MANCHESTER CITY COUNCIL

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

GT Energy Ltd
Grant Road
Greenogue Business Park
Rathcoole
Co. Dublin
Ireland

Agent (if used)

Mr Alan Mitchell
C/o SLR Consulting Ltd
Suite 5 Brindley Court
Gresley Road
Shire Busines Park
Worcester
WR4 9FD

Part 1 – Particulars of the application/development

Proposal: Development of a geothermal heat plant comprising 2 exploration vertical bore holes (to be used subsequently as operational wells) to an approximate depth of 3,200 metres with underground operating centre, associated single storey structure, associated plant and machinery, car parking, boundary treatment and lighting.

Location: Land Bounded By Devonshire Street North, Stockport Road & Coverdale Crescent, Ardwick, Manchester

Date of application: 20 December 2012

Application number: 101118/FO/2012/N2

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 31 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Condition(s) attached to this decision

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

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

2) The development hereby approved shall be carried out in accordance with the following drawings:

Environmental Statement dated August 2013 , Figure NTS 1 (location plan) ,Figure 2(site edged red), drawing 01 (site location plan), drawing 02 (site location plan), drawing 04 (proposed geothermal wells and energy centre site layout), drawing 005 (proposed elevation & cross section drawing), drawing 06 (proposed oil interceptor), drawing 07 (landownership details) stamped as received by the Local Planning Authority on 29th August 2013

Reason - To ensure that the development is carried out in accordance with the approved plans and policies SP1 and DM1 of the Core Strategy for Manchester, and saved policy DC18.1 and DC26 of the Manchester Unitary Development Plan.

3) The development hereby approved shall be carried out in accordance with recommendations and statements of intent in the following documents
Hydrogeological Impact Appraisal to Support Groundwater Investigation Application SLR ref: 4SA.02036.00138 dated January 2012 stamped as received by e-mail 28th January 2013;
Letters dated 30th April 2013, 1st May 2013 and 3rd May 2013.

Reason - To ensure that the development is carried out in accordance with the approved plans and policies SP1 and DM1 of the Core Strategy for Manchester, and saved policy DC18.1 and DC26 of the Manchester Unitary Development Plan.

4) No development shall commence until full details, including the size and specific species, of the trees and shrubs to be planted has been submitted to and approved in writing by the City Council as local planning authority. The landscaping shall be planted before the Geothermal Heat Plant is operational. If within a period of 5 years from the date of the planting of the tree, that tree or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

5) No development shall commence until final detailed designs of the structure of drilling rig to be used on the site have been submitted to and approved in writing by the City Council as local planning authority. The drilling rig shall be no more than 40.0metre in height , and the drilling rig erected shall be in accordance with the agreed details.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

6) Prior to commencement of development, a construction traffic management plan (providing proposed site approach routes, numbers and types of HGV vehicles visiting the site, arrangements to prevent the accumulation of HGVs in the vicinity of the site outside the hours permitted for HGVs to enter or leave the site proposed maximum numbers of HGV movements in any one day , and details of the methods and materials to be used for covering any open parts of vehicles carrying friable materials to the site, and construction waste away from the site) shall be submitted to and approved in writing by the City Council as local planning authority. The construction traffic management plan shall be implemented in full throughout the construction period.

Reason - To minimise impacts on the local highway network and to safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

7) No Heavy Goods Vehicles shall move within the site or enter or leave the site outside of the following hours:-
Monday - Friday 8.30am - 6pm
Saturday 9.30am - 2pm
Sunday / Bank holidays: No movements

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

8) The car parking shall be surfaced, demarcated and made available for use before the drilling commences.. The car parking spaces shall then be available at all times whilst the site is operational.

Reason - To ensure that there is adequate car parking for the development proposed when the buildings are occupied, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

9) The energy centre hereby approved shall not be used until space and facilities for bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority, and in accordance with plan ref: drawing 04 (proposed geothermal wells and energy centre site layout). These facilities shall then be permanently retained and reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport, pursuant T1and DM1 of the Core Strategy for Manchester.

10) No trees shall be felled, or have any works undertaken on them, during the bird nesting season (March to August inclusive).

Reason - To ensure the protection of wildlife habitats in the locality , pursuant to policy EN15 of the Core Strategy for Manchester

11) The development hereby permitted shall not commence until such time as a scheme to regulate surface water run-off from the proposed development has been submitted to, and approved in writing by, the local planning authority.

Reason -To ensure flood risk is not increased elsewhere, pursuant to policies EN14 and DM1 of the Core Strategy for Manchester.

12) No development shall commence until there has been submitted to and approved in writing by the local planning authority details of the design, materials and type of boundary treatment to be erected together with the proposed timing of the erection of the boundary treatment. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with saved policy E3.3 of the Unitary

Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for Manchester.

13) Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary containment that is impermeable to both the oil, fuel or chemicals and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located within the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.

Reason - To prevent pollution of the water environment, pursuant to policies EN14 and DM1 of the Core Strategy for Manchester.

14) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation and in accordance with policies SP1 and DM1 of the Core Strategy.

15) All work and other activity on other days shall be confined to the following hours :

Drilling phase for the drilling for the boreholes for a maximum of 150 days : 24 hours

Other construction phases for the development of the underground energy centre and geothermal heat plant :
Monday - Friday: 7.30am - 6pm
Saturday: 8.30am - 2pm
Sunday / Bank holidays: No work

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation and in accordance with policies SP1 and DM1 of the Core Strategy.

16) No development shall commence until a Construction Environment Management Plan has been submitted to and approved in writing by the local planning authority. This shall include details showing how emissions to air, water and soils are to be controlled , how pollution would be prevented, and the responses necessary should prevention measures fail. The Construction Environment Management Plan shall include a section for a site waste management plan and a construction method statement detailing how the development would be constructed. The development shall take place in accordance with the approved Construction Environment Management Plan

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

17) A Noise Monitoring Programme for the construction period shall be submitted to and approved in writing by the local planning authority. The Noise Monitoring Programme

shall include locations and type of equipment to be used , together with a monitoring schedule , and the responses necessary should prevention measures fail. Following the approval by the Local Planning Authority , the Noise Monitoring Programme shall be undertaken throughout the construction period of the development and the results of the monitoring shall be submitted once a month to the Local Planning Authority, or within five working days of a request for such information.
The noise levels from the site during construction from the drilling operation shall not exceed the following limits at the nearest noise senstive receptors:
All construction phases: Daytime (07:00 to 23:00) 65dBLAeq,T
Drilling phase: Nightime (23:00 - 07:00) 45dBLAeq,T , 60dBLAmax
The night time LAeq levels must include those at the 2nd and 3rd storeys of the residential properties.adjoining the site . If the levels specified are exceeded , all works shall cease until improved noise mitigation measures have been submitted to and agreed in writing by the local planning authority. Any improved mitigation measures so agreed shall then be implemented and retained for the duration of those works causing the noise levels to exceed the figures specified above.

Reason - To ensure that the predicted noise levels contained within the Noise and Vibration section of the Environmental Statement, to safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

18) All mitigation measures outlined in the Environmental Statement dated August 2013 shall be implemented in full throughout the construction period.
No drilling shall commence until an acoustic barrier designed in accordance with in the Environmental Statement has been erected , and shall as a minimum meet the attenuation criteria predicted in the Environmental Statement.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

19) All vehicles entering and leaving the site during the construction period are to pass through a wheel wash. Details of the wheel wash shall be submitted to and approved in writing by the City Council as local planning authority prior to the development commencing.

Reason - To ensure that the proposed development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

20) The details of an emergency telephone contact number for the contractor; shall be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete.

Reason - To prevent detrimental impact on the amenity of nearby residents and in the interests of local amenity in order to comply with policies SP1 and DM1 of the Core Strategy for Manchester.

21) Prior to the commencement of development, the operators shall have submitted to , and had approved in writing by the City Council by the Local Planning Authority , full details of a microseismic survey. This shall include the location of microseismic network and shall provide for the opportunity to amend the location of sensors if required by the Local Planning Authority. The records from the network shall be provided to the Local Planning Authority following receipt by the Local Planning Authority of a complaint regarding a possible seismic event. The survey shall include full details of the control

measures to be implemented should any potentially damaging seismic trends become apparent. Following the approval by the Local Planning Authority , the microseismic survey shall be undertaken throughout the operational life of the development and the results of the monitoring shall be submitted annually to the Local Planning Authority, or within five working days of a request for such information.

Reason - To prevent detrimental impact on the safety and amenity of nearby residents in order to comply with policies SP1 and DM1 of the Core Strategy for Manchester.

22) Prior to the commencement of development, details of the strategy for all external lighting, including external lighting for the duration of the construction period and once the site is operational shall be submitted to, and approved in writing by, the City Council as local planning authority. The development shall be implemented in accordance with the approved details.

Reason - To ensure adequate lighting within the development and safeguard residential amenity , pursuant to policies SP1 and policy DM1 of the Core Strategy for Manchester.

23) If, when the lighting units are illuminated, they cause glare or light spillage which is in the opinion of the City Council as Local Planning Authority to the detriment of adjoining and nearby residential properties, such measures as the Council as LPA confirm in writing that they consider necessary including baffles and/or cut-offs shall be installed on the units and adjustments shall be made to the angle of the lighting units and the direction of illumination, which shall thereafter be retained in accordance with details which have received the prior written approval of the Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of existing and proposed nearby residential accommodation, pursuant to policies SP1 and policy DM1 of the Core Strategy for Manchester.

24) The operational Energy Centre shall be acoustically insulated and treated in accordance with a scheme designed so as to achieve a noise level of 5dB below the existing background (LA90) in each octave band at the nearest noise sensitive location. The scheme shall be implemented in full before the use commences, and a post completion acoustic report shall be submitted within 3 months of the completion of the Energy Centre to confirm the level of noise attenuation achieved .

Reason - To safeguard the amenities of the occupiers of the energy centre and occupiers of nearby properties in order to comply with policies SP1 and DM1 of the Core Strategy for Manchester.

25) Any externally mounted ancillary equipment shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site/property.

Externally mounted ancillary plant, equipment and servicing shall be acoustically treated in accordance with a scheme designed so as to achieve a noise level of 5dB below the existing background (LA90) in each octave band at the nearest noise sensitive location.

Reason - To safeguard the amenities of the occupiers of the energy centre and occupiers of nearby properties in order to comply with policies SP1 and DM1 of the Core Strategy for Manchester.

26) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

New developments should have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

Reason - In the interests of amenity and public health and in order to comply with policies SP1 and DM1 of the Core Strategy for Manchester.

27) At such time as the development is not used for the purposes hereby approved, all buildings , structures , hard standings, plant and machinery shall be removed and the land reinstated with details to be agreed with the City Council as local planning authority (including materials to be used for the filling of the boreholes, and the method backfilling any boreholes within the site).

Reason - In the interests of amenity and in order to comply with policies SP1 and DM1 of the Core Strategy for Manchester.

28) All mitigation measures outlined in Chapter 8 of the Environmental Statement dated August 2013 in respect of Air Quality shall be implemented in full throughout the construction period.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester.

29) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall

not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

30) Prior to the development being brought into use full detailed designs (including specifications) of highway access shown on plan ref: Drawing 04 shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason - In the interests of highway safety, pursuant to policy T1 of the Core Strategy for Manchester.

31) No development shall commence until a scheme to ensure that an 3.5 metre strip either side of the sewer will be kept free from impediments to access to the sewer has been submitted to and approved in writing by the City Council as local planning authority. Any such scheme shall be implemented and kept in operation in perpetuity.

Reason - To preserve access to the sewer for maintenance and improvement in the interests of flood prevention, pursuant to policy EN17 of the Core Strategy for Manchester.

32) No deep rooted trees or shrubs shall be planted within the vicinity of the sewer and overflow system .

Reason - To preserve safeguard the sewer in the interests of flood prevention, pursuant to policy EN17 of the Core Strategy for Manchester.

Informatives

This permission does not grant approval under Building Regulations.

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Please read the Standing Advice from the Coal Authority in Appendix A.

Date: 25 October 2013

Signed: 

Julie Roscoe
Head of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Appendix A – Standing Advice Regarding Coalfield Area

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.
Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com