

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/26/0189

Date registered valid: 27 February 2026

Proposal: Discharge of the Early Works phase of development element of conditions 4 (Construction Management Plan), 5 (Highway Works), 6 (Construction and Environmental Management Plan) and 16 (Temporary surface water drainage strategy) attached to 133700/FO/2022 and discharge of Condition 41 (Archaeology) (development pre-commencement elements) attached to 133700/FO/2022.

Address: Former Jackson's Brickworks Site, Ten Acres Lane, Manchester, Newton Heath

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Nuvu Development Limited

Agent (if any): Mr John Cooper Deloitte LLP

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 April 2026

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 11 March 2026 Expired: 1 April 2026

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Highway Services 01.04.2026

CONDITION 4 (CMP):

- o A CMP has been submitted to support partial discharge of Condition 4 in relation to the early works to be undertaken in Phase 1a.
- o Early works are expected to take a maximum of 3 weeks to complete.
- o Emergency contact number is to be displayed on the site entrance noticeboard through the early works.
- o *Paragraph 1.3.1 of the CMP, Drawing D1932_65A is not contained within Appendix A and should be provided.
- o All construction traffic will access the site at the gated entrance on Ten Acres Lane, this is illustrated on Drawing D1932_66.

- o *Information is required on construction vehicle frequency, vehicle types & size associated with the early works.
- o *Swept path assessment is required to demonstrate that the largest anticipated construction/delivery vehicle can access the site, manoeuvre and egress in forward gear. The vehicle profile should also be included.
 - o Information on routing of construction traffic has been provided:
 - All HGVs arriving to the site will approach from the north and then turn left onto the site.
 - All HGVs departing from the site will leave by turning north towards the A62.
 - Cars and LGVs will approach and leave the site in either direction.
 - o Banksman will be present where necessary.
 - o Contractor parking will be provided on-site, adjacent to the welfare compound.
 - o Deliveries will be managed. All vehicular movement (including deliveries and waste servicing) should take place outside of the AM and PM peak period.
 - o A dilapidation survey is to be undertaken on Ten Acres Lane. It is noted that this will be carried out no earlier than four weeks prior to commencement of early works. A copy of the dilapidation survey should be provided to Highways DC for review.

CONDITION 5 (Highways Works):

- o MCC's Statutory Approvals Team have been consulted. No S278 application has been made with no bond surety paid.
- o Application for off-site highways works condition discharge may only be submitted following securement of cash bond or surety provision of the total costs of the associated highways works as provided by the statutory approvals team. Evidence of this should be provided with the condition discharge documents. The process for permission to work on the highway can be found using the following link:
https://www.manchester.gov.uk/directory_record/451887/permission_to_work_on_the_highways_-_section_278_agreements/category/355/highways_and_pavements.
- o Based on the above, it is recommended that Condition 5 (in relation to the early works) is not discharged.

CONDITION 6 (CEMP):

- o It is noted that the entire site perimeter (development Phases 1 and 2) is currently demarcated with 2.4m high mesh fencing.
- o A Site Logistic Plan has been provided. The following will be provided within the site boundary:
 - Compound and welfare
 - Material Storage
 - Visitor and Contractor Parking.
 - Loading and Unloading
- o *A copy of the Construction Traffic Management Plan should be provided in principle for review.

Further comments 10.04.2026

CONDITION 4 (CMP):

- Vehicle frequency associated with the early works phase are anticipated to comprise approximately 200 deliveries, of which 210 are expected to be undertaken by 8-wheel tipper vehicles.
- Largest vehicle delivering to the site is to be a low-loader.
- Deliveries to the site should be managed appropriately and take place outside of the AM and PM peak highway period.

- A swept path assessment has been provided demonstrating low-loader vehicle (18.7m) accessing, manoeuvring and exiting the site in forward gear. This is acceptable in principle subject to banksman present where necessary.
- It can be recommended that the condition is discharged on the basis that the developer continues to liaise with Highways Network Management and Licensing on any traffic management and licensing agreement.

CONDITION 5 (HIGHWAYS WORKS):

- It is understood that this access is for construction only.
- If any works are to be undertaken to the adopted highway, then a Section 50 license will be required via MCC's Licensing Team (highwaylicences@manchester.gov.uk).
- Further along the works will need to be under S278/38 design.
- It can be recommended that the condition is discharged subject to any licensing agreement for temporary access arrangements.

CONDITION 6 (CEMP):

- Traffic Management Plan contained within the CMP.
- It can be recommended that the condition is discharged on the basis that the developer continues to liaise with Highways Network Management and Licensing on any traffic management and licensing agreement.

Further comments 13.04.2026

CONDITION 4 (CMP):

- All construction and demolition traffic will access the site via Hyde Grove.
- Vehicles are to approach the site from the A34 (Upper Brook Street) and access via Hyde Grove.
- Access point is to be gated and opens outwards but within the site boundary.
- A swept path assessment has been provided demonstrating a 13/18 tonne rigid vehicle accessing and egressing the site. This is acceptable in principle subject to banksman present.
- An updated logistic plan demonstrates that the following will be located within the site boundary: welfare/office facility, material/plant storage, waste storage area and loading/unloading area .
- Noted that public pedestrian routes along Hyde Grove and Plymouth Grove will remain open and unobstructed.
- The site is currently enclosed by existing 1.8m high perimeter fencing. This is to be retained during the construction period.
- No additional temporary hoarding is proposed.
- Foul and surface water will discharge to the existing public sewer network.
- A post-completion dilapidation survey will be required to be undertaken. Any damage attributed to demolition or construction vehicle will be repaired at no cost to MCC.
- It can be recommended that condition 4 is discharged on the basis that the developer continues to liaise with Highways Network Management and Licensing on any traffic management and licensing agreement.

Environmental Health – 17.03.2026

With regards to condition no.4 CMP, they advise that they would expect more detailed information regarding the noise of equipment that they intend to use, and mitigation methods. The report suggests a base line noise level, however, does not detail what this is.

Further comments 21.04.2026

Condition 4

Environmental Health are in receipt of the CMP. The generator shall only be on during working hours. All mitigation methods stated should be implemented.

GMAAS -13.03.2026 .

A draft of the post-excavation assessment (PEA) report for this site, including the results of both the evaluation and mitigation open-area stages of the work, was shared with GMAAS by The Environment Partnership (TEP – archaeological consultants attached to the scheme) in January 2025. The report was written by Salford Archaeology (Report Number SA/2024/23), and they replied to TEP in early February 2025 to state that they were happy with the report and would await a final archive copy to be submitted with a future application for discharge – however, the issue of publication and appropriate dissemination would also need to be addressed before any condition discharge would be possible.

They raised issues in relation to the submission not being supported by a final archive copy of the report – just a Cover Letter seeking full discharge and the original Written Scheme of Investigation (WSI), and confirmation that publication and dissemination of results from this regionally important and significant site have been commissioned.

They go on to recommend that the publication is produced by those that were involved with the excavation and production of the post-excavation assessment report, and that the publication's proposed form and destination should be an article in the international journal *Industrial Archaeology Review*, to ensure it reaches the necessary academic audience.

Initial discussion with the journal's editors confirmed that a paper on the brickworks would be accepted, especially if it could be submitted before Summer 2026 to form part of a themed issue of the journal that considers industrial archaeology in the historic county of Lancashire. They are aware that Civic Heritage submitted a cost proposal for the publication work to the applicant via TEP in 2025, but as far as they are aware, this has not yet been commissioned or progressed during the past 12 months.

The publication will in some ways mirror some of the work already produced in the PEA, certainly with regard to a statement of results, but with extra details gleaned by undertaking the recommended actions in Sections 9-13 of the PEA to enable further analysis of the site. This can be coupled with more robust documentary and comparative analysis to confirm the kiln type and really set the site into its regional and national context. Good, clear illustration will also ensure that the process-flow of the site is well understood and appropriately conveyed.

Ideally a draft of the publication text would be shared with GMAAS before they could recommend discharge - but in reality, to achieve all that is set out in Section 12 of the PEA will take some time. So as to expediate confirmation of discharge, one approach would be to ensure:

- Firstly, that an abstract should be produced by an individual/organisation and shared with the editor for *Industrial Archaeology Review* to ensure that they would accept the proposed article – but they are fairly confident that they will, given the importance of the site and the impending themed issue.
- GMAAS would then be content with receiving confirmation from that individual/organisation that they have been commissioned by the applicant to produce the publication (and be able to demonstrate that a Purchase Order has been received) in line with an abstract/outline that states what is to be produced, how, and by what date (a staged approach has already been partially outlined in Section 12 of the PEA).

In a similar vein, confirmation of a commitment to the production and installation of a permanent information board (or boards) will also be required prior to discharge. This element of the dissemination brings huge and accessible public benefit to the development, helping to create a sense of place and maintaining links to the past for new and future users of the site.

In conclusion, GMAAS is unable to approve condition discharge on this application (Condition 41), or the remediation application (Condition 15), which requires the same outcomes.

Agent response - *the planning agent has subsequently advised that there is a mistake in their cover letter which they expect triggers the comments GMAAS made. The planning agent has confirmed that they only seeking a partial discharge of condition 41, to satisfy the pre-commencement elements of the condition only, and that this is as per the approach taken to partially discharge condition 15 attached to the remediation consent (129197/FO/2021) which GMAAS have previously signed off, in support of the discharge (ref CDN/24/0022). Furthermore, they advise that they are not submitting any new information to satisfy the pre-commencement element. For clarity to GMAAS, they advise that are required to still satisfy the pre-commencement requirements of condition 41 (even whilst the same information/ condition equivalent has been discharged against the remediation consent), given these are two standalone consents.*

In addition, they confirm will be seeking the full discharge of condition 41 attached to the redevelopment consent (and condition 15 attached to the remediation consent), in due course.

Further GMAAS comments 30.03.2026

The Written Scheme of Investigation (WSI) submitted with the current discharge application is the same as that submitted with remediation application 129197/FO/2021, and which achieved a partial discharge for the archaeological condition (Condition 15) of that permission. Given that the archaeological fieldwork at the site has already taken place in accordance with that WSI, they advise they are happy that submission of the same WSI is appropriate to achieve a partial discharge (i.e. the pre-commencement element) of the development application.

To note:

The future route for both Conditions to be fully discharged – Condition 15 of 129197/FO/2021 and Condition 41 of 133700/FO/2022 – was laid out in detail in the comments provided on the 13th March 2026. These should be kept on record, and take this opportunity to state again that a suitable journal for an impending publication has been identified (*Industrial Archaeology Review*) and submission before Summer 2026 would enable the publication of this important site to form part of a themed issue of the journal that considers industrial archaeology in the historic county of Lancashire.

LLFA – In light of the EA having no objection to the discharge of Condition 16, the LLFA do not wish to raise any concerns regarding the temporary surface water drainage arrangements.

United Utilities – query whether there is any documentation detailing the temp drainage layout, as without it they are of the view that they would be unlikely to agree to the discharge of condition 16.

Environment Agency – 30.04.2026

Advise:

i. In alignment to the EA's planning remit/focus (protection of controlled waters), their formal planning response to this discharge application seeks to address conditions 6 (Construction Environmental Management Plan) and 16 (Temporary Surface Water Drainage Strategy) only. They defer judgment on conditions 4, 5 and 41 to their regulatory counterparts.

ii. As outlined within the planning agent letter submitted for CDN/26/0189 (Deloitte, 27th February 2026), it is our understanding that the applicant/agent, is only seeking the partial discharge of conditions 6 and 16 attached to 133700/FO/2022 (as amended via 145291/NMC/2026), in so far as they relate to the 'Early Works Phase' of the proposed development.

iii. Further to (ii) above, they advise their understanding of the scope of the 'Early Works' phase is outlined with the planning agent letter (Deloitte, 27th February 2026) submitted under 145291/NMC/2026, which defines the scope (under letter section 3.1).

Wider to the above, they advise for the purpose of our position statement below, their Groundwater and Contaminated Land (GWCL) specialism has reviewed the following reporting provided/submitted:

a) Construction Management Plan for Early Works in Phase 1 – Former Jackson Brickworks. Prepared by Vertase FLI. Revision B. Dated 25th March 2026.

N.B – They advise it their understanding that the above report (a) is intended to serve both condition 4 (construction management plan) and condition 6 (construction environmental management plan). It is their understanding from planning authority that a standalone report for condition 6 has not been produced/submitted.

b) Temporary Surface Water Management Plan for Early Works in Phase 1 – Former Jackson Brickworks. Prepared by Vertase FLI. Revision A. Dated 23rd January 2026.

c) Area of Initial Site Works – Site Layout. Drawing ref: D1932_66. Prepared by Vertase FLI.

Should any of understanding outlined above prove incorrect, there exist additional key documentation not addressed by this EA review, or should it be considered that additional EA response is required for the wider series of conditions addressed by this application, CDN/26/0189, then we ask that are contacted and provided the opportunity to make further representation prior to application determination.

Environment Agency Position - CDN/26/0189

Reviewing the reporting outlined above, we have no objection to the partial discharge of planning condition 6 and condition 16 attached to 133700/FO/2022 (as amended via 145291/NMC/2026), for the purpose of the 'Early Works' phase only.

Further to the above, they would take this opportunity to provide the following additional commentary and guidance to the applicant/agent:

Noting previous observations regarding on-site materials deposited on-site, notwithstanding the formal extent of the historic landfill classification of the site (identified as non-overlapping the spatial extent of the Early Works phase), they advise this phase of development works may require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016, Regulation 12. In circumstances where an activity/operation meets certain criteria, an exemption from permitting may apply. More information on exempt activities can be found here: Register your waste exemptions - GOV.UK.

More information on the definition of waste can be found here: Legal definition of waste guidance - GOV.UK

The Waste (England and Wales) Regulations 2011 for dealing with waste materials are applicable to anyone who produces, carries, keeps, disposes of, treats, imports or has control of

waste in England or Wales. The law requires anyone dealing with waste to keep it safe and make sure they deal with it responsibly. You can find the waste duty of care code of practice here: [Waste duty of care code of practice - GOV.UK](#)

The Environment Agency does not regulate non-waste operations. The person producing the material will need to decide if it is waste or a by-product. If it is waste they can consider if it meets End of Waste criteria. You can check if your material is waste or get an opinion from the definition of waste service on if a material is a by product or meets 'end of waste' status. There is a cost for this service.

Issues

Whilst the comments received from United Utilities have been noted, this application is related to condition no.16 solely in regard to the Early Works phase of development element of condition no.16 , which is limited to a portion of the access road from Ten Acres Lane:

- Extension to primary road (site entrance) up to first junction, with road box cut to circa minimum 600mm below EGL (existing ground level), subject to depth of natural bearing strata, with engineered stone backfill;
- Made ground within the road box to be removed in its entirety and stored on-site until a remediation strategy is agreed in future with the Environment Agency ('EA'); and,
- Be within the extent as defined by the following marked up plans (within the red line boundary only), and consistent with the approved plans under the extant Permission.
- 'Haul Road Setting Out' ref. TAL-AJP-XX-00-DR-C-1425, Rev P01 (dated 20 January 2026), prepared by AJP Consulting Engineers
- 'Haul Road Long Sections & Cross Sections', ref. TAL-AJP-XX-00-DR-C-1425, Rev P01 (dated 20 January 2026), prepared by AJP Consulting Engineers

The scope of the early works would also include temporary surface water drainage only. This includes managing rainwater during the initial construction phase using permeable materials and engineered slopes to prevent water pooling and control runoff.

This will act as an interim solution before permanent drainage is submitted and installed in connection with condition no.19, and any other temporary drainage works required in regard to Phases 1a,1b and 1c of the overall development in connection with condition no.16.

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

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

Condition no. 4 (Construction Management Plan)

4) The content of the following documents and plans has been reviewed.

- Haul Road – Long Sections and Cross Sections plan ref: TAL-AJP-XX-DR-C-1425 rev. P01 received 27th February 2026
- Construction Management Plan for Early Works in Phase 1 rev. B dated 25th March 2026 received 26.03.2026
- Content of Email response from planning agent dated 8th April 2026
- Low Loader Tracking plan ref: TAL-AJP-ZZ-00-DR-C-0800-P01 and Haul Road setting out plan ref: TAL-AJP-ZZ-00-DR-C-1425-P02 received 8th April 2026

On the basis that the development is implemented in accordance with the details in the documents and plans referenced above for the duration of the construction period; that the generator is only on during working hours; and the developer continues to liaise with Highways Network Management and Licensing on any traffic management and licensing agreement, condition no.4 is discharged solely in regard to the Early Works phase of the development .

Condition no. 5 (Highway Works)

5) The content of the following documents and plans has been reviewed.

- Haul Road – Long Sections and Cross Sections plan ref: TAL-AJP-XX-DR-C-1425 rev. P01 received 27th February 2026
- Content of Email response from planning agent dated 8th April 2026
- Low Loader Tracking plan ref: TAL-AJP-ZZ-00-DR-C-0800-P01 and Haul Road setting out plan ref: TAL-AJP-ZZ-00-DR-C-1425-P02 received 8th April 2026

On the basis that the that the development is implemented in accordance with the details in the documents and plans referenced above, and that the developer continues to liaise with Highways Network Management and Licensing on any traffic management and licensing agreement for temporary access arrangements, condition no. 5 is discharged solely in regard to the Early Works phase of development.

Condition no. 6 (Construction and Environmental Management Plan)

6) The content of the following documents and plans has been reviewed.

- Haul Road – Long Sections and Cross Sections plan ref: TAL-AJP-XX-DR-C-1425 rev.P01 received 27th February 2026
- Content of Email response from planning agent dated 8th April 2026
- Low Loader Tracking plan ref: TAL-AJP-ZZ-00-DR-C-0800-P01 and Haul Road setting out plan ref: TAL-AJP-ZZ-00-DR-C-1425-P02 received 8th April 2026

On the basis that the that the development is implemented in accordance with the details in the documents and plans referenced above, and the developer continues to liaise with Highways Network Management and Licensing on any traffic management and licensing agreement on any traffic management and licensing agreement, condition no. 6 is discharged solely in regard to the Early Works phase of development.

Condition no. 16 (Temporary surface water drainage strategy)

16) The content of the following documents and plans has been reviewed.

-Former Jacksons Brickworks Temporary Surface Water Management Plan for Early Works in phase 1 rev. A dated 23rd January 2026

-Haul Road – Long Sections and Cross Sections plan ref: TAL-AJP-XX-DR-C-1425 rev. P01 received 27th February 2026

- Haul Road setting out plan ref: TAL-AJP-ZZ-00-DR-C-1425-P02 received 8th April 2026

On the basis that the that the development is implemented in accordance with the details in the documents and plans referenced above, condition no. 16 is discharged solely in regard to the Early Works phase of development.

Condition 41 (Archaeology)

41) The content of the Archaeological Evaluation - Former Jacksons Brickworks, Ten Acres Lane Manchester - Written Scheme of Investigation ref: 10279.001 version 1.2 dated January 2024 has been reviewed.

On the basis that the development is implemented in accordance with the Archaeological Evaluation - Former Jacksons Brickworks, Ten Acres Lane Manchester - Written Scheme of Investigation ref: 10279.001 version 1.2 dated January 2024, and that the fieldwork as set out part (1) of condition no.41 is undertaken, I can confirm that the pre-commencement element and part (1) of condition no.41 are discharged. However, parts 2 -6 cannot be discharged until they have been undertaken, and the appropriate reporting being actioned.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Archaeological Advisory Service
United Utilities Water PLC

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 50m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA