to the track. Any further movement would result in a derogation of the tram operation which dictates against relocation to the site of Waverly House.

Summary.

The operation of Metrolink is fully dependant on the ability to have an accessible substation. Both GMPTE and MPT have taken the location and access requirements most seriously in trying to find a solution that is suitable for ability to complete construction safely, provide permanent maintenance access and minimise potential impact to local residents during both construction and the operational life of the substation. As you are aware the position of the substation is such that it does not require planning permission. We consider its current location as very suitable.

Issues

There are no site specific policies in the Unitary Development Plan.

When dealing with applications of this nature, consideration is given to policies E2.6, H2.2, and T2.4 in part 1 of the UDP and policy DC26 in part 2 of the UDP.

Policy E2.6 states that the Council will prevent wherever possible the loss of existing trees and, in addition, will encourage extensive broadleaved tree planting schemes especially as a means to enhance informal recreational areas and to improve the appearance of built up areas.

Policy H2.2 states that the Council will not normally allow development which will have an unacceptable impact on residential areas. The matters which the Council will consider in coming to such decisions will include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution.

Policy T2.4 states that the City Council will expect developments to make adequate provision for their car parking requirements.

DC26.1 The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

The Regional Spatial Strategy (RSS) for North West England - The RSS was adopted in September 2008 and replaces the previously published Regional Planning Guidance. The RSS provides a framework for development and investment in the region over the next fifteen to twenty years. It contains policies that address core principles of development, including the following:

DP2: Promoting sustainable communities - Ensuring development contributes to a high quality of life for existing and future residents;

DP 5: Manage Travel Demand - Ensuring development is located so as to reduce the need to travel, especially by car, and to enable people as far as possible to meet their needs locally.

DP7: Promote Environmental Quality - Ensuring that new development demonstrates good design and respect for its setting;

Planning Policy Statement 1 (PPS1), Delivering Sustainable Development - PPS1 encourages the promotion of urban and rural regeneration to improve the well-being of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities. In addition to this PPS1 clearly outlines the importance of creating sustainable communities

Planning Policy Guidance 13 (PPG 13), Transport - The objectives of PPG13 are to integrate planning and transport at the national, regional, strategic and local level to:

1. promote more sustainable transport choices for both people and for moving freight;
2. promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and
3. reduce the need to travel, especially by car.

Furthermore, within the context of the local transport plan, local authorities should work in partnership with public transport providers and operators, and use their planning and transport powers to improve public transport in ways which will reinforce the effectiveness of location policies in the development plan. The aim should be to establish a high quality, safe, secure and reliable network of routes, with good interchanges, which matches the pattern of travel demand in order to maximise the potential usage of public transport.

Planning Policy Statement 1: Delivering Sustainable Development sets out the Governments objectives for the planning system, and how planning should facilitate and promote sustainable patterns of development, avoiding flood risk and accommodating the impacts of climate change. The Planning Policy Statement Planning and Climate Change¹, provides expanded policy on planning's contribution to mitigating and adapting to climate change.

Principle of the Proposal - The proposal would provide a means of access to a proposed Metrolink substation. The substation does not require planning permission as it is granted consent through the Transport and Works Act. Notwithstanding this, consideration must be given to the proposal's impact upon the existing levels of residential and visual amenity enjoyed within the vicinity of the site.

Alternative Locations - GMPTE have explained how they came to select the site, and why a number of alternative sites were dismissed as being unworkable operationally.

Residential Amenity - It is considered that whilst there will be some impact upon the residential amenity arising from the development proposed with regards to noise, activity and people coming and going. Suitable measures can be in place to mitigate against this in terms of limiting the amount of comings and goings. A suitable condition is proposed.

Traffic - It is not considered that the proposal would result in any increase in traffic in the area, as the proposed access is only required to be used once per month by a transit type vehicle for maintenance of the substation. MPT have stated that they intend to install the sub-station itself via Mauldeth Road West.

Crime and Security - GMPTE are not proposing to remove the existing fence line which, runs both sides of the track. Further to GMP's comments a suitable condition is proposed in order to ensure that the proposed gates are fit for purpose.

Human Rights Act 1998 considerations – This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

on the basis that the proposal is in accord with the City Council's Unitary Development Plan in particular policy H2.2 and there are no material considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: MPT3A-SM3-10-BDP-450 rev P01 stamped as received 27th August 2009

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 of the Manchester Unitary Development Plan.

3) The access road shall only be used once per month and any use additional to this will need to be agreed in advance with the City Council as Local Planning Authority.

Reason

In the interests of residential amenity pursuant to policy H2.2 of the adopted UDP for the City of Manchester.

4) The proposed gates shall be treated to match the existing fencing adjoining the gates and shall be fitted with drop bolts in order for them to be secured when the gates are in a closed position.

Reason

In the interests of residential amenity and to deter criminal activity pursuant to policy H2.2 of the adopted UDP for the City of Manchester.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 091111/FO/2009/S1 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Engineering Services
Environment & Operations (Highway Authority)
Greater Manchester Police
Steve Hobson, Crime Reduction Officer
93 Chelsfield Grove, Manchester, M21 7BD
91 Chelsfield Grove, Manchester, M21 7BD
97 Chelsfield Grove, Manchester, M21 7BD
95 Chelsfield Grove, Manchester, M21 7BD
77 Chelsfield Grove, Manchester, M21 7BD
83 Chelsfield Grove, Manchester, M21 7BD
89 Chelsfield Grove, Manchester, M21 7BD
85 Chelsfield Grove, Manchester, M21 7BD
72 Chelsfield Grove, Manchester, M21 7BD
70 Chelsfield Grove, Manchester, M21 7BD
68 Chelsfield Grove, Manchester, M21 7BD
66 Chelsfield Grove, Manchester, M21 7BD
64 Chelsfield Grove, Manchester, M21 7BD
62 Chelsfield Grove, Manchester, M21 7BD
60 Chelsfield Grove, Manchester, M21 7BD
125 Chelsfield Grove, Manchester, M21 7BD
123 Chelsfield Grove, Manchester, M21 7BD

121 Chelsfield Grove, Manchester, M21 7BD
119 Chelsfield Grove, Manchester, M21 7BD
117 Chelsfield Grove, Manchester, M21 7BD
115 Chelsfield Grove, Manchester, M21 7BD
113 Chelsfield Grove, Manchester, M21 7BD
111 Chelsfield Grove, Manchester, M21 7BD
109 Chelsfield Grove, Manchester, M21 7BD
58 Chelsfield Grove, Manchester, M21 7BD
107 Chelsfield Grove, Manchester, M21 7BD
105 Chelsfield Grove, Manchester, M21 7BD
103 Chelsfield Grove, Manchester, M21 7BD
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96 Chelsfield Grove, Manchester, M21 7BD
86 Chelsfield Grove, Manchester, M21 7BD
74 Chelsfield Grove, Manchester, M21 7BD
76 Chelsfield Grove, Manchester, M21 7BD
80 Chelsfield Grove, Manchester, M21 7BD
88 Chelsfield Grove, Manchester, M21 7BD
82 Chelsfield Grove, Manchester, M21 7BD
9 Weller Gardens, Manchester, M21 7SZ
86 Weller Avenue, Manchester, M21 7ST
88 Weller Avenue, Manchester, M21 7ST
Chorlton High School, Nell Lane, Manchester, M21 7SL

Representations were received from the following third parties:

70 Chelsfield Grove, Manchester M21 7BD
72 Chelsfield Grove, Manchester M21 7BD
99 Chelsfield Grove, Manchester M21 7BD
101 Chelsfield Grove, Manchester M21 7BD
123 Chelsfield Grove, Manchester M21 7BD

Relevant Contact Officer : Melanie Tann
Telephone number : 0161 234 4538
Email : m.tann@manchester.gov.uk