

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

Manchester City Football Club Ltd
Etihad Stadium
Ashton New Road
Manchester
M11 3FF

Agent (if used)

Ms Rachel Brown
Deloitte LLP
Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: Site improvement works comprising site investigation and remediation activity in respect of historic coal mining activity, including trial piling and grouting of coal seams, demolition of the club shop, service and drainage diversions and associated temporary works to maintain safe access around the stadium

Location: Etihad Stadium, Ashton New Road, Manchester, M11 3FF

Date of application: 15 December 2022

Application number: 135764/FO/2022

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 where early discussions took place regarding the nature of the works. 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 development hereby approved shall be carried out in accordance with the following drawings and documents:

Noise and Vibration Assessment, prepared by Buro Happold
Coal Mining Risk Assessment, prepared by Buro Happold
Proposed Site Layout, prepared by Populous
Demolition Plan, prepared by Laing O'Rourke

The above documents were received by the City Council, as Local Planning Authority, 15 December 2023

Watching Brief prepared by Salford Archaeology received by the City Council, as Local Planning Authority, on the 17 February 2023

Email from Rachel Brown dated 30 March 2023

Environmental Management Plan and Traffic Management Plan received by the City Council, as Local Planning Authority, on the 6 March 2023

Ground Risk Assessment. Etihad Campus- Site Improvement Works. Report Ref: ETC-BHE-ZX-XX-RP-CG-0004. Revision P01. Dated. 24th February 2023 received by the City Council, as Local Planning Authority, on the 7 March 2023

Generic Quantitative Risk Assessment. Etihad Campus - Site Improvement Works. Report Ref: ETC-BHE-ZX-XX-RP-CG-0003. Revision P01. Prepared by Buro-Happold. Dated 24th February 2023 received by the City Council, as Local Planning Authority, on the 7 March 2023

Factual Ground Investigation Report . Etihad Ground Investigation. Report Ref: 37349. Version C Prepared by Geotechnical Engineer Limited. Dated: 17th March 2023 received by the City Council, as Local Planning Authority, on the 22 March 2023

Project North Stand Manchester Site Improvement Works Drainage Strategy Project no 053810 (Date 25 April 2023) received by the City Council, as Local Planning Authority, on the 26 April 2023

Email from seweradoptions@uuplc.co.uk dated 06 June 2023

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

3) No works to trees or shrubs shall occur or site clearance commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the City Council, as Local Planning Authority.

Reason - In the interest of protecting nesting birds pursuant to policy EN15 of the Manchester Core Strategy (2012).

4) (1) A programme of archaeology works shall be carried out in accordance with the Watching Brief prepared by Salford Archaeology received by the City Council, as Local Planning Authority, on the 17 February 2023. The works are to be undertaken in accordance with the watching brief, which cover the following:

(2). A programme for post investigation assessment to include:

- analysis of the site investigation records and finds
- production of a final report on the significance of the archaeological and historical interest represented.

(3). Dissemination of the results commensurate with their significance.

(4). Provision for archive deposition of the report and records of the site investigation.

(5). Nomination of a competent person or persons / organisation to undertake the works set out within the approved watching brief.

Reason - To record and advance understanding of heritage assets impacted on by the development and to make information about the archaeological heritage interest publicly accessible pursuant to policy EN3 of the Manchester Core Strategy.

5) No works to the Metrolink Infrastructure shall take place until the full details of the proposals for both temporary and permanent reinstatement have been submitted for approval in writing by the City Council, as Local Planning Authority. The design submission shall include for minor adjustments to the existing Lighting and CCTV within the temporary corralling area and also for 24/7 access for Metrolink maintenance vehicles. The approved details shall be implemented as part of the development.

Reason - In the interest of ensuring appropriate works are undertaken to the Metrolink infrastructure pursuant to policies SP1, T1 and DM1 of the Manchester Core Strategy (2012).

6) The construction activities shall be undertaken in accordance with the following documents:

- Email from Rachel Brown dated 30 March 2023
- Environmental Management Plan and Traffic Management Plan received by the City Council, as Local Planning Authority, on the 6 March 2023

The details above should be implemented as part of the development and be in place for the duration of the construction period.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Reason - In the interest of pedestrian and highway safety pursuant to policies SP1, T1 and DM1 of the Manchester Core Strategy (2012).

7) All vehicles entering and leaving the site during the construction period shall pass through a wheel wash.

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, T1 and DM1 of the Manchester Core Strategy (2012).

8) No construction vehicle movements outside of the agreed site hoarding line shall take place immediately prior to, during or after a major event / match at the Etihad Stadium. Any construction vehicle movements outside of the agreed site hoarding line prior to, during or after a major event at any of the MCC venues on Campus shall be in strict accordance with a protocol agreed in advance with the MCC Venue responsible for the event.

Reason - In the interest of highway and pedestrian safety together with reducing congestion of the surrounding highway network pursuant to policies SP1, T1 and DM1 of the Manchester Core Strategy (2012).

9) No contractor parking will take place at the Etihad Campus immediately prior to, during or after a major event / match at the Etihad Stadium. Contractor parking will not use car parks associated with a major event at any of the MCC venues on Campus, so contractor parking will continue at the Etihad Campus when a major event is being held at any of the MCC venues.

Reason - In the interest of highway and pedestrian safety together with reducing congestion of the surrounding highway network pursuant to policies SP1, T1 and DM1 of the Manchester Core Strategy (2012).

10) Within one month of completion the development, a signed statement or declaration prepared by a suitably competent person confirming that the site has been made, safe and stable shall be submitted for approval in writing by the City Council, as Local Planning Authority. This document shall confirm the methods and findings of the further intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason - In the interest of ensuring that the site is safe as a consequence of previous coal mining activity pursuant to policies SP1, EN18 and DM1 of the Manchester Core Strategy (2012).

11) The development hereby approved shall be carried out in accordance with the following documents in respect of the ground conditions and remediation of the site:

- Ground Risk Assessment. Etihad Campus- Site Improvement Works. Report Ref: ETC-BHE-ZX-XX-RP-CG-0004. Revision P01. Dated. 24th February 2023 received by the City Council, as Local Planning Authority, on the 7 March 2023
- Generic Quantitative Risk Assessment. Etihad Campus - Site Improvement Works. Report Ref: ETC-BHE-ZX-XX-RP-CG-0003. Revision P01. Prepared by Buro-Happold. Dated 24th February 2023 received by the City Council, as Local Planning Authority, on the 7 March 2023
- Factual Ground Investigation Report . Etihad Ground Investigation. Report Ref: 37349. Version C Prepared by Geotechnical Engineer Limited. Dated: 17th March 2023 received by the City Council, as Local Planning Authority, on the 22 March 2023

The remediation shall be carried out in accordance with the approved strategy above

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 EN17, EN18 and DM1 of the Manchester Core Strategy (2012).

12) If, during the development, contamination or conditions not previously identified as part of the agreed documents within condition 11 are found to be present at the site (or in the monitored vicinity) then no further operations shall be carried out until a strategy which details how this unsuspected circumstance shall be dealt with has been submitted for approval in writing by the City Council, as Local Planning Authority. The approved strategy shall then be implemented and then verified as required by condition 13.

Reason - To ensure that the works to be undertaken do not contribute to, or adversely affect, unacceptable levels of water pollution from previously unidentified contamination sources pursuant to policies EN17 and EN18 of the Manchester Core Strategy (2012).

13) Within one month of the completion of the development, and following completion of the remediation strategy approved as part of condition (11), a Completion/Verification Report shall be submitted for approval in writing by the City Council as Local Planning Authority. This shall demonstrate that the completion of works has been carried out in accordance with the approved remediation strategy and has been effective. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason - To ensure that the site has been appropriately remediated prior to the commencement of works associated with the redevelopment of the site, pursuant to policies EN17, EN18 and DM1 of the Manchester Core Strategy (2012).

14) The drainage strategy shall be carried out in accordance with the Project North Stand Manchester Site Improvement Works Drainage Strategy Project no 053810 (Date 25 April 2023) received by the City Council, as Local Planning Authority, on the 26 April 2023 and Email from seweradoptions@uuplc.co.uk dated 06 June 2023. The approved details shall be implemented as part of the development.

Reason - In the interest of a satisfactory drainage scheme being prepared for the site pursuant to policy EN14 of the Manchester Core Strategy (2012).

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 Coal Authority in Appendix A.

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During the service diversion works, which are subject to this planning permission, prior to the every match and event that takes place during the works the applicant shall secure the relevant approval for holding the match/events in close proximity to construction works with the Safety Advisory Group (SAG), or any other relevant body, who can consider the safe movement of the public visiting the stadium during this period.

Contact should be made to United Utilities in respect their assets in and around the application site PropertyGeneralEnquiries@uuplc.co.uk.

Date: 8 June 2023

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.

Appendix A



The Coal Authority

INFORMATIVE NOTE

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for 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 a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2023 until 31st December 2024

Appendix A



The Coal Authority

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 Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024