

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139762/FO/2024

Date registered valid: 8 May 2024

Proposal: Construction of a temporary bridge crossing over the River Irk, extended 2.4m high boundary fencing and pressure relief column to facilitate permitted development works to provide a below ground stormwater storage tank.

Address: Land To the North of The River Irk and Grassland Located to The South Of The River Irk Around The Existing Combined Sewer Overflow (CSO), Manchester

Ward(s): Higher Blackley Ward

Applicant: Ms Sarah Jakubiak, United Utilities Group Plc

Agent (if any): Miss Sofena Yasmin, WSP

Case officer: Steven McCoombe
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Recommendation: Approve

Date of recommendation: 7 January 2025

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 5 June 2024

Standard consultations:

Printed: 20 May 2024 Expired: 11 June 2024

Neighbour notifications

Printed: 20 May 2024 Expired: 11 June 2024

Site notice

Posted: 5 June 2024 Expired: 26 June 2024

Press advert

Published: 28 May 2024 Expired: 11 June 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building and surroundings

The application site comprises land located adjacent to the River Irk, to the south-west of Boothroyden Road.

The site straddles two Local Planning Authority areas; the part of the site located north of the River Irk is within the administrative boundary of Rochdale Metropolitan Borough Council, whilst the part of the Site located south of the River Irk is within the administrative boundary of Manchester City Council.

The site includes an area of pavement, and some amenity grassland located to the north of the River Irk and grassland located to the south of the River Irk, around an existing combined sewer overflow. The nearest residential properties are located to the north of the site along Boothroyden Close.

The M60 motorway is located approximately 50 metres south.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of development

Planning permission is sought for the construction of a temporary bridge crossing over the River Irk, extended 2.4m high boundary fencing and a pressure relief column to facilitate permitted development works to provide a below ground stormwater storage tank.

United Utilities are required to comply with the Water Framework Directive (WFD) to improve water quality standards in the River Irk as agreed with the Environment Agency (EA). The proposed development would therefore facilitate the installation of a below ground storage tank within which storm flows from the combined sewer network would be stored before being released back into the sewer network, reducing the frequency of spills during periods of high rainfall and improving water quality in the River Irk.

The proposed development entails the following elements, some of which are permitted development, but have been included as part of the application to demonstrate how all elements link to each other:

- The installation of a below ground tank required to store storm flows from the existing combined sewer overflow prior to release back into the sewer network. The tank benefits from permitted development rights, pursuant to Part 13 Class B (a) of the Town and Country Planning (General Permitted Development) Order 2015.

- The erection of a control kiosk measuring 3 metres x 1 metre x 2 metres high to operate the new infrastructure. The control kiosk constitutes permitted development.

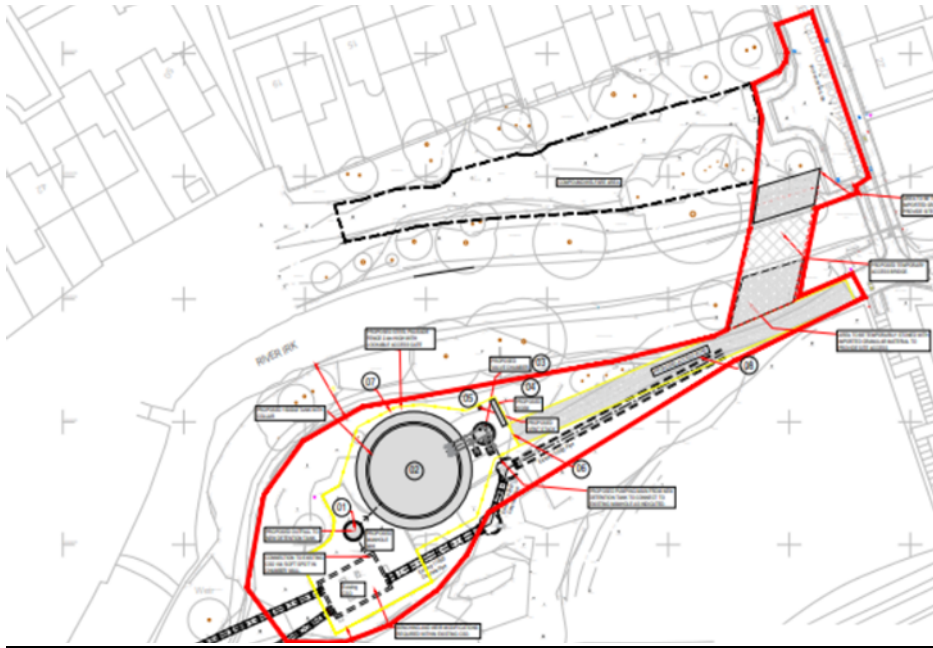
- The installation of a pumping station, valve house, control panel house or switch-gear house which constitute permitted development.

- Temporary construction works on land adjacent to the proposed development including a compound area to the north of the river to enable set up of a proposed temporary bridge. The compound itself constitutes permitted development for use during construction, pursuant to Part 4 Class A (a) of the Town and Country Planning (General Permitted Development) Order 2015

- Extended 2.4-metre-high boundary fencing around the new permanent site, with lockable access gates. The fence would be coloured green to match existing fencing.

- A 5-metre-high pressure relief column to be sited within the new permanent site boundary to allow the release of air from the storage tank as it fills with stormwater during high rainfall events.

- The diversion of an existing Public Right of Way (PRoW) running along the southern bank of the river Irk would need to be temporary closed and diverted during construction for safety reasons. This is to be subject to a separate PRoW diversion application.



Proposed site layout

Consultations & Notification Responses

Local Residents/Occupiers – 2 representations have been received from neighbouring residential occupiers.

Whilst no objection is raised to the works being planned by United Utilities, concerns are raised about the impact of noise, disturbance, dust and fumes as a result of the proposed site compound and the loss of recreational space due to the siting of the proposed compound.

Further concerns are raised in relation to hours of working, the potential use of generators and noise impact, and contractor's vehicles blocking the public highway and adjoining driveways.

Rochdale MBC – No objection. Ongoing dialogue due to the cross-boundary nature of the application.

Highway Services - It is noted that the proposed temporary bridge itself does not affect the highway nor is it designated for public use. Associated minor highways works will be required to the Rochdale Borough Council (RBC) side of Boothroyden Road only to facilitate construction - these works will need to be agreed with RBC.

There are no concerns with regard to construction activities on the basis that all construction movements (and any associated traffic management), including works associated with the bridge itself, will be enabled from the north and therefore subject to agreement with RBC. It is noted that the proposals will require diversion of an existing Public Right of Way (PRoW) which would need to be subject to a diversion application.

National Highways – No objection. Conditions are advised in relation to the protection of an easement, land reinstatement and until risks to the strategic road network assets are adequately identified and managed.

Environmental Health – No objection. Conditions are requested in relation to the submission and agreement of a Construction Management Plan, external equipment insulation and the remediation of any contaminated land identified.

Flood Risk Management - The development is in Flood Zone 3 with a vulnerability classification of 'Highly Vulnerable'. In accordance with the Flood Risk Assessment Guidance for Local Planning Authorities, The Environment Agency should be consulted.

Greater Manchester Police (Design for Security) – No objection/comments.

Arboriculture – No objection to the proposed mitigation planting. The trees listed for removal are of low quality and would not be worthy of TPO status. There is mention of a TPO covering G1, but it is believed this historic and no longer exists due to landscaping changes.

Greater Manchester Ecology Unit (GMEU) - The proposed development fails to achieve 10% BNG. Other potential ecological issues include otter, bats, badger, nesting birds, species of principle importance, fish, invasive species and proximity to the River Irk. Relevant conditions are recommended, including amendments to the proposed planting schedule.

It is considered very unlikely that there will be any significant effect on any statutory protected sites or sites of biological importance. Whilst there is hydrological linkage with Blackley Forest, measures that would be required to protect the River Irk would remove any residual risk. No further information or measures are required.

The development is subject to mandatory 10% biodiversity net gain. A biodiversity net gain assessment has been provided with a net loss predicted of 59.69% of area-based habitats along with a 1.81% loss of watercourse units. In terms of actual biodiversity units there is a shortfall of 1.02 biodiversity units to achieve 10% net gain for area-based habitat and 0.06 watercourse units to achieve 10% BNG.

It is anticipated that off-site compensation would be required as United Utilities are unable to create significant on-site habitats within working assets as they cannot guarantee that major works would not need to occur again during the 30-year period that on-site mitigation would need to be maintained.

Environment Agency – No objection. Whilst an initial objection was raised due to the proposed soffit level for the temporary bridge which would be below the 1 in 100 year, and does not include any freeboard, revised details have been received to overcome this concern.

Additionally, the welfare facilities look to be within the 100-year level, and it was requested that the compound be redesigned to locate it further north towards the muster point on the document reference "Proposed Compound Area". Whilst this will still be within the 100-year level, there would be less risk to people and property.

Following extensive dialogue and re-consultation, the EA have reviewed the revised Technical Memo in which further clarification was provided on the soffit levels of the temporary bridge. A revised position for the welfare facilities within the compound has also been submitted.

The new information satisfactorily addresses earlier concerns and on the basis of the Technical Memo, the soffit level of the temporary bridge is set at a minimum of 69.56 metres which is satisfactory.

Planning History

074017/FO/2004/N1

Creation of access road for use by United Utilities off Boothroyden Road, the erection of a control kiosk and 2.4m high paladin fencing. *Approved 18 January 2005.*

Creation of new access road off Boothroyden Road, bridge over the River Irk and erection of control building as part of infrastructure improvement works. *Approved 21 August 2003.*

Policy

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

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

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

Places for Everyone Joint Development Plan was published in March 2024 and has been produced by Greater Manchester Combined Authority to provide a long-term plan for jobs, new homes, and sustainable growth for nine of Greater Manchester's districts.

The Plan forms part of the Development Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs.

The following policy and guidance is considered relevant to the consideration of this application:

- Saved policies BM2, DC26 of the Unitary Development Plan for the City of Manchester;
- Policies DM1, EN8, EN9 EN14, EN15, EN16, EN17, EN18 and SP1 of the Manchester Core Strategy;
- Places for Everyone Joint Development Plan – policies JP-S4, JP-G1, JP-G2, JP-G3;
- The Manchester Green and Blue Infrastructure Strategy (G&BIS);
- National Planning Policy Framework (NPPF).

Issues

Principle

Having regard to the existing planning policy framework, including development plan policy and national planning guidance, the principle of the development is considered acceptable.

The proposed works are necessary to allow an improvement to water quality in the River Irk. Whilst there be some limited impact to the local environment and nearby residential occupiers, much of the work constitutes permitted development, would be temporary in duration and can be appropriately mitigated through the use of conditions. On this occasion any impact is considered to be outweighed by the necessary improvements to the combined sewer overflow.

Residential Amenity

During the operational phase, activity levels are anticipated to be low key and would be unlikely to cause any issues relating to the noise and disturbance.

The proposed works could cause some limited noise and disturbance during construction. However, provided measures to be agreed within a Construction Management Plan measures are adhered to, it is not envisaged that activities would give rise to significant or long term impacts to neighbouring living conditions.

Visual Amenity

The predominant impact to visual amenity would be as a consequence of the proposed 5-metre-high pressure relief column. However, due to the relatively slimline appearance of the column and its context within an existing combined sewer overflow enclosure, together with the distance to the nearest residential occupiers along Boothroyden Road and intervening river, landscaping and tree cover, any impact to visual amenity and the openness of the area would be limited.

In terms of the compound, the proposed works in isolation would be permitted development. Nevertheless, the proposed structures are single storey and would again be screened by vegetation. Any impact to neighbouring occupiers to the north would not be significant in terms of affectively outlook. Moreover, such works are for a temporary period to facilitate site works. Any impact would therefore be short-lived.

Highway Impact

The proposed development is not anticipated to lead to a significant uplift in vehicular movements or parking demand.

Construction access would be gained via an existing turning head at the end of Boothroyden Road. A new drop kerb would be formed to enable access directly into the site from the highway.

All highways work would be minor in nature and are required only to facilitate construction. All such works require agreement with RBC.

Highway Services express no concerns with regard to construction activities on the basis that all construction movements (and any associated traffic management), including works associated with the bridge itself would be enabled from the north and therefore subject to agreement with RBC

It is considered that the temporary access would not compromise pedestrian or highway safety and would not adversely increase traffic or on-street parking levels in the local area.

Ecology and Bio-Diversity

The site predominantly comprises of 'other neutral grassland' habitat, with scattered areas of broadleaved woodland. The River Irk flows through the site to the north. No hedgerows are present within the site.

The application is accompanied by a Preliminary Ecological Appraisal (PEA) which provides an overview of the likely ecological impacts, including to aquatic life, badgers, otters, bats, small mammals, trees and vegetation.

The PEA recommends measures to be implemented to minimise habitat or tree loss, along with environmental best practice measures.

An Invasive Species Method Statement has also been submitted outlining how the contractor would ensure that works will not lead to the spread of invasive non-native species.

The application has been assessed by Greater Manchester Ecology Unit (GMEU) who raise no concerns, subject to conditions to ensure best practice protocols are implemented during works.

Due to legislative requirements, a Biodiversity Net Gain (BNG) assessment has been submitted which predicts a net loss of biodiversity and that there is insufficient space within the site boundary for 10% biodiversity net gain to be achieved.

The submitted matrix predicts a net loss of 59.69% of area-based habitats along with a 1.81% loss of watercourse units. In terms of actual biodiversity units there is a shortfall of 1.02 biodiversity units to achieve 10% net gain for area-based habitat and 0.06 watercourse units to achieve 10% BNG.

In accordance with the BNG hierarchy, the applicant has explored on-site and off-site mitigation, including any options for suitable BNG delivery within other operational land within the applicant's ownership within Greater Manchester.

The river element of the BNG also provides a challenge in identifying the suitable equivalent uplift for a river feature. Given the scope of operations, it is clear that the only recourse is to purchase units from an available BNG off site opportunity.

The City Council is satisfied that the applicant has explored all BNG options in accordance with the hierarchy and in this case off site mitigation represents the only option. In this case, the applicant has agreed to purchase credits from the Environment Bank to provide the necessary mitigation.

A condition is included to ensure the submission of a Biodiversity Net Gain Plan and offsetting provider certificates to be submitted prior to first use of the site and as statutorily required.

Tree and Landscaping

An Arboricultural Impact Assessment accompanies the application which identifies all trees which to be affected by the proposal.

A total of 39 trees were surveyed, consisting of 25 trees and 14 groups.

5 arboricultural features were assessed as being of moderate quality; 31 features were of low quality; and 3 features were of very low quality.

Within the site boundary, the proposal requires the removal of 9 trees to facilitate access for the temporary works: This would involve removal of 1 low quality group (G9); 4 low quality trees (T15, T21, T23 and T24); and part removal of 1 low quality group (G8); and removal of two very low-quality trees (T1 and T2), as identified within the submitted survey.

The City Council's Arboriculturalist concurs with the assessment and considers the trees proposed to be removed as low quality and would not be worthy of TPO status. Provided retained trees are adequately protected and the mitigation offered through the landscaping scheme, there is no objection to the proposal. Appropriate conditions are included.

Flood Risk and Drainage

The primary flood risk to the site is from the River Irk (fluvial), with much of the site falling within Flood Zone 3 indicating high flood risk.

The submitted Flood Risk Assessment notes that the proposed development is not expected to significantly affect fluvial flood risk, although temporary ground raising for the bridge might temporarily reduce floodplain storage. There is a high risk of surface water flooding on the north bank, potentially exacerbated by ground level raising for a compound, but temporary drainage is planned to mitigate this. While the risk of sewer flooding to the site remains, the proposed stormwater detention tank aims to reduce the risk to surrounding areas. Groundwater flooding and flooding from reservoir releases are considered unlikely to impact the site significantly. Climate change may increase flood risk over time, but the development is designed to remain operational during floods, reducing the need for site access. On this basis, it is considered that the proposed development complies with planning policy for flood risk.

The site has been subject to discussions with the Environment Agency who initially raised concerns about the soffit level for the proposed temporary bridge and the position of the welfare facility within the site compound due to potential flood risk should the bridge surcharge and as the welfare facilities would be sited in a vulnerable area below 1 in 100-year level.

Revised technical details, including the re-siting of the welfare facility further to the north within the site compound to address these concerns were subsequently received. As such, all significant concerns have been addressed.

Air Quality

The applicant has confirmed that no harmful gases or odours would be emitted from the pressure relief column during the operational phase.

Although there would be some limited impact upon air quality during the construction phase, the impact would be temporary and is not considered significantly harmful. Through effective mitigation and construction management, the impact upon air quality can be appropriately controlled.

Ground Conditions

An appropriate condition has been included which requires the submission and approval of a site investigation report and any subsequent remediation strategy prior to the commencement of development. A further condition requiring a verification report to demonstrate the work is completed in accordance with agreed methodology is also included.

Construction Management

To ensure construction is effectively controlled and to prevent any disruption to existing occupiers in the area or any impact along key routes to the site, a condition is included which requires the submission and approval of a construction management plan which would detail amongst other matters, working practices, working hours, dust suppression, the parking of construction vehicles.

Other Legislative Requirements

Equality Act 2010

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

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

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. Pre application advice has been sought in respect of this matter. The proposal is considered to be acceptable and therefore determined within a timely manner.

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

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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 permission hereby granted, so far as it relates to the temporary bridge, is for a limited period only, expiring on 31 January 2026, following which the temporary bridge is required to be respectively removed and discontinued. The area forming the site of the temporary bridge shall be reinstated within 3 months of the expiry date.

Reason -Some of the works are of a temporary and to ensure the site is appropriately reinstated, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

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

Drawing referenced 48304-XX-XX-DR-C-0100 P04, 48304-XX-XX-DR-C-0102 P04, 48304-XX-XX-DR-C-0104 P03, 70114053-LUD-001 C03, 48304-XX-XX-DR-C-0105 P02, 48304-XX-XX-DR-C-0106 P01 received by the City Council as Local Planning Authority on 10 April 2024 and drawing referenced ROC0018-80065149-COMPOUND-REVA-001-Rev 02 (002), received by the City Council as Local Planning Authority on 11 December 2024.

Technical Memo (UU Response) dated 14 October 2024, received by the City Council as Local Planning Authority on 18 October 2024.

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

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

4) Notwithstanding details submitted, prior to the commencement of development, a construction management plan outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority, which for the avoidance of doubt should include:

- Quantification / classification of vehicular activity associated with construction including commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway;
- Safe methods of working adjacent to the Metrolink Boundary and cutting slope;
- Dust suppression measures;
- Compound locations where relevant;
- Loading and unloading of plant and materials in proximity to Metrolink infrastructure;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.
- Storage of plant and materials;
- A highway dilapidation survey and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site;
- Community consultation details.

The development shall only be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

5) Prior to the first use of the development, a Bio Diversity Net Gain Plan and offsetting provider certificates shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall be implemented and maintained in accordance with the agreed details.

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

6) Notwithstanding details submitted, 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.

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 SP1 of the Manchester Core Strategy.

The Martin Environmental Services desk based Phase I study dated February 2024 advises that precautionary ground gas protection measures should be installed without providing details and a watching brief should be maintained on site. Given the proximity of the proposed development to an area of potentially contaminated land, a more intrusive phase II ground survey will be required along with ground gas monitoring to confirm the ground conditions and a gas risk assessment to provide details of any gas protection measures to be installed. Additionally, the proposal includes areas of soft landscaping and amenity space for the residential apartments so the phase I report will need to be updated to reflect this and also include details of the proposals for a phase II site investigation with this in mind.

7) 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. No occupation of the development shall take place until the completion/verification report is submitted to and approved 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 SP1 of the Manchester Core Strategy.

8) No development shall commence unless and until details of an agreed easement in respect of the land within National Highways ownership as shown on drawing referenced 48304 XX XX DR C 0102/P04, received by the City Council as Local Planning Authority on 10 April 2024 has been submitted to and approved in writing by the City Council as Local Planning Authority in consultation with the Highway Authority for the M60 motorway. The easement is to cover the area required for temporary access to allow for the maintenance of the applicant's apparatus.

Reason - To ensure that for satisfactory development and no adverse impact to the highway, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

9) No development shall commence unless and until a detailed Decommissioning Management Plan, to include the reinstatement of the land under National Highways ownership, as shown on drawing referenced 48304 XX XX DR C 0102/P04, received by the City Council as Local Planning Authority on 10 April 2024, has been submitted to and approved in writing by the Local Planning Authority.

Reason -To ensure the land is to be restored to the original condition following the removal of the temporary structure, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

10) No development shall commence unless and until risks to the strategic road network assets are adequately identified and managed as per requirements under the Design Manual for Roads and Bridges CD 622 - Managing Geotechnical Risk. A technical note should be submitted covering the development proposal, the construction methods including provision of any groundwater control measures, a geotechnical risk register identifying risks to National Highways assets and mitigation measures, and proposals to implement any ground surface monitoring system.

Reason - To mitigate any adverse impact from the development on the Strategic Road Network in accordance with DfT Circular 01/2022.

11) a) Any externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. The scheme shall be 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.

b) Upon completion of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of nonconformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To safeguard the amenity of existing and future occupiers of nearby residential accommodation, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

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

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy. Amendments to the shrub planting is required as advised by Greater Manchester Ecology Unit.

13) No works or vegetation clearance shall take place during the optimum period for bird nesting (1st March - 31st August inclusive) unless nesting birds have been shown to be absent, or, a method statement for the demolition including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy.

14) Prior to any vegetation clearance, earth works or machinery being brought onto the site, a precautionary working method statement for otters, in line with the recommendations of the submitted Aquatic and Otter Report (Ref: 002), prepared by WSP, received by the City Council as Local Planning Authority on 10 April 2024, shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed details.

Reason - In order to protect otters from works that may impact on their habitats, pursuant to policy EN15 of the Manchester Core Strategy.

15) Prior to any vegetation clearance, earth works or machinery being brought onto the site, a resurvey for badgers within the area of the proposed works and within 30 metres of the site where accessible, should be submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed details. If a badger sett or signs of badgers are found, a badger mitigations strategy should also be provided and complied with.

Reason - In order to protect badgers from works that may impact on their habitats, pursuant to policy EN15 of the Manchester Core Strategy.

16) Prior to any vegetation clearance, earth works or machinery on the site, a precautionary working method statement for amphibians including the Common Toad, as well as mammals, including hedgehogs shall be submitted to and agreed in writing by the City Council as Local Planning Authority in line with the recommendations contained within the submitted Preliminary Ecological Appraisal, prepared by WSP, received by the City Council as Local Planning Authority on 10 April 2024 shall be submitted to and agreed in writing by the City Council as

Local Planning Authority. The development shall only be implemented in accordance with the agreed details.

Reason - In order to protect wildlife from works that may impact on their habitats, pursuant to policy EN15 of the Manchester Core Strategy.

17) No development, site clearance or earth moving shall take place or material or machinery brought onto the site until a method statement to protect the River Irk from accidental spillages, dust and debris has been submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed measures and maintained for the duration of the construction period.

Reason - In order to protect river wildlife from works that may impact on their habitats, pursuant to policy EN15 of the Manchester Core Strategy.

18) The development hereby approved shall only be implemented in strict accordance with the details contained within the submitted Invasive Species Method Statement (Rev 0, January 2024), received by the City Council as Local Planning Authority on 10 April 2024 prior to the commencement of the development hereby approved.

Reason - To control the spread of invasive species, pursuant to policy EN15 of the Manchester Core Strategy.

19) The development hereby approved shall only be implemented in accordance with the recommendations and measures contained within the submitted Arboriculture Impact Assessment Report (Ref: 70114053-ARB-BOO-AIA-001, March 2024) prepared by WSP, received by the City Council as Local Planning Authority on 10 April 2024.

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 Manchester Core Strategy.

20) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the City Council as Local Planning Authority.

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 Manchester Core Strategy.

21) Prior to the installation of any external lighting, an external lighting design strategy shall be submitted to and approved in writing by the City Council as Local Planning Authority. The strategy shall:

- Identify areas/features on site that are potentially sensitive to lighting for bats;
- Show how and where external lighting will be installed and through appropriate lighting contour plans demonstrate clearly that any impacts on bats and other nocturnal wildlife is negligible;
- Specify frequency and duration of use.

All external lighting shall only be installed in accordance with agreed specifications and locations set out in the agreed strategy.

Reason - In the interests of amenity and to protect the local bat population, pursuant to policies DM1, SP1 and EN15 of the Manchester Core Strategy.

22) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

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

23) Prior to restoration of the site, a wildlife mitigation and enhancement plan, including but not restricted to nesting birds and roosting bats, shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The measures contained within the agreed plan shall be implemented in full within 1 month of site restoration being completed.

Reason - In order to promote wildlife from works that may impact on their habitats, pursuant to policy EN15 of the Manchester Core Strategy.

Informatives

1) Construction works shall be confined to the following hours unless otherwise agreed in writing by the City Council as Local Planning Authority:

Monday - Friday: 7.30am - 6pm;
Saturday: 8.30am - 2pm;
Sunday / Bank holidays: No work.

2) The applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately, and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

3) The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit https://www.gov.uk/guidance/flood-risk-activities_environmental-permits or contact the National Customer Contact Centre on 03708 506 506.

4) The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message.

5) BRIL (Bringing the River Irk to Life) project, that has highlighted extensive restoration opportunities to improve the River Irk waterbody across it's catchment and which could potentially be utilised by United Utilities to help meet the BNG requirements of this scheme in local area. Of particular interest, there are actions to address fish passage over the large weir (that sits immediately upstream of the UU asset); by creation of a natural bypass channel; which would result in significant environmental benefits along this reach of waterbody and key ecological network. The BRIL steering group comprises several different organisations, including a representative from UU, and the Environment Agency and they would welcome the opportunity to explore partnership working at this site.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Corporate Property
MCC Flood Risk Management
Greater Manchester Police
Environment Agency
Greater Manchester Ecology Unit
National Highways
Rochdale Metropolitan Borough Council

130 Boothroyden Road, Manchester, M9 0SH
Lark Hill, 132 Boothroyden Road, Manchester, M9 0SH
128 Boothroyden Road, Manchester, M9 0SH
126 Boothroyden Road, Manchester, M9 0SH
119 Boothroyden Road, Manchester, M9 0SD
117 Boothroyden Road, Manchester, M9 0SD
115 Boothroyden Road, Manchester, M9 0SD
122 Boothroyden Road, Manchester, M9 0SH
124 Boothroyden Road, Manchester, M9 0SH
27 Boothroyden Road Middleton, Manchester , M24 4RY
25 Boothroyden Road Middleton, Manchester , M24 4RY
1 Boothroyden Close, Middleton , Manchester , M24 4RW
3 Boothroyden Close Middleton, Manchester , M24 4RW
5 Boothroyden Close, Middleton, Manchester , M24 4RW
7 Boothroyden Close Middleton, Manchester , M24 4RW
9 Boothroyden Close, Middleton, Manchester , M24 4RW
13 Boothroyden Close, Middleton, Manchester , M24 4RW
11 Boothroyden Close, Middleton, Manchester , M24 4RW
19 Boothroyden Close, Middleton, Manchester , M24 4RW
15 Boothroyden Close, Middleton, Manchester , M24 4RW
17 Boothroyden Close, Middleton, Manchester , M24 4RW
14 Boothroyden Close, Middleton, Manchester , M24 4RW
50 Boothroyden Close, Middleton, Manchester , M24 4RJ
46 Bonny Brow Street, Middleton, Manchester , M24 4RJ
48 Bonny Brow Street, Middleton, Manchester , M24 4RJ
50 Bonny Brow Street Middleton, Manchester , M24 4RJ
41 Bonny Brow Street, Middleton, Manchester , M24 4RJ
40 Bonny Brow Street, Middleton, Manchester , M24 4RJ
38 Bonny Brow Street , Middleton, Manchester , M24 4RJ
36 Bonny Brow Street Middleton, Manchester , M24 4RJ
32 Bonny Brow Street, Middleton, Manchester , M24 4RJ
30 Bonny Brow Street, Middleton, Manchester , M24 4RJ
28 Bonny Brow Street, Middleton, Manchester , M24 4RJ
26 Bonny Brow Street, Middleton, Manchester , M24 4RJ
24 Bonny Brow Street, Middleton, Manchester , M24 4RJ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA