

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139928/FO/2024

Date registered valid: 1 May 2024

Proposal: Creation of new vehicular access

Address: Land Between Thorley Lane And Staff West Car Park, Manchester Airport, Manchester

Ward(s): Woodhouse Park Ward

Applicant: Mr Andrew Thompson Manchester Airports Group

Agent (if any):

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 06.09.2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 9th August 2024

Standard consultations:

Printed: 10 May 2024 Expired: 1 June 2024

Neighbour notifications

Printed: 9 May 2024 Expired: 31 May 2024

Site notice

Posted: 13 May 2024 Expired: 4 June 2024

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application relates to an area of grass verge adjacent to Thorley Lane a classified road and an area of redundant taxiway within the airport operational area.

Description of development

The proposals relate to the creation of a new vehicular access onto Thorley Lane from within the airport operational associated with operational changes to roadways within the airport estate. The submitted details indicate the works that the airport operator is undertaking to facilitate this vehicular access on land in their ownership. These other works have been subject to consideration against the airport operators permitted development rights in April 2024 where it was confirmed they met the requirements of Schedule 2, Part 8, Class F of the Town and Country Planning General Permitted Development Order 2015 (as amended) but excluded the land that connected these works to the Thorley Lane classified road which would require planning permission which are now subject of this application.

The City Council as local planning authority also confirmed in December 2023 that the proposed overall project was not subject to the requirement of an Environmental Impact Assessment.

Since being originally submitted to the Council the application has been supplemented by additional information in relation to the design of the wider highway works outside of the

application site edge red, together with the inclusion of an area of land within the airport operational area that will be subject of biodiversity enhancement to meet the requirement for a 10% biodiversity net gain as required under schedule 7A of the 1990 Town and Country Planning Act. These supplementary pieces of work have been fully assessed as part of the consideration of the proposals.

Consultations & Notification Responses

The application was subject of consultation with statutory consultees, neighbour notification and posting of a site notice. The following responses were received:

One resident comment was received a summary of the comments received is set out below:

Since the installation of two temporary traffic signals either side of the T junction at Thorley Lane, the 40mph roadway was reduced to 30mph coming to a complete traffic gridlock in three directions at busy periods, and blocking our gateway.

Our concern is that disgorging queueing traffic from the airport operations area onto Thorley Lane via traffic signalling will only increase the chaos and queueing around the Thorley Lane junction.

Keepers Cottage gateway is within metres of the Thorley Lane T junction and this will cause longer queues across our gateway.

We would like road markings to maintain the access to our property clear at all times. Either 'Yellow box hatching' or 'Keep clear markings' on the roadway.

This planning application was discussed at the last Ringway Parish Council meeting and although no objection to the planning application was submitted, it was agreed that resident's property needs consideration when the Airport decides to modify their traffic management schemes onto Ringway Parish roads, which are already congested by airport business operations.

Ringway Parish Council - Thorley Lane/Runger Lane Ringway was a 40mph unobstructed Road until recently when temporary traffic lights were installed either side of Thorley Lane Hale and the speed limited reduced to 30mph. This is to allow contractors working within the Airport access to cross Thorley Lane/Runger Lane from two compound carparks.

This causes traffic queueing in all three directions at especially demanding times of the day by contractors continually operating the temporary signals.

What was discussed in the last Parish Council meeting regarding this planning application was that Keepers Cottage, positioned within meters of the Thorley Lane junction should have a yellow hatched 'No Enter Box' or 'Keep Clear' markings on the roadway to allow continual access to the properties gateway.

Trafford Council – No objections.

MCC Highways – Following the submission of additional highways information in terms of traffic modelling of the wider proposed works associated with the new access confirm there are no highway objections to the proposed new access. An informative is proposed to be attached to any decision notice to make the applicant aware that a section 278 agreement is required to undertake the works and confirm and agree the final designs of the highway works.

MCC Environmental Health – Recommend conditions relating to construction management and contaminated land watching brief. Informative are proposed to deal with construction hours.

Greater Manchester Ecology Unit - No protected species were recorded within the area of the proposed red line boundary and it was considered unlikely that the proposals would directly impact on such species. Equally no negative impacts on protected sites are anticipated.

Commuting and foraging bats may be present along the woodland boundary and therefore any lighting that is required to implement the works must follow best practice guidance (e.g. <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>)

Protected species can turn up in unexpected places and the granting of planning permission does not negate the need to abide by the laws which are in place to safeguard biodiversity. An informative should be used so that the applicant is aware that they must seek ecological advice should they find or suspect that the proposals will impact on protected species. The applicant should follow the guidance in section 6.4.2 of the ecology report, regarding pre-construction site checks 72 hours prior to commencement of construction activities.

A species of cotoneaster was recorded close to/on the boundary of the site edged red, which may be one that is included on Schedule 9 of the Wildlife and Countryside Act, 1981 (as amended). We would therefore recommended that work is undertaken in line with section 6.4.5 of the ecology report.

The submitted documents appear to provide a reasonable assessment of the base line and proposed habitats within the site edged red. This indicates that there will be a net loss of 0.72 units (-97.89%) of habitats. To achieve a 10% BNG a total of 0.79 grassland units will need to be provided. An area of modified grassland on the area of the site identified in viewport B, which is currently developed sealed surface, is adequate to provide the 10% net gain required by the Environment Act. Given the small number of units involved and the low value of the habitat (poor condition modified grassland) the use of a condition to secure a 30 year Habitat Management and Monitoring Plan (HMMP) does not seem proportionate. Instead GMEU would suggest a condition is used to ensure that the area of land identified in Viewport B of the 'Planning Application Boundary Plan (28.06.2024) is maintain as grassland for 30years. The submitted information regarding the Biodiversity Gain Plan appears to be sufficient for this application.

MCC Arborist - The proposed removal of the section of semi mature wooded area would not be something we would be able to support without sufficient mitigation planting, however, they confirm that the trees would not be worthy of TPO status (even as a group), and therefore we would have no objection to the proposals from an arboricultural perspective.

Policy

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The adopted development plan consists of the Core Strategy (adopted 2012), the Places for Everyone Joint Development Plan (adopted March 2024) and the saved policies of the Unitary Development Plan. Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) which represents a significant material consideration.

Local Development Framework - The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic

policies for development during the period 2012 – 2027 together with the recently adopted Places For Everyone (PfE) Joint Development Plan.

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, PfE, saved UDP policies and other Local Development Documents.

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle)

Policy DM1 (Development Management)

Policy EN1 (Design principles and Strategic Character Areas)

Policy EN3 (Heritage)

Policy EN9 (Green Infrastructure)

Policy EN14 (Flood Risk)

Policy EN 15 (Biodiversity and Geological Conservation)

Policy EN 16 (Air Quality)

Policy EN 17 Water Quality

Policy EN 18 Contaminated Land and Ground

Policy T1 Sustainable Transport

Policy T2 Accessible Areas of Opportunity and Need

The application site is within the Manchester Airport Strategic Site designation (Policy MA1). The Strategic Site boundary on the Proposals Map indicates the airport's Operational Area. The application site falls within sub-area 1a – Existing Area – on Figure 8.8. Within this area, Table 8.1, indicates that 'terminal, taxiways, aircraft apron, ancillary operational facilities, offices, hotels and other uses, surface access and car parking' as uses which are expected.

Places for Everyone - The approved Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs. Securing higher densities in the most accessible locations is identified as helping to maximise the ability of people to travel by walking, cycling and public transport and reduce the reliance on the car.

Relevant policies of PfE in this instance are:

JP-Strat10 (Manchester Airport)

JP-S1: Sustainable development

JP-S4: Flood Risk and the Water Environment

JP-S5: Clean Air

JP-G7 (Trees and Woodland)

JP-G8: A Net Enhancement of Biodiversity and Geodiversity

JP-P2 (Heritage)

JP-C6 (Walking and Cycling)

JP-C8 (Transport Requirements of New Development)

Saved Unitary Development Plan Policies - Policy DC26.1, DC26.2 and DC26.5 Development and Noise – A noise assessment has been prepared to accompany the application.

The National Planning Policy Framework (December 2023) - sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role. The NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted.

Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. The following specific paragraphs of the NPPF are relevant to this application:

Transport and Access - Paragraphs 114-117

Design – paragraph 131

Flood and Drainage – Paragraphs 165 – 175

Ecology – paragraph 180

Ground Conditions and Pollution– paragraph 189 , 191,192

Environmental Impact Assessment

The current proposals were subject of a screening opinion of the Council in December 2023. This concluded that while the development would have some impact on the surrounding area it was judged that these would not be significant to warrant a formal Environmental Impact Assessment. Therefore, the opinion of the City Council, as Local Planning Authority, was that an Environmental Impact Assessment was not required in this instance.

Following a review of the proposals subject to this application together with the wider project taking place within land in the airport operational area it is not considered that there have been significant changes either to the project, in the locality, or in terms of national or local policy that give rise to a different conclusion to the EIA screening opinion issued in December 2023.

Issues

Principle of Development - The principle of an access from a road exiting Terminal 2 to Thorley Avenue has been established by the current presence of Sydney Avenue, connecting the west end roundabout to Thorley Lane. It is understood that this road’s purpose is to connect the airport’s internal road network, particularly vehicles exiting Terminal 2’s forecourt and its multi-storey car parks, with the external adopted highway network of Thorley Lane and beyond. Therefore the traffic entering and exiting the airport estate is already existing, the proposals are being brought forward to improve traffic circulation rather than directly to increase road traffic.

The wider proposals indicated on the submitted plans indicate the closure of the existing Sydney Avenue and its replacement with an alternative alignment – still connecting West End Roundabout to Thorley Lane which requires a new access to be created in a different position as set out in the current application subject of this report. The connection of internal airport access roads to the wider highway network is therefore considered acceptable subject to further consideration of the highway and pedestrian safety considerations.

Highways – The application site relates to the formation of a new access to a classified road, the submitted and updated information has been fully assessed as part of the consideration of the application. The existing land is used as a grass verge adjacent to Thorley Lane and the proposals would result in this being incorporated into the design of the new access. The land would form hard surfacing and road infrastructure associated with the works being undertaken through permitted development rights. Following the submission of update road scheme design together with the inclusion of traffic modelling of the new access the Council's Highway Services have confirmed that there are no highway objections to the new vehicular access being created. The final detailed design of the works and the wider project would need to be subject to a section 278 agreement and an appropriately worded informative is proposed to be attached to any decision to reflect this.

Concerns have been raised with regards to the need for road markings to be introduced to protect an existing access in close proximity to the existing Thorley Lane junction, such works would be outside of the scope of the current proposal however, these comments and requests have been passed onto the road designers to consider as part of the final road layout design.

The wider project incorporates improvements and amendments to the existing pedestrian and cycle network in the area, these would be subject to further design as part of the S278 agreement but it is considered that the proposals would not give rise to unacceptable impacts to cycling and walking networks that would warrant refusal of the proposal which would introduce a controlled crossing point replacing

Trees- There are no trees within the planning application site itself, although the submitted details do identify the wider project would result in the loss of trees. The application site does not impinge on the area requiring removal of existing trees and only impacts on a grass verge adjacent a highway. The comments of the Council's arborist are acknowledged in respect of the loss of trees as part of the wider project and that the trees identified for removal as part of that project would not be worthy of protection via a TPO.

Ecology – The application is supported by a Preliminary Ecological Appraisal, BNG Statutory Metric, and BNG Gain Plan which have been assessed. The site subject to the application proposals is not considered to contain protected species or habitats of value.

Given the extent of the grass verge and that the proposals would remove this in its entirety the applicant has provided on-site replacement of this within the airport estate. This has been identified within the submission and has been reviewed as acceptable to achieve a 10% biodiversity net gain in the provision of modified grassland on a redundant area of concrete taxiway within the operation area. The proposed grassland would not be considered as a significant area of habitat to be created and therefore in this instance it is considered appropriate to attach a condition to any approval to ensure that this area of grassland is retained and maintained for a 30 year period. Informative are also required to remind the applicant that if any protected species are discovered whilst undertaking the works they should seek the appropriate ecological advice and to remind them of the recommendations within the submitted PEA.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality

Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 a right to a fair hearing and to this end the local planning authority 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 Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing 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. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: APPROVE

Article 35 Declaration

The application has been determined in a positive and proactive manner. In this instance consultee responses have been discussed with the applicant and amended and additional information has been provided, suitably worded conditions are proposed to be attached to the decision.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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:

Site location plan MT2RSYDN-MAN.LG.00.RD-JAC-Z-GA-LANDRD-0008 S4 Rev 1.0

Planning Application Boundary Plan- MT2RLAND-MAN.LG.00.ZZ-JAC-Z-GA-LANDRD-0001 S4 Rev 1.0 as received by the City Council as local planning authority on the 2nd July 2024

Biodiversity Gain Plan

Preliminary Ecological Appraisal – Document Ref. MT2RSYDN-MAN.LG.00.ZO-JAC-G-RE-ENVIR-0001 Rev 4.0

Drawing No. MT2RSYDN-MAN.LG.00.ZZ-JAC-G-DE-LAND-0001 Rev 4 – Preliminary Ecological Appraisal Extended UK Habitats Classifications Map

Drawing No. MT2RSYDN-MAN.LG.00.ZZ-JAC-G-DE-LAND-0005 Rev 1 – Pre-Development Habitat Map Taxiway Site

Drawing No. MT2RSYDN-MAN.LG.00.ZZ-JAC-G-GA-LAND-0002 Rev 1 – Post Development Habitat Plan Sheet 1 of 2 Sydney Avenue
Drawing No. MT2RSYDN-MAN.LG.00.ZZ-JAC-G-GA-LAND-0003 Rev 1 – Post Development Habitat Plan Sheet 2 of 2 Taxiway Site
Statutory Biodiversity Metric Calculator 27-06-24
All as received by the City Council as local planning authority on the 7th August 2024

TRANSPORT STATEMENT SYDNEY AVENUE - Document no: MT2RSYDN-MAN.LG.00.XX-JAC-Z-RE-XX-0001 Revision no: 3.0 dated 28/08/24 – as received by the City Council as local planning authority on the 29th August 2024

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) Prior to the commencement of the works hereby approved, a construction management plan shall be submitted to and agreed in writing by the City Council as local planning authority. The submitted details shall include:

- dust suppression measures;
- compound locations;
- details of an emergency contact telephone number;
- sheeting of construction vehicles
- the management of traffic

The development shall be carried out in accordance with the agreed details.

Reason - In the interests of pedestrian and highway safety and residential amenity, pursuant to policy DM1 of the Core Strategy.

4) The area of land identified on drawing reference 'MT2RSYDN-MAN.LG.00.ZZ-JAC-G-GA-LAND-0003 Rev 1 – Post Development Habitat Plan Sheet 2 of 2 Taxiway Site' in Viewport B of the 'Planning Application Boundary Plan (28.06.2024) shall be maintained as modified grassland for 30 years from the completion of the development.

Reason - In the interests of biodiversity net gain being achieved on site pursuant to Policy EN15 of the Manchester Core Strategy, Policies JP-G8 of Places for Everyone, National Planning Policy Framework (NPPF) and Schedule 7A of the Town and Country Planning Act 1990 (as amended).

Informative

A section 278 agreement will be required for the proposed works and for the conclusion of the final design of the works to the highway. You are advised that this process can be commenced by using the following weblink and completing the relevant forms:

https://www.manchester.gov.uk/directory_record/451887/permission_to_work_on_the_highways_-_section_278_agreements/category/355/highways_and_pavements

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Transport For Greater Manchester
Greater Manchester Ecology Unit
Trafford Council
Ringway Parish Council

2 Hale Top Farm Cottage, Thorley Lane, Manchester, WA15 8UL
1 Hale Top Farm Cottages, Thorley Lane, Manchester, WA15 8UL
Keepers Cottage, Thorley Lane, Manchester, WA15 8UQ
Hale Top Farm Cottage, Thorley Lane, Manchester, WA15 8UL

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 15M
Green Belt Land - Greater Manchester Green Belt Local Plan 1984
Area Team Boundary - Name: SOUTH AREA