

Manchester City Council Report for Resolution

Report to: Executive – 11 January 2017

Subject: Correction of East Manchester - Proposed City of Manchester (A57 Hyde Road, Gorton) Compulsory Purchase Order 2016

Report of: The Chief Executive and the Director of Highways

Summary

This report is supplementary to the report submitted to the Executive on 19th October 2016, with the same subject (“The First Report”). The purpose of this report is to clarify and amend an error that has been found within recommendation 1 of the First Report, for avoidance of any doubt and clarification.

Background

The First Report set out proposals to Executive for the compulsory purchase of land adjacent to a section of A57 Hyde Road, in Gorton, along the stretch between Far Lane and Reddish Lane. The acquisition of the land will facilitate the widening of A57 Hyde Road to accommodate 2 additional lanes of traffic flow in both directions and will also enable the removal and rebuilding of a new bridge to carry the footpath that runs along a disused railway lane.

Issue under consideration:

The first recommendation of the First Report stated:

“Recommendations

The Executive is asked to:

1. Authorise the making of a Compulsory Purchase Order under Sections 239, 240 and 250 of the Highways Act 1980 and the Acquisition of Land Act 1981, to secure the acquisition of the land and interests not in the City’s ownership **within the site shown edged red** on the attached plan at **Appendix 1.**”

(emphasis added, not in the original)

This recommendation was approved by the Executive and the minutes included the same paragraph as above (the minute of the decision at that meeting is attached at Appendix 2 of this report).

All the plots and interests required for the Hyde Road CPO are accurately described at paragraph 2 of the First Report and are accurately shown on the plan attached at Appendix 1 of the First Report. However, the phrase “within the site shown edged red” in Recommendation 1 (as highlighted above) was included by error. At the plan

attached at Appendix 1, the plots and interests required for the Hyde Road CPO are drawn edged or shaded in different colours, not just edged red.

Recommendation 1 should have instead read as follows:

“Recommendations

The Executive is asked to:

1. Authorise the making of a Compulsory Purchase Order under Sections 239, 240 and 250 of the Highways Act 1980 and the Acquisition of Land Act 1981, to secure the acquisition of the land and interests not in the City’s ownership as shown on the attached plan at **Appendix 1** and described at paragraph 2 of the report”.

This is a minor amendment and the boundaries of the plots and interests required for the scheme remain the same as described in the First Report. However, for avoidance of any doubt, the Executive is asked to approve the amendment of Recommendation 1 of the First Report as shown below.

Recommendation:

The Executive is asked to approve the amendment of Recommendation 1 of the First Report as follows:

“1. Authorise the making of a Compulsory Purchase Order under Sections 239, 240 and 250 of the Highways Act 1980 and the Acquisition of Land Act 1981, to secure the acquisition of the land and interests not in the City’s ownership as shown on the attached plan at **Appendix 1** and described at paragraph 2 of the report submitted at the meeting of 19th October 2016”.

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Appendices

Appendix 1 The Executive – Minute of the decision from the meeting held on 19 October 2016

Appendix 2 Executive report of 19 October 2016 with Subject “East Manchester - Proposed City of Manchester (A57 Hyde Road, Gorton) Compulsory Purchase Order 2016”

Appendix 1 The Executive – Minute of the decision from the meeting held on 19 October 2016

Exe/16/134 East Manchester - Proposed City of Manchester (A57 Hyde Road, Gorton) Compulsory Purchase Order 2016

A joint report submitted by the Chief Executive and the Director of Highways put forward proposals for the compulsory purchase of areas of land adjacent to a section of A57 Hyde Road, in Gorton, along the stretch between Far Lane and Reddish Lane. The acquisition of this land was to remove a traffic bottle-neck where a road narrowed when passing under a bridge carrying a disused railway line over the road. The acquisition of the land would facilitate the widening of A57 Hyde Road to accommodate additional lanes of traffic flow in both directions. The acquisition would also enable the removal of the current bridge and building of a new bridge to carry the footpath that ran along a disused railway lane above the road.

The location and description of the proposed Order Lands were set out in the report and a map showing their location and extent was appended to the report. The report described in detail the proposal to remove the existing bridge, widen the road, and build a new bridge to reinstate the footpath and the line of the disused railway.

The report described the legal powers available to the Council to acquire the land, and the planning approvals involved in allowing the scheme to go ahead. The cost of the works was projected as £4.844m, and the source of the funding was set out in the report. That included a grant from the Department for Transport Local Pinch Point Fund of £2.4m. The balance would come from the Council's own resources.

We agreed with the compelling case set out in the report for the use of compulsory purchase powers to enable this scheme to proceed.

Decisions

1. To authorise the making of a Compulsory Purchase Order under Sections 239, 240 and 250 of the Highways Act 1980 and the Acquisition of Land Act 1981, to secure the acquisition of the land and interests not in the City's ownership within the site shown edged red on the attached plan at Appendix 1 of the report.
2. To authorise the Director of Highways and/or the Strategic Director (Strategic Development) to make if necessary, minor or technical amendments to the Compulsory Purchase Order boundaries as shown on the plan at Appendix 1 of the report.
3. To authorise the City Solicitor to seal the Order and take all the ancillary and necessary steps, including the publication and service of all statutory notices and presentation of the Council's case at any public inquiry, to secure the confirmation of the Compulsory Purchase Order by the Secretary of State and the vesting of the land in the City Council.

4. To authorise the Director of Highways and/or the Strategic Director (Strategic Development) (in the event that the Secretary of State notifies the Council that it has been given the power to confirm the Order) to confirm the Order, if he is satisfied that it is appropriate to do so.
5. To authorise the Head of Development to approve agreements with land owners, setting out the terms of withdrawal of objections to the order including where appropriate the exclusion of land from the Order.
6. To authorise the Director of Highways, or the Strategic Director (Strategic Development) and/or City Solicitor to make deletions from, and/or minor amendments and modifications to the proposed Order and Order plan or to agree from vesting any land included within the Order, should this be, in their opinion, appropriate.
7. To authorise the Head of Development to negotiate terms for the acquisition by agreement of any outstanding interests in the land, where the landowner is known, within the Order prior to its confirmation.
8. To note that all costs associated with the Compulsory Purchase Order and the acquisition of the Order Lands will be met by a grant from the Department for Transport matched by the Council, through a range of funding streams.

Manchester City Council Report for Resolution

Report to: Executive – 19 October 2016

Subject: East Manchester - Proposed City of Manchester (A57 Hyde Road, Gorton) Compulsory Purchase Order 2016

Report of: The Chief Executive and the Director of Highways

Summary: The purpose of this report is to set out proposals to Executive for the compulsory purchase of land adjacent to a section of A57 Hyde Road, in Gorton, along the stretch between Far Lane and Reddish Lane. The acquisition of the land will facilitate the widening of A57 Hyde Road to accommodate 2 additional lanes of traffic flow in both directions and will also enable the removal and rebuilding of a new bridge to carry the footpath that runs along a disused railway lane.

Recommendations

The Executive is asked to:

1. Authorise the making of a Compulsory Purchase Order under Sections 239, 240 and 250 of the Highways Act 1980 and the Acquisition of Land Act 1981, to secure the acquisition of the land and interests not in the City's ownership within the site shown edged red on the attached plan at Appendix 1.
2. Authorise the Director of Highways and/or the Strategic Director (Strategic Development) to make if necessary, minor or technical amendments to the Compulsory Purchase Order boundaries as shown on the plan at Appendix 1.
3. Authorise the City Solicitor to seal the Order and take all the ancillary and necessary steps, including the publication and service of all statutory notices and presentation of the Council's case at any public inquiry, to secure the confirmation of the Compulsory Purchase Order by the Secretary of State and the vesting of the land in the City Council.
4. Authorise the Director of Highways and/or the Strategic Director (Strategic Development) (in the event that the Secretary of State notifies the Council that it has been given the power to confirm the Order) to confirm the Order, if he is satisfied that it is appropriate to do so.
5. Authorise the Head of Development to approve agreements with land owners, setting out the terms of withdrawal of objections to the order including where appropriate the exclusion of land from the Order.
6. Authorise the Director of Highways, or the Strategic Director (Strategic Development) and/or City Solicitor to make deletions from, and/or minor amendments and modifications to the proposed Order and Order plan or to

agree from vesting any land included within the Order, should this be, in their opinion, appropriate.

7. Authorise the Head of Development to negotiate terms for the acquisition by agreement of any outstanding interests in the land, where the landowner is known, within the Order prior to its confirmation.
8. Note that all costs associated with the Compulsory Purchase Order and the acquisition of the Order Lands will be met by a grant from the Department for Transport matched by the Council, through a range of funding streams.

Wards Affected: Gorton South/North

Manchester Strategy outcomes	Summary of the contribution to the strategy
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	The improved transport infrastructure will contribute to significant reduction congestion and travel times into and out of the City along a primary arterial route. As part of ongoing enhancement of the wider connectivity and infrastructure across the city this will enhance the attractiveness to future investment and job creation in the surrounding areas.
A highly skilled city: world class and home grown talent sustaining the city's economic success	The scheme will provide easier access to the city centre along with major employment, training and educational facilities to benefit the residents of Manchester.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The removal of the pinch point will deliver a more attractive environment for the residents of Manchester and will reduce travel times to the primary employment centres and transport nodes.
A liveable and low carbon city: a destination of choice to live, visit, work	Reduced congestion will reduce exhaust emissions and contribute to a more efficient transport network.
A connected city: world class infrastructure and connectivity to drive growth	The project will remove a pinch point and allow better means of access to and from the national motorway network (M60 and M67) to Manchester City Centre and East Manchester and from the east of Greater Manchester and from South Yorkshire/Derbyshire and the signed route from the motorway network to Manchester City Football Club, the National Cycle Centre and the Regional Athletics Arena. Reducing congestion on this key corridor will also increase the attractiveness of bus services by reducing journey times and increasing service reliability. Effective transport links are essential to delivering the City's forecasted growth.

Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
 - Risk Management
 - Legal Considerations
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Financial Consequences – Revenue

None

Financial Consequences – Capital

£4,844,000

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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

Council Reports

Strategy and Policy Documents

1. Transport Strategy for Manchester City Centre November 2010
2. A Plan for Growth and Reform in the Greater Manchester

Appendices

Appendix 1

Plan showing the land required for the whole scheme with reference 208053/100/002

Appendix 2

Plan showing the General Arrangement of Highway Alterations, with reference 208053/0000/031

Appendix 3

- Manchester City Council's Planning Screening Opinion 6th June 2016,
- Ecological Assessment of A57 Hyde Road, Gorton – Road Widening Scheme, November 2013

Appendix 4

- Planning permission to remove 92 trees on land opposite numbers 750 to 764 Hyde Road (with ref.107616/TCA/2014/N2) and
- Planning permission to remove 12 trees on land opposite number 738 Hyde Road (with ref. 107613/TPO/2014/N2)

Appendix 5

Letter of approval from DfT to grant £2.4m.

1.0 Introduction and Background

- 1.1 The A57 Hyde Road is a strategically important route providing access from the national motorway network (M60 and M67) to Manchester City Centre and East Manchester. In the surrounding area a number of major regeneration projects have been delivered including the regeneration projects at the Etihad Campus, Beswick Hub along with the Space Project and significant housing developments in West Gorton. A57 Hyde Road constitutes the principal access to Manchester from the east of Greater Manchester and from South Yorkshire/Derbyshire and the signed route from the motorway network to the Etihad Campus, including MCFC and Velopark.
- 1.2 For the majority of its length, Hyde Road comprises two lanes of traffic in each direction. The pinch point created by the former Hyde Road Railway Bridge (which now carries the Sustrans National Cycle Network Route 60) reduces a 300m section of carriageway from 4 lanes to 2 lanes. This reduction in capacity creates a significant bottleneck which causes serious congestion at peak times. The queues at this point in peak hours extent to the M60/A57 junction and can interfere on the operation of the local motorway network. The congestion has also large impacts on bus services' reliability and causes severe journey time un-reliability to the high-frequency bus services on this corridor. Congestion is such an issue that bus operators have considered reducing the frequency of bus services in order to maintain a reliable timetable.
- 1.3 The project will remove the pinch point created by the narrowing of the A57 where it passes under the old railway bridge to increase capacity of the carriageway. The existing bridge will be demolished and a new bridge will be built on the widened Hyde Road to carry the Sustrans Footpath NCNR 60. The proposals are set out in detail in section 3 of this report. The plan at **Appendix 2** shows the general arrangement of the highways alterations.
- 1.4 The project is a permitted planning development and therefore permission is granted by virtue of the General Permitted Development Order 1995 (as amended), Class A (b), Part 9, Schedule 2. Further information about the planning merits of the case is provided in section 4 of this report.
- 1.5 In 2012 Manchester City council applied to the Department for Transport Local Pinch Point Fund for a £2.417m contribution to widen the carriageway. The bid is match funded with a further £2.4m from a range of other funding streams. The details of the financial implications can be seen at section 5 of this report.
- 1.6 Part of the land required for the delivery of the scheme is already land within the Council's ownership. However, there are still a number of plots (the CPO Lands) together with temporary and permanent rights of access that still remain to be acquired. Negotiations are still ongoing, however, time is of essence and therefore it is now considered necessary to promote a compulsory purchase order in parallel with the negotiations to ensure that all the land required for the widening and improvement of Hyde Road A57 along

the stretch between Far Lane and Reddish Lane is acquired. These matters are dealt with in more detail at sections 6-10 of this report.

2. Location and Description of the Order Lands

- 2.1 The Order Lands are within the proposed project site, which is approximately 8300 sqm (0.83ha) excluding existing carriageway (13900 sqm (1.39ha) in total, including existing carriageway). The Order Lands lie north and south of and run parallel to Hyde Road opposite numbers 716 to 828 Hyde Road. The land required for the A57 Hyde Road project can be seen at the drawing at **Appendix 1** to this report.
- 2.2 The wider area outside the project's site is a mixture of residential dwelling houses, a church, public house and some shops to the south of Hyde Road, with mixed uses to the north of Hyde Road including the Order Lands.
- 2.3 The Order Lands are comprised of the following plots:
- 2.3.1 A plot approximately 3sqm of scrub land, 2m wide and 1.5 deep (as shown shaded grey on the Plan attached at Appendix 1, called CPO Land Plot 1). The land is adjacent to the back of pavement of Hyde Road. The land is predominantly levelled, though slopes slightly down towards the highway to a retaining wall approximately 1 metre in height.
- 2.3.2 A plot east of the Railway Bridge, measuring approximately 450sqm (of approximately 80m width at its widest point and 7.5m depth) (as shown shaded grey on the Plan attached at Appendix 1, called CPO Land Plot 2). The plot is directly abutting the retaining wall currently in situ. The subject land is currently grassed and forms part of a larger vacant development site which is mostly levelled, though the subject land slopes down towards the retaining wall and is largely covered with shrubbery and other vegetation.
- 2.3.3 A plot measuring 499sqm, approximately 66m wide and 9m deep (as shown shaded grey on the Plan attached at Appendix 1, called CPO Land Plot 3). This land forms part of largely levelled site fronting Hyde Road in use as a gym. The subject land forms part of the car park which serves the gym, as well as a strip of amenity land. The car park is accessed from Wall Way and those car park spaces which form part of the subject land are located at the southern end of the car park. The amenity land to be acquired is heavily vegetated and steeply banked, sloping down from the gym building's southern elevation towards the retaining wall marking the boundary between this plot of land and the highway. This plot is owned by a District Council and the majority of the larger site is leased to a private owner. It has been acquired by the District Council only for investment purposes.
- 2.3.4 A plot north of A57 Hyde Road, approximately 550 sqm approximately 25m wide and 31.25m deep at the respective widest points (as shown shaded grey on the Plan attached at Appendix 1, called CPO Land Plot 4). It is an

irregular area of land. It is currently predominantly steep sided railway embankment and brick retaining wall abutments which is heavily shrubbed with some mature trees planted on the slopes. There is a small section of the bed of the old railway track which is tarmac surfaced.

- 2.3.5 A plot south of A57 Hyde Road, measuring approximately 94sqm, approximately 25m wide and 6.25m deep at the respective widest points (as shown shaded grey on the Plan attached at Appendix 1, called CPO Land Plot 5). This land comprises a thin strip of steep-sided railway embankment and brick retaining wall abutments which is heavily shrubbed. There is a section of the bed of the old railway track which is tarmac surfaced. The land described in 2.3.4 and 2.3.5 is located either side of the former railway bridge over Hyde Road.
- 2.3.6 A plot west of the Railway Bridge, measuring approximately 86sqm, (of approximately 11.25m width and 7.5m depth) (as shown shaded grey on the Plan attached at Appendix 1, called CPO Land Plot 6). This plot is located in Gorton, at the junction of Hyde Road and Tan Yard Brow, west of the Hyde Road Railway Bridge, which carries the former railway line. It is located at the south eastern corner of a larger area of vacant land which is levelled and over-grown. A brick wall approximately 40cm high demarcates the southern boundary of this plot from the highway.
- 2.4 In addition, once the construction works are complete and a new retaining wall is constructed between the boundaries of the new widened highway and the remaining plots of land, the following property interests will need to be required to provide rights of access to the widened highway for maintenance purposes, which are described as follows:
- 2.4.1 A permanent right of access over a strip of land of 2m depth and 76m width will be required to provide access for inspection and maintenance of the replacement retaining wall (as shown shaded black on the Plan attached at Appendix 1, called Permanent Right of Access Site 1). The subject land directly abuts the northern edge of the strip of land described at 2.3.2 and measures approximately 145sqm. The land is steeply banked and vegetated.
- 2.4.2 A permanent right of access over a strip of land measuring 118sqm, of 2m depth and 67m width will be required to provide access for inspection and maintenance of the replacement retaining wall (as shown edged blue, shaded black and called Permanent Right of Access Site 2 on the plan attached at Appendix 1). The subject land directly abuts the northern edge of the land referred to at 2.3.3. This land is partly vegetated and is gently slopped towards the highway and is also in part a level tarmaced car park.
- 2.4.3 A permanent right of access over a plot of land approximately 127sqm, 9m width and 25m depth (as shown edged blue, shaded black and called Permanent Right of Access Site 3 on the Plan attached at Appendix 1) is required to permit access for maintenance of the brick wall which will be constructed at the back of the cycle path.
- 2.4.4 A permanent right of vehicular access is required over part of the fallowfield loop cycle path, south of the bridge, to allow access to the new

bridge for inspection and maintenance post construction, and for access during construction. This is required from a point on the path close to Dean Road and along the path running north as far as the bridge, (marked on the plan attached at Appendix 1 as Permanent Right of Access site 4). Access to this section of the fallowfield loop will be from the existing tarmaced inclined path which leads from a barrier at Dean Road, immediately east of the old railway bridge over Dean Road, up to the cycle path. The barrier currently in situ will need to be replaced with one to permit vehicular access. The subject land measures approximately 1,108sqm, is 7m wide (except at the widest point, close to the bridge abutments, where the width is approximately 26m). This access is required over a length of 352m running south from the bridge.

- 2.5 Finally, the following plots will be required for a temporary period and in connection with the carrying out of the works for the improvement of the Highway, namely:
- 2.5.1 A plot of approximately 1,147sqm, approximately 100m wide and 26m deep to enable regrading works (as shown edged red and called Temporary Licence Site 1 on the plan attached at Appendix 1). This plot incorporates part of a privately owned tarmaced footpath which runs between Wall Way and Hyde Road as well as landscaped grassed land. It will be necessary to close a section of the footpath for a period during the construction period. The intention is to open a rerouted footpath as soon as possible following closure of the original footpath.
 - 2.5.2 A plot of 3,110sqm 61m wide and 72m deep which will contain site office, welfare and storage of plant, machinery and materials as well as enabling the works to be taken place in connection with the improvement of A57 Hyde Road (as shown edged red and called Temporary Licence Site 2 on the plan attached at Appendix 1). Land at the south east of this plot will not be used as a compound facility, but a licence will be required here to carry out regrading works and to facilitate works to reconfigure the existing footpath which runs from Wall Way to Hyde Road. The land currently forms a large vacant development site, accessed via Wall Way in Gorton, East Manchester. The subject land is located in between two developed sites, one operating as a gym and the other as a drive through a restaurant. The subject land is currently grassed and largely level becoming gently sloped at the southern end close to the retaining wall and the strip of land described in 2.3.2.
 - 2.5.3 A plot of approximately 378sqm, approximately 70m wide and 15m deep is required directly south of the gym building (as shown edged red and called Temporary Licence Site 3 on the plan attached at Appendix 1). It will be used for siting of a piling rig in association with the works. The western side of this plot is heavily vegetated amenity land and is largely levelled. The flag stone footpath which provides access to the car park from the gym's fire access will not be included within this plot and will remain accessible for the duration of the construction period. The eastern side of this plot is currently in use as a car park and the land required for the temporary licence will incorporate up to 9 car park spaces.

- 2.5.4 A plot of approximately 529sqm 22m wide and 32m deep on the north of the Railway Bridge (as shown edged red and called Temporary Licence Site 4 on the plan attached at Appendix 1). This land is immediately west of the bridge and immediately north of the 86sqm plot referred to in 2.3.6. This heavily vegetated land is largely levelled, though gradually slopes upwards at the eastern edge towards the railway embankment This will be used to regrade the land to be levelled with the new back of footpath levels and also for the siting of machinery which will be used for the construction of the new stepped access to the bridge and cycle path.
- 2.5.5 A plot of approximately 753sqm 4m wide and 302m length running north from the bridge (as shown edged red and called Temporary Licence Site 5 on the plan attached at Appendix 1). This land will be used for vehicular (if required) and pedestrian access to the bridge during the construction period.
- 2.6 All the above plots do not form part of a common, open space, field or fuel garden allotment. Some parts of the Order Lands (Part of CPO Land Plot 4 and the CPO Land Plot 5) are within Gore Brook Valley Conservation Area. However the existing Railway Bridge is located outside the Conservation Area.

3. Description of the Proposal

- 3.1 The scheme involves the improvement of A57 Hyde Road at the stretch between Far Lane and Reddish Lane. The proposal will see the creation of two new traffic lanes, the relocation and replacement of an existing pedestrian controlled crossing to create a signalised pedestrian (puffin) crossing at a new location to allow cyclists and pedestrians to cross the A57 Hyde Road; construction of a stepped cycle access from the A57 Hyde Road onto the footpath over the Railway bridge, following the demolition of the Hyde Road Railway Bridge and north abutment and retaining walls; and the installation of a new single span steel truss bridge between the new abutments over the A57 Hyde Road.
- 3.2 In summary, the main construction activities are:
- Widening of the existing carriageway from 2 lanes to 4 lanes, between Far Lane and Woodland Avenue to reduce congestion along this section of the A57.
 - Demolition of the Hyde Road Railway Bridge and north abutment
 - Demolition of existing retaining walls and building of new ones at the widened points of the improved A57 Hyde Road.
 - Construction of a new abutment from masonry clad steel piles installed approximately 5m to the north of the existing abutment
 - Installation of a new single span steel truss bridge between the new abutments over the A57 Hyde Road
 - A new section of footway will be built at the junction of Hyde Road/Woodland Road, to prevent vehicles from driving the wrong way down the existing one way system to access Hyde Road from Woodland Road and Waterhouse Road. This will enable pedestrians to cross the road at this junction by reducing the crossing distance.

- Construction of stepped cycle access from the A57 Hyde Road onto the footpath over the Railway Bridge.
- Construction of a new bus stop and relocation of the existing bus shelter to a more suitable location to the west of Tan Yard Brow.
- Construction of a new pedestrian crossing on the west side of Tan Yard Brow to replace the existing controlled pedestrian crossing.

3.3 There will be a number of traffic management improvements and alterations on the carriageway of A57 Hyde Road, where the construction work will take place.

4. Planning Position of the Order Lands

- 4.1 The project falls under Class A (b), Part 9, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015/596 ("The Permitted Development Order") as amended, because it consists of works which are on land outside but adjacent to Hyde Road at the junction between Far lane and Reddish Lane and are required for the improvement (widening) of the highway.
- 4.2 Under article 3 (10) of the Permitted Development Order, if the local planning authority adopts a screening opinion that the development is not an EIA development (pursuant to regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2014), then the development described in paragraph 4.1 above is a Permitted Development and planning permission is granted by virtue of the Permitted Development Order.
- 4.3 The Planning Authority has adopted a Screening Opinion on 6th June 2016 ("The Screening Opinion", at **Appendix 3**) in relation to the widening and improvement of A57 Hyde Road. The Screening Decision's conclusion was that the project does not constitute an EIA development and that the impacts of the project on the natural environment will be of no more than local significance.
- 4.4 One of the plots required for the scheme which is under the Council's ownership (Shown shaded pink and called MCC Land Plot 4 on the Plan attached at Appendix 1) is part of a butterfly garden. An ecology assessment has been made by the Greater Manchester Ecology Unit (attached at Appendix 3) which was submitted with the Screening Report (at Appendix 3). The assessment indicated that there won't be any significant ecological constraints if the development of the project is progressed and that there are no records of specially protected species that have been recorded within the area of the development. Neither has there been any area of priority habitat as defined in the UK or Local Biodiversity Action Plan within or adjacent to the area. The Ecology Assessment's findings furthermore were that the project will not affect any statutory or non-statutorily designated sites of nature conservation importance and that no European or UK nature conservation legislation will be contravened.

- 4.5 Within the project site there are a significant number of trees which will be lost as part of the proposed development. In the Screening Decision, it is mentioned that although there are no Tree Preservation Orders (TPOs) on the site, there is a significant number of trees in some of the areas to the northern side of Hyde Road which fall within the Gore Brook Valley Conservation Area and as such these trees are afforded protection. An application was submitted in December 2014 (ref.107616/TCA/2014/N2) which sought to remove 92 trees on land opposite numbers 750 to 764 Hyde Road. This application was subsequently granted approval on 5th February 2015, subject to the requirement that in order to mitigate the loss of the trees across the site, replacement trees are planted on a 2:1 ratio, resulting in a requirement for 184 new trees to be planted.
- 4.6 Another application to remove 12 trees on land opposite number 738 Hyde Road has also been granted planning permission on 5th February 2015, subject to conditions. The decisions on both applications with references 107616/TCA/2014/N2 and 107613/TPO/2014/N2 can be seen at Appendix 4 of this report.
- 4.7 Although parts of the Order Lands are within the Gore Brook Valley Conservation Area as indicated at paragraph 2.6 above and as shown on the plan attached at Appendix 1, there are no buildings on these plots that will be affected by the proposed development. The only building that will be demolished is the Railway Bridge, as set out at the proposals for the scheme under part 3 of this report. This building is not within the Gore Brook Valley Conservation Area and it doesn't constitute a listed building. Therefore no other planning permissions other than the one granted by virtue of the Planning Development Order are required for the proposed project.
- 4.8 In conclusion, the proposals under the current scheme do not constitute an EIA development and fall under Class A (b), Part 9, Schedule 2 of the Permitted Development Order. Permission is therefore granted by virtue of the Planning Development Order, as amended. All the other necessary consents in relation to the trees in the surrounding area have been obtained as shown at paragraphs 4.6 and 4.7 of this report.

5. Cost and Funding of the Scheme

- 5.1 The forecast of total expenditure to complete the scheme is approximately **£4,844k**, a breakdown of which is as below:
- | | |
|------------------------------|------------|
| Construction Work | £3,259k |
| Fees | £ 746k |
| Land acquisition and surveys | £ 286K and |
| Risk | £ 553k |
| TOTAL | £4,844K |
- 5.2 The Council has secured a total of **£4,844** from various streams of funding. More specifically, in 2012 Manchester City Council applied to the Department for Transport Local Pinch Point Fund for a £2.4m contribution to widen the carriageway. The Secretary of Transport approved the application (see

Appendix 5). The bid is match funded with a further 2.4m from a range of other funding streams, the breakdown of which is as follows:

Growth Fund	£1,200k
Highways Capital Maintenance	£ 837k
Challenge Fund	£190k
Strategic Acquisition Fund	£ 200K
TOTAL	£2,427K

5.3 It is therefore proven that there is enough funding to cover all the forecast expenditure in relation to the works of improvement.

6. Land Assembly

6.1 The A57 improvement scheme requires a total strip of land, which will be 300m in length and approximately 8300sqm (0.83ha) in area excluding the existing carriageway. The land required for the A57 scheme is shown on the plan attached at **Appendix 1**.

6.2 The Council owns 4 of the plots required for the project, a total area of approximately 1580 sqm (0.158ha) as shown on the plan attached at **Appendix 1**.

6.3 Two of the plots owned by the Council are already held by the Highways for highways' purposes (called MCC Plots 1 and 2 on the Plan at Appendix 1). The other two are held by Corporate Property and Housing (MCC Plot 3 and 4). The latter plots will need to be appropriated for highways' purposes, before construction can commence. Appropriation is an administrative procedure, in accordance with section 122 of the Local Government Act 1972, under which the Council resolves that it no longer needs the plots of land for the uses they are currently held for and that it now intends to use them for highways' purposes. Before any decision is made, a notice of this intention has to be advertised in a local newspaper for two consecutive weeks. If there are any objections, the Council must consider them before it makes a decision to proceed with the appropriation of this land for highways' purposes.

6.4 The plots of land described at paragraphs 2.3.1 to 2.3.6 comprise the land where the extended Hyde Road will be constructed. The retaining walls that are currently in place to show the boundaries between the highway and the other plots of land will be demolished and repositioned on the extended points of the widened A57 Hyde Road at the junction of Far and Reddish Lane. The walls will be owned and maintained by the Council.

6.5 The interests described at paragraphs 2.4.1 – 2.4.4 are necessary in order to enable the Highway Authority to undertake maintenance work of the highway and the newly built bridge, when this is required.

6.6 The plots of land described in paragraphs 2.5.1 to 2.5.5 are required in connection with the works of improvement of the widened A57 Hyde Road for as long as these works will be carried out.

- 6.7 Negotiations for the acquisition of the plots and interests comprising the Order Lands commenced in 2013 and various offers have been made by the Council to the owners of the interests of the Order Lands to acquire their respective property interests for market value. The heads of terms for the transfer of the plot described under 2.3.1 have already been signed, but the transfer has not been formally completed yet. An agreement in principle has also been reached with the owner of the two plots which are described under paragraphs 2.3.4 and 2.3.5 above.
- 6.8 The owners of the plots and interests comprising the Order Lands have not to date risen any objections to the principle of the acquisition of the plots of land that they own. The only matter under dispute is in relation to the value of their interests and the appropriate consideration to be paid by the Council for the loss of their property rights.
- 6.9 The Council is still in negotiations with the owners of the property interests comprising the Order Lands. However, time is of essence now and it is therefore considered necessary to seek approval to promote a compulsory purchase order in parallel with the ongoing negotiations in order to complete the widening of A57 Hyde Road within reasonable timeframes. The amount of compensation to be paid to the owners of the plots required for the scheme can be determined independently by the Upper Tribunal (Lands Chamber) if it is not possible to reach agreement by negotiation. The Council will continue to negotiate with the registered owners of the land to acquire their respective interests by agreement and avoid the necessity to make the CPO.

7. Compulsory Purchase Powers - Legal Framework and Guidance

7.1 Highways Act 1980

- 7.1.1 Section 239(3) of the Highways Act 1980 enables a highway authority to acquire land required for the improvement of a highway, being an improvement which the authority is authorised to carry out by the Highways act. These powers are subject to distance limits in that the extent of the land which the highway authority is proposing to acquire must be no more than 220 yards (201 metres) from the middle of the highway or proposed highway (section 249 HA 1980). In the present case, the distance is a maximum of approximately 16.5 metres from the middle of the proposed highway.
- 7.1.2 A highway authority may also acquire land adjoining or in the vicinity of an existing highway or the route of a proposed highway in order to enable them to carry out reasonably and effectively works in connection with the construction or improvement of a highway, for example land for working space, means of access to construction sites etc (Section 240(2) (a) of the Highways Act 1980).
- 7.1.3 A highway authority is also empowered to acquire rights over land for highways purposes, in accordance with section 250 of the Highways Act 1980.

7.2 Guidance on Compulsory Purchase Process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion

7.2.1 “The Guidance on Compulsory Purchase Process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion” (“The Guidance”) has replaced Government circular 06/04 and provides guidance to acquiring authorities in England in the exercise of their powers of compulsory acquisition.

7.2.2 “The confirming authority will expect the acquiring authority to demonstrate that they have taken reasonable steps to acquire all of the land and rights included in the Order by agreement. Where acquiring authorities decide to arrange to acquire land by agreement, they will pay compensation as if it had been compulsorily purchased, unless the land was already on offer on the open market”.

7.2.3 “Compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects. However, if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time will be lost. Therefore, depending on when the land is required, it may often be sensible, given the amount of time required to complete the compulsory purchase process for the acquiring authority to:

- Plan a compulsory purchase timetable as a contingency measure; and
- Initiate formal procedures.” (page 6, paragraphs 1-3 of “2.When should compulsory purchase powers be used”, General Overview, the Guidance).

7.3 Circular 2/97

7.3.1 Department of Transport circular 2/97, which is still extant and not replaced by the Guidance, provides guidance on compulsory purchase orders for highway schemes. Circular 2/97 states that the Secretary of State will not confirm a CPO until he is satisfied that planning permission for the scheme, to which the order relates, has been granted.

7.3.2 The Secretary of State for Transport will also not confirm a CPO affecting a building in a conservation area unless conservation area consent has been given.

7.3.3 The Secretary of State for Transport will also require to be satisfied that in every case that the land included in a CPO can reasonably be regarded as required for the purposes of the acquisition as stated in the order. Where the scheme is one for the improvement of a highway, this will normally mean that the only land to which the CPO should relate to will be the land falling within the highway as improved or newly constructed. If land outside these limits is required for use in connection with the improvement or construction of a highway (eg as a working space), this will need to be made clear and the power in section 240 (2)(a) cited.

7.3.4 The circular also clarifies that where it is proposed to acquire rights over land for various purposes (including drainage) these should be described.

8. The compelling case in favour of using CPO powers for the improvement of the A57 Hyde Road

8.1 Manchester City Council published its Transport Strategy for Manchester City Centre in November 2010. This states that it is anticipated the continuing economic development of Manchester City Centre over the forthcoming years could see up to 50,000 more people working in the City Centre (from a baseline of approximately 130,000). Effective transport links are essential to deliver this growth. In particular, improving the effectiveness of public transport will be key and bus services will be expected to carry a significant number of additional travellers. Reducing congestion on this key corridor will increase the attractiveness of bus services by reducing journey times and increasing service reliability.

8.2 The strategy for future transport in the City Centre is based on data produced for the Manchester Independent Economic Review and has been subsequently updated by the Greater Manchester Growth Plan.

8.3 A57 Hyde Road is a strategically important route providing access from the national motorway network (M60 and M67) to Manchester and East Manchester, where a number of major regeneration projects have taken place, namely the Etihad Campus, Beswick Hub along with the Space Project and significant housing developments in West Gorton. A57 Hyde Road constitutes the principal access to Manchester from the east of Greater Manchester and from South Yorkshire/Derbyshire and the signed route from the motorway network to the Etihad Campus, including MCFE and Velopark.

8.4 The A57 Hyde Road for the majority of its length comprises two lanes of traffic in each direction. However, at the stretch between Far Lane and Reddish Lane, there is a pinch point created by the former Hyde Road Railway Bridge (now Sustrans NCNR60), which reduces a 300m section of carriageway from 4 lanes to 2 lanes.

8.5 This reduction in capacity of A57 Hyde Road at this pinch point creates a significant bottleneck which causes serious congestion at peak times. More specifically, the volumes of traffic at this location are, at peak times, approximately 1800 vehicles per hour. The national capacity for a road such as Hyde Road is 1270 vehicles per hour for one lane. Hence, the queue length can be dramatic at peak times along this stretch of Hyde Road where there is only one lane in each direction. Queue lengths can be extensive and back tail to the point of presenting a risk to the operation of the motorway (M60), whose junction is 1.5 K away.

8.6 The congestion on the pinch point of A57 has also large impacts on bus service reliability and causes severe journey time-unreliability to the high-frequency bus service on this corridor. Congestion is such an issue that the

- operator has considered reducing the frequency of bus services in order to maintain a reliable timetable.
- 8.7 In the previous years there were 21 collisions along this stretch of Hyde Rd, of which 3 were serious. These collisions resulted in 30 casualties, 26 slight and 4 serious. It is anticipated the proposed scheme will make a positive contribution to a reduction in the number of casualties.
- 8.8 The Council took into consideration a number of options in order to improve the highway in this location. Simply encouraging commuters to “use public transport” was considered unlikely to be successful given the delays experienced by buses and there is no parallel rail or Metrolink line. Furthermore, there are no adjacent parallel roads that could be suggested as alternative corridors for some of this traffic. The nearest realistic “alternative” is Ashton Old Road which is over a kilometre to the north and serves a totally different catchment. In addition there are no adequate linking roads in the vicinity to transfer traffic between the two roads.
- 8.9 The proposals contained in section 3 of this report are considered as the best option available to improve A57 Hyde road to increase its capacity. By implementing the proposals, journey times for all users of this road, including bus operators, would be considerably improved. Heavy localised congestion both east and westbound on the A57, particularly at times of peak traffic flow, is estimated to be significantly reduced. An improved A57 Hyde Road would also provide an improved access to the “Fallowfield Loop” which is part of National Cycle Network Route 60. This provides an off-road link from Hyde Road to Manchester City Centre through a link with the Ashton Canal. This link has seen considerable (an ongoing) investment to improve the quality of the surface and will provide a high quality alternative to the A57 for cyclists travelling into the Regional Centre.
- 8.10 The road has to be widened on the northern side as to the south of the carriageway there are a number of businesses and residences. The land to be taken for the road mostly forms an embankment to either the cycle path or the premises immediately to its east and its use will not impact upon the operation of any businesses or on any dwellings.
- 8.11 The project involves the improvement of A57 Hyde Road and the works will take place on land outside the existing highway but adjacent to it. The development is not an EIA development and since it falls under Class A (b), Part 9, Schedule 2 of the Permitted Development Order, it is a permitted development (as demonstrated above in section 4).
- 8.12 The distance limits subject to which the CPO powers for highway purposes can be exercised, in accordance with sections 239, 240, 249 and 250 of the Highways Act 1980 (please see above at part 7 of this report) are complied with. In the present case the distance from the middle of the highway to the widened point of the highway is approximately 16.5 metres.

- 8.13 Finally, as shown in part 5 of the report, the Council has already secured all the funding required for its completion.
- 8.14 The Council owns part of the land required for the A57 widening scheme. Part of the land owned by the Council is an open space, which needs to be appropriated before it can be used for the purpose of widening A57 Hyde Road, as explained above at paragraph 6.3 of this report.
- 8.15 It has been demonstrated that all the plots and interests which comprise the Order Lands are necessary for the scheme. The plots described in paragraphs 2.3.1 and 2.3.6 of this report are necessary as they will comprise the land of the widened and improved highway. The plots described in paragraphs 2.5.1 to 2.5.5 are plots required in connection with the improvement works for as long as these works will take place. Finally, the interests described in paragraphs 2.4.1 to 2.4.4 are required to provide rights of access to the highway authority in order to undertake maintenance work when this is required.
- 8.16 The Council has commenced negotiations with the owners/interest holders of the Order Lands in 2013. The owners of the Order Lands have not raised to date any particular concerns or objections to the principle of the acquisition of their property rights by the Council. The only matter still under negotiations is the valuation for the acquisition by the Council of each of the property rights comprising the Order Lands. These matters, nevertheless, can be determined independently by the Upper Tribunal (Lands Chamber), in case no agreement can be reached between the parties. The Council will continue to negotiate with the registered owners of the land to acquire their interests in land by agreement and avoid the necessity to make the CPO.
- 8.17 From the above, it is demonstrated that the project is deliverable and will bring important improvements to A57 Hyde Road which is a strategic route for Manchester and East Manchester. There is, therefore, a compelling case in the public interest for the Council to use its CPO powers under sections 239, 240 and 250 of the Highways Act 1980 to compulsorily acquire the Order Lands for the purpose of widening A57 Hyde Road.

9. Human Rights Act 1998

- 9.1 With respect to the proposed development, the City Council in making this Compulsory Purchase Order has to consider the issue of the applicability of the Human Rights Act 1998 (HRA), and in particular, Article 1 of the First Protocol, which provides that "Every person is entitled to the peaceful enjoyment of his possessions" and "No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law". However, that interference will be justified if it is in accordance with the law.
- 9.2 Anyone claiming ownership of any of the plots comprising the Order Lands and who has proof of ownership will receive compensation for their loss of a

property interest in accordance with the appropriate statutory provisions. The level of compensation will be independently determined.

- 9.3 The land acquisition will enable the widening of A57 Hyde Road at a pinch point and reduce levels of congestions east and westbound to Hyde Road. As shown from the previous paragraphs the benefits of the scheme to the City as a whole far outweigh the detriment for the loss of some property rights and the intervention is overwhelmingly in the public interest.
- 9.4 None of the plots within the Order Lands is currently occupied by any of the owners and the majority of these plots have been acquired for investment purposes. The owners of the interests comprising the Order Lands have not objected to date to the principle of the proposed acquisition. In case no agreement can be reached between the Council and the owner of the land, the compensation can be determined independently by the Upper Tribunal (Lands Chamber). The Council will maintain the negotiations in order to acquire all the necessary land by agreement rather than compulsorily.
- 9.5 It is therefore submitted that there is a compelling case in the public interest for the Council to use its CPO powers if no agreement is reached between the Council and the registered owners. It is also evident that any interference that may be caused to the owners of the properties if the Council decides to use its CPO powers will be justified and will be in accordance with the law.
- 9.6 Whether the compulsory acquisition of the Order Lands will amount to an interference with Article 8 of the European Convention on Human Rights (ECHR) is also within the decision maker's considerations. Article 8 of the ECHR provides that every person is entitled to respect for his home and private life(s). As there are no residential properties within the Order Lands that will be affected, it is submitted that this right is neither relevant nor breached.

10. The proposed mitigation and compensation scheme if construction works for the A57 widening scheme commence

- 10.1 The widening of A57 Hyde Road may cause noise and vibration impacts on the residential properties in the proximity of the areas where and for as long as the works will take place.
- 10.2 The funding that has been secured for the project, as has been demonstrated at part 5 of this report, will provide for mitigation and compensation for eligible buildings in case any claims are submitted;
- where the value of eligible properties have been reduced by physical factors caused by the use of a new or altered road and/or
 - under the Noise Insulation Regulations 1975. These regulations state that the Council must provide mitigation measures, either by carrying out insulation works or paying a grant, when

- An additional carriageway on a road opens and
- Use of that road causes an increase in noise levels above a specified level.

11.0 Contributing to the Manchester Strategy

(a) A thriving and sustainable city

- 11.1 The improved transport infrastructure will contribute to reductions in congestion and travel times into and out of the City along a primary arterial route. As part of ongoing enhancement of the wider connectivity and infrastructure across the city this will enhance the attractiveness to future investment and job creation in the surrounding areas.

(b) A highly skilled city

- 11.2 The scheme will provide easier access to the city centre along with major employment, training and educational facilities to benefit the residents of Manchester.

(c) A progressive and equitable city

- 11.3 The removal of the pinch point will deliver a more attractive environment for the residents of Manchester and will reduce travel times to the primary employment centres and transport nodes.

(d) A liveable and low carbon city

- 11.4 Reduced congestion will reduce exhaust emissions, improve air quality and contribute to a more efficient transport network.

(e) A connected city

- 11.5 The project will remove a pinch point and allow better means of access to and from the national motorway network (M60 and M67) to Manchester City Centre and East Manchester and from the east of Greater Manchester and from South Yorkshire/Derbyshire and the signed route from the motorway network to Manchester City Football Club, the National Cycle Centre and the Regional Athletics Arena. Reducing congestion on this key corridor will also increase the attractiveness of bus services by reducing journey times and increasing service reliability. Effective transport links are essential to delivering the City's forecasted growth.

12. Key Policies and Considerations

(a) Equal Opportunities

- 12.1 The Equality Act 2010 has imposed a public sector duty under which all public bodies have to provide equality of opportunity and give due regard to the need of people with "protected characteristics", such as people with disabilities, from ethnic minorities etc.

- 12.2. The proposals as shown under part 3 of this report, apart from widening the highway, will improve the pedestrian facilities, the cycle provision and the transport by buses in the area. In any case, representative groups of people with disabilities will be consulted at an early stage before the traffic management measures are adopted.

(b) Risk Management

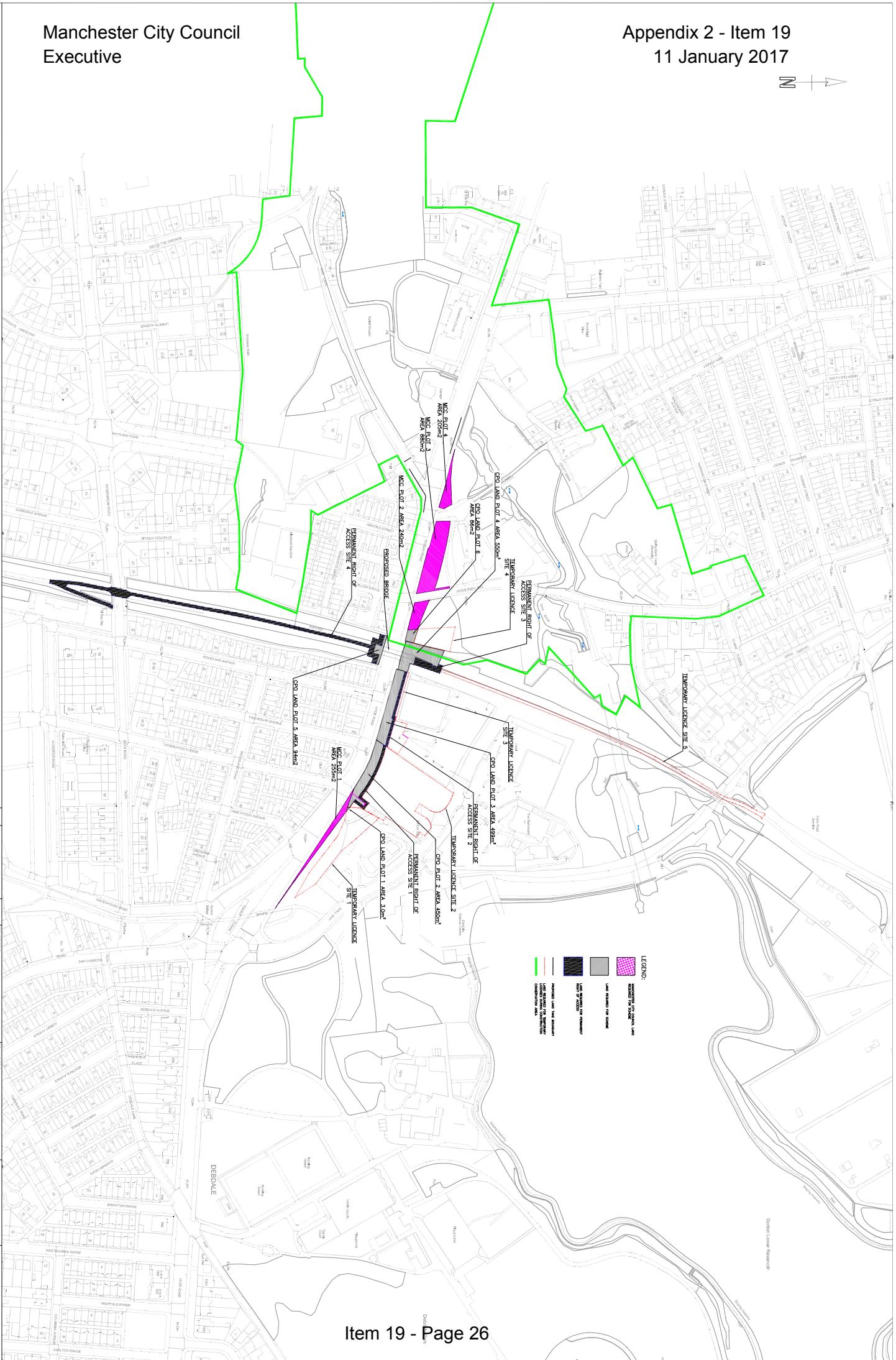
- 12.2 The key risk is that the Secretary of State may not confirm the Order but the freeholds of the Order Lands is small though critical to the completion of the widening of A57 Hyde Road. There is a compelling case in the public interest for the acquisition of the Order Lands in accordance with the Guidance.

(c) Legal Considerations

- 12.3 Sections 239(3) and 240 (2) (a) of the Highways Act 1980 enable a highway authority to acquire land required for the improvement of a highway or in connection with the improvement of a highway. Section 250 of the same Act also provides for the acquisition of permanent rights over land, when these are necessary for highway purpose. Circular 2/97 states that the Secretary of State will not confirm a Compulsory Purchase Order until he is satisfied that planning permission for the scheme, to which the order relates, has been granted. The City Solicitor has advised that the reasons for making the Order which are set out above meet the legal tests for making this CPO.

13. Conclusions

The widening of A57 Hyde Road will play a key part in reducing congestion both east and westbound on the Hyde Road, which is a strategically important route providing access from the national motorway network (M60 and M67) to Manchester and East Manchester. Reducing congestion on this key corridor will also increase the attractiveness of bus services by reducing journey times and increasing service reliability. Effective transport links are essential to delivering the City's forecasted growth, in accordance with the City's Transport Strategy for Manchester City Centre in November 2010. The funding of the project will be covered by the Transport Local Pinch Point Fund matched by the other sources of fund as described in the report. The development is a Permitted Development. The freehold owners of the Order Lands are not in principle objecting the acquisition of their land. However, although negotiations have started since 2013, no agreement has been reached and time is now of essence in order to deliver the project. In conclusion, the interests of the owners are clearly outweighed by the public benefits which will accrue from the A57 Hyde Road widening and therefore it is requested that approval is given for the CPO powers under section 239(3), 240 (2) (a) and 250 of the Highways Act 1980 to acquire the Order lands, whilst the negotiations are still ongoing.



PROJECT TITLE		HYDE ROAD (A57) WIDENING SCHEME	
DRAWN BY		FOR A57 ROAD WIDENING SCHEME	
DATE		20/06/13/10/002	
SCALE		-	
PROJECT NO.		-	
DRAWING NO.		-	
DATE		-	
BY		-	
CHECKED BY		-	
DATE		-	
APPROVED BY		-	
DATE		-	
PROJECT TITLE		HYDE ROAD (A57) WIDENING SCHEME	
DRAWN BY		FOR A57 ROAD WIDENING SCHEME	
DATE		20/06/13/10/002	
SCALE		-	
PROJECT NO.		-	
DRAWING NO.		-	
DATE		-	
BY		-	
CHECKED BY		-	
DATE		-	
APPROVED BY		-	
DATE		-	

Department for Transport

MANCHESTER CITY COUNCIL

Capital Programme & Green & Sustainable Development



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Highways Directorate,
Level 6 ,
Town Hall Extension,
Manchester.
M60 2LA

Your ref:

Our ref: SMW/ A57 Hyde Road widening

Date: 6th June 2016

Dear Sirs,

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
(ENGLAND AND WALES) REGULATIONS 2011**

**TOWN AND A COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
AMENDMENT REGULATIONS 2015**

**FORMAL SCREENING REQUEST FOR ENVIRONMENTAL IMPACT ASSESSMENT
'SCREENING OPINIONS' UNDER PART 2 REGULATION 5**

**Proposed widening of A57 Hyde Road in proximity to the junction with Tan Yard
Brow, Gorton, Manchester.**

SCREENING OPINION ADOPTED BY MANCHESTER CITY COUNCIL

I am writing further to your letter dated 23 May 2016 in respect of your request for a screening opinion at the above site.

In coming to a formal opinion on whether an Environmental Impact Assessment (EIA) is required to support the proposed development, Manchester City Council, as Local Planning Authority, has taken into account the supporting information contained within your letter, site location plan and supporting appendices.

I have now had a chance to consider your screening request and I outline my response below.

The proposal type is listed in category 10 (f) Construction of Roads Infrastructure Projects of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 with a threshold not exceeding 1 hectare for the two additional traffic lanes, but exceeding 1 hectare for the overall works including the existing carriage way (scheme area including existing carriageway 1.39ha and a scheme excluding existing carriage way 0.83ha), and therefore defined as a development likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

The submitted assessment screening report received on 24th May 2016 sets out the reasons why you believe an EIA is not required to support the proposed development.

Within the National Planning Policy Guidance (NPPG), general considerations relating to the need for an EIA for Schedule 2 developments is identified within paragraph 18 of the guidance. This references the selection criteria in relation to Schedule 3 of the Regulations. This criteria which must be taken into account in determining whether a development is likely to have significant effects on the environment. The criteria is as follows:

- I. Characteristics of Development (e.g. its size, use of natural resources, quantities of pollution and waste generated);
- II. Location of Development (e.g. environmental sensitivity of geographical areas);
- III. Characteristics of the potential impact (e.g. its magnitude and duration).

The Secretary of States view is that, in general, an EIA will be needed for Schedule 2 developments in three main types of cases, namely:

- I. For major developments which are of more than local importance;
- II. For developments, which are proposed for particularity environmentally sensitive or vulnerable locations;
- III. For development with unusually complex and hazardous environmental effects.

Below is a consideration as to whether an EIA is required to support a planning application for the above development.

CONTEXT AND PROPOSED DEVELOPMENT

The proposed development site is approximately 1.39ha in area including existing carriageway (0.83ha excluding existing carriage way) , and lies north of, and running parallel to Hyde Road opposite nos. 716 to 828 Hyde Road.

The western section of Hyde Road which is proposed to be widened is located within the Gore Brook Valley Conservation Area. To the south of this section of Hyde Road are three Listed Buildings – Brookfield Church Grade II* and no.716 Hyde Road and Brookfield Court Grade II.

The A57 is a major radial route into and from Manchester City Centre. At present during peak hours, traffic builds up on either side of the former railway bridge in proximity to the junction with Tan Yard Brow leading to significant congestion. The proposed development seeks to remove the pinch point in traffic flow on the A57 Hyde Road, where the carriageway is reduced in width from 2 lanes in either direction to one lane, where it runs under a former railway bridge (now used as part of a footpath cycle way from Beswick to Fallowfield). The scheme would seek to increase the width of the carriageway to accommodate two lanes of traffic flow in either direction, improved provision for cyclists, and a new bridge to carry The Sustrans footpath/cycleway route that runs along the former railway line

The wider area to the development site is a mixture of residential dwellings, a church, public house and some shops to the south of Hyde Road, with mixed uses to the north of Hyde Road including, a fitness centre, a drive-thru restaurant, a garage, an area of landscaping forming a butterfly garden, and open land.

The Grade II* Listed Brookfield Church and Grade II listed no. 716 Hyde Road are located immediately to the south of the section of Hyde Road (which would be widened in a northwards direction). Beyond this area to both the north and south of Hyde Road is the Gore Brook Valley, with the route of the Gore Brook forming the central feature running through the Conservation Area.

The above details demonstrate the character of the area within which the proposed widening works would be situated.

The proposed development consists of the demolition of the Hyde Road Railway Bridge and north abutment and retaining walls; the construction of a new abutment from masonry clad steel sheet piles installed approximately 5 metres to the north of the existing abutment; and the installation of a new single span steel truss bridge between the new abutments over the A57 Hyde Road. The scheme would also include the construction of two new traffic and cycle lanes, the relocation and upgrade of an existing pedestrian controlled crossing to allow cyclists and pedestrians to cross the A57 Hyde Road, and construction of a stepped cycle access from the A57 Hyde Road onto the Sustrans footpath.

It is considered that the potential impacts from a development of this nature are as follows:

- Heritage;
- Ecology;
- Traffic;
- Air quality;
- Land contamination; and
- Noise/dust/emissions from construction and operations of the development;

This assessment will determine whether any of the above impacts are significant in nature and warrant consideration by an EIA.

ASSESSMENT

As detailed above, an assessment will now take place based on the three criteria within Schedule 3 of the regulations.

Characteristics of Development

Size of Development

The proposal will see the creation of two new traffic and cycle lanes, the relocation and upgrade of an existing pedestrian controlled crossing to allow cyclists and pedestrians to cross the A57 Hyde Road, and construction of a stepped cycle access from the A57 Hyde Road onto the Sustrans footpath, following the demolition of the Hyde Road Railway Bridge and north abutment and retaining walls; and the installation of a new single span steel truss bridge between the new abutments over the A57 Hyde Road.

The development will be 300m in length and cover a site area of approximately 1.39ha in area including existing carriageway (0.83ha excluding existing carriage way). The proposal is considered to be a major development and will exceed the threshold of 1 hectare for proposals listed in category 10 (f) Construction of Roads Infrastructure Project outlined within the regulations. On that basis, the development has the potential for impacts to arise.

Given the length of highway proposed to be widened, and that the area of land to be incorporated to form the additional road lanes is undeveloped, this is unlikely to result in any significant visual or amenity impacts that would warrant consideration by an EIA given the overall character and scale of development in the local area, which is of a suburban form on a main radial route.

The scheme will create 2 additional lanes on this section of A57 Hyde Road. Furthermore, there will be a need for footway reinstatement/ formation to the north of Hyde Road as part of the overall scheme. It is not considered that this will have any significant impacts on the local infrastructure which will warrant consideration by an EIA.

On this basis, whilst a proposal of this scale and nature will have some impacts it is considered that this will not be of more than local significance and will not be of a scale of warrant consideration by an EIA.

Cumulation with other development

A screening opinion should be adopted on its own merits, and on the basis of what is being proposed, however, in judging whether the effects of a development are likely to be significant, regard should be had to the possible cumulative effects with any existing or approved development.

This development, along with others in the local area to the north of Hyde Road, could result in a number of medium scale developments being brought forward at the same time

in close proximity to each other. Although this will result in some impacts, these are not considered to be significant and will be short term and will largely be confined to the construction phase of the development.

In terms of the operational phases of the development, it is considered that the impacts will be less significant and will be similar in nature to the surrounding area.

Use of natural resources

The site is not known to contain any natural resources. In addition, given the scale of the development, it is not believed that a development of this nature would require any excessive use of natural resources in the construction process.

It is therefore considered the use of natural resources will not be significant in respect of this development and therefore does not warrant consideration by an EIA.

Production of waste

Developments of this scale will inevitably create waste in the construction phase of the development. In particular, the Hyde Road Railway Bridge and north abutment and retaining walls on site which will require demolition along with any excavation material needing to be removed off site.

However, given the scale of the development the, scale of the waste that cannot be recycled should not be significant and therefore does not warrant consideration by an EIA.

On the basis of the above, whilst waste will be created at the development, this will be able to be minimised through careful management of the construction and demolition process.

As such, I consider that the production of waste will not be significant, localised in nature and predictable and therefore do not require consideration by an EIA.

Pollution and nuisances

The development, both from the construction process and the operational phases of the development, are not likely to give rise to any pollutants which are hazardous, toxic or noxious. However, there will be dust, noise, vibrations and traffic from these phases which could cause disruption to the local community.

There will be dust, noise and vibrations from the breaking of the ground (and demolition of buildings) along with the use of plant and machinery. Whilst there will be some short term impact during the construction phase, such impacts are predictable and can be managed as part of the construction management process.

In addition, the construction process will see additional traffic from vehicles on the local highway network for the duration of the build. This will result in noise and emissions in the local area which could give rise to disruption to nearby residents, but which should not be

significantly greater than residents already experience from existing traffic using Hyde Road.

Such effects will only be temporary in nature and predictable. As such, it is not considered to be significant in this context particularly due to close proximity to the major road infrastructure in the local area.

In terms of the operational phases of the development, the noise and disturbances from the development will not be significantly greater than that from existing traffic using Hyde Road due to reductions in congestion. It is considered that the impacts are predictable and not significant given the locality.

The scheme will not be expected to generate traffic from the operations of this development. It is, however, considered that the proposed development would have a positive impact due to improving the capacity of the local road network, with associated benefits to public transport users by virtue of reduced congestion.

It is considered that there will be noticeable impacts from noise, vibrations and traffic from the construction and operational sides of the development which could give rise to some short term disruption in the local area (from the construction phase) and predictable and manageable and in terms of the operational phase. Such impacts are therefore not considered to be of a scale which is more than local significance and therefore do not warrant consideration as part of an EIA.

Risk of accidents

The main risks in terms of a development of this nature are the contamination of land and/or water from spillages and leaks. However, it is not considered that the construction or the operational stages of the development pose a significant risk in this regard given the existing conditions at the site and the substances that are likely to be used, particularly in the construction process.

It is considered that given the scale and nature of the development, such impacts are not likely to be of more than local significance, short in duration and predictable. In addition, the development is not likely to give rise to any risks to human health from dangerous substances. The area is not considered to be environmentally sensitive and whilst there is potential to impact on the Gore Brook this can be managed to avoid any hazardous effects.

Location of development

Existing land use

The development site is considered to be previously developed land. The development site is formed of various parcels of vacant land, and landscaped areas. The area of the site to the west of the former railway bridge, close to Tan Yard Brow, is located within the Gore Brook Valley Conservation Area and is located adjacent to two Grade II Listed Buildings.

The listed buildings lie to the south of Hyde Road, as such rebuilding of the former rail bridge and north abutment, together with the widening of this section of A57 Hyde Road by two traffic and cycle lanes, and stepped access from Hyde Road to the Sustrans footpath is considered to have a neutral impact of the visual amenity of the area and the status of the Conservation Area. The bridge is not considered to be a significant heritage asset nor represent any historical significance. Therefore the loss of the bridge is not considered to warrant consideration by an EIA.

The site is not known for its archaeology, however, given that areas adjacent to the site have been redeveloped with more recent development it is not considered that any remains will be found that will be of more than local significance and therefore does not warrant consideration by an EIA.

There are a significant number of trees which will be lost as part of the proposed development. Although, there are no Tree Preservation Orders (TPOs) on the site, there are a significant number of trees in some of the areas to the northern side of Hyde Road, which fall within the Gore Brook Valley Conservation Area and as such are afforded protection. An application was submitted in December 2014 (ref:107616/TCA/2014/N2) which sought to remove 92 trees on land opposite nos. 750-764 Hyde Road. This application was subsequently granted approval on 5th February 2015, subject of the requirement that in order to mitigate the loss of the trees across the site, it was recommended that replacement trees are planted on a 2:1 ratio, resulting in a requirement for 184 new trees to be planted. To date only a limited number of the trees proposed to be removed have been felled.

In view of the above consent, and conditioned mitigation measures, it is not considered that the loss of the vegetation and tree coverage is of more than local significance and therefore does not warrant consideration by an EIA.

The site is located within flood zone 1 '*low risk to flooding*', however, the site does fall within the Manchester critical drainage area. The scheme is not expected to have an impact on local sources of fluvial flooding. The submitted supporting information confirms that increased runoff generated by the widened carriage would be attenuated in the new drainage system through the use of oversize pipes and hydrobreaks to cap the flow the forward flow that enters the surface water system. Whilst there will be some impacts from the development on the surface water run off it is not considered that the impacts will be significant in view of the scale of the development and measures outlined above.

There is no historical evidence of land contamination at the site. However, as significant area of the development site falls within 250m of a landfill site, and it is noted that you intend to consider the impacts of carbon dioxide and methane during the construction process, but that there will be no change to any potential pathways to receptors.

As such, the development proposal does not warrant consideration by an EIA on this basis given that the contamination levels are not significant.

Overall, it is considered that the development site will have some impacts on the heritage assets, the Conservation Area and the visual amenity of the area along with impacting on

drainage and ground conditions. However, these impacts are considered to be predictable and are not considered to be of significance to require consideration as part of an EIA.

Relative abundance, quality and regenerative capacity of natural resources in the area

The site is not known to contain any natural resources that would be affected by the development.

Absorption capacity of the natural environment

The boundary of the Gore Valley Conservation Area runs through the western extent of the development boundary. In order to establish the impact of the scheme an ecological Impact Assessment was undertaken.

The Ecological Impact Assessment concluded that there are no significant ecological constraints; no records of specially protected species having been recorded within the area of the development; and no area of priority habitat as defined in the UK or Local Biodiversity Action Plan within or adjacent to the area. The butterfly garden does not have any status as an SBI or SSSI.

The demolition of the existing railway bridge, and removal of vegetation, on site may result in short term, but predictable, disruption to habitats for birds and bats. Indeed, it is considered such impacts can be managed as part of the process and will therefore not require consideration by an EIA.

The development site falls within the Manchester City Centre Air Quality Management Area (AQMA). It is noted that increasing the capacity of Hyde Road would shorten queue lengths and congestion would reduce allowing free flow conditions to be achieved, leading to less emissions being released to the air as a result of the widening. Whilst the construction and operational phases are likely to generate vehicles movements that will release emissions into the atmosphere, along with dust from the construction process, it is not considered that this will be significant and detrimental to the environment in the long term with such impacts being predictable and manageable.

Overall, it is considered that the impacts on the natural environment will be of no more than local significance and the impacts from the construction phase can be carefully managed to minimise any impacts on and nearby sensitive receptors. On that basis the development is unlikely to give rise to any significant impacts and therefore consideration by an EIA is not considered necessary.

Characteristics of the potential impact

There will be no transfrontier impact as a result of the development and impacts of the development are local in nature.

The demolition of the bridge on site, and the implementation of the proposed development, will result in a permanent change to the appearance of the site which would only be reversed if the development were to be removed. The visual impacts of the new development, particularly from its scale, will alter the visual amenity of the site and how the site is viewed in the local area. In addition, there will be associated impacts on the

heritage value surrounding the development site. However, it is considered that such changes are of no more than local significance.

The development is considered to be located in a sensitive area in terms of the number of Listed Buildings and the setting of the Conservation Area. The demolition and subsequent replacement of the bridge will not have a significant impact on the local area in terms of visual amenity. Furthermore, the overall development will not result in any significant impacts on surrounding heritage assets, that are of more than local significance that would therefore warrant consideration by an EIA.

There will be noise, vibrations and traffic from the construction and operational phases of the development. However, I consider these impacts are not of a magnitude of more than local significance and therefore do not warrant consideration by an EIA.

In terms of the duration, frequency and reversibility of the impacts, it is acknowledged that the scale of the construction activity, along with the operational phases, will have a local impact on the area that will be greater than the current land use which is vacant.

However, the construction activities will be short term, predictable and temporary in nature. When the development is complete there will be a permanent change in the visual amenity of the area which could only be reserved if the highway and bridge structure were to be removed.

On that basis, I do not consider that impacts from the development will be of more than local significance and therefore do not require consideration by an EIA.

Paragraph 58 of Appendix 2 of the NPPG (Screening Checklist)

Paragraph 58, contained within appendix 2 of the NPPG, provides a screening checklist as to which types of cases in which an EIA is more likely to be required for particular types of developments.

This goes on to state that an EIA is unlikely to be required for the redevelopment of land unless the new development is on a significant greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination.

For sites which have not previously been intensively developed the following criteria is relevant:

- (i) area of the scheme is more than 5 hectares; or
- (ii) it would provide a total of more than 10,000 m² of new commercial floorspace; or
- (iii) the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).

Given that the site has been previously developed historically, and is either currently vacant, or landscaped there will be a change in the scale of activities taking place at the

site and their nature. Whilst the site is contaminated it is not considered to be of low to moderate risk in this regard.

The demolition of the bridge and widening of the carriageway will create some degree of additional traffic movements along Hyde Road and adjacent highway network, however this will not be too dissimilar to the traffic movements in the locality, and would only be for a limited period.

CONCLUSION

This response is based on the letter of the 23rd May 2016 from Mr Tony Callaghan of the Highways Directorate of Manchester City Council.

It is concluded that this development will have some impact on the surrounding area. However, it has been judged that these will not be significant to warrant a formal Environmental Impact Assessment. Therefore, the opinion of the City Council, as Local Planning Authority, is that an Environmental Impact Assessment is not required in this instance.

This screening opinion relates to the requirements of an Environmental Impact Assessment only and does not imply or confer any approval of such a proposal.

I trust this information is of some assistance to you. Should you require anything further please do not hesitate to contact Sue Wills.

Yours sincerely



Derek Jones

Section Planning Manager

ECOLOGICAL ASSESSMENT OF

A57 Hyde Road, Gorton – Road Widening Scheme

November 2013



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November 2013

For:

Manchester City Council

Disclaimer

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1 Introduction

1.1 Terms of Reference

The Greater Manchester Ecology Unit (GMEU) was instructed by Manchester City Council to undertake an Ecological Impact Assessment (EclA) in support of the proposed development of A57 Hyde Road, Gorton – road widening scheme.

1.2 The Site

The site is located along the A57 Hyde Road Gorton between Chapman Street and Reddish Lane.

A site plan showing the red line boundary of the conservation area and the trees to be removed is provided in Map 1.

The site comprises several grass verges with scattered trees, amenity grassland, a number of mature trees, regeneration broadleaved woodland, a railway bridge, retaining walls and 2 formal garden areas. Gore Brook also runs through part of the site area.

1.3. The Proposed Development

It is proposed that the A57 Hyde Road, Gorton is to be widened. Hyde Road Railway bridge is to be replaced and the adjoining retaining wall is to be re-aligned.

The compound and access for the works will likely be located between Tan Yard Brow and the railway embankment, which forms the boundary of the Sustrans cycle trail. This area was previously used as a former rail works area.

1.4. Scope of Survey

This EclA presents ecological information obtained during a desk-study and extended Phase 1 habitat survey undertaken on 10th November 2013. The EclA evaluates the nature conservation value of ecological features present at the proposed development site, assesses the significance of the effects of the proposed development on these features, and sets out possible mitigation and enhancement measures. Legislation relevant to the ecological features associated with the application site is summarised in Appendix C.

The scope of the EclA includes:

- data gathering of existing ecological information within the vicinity of the application site from appropriate sources;
- an 'extended Phase 1 habitat survey' of land to be affected by the widening, where access allowed or where the habitats could be viewed;
- the assessment of the significance of potential ecological impacts from the proposals, including habitat loss, disturbance of animals and off-site impacts from the proposed development;
- identification of potential impacts on ecological features;

- proposals for any required mitigation measures to minimise negative impacts;
- proposals for possible enhancement measures to increase the biodiversity value of the land within the application site (Appendix D).

2 Methodology

2.1 General

This EclA has been undertaken with reference to current best practice and in particular the *Guidelines for Ecological Impact Assessment in the United Kingdom* (Chartered Institute of Ecology and Environmental Management, June 2006).

2.2 Zone of Influence or Spatial Scope

The Zone of Influence is the area encompassing all predicted negative ecological effects from the proposed scheme, both those which may occur as a result of land-take and habitat loss and those which may occur through disturbance such as noise. Due to the scale and nature of the proposals, it is considered that a maximum zone of 2 km is appropriate for the gathering of information during the desk study (Appendix A). For the field survey, the zone within the areas to be affected by the works itself is an appropriate area to survey.

2.3 Timing

Potential impacts on ecological features have been assessed in the context of how the predicted baseline conditions within the zone of influence might change between the surveys and the start of construction. It is not currently known when major construction will begin at the site.

2.4 Data Gathering

The Greater Manchester Local Records Centre was consulted to establish the presence of any designated nature conservation sites on or close to the site, local land-use designations and important habitat types and to establish whether any specially protected or priority species have been recorded on or near to the site.

Ordnance Survey (OS) maps and up-to-date aerial photographs were used to identify the presence of water bodies within and up to 250 m from the application site in order to establish if the application site could be used as possible terrestrial habitat for great crested newts, a European protected species. Great crested newts use water bodies as breeding habitat and can use terrestrial habitat up to approximately 500 m from their breeding ponds.

OS maps were also used to identify any watercourses within or adjacent to the application site to identify the potential for impacts to the watercourses or to protected species including otter, water vole and white-clawed crayfish which may use the watercourses.

Aerial photos were also reviewed to help identify any other notable habitats within the adjacent area.

2.5 Site Survey

2.5.1 Extended Phase 1 Habitat Survey

An ecological walkover survey of areas within site to be affected (see Map 2) was undertaken on the 10th November, 2013 following the Joint Nature Conservation Committee guidance for 'Phase 1' ecological surveys (JNCC, 2010). This survey was extended to include a search for evidence of the presence, and an assessment of each habitat's potential to support, notable, priority and protected species as recommended by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2012). Plant names recorded in this survey follow *New Flora of the British Isles* (3rd edition, Stace 2010). The survey was undertaken by Ecologist Mandy Elford MCIEEM.

Early November is rather late in the year to undertake such surveys but in 2013 there has been a relatively extended late summer and there had been no significant frosts prior to the survey. Most of the trees were still in leaf and some of the flowering plants were still evident. The timing of the survey was considered to be a slight limitation but given the nature of the site not a significant limitation.

During the site visit and walkover survey the following investigations were also undertaken in respect of the presence of legally protected species:

- an assessment of terrestrial habitat suitability for amphibians, including great crested newts;
- an assessment of features that may be suitable for use by bats, such as trees and structures a search for evidence of use by bats (where possible) and an assessment of habitat that may be used by bats for foraging and commuting;
- an assessment of suitable habitats for nesting birds;
- a search for evidence of badger activity including setts, guard hair, tracks, snuffle holes and latrines within the application site, the extent of the survey area is shown in Map 3 (where access permitted);
- a search for evidence of the presence of invasive plants as listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) and subject to strict legal control.

2.5.2 Survey Limitations

Ecological surveys are limited by factors which affect the presence of plants and animals such as the time of year, migration patterns and behaviour. The ecological survey was conducted on a single day in November of 2013. It has not therefore produced a fully comprehensive list of plants and animals that may use the site and the absence of evidence of any particular species should not be taken as conclusive proof that the species is not present or that it will not be present in the future.

However, it is considered that given the nature of the site assessed (a major route from the M60 motorway into the heart of Manchester City Centre) the results of this survey have been sufficient to undertake the EclA and have allowed a sufficiently accurate evaluation of ecological features within the zone of influence, together with

an assessment of the significance of any effects of the proposed development and the likely requirements for mitigation.

2.6 Nature Conservation Evaluation

A number of criteria are widely accepted as a means of assessing the nature conservation value of a defined area of land. These criteria were first set out set out in *A Nature Conservation Review* (Ratcliffe, 1977) and include diversity, rarity and naturalness.

The nature conservation value or potential value of an ecological feature is also determined with reference to the following hierarchy:

- The presence of designated sites of international nature conservation importance (such as Special Areas of Conservation, Special Protection Areas, Ramsar sites),
- The presence of designated sites of national importance (such as Sites of Special Scientific Interest and National Nature Reserves);
- The presence of designated sites of regional/county importance (such as Local Nature Reserves, Sites of Biological Importance, ancient woodlands);
- The presence of populations of statutorily protected species.
- The presence of sites of local (district or parish) importance (such as undesignated ecological features such as old hedges, woodlands, ponds);
- The presence of locally important habitats (such as woodland, ponds)

A list of nature conservation legislation likely to be relevant to this assessment is provided at Appendix C.

2.7 Impact Assessment

The assessment of the potential effects of a proposed development takes into account both on-site effects and those that may occur to adjacent and more distant ecological features. Impacts can be permanent or temporary and can include:

- Direct loss of wildlife habitats;
- Fragmentation and isolation of habitats;
- Disturbance to species from noise, light or other visual stimuli;
- Changes to key habitat features; and
- Changes to local hydrology, water quality and/or air quality that may affect habitats.

The significance of a negative impact (or a beneficial effect) is determined as the product of the *magnitude* of the impact (the source) and the *value* or *sensitivity* of the nature conservation features affected (the receptor). In order to characterise the impacts on each feature, the following parameters are taken account of:

- The magnitude of the impact;
- The extent of the area over which the impact would occur-

- The duration of the impact;
- Whether the impact is reversible and over what timeframe;
- The timing and frequency of the impact.

Effects are unlikely to be significant where features of low value or sensitivity are subject to small or short-term impacts. However, where there are a number of small scale effects that are not significant alone, the assessor may determine that, cumulatively, these may result in an overall significant effect. Impacts can be assessed as being either negative or beneficial and significant or not significant.

Following current guidance, this assessment identifies whether the impacts described are significant based on the conservation status of the ecological feature affected and the *integrity* of the site. The integrity of designated sites is described as follows and has been used in this assessment to determine whether the effects of the proposals on a designated site are likely to be significant:

“The integrity of a site is the coherence of the ecological structure and function across its whole area that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was classified.

The conservation status of undesignated habitats and species within a defined geographical area is described as follows and has been used in this assessment to determine whether the effects of the proposals are likely to be significant:

“For habitats, conservation status is determined by the sum of influences acting on the habitat and its typical species, that may affect its long term distribution, structure and functions as well as the long term survival of its typical species within a given geographical area; For species, conservation status is determined by the sum of influences acting on the species concerned that may affect the long term distribution and abundance of its population within a given geographical area”.

In addition to measures required to ameliorate negative effects on ecological features, further biodiversity enhancement measures have been identified and recommended.

3 Results

3.1 Desk study

3.1.1 Designated Sites

The development site is not within a site designated for its nature conservation value, nor is it adjacent to such a site.

3.1.2 Protected Species

There are no records of specially protected species having been recorded within the area of the site to be effected. Field signs of Pipistrelle bats have been recorded along the Gore Brook corridor. All UK species of bat and their roosting sites are legally protected.

3.1.3. Priority Habitats

There are no areas of priority habitat as defined in the UK or Local Biodiversity Action Plan within or adjacent to the site.

There are however a number of mature poplar trees to be removed.

3.1.4 Priority Species

House sparrow and song thrush, priority species for conservation, have been recorded within the site.

3.2 Field Survey

The main habitats present in and around the application site are described below.

3.2.1 Summary description

The A57 Hyde Road is a major route from the M60 motorway into the centre of Manchester City. The road is to be widened and the works will necessitate the removal of some mature and semi-mature trees, scrub, formal planting, areas of species poor amenity grassland (road verges) and unmanaged grassland. The railway bridge is to be demolished and rebuilt and the retaining wall to the east of the bridge is to be reconstructed.

The site has been divided into a number of compartments in order to show the locations and extent of habitats (Map 3)

3.2.2 Grass Verges

Species-poor amenity grassland areas are present on the roadside verges. All of this grassland was close-mown at the time of survey. Species recorded in the amenity grassland include meadow grass, rye grass, bent grass, creeping buttercup, dandelion, daisy and clover. All of these are common and widespread species in grassland across England and the amenity grasslands have low nature conservation value.



Photo 1 – Roadside verge on the corner of A57 & Chapman Street

3.2.3 Standard Trees

The grass verges also support a number of semi-mature standard trees of various broadleaved species these include sycamore, ash, sweet chestnut, silver birch, lime, hazel, hawthorn, cherry and maple. The younger trees have a limited conservation value but there are some of the more mature trees which have good potential.



Photo2 – Standard Trees

3.2.4 Semi-natural Woodland

There are two areas of semi-natural woodland (compartment 2 and 6) both of these areas support a number of mature poplar trees together with hawthorn, ash, sycamore, silver birch, beech, cherry, holly and goat willow. The ground flora appeared sparse but given the time of year the majority of spring flowers were not evident. Species recorded included wood avens, nettle, hogweed, herb Robert and bramble. Common polypody was also present on one of the mature poplars. The invasive Japanese knotweed was present at the rear of compartment 2 (see target note 1). The invasive cotoneaster was also present throughout the site. Fox was present in compartment 6.



Photo 3 – Common polypody



Photo 4 – Compartment 2 – Woodland



Photo 5 –Compartment 6 – Woodland

3.2.5 Gore Brook

Gore brook runs through the site (compartment 2) and is culverted under the A57 Hyde Road. The brook runs from Gorton Lower Reservoir south and west to Chorlton where it joins Chorlton Brook.



Photo 6 – Gore Brook culvert

3.2.6 Ornamental Planting

An area named the butterfly garden (Compartment 3) has been left unmanaged and supports a mix of native and ornamental species these include buddleia, pendulous sedge, the invasive cotoneaster, bramble, timothy, creeping buttercup, ribwort plantain, rosebay willowherb and nettle. There is ornamental planning around the edges of some of the grass verges and a more formal garden area in between Reddish Lane and Waterhouse Road (Compartment 10) which comprises amenity grassland and scattered trees. The invasive Japanese knotweed is also present at the rear of this area under the elevated pipe.



Photo 7 – Butterfly Garden



Photo 8 – Japanese knotweed under the elevated pipe

3.2.7 Unmanaged Grassland

An area of unmanaged grassland occurs between the A57 and Wall Way (Compartment 6). Species present include cocksfoot, tufted vetch, soft rush, ribwort plantain, clover, field horsetail buddleia and bramble. The invasive cotoneaster is also present.



Photo 9 – unmanaged grassland

3.2.8 Railway Bridge and Retaining Wall

The railway bridge is constructed of brick and metal and the retaining wall to the east is a brick structure. The brickwork under the bridge together with the retaining wall had some gaps in the mortar, however both were considered to have a low potential to support roosting bats.

It is of note that Japanese knotweed was present on the railway embankment see Map 5 - Target Note 1.



Photo 10 – Railway Bridge



Photo 11 – Brick retaining Wall

3.3 Legally Protected and Notable Species

The potential for great crested newt, badgers, bats and breeding birds to be present within the application site is discussed below.

3.3.1 Bats

Bats have been recorded in the Gore Brook Valley and some of the habitats present on the site are suitable for supporting feeding and commuting bats.

The railway bridge and the retaining wall are considered to have low potential to support roosting bats. Feral pigeons appear to use this bridge for roosting.

The mature poplars on the site, where possible, were inspected with close focusing Minox binoculars and a 2,000,000 candle powered torch for signs of bats and cracks and crevices. The cracks that were apparent did not appear suitable for bat roosting. These trees were assessed as category 2 (Bat Conservation Trust, Good Practise Guidelines, 2nd Edition – see table below). These trees should be felled using reasonable avoidance measures. (See Appendix B Advice note Bats, Birds and Trees).

The other broadleaved trees and shrubs present are relatively young and do not support holes, cracks and crevices that would support roosting bats. I would therefore regard the trees as category 3 and therefore no mitigation for bats is required.

Tree Categories for bat potential

Bat Conservation Trust, Good Practise Guidelines, 2nd Edition

Tree Category and description	Stage 1-Initial survey requirements Stage 2-Further measures to inform mitigation	Stage 3-Likely mitigation
Confirmed Roost	Establish the extent to which bats use the site	Tree felled under European Protected Species Licence only following habitat replacement
Category 1* Trees with multiple highly suitable features capable of supporting large roosts	Further assessment to provide best judgement on the potential use of cavities Consultant required	Avoid disturbance to trees where possible Dusk and pre-dawn survey required Felling undertaken using reasonable avoidance measures such as soft felling to avoid harm to bats Confirmed roosts to be felled under EPS licence as above
Category 1 Trees with definite bat potential with less features than 1* and more single Bat occupancy	Further assessment to Provide best judgement on the potential use of Cavities Consultant required	Avoid disturbance To trees where possible Dusk and pre-dawn survey requires Confirmed roosts to be felled under EPS licence As above No confirmed roost. Tree may be downgraded to category 2 below

Category 2 Trees with no obvious potential	Consultant unlikely to be required	Avoid disturbance to trees where possible, no further surveys required	Trees felled using reasonable avoidance measures Stop works and seek advice if bats found or suspected
Category 3 Trees with no bat potential	Consultant not required unless fresh evidence and change	None	No mitigation required

3.3.3 Breeding Birds

Birds recorded during the field survey included blackbird, wren, house sparrow, song thrush, magpie, carrion crow, robin, goldfinch and feral pigeon. Mallard was also recorded on Gore Brook

All of the species recorded are common and widespread in England but **house sparrow** and **song thrush** are priority species for conservation in England.

There is good breeding bird habitat in the wooded areas and in some of the more mature standard trees on the roadside verges. The scrub habitat is also good for breeding birds.

3.3.4 Badgers

There were no signs of badgers throughout the site. However badgers are transient species, should badgers or signs of badgers be discovered at any time during works, then works should cease immediately and advice sought from a suitably qualified ecologist.

3.3.5 Great crested newts

There were no ponds on the site and the nearest suitable great crested newt ponds are some distance from the site and separated from it by the Sustrans cycleway and the reservoirs. There is no risk of the planned development affecting great crested newts.

3.3.6 Plants

No 'significant' protected or priority plant species were recorded on the site during the field survey.

Invasive plants

A small stands of Japanese knotweed were present on the railway embankment Compartment 12, at the rear of Compartment 2 and Compartment 10. Cotoneaster was also present throughout the site.

4 Nature Conservation Evaluation

- 4.1 The site is not designated at any level for its nature conservation value, nor is it adjacent or connected to any such sites.
- 4.2 The site is considered unlikely to support any significant populations of protected or priority species although bats may feed and commute across the site.
- 4.3 The site does not support any local or UK priority habitats.
- 4.4 The site does support locally important mature and semi-mature broadleaved trees and the Gore Brook watercourse.

Overall the site supports habitats of only local nature conservation value and there are no significant ecological constraints on the planned development.

5 Assessment of Potential Impacts & Mitigation Measures

5.1. Designated Sites

The proposed development will not affect any statutory or non-statutorily designated sites of nature conservation importance.

5.2 Protected and Priority Species

The proposed development is considered unlikely to affect any populations of protected or priority species.

There is a small possibility that single or small numbers of foraging bats may be disturbed by the works but there is significant alternative habitat nearby such that there will be no significant impact on local bat populations.

5.3 Main Habitats

Under current proposals the development will result in the permanent loss of a number of mature and semi-mature trees, small areas of species-poor amenity grassland and an area of unmanaged grassland. These impacts are not significant.

5.4 Nesting Birds

The works have the potential to temporarily disturb nesting birds, primarily in the mature and semi-mature trees, boundary shrubs and hedgerows close to the construction areas. This is not regarded as significant.

5.5 No European or UK nature conservation legislation will be contravened by the planned development.

Table 1 Summary of potential impacts

European designated sites	None
Nationally designated sites	None

Locally designated sites	None
Priority habitats	None
Protected species	Mature poplars to be felled using reasonable avoidance measures. Minor impact on foraging bats. No mitigation considered necessary
Priority species	Any tree and vegetation removal should be undertaken outside of optimum bird nesting period.
Locally important habitats	Gore Brook to be protected from the development, no surface water run-off or building materials should be allowed to enter the brook. Mature poplars to be felled using reasonable avoidance measures. Minor impact on other broadleaved trees. No mitigation considered necessary.

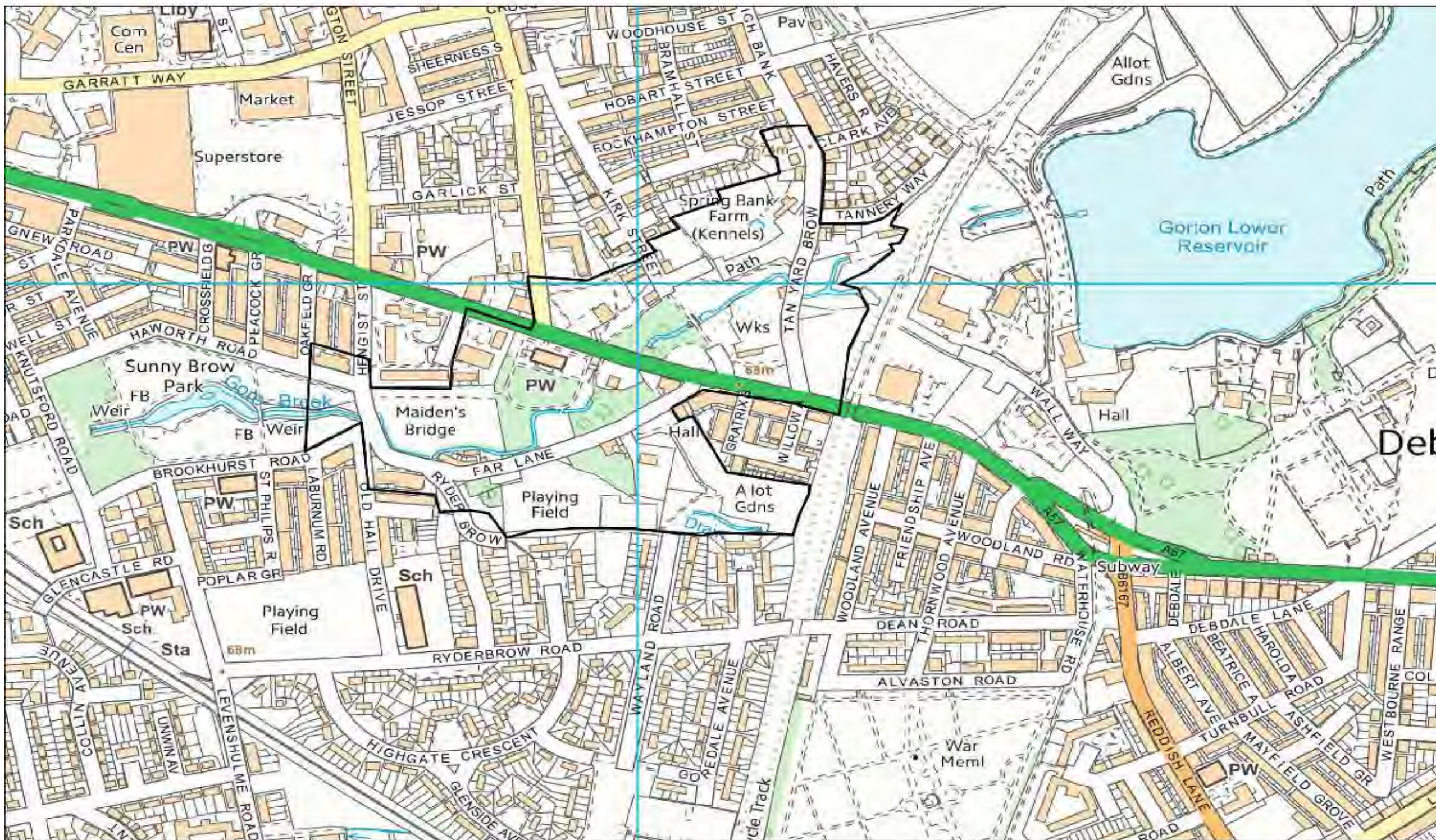
5.6 Recommended Mitigation Measures

- Do not remove trees or other vegetation in the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by a suitably qualified person.
- Mature Poplars should be felled using reasonable avoidance measures.
- Brief contractors about the possible, presence of bats. If bats are found at any time during works then works must cease and advice sought from a suitably qualified person.
- Gore brook should be protected from the development. Appropriate best practice should be followed to ensure that no building materials or surface water run-off should be allowed to enter the brook (Environment Agency guidelines PPG Note no. 5). **It is unclear from the plans if the culvert is to be affected by the works, should this be the case further surveys may be required.**
- The Invasive Japanese knotweed and cotoneaster are present on the site. Care must be taken to avoid spreading these plants. All plant waste should be disposed of in accordance with Environment Agency Guidance.

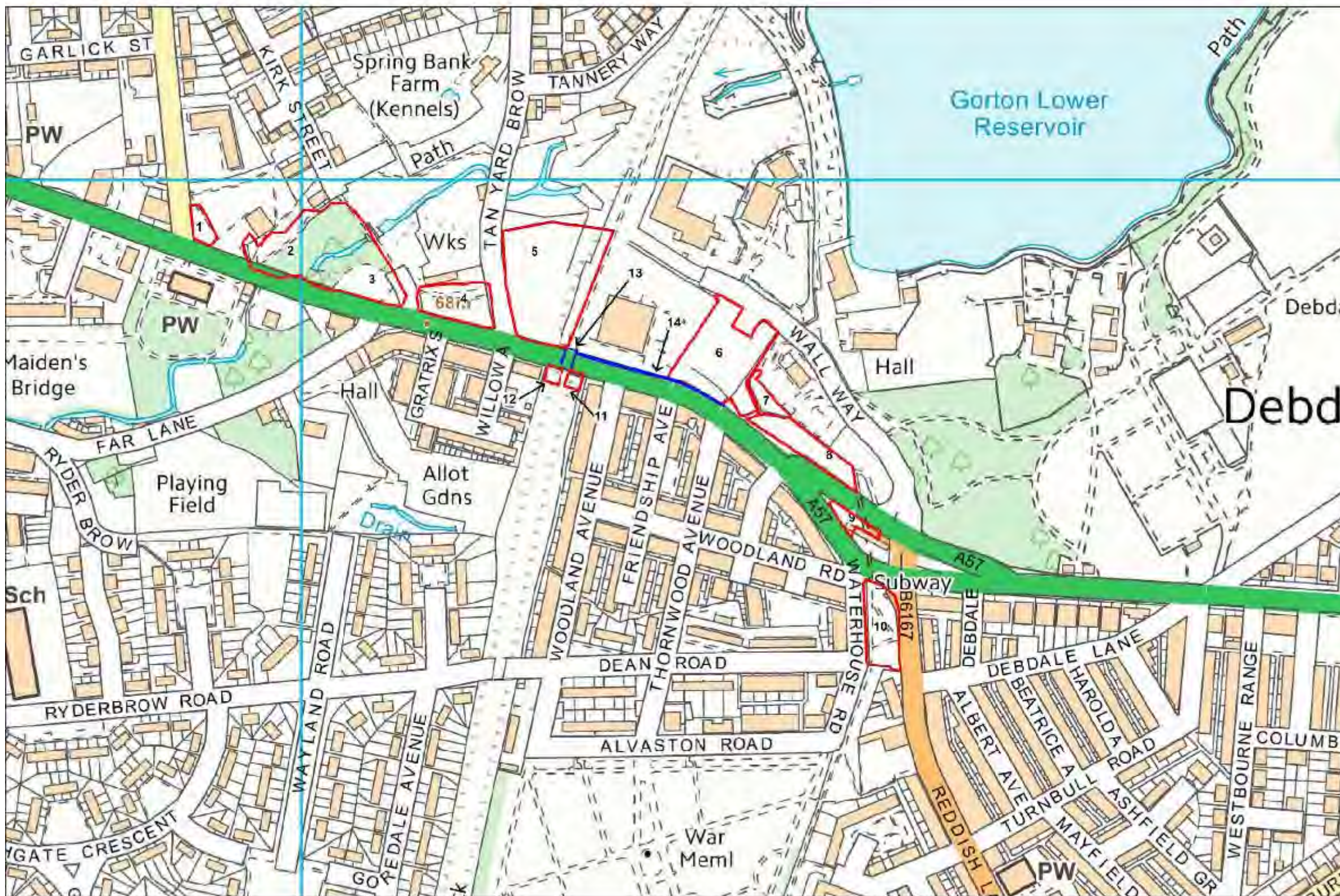
6 Conclusions

- 6.1 There are no significant ecological constraints on the proposed development of A57 Hyde Road widening scheme.
- 6.2 No further ecological surveys are considered necessary prior to commencing works on the site. **Unless the Gore Brook Culvert is to be affected by the works, should this be the case further survey effort may be required.**

Map 2 – Site Location and outline of Conservation Area



Map 3 – Map showing compartments



Map 4 Aerial Photo



Map 5 Target Notes

KEY

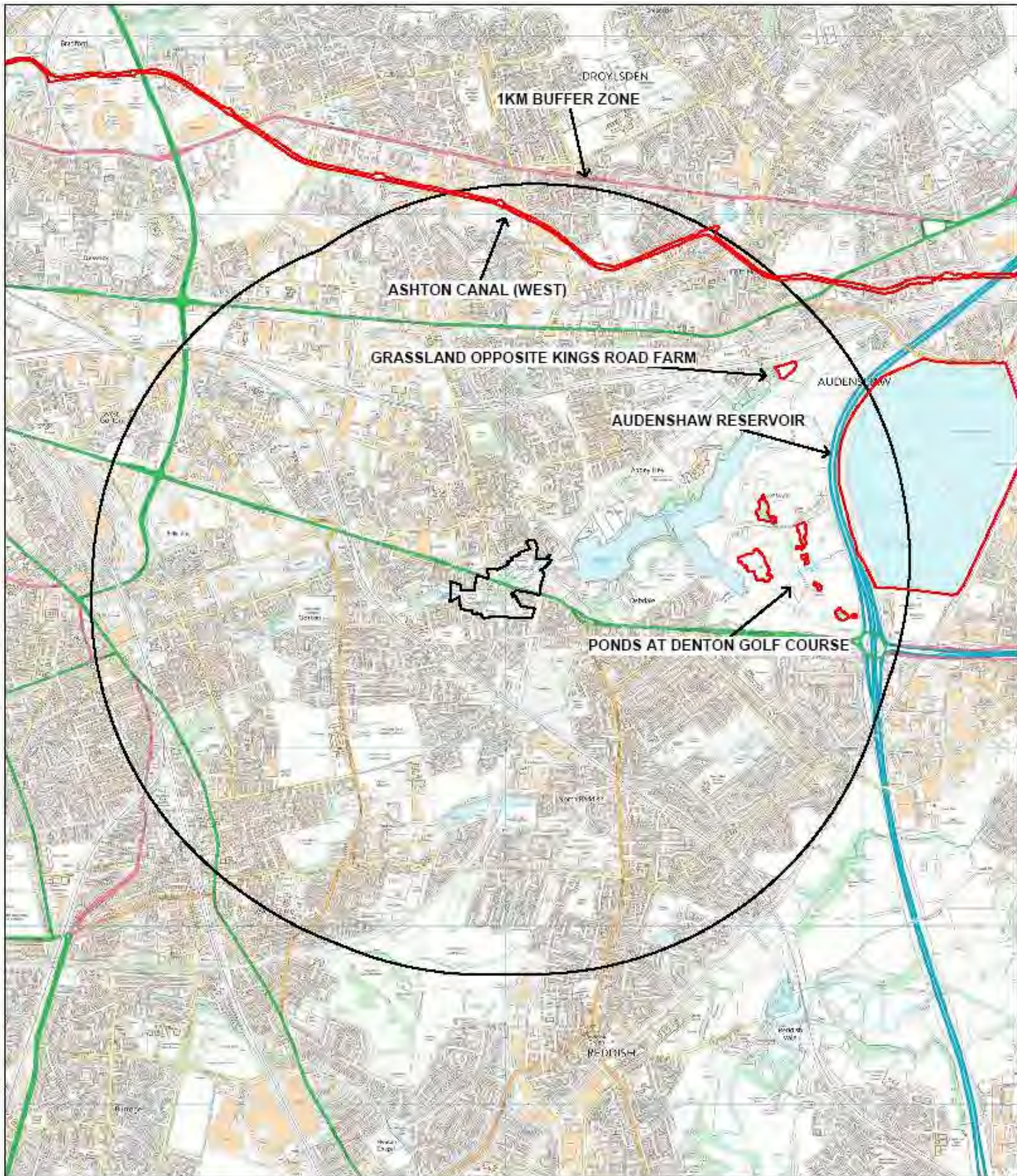
TN1 – Japanese Knotweed



TN2 – Mature Poplars

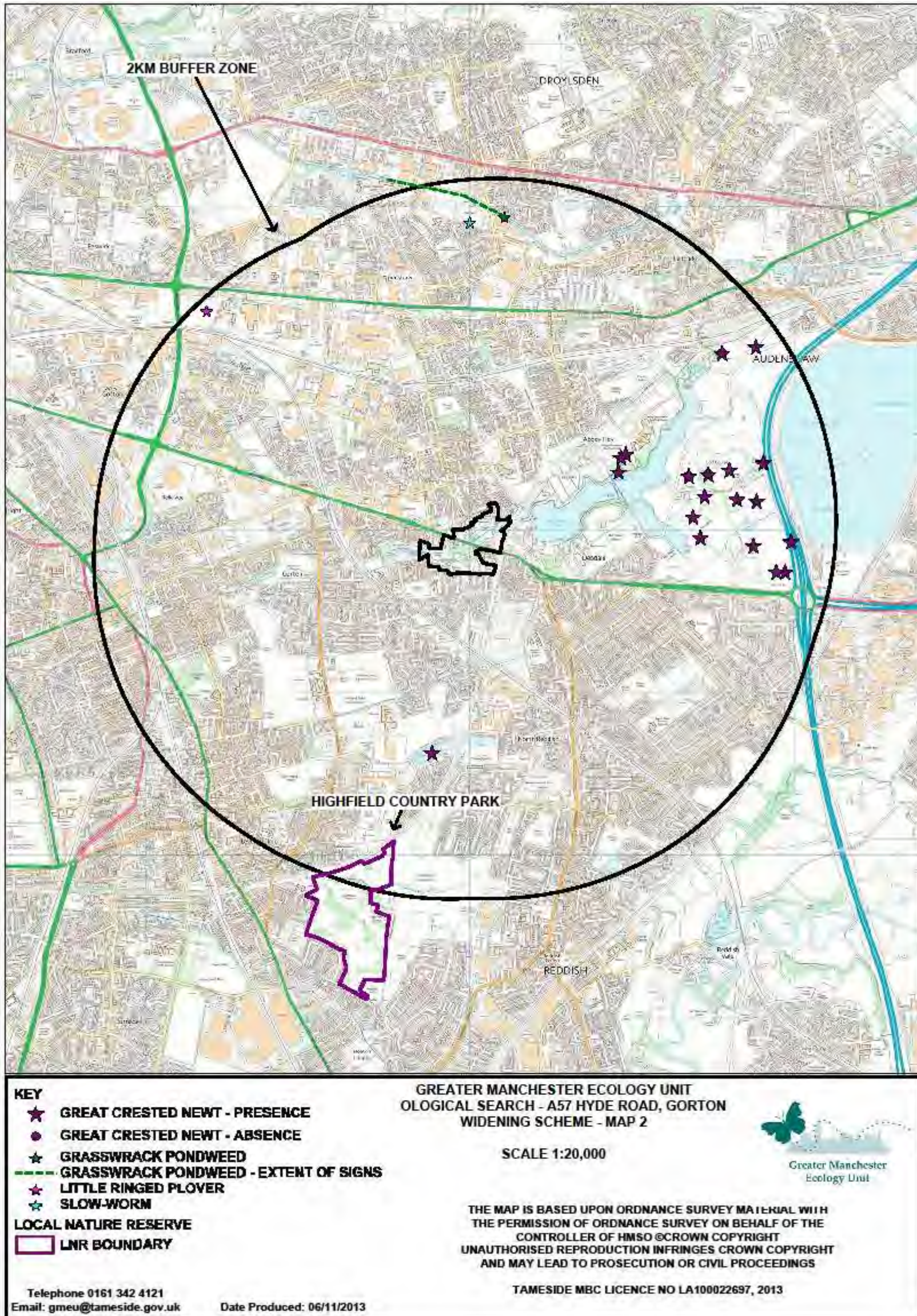
TN3 - Cotoneaster

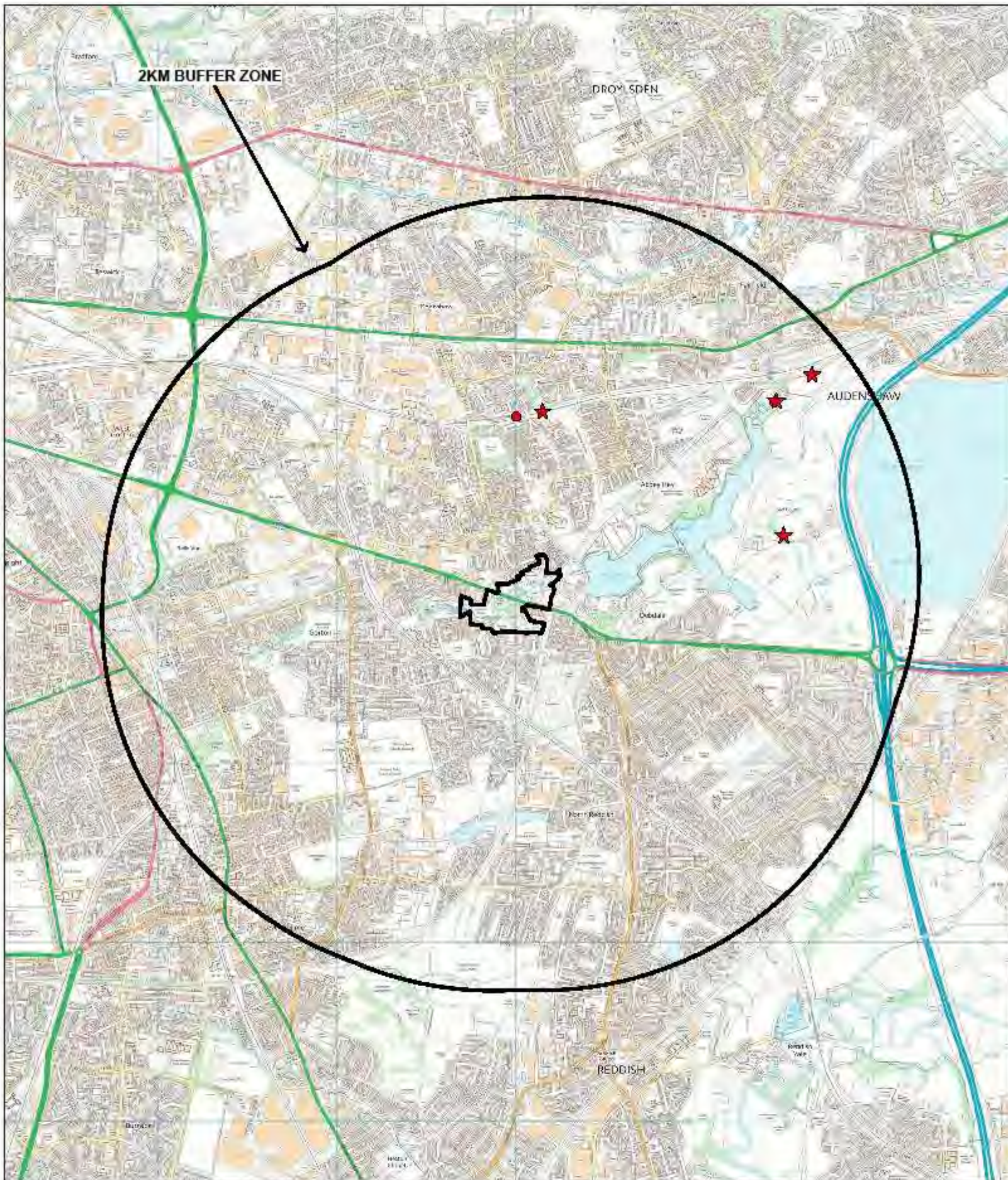



Appendix A – Data searches 1-5

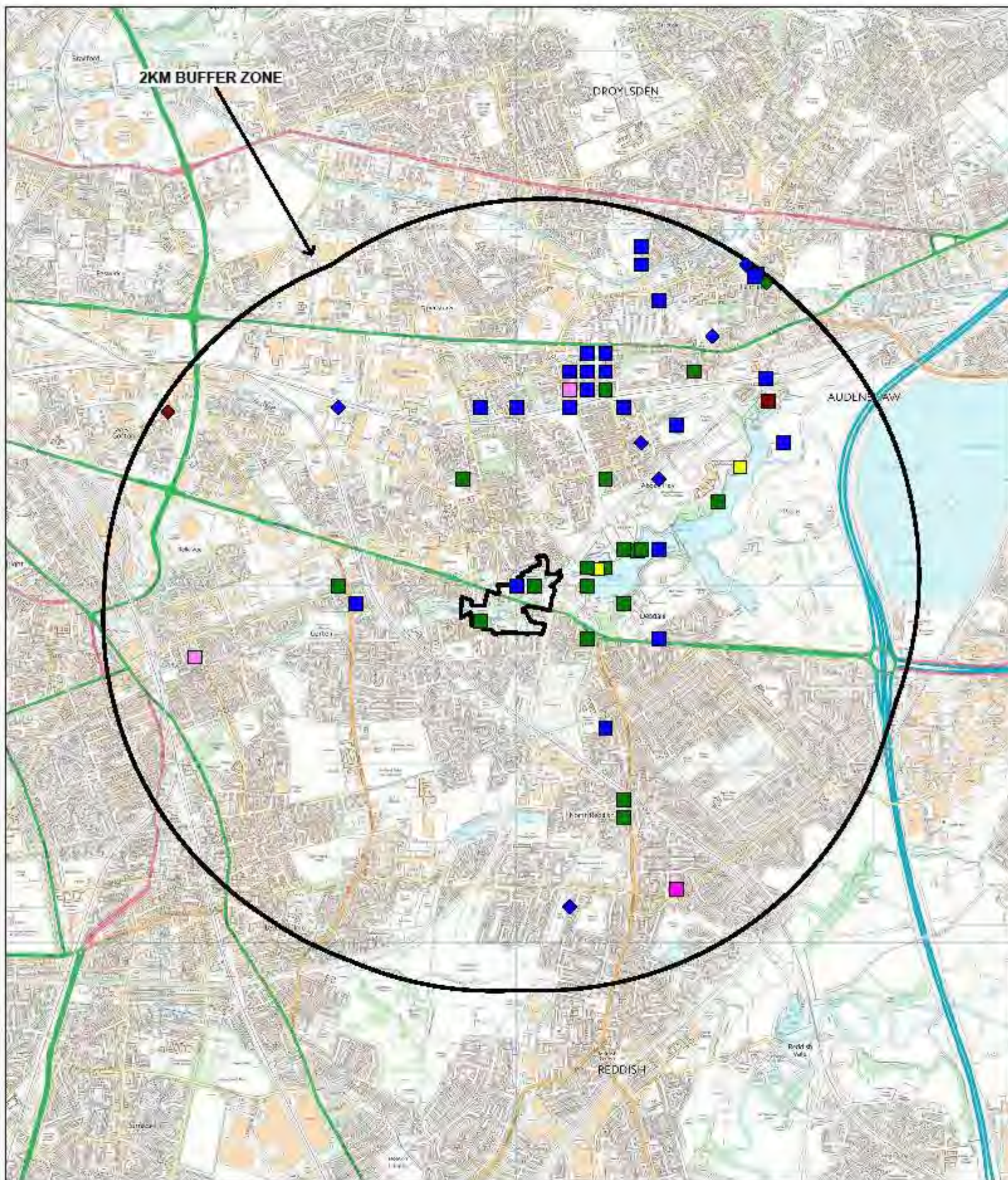



<p>KEY SITE OF BIOLOGICAL IMPORTANCE  SBI BOUNDARY</p>	<p>GREATER MANCHESTER ECOLOGY UNIT ECOLOGICAL SEARCH - A57 HYDE ROAD, GORTON WIDENING SCHEME - MAP 1</p> <p>SCALE 1:20,000</p> <p>THE MAP IS BASED UPON ORDNANCE SURVEY MATERIAL WITH THE PERMISSION OF ORDNANCE SURVEY ON BEHALF OF THE CONTROLLER OF HMSO ©CROWN COPYRIGHT UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS</p> <p>TAMESIDE MBC LICENCE NO LA 100022697, 2013</p>	 <p>Greater Manchester Ecology Unit</p> <p>Telephone 0161 342 3723 Email: gmeu@tameside.gov.uk Date Produced: 06/11/2013</p>
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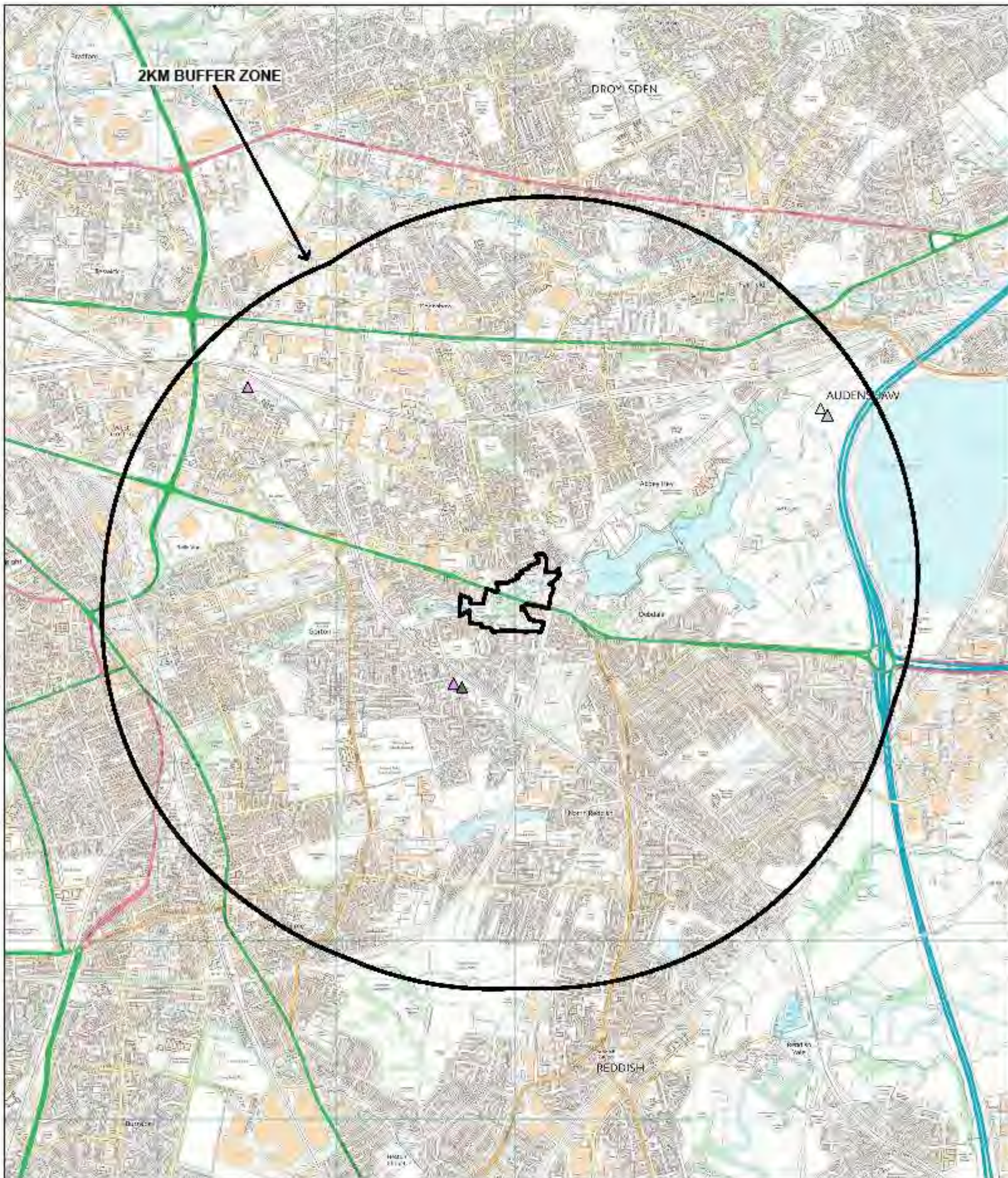





KEY BADGERS ★ SETTS ● OTHER SIGNS	GREATER MANCHESTER ECOLOGY UNIT ECOLOGICAL SEARCH - A57 HYDE ROAD, GORTON WIDENING SCHEME - MAP 3 CONFIDENTIAL SCALE 1:20,000 THE MAP IS BASED UPON ORDNANCE SURVEY MATERIAL WITH THE PERMISSION OF ORDNANCE SURVEY ON BEHALF OF THE CONTROLLER OF HMSO ©CROWN COPYRIGHT UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS TAMESIDE MBC LICENCE NO LA100022697, 2013	 Greater Manchester Ecology Unit Telephone 0161 342 3723 Email: gmeu@tameside.gov.uk Date Produced: 06/11/2013
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<p>KEY</p> <p>BAT ROOSTS</p> <ul style="list-style-type: none"> ◆ BROWN LONG-EARED ■ COMMON PIPISTRELLE ◆ PIPISTRELLE SP <p>BATS OTHER SIGNS</p> <ul style="list-style-type: none"> ■ BROWN LONG-EARED ■ COMMON PIPISTRELLE ■ DAUBENTON'S BAT ■ PIPISTRELLE SP ■ SOPRANO PIPISTRELLE ■ WHISKERED BAT 	<p>GREATER MANCHESTER ECOLOGY UNIT ECOLOGICAL SEARCH - A57 HYDE ROAD, GORTON WIDENING SCHEME - MAP 4</p> <p>SCALE 1:20,000</p> <p>BAT DATA COURTESY OF SOUTH LANCS BAT GROUP</p> <p>THE MAP IS BASED UPON ORDNANCE SURVEY MATERIAL WITH THE PERMISSION OF ORDNANCE SURVEY ON BEHALF OF THE CONTROLLER OF HMSO ©CROWN COPYRIGHT UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS</p> <p>TAMESIDE MBC LICENCE NO LA100022697, 2013</p>	 <p>Greater Manchester Ecology Unit</p> <p>Telephone 0161 342 3723 Email: gmeu@tameside.gov.uk Date Produced: 06/11/2013</p>
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KEY SECTION 41 SPECIES ▲ HOUSE SPARROW ▲ LAPWING ▲ SKYLARK ▲ STARLING	GREATER MANCHESTER ECOLOGY UNIT ECOLOGICAL SEARCH - A57 HYDE ROAD, GORTON WIDENING SCHEME - MAP 5 SCALE 1:20,000 THE MAP IS BASED UPON ORDNANCE SURVEY MATERIAL WITH THE PERMISSION OF ORDNANCE SURVEY ON BEHALF OF THE CONTROLLER OF HMSO ©CROWN COPYRIGHT UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS TAMESIDE MBC LICENCE NO LA100022697, 2013	 Greater Manchester Ecology Unit Telephone 0161 342 3723 Email: gmeu@tameside.gov.uk Date Produced: 06/11/2013
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Appendix B



Greater Manchester Ecology Unit Advice Note – Tree felling and your responsibilities regarding protected species

The Pipistrelle is the smallest bat in Greater Manchester with its body measuring between 35mm-45mm. It looks much larger in flight with its wingspan measuring upto 250mm. The Noctule is the largest bat in our area, its body measures between 60mm-88mm and a wingspan of upto 400mm. All twelve species of bat found in Greater Manchester can use trees for roosting. The Pipistrelle can enter a crack/crevice suitable for that of a bumblebee.



©Steve parker - Brown Long-eared

This advice note is to make people aware of their responsibilities under the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats, &c.) Regulations 2010 (as amended) when planning to undertake tree work (not as part of a project requiring planning permission).

BATS

There are nineteen species of bat recorded in the UK. Eleven of the nineteen species have been recorded in Greater Manchester. All species of bat, their breeding sites or resting places (roosts) are protected under UK and European Legislation. It is an offence for anyone intentionally to kill, injure or handle a bat, to possess a bat (whether live or dead), disturb a roosting bat, or sell or offer a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not.

In all circumstances trees should be inspected for features consistent with potential bat habitation such as rot holes, cracks, splits and woodpecker holes. If bats or evidence of bats are found at any time during works, then work should cease immediately and advice sought from Natural England (Tel 0845 1300228)

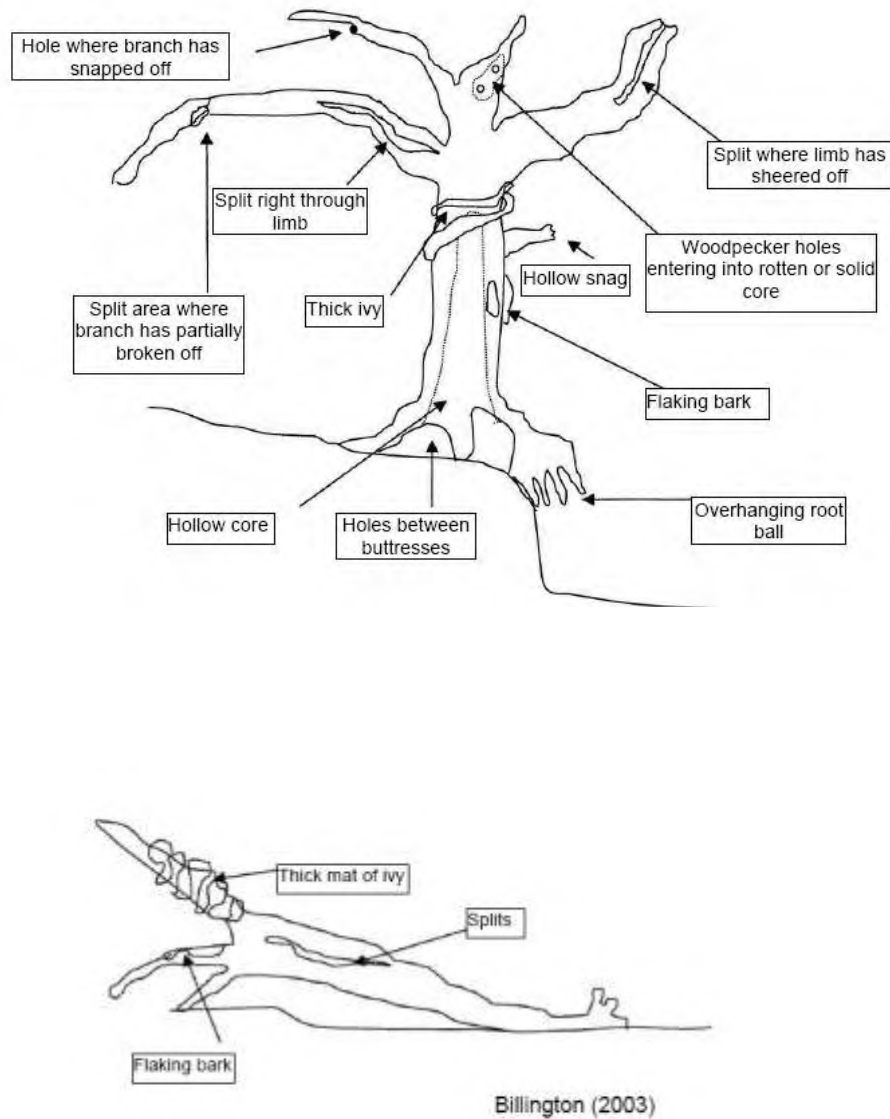
Background

A tree forms an essential part of an often complex ecosystem that provides a variety of habitats for a range of different wildlife species, including bats. Older, more mature trees more typically support features suitable for roosting bats. Of the nineteen bat species in the UK, thirteen are known to roost in trees. Some bat species rely exclusively on trees for roost sites, whilst others only use them for part of the year. All nineteen species also use woodland/woodland edges for foraging and commuting routes.

Any tree can be used as a bat roost, as long as it provides shelter, e.g. in the form of splits, cracks, holes and cavities in the trunk and branches, loose bark and ivy cover. These features are more commonly found in more mature trees. Roosts can be at any height in the tree, although the upper trunk and branches are probably the most common locations.

Date Produced February 2010

Figure 1: Potential bat roost sites in trees



Features to look for when assessing a trees potential to support roosting bats:

HIGH Potential to support roosting bats	MEDIUM Potential to support roosting bats	LOW Potential to support roosting bats
<ul style="list-style-type: none"> • Woodpecker Holes • Cracks/crevices • Loose or flaking bark • Medium-dense ivy cover • Snagged branches • Hollow stem or limb • Hollow core • Hole between buttress 	<ul style="list-style-type: none"> • Few small cracks or crevices • Low ivy cover • Deadwood in canopy 	<ul style="list-style-type: none"> • No cracks or crevices • No flaking bark • Low/No ivy cover

Certain trees may not possible to survey accurately from ground level for these features. If areas of the tree cannot easily be seen, a specialist should be consulted. Evidence of bat presence will need to be confirmed by a specially trained surveyor, but can include:

- Staining beneath a hole, caused by bat urine.
- Scratch marks around hole, caused by bat claws.
- Bat droppings beneath a hole.
- Audible squeaking from within a hole, especially on hot days or at dusk.
- Insects (especially flies) around a hole.
- Bats emerging at dusk and returning at dawn (summer months).

Timing of tree works:

In order to avoid disturbing a bat roost the timing of the work is a vital consideration. It is important to avoid:

- the summer months (May – August inclusive) when bats form maternity colonies and have their young.
- the winter months (November – February inclusive) when bats are hibernating.

Works to trees with bat roosting potential is best undertaken:

- From late August to early October when young bats are mobile and on the wing, female bats are unlikely to be pregnant and the hibernation season has not started.

- March to July inclusive however, consideration should also be given to nesting birds as they are also protected by law (see notes below).

The timings are also climate related as weather and temperatures can fluctuate from year to year.

Best practice methods

Plan ahead.

- Establish procedures that consider the possible presence of bats in trees (even in an emergency), at all times of year, by incorporating a bat assessment into tree surveys.
- Consider how and when tree work will be undertaken.
- Ensure the work carried out is proportional to the risk, i.e. it may be possible to make the tree safe without felling it, by reducing the crown, cutting/reducing limbs, etc., whilst retaining an important roost area, rerouting a footpath, etc. **This work should only be undertaken when the roost is unoccupied.**
- Aim to limit the chances of a bat or its roost(s) being damaged or destroyed and minimise any adverse impacts by carrying out tree surgery sensitively and only when bats are found to be absent.
- Try wherever possible to retain any tree used by bats. If it is not possible to retain the tree then a licence from Natural England would be required. A replacement roost should also be provided.
- If a bat roost is inadvertently damaged it may be necessary to be able to demonstrate to Natural England that good practice was implemented.

If bats or evidence of bats are found at any time during works then work should cease immediately and advice sought from Natural England (Tel 0845 1300228)

Procedures

For all tree work:

Firstly assess the tree for potential bat roosts sites (see Figure 1). If the tree supports any of these features the following procedures should be followed:

1. Contact The Greater Manchester Local Records Centre (Tel 0161 342 2250) to establish if there are any known bat roosts in the immediate area.
2. An ecologist or experienced bat worker should undertake an assessment of the tree in order to establish its potential to support bats and undertake a survey if required.
3. Ensure arboriculture work takes account of the findings of the assessment.
4. Ensure that contractors are aware of their responsibilities regarding

5. European Protected Species and they are given a copy of this document and the relevant emergency contact details.
6. Wherever possible retain dead, dying or ivy clad trees. licence. Leave wood on-site if practical, for at least 48 hours (to allow bat/s to escape) or indefinitely as deadwood also provides invertebrate food for
7. Carry out work according to outcome of survey and/or Natural England licence.
8. Leave wood on-site if practical, for at least 48 hours (to allow bat/s to escape) or indefinitely as deadwood also provides invertebrate food for bats and other wildlife species.
9. Consider the potential for habitat management improvement and compensate for loss of bat habitat by putting up bat boxes.
10. Keep Natural England and The South Lancashire Bat Group contact details on-site in case of any emergencies.
11. Contact Natural England 0845 1300228 or the South Lancashire Bat
12. Group Batline 0161 764 8850 (please leave a message, the messages are checked approximately every 1-2 hours) if at any stage of the procedure you need advice.

If bats or evidence of bats are found at any time during works, then work should cease immediately and advice sought from Natural England (Tel 0845 1300228)

Emergency tree work

In an emergency, i.e. public health and safety at risk, advice should be sought from Natural England on how to proceed. It would be best to get written advice (i.e. email or fax) if possible. A qualified/licensed person may need to be present on site.

Summary

- If a bat roost is known to be present, expert advice from a licensed bat worker should be sought and implemented. A license from Natural
- England may be required to undertake the proposed work.
- An initial assessment of the tree should be carried out by an Ecologist or experienced bat worker to establish if the tree has features suitable for roosting bats. It is important to remember that even unoccupied roosts are protected by law.
- If a tree is found to have features that could support a roosting bat/bats then further surveys should be carried out. Such surveys should be conducted by an ecologist or experienced licensed bat worker (dusk/dawn surveys) following the Bat Conservation Trust Guidelines.
- Timings of works should be taken into consideration.
- If potential roost spaces are identified but bats are found to be absent, best practice would be to lower the branches or trunk with the roost cavity to the ground and leave for 48 hours for any bat to escape, prior to opening the cavity. This approach should be adopted following consultation with an experienced bat worker

NOTE: BIRDS

Birds also need to be taken into consideration when felling or undertaking tree works. All birds (with the exception of some pest species) and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). It is recommended that no works to trees take place in the bird breeding season (March to July inclusive), unless birds are found to be absent. It is important to note that not all nests are visible as some species (for example woodpecker and nuthatch) nest in tree cavities.

APPENDIX C – Relevant nature conservation legislation

C1 BATS

Legal protection offered to bats

All species of bats found in the UK receive a high level of legal protection under the terms of the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010. In summary, it is an offence –

- To kill, injure or take any wild bat
- To damage, destroy or obstruct access to any place that a wild bat uses for shelter or protection (known as a roost). Since bats are mobile in their habits and can use different places for shelter depending on the time of year this is taken to mean all identified bat roosts, whether bats are present in the roost or not.
- To disturb any wild bat while it is occupying a structure or place used for protection

It is possible to obtain licences for activities affecting bats that would otherwise be in breach of the law. In the case of development works (including building demolition) a licence can be issued under Section 39 of the Conservation of Habitats and Species Regulations 2010. Strict tests must be satisfied before Natural England will agree to issue such a licence. These tests are –

- That the development is to preserve public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment
- That there is no satisfactory alternative
- That the issue of a licence will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

C2 NESTING BIRDS

Under the terms of the Wildlife and Countryside Act 1981 (as amended) it is an offence to harm nesting birds, their eggs and young.

C3 INVASIVE ALIEN SPECIES

Under the terms of the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause certain plants to spread in the wild.

Japanese knotweed and cotoneaster are two of these proscribed plants and both species have been found on the site. Care must be taken to avoid spreading these plants. All plant waste should be disposed of in accordance with Environment Agency Guidance.

APPENDIX D

Suggestions for Biodiversity Enhancements

The assessment of the ecological context of the site indicates that, at the least, the potential of the site to support nesting birds and foraging bats should be retained in the new development. As a minimum, the development should also include proposals for re-planting any of the broadleaved trees that will be lost to the development.

The area which is to be used as the works compound, between Tan Yard Brow and the Sustrans Cycleway could be enhanced after use. The area is very wet and could be planted with wet woodland species. A mixture of grey, goat and crack willow species of tree could be used together with a wet woodland flora mix.

The area of rank grassland in between the A57 and Wall Way could be made into a wildflower meadow. This would require very little management and would only require cutting once a year.

Recent research has demonstrated that the incorporation of native plant species into urban and suburban landscaping schemes is actually of less ecological importance than ensuring that the number of *ecological niches* is maximised. Much urban and suburban 'garden' wildlife does not distinguish native plants from alien plants, and plant species can be of value even if only a single specimen of that plant is present. This is because the great majority of 'garden' invertebrates are predators, parasitoids, detritivors or pollinators rather than herbivores. The herbivores present also tend to be generalists, prepared to consume a wide range of different plants as long as they are palatable.

To maximise niche supply the following broad principles apply -

- Provide three-dimensional complexity (both in terms of vegetation and built structures)
- Provide a range of textures (in terms of vegetation and built materials)
- Provide a range of areas of shelter / exposure
- Provide a range of shade conditions (from full sun to permanent shading)
- Provide as wide a diversity of plant species as possible
- Provide some plants that can act as food sources (nectar producing, fruit bearing or with palatable greenery)
- Provide temporal variation (e.g. plants that flower at different times of year, evergreens and deciduous)

To translate these broad principles into specific actions, I would comment on the current proposals and make recommendations as follows -

- **Deliberately introduce small holes, cracks and crevices into brickwork**

These can provide valuable shelter for invertebrates. They need only be 5-10mm in diameter or width and, if properly planned, should not have any impact on structural integrity.

- **Enhancing the Amenity Grassland**

Expanses of close-mown grassland can have biodiversity value beneath the ground surface. Such grassed areas are often used by birds searching for invertebrate food (e.g. blackbirds and starlings) and can be used by some species (e.g. gulls) as safe roosting areas. To maximise the biodiversity value of the roadside verges the soil structure should be properly maintained, for example by regular aerating, and the use of harmful pesticides and herbicides should be avoided wherever possible.



Planning

John Kelsey
Telephone: 0161 234 4597
j.kelsey@manchester.gov.uk

P O Box 532 Town Hall
Manchester M60 2LA

Mr Terry Winchester
Manchester City Council
Town Hall Extension
PO Box 532
Town Hall
Manchester
M60 2LA

Date: 5 February 2015

Dear Sir/Madam,

Application No: 107613/TPO/2014/N2
**Intent to carry out works to trees at Land Opposite 738 Hyde Road, Gorton,
Manchester, M18 7EF**

Further to your request to carry out works to trees located at the above address, the City Council's arboricultural staff visited the site and inspected the trees. With reference to their advice, consent is hereby **granted** for the following work:

Consent is hereby granted for the removal of 12 trees on land opposite 738 Hyde Rd, Gorton, as specified in the submitted details and plan, subject to 24 replacement trees being planted.

The replacement trees should be *Betula utilis*, *Prunus accolade* and *Amelanchier* size 12 - 14cm girth. The trees should be planted in the next planting season following above agreed tree removals (October to March) and should be situated in a similar position to those trees that have been removed.

All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

In accordance with The Town and Country Planning (Tree Preservation)(England) Regulations 2012 (as amended), this consent is granted for a period of two years from the date of this letter.

Should you wish to discuss this matter any further please contact John Kelsey.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

Julie Roscoe

Head of Planning, Building Control & Licensing



Planning

John Kelsey
Telephone: 0161 234 4597
j.kelsey@manchester.gov.uk

P O Box 532 Town Hall
Manchester M60 2LA

Mr Terry Winchester
Manchester City Council
Town Hall Extension
P O Box 532
Town Hall
Manchester
M60 2LA

Date: 5 February 2015

Dear Sir/Madam,

Application No: 107616/TCA/2014/N2
Intent to carry out works to trees at Opposite 750-764 Hyde Road, Gorton, Manchester,

Further to your request to carry out works to trees located at the above address, the City Council's arboricultural staff visited the site and inspected the trees. With reference to their advice, consent is hereby **granted** for the following work:

The City Council, as local planning authority, have no objections to the proposed works to trees on land opposite 750 - 764 Hyde Rd, Gorton, as specified in the submitted details and plan. These works incorporate the proposed felling of 92 trees.

To mitigate against the loss of trees across this site it is recommended that replacement trees are replanted on a 2:1 ratio, resulting in a requirement for 184 new trees being planted.

The replacement trees should be 12 - 14cm girth and details of species together with planting plan and management programme should be submitted to the local planning authority and agreed in writing. The trees should be planted in the next planting season (October - March) following removal.

All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

In accordance with The Town and Country Planning (Tree Preservation)(England) Regulations 2012 (as amended), this consent is granted for a period of two years from the date of this letter.

Should you wish to discuss this matter any further please contact John Kelsey.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

Julie Roscoe

Head of Planning, Building Control & Licensing



Department for Transport

Maria Gil
Capital Programme Division
Corporate Services Department
Manchester City Council
P0 Box 532 Town Hall
Manchester
M60 2LA

Steve Berry 11 January 2017
Local Transport Funding, Growth &
Delivery Division
Department for Transport
2/14 Great Minster House
33 Horseferry Road
London
SW1P 4DR
Direct Line: 020 7944 6097
e-mail: steve.berry@dft.gsi.gov.uk

Web Site: www.dft.gov.uk

19 June 2013

Dear Ms Gil,

Local Pinch Point Fund - Full Approval **A57 Hyde Road Localised Widening (between Far Lane and Reddish Lane)**

The Secretary of State for Transport announced on 31 May 2013 that your application for funding through the Local Pinch Point Fund has been successful. This letter confirms that Ministers have agreed to grant the scheme funding approval.

As part of this approval the Department will provide a maximum capped funding contribution of **£0.725 million** in 2013/14 and **£1.692 million** in 2014/15 towards an estimated total scheme cost of **£3.454 million**. The funding will be provided as a one off payment at the start of each financial year as set out above.

As your Council agreed within your bid application, Manchester City Council will be solely responsible for meeting any expenditure over and above the Department for Transport's maximum funding contribution. Funding will be paid to your Council as capital grant under Section 31 of the Local Government Act 2003. I will write to you separately with a formal letter of grant once we have received confirmation that your Council is content with the following conditions attached to our funding:

- We expect the Council to keep us closely informed of progress with, and expenditure on, the scheme – the simplest way to deal with this is for you to complete and return a quarterly monitoring report by the due dates and to keep us informed of other significant developments as soon as they occur. We will send you a template which we would expect to be completed and returned to the Department each quarter.
- We would expect any savings that materialise as the project develops to be shared with the Department on the basis of funding split for the total scheme costs. For example, if your authority is requesting a 70% contribution towards the total scheme cost from the Department, we would expect to receive 70% of any savings.

- If there is any change in the scope of the project from that submitted in your application then we would expect to be alerted as soon as possible. Ministers reserve the right to reconsider their decision on funding if there are any significant changes to the scheme or its scope.
- You are expected to fund and undertake a monitoring/evaluation of the scheme in line with the Monitoring and Evaluation Framework for Local Authority Major Schemes; details of the type of data you will be expected to collect and analyse will follow shortly. We recognise that the evaluation needs to be proportionate and would request you discuss with us if the requirements are unclear. Although all scheme promoters are expected to produce evaluation plans, we only expect the evaluation plans produced for schemes that have an outturn cost of over £10M to be submitted to the Department. We will provide feedback on evaluation plans, giving advice on best practice and agreeing data collection, analysis and reporting. We would also expect evaluation reports to be made available to the Department and published on the Council's website.
- We also wish for the Government's contribution to the scheme to be acknowledged in any publicity information that you produce. Ministers want to see all local schemes which have been built or are being built, where a contribution from the Department is being provided, to display the Department for Transport's corporate logo. A copy of the logo is attached. May I suggest that this is used on any signs and promotional material for the scheme. For your information, the colour on the DfT logo is coded from the Pantone Matching System as PMS 3298.

I should be grateful if you could provide written confirmation by completing the template at **Annex A** that your Council agrees to the terms and conditions set out within this letter, including certification from your Section 151 Officer that your Council accepts the above terms.

Ministers look forward to seeing progress with your scheme and to its subsequent completion. It would be most helpful if you could inform me as soon as possible when this scheme is expected to commence construction as we may wish to consider further publicity.

Yours sincerely,



Steve Berry
Head, Highways Maintenance Branch (inc. Local Pinch Point Fund, Light Rail, PFI and Cableways)

ANNEX A

CONFIRMATION OF AGREEMENT – LOCAL PINCH POINT FUND

Scheme details:

Local authority:

Project name:

Project manager (key contact) name:

Email:

Telephone number:

Section 151 Officer Declaration:

I certify that as Section 151 Officer for Manchester City Council that I agree to the terms and conditions of the Full Approval Letter dated 19 June 2013.

Name:

Signed:

Date: