
REPORT

Of

Strategic Director for Environment and Community Safety

To the

Planning & Transportation Regulatory Panel

18th April 2013

Planning Applications and Related Development Control Matters

(Not considered to contain exempt information)

Non-members of the panel are invited to attend the meeting during consideration of any applications included within the report in which they have a particular interest.

MAIN REPORT

PLANNING AND TRANSPORTATION REGULATORY PANEL

THE LOCAL GOVERNMENT ACT 192-SECTIONS 100A-100K

LIST OF BACKGROUND PAPERS

The “Background Papers” relating to all reports on Planning Applications appearing in this report are: -

1. The appropriate ‘Development Information Folder’ for each planning application on the Agenda. The contents of the folder include the following documents:
 - (a) The submitted planning application (forms, plans and supporting documents and Information)
 - (b) Correspondence with statutory and other consultees;
 - (c) Letters and other documents from interested parties.
2. Any previous planning applications and subsequent Decision Notices (if issued referred to in each planning application report on this Agenda.
3. Any Tree Preservation Order referred to in each planning application report on the agenda.
4. Any Conservation Area Plan referred to in each planning application report on the agenda.
5. The “Standard Planning Conditions Etc...’Booklet’.
6. Papers specifically listed under a heading “Other Background Papers” in any planning report on the agenda.

These Background Papers can normally be inspected between the hours of 8.30 am and 4.30 pm on any weekday (except Bank Holidays) at Urban Vision Partnership Ltd reception at Emerson House, Albert Street, Eccles. Whilst background papers will be made available for inspection as quickly as possible, immediate access cannot be guaranteed. It is therefore advisable wherever practical, to make an appointment by telephoning (0161) 779 4851. Alternatively the planning application forms, plans and supporting information is available on the Council’s web site www.salford.gov.uk/living/planning/planninglist.

Publications

In considering planning applications or legal action, the City Council has regard to a wide range of published documents, although not ‘Background Papers’ for the purposes of the Local Government Act 1972 – Sections 100A-100K, are nevertheless important to the consideration of these matters.

The Government in particular has published a large number of circulars and Statutory Instruments in addition to the primary legislation and these are available from Her Majesty’s Stationery Office, which has a bookshop in Manchester.

The following Local Authority publications are available for inspection at Emerson House, Albert Street, Eccles where, in many cases, copies can be purchased. Also they can be viewed on the Council’s web site

www.salford.gov.uk/living/planningadvice/plan-policies.htm

- Design and Crime – SPD
- Trees and Development – SPD
- House Extensions – SPD
- Housing Planning Guidance
- Salford Green Space Strategy – SPD
- Nature Conservation & Biodiversity – SPD
- Lower Broughton Design Code – SPD
- Ellesmere Park – SPD
- Hot Food Take Aways - SPD
- Telecommunications - SPD
- Planning Obligations - SPD
- Sustainable Design and Construction SPD
- Design SPD

The following Planning Guidance documents have been adopted by the city council or are being produced at present: -

- The Exchange, Greengate
- Mediacity:uk & Quays Point
- Housing Planning Guidance
- Claremont and Weaste Neighbourhood Plan
- Salford City Council - UDP Policy E5: Development in Established Employment Areas
- Flood Risk and Development Planning Guidance
- Salford central
- Irwell City Park
- Ordsall Riverside
- Pendleton Planning Guidance

Amendments/Additional Information received after the completion of this series of reports

Any amendment/additional information, such as amendments to planning applications, additional information from applicants or consultees, representations from interested parties, etc.... received AFTER the preparation of this series of reports will be reported at the Panel meeting together with any changes to my recommendation.

<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=MEWRP7N P5Y000>

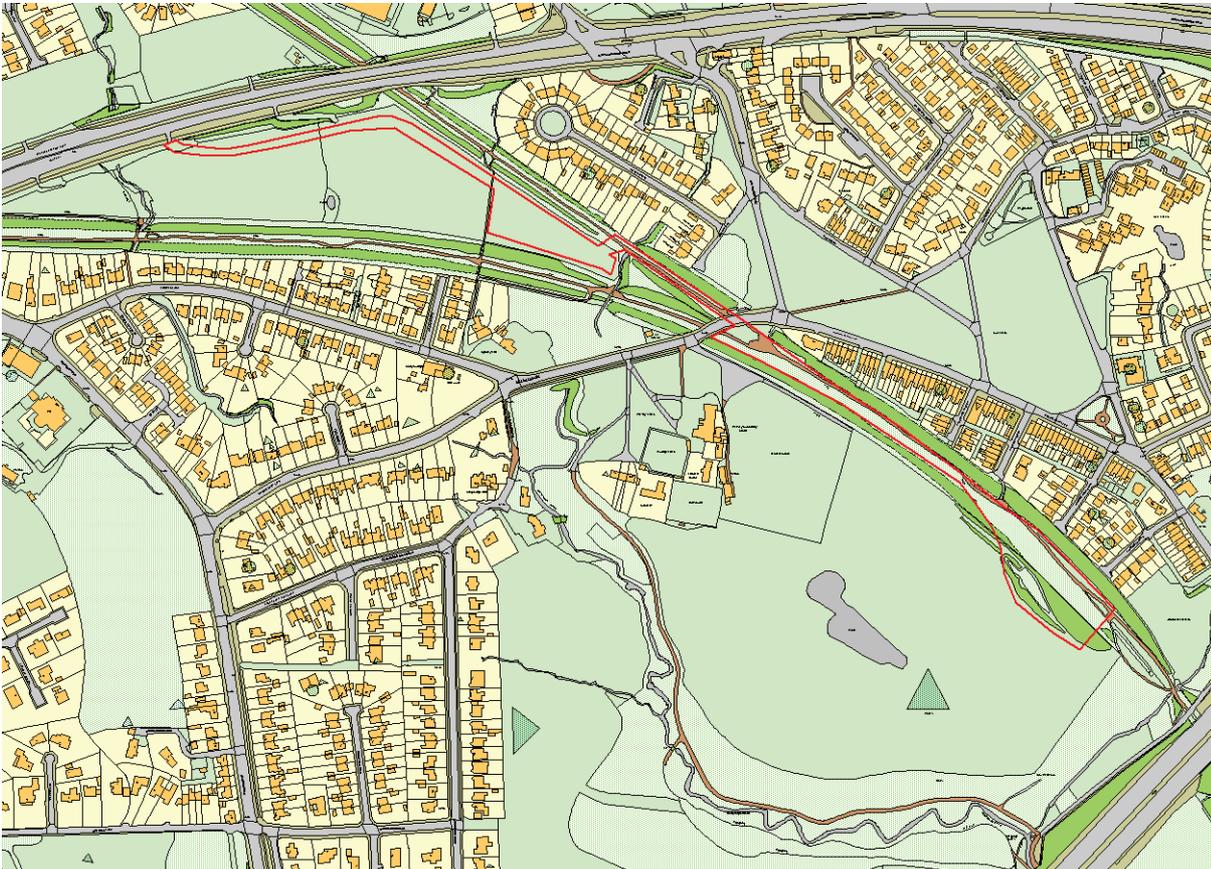
APPLICATION No: 12/62645/FUL

APPLICANT: United Utilities

LOCATION: Railway Cutting , Southwest Of Summerfield Road, Worsley

PROPOSAL: Erection of control kiosk, pressure relief columns, areas of hardstanding with associated tree removal and creation of temporary access for associated temporary construction compound.

WARD: Worsley



Description of Site and Surrounding Area

This application relates to a 15,715sqm site located to the south of the East Lancashire Road in Worsley, extending eastwards along the former railway line towards the M60 motorway.

The eastern part of the application site which is located to the southwest of Summerfield Road is within a disused railway cutting, which is now used as a liner walkway. This part of the application site is located within the Roe Green/Beesley Green Conservation Area and it is heavily wooded.

The western part of the application site is contained within a field that is located in between the East Lancashire Road and the fork in the former railway cutting (at the point where Greenleach Lane passes over the walkway), beyond which there are residential properties on Meadowgate.

There are a number of public rights of way running across the application site and along the linear walkway.

The application site is surrounded by residential properties to the north/north-east and south/south west. There is a part open/part wooded area, including a cricket ground, located to the south. The M60 Motorway is located further to the east, beyond the area of open space.

Kempnough Brook is located to the south west of the application site, beyond the areas of open space and the cluster of residential properties located on Beesley Green.

Description of Proposal

This application has been submitted by United Utilities who are required by both the water industry regulator OFWAT and the Environment Agency to undertake works to existing assets in order to improve unsatisfactory intermittent discharges to watercourses which are causing a water quality deficiency or aesthetic problems.

The Environment Agency has identified SAL0125 Kempnough Brook as having both unsatisfactory water quality and aesthetic issues.

In order to improve the water quality flowing into Kempnough Brook United Utilities are proposing to install an underground bifurcation chamber fitted with a powered screen, a new 1,545m³ detention tank, a new weir and a new powered screen chamber in the former railway cutting located at the southwestern most corner of the application site.

In order to allow for the operation of this equipment it is proposed to install an above ground control kiosk and 3 pressure relief columns, which will vent air displaced from the below ground detention tank during a storm event surcharge. A 120m long stone access track would also be created from the existing liner walkway path in order to facilitate long term access to and maintenance of the equipment.

The installation of this equipment will improve the quality of water discharged to Kempnough Brook by retaining materials of greater than 6mm size before storm water discharges into the brook. After the storm event has passed the new detention tank will be emptied via pumps to the existing sewer located downstream of the new powered screen chamber.

It should be noted that planning permission is not required for the installation of the below ground structures as these works would be undertaken using the permitted development rights provided through Part 16 of the amended Town and Country Planning (General Permitted Development) Order 1995. Consent is, however, required for the above ground control kiosk and the three pressure relief columns. Permission is also required for the regrading of the embankment adjacent to the detention tank and the installation of the access track together with the temporary access and contractors compound.

In order to gain access to the site where the water filtering equipment will be installed it is proposed to create a temporary access from the East Lancs which will be constructed using compacted stone over a geotextile membrane. This access will run across a field that is located in between the East Lancashire Road and the fork in the former railway cutting, running along its northern boundary until it joins the existing linear walkway. At its eastern end the access road would lead to a temporary contractor's compound, with a maximum length of 121m by 42m. The contractor's compound would provide contractor's parking and welfare facilities, a storage area for skips and a planting storage and refuelling area. The construction of the new access and contractor's compound requires planning permission.

The permanent access route to this site for annual future maintenance is expected to be provided via Greenleach Lane, with the applicant intending to submit an application for this latter element in due course.

In order to facilitate the proposed development it is proposed to undertake significant tree removal, mainly along the linear walkway which is heavily wooded comprising a mix of young self-seeded trees surrounding more mature specimens including willow, sycamore, silver birch, oak and ash. In total, 247 trees would be removed. None of these trees are protected by a Tree Preservation Order, however a number of the trees are located within the Roe Green/Beesley Green Conservation Area. In order to mitigate against the loss of the trees it is proposed to introduce significant landscaping with 315 trees to be planted as feathereds or standards and 1745 whips and shrubs to be planted.

United Utilities have confirmed in writing that this project is solely required to address water quality improvements for Kempnough Brook, stating that “the project is not, in any way, supporting the development plans of a local property developer” as this has been raised by local residents in response to the application publicity.

Publicity

Site Notice:	Non HH Within Conservation Area	Date Displayed: 21 January 2013
Reason:	Planning App in Conservation Area	
Site Notice:	Non HH Affecting public right of way	Date Displayed: 21 January 2013
Reason:	Article 13 affect public right of way	
Press Advert:	Salford Advertiser	Date Published: 14 February 2013
Reason:	Article 13 Affect Public right of Way	
Press Advert:	Salford Advertiser	Date Published: 17 January 2013
Reason:	Planning App in Conservation Area	

Relevant Site History

No relevant site history.

Neighbour Notification

Further to the site notices and advertisements within the local press a total of 80 neighbouring occupiers were notified of the application.

Representations

19 letters of objection have been received, raising the following issues:

- There has been a lack of public consultation undertaken with this application
- The proposal will result in destruction to a green corridor and the environment
- The proposal will have an adverse impact on local access to the area
- It has not been made clear to residents the need for sewer – is the proposal needed to facilitate the introduction of dwellings on adjacent Greenfield sites? Any new housing needed should be built on Brownfield land
- There are Great Crested Newts in the pond in the middle of site
- The proposal will damage the conservation area
- The scheme will have a significant detrimental impact on one of the cities few local nature reserves which are in place to “support a rich and vibrant variety of wildlife and make the place where we live and work healthier and less stressful”
- The proposal will create further disruption to the roads around Worsley creating increased congestion at Worsley roundabout access to M60 and access to A580.
- The proposal will prevent the use of the path for recreational purposes
- The applicant should not be allowed to decimate the area by felling over 150 mature trees
- Neighbours need information on why control kiosk, pressure relief columns and areas of hardstanding is needed and how this will impact the local environment and wildlife.
- The Loop line is well used and should remain untouched
- Neighbours should be made aware that the recovery period is 40 years
- The proposal will have a devastating impact on the woodland
- Roe Green is a conversation area and needs protecting.
- The proposal will result in a deterioration in air quality and cause increased pollution and dust
- Trees should not be destroyed between March and September as it is breeding season for wild birds under Section 1 of the Wildlife and Countryside Act for the intentional destruction of breeding birds’ nests.
- Provisions need to be made to ensure access along the rights of way crossing the site.

- Residents quality of life affected in terms of vibrations and noise
- The proposal will result in the area taking on an industrial appearance – the scale of the development is inappropriate close to residential properties
- The proposal will result in neighbouring residents being unable to sell their homes
- The proposal raises concerns over safety – both during construction and post installation given the need for pressure relief columns

Consultations

Greater Manchester Ecological Unit – Note that the proposed development will result in losses to mature and semi-mature broadleaved trees and woodland understorey in an established green corridor, having significant but localised landscape and habitat impact in the short-term.

Advise that it is not considered that the scheme will affect any specially protected species but wildlife of local value including birds, invertebrates and small mammals may be affected.

Confirm that overall it is not considered that the long-term impact of the scheme on local habitats and species will not be substantive as the wildlife corridor function of the area will be retained and consequently they do not raise any objections to the scheme on nature conservation grounds but make a number of recommendations including that - .

No tree removal or ground clearance works should take place in the optimum period for bird nesting (March to July inclusive) unless it is carried out in accordance with the tree removal method statement provided by United Utilities on the 27th March 2013 as under the terms of the Wildlife and Countryside Act 1981 (as amended) it is an offence to harm nesting birds, their eggs and young.

The tree protection plan for retained trees should be implemented in line with BS5837.

A method statement should be prepared giving details of how alien invasive plants are to be controlled during the course of the scheme, with all development being carried out in accordance with the agreed statement – there are plants located close to the proposed area of works that are controlled under the terms of the Wildlife and Countryside Act 1981 (as amended). It is an offence to cause these plants to spread in the wild.

Also request that consideration is given to the erection of bird and bat boxes on retained trees close to the works area to compensate for potential losses to bird and bat feeding and roosting sites.

It should also be noted that the Greater Manchester Ecologist has agreed to be present on site when the trees affected by the proposal are felled.

The Greater Manchester Pedestrian Assoc. - No comments received to date

The Open Spaces Society - No comments received to date

Peak and Northern Footpaths Society – Advise that if planning permission is granted, please include a condition that there must be no obstruction of any public rights of way. Should a temporary or permanent obstruction be unavoidable, then no development should take place until a Diversion Order has been confirmed and the diversion route, with a satisfactory surface and adequate width and way marking, is available for public use.

Ramblers Association Manchester Area - No comments received to date

Highways - Advise that road opening permits and notices will be required for the temporary access. A temporary Traffic Regulation Order will be required for the temporary closure / diversion of the footpath, all at developers expense.

Highway Safety – Advise that the plans show that the temporary access would be constructed in such a manner that the radius is of a sufficient width to allow for safe vehicular movements to and from the (A580). State that the access gates should be set far enough back from the carriageway that any waiting vehicle(s) can clear the (A580) without obstructing the carriageway.

Public Rights of Way Officer – Advise that the applicant would need to apply for a temporary closure of the walkway running along the linear walkway, stating that 12 months is the maximum period they would allow the route to be closed. Note that the closure will pose a significant disruption to the off road highway network in the area.

Advise that in the long term, there is a minimal impact on the right of way as the surface of it will be more than adequate for the legal standard of a definitive footpath, but note that the structure that United Utilities are installing will detract from the aesthetics of the area.

State that attempts should be made to get United Utilities to re-instate the section of the footpath running from the East Lancashire to the M60 as this section of the route is an important off road route to Walkden High. Negotiations are ongoing with the applicant regarding the reinstatement of the walkway within and adjacent to the application site. Further updates will be provided at the panel meeting.

Advise that the proposal to keep the footpath that crosses the field open during construction, using signage on both the access track and the footpath to warn users of the crossing, is acceptable subject to both the field and the footway being returned to their original condition after development is completed.

Greenspace Team – Advise that the proposal to close to the loopline from the East Lancs to the M60 will have a significant impact, noting that the alternative access along Greenleach Lane will be acceptable for pedestrians but it would be much more difficult for cyclists as access is up steep steps.

Note that a significant amount of tree work is required to enable access but as this is mainly on self seeded trees this could be as advantageous for future management of the loopline as the Greenspace Team are looking at how this work could be achieved anyway.

Request that options for reinstatement are explored and suggest that the whole section from East Lancashire Road to the M60 is reinstated as it is currently in poor condition. With regard to the reinstatement the minimum that should be permitted is recycled graded road planings 100mm thick x 3.6 metres wide. Advise that it would be preferable for the treatment to be thickened to 200 or 300mm thickness, with the use of timber edgings, foam binder, surface course and gravel surface being advocated.

Senior Engineer Flood Risk Management - No comments received to date

Planning Policy

Unitary Development Plan DES1 - Respecting Context

This policy states that development will be required to respond to its physical context and respect the positive character of the local area in which it is situated and contribute towards a local identity and distinctiveness.

Unitary Development Plan CH3 - Works Within Conservation Areas

This policy states that work in conservation areas will only be permitted where it would preserve or enhance the character or appearance of the conservation area. Consideration will be given to the extent that the proposal i) retains or improves features that contribute to the character or appearance of the conservation area ii) are of a high standard of design iii) retains mature trees iv) secures environmental improvements and enhancements v) protects views into an out of the conservation area.

Unitary Development Plan DES7 - Amenity of Users and Neighbours

This policy states that all new development, alterations and extensions to existing buildings will be required to provide potential users with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout. Development will not be permitted where it would have an unacceptable impact on the amenity of occupiers or users of other development.

Unitary Development Plan EN17 - Pollution Control

This policy states that in areas where existing levels of pollution exceed local or national standards, planning permission will only be granted where the development incorporates adequate measures to ensure that there is no unacceptable risk or nuisance to occupiers, and that they are provided with an appropriate and satisfactory level of amenity.

Unitary Development Plan A8 - Impact of Development on Highway Network

This policy states that development will not be permitted where it would i) have an unacceptable impact upon highway safety ii) cause an unacceptable restriction to the movement of heavy goods vehicles along Abnormal Load Routes.

Unitary Development Plan A2 - Cyclists, Pedestrians and the Disabled

This policy states that development proposals, road improvement schemes and traffic management measures will be required to make adequate provision for safe and convenient access by the disabled, other people with limited or impaired mobility, pedestrians and cyclists

Unitary Development Plan EN12 - Important Landscape Features

This policy states that development that would have a detrimental impact on, or result in the loss of, any important landscape feature will not be permitted unless the applicant can clearly demonstrate that the importance of the development plainly outweighs the nature conservation and amenity value of the landscape feature and the design and layout of the development cannot reasonably make provision for the retention of the landscape feature. If the removal of an important existing landscape feature is permitted as part of a development, a replacement of at least equivalent size and quality, or other appropriate compensation, will be required either within the site, or elsewhere within the area.

Other Material Planning Considerations

National Planning Policy

National Planning Policy Framework

Local Planning Policy

Supplementary Planning Document - Greenspace Strategy

This policy document expands on the policies of the Unitary Development Plan relating to the issues of open space and recreation, and seeks to ensure that all stakeholders have a clear understanding of how those policies should be implemented and their desired outcome. This should help to ensure that the greenspace needs of Salford are successfully met; delivering safe, high quality open spaces that are well-located, well-designed, well-managed, and meet the aspirations of local communities.

Supplementary Planning Document - Nature Conservation and Biodiversity

This policy document expands on the policies of the Unitary Development Plan relating to the issues of nature conservation and biodiversity, and seeks to ensure that all stakeholders have a clear understanding of how those policies should be implemented and their desired outcome.

Supplementary Planning Document - Trees and Development

The policy document has been prepared to give information to all those involved in the development process about the standard that the Local Planning Authority requires for new development proposals with specific reference to the retention and protection of trees.

It is not considered that there are any local finance considerations that are material to the application

Appraisal

The national Planning Policy Framework has a number of core planning principles and states planning should among other principles proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.

Paragraph 21 considers that planning policy should recognise and seek to address potential barriers to investment including poor environment or any lack of infrastructure.

Principle of Development

This application has been submitted by United Utilities who are required by both the water industry regulator OFWAT and the Environment Agency (EA) to undertake works to existing assets in order to improve unsatisfactory intermittent discharges to watercourse which are causing a water quality deficiency or aesthetic problems.

The Environment Agency has identified Kempnough Brook (referred to as SAL0125 by the EA) as having both unsatisfactory water quality and aesthetic issues.

This development is being proposed in order to improve the water quality flowing into Kempnough Brook by retaining materials of greater than 6mm size before storm water discharges into the brook. After the storm event has passed the new detention tank will be emptied via pumps to the existing sewer located adjacent to the new powered screen chamber. It is, in part, this relationship which means that the facility is located in the position shown. This site being selected due to it being on top of the existing sewer, whilst also providing the most sustainable option in providing suitable available land in close proximity, thereby minimising the need for pumping flows over excessive distances and negating the need for separate detention tanks further away which in themselves would require excavation and possible tree removal .

Having regard to these facets of the development is considered that the general principle of development is considered to be acceptable as it is required to provide essential services.

Access and highway safety

In order to gain vehicular access to the site where the filtration equipment will be installed it is proposed to create a temporary access from the East Lancashire Road which will be constructed using compacted stone over a geotextile membrane which would allow its removal upon completion. This access will run across a field that is that is located in between the East Lancashire. Road and the fork in the former railway cutting, running along its northern boundary until it joins the existing linear walkway, which would then be utilised to access the site, being temporarily closed during construction.

The following gives a breakdown of the number of vehicles movements predicted with this development.

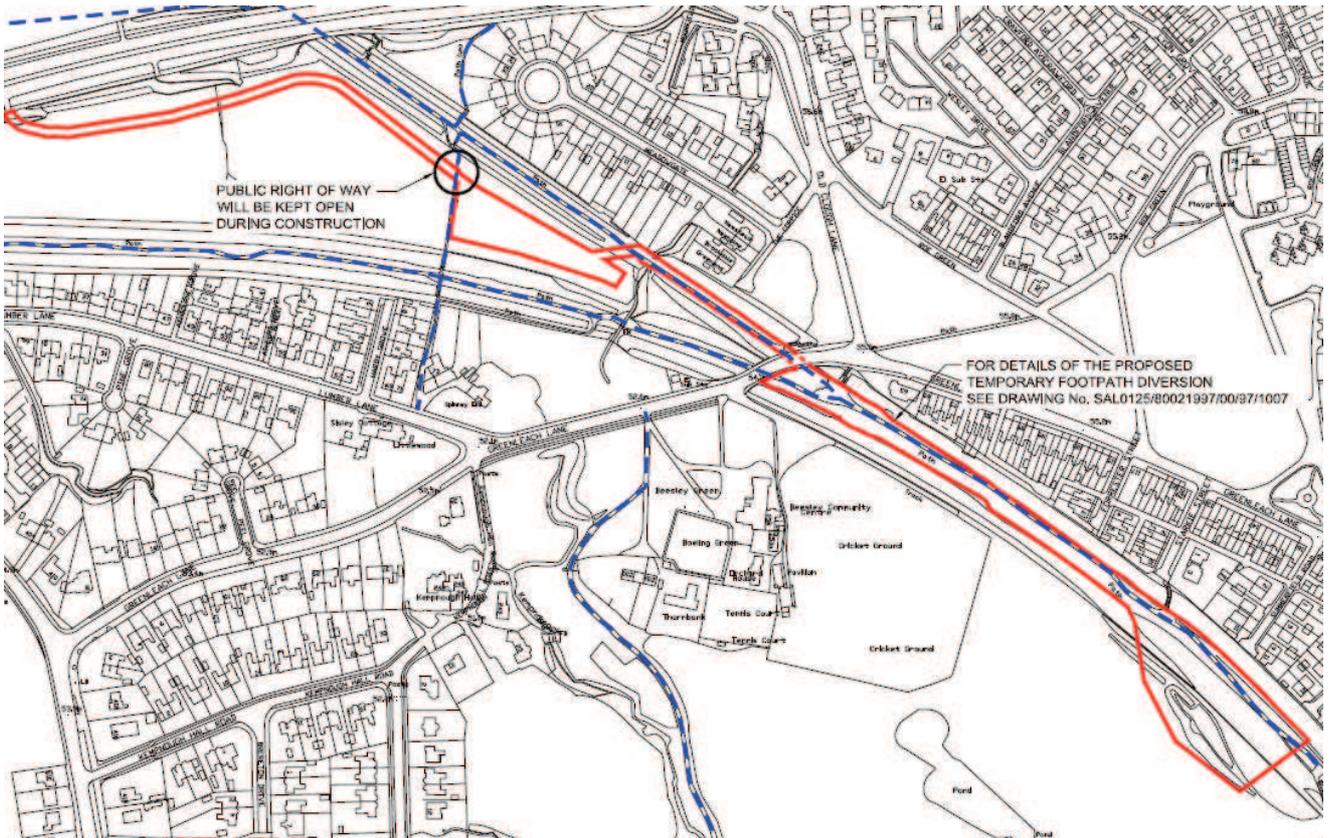
June 2013:	HGV Deliveries – 20 per day for the initial site set up and haul road construction for 2-3 weeks staggered throughout the working day Cars/Vans - 10-15 per day
July 2013-Mar 2014	HGV Deliveries – 5-10 per day for material deliveries and spoil removal Cars/Vans – 10-15 per day
April 2014:	HGV Removals – 10-15 per day for site demobilisation and haul road removal Cars/Vans – 5-10 per day.

There will be limited impact on the highway network as the majority of these movements will be outside the network peak hours. The detail of the access will be agreed with the Highway Authority to ensure that vehicles are not queuing on the highway and can suitably manoeuvre into the access. Similar construction accesses have been constructed onto the A580 allowing a left turn in / out movement.

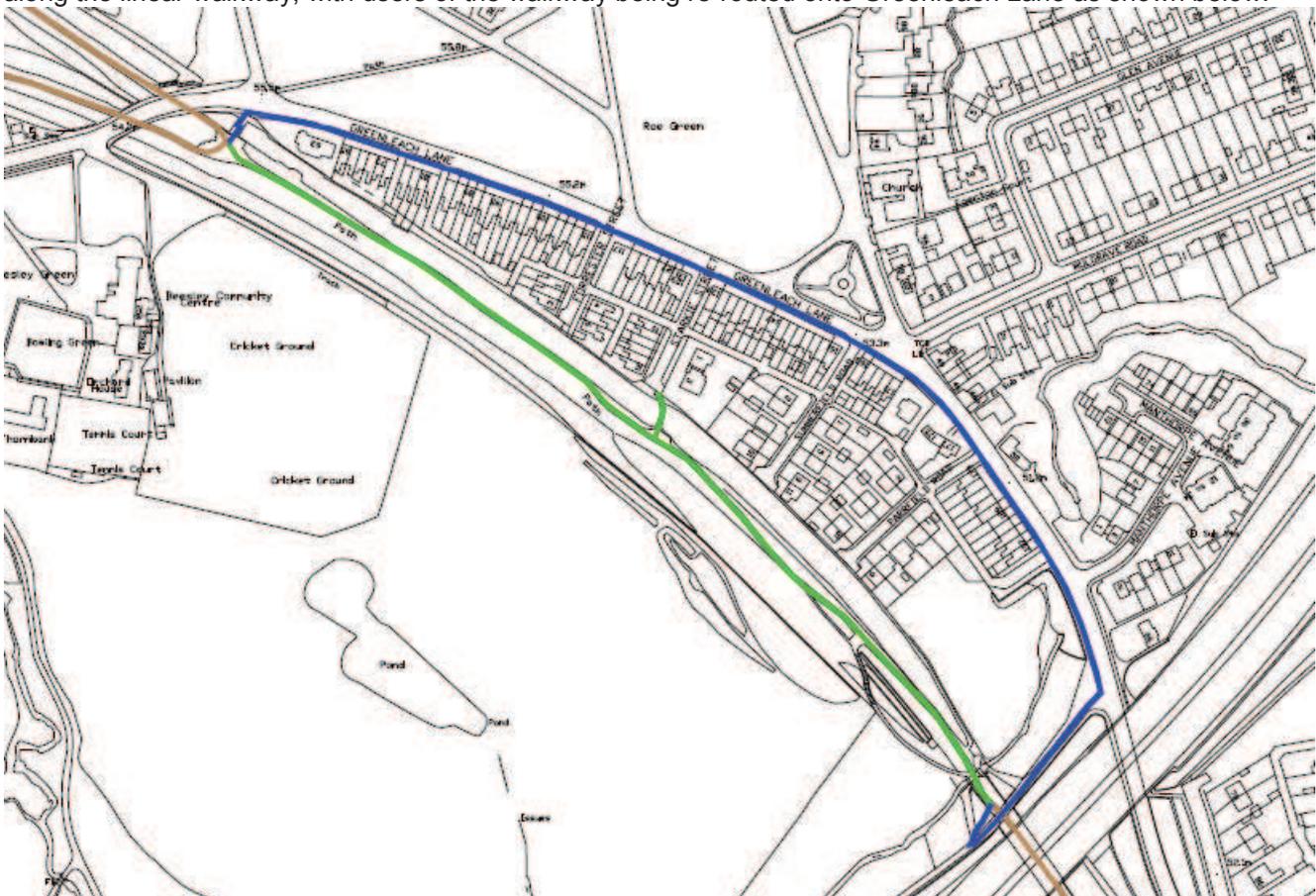
The applicant has provided detailed drawings of the proposed temporary access and these have been reviewed by the Council's Highway engineers who have raised no objections to the scheme on highway safety grounds. Conditions relating to the need for wheel washing facilities are contained within the recommended considerate contractors condition.

Impact upon public rights of way

There are a number of public rights of way crossing the application site including one that runs along the length of the liner walkway and another that runs north south across the eastern end of the field adjacent to the proposed site compound.



The applicant has advised that they intend to apply for a temporary closure of the public right of way that runs along the linear walkway, with users of the walkway being re-routed onto Greenleach Lane as shown below.



It is proposed to keep the footpath that crosses the field open during construction, using signage on both the access track and the footpath to warn users of the crossing.

The Council's public rights of way officer has reviewed the proposals and confirmed that it would be possible to apply for a temporary closure of the PROW running along the linear walkway for a maximum of 12 months, noting that the closure will pose a significant disruption to the off road highway network in the area. They have also confirmed that the proposals to leave the footpath crossing the field open and introducing signage to advise users of both the footway and the crossing is acceptable, so long as the footway is returned to its original condition once the development has been implemented.

The PROW officer has advised that in the long term the proposal will have a minimal impact upon the public right of way, but note how the installation of the equipment will detract from the aesthetics of the area. The visual aspect of the proposal is considered below.

The Council's Greenspace Officer has also reviewed the proposals and noted that the closure of the walkway will have a significant impact upon the lopline from the East Lancashire to the M60, before stating that the alternative access proposed along Greenleach Lane is acceptable for use by pedestrians but cyclists will find it more difficult to use as they would have to travel up and down steps to divert from the walkway.

Both the public rights of way officer and the Greenspace Project Manager have requested that the section of the walkway running from the East Lancashire to M60 route is resurfaced by United Utilities as it is currently in poor condition and it functions as an important off road route to Walkden High. Again, this is a matter which will be reported prior to the panel meeting.

The applicant has considered the use of a temporary ramp to provide access/egress from the diverted PROW. However, the gradient of the ramp would either be unusable or it would require a significant land taking and the removal of more trees. Therefore, users of the walkway will be notified at the previous access / egress points of the temporary diversion arrangements. Furthermore, negotiations are currently ongoing in relation to the reinstatement of walkway. It is clear that the section of walkway within the site boundary will be reinstated to accommodate future maintenance requirements resulting in an improvement to the walkway being consistent with improvements already undertaken by the Council in other areas of the walkway. Negotiations are ongoing in relation to areas of walkway outside of the site boundary between the East Lancashire Road and the M60 as raised in consultation responses.

Having regard to the essential nature of the development, the fact that the proposals would only require a temporary closure of the public right of way running along the linear walkway and given that the scheme has the potential to introduce long term improvements via resurfacing and the introduction of replacement benches and signage in the clearing just before the bridge under Greenleach Lane it is considered that the impact that the proposal would have on public rights of way is acceptable. The scheme will result in a short term impact upon the right of way although an alternative safe route can be made available, albeit one that uses a footpath along an adopted highway as opposed to an off road route.

Loss of Trees and Visual Impact

With the exception of the temporary access road and the contractor's compound the majority of the application site is located within the Roe Green / Beesley Green Conservation Area.

The temporary access road would be approximately 300m long. The initial access from the A580 would be constructed from tarmac whilst the remainder of the access road from stone. **The installation of the temporary access would require the loss of a portion of an area of hawthorn.** It would also necessitate the pruning of a series of elder, English oak and hawthorns located at the proposed entrance off the East Lancs. None of the trees that would be affected by the installation of the temporary access road have a Category A classification and are not considered trees of high quality.

The temporary site compound would be approximately 290m². It would accommodate 20 car parking spaces, six site cabins, skips and plant storage / fuelling facilities. The temporary access would require the loss of 3 trees. These trees are part of a group of trees which are considered to be of moderate quality.

In order to allow the existing linear walkway to be utilised as a means of access to the site and clear an area for the installation of the filtration equipment it is proposed to undertake significant tree works, including felling 244 trees including alder, silver birch, ash, hawthorn, sycamore, field maple, hazel, elm, wild cherry, common alder, hornbeam, willow, poplar and oak. The majority of the trees would be removed from the eastern end of the linear walkway in the area behind Forester Street, Starkie Street and Summerfield Road where the regrading of the banks would occur and the filtration equipment installed. The regrading of the embankment would be to the southern embankment, furthest from the residential properties. The trees along the top of the opposite embankment (closest to these residents) would not be affected by the proposal. None of the trees that would be removed have a Category A classification (high quality) although it is acknowledged that the collectively contribute to the amenity of this area.

In order to mitigate against the loss of trees the applicant is proposing to undertake significant landscaping. They are proposing to reinstate the land where the temporary access and contractors compound would be installed and they are also proposing significant tree planting along the route with a total of 315 individual replacement trees of native broadleaf species and a further 1745 whips and shrubs being planted. The replacement tree planting will include the following species – silver birch, oak, alder, hazel, hawthorn, holly, dog rose, willow, beech, field maple and aspen. In addition, the applicant is proposing to undertake further improvements to the walkway in the form of resurfacing and installing replacement street furniture in the clearing near the bridge. The applicant has confirmed that they will be undertaking landscape maintenance. However, the detail of this is currently being negotiated and will be reported.

The Council's consultant arborist has reviewed the scheme and confirmed that 247 individual trees will be removed, stating that this amount appears excessive at first but when the scale of the site is considered this is to be expected given the requirement to utilise large machinery for the delivery of plant equipment and materials and undertake maintenance once the equipment is installed. He acknowledges that in the short-term the loss of tree cover on site will appear dramatic however in the long-term he feels that the population will recover as a result of the proposals to re-plant 315 individual replacement trees of native broadleaf species and a further 1745 whips and shrubs, noting how the proposed replanting exceeds the normal requirement for 2 for 1 replacements where a development necessitates tree removal. Consequently subject to the attachment of conditions to ensure that the development is carried out in accordance with the submitted arboricultural Method Statement, to secure landscaping and to require replacement planting if any trees die within 5 years of planting he does not raise any objections to the proposal.

In addition the council's greenspace manager has reviewed the scheme and stated that a significant amount of tree work is required to enable access but as this is mainly on self seeded trees this could be advantageous for future management of the loopline. They also noted that they had been considering how the treescape along the walkway could be managed, including pruning and felling, but due to budget constraints they had not been able to implement anything.

The Council's conservation officer has stated that subject to a satisfactory landscaping scheme to mitigate any visual impact from Beesley Green, they have no objection to the application.

The installation of the access road and the temporary contractors would only result in a very limited amount of tree removal, having a short term impact upon the visual amenities of the area as it is proposed to reinstate the land following construction and undertake replanting with 24 feathered trees including 8 oak, 8 alder and 8 silver birch trees being introduced post completion.

It is acknowledged that the removal of trees along the walkway will have a significant impact upon the visual appearance of the walkway. However it is proposed to undertake significant landscaping in order to allow the treescape of the area to be reinstated thereby ensuring that the tree removal necessary to facilitate the proposed development only has a short term impact upon the visual amenities of the area and the character and appearance of the Roe Green/Beesley Green Conservation Area. It is proposed to introduce 32 heavy standard trees in the clearing adjacent to the bridge for Greenleach Lane, 77 feathered trees along the linear walkway and 147 feathered trees and 35 standard trees in the area where the filtration equipment will be installed. This is the area where most of the tree removal would take place.

In terms of the impact that the equipment being installed would have on the visual amenities of the area and the character and appearance of the Roe Green/Beesley Green Conservation Area this would be limited given that the majority of the filtration equipment, including the bifurcation chamber, the detention tank, the weir and the powered screen chamber, will be installed underground, with the only above ground elements being the control

kiosk, the 3 pressure relief columns, the stone access track and small areas of hardstanding surrounding the cable draw pits of the below ground structures.

Consequently, given that this proposal is required in order to improve the water quality of Kempnough Brook, having regard to the small scale of the above ground elements that would be retained in the long term and the fact that extensive landscaping proposed to mitigate against the significant loss of trees, with the applicant also being willing to undertake further improvements to the walkway in form of resurfacing and installing street furniture, it is considered that, on balance, the proposal is acceptable in terms of its impact upon the visual amenities of the area and the character and appearance of the Roe Green Conservation Area.

Ecological Impact

An ecological assessment by JW Ecology has been submitted in support of the application.

The applicant has also provided a statement which summarises how they will undertake tree removal within the bird nesting season without adversely affecting any nesting birds. This is necessary as the applicant has a legal commitment and regulatory requirement to complete this project no later than 28th February 2014 and it is estimated that the project has a 10-month construction period.

The supporting information confirms that all areas where pruning and removal of trees is required will be inspected by a qualified, competent Ecologist 24-48 hours in advance of any tree works being carried out, with areas of identified nesting bird activity being identified on a plan. On the morning of the first day of the proposed tree works, the areas to be pruned and removed will be inspected again for nesting bird activity and if they are declared to be clear of nesting birds the tree works will proceed. In the event that nesting bird activity is suspected or that the Ecologist identifies nests that have been recently constructed, the Ecologist will set up a buffer zone around the nesting site to ensure there is no risk of disturbance to nesting birds. Areas that have been taped off, will be regularly inspected on a weekly basis and the Ecologist will contact the tree works contractor as soon as young have fledged the nest(s) and the area is cleared for removal or pruning.

The Greater Manchester Ecological Unit have reviewed the submitted information and advised that the proposed development will result in losses to mature and semi-mature broadleaved trees and woodland understory in an established green corridor, having significant but localised landscape and habitat impact in the short-term. GMEU have confirmed that the scheme will not affect any specially protected species but state that it has the potential to affect wildlife of local value including birds, invertebrates and small mammals. In order to minimise impact GMEU have noted that the applicant proposes to undertake additional bird nesting surveys before any tree removal takes place, implement a tree protection plan for retained trees and introduce new tree planting thereby allowing natural regeneration to take place. Having regard to the proposed mitigation GMEU have confirmed that overall they do not consider that the long-term impact of the scheme on local habitats and species will not be substantive as the wildlife corridor function of the area will be retained. The Greater Manchester Ecologist will be present on site during the first day of the proposed tree works.

In order to prevent the spread of invasive plants, which is an offence under the terms of the Wildlife and Countryside Act 1981 (as amended), GMEU have requested that a method statement be prepared giving details of how alien invasive plants are to be controlled during the course of the scheme, with all development being carried out in accordance with the agreed statement.

Other Issues

Consultation and availability of information

Neighbouring residents have expressed concerns that there has been a lack of public consultation undertaken with this application.

The application has been publicised extensively – 80 neighbouring properties were notified of the application by letter, a series site notices have been displayed at various points close to the application site and the application has been advertised in the press. The proposal has been advertised in excess of the statutory requirements for publicising applications of this nature as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2010.

Furthermore, the applicant has confirmed that they undertook pre submission consultation on the application undertaking a letter drop in the Roe Green Area in order to give residents information on the scheme and invite them to a public exhibition held at the Beesley Green Community centre on the 5th December 2012.

In terms of the information available to residents the application forms, plans and supporting technical documents are available for public viewing online via the public access system.

Vibration, noise and air quality

Neighbouring residents have expressed concerns that the proposal will result in neighbouring residents experiencing an increase in air pollution, dust, noise and vibration.

It is acknowledged that the proposal will introduce additional activity into the area including that of large plant and machinery. However, having regard to the proposed hours of construction (7.30 to 6pm Monday to Friday), the level of separation that would exist to neighbouring properties and the fact that any noise, disturbance that does arise will be short term it is not considered that proposal would result in neighbouring residents experiencing an unacceptable reduction in the level of residential amenity neighbouring residents can reasonably expect to enjoy.

Conclusion

Whilst it is acknowledged that the proposal would necessitate the removal of a number of trees it is clear that this area of the linner walkway has been identified for arboricultural management and maintenance albeit not to the level required by this development.

The proposal is would improve water quality to Kempnough Brook and the siting represents the most sustainable position to collect additional discharge before releasing into the adjacent sewer. The improvements to water quality and the water infrastructure is a significant material consideration and in accordance with the infrastructure improvement provisions of the NPPF.

The significant landscape mitigation proposal, together with the improvements to the walkway itself are considered appropriate to mitigate the short term impact of the proposal having regard to the need to provide this facility.

In conclusion, it is therefore recommended that planning permission be approved subject to the following conditions.

Recommendation

Approve

1. The development shall 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 permitted shall be carried out in accordance with the following approved plans -

Site location plan - drawing SAL0125/80021997/00/97/1009 Rev A

Proposed access road and compound layout - drawing SAL0125/80021997/00/97/1008 Rev A

Temporary access sections - drawing SAL0125/80021997/00/96/2003 Rev A

Temporary access layout plan - drawing SAL0125/80021997/00/96/2002 Rev A

Proposed site layout plan - filtration equipment - drawing SAL0125/80021997/00/97/1004 Rev A

Proposed elevations and sections - drawing SAL0125/80021997/00/97/1005 Rev A and SAL0125/80021997/00/97/1006 Rev A

Proposed embankment regrading plan - drawing SAL0125/80021997/00/97/1010 Rev A

Proposed embankment regrading sections - drawing SAL0125/80021997/00/97/1011 Rev A

Public rights of way plans - drawings SAL0125/80021997/00/97/ Rev B, SAL0125/80021997/00/97/1008 Rev B and SAL0125/80021997/01/01/1006 Rev A

Reason: For the avoidance of doubt and in the interests of proper planning.

3. With the exception of the timing of tree removal the development hereby approved shall be carried out in accordance with the JW Ecological Ltd Ecological assessment - Ref JWE/868B dated 26th October 2012

Reason: In order to ensure that legally protected species are not unacceptably affected in accordance with the Nature Conservation and Biodiversity SPD and the NPPF.

4. No tree removal or ground clearance works should take place in the optimum period for bird nesting (March to July inclusive) unless it is carried out in accordance with the tree removal method statement provided by United Utilities on the 27th March 2013

Reason: In order to ensure that legally protected species are not unacceptably affected in accordance with the Nature Conservation and Biodiversity SPD and the NPPF.

5. Prior to the commencement of development, a scheme detailing the method and timescales of the disposal of invasive species shall be submitted to and approved in writing by the Local Planning Authority. The disposal shall be undertaken in accordance with the approved scheme.

Reason - To prevent the spread of invasive species in accordance with the Nature Conservation and Biodiversity SPD and the NPPF.

6. Following implementation of the development hereby approved the site shall be landscaped in accordance with the detail shown within the following drawings

SAL0125/80021997/00/97/9400 Rev A
SAL0125/80021997/00/97/9401 Rev A
SAL0125/80021997/00/97/9402 Rev A
SAL0125/80021997/00/97/9403 Rev A
SAL0125/80021997/00/97/9404 Rev A

The landscape scheme shall be carried out within the next planting season following the completion of the development hereby approved and thereafter shall be maintained to the satisfaction of the Local Planning Authority. Any trees or shrubs dying within five years of planting shall be replaced within 12 months of removal or death to the satisfaction of the Local Planning Authority.

Reason: To safeguard the amenity of the area in accordance with policy DES 1 of the City of Salford Unitary Development Plan.

7. The temporary access road and the contractors compound hereby approved shall be removed and the land restored to its former condition within 3 months of the completion of development.

Reason: The application has been made for temporary consent only.

8. Within 3 months of the date of this permission a scheme for the improvement and re-instatement of the section of the walkway running from the East Lancashire Road to the M60 together with the installation of new street furniture and signage within the clearing close to the bridge identified on area 2 of landscape drawing SAL0125/80021997/00/97/9402 Rev A shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include timescales for implementation. The approved development shall be carried out in accordance with the approved walkway improvement scheme.

Reason - To ensure that the linear walkway is maintained to a satisfactory standard in accordance with policy A2 of the City of Salford Unitary Development Plan

9. The development hereby approved shall be carried out in strict accordance with the tree removal and tree protection measures set out in the following documents

TEP Arboricultural Constraints Report - ref TEP.3292.01.001 Dated November 2012
 TEP Tree Survey and Constraints Report (areas 2 and 3) - ref TEP.3292.01.002 dated November 2012
 TEP Tree Constraints plan - drawing D3292.01.002
 Tree Constraints Plan - Key plan - drawing SAL0125/80021997/00/97/9200 Rev A
 Tree Constraints Plan - Area 1 Proposed Compound - drawing SAL0125/80021997/00/97/9201 Rev A
 Tree Constraints Plan - Area 2 Proposed Compound to bridge - drawing SAL0125/80021997/00/97/9202 Rev A
 Tree Constraints Plan - Area 3 Temp access proposed tank - drawing SAL0125/80021997/00/97/9203 Rev A
 Tree Constraints Plan - Area 4 Proposed Detention Tank - drawing SAL0125/80021997/00/97/9204 Rev A
 Tree Constraints Plan - Area 5 Detention Tank - drawing SAL0125/80021997/00/97/9205 Rev A
 TEP Area 1 Arboricultural Method Statement - drawing D3292.01.012
 TEP Area 2 Arboricultural Method Statement - drawings D3292.01.014 and D3292.01.015
 TEP Areas 2 and 3 Arboricultural Method Statement - drawing D3292.01.013
 TEP temporary tree protection fencing - drawing D.TREE_FENCING.001
 TEP Scaffolding and ground protection measures - drawing D.SCAFFOLD.001

The tree protection fencing shall be installed prior to the commencement of any work and shall remain until all development is completed and no work, including any form of drainage or storage of materials, earth or topsoil shall take place within the perimeter of such fencing.

Reason: To safeguard protected trees on the site and to ensure that adequate provision is made for their protection whilst the development is carried out.

10. Prior to the commencement of development a scheme for the provision of bird and bat boxes on retained trees close to the works area shall be submitted to and approved in writing by the Local Planning Authority.

In order to compensate for potential losses to bird and bat feeding and roosting sites.

11. No construction activities shall be commence until a Considerate Contractors Scheme, including a Construction Environmental Management Plan, has been submitted to and approved in writing by the local planning authority. The Considerate Contractors Scheme shall be adhered to in full for the duration of any demolition or construction work.

Reason: To safeguard the amenity of the neighbouring residents in accordance with policy EN17 of the City of Salford Unitary Development Plan.

12. Construction activity and vehicles movements shall only take place between 7.30am and 6pm Monday to Friday.

Reason: To safeguard the amenity of the neighbouring residents in accordance with policy EN17 of the City of Salford Unitary Development Plan.

13. The kiosk and the base of the pressure relief columns hereby approved shall be colour treated with the approved colour green prior to installation and shall be maintained as such thereafter.

Reason: To safeguard the amenity of the area in accordance with policy DES 1 of the City of Salford Unitary Development Plan.

Notes to Applicant

1. A temporary closure of the walkway running along the linear walkway will be required. Please contact the Council's public rights of way officer, Ian Lavin, for more information on this. His contact number is 0161 779 6111 and his email address is ian.lavin@urbanvision.org.uk
2. When preparing a scheme to satisfy condition 8 consideration should be given to the following treatments on areas of the walkway which would not be used for maintenance purposes -

- Using a recycled graded road planings of 100mm/200mm/300mm thick x 3.6 metres wide.
 - Using timber edgings, foam binders, a surface course and gravel surface
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