

Application Number	Date of Appln	Committee Date	Ward
091175/OO/2009/S2	11th Sep 2009	22nd Oct 2009	Didsbury East Ward
Proposal	OUTLINE PLANNING APPLICATION for siting and access for the Metrolink Didsbury Village Stop.		
Location	Railway Cutting Adjacent To Olive Shapley Avenue, Didsbury, Manchester		
Applicant	Miss Lucy Everson, GMPTE, 2 Piccadilly Place, Manchester, M1 3BG		
Agent	,		

Description

This application relates to the expansion of the Metrolink South Manchester Line. Outline planning permission is being sought to construct a new Metrolink stop as part of the Metrolink Phase 3B contract along the existing railway cutting of the former Midland railway line. Layout and access are to be considered as details, with all other matters being reserved.

Originally Outline permission was granted in January 2002 that consent was subsequently renewed in January 2005 and has now expired.

It is proposed to install a twin platform Metrolink stop to the north east side of Olive Shapley Avenue, and the south west bottom end of the cul de sac at Winifred Road in the cutting. The access points for the stop will be from School Lane adjacent to the Scout Hall, from Olive Shapley Avenue and from passageway off Countess Road/Winifred Road.

The proposed stop would also include provision for cycle racks, shelter, CCTV, Ticket Vending Machines (TVMs), Passenger Information Displays (PIDs), Poster Cases, Signs, Lighting, Seating, Bins and Passenger Emergency call Points (PECs). The detailed layout and design of the stop would be the subject of a future Reserved Matters Application, should this application be approved at Outline stage, therefore, details of the above are to be confirmed and submitted at that stage.

Consultations

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

Local residents comments 5 letters with comments/concerns received -

i) I would like some kind of assurance that the Trans-Pennine Trail, which currently runs along the track bed of the dismantled railway line and provides an extremely useful amenity and public access route for local residents, will survive. Is it proposed to re-route the trail?

ii) Please could the plans be clarified for parking regulation/enforcement in the streets adjacent to the Didsbury village metrolink station. Will there be a residents only parking scheme to limit congestion? Please could you also clarify the current state of parking regulation in Raynham Ave which I understand is a private/maintained road.

iii) Would like clarity on where exactly the proposed stop is to be sited.

iv) Would like to see the preservation of as many of the mature trees and embankment habitats as is possible.

v) Concerned about how tram stations will look given the appearance and smell of tram stops such as Sale and Stretford.

vi) A station set up which looks and would later smell like those of Sale and Stretford would detract from the current visual appearance and would not be pleasant to walk past. While we are in favour of improved transport links and welcomed the opportunity given by GMPTE for local residents to ask questions and see the plans, we are concerned that we will lose too much of what makes areas like Didsbury special.

v) The whole woodland corridor between Hough End and Didsbury is an important foraging route for bats and is likely to have a number of roosts nearby, possible some in the bridges. Has consistently seen soprano Pipstrelles on Parkfield Rd South and have also noted a bat above Olive Shapley Ave station site.

vi) Requests much more thorough ecological survey work on the station sites (ie. full bat surveys, assessment for badger use) at the Outline stage if mitigation is going to be taken seriously and carried out properly.

vii) Requests a full Noise Impact Assessment covering tram noise that will arise, noise arising from passengers, noise arising from anti-social behaviour, noise arising from platform announcements. Is concerned that the application has been validated without a full Noise Impact Assessment.

viii) Requests any CCTV be positioned so as not to overlook residents gardens .

ix) Concerned that the plans indicate pedestrian access being available from the passageway between Countess Road and Winifred Road.

x) Requests GMPTE be reminded of obligations under the Party Wall Act.

Local residents objections 12 letters received -

i) The proposals do not appear to include any measures to protect the nearby properties from the noise, which will inevitably arise, particularly to those properties immediately adjacent to the access routes.

ii) Winifred Road and Countess Road already do not have adequate parking for the houses, this proposal is likely to result in further difficulties for residents parking. How is this to be addressed?

iii) Requests the application is refused until these matters have been properly resolved.

iv) The proposed scheme appears to do nothing to protect residents from the anticipated increase in noise levels.

v) Impact on house prices in nearby streets, and would like comments and advice on possible compensation related to a report on the prices.

vi) Believes the stop has the potential for becoming a gathering place for youths leading to anti-social behaviour.

vii) Believes the proposed stop should be moved 50 metres north up the line.

Head of Environmental Health (Regulatory and Enforcement Services) - Recommends conditions be attached to any approval relating to external lighting, noise and wheel washing.

Head of Highways Services - The following points are recommended for consideration at a more detailed level due to changes made from the previous renewal application (073984/RO/2004/S2).

Junction protection is likely to be required on Olive Shapley Avenue/William Street to prevent obstruction of visibility. School Lane in the vicinity of the proposed pedestrian access is already a 20mph zone with 'No Waiting at Any Time' restrictions on either side of the road. Due to limited width of the road/footway and positioning in relation to the Beaver Road junction it is not possible to safely implement a formalised drop-off area at the pedestrian entrance. Clear signing of drop-off areas on Olive Shapley Avenue may help.

The School Lane/William Road junction is wide with pedestrian refuges, it is difficult to further improve it given the road widths of School Lane- but visibility is not ideal due to the crest in the road. TRO's already protect the junction, however, it may be possible to put 'No Waiting At Any Time' orders further down into William Road.

School Lane is a busy road through route which is physically constrained by the alignments of buildings and existing structures. Whilst discouragement of parking across the area will help, it will not be an overall cure for the congestion and will have a knock-on effect on residents wishing to park in front of, or close to their properties. The station's central location is intended to encourage metrolink passengers to walk or cycle to the stop rather than drive or be dropped off.

These are initial views on the possibilities; we concentrated mainly on the Olive Shapley drop-offs on our site visit. It may be better to request a S278 agreement to secure a fully designed and option tested safety scheme. This could consider kerb realignments combined with TRO's to improve the School Lane/William Road junction at the same time as addressing the commuter parking issue.

Further traffic regulation orders may be required to protect the length of Olive Shapley Avenue from commuter parking.

Head of Green Space Division - No objection to the proposed construction works subject to any trees to be removed being replaced in accordance with the agreed replacement programme for Metrolink.

South Manchester Regeneration - No comments received at time of writing this report.

Greater Manchester Police (Design for Security) - No specific car parking is to be provided for this stop and local provision is currently at capacity. The applicant should consider the likely demand and its potential impact upon local residents, in order to avoid conflicts that could result in criminal behaviour. It may be necessary to protect private premises in the vicinity from 'fly parking' by Metrolink users.

The integrity of boundaries with adjacent properties should not be compromised by the proposals. the fencing between the stop and Winifred Road will need to be sufficiently robust to prevent unauthorised access to and from the Metrolink stop.

In other respects the proposal is considered to be acceptable and support the application subject to satisfactory consideration of the above issues. As this is an outline application would recommend further liaison with this consultancy if/when a reserved matters application is made to ensure that the details of the development do not inadvertently create opportunities for criminal activity or raise the fear of crime in the area.

Arthog Road Residents Association - No comments received at time of writing this report.

Didsbury Civic Society - No comments received at time of writing this report

GMPTE – Initial response to residents concerns

GMPTE confirm their commitment to provide funding for the preparation and implementation of a scheme to mitigate the effects of commuter parking associated with the Didsbury Village Tram Stop. The scheme could initially take the form of traffic regulation orders and/or a residents parking scheme depending on the outcome of surveys and consultations. It is proposed to provide two disabled persons parking spaces on the north east side of Olive Shapley Avenue adjacent to the tram stop access. A footway will be created to provide access between the disabled parking spaces and the access to the stop.

It is intended that the Trans Pennine Trail will be retained between School Lane and Parrs Wood Lane. It will be re-positioned within the existing disused rail corridor as part of the introduction of Metrolink.

The removal of trees will be strictly regulated by the Local Authority in accordance with the Metrolink Code of Construction Practice. GMPTE's commitment to retain trees where possible is outlined within the Design and Access Statement.

Specific Mitigation for Trees

Section 3.6 of the CoCP refers to Urban Ecology and stipulates measures to protect trees that maybe directly or indirectly affected by the works to be consistent with BS 5837 – Trees in Relation to Construction, guidance and the GMPTE Tree Replacement, Habitat Replacement and Aftercare Policies. Any vegetation clearance will be carried out where possible before the end of February to avoid the bird breeding season. If this is not possible vegetation will be checked by an ecologist a maximum of 24 hours prior to removal.

Mitigation will be developed throughout detailed design to protect retained trees, however there are a number of general principles, in accordance with BS 5837, the CoCP and the Ecology Management Plan that will be taken in to account to protect trees:

The working footprint will be kept to a minimum and areas of woodland, scrub and trees will be retained wherever possible.

Where trees will not be directly impacted by the works, mitigation will be implemented to ensure that the trees are not impacted by the works. The trees to be retained and the method of protection will be in accordance with BS 5837:2005 Trees in relation to construction recommendations.

In general as detailed in the GMPTE Code of Construction Practice significant trees and hedges that are to be retained will be protected by fencing and visible barriers before works commence, this will be advised by the project arboriculturist.

Where trees are to be removed, in accordance with GMTPE Metrolink Phase 3 Tree Policy at least 5 young trees will be planted for every tree removed and at least 2 saplings will be planted for every sapling removed.

The contractor shall comply with the requirements of The Wildlife and Countryside Act 1981 (as amended); the Town and Country Planning Act 1990 (Tree Preservation Orders); Hedgerow Regulations SI 1997/ 1160.

In accordance with Manchester City Council (MCC) requirements for planning applications a tree age and condition survey undertaken in accordance with the British Standard BS 5837: 2005 Trees in Relation to Construction was undertaken at all the proposed Metrolink stops along the Didsbury line as part of the Metrolink 3B expansion scheme. The following site specific report was produced:

Didsbury Village Arboriculture Survey Report, Faber Maunsell, August 2008

The tree survey carried out at the proposed Didsbury Village stop revealed a total of 5 groups of vegetation, generally found to be in good condition. Of these, 1 group was identified as retention category 'B' and 4 groups as retention category 'C'. No retention category 'A' or 'R' trees were identified on this occasion.

Manchester City Council confirmed that at Didsbury Village a Tree Preservation Order is in force on land adjacent to the Site, but would not be affected by the development.

It was also noted that the proposed development would provide an opportunity to improve the species diversity, age structure and overall condition of the tree population within the site.

Ecology: An Extended Phase 1 Habitat survey has been carried out along the entire length of the proposed East Didsbury extension, as a consequence of this and in line with recommendations made in the report a full suite of phase 2 species specific surveys have been commissioned, these will include both bat activity and badger surveys. These surveys are currently ongoing. Mitigation measures will be developed in line with the survey findings and in consultation with Natural England and Greater Manchester Ecology Unit.

Issues

There is a site specific policy in the Unitary Development Plan - Policy CB13d Transport is relevant and states:

The Council intends to develop a network of off-street cycling and pedestrian routes in Chorlton. Particular attention will be given to: -

d) the routing of a cycle-way and a footpath alongside the proposed Metrolink extension through Chorlton and Barlow Moor to Didsbury.

Furthermore, 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 sustainable and accessible form of public transport. 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.

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 the greatest impacts and allow for the satisfactory operation of the stop without undue harm.

Traffic - Although a full Traffic Impact Assessment has not been undertaken it is the view that the proposed stop should not be a major generator of traffic.

Parking and Vehicular Movement - Whilst it is recognised that the proposal may create some localised parking issues, it is anticipated that a solution to this could be a localised traffic regulation order, relating to very specific roads to be confirmed with the City Council's Highways Engineers, equally the highway safety concerns can be addressed in a similar manner and a suitable condition is proposed subject to the agreement of GMPTE.

Disabled Access - The ramp makes the proposal accessible. Designated disabled parking spaces have been indicated on proposed plans.

Crime and Security - At the time of the reserved matters application measures to ensure the safe operation of the stop will have been worked up in detail in respect of CCTV, emergency call points, lighting and security staff, as part of GMPTE's initiatives to help passengers feel more secure when travelling on Metrolink.

Noise - It is not believed that a full Noise Impact Assessment is required at this Outline stage. Appropriate noise conditions are recommended and more detailed information would be requested at the Reserved Matters stage.

Property Value - This is not considered to be a material planning consideration and can not be addressed as an issue by the Local Planning Authority.

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 **MINDED TO APPROVE** (subject to confirmation of GMPTE's willingness to commit to TRO's and a road safety scheme to address the issue of highway safety and possible commuter parking)

On the basis that the proposal will provide a sustainable and accessible form of public transport to serve the local community in accordance with the Unitary Development Plan for the City of Manchester in particular policies CB13(d), E2.6, H2.2, T2.4 and DC26 and there are no material considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

1) Applications for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2) Approval of the details of the appearance, landscaping, and scale of the site and associated development, including the ramps, (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason - To ensure the satisfactory development of the site and because this application is in outline only.

3) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policy H2.2 and CB13d of the Unitary Development Plan for the City of Manchester.

4) 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: 4007-A-PL19_01, 4007-A-PL19_02, 4007-A-PL19_03 and 8497/RG stamped as received 7th September 2009 and 11th September 2009.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 and CB13d of the Manchester Unitary Development Plan.

5) No development shall commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise agree in writing by the City Council as local planning authority.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policy H2.2 and CB13d of the Unitary Development Plan for the City of Manchester.

6) The Metrolink stop shall be designed according to a scheme to minimise the level of noise produced from the development. The design should include features such as barriers, sound absorption treatment and careful siting and orientation of public address systems. The scheme shall be submitted to and approved by the City Council before the development commences.

Reason - To protect the amenity of adjoining and nearby residential properties from the noise of trams entering and leaving the station, the public address system and passengers using the station pursuant to policies H2.2 and DC26 of the Unitary Development Plan for the City of Manchester.

7) No part of the development hereby granted permission shall be commenced unless and until a survey of the site in a form and carried out by a person previously approved in writing by the local planning authority has been carried out and demonstrates to the local planning authority's written satisfaction that no protected species inhabit the site. Should the survey reveal the presence of any protected species, a scheme for the protection of their habitat shall be submitted to and agreed in writing by the City Council as local planning authority before the development

commences, and implemented in full in accordance with the approved details and to a timetable agreed in writing by the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with Policies E2.2, E2.3 and E2.4 of the adopted Manchester Unitary Development Plan.

8) No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved in writing by the local planning authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

Reason - To ensure the satisfactory drainage of the site pursuant to policy E1.3 of the Unitary Development Plan for the City of Manchester

9) Development shall not begin until details of the facilities required for the storage of oils, fuels, or chemicals have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason - To prevent pollution of the water environment pursuant to policy E1.3 of the Unitary Development Plan for the City of Manchester

10) The wheels of contractors vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, as specified in policy H2.2 of the Unitary Development Plan for the City of Manchester.

11) Prior to the Stop being operational, unless otherwise agreed, a scheme shall be prepared and implemented for the mitigation of the effects of commuter parking associated with the stop. The scheme shall also resolve any highway safety issues and take the form of Traffic Regulation Order and a road safety scheme which shall be prepared and tested, which could include kerb realignment combined with TRO's to improve the School Lane/William Street junction.

Reason - In order to facilitate the development, protect residential amenity and secure satisfactory disabled access and in the interests of local amenity pursuant to policy H2.2. of the UDP for the City of Manchester.

12) No development shall commence until prior written agreement has been received from Manchester City Council, for the removal of any existing trees or hedges. This agreement shall detail which trees and hedges are to be protected and which are to be removed. In addition, any measures and / or working methods necessary to safeguard the trees, which are to be retained, shall be agreed.

Reason – In order to ensure that the development is carried out in a way that respects the character and visual amenities of the area, in accordance with policy H2.2 and CB13d of the Unitary Development Plan 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: 091175/OO/2009/S2 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
Environmental Health
Environment & Operations (Trees)
South Manchester Regeneration
Greater Manchester Police
Steve Hobson, Crime Reduction Officer
Arthog Road Residents Association
Didsbury Civic Society

Approximately 842 neighbouring residential properties and businesses were notified within the area bounded by Wilmslow Road, Moorland Road, Raynham Avenue, Gaddum Road, Atwood Road, Beaver Road, Chiswick Road, Ladysmith Road, Olive Shapley Avenue, Elm Grove, Gillbrook Road and Grange Lane

Representations were received from the following third parties:

159 Palatine Road, Manchester, M20 2GH
11 Raynham Avenue, Manchester, M20 6BW
19 Atwood Road, Manchester, M20 6TA
38 Belfield Road, Manchester, M20 6BH
Flat 11, Stuart House, 4 Olive Shapley Avenue, Manchester, M20 6QE
3 Whitehall Road, Manchester M20 6RY
Courtyard House, Hobb Lane, Cheshire WA4 5QS
5 Winifred Road, Manchester, M20 6WE
9 Winifred Road, Manchester, M20 6WE
13 Winifred Road, Manchester, M20 6WE
19 Winifred Road, Manchester, M20 6WE
16 Countess Road Manchester, M20 6RS
22 Countess Road Manchester, M20 6RS
23 Countess Road, Manchester, M20 6RS
29 Countess Road, Manchester, M20 6RS
35 Countess Road, Manchester, M20 6RS
37 Countess Road, Manchester, M20 6RS

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