

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

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Ms Sarah Jakubiak
United Utilities Group Plc
Haweswater House
Lingley Mere Business Park
Lingley Green Avenue
Great Sankey
Warrington
WA5 3LP

Agent (if used)

Miss Sofena Yasmin
WSP
8 First Street
Manchester
M15 4GU

Part 1 – Particulars of the application/development

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.

Location: 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

Date of application: 8 May 2024

Application number: 139762/FO/2024

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 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) 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 permission hereby granted, so far as it relates to the temporary bridge, is for a limited period only, expiring on 30 July 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 to its former condition 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.

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

Building Regulations 2010

This permission does not grant approval under Building Regulations.

Street Naming & Numbering Requirements

Manchester City Council is responsible for allocating street naming and numbering within Manchester for new developments or property conversions. Individuals or businesses are not permitted to allocate their own property numbers, building or street names.

If your development includes the creation of new dwellings (either new build or conversion of existing buildings), creation of new commercial properties or the subdivision of existing properties you must ensure that you request new or changes to addresses through us so they can be officially allocated and registered in accordance with the Public Health Act 1925 Sections 17-19 & Greater Manchester Act 1981 Section 22.

Failure to do this may result in difficulties for the developer/occupier when requiring services such as connections to utilities, phone lines and postal services and may delay your development.

You can apply online at the following address:

http://www.manchester.gov.uk/info/100011/roads_parking_and_transport/1988/naming_and_numbering_of_houses_buildings_streets_and_roads/2

Mining Information

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 Mining Remediation Authority.

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.

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.

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-activitiesenvironmental-permits> or contact the National Customer Contact Centre on 03708 506 506.

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.

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.

Date: 8 January 2025

Signed: 

Julie Roscoe
Director 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, they may appeal to the 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 gov.uk website – www.gov.uk/appeal-planning-decision The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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 or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they 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 Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.



STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](https://www.mra.gov.uk)

Standing Advice valid from 1st January 2025 until 31st December 2026