

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 Council
Town Hall
Albert Square
Manchester
M60 2LA

Agent (if used)

Mrs Katie Wray
Deloitte
Hanover Building
Corporation Street
Manchester
M4 4AH

Part 1 – Particulars of the application/development

Proposal: City Council Development for demolition of a redundant bridge and associated works required to facilitate the creation of a new at-grade pedestrian and cycle route with enhanced public realm.

Location: Jersey Street Bridge , Jersey Street, Manchester

Date of application: 1 April 2022

Application number: 133406/VO/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. 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:

- Jersey Street Site Location Plan (drawing ref. 2895-PLA-XX-XX-DR-L-0012 Rev P01)
- Jersey Street Tree Removal and Retention Plan (drawing ref. 2895-PLA-XX-XX-DR-L- 0009 Rev P02)
- Jersey Street Temporary Surface Finish (drawing ref. 2895-PLA-XX-XX-DR-L-0010 Rev P02)
- Jersey Street Indicative Final Surface Finish (drawing ref. 2895-PLA-XX-XX-DR-L-0011 Rev P02)
- Jersey Street Proposed Highway General Arrangement (drawing ref. 1826-01-CIV-XXXX-D-H-40010 Rev P01)
- Jersey Street Proposed Highway Cross Sections (drawing ref. 1826-01-CIV-XX-XX-D-H-42002 Rev P01)
- Jersey Street Proposed Highway Long section (drawing ref. 1826-01-CIV-XX-XX-D-H-42001 Rev P01)
- Jersey Street Proposed Highway Level Plans (drawing ref. 1826-01-CIV-XX-XX-D-H-40011 Rev P01)
- Jersey Street Proposed Highway Level Comparison (drawing ref. 1826-01-CIV-XX-XXD-H-40012 Rev P01)
- Jersey Street Proposed Highway Drainage Strategy (drawing ref. 1826-01-CIV-XX-XXD-H-40013 Rev P01)
- Planning Statement prepared by Deloitte;
- Tree Survey and Constraints Report prepared by Amenity Tree Care;
- Bat Roost Survey Report prepared by Amenity Tree Care;
- Extended Phase One Habitat Survey (Preliminary Ecological Appraisal) prepared by Amenity Tree Care;
- Jersey Street Bridge Removal Transport Statement prepared by Civic Engineers;
- Phase 1 Geoenvironmental Site Assessment prepared by E3P;
- Letter from Greater Manchester Archaeological Advisory Service dated 30/03/22;
- Jersey Street Canal Bridge Heritage Statement prepared by KM Heritage;
- Framework Construction Management Plan prepared by Faithful + Gould;
- Jersey Street Bridge Deconstruction Methodology Report prepared by Civic Engineers, and
- Jersey Street Bridge Drainage Statement prepared by Civic Engineers

The above documents were stamped as received by the City Council, as Local Planning Authority, on the 1 April 2022

Bat mergence report preapred by Amenity Tree stamped as received by the City Council, as Local Planning Authority, on the 13 May 2022

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 (2012).

3) Prior to the commencement of the development, details of a surface water drainage layout for the site, based on sustainable drainage principles shall be submitted for approval in writing by the City Council, as Local Planning Authority and shall include the following information:

- Evidence that the rain gardens have been sized appropriately to ensure efficient lifetime functionality and no/limited flooding to the highway.
- Construction details of flow control and SuDS elements.
- Details of how the scheme shall be maintained and managed after completion and confirmation on who will be responsible for maintaining the SuDS systems.

The development shall be carried out in accordance with the approved information and shall be installed prior to the first use of the development and thereafter retained and maintained.

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

4) No development works shall take place until the applicant or their agents or their successors in title has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation (WSI) which has been submitted for approval in writing by the City Council, as Local Planning Authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:

- historic building investigation commensurate with a Level 1 survey;
- pending the results of the above, a watching brief during demolition;
- a targeted archaeological watching brief during landscaping works.

2. A programme for post-investigation assessment to include:

- production of a final report on the results of the investigations and their significance.

3. Deposition of the final report with the Greater Manchester Historic Environment Record.

4. Dissemination of the results of the archaeological investigations commensurate with their significance.

5. Provision for archive deposition of the report and records of the site investigation.

6. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason - To record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence (and any archive generated) publicly accessible pursuant to policy EN3 of the Manchester Core Strategy and saved policy DC20 of the Unitary Development Plan for the City of Manchester (1995).

5) No vegetation clearance or demolition shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent by a suitably qualified ecologist, or, a method statement for the demolition and vegetation clearance works 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 and vegetation clearance works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

6) Prior to the commencement of the development, a detailed construction management plan outlining working practices during construction shall be submitted for

approval in writing by the City Council, as local planning authority, which for the avoidance of doubt should include;

- o Display of an emergency contact number;
- o Details of Wheel Washing;
- o Compound locations where relevant;
- o Consultation with local residents and businesses including ensuring that operations of existing businesses remain unaffected by construction activities;
- o Measures to minimise the impact on the Rochdale Canal include spillages, seepage, dust and debris;
- o Location, removal and recycling of waste;
- o Routing strategy and swept path analysis;
- o Parking of construction vehicles and staff; and
- o Sheeting over of construction vehicles.

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.

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

Reason - To safeguard the amenities of nearby residents and businesses, highway safety and air quality, pursuant to policies SP1, EN16, EN19 and DM1 of the Manchester Core Strategy (July 2012).

7) Notwithstanding the Phase I GeoEnvironmental Site Assessment for Jersey Street Prepared by E3P for Civic Engineers, Report Ref: 15-798-R1-1 Date Issued: March 2022 stamped as received by the City Council, as Local Planning Authority, on the 1 April 2022, a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

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

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

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

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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

8) If, during the grouting operation, contamination or conditions not previously identified as part of the agreed documents within conditions 2 and 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 part (b) of condition 8.

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).

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

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

10) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on drawing 2895-PLA-XX-XX-DR-L-0009 REV P02 stamped as received by the City Council, as Local Planning Authority, on the 1 April 2022; 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 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 Core Strategy.

11) Prior to the first use of the development hereby approved, a biodiversity and tree mitigation plan shall be submitted for approval in writing by the City Council, as Local Planning Authority. The plan shall include the location, species and size of any tree replacements and location and number of other measures including bird and bat boxes. The approved details shall be implemented within 6 months of the first use of the development and thereafter retained and maintained in situ.

Reason - In the interest of securing adequate tree replacement, biodiversity and green infrastructure improvements and in the interest of the visual amenity of the conservation area pursuant to policies SP1, EN1, EN3, EN9, EN15 and DM1 of the Manchester Core Strategy (2012) and saved policy DC18 of the Unitary Development Plan for the City of Manchester (1995).

12) Prior to the first use of the development hereby approved, a scheme of highway works shall be submitted for approval in writing by the City Council, as Local Planning Authority.

This shall include the following:

- Traffic calming in the form of road narrowing/raised tables to Jersey Street. If the road is to be maintained as two-way operation, then it is likely that formal vehicle priority arrangements will be needed where the road is narrowed;
- Installation of street trees;
- width of footways to Jersey Street (minimum of 2 metres);
- Traffic Regulation Order to form double yellow lines

The approved scheme shall be implemented and be in place prior to the first use of the development hereby approved and thereafter retained and maintained in situ for as long as the development remains in use.

Reason - To ensure safe access to the development site in the interest of pedestrian and highway safety pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012).

13) Notwithstanding drawings 2895-PLA-XX-XX-DR-L-0010 Rev P02 and drawing ref. 2895-PLA-XX-XX-DR-L-0011 Rev P02 stamped as received by the City Council, as Local Planning Authority on the 1 April 2022, prior to the commencement of the development details of any temporary surface and treatment arrangements for the carriageway and footways and timescales for retention shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented and maintained for the duration of the temporary period.

Reason - In the interest of highway and pedestrian safety and the visual amenity of the local area pursuant to policies SP1, EN1, EN3, T1 and DM1 of the Manchester Core Strategy (2012) and the Poland Street Zone Public Realm Strategy (2022).

14) (a) Notwithstanding drawing ref. 2895-PLA-XX-XX-DR-L-0011 Rev P02 stamped as received by the City Council, as Local Planning Authority, on the 1 April 2022, prior to the first use of the development hereby approved a programme for the issues of the

final permanent treatment, specification and materials for the carriageway and footways improvements shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall include timescale for the submission of samples and specifications of all materials to be used as part of the development including highway works, tree planting specification and landscaping.

(b) All samples and specifications shall be submitted for approval in writing in accordance with the programme agreed under part (a) of this planning condition. The approved materials shall then be implemented as part of the development in accordance with agreed timescales and thereafter retained and maintained in situ.

Reason - In the interest of highway and pedestrian safety and the visual amenity of the local area pursuant to policies SP1, EN1, EN3, T1 and DM1 of the Manchester Core Strategy (2012) and the Poland Street Zone Public Realm Strategy (2022).

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.

The trees on site were subject to a day time inspection and in the case of the poplar climbed to check for potential bat roosting features. No evidence of bats was found with the large ivy covered poplar assessed as low risk. Low risk trees do not require further survey, though precautionary measures during felling are recommended.

Date: 23 June 2022

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/planning-inspectorate. 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 their 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.