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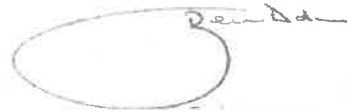
THE COUNCIL OF THE CITY OF SALFORD
CIVIC CENTRE
CHORLEY ROAD
SWINTON, M27 5BW

TOWN AND COUNTRY PLANNING ACT 1990

DECISION NOTICE : GRANT

PLANNING PERMISSION 12/61611/EIAHYB

Date of Decision: 5 July 2012



Date of Issue: 7 September 2012

On behalf of the Council

Applicant:

Peel Investments (North) Limited
c/o Indigo Planning Limited
Lowry House
17 Marble Street
Manchester
M2 3AW

Part 1 – Particulars of Application:

Date of Application: 30 March 2012

Location of development:

Land Between Mid-point Of Manchester Ship Canal And Liverpool Road
Eccles

Particulars of development:

Application to vary or remove a number of conditions attached to planning permission 03/47344/EIAHYB for a multi-modal freight interchange comprising rail served distribution warehousing, rail link and sidings, inter-modal and ancillary facilities including a canal quay and berths, vehicle parking, hardstanding, landscaping, re-routing of Salteye Brook, a new signal controlled access to the A57 and related highway works including realignment of the A57 and improvements to the M60 (Port Salford). Canal crossing and associated roads and other highway improvements as part of the Western Gateway Infrastructure Scheme (WGIS)

Part 2 – Particulars of Decision:

The Council of the City of Salford hereby gives notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **permission has been granted** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following condition(s):

1. The development hereby permitted shall be begun either by 4th August 2019, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. Application(s) for approval of the reserved matters shall be made to the local planning authority by 4th August 2017.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

3. Approval of details of siting, design, external appearance and landscaping of the buildings shall be obtained from the Local Planning Authority before any part of the development to which those details relate commences. Reserved Matters shall relate to those matters as outlined in Informative (8) attached to this decision notice. The reserved matters shall be accompanied where appropriate by:

- A Design Statement;

- A scheme demonstrating that the development seeks to reduce the impact on the supply of non-renewable resources and that full consideration has been given to the use of realistic renewable energy options and incorporated where practicable;

- A scheme for the layout and design of car parking. This shall include the total number of spaces and the total number and position of disabled spaces, landscaping, drainage and lighting. The scheme for the car parking shall accord with the Maximum Parking Standards, disabled persons parking, cycle parking and motorcycle parking requirements in the Development Plan;

- Full details of the existing and proposed ground levels.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall only be carried out in accordance with the submitted planning application and the following plans submitted further to the Environmental Statement, dated June 2008.

010022/SLP1 Rev C - Application Site (Amended red line boundary) Plan;
010022/SLP2 Rev C - Building Demolition and Tree Removal;
A015641/001 Rev L - General Arrangement;
PLAN C: M05013- A- 033 Rev C - WGIS: Proposed Infrastructure;
PLAN A: M05013- A- 042 Rev E - Part WGIS;
PLAN B: M05013-A-159 - WGIS with Proposed Rail Link;
M05013-A-162 - WGIS: A57 Revised Layout to Accommodate Full Access to Avroe Road;
M35036-005 Rev A - Strengthening Canal Bank;
M35036-200 Rev I - Salteye Brook Diversion Proposals;
M35036-202 Rev D - Typical Brook Cross Section;
M35036-210 Rev D - New Road Bridges over Manchester Ship Canal Bridge numbers 1 and 2;
M35036-212 Rev F - New Rail bridge over Salteye Brook Diversion Bridge Number 4;
M35036-213 Rev F - New Rail over Salteye Brook Diversion Bridge Number 5;
M35036-220 Rev B - New Intermodal Terminal Manchester Ship Canal;
M35036-221 Rev B - New Intermodal Terminal Manchester Ship Canal;
M35036-222 Rev D - Extent of Proposed sheet piling Manchester Ship Canal;
M35036-230 Rev D - Existing Services Layout Key Plan;
M35036-300 Rev E - Rail Connection to Existing Lines- General Earthworks Requirements;
M35036-301 Rev E - Overall Site Layout: Proposed Formation Levels/Contours;
M35036-302 Rev E - Overall Site Layout: Depths of Cut and Fill to Formation Levels;
M35036-303 Rev E - Overall Site Layout: Areas of Cut to Formation Levels;
M35036-304 Rev F - Sections Through New Intermodal Terminal- Manchester Ship Canal;
M35036-305 Rev D - Overall Site layout: Areas of Cut and Fill;
M35036-306 Rev F - Diversion of Boyles Brook;
PP01/ REV A - Areas in Which Buildings Would be Sited and ES Parameters.

The above plans shall be read in conjunction with the following submitted plans and Environmental Statement Addendum:

M08098-A- 88 B - WGIS A57 Realignment Planning Application General Arrangement;

M08098-A-89 B WGIS A57 Realignment Planning Application Red Line Plan;
M08098-A-90 A - Proposed Balancing Lagoon;
M08098-A-094 A - Salteye Brook Bridge to Balancing Lagoon Plan and Cross Sections;
5110828/BR/001 B - New rail Bridge Over A57 and New Salteye Brook Bridge General Arrangements;
00100098/1 - Extent of Archaeological Investigation.

Reason: For the avoidance of doubt and in the interests of proper planning.

5. The development hereby permitted shall not commence until a Phasing Plan for the entire development has been submitted to and agreed in writing by the Local Planning Authority.

No work on each phase of the development shall commence until a Construction Programme has been submitted, pursuant to that phase, the Construction Programme shall include the following details;

- i. Site by site construction work, commencement and completion dates;
- ii. Landscaping (including the specification of the planting season);
- iii. Highway and drainage works on an area by area basis;
- iv. Information on public transport accessibility;
- v. Access for vehicles and pedestrians;
- vi. Servicing;
- vii. Access arrangements for new premises.
- viii. Details of the location and layout of the site compound(s) for each part of the site;
- ix. A monitoring and review programme.

Where any condition attached to this permission requires approved details, schemes, strategies, plans, programmes or reports to be implemented, carried out, constructed, completed or maintained, that requirement may be complied with in accordance with minor variations to the approved details, schemes, strategies, plans, programmes or reports if the Local Planning Authority has agreed to those minor variations in writing.

The development shall be carried out in accordance with the approved Construction Programme and Phasing Plan notwithstanding the requirements of any other condition and the approved Construction Strategy and Phasing Programme shall be monitored and reviewed in accordance with the review mechanisms agreed within the Phasing Programme.

Reason: To ensure that the development is carried out in accordance with a phased programme of development and in the interests of the proper planning of the area and facilitating a comprehensive and sustainable development of the facility in accordance with Policies E1 and ST5 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

6. No work on each phase of development shall commence until a construction working method statement relating to that phase has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved working method statement. The statement shall include a scheme to minimise the control of dust (including all aspects of the site preparation and construction phase where the generation of dust is feasible and identify control measures to mitigate the generation of dust. The statement shall contain recommendations for measures to adequately control the generation of dust on the site including the access and egress of vehicles on and off the site), details of the provision and use of on-site parking for all vehicles using the site, a signage scheme for construction traffic, wheel cleaning procedures and facilities and proposed hours for the delivery of materials and delivery and collection of equipment.

Reason: To ensure that the development would not have an unacceptable impact on the occupiers of neighbouring residential properties in the interests of the proper planning of the area and facilitating a comprehensive and sustainable development of the facility in accordance with Policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

7. Within 3 months of the date of this permission, the applicant shall set up and hold an initial meeting of a Port Salford / WGIS Highway Design Group. This grouping shall meet regularly based upon a frequency agreed by all parties at the first meeting.

Reason: To assist in ensuring that the mechanism for delivering the necessary additional statutory orders is clearly set out and the detailed design is progressed well in advance of any intention of the operating the site by the applicant having regard to Informative 9 below.

8. Prior to commencement of the development pursuant to this planning permission the developer shall set up the Port Salford Transportation Steering Group (PSTSG) by meeting with, as a minimum, representatives of the two local highway/planning authorities (Salford and Trafford), the Highways Agency, community representatives, Ward Members and the Greater Manchester Passenger Transport Executive. The constitution, additional membership requirements and decision making structure of the Group shall be determined by the Local Planning Authorities in consultation with the other members of the Group within 3 months of the first meeting.

Reason: To ensure that the Highways Agency and other bodies, have a formal forum with which to discuss any transportation issues that may arise in the future during the design, construction and operation of the site having regard to Informative 10 below.

9. No construction of permanent buildings pursuant to this planning beyond site remediation measures, shall be commenced unless and until;
- a) The detailed design, construction details and traffic management details broadly in accordance with the highway works set out in Plan A (Part WGIS) have been approved by the Local Planning Authority in consultation with the Highways Agency;
 - b) The statutory orders necessary under the Highway Act 1980 (or any other Act) required for the construction of the additional crossing of the Manchester Ship Canal (MSC) have been confirmed;
 - c) Agreement of the periods of closure to vehicular traffic of the proposed additional crossing of the Ship Canal set out in Plan A has been reached with the Local Planning Authority in consultation with the Highways Agency;
 - d) The necessary harbour revision orders, (should such an order be necessary) under the Harbours Act (or other such necessary Act) to limit the navigable rights of way of water based traffic passing along the MSC through the proposed additional crossing shown in Plan A to the times specified in 9(c) above have been confirmed;
 - e) Details of a traffic management and advance driver information strategy to inform drivers and the Highways Agency's Regional Control Centre (RCC) of the occurrence of the swing bridge shown on Plan A (as part of Part WGIS) being closed to vehicular traffic has been agreed.
 - f) The necessary Transport and Street Works Act order or orders (should such orders be necessary) required to implement the rail connection to the development have been confirmed.

Reason: a) To ensure the design of the mitigation works are to the relevant standards that will maintain the safe and reliable operation of the SRN and that these are agreed in sufficient time to allow construction of the works before operation.

b) To ensure the closure of the bridge to vehicular traffic allowing passage of craft along the Manchester Ship Canal does not interfere with the safe and reliable operation of the Strategic Road Network (SRN).

c) To ensure the impact of the closing to traffic of the proposed additional crossing of the MSC can be effectively managed and therefore is not detrimental to the safe and reliable operation of the SRN.

d) As c) above.

e) To ensure the impact of the closing to traffic of the proposed additional crossing of the MSC can be effectively managed and therefore is not detrimental to the safe and reliable operation of the SRN.

f) To ensure this proposed multi-modal development has access to the rail network to help realise the benefits of freight transfer away from the SRN. The developer shall have regard to Informative 11 below.

10. No development pursuant to this planning approval shall be occupied unless and until:

- a) The rail linkages as set out in Plan B linking the site to the national rail network have been implemented and are operating;
- b) The highway works as agreed in Condition 9(a) (Part WGIS) are fully implemented to the satisfaction of the local planning authority in consultation with the Highways Agency.

Reason: To ensure that the required mitigation works are implemented before the site is operational. The following are reasons specifically relating to the sub clauses:

- a) To ensure this proposed multi-modal development has access to the rail network to help realise the benefits of freight transfer away from the SRN.*
- b) To ensure the safe and reliable operation of the M60 as part of the SRN.*

11. No development of the Rail Link Warehousing beyond a maximum figure of 77,250 sq.m and the full Multi Modal Terminal pursuant to this planning permission, shall be commenced unless and until:

- a. the detailed design, construction details and traffic management details broadly in accordance with the highway works set out in Plan C (Full WGIS) have been approved by the Local Planning Authority in consultation with the Highways Agency;
- b. The highways orders necessary under the Highways Act 1980 required for the mitigating highways works as identified in Plan C namely:
 - i. the closure of the M60 Junction 11 southbound on slip;
 - ii. the closure of the M60 Junction 11 northbound off slip;
 - iii. the closure of the M60 Junction 11 southbound off slip;
 have been confirmed;
- c. agreement of the periods of closure to vehicular traffic of the proposed additional crossing of the Ship Canal set out in Plan C has been reached with the Local Planning Authority in consultation with the Highways Agency;
- d. The necessary harbour revision orders, (should such an order be necessary) under the Harbours Act (or such other necessary Act) to limit the navigable rights of way of water based traffic passing along the MSC through the proposed additional crossing shown in Plan C (as part of Full WGIS) to the times specified in 11(c) above have been confirmed;
- e. Details of a traffic management and advanced driver information strategy to inform drivers and the Highways Agency's Regional Control Centre (RCC) of the occurrence of the swing bridge shown on Plan C being closed to vehicular traffic has been agreed.

Reason: a) To ensure the design of the mitigation works are to the relevant standards that will maintain the safe and reliable operation of the SRN and that these are agreed in sufficient time to allow construction of the works before operation.

b) To ensure the necessary powers are obtained to implement the mitigating highway works agreed before the development is progressed to an advanced stage.

c) To ensure the closure of the bridge to vehicular traffic allowing passage of craft along the Manchester Ship Canal does not interfere with the safe and reliable operation of the Strategic Road Network (SRN).

d) As b) above.

e) To ensure the impact of the closing to traffic of the proposed additional crossing of the MSC can be effectively managed and therefore is not detrimental to the safe and reliable operation of the SRN.

The developer shall have regard to Informative 12 below.

12. No development of the Rail Link Warehousing beyond a maximum figure of 77,250 sq.m and the full Multi Modal Terminal development pursuant to this planning permission shall be occupied by the site unless and until;

a) the works as agreed in Condition 11(a) above (Full WGIS) are fully implemented to the Satisfaction of the Local Planning Authority in consultation with the Highways Agency.

Reason: To ensure that the required mitigation works are implemented before the site is operational to ensure the safe and reliable operation of the M60 as part of the SRN.

13. Within 12 months of first occupation of any part of the development, the measures set out in the approved Travel Plan (ref MW/M05013-01E) shall be implemented through the proposed Port Salford Transport Steering Group to the satisfaction of the LPA in consultation with the Highways Agency.

Reason: In order to minimise the use of the private car and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework.

The developer shall have regard to Informative 13 below.

14. No building shall be occupied or any commercial use of the site commence until the circulation, movement, highway improvements and associated works for that phase of development have been completed in accordance with the approved details and relevant conditions attached to this planning consent. This shall include details of the full design and construction details of the required new junction onto the A57 Liverpool Road as shown in outline on General Arrangement Plan M08098-A-88 Revision B dated 02/06/2012 and such details have been first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development provides the necessary highway improvements in order to provide adequate access and capacity on the local highway network in accordance with Policies A8 and A9 of the City of Salford Unitary Development Plan and the national Planning Policy Framework.

15. The road bridge across the Manchester Ship Canal shall be constructed in accordance with details submitted to and approved in writing by the Local Planning Authority prior to commencement of its construction. This shall include elevational and sectional drawings at a scale of 1:50, materials and colour treatments. The construction of the bridge shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and highway safety in accordance with Policies A9 and DES1 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

16. No development approved by this permission shall commence until the Local Planning Authority has approved an overall drainage strategy for the disposal of foul and surface waters, in writing. The formulation of a scheme for the disposal of surface waters shall fully investigate the potential for such a scheme to be delivered in a sustainable form (SuDS). A detailed drainage scheme relating to each phase of development shall accord with the overall strategy and be agreed in writing by the Local Planning Authority prior to commencement of development of that phase. The approved detailed scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

No building(s) within a particular phase shall be occupied or any commercial uses of the site commence until the approved scheme for that phase or particular site is fully implemented. The development shall be constructed, completed and maintained in accordance with the approved scheme.

Reason: To ensure adequate drainage to the development in accordance with Policy EN19 and the National Planning Policy Framework.

17. No part of the development hereby approved shall be brought into use unless and until final details of a trunk road and local road signing scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Agency and thereafter implemented.

Reason: To ensure that the development provides the necessary highway improvements in order to provide adequate access and capacity on the local highway network in accordance with Policies A8 and A9 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

18. No part of the development shall be occupied until its associated car parking provision has been completed and available for use in accordance with the approved scheme. The car parking provision shall be retained and kept available for use thereafter.

Reason: To ensure an adequate level of parking is available for use in connection with the proposed development in accordance with Policy A10 of the City of Salford Unitary Development Plan.

19. There shall be no vehicular access from Langland Drive for construction, staff or visitor traffic to the development hereby permitted except emergency vehicles and for the purposes of maintenance to the Manchester Ship Canal and associated locks.

Reason: To protect the amenity of surrounding residents and uses in accordance with policies EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

20. No part of the development shall commence until a noise and vibration management and monitoring plan relating to the control of noise and vibration from construction of that phase of the development, including any piling operations has been discussed with the Port Salford Noise and Vibration Steering Group (which shall meet with, as a minimum, representatives of the two local authorities (Salford and Trafford), community representatives and Ward Members) and submitted to and approved in writing by the Local Planning Authority. The plan shall have regard to the recommendations contained within BS5228. All approved measures identified within the Plan shall be implemented and maintained throughout the duration of the works they mitigate during the construction phase.

Noise from the construction, clearance and site remodelling phases of the development (specified as Site Noise) (LAeq,T) shall not exceed a noise level of 70dBLAeq(1hour) at any time on Monday to Friday 08:00 to 18:00 hours and Saturday 08:00 to 14:00 hours and LAeq,T shall not exceed the existing background level (LAeq,T) at any time, at any point 1 metre from the boundary of any noise sensitive properties. The existing background noise levels must be agreed at noise sensitive properties with the Local Planning Authority prior to the commencement of any development works on the site. The Plan shall include a Noise Monitoring Protocol detailing the monitoring to be undertaken to show that the LAeq,T levels are not exceeded.

The Noise and Vibration Management and Monitoring Plan for Construction, including clearance and site remodelling phases, shall define the responsibilities for managing noise and vibration emissions, the mitigation measures proposed, the methodology for specifying and procuring quiet plant and equipment, the methodology for the verification of noise emission levels from plant and equipment and consultation and reporting processes on matters of noise and vibration between the developer, the Local Planning Authority and the public. The Plan shall also include issues such as site notices which advise the general public of contact names and numbers both during and out of hours in the event of noise issues and include information exercises such as but not exclusively leaflet drops.

Reason: To ensure that an acceptable level of air quality and noise are preserved throughout the duration of the construction phase and so as to accord with Policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

21. Prior to the commencement of any relevant phase of development a Noise Assessment Scheme relating to the control of noise of the Western Gateway Infrastructure scheme shall be discussed with the Port Salford Noise and Vibration Steering Group (which shall meet with, as a minimum, representatives of the two local authorities (Salford and Trafford), community representatives and Ward Members) and submitted to and approved in writing by the Local Planning Authority. The assessment shall identify mitigation measures, which might include barriers, for the control of noise from the Western Gateway Infrastructure Scheme. The measures shall be installed in accordance with the noise assessment scheme as approved and maintained at all times.

Reason: To safeguard the amenity of residents so as to accord with Policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

22. A noise and vibration management and monitoring Plan relating to the control of noise and vibration from the operation of the Port Salford development in total (other than highway works but including the rail link, sidings and on site marshalling activities) shall be discussed with the Port Salford Noise and Vibration Steering Group (which shall meet with, as a minimum, representatives of the two local authorities (Salford and Trafford), community

representatives and Ward Members) and submitted to and approved in writing by the Local Planning Authority (LPA). The Plan shall include an implementation programme and shall be implemented in accordance with that timetable and maintained at all times.

The Plan shall ensure that the noise emitted from site activities (including the rail link, sidings and on site marshalling activities) shall not exceed the existing LAeq(1 hour) between the hours of 0700 to 2300 and shall not exceed the existing LAeq (5 mins) by -5dB between the hours of 2300 to 0700 at the nearest noise sensitive properties.

The scheme shall include a Noise Monitoring Protocol detailing the monitoring to be undertaken to show that the LAeqT levels are not exceeded.

The existing LAeqT noise levels must be agreed at noise sensitive properties with the Local Planning Authority prior to the commencement of any development on site.

The Noise Management Plan for the operation of the facility shall define the responsibilities for managing noise and vibration emissions, the mitigation measures proposed may, include details of a landscape bund to the A57 (Liverpool Road), barriers to the new rail link and barriers to the Manchester Ship Canal and Langland Drive, the methodology of specifying and procuring quiet plant and equipment, the methodology for the verification of noise emission levels from plant and equipment, and the construction and reporting processes on matters of noise and vibration between the operator of the development, the Local Planning Authority and the public. The Noise Management Plan should also include issues such as site notices which advise the general public of contact names and numbers during and out of hours in the event of noise problems and include information exercises such as leaflet drops.

Reason: To safeguard the amenity of residents so as to accord with Policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

23. Prior to commencement of development on a particular phase, proposals for a site investigation survey (the survey) for that phase of the application site shall be submitted to the Local Planning Authority. The survey shall not commence until the Local Planning Authority has agreed the methodology in writing. The findings of the survey shall be presented in a Site Investigation Report (the report), which shall address the nature, degree and distribution of ground contamination and ground gases on site and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part IIA, focusing primarily on:

- a) risks to human health; and
- b) controlled waters, as well as groundwater and surface waters associated on and off the site that may be affected by the development to which the application for approval of reserved matters relates.

The report shall also address the implications of ground conditions on the health and safety of site workers, on nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property. The report shall include a risk assessment and, where appropriate, a remediation options appraisal. It shall also include a monitoring and review process to allow for agreed changes to the report. The report shall be subject to the approval of the Local Planning Authority and agreed in writing prior to the start of the phase of development to which it relates.

Where the report reveals the need for remedial measures, these shall be detailed in a remediation statement report, which shall be subject to the approval of the Local Planning Authority and agreed in writing prior to the commencement of the development of that particular phase to which it relates. Where remedial measures have been identified and approved by the Local Planning Authority, the remediation to which the application for approval of reserved matters relates shall be carried out in accordance with the approved remediation statement report. Where approved remedial measures have been undertaken, a remediation verification report shall be submitted to the Local Planning Authority for approval, validating that all remediation works have been completed for that particular phase in accordance with the approved measures prior to first occupation of buildings within that phase.

Reason: To secure the safe development of the site in terms of human health and the wider environment in accordance with the NPPF and Policy EN16 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

24. Any imported materials, soil or soil forming materials brought onto site for use in soft landscaping areas, 'filling' or construction shall be tested for contamination and suitability for use on site. Proposals for contamination testing shall be submitted to, and approved by the Local Planning Authority in advance of any imported materials being brought onto the site. The development shall proceed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To secure the safe development of the site in terms of human health and the wider environment in accordance with Policy EN16 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

25. No fuels, oils, chemicals or effluents shall be stored, handled, loaded or unloaded on a particular phase or site identified within a phase until the Local Planning Authority has approved a scheme for the storage, handling, loading and unloading of fuels, oils, chemicals, or effluents in writing. The development shall be constructed and completed in accordance with the approved scheme.

Reason: To secure the safe development of the site in terms of human health and the wider environment in accordance with Policies EN17 and EN18 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

26. No development shall commence within a particular phase of development until details of measures to protect and safeguard the retained trees and hedgerows within that phase have been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented prior to the commencement of any site works within that phase and remain for the duration of the construction phase unless otherwise agreed in writing. The removal of the protection measures shall not take place until it has been agreed in writing with the Local Planning Authority.

Reason: To ensure the protection of existing trees and vegetation in accordance with policy EN12 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

27. The landscaping schemes hereby approved shall be carried out in accordance with the agreed Construction Programme required under the terms of Condition 5 of this Notice. Any trees or shrubs dying within five years of planting shall be replaced with the same species within twelve months.

Reason: To ensure the protection of existing trees and vegetation in accordance with policy EN12 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

28. An ecological mitigation strategy for the Mossland Triangle, (land enclosed by the main rail line and the connecting spurs), including an implementation and maintenance strategy with dates for completion shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation strategy shall be implemented in accordance with the agreed completion timetable.

Reason: To ensure the long term maintenance of local ecological features in accordance with Policies EN9 and EN10 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

29. Prior to the commencement of development, an implementation and maintenance strategy for the ecological mitigation to Saltey Brook as set out in Volume II of the Environmental Statement (and subsequent addenda) shall be submitted to and approved in writing by the Local Planning Authority. The submitted strategy should include a plan showing the extent of any intended buffer zone between the Brook and the active construction zone where part of the implementation and maintenance strategy would apply, phasing and details of responsible parties for implementation and maintenance. The strategy shall be implemented in accordance with the approved details.

Reason: To ensure the long term maintenance of local ecological features in accordance with Policies EN9 and EN10 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

30. Prior to commencement of the development of the rail link north of the A57, a scheme to protect and ensure the continuity of use of the Brookhouse Playing Field during construction works and following completion of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that pitch facilities remain as accessible and equivalent in terms of size, usefulness, attractiveness and quality (including drainage detail), as the existing and include a programme for implementation. The development shall proceed in accordance with the approved scheme.

Reason: To ensure that the immediate and long term use of this recreational facility is secured in accordance with Policy R1 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

31. No artificial lighting within a particular phase of development shall be constructed / erected unless and until a scheme detailing the proposed artificial lighting scheme for that particular phase of development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with the principles established in the lighting scheme as part of the ESS (Volume II Section 12 and Appendix 12.1 Volume IV) and the Capita Symonds 'External Lighting Appraisal' dated June 2006. Unless otherwise agreed in writing, the development of that particular phase shall be carried out in strict accordance with the approved lighting scheme and maintained as such thereafter.

Reason: To safeguard the amenity of local residents and in the interest of visual amenity in accordance with Policies DES1 and EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

32. Prior to the commencement of development of a particular phase of development, a Security and Crime Prevention Strategy including details of all physical security measures for that phase shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt this shall include all fencing positions, heights, design, materials and colour treatment; provision of CCTV; vehicle and pedestrian access gates and barriers; access controls, site management and liaison with the relevant police authorities. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to ensure that the development is appropriately secured from crime in accordance with Policies DES1 and DES11 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

33. Prior to the commencement of development of a particular phase, a scheme for targeting and utilising local people for construction and post construction employment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: To ensure that the regeneration benefits of the development can be maximised in accordance with Policy E1 of the City of Salford Unitary Development Plan.

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

- a desk-based assessment;
- targeted archaeological evaluation
- (depending upon the evaluation) targeted area excavation;
- site strip by machine to top of archaeological level;
- hand clean and record; and
- targeted excavation of identified features.

2. A programme for post investigation assessment to include:

- analysis of the site investigation records and finds;
- production of a final report.

3. Provision for analysis of the site investigation and recording, and production of a final report on the significance of the archaeological interest represented.

4. Provision for publication and dissemination of the analysis and report upon the site investigation.

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

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

Reason: To safeguard the archaeological integrity of the site in accordance with Policy CH8 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

35. Prior to the commencement of development within a particular phase, a survey shall be carried out to identify the existence of invasive plants (as listed in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended)). The survey shall be carried out between April to September. The results of the survey shall be submitted along with any necessary mitigation measures, including the method and timescales for the eradication and disposal of any identified invasive plants. The eradication and disposal shall be undertaken in accordance with the approved measures and timescales.

Reason: To comply with environmental legislation and enhance local biodiversity.

Reasoned Justification:

The decision to grant planning permission has been taken having regard to the policies and proposals in the Development Plan set out below, and to all other material planning considerations. There are no other material planning considerations that outweigh this finding:

Planning Policy Framework

Development Plan Policy

Regional Spatial Strategy - Policy DP1 - Spatial Principles
Regional Spatial Strategy - Policy DP3 - Promote Sustainable Communities
Regional Spatial Strategy - Policy DP5 - Manage Travel Demand
Regional Spatial Strategy - Policy W1 - Waste Management
Regional Spatial Strategy - Policy W2 - Regionally Significant Economic Dev
Regional Spatial Strategy - Policy RT2 - Managing Travel Demand
Regional Spatial Strategy - Policy RT4 - Management of the Highway Network
Regional Spatial Strategy - Policy RT6 - Ports and Waterways
Regional Spatial Strategy - Policy RT7 - Freight Transport
Regional Spatial Strategy - Policy RT8 - Inter-Modal Freight Terminals
Regional Spatial Strategy - Policy EM16 - Energy Conservation and Efficiency
Regional Spatial Strategy - Policy MCR1 - Manchester City Region Priorities
Unitary Development Plan - Policy E1 - Strategic Regional Site, Barton
Unitary Development Plan - Policy ST5 - Transport Networks
Unitary Development Plan - Policy ST13 - Natural Environments Assets
Unitary Development Plan - Policy ST14 - Global Environmental
Unitary Development Plan - Policy DES2 - Circulation and Movement
Unitary Development Plan - Policy DES6 - Waterside Development
Unitary Development Plan - Policy DES7 - Amenity of Users and Neighbours
Unitary Development Plan - Policy DES9 - Landscaping
Unitary Development Plan - Policy DES10 - Design and Crime
Unitary Development Plan - Policy A2 - Cyclists, Pedestrians and the Disabled
Unitary Development Plan - Policy A3 - Metrolink
Unitary Development Plan - Policy A9 - Provision of New Highways
Unitary Development Plan - Policy A10 - Provision of Car, Cycle, Motorcycle Park
Unitary Development Plan - Policy A14 - Barton Aerodrome
Unitary Development Plan - Policy EN11 - Mosslands
Unitary Development Plan - Policy EN17 - Pollution Control
Unitary Development Plan - Policy EN18 - Protection of Water Courses
Unitary Development Plan - Policy EN19 - Flood Risk and Surface Water
Unitary Development Plan - Policy EN23 - Environmental Improvement Corridors
Unitary Development Plan - Policy CH2 - Dev. Affecting Setting of Listed Buildin
Unitary Development Plan - Policy R1 - Protection of Recreation Land Facilities
Unitary Development Plan - Policy R5 - Countryside Access Network
Unitary Development Plan - Policy M1 - Protection of Mineral Resources

Other Material Considerations

Supplementary Planning Document - Nature Conservation and Biodiversity

Supplementary Planning Document - Design

Supplementary Planning Document - Nature Conservation and Biodiversity

Supplementary Planning Document - Trees and Development

Supplementary Planning Document - Design and Crime

Notes to Applicant:

1. This permission only authorises the carrying out of development which is entirely in accordance with the approved plans and other details submitted. In the event of any intended amendments to these details and plans, including the siting of the development in relation to site boundaries or adjacent properties, the developer must first contact the Development Services Directorate (Development Control Section) before any development is commenced for advice regarding the necessity to obtain further permission.
2. The applicant's attention is drawn to the fact that any appeal against this decision must be made within six months of the date of this notice.
3. This Notice **does not** constitute an approval under the Building Regulations 2000 and you should contact the Local Authority Building Control Section for further information. For further information visit the City of Salford web site www.salford.gov.uk under the heading 'Living'.
4. Please note that any new building(s) or any existing building(s) being converted into separate dwellings (including apartments etc.) or businesses will legally require an official postal address. This is enforceable under the Public Health Act 1925. The Developer should contact Salford City Council who will process the postal addressing. For further information visit the City of Salford web site www.salford.gov.uk under the heading 'Living'.
5. This Notice **does not** constitute an approval of the highway layout for adoption in accordance with the Highways Act 1980 and you should contact the Local Authority Engineering Design Section for further information regarding the requirements for highway adoption. For further information visit the City of Salford web site www.salford.gov.uk under the heading 'Living'.
6. No development which would otherwise interfere with a public right of way shall be commenced unless and until the appropriate consents have been obtained for the diversion of the Public Rights of Way that cross the application site.
7. No vegetation clearance required by the scheme should be undertaken during the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by an ecologist. It is an offence to disturb any protected species except in accordance with an approved scheme and the appropriate licenses.
8. The submission of reserved matters relate only to those aspects applied for in outline (i.e., the buildings and their surrounds). The rail link, MMFI or WGIS elements were submitted in full and the submissions of reserved matters for these elements are not therefore required

9. The process for preparing the Highways Orders alone can be time consuming and thus shall be critical in determining the opening of parts of the proposed development. It is recommended that the applicant closely work with the three highway authorities from an early stage to discuss how the orders shall be progressed, who will promote which orders and how the detailed design process shall be undertaken. This group shall consist of as a minimum highway design representatives from the applicant, the Highways Agency (Major Projects), Salford Council as Local Highway Authority and Trafford Council as Local Highway Authority and its object would be to facilitate the preparation and finalisation of the detailed design of any highways infrastructure which comprise part of the development.
10. It is suggested that the Steering Group should be permanently represented by a member of the following bodies should they wish to attend; Salford Council, Trafford Council, The Highways Agency and GMPTE and a representative of any Port Salford management organisation (such as the travel plan co-ordinator for the site immediately before and during operation). Additional members could be invited depending upon the specific issues to be discussed at that point in time.
11. For the avoidance of doubt, site remediation and ground works shall be permitted under this condition.

The powers to implement the 'Part WGIS' mitigating highway works need additional approval through separate consent regimes and statutory processes. It is thus possible the powers may not be granted. Nothing in this condition is intended to prejudice the outcome of any statutory process that is required to be followed in order to obtain the necessary powers to implement the mitigating works proposed. In addition the agreement at this time or at any other subsequent time in the design process of the proposed highway works does not constitute agreement that the Highways Agency shall utilise its powers to of Compulsory Purchase for any third party land required. Also note informative to condition 11 regarding details of submissions to the Highways Agency.

12. The purpose of this condition is to prevent commencement of more than 50% of the rail link warehouse until the requirements of the paragraphs a) to e) in the condition have been met. For the avoidance of doubt, other development authorised by this permission (including, for example, site remediation and ground works) shall be permitted under this condition.

The powers to implement some parts of the mitigating highway works need additional approval through separate consent regimes and statutory processes. It is thus possible the powers may not be granted. It must also be noted that the sections hereto related are for orders required for mitigation works relating to the trunk road network only.

Additional orders may be necessary for works that are or will form part of the local highway network. The applicant is advised to discuss the need for further orders with the Local Highway Authorities (Salford and Trafford) or relevant body relating to the Act under which any order is required. Nothing in this condition is intended to prejudice the outcome of any statutory process that is required to be followed in order to obtain the necessary powers to implement the mitigating works proposed. In addition, the agreement of any mitigating highway works (at this time or at any subsequent time in the process of implementing the proposed highway works), does not constitute agreement that the Highways Agency shall utilise its powers of Compulsory Purchase Orders for any third party land required.

The applicant is advised to pursue the detailed design and necessary orders as soon as is practicable as these can take a considerable time to secure. It is also advised that the applicant works closely with the Highways Agency's Major Projects Directorate during both the orders and detailed design stages. The details to be submitted under condition 3(a) and 5(a) shall include but may not be limited to:

How the scheme interfaces with the existing highway alignment, details of the carriageway markings and lane destinations;

Full signing and lighting details as appropriate;
Confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or approved relaxations / departures from standards);
Independent Stage One and Stage Two Road Safety Audit (Stage Two to take account of any Stage One Road Safety Audit recommendations) carried out in accordance with current Departmental Standards (DMRB) and Advice Notes;
New approach to Appraisal (NATA) / Project Appraisal Report (PAR) assessment;
Details of any proposed works that may put any embankment or earthworks relating to the structural integrity of the SRN at risk.

As the mitigating works to the SRN are not to be paid for with public monies the developer shall have to enter a section 278 agreement with the Highways Agency on behalf of the Secretary of State. These legal agreements can take some time to prepare and the applicant is advised to commence discussions with the relevant persons within the Agency as early as is practicable to ensure there are no delays to the intended opening of the development.

13. The Port Salford Steering Group should be the mechanism through which the travel is managed and monitored. It shall also be the forum through which the travel plan shall be amended to adapt to the changing transport conditions within and around Port Salford.
14. All infrastructure that is to be adopted by Salford City Council shall be designed to the satisfaction of the Local Planning Authority in consultation with the Local Highway Authority.
15. Salt Eye Brook is designated "Main River" and is subject to Byelaw Control. In particular, no works may take place within 8 metres from the bank top of the watercourse without the prior consent of the Agency. Consent is also required under the Water Resources Act 1991, for any works on, over or within the channel of the watercourse, including construction of surface water outfalls.

We would recommend that further opportunities for habitat enhancement are thoroughly investigated as mitigation. These may include increasing channel length immediately downstream, removing weirs, opening up redundant culverts and removing redundant artificial revetment within the river corridor e.g. sheet piling.

We, along with our partners, have long-term aspirations to restore the physical state of our rivers and protect existing watercourses from unnecessary artificial modification. The European Water Framework Directive (WFD) is the main driver for this, promoting sustainable river management practices that work with natural processes, not against them.

The WFD seeks to conserve and enhance rivers and riparian networks for wildlife and the natural processes and habitats they depend on. The WFD also requires that there must be no deterioration of ecological status, from the 2009 baseline condition, and this includes Salteye Brook. By 2027, this watercourse must achieve "good ecological potential" through the implementation of a number of "mitigation measures", a full list of which can be found on our website:

<http://evidence.environment-agency.gov.uk/FCERM/en/SC060065/MeasuresList.aspx>

The Environment Agency this development can help Salteye Brook achieve "good ecological potential" through the implementation of some additional mitigation measures included above.

For further information on the WFD, please get in touch or visit our website:
www.environment-agency.gov.uk/wfd

<http://evidence.environment-agency.gov.uk/FCERM/en/SC060065/MeasuresList/M5.aspx>

Greater Manchester Act 1981

Notice is given in accordance with section 63, Greater Manchester Act 1981, that consideration will be given to means of access for the fire brigade in appropriate cases where plans are deposited or building regulations.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse planning permission for the proposed development or to grant it subject to conditions, then you can appeal to the First Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice except where one of the following applies:
 - If this is a decision to refuse planning permission for which an enforcement notice has been served for the same or substantially the same land and development either within 2 years prior to the date on which the application was submitted or before the application was determined, if you want to appeal against your local authority's decision then you must do so within 28 days of the date of this notice; or
 - If this is a decision to refuse planning permission and an enforcement notice is served for the same or substantially the same land and development after the date of this notice, if you want to appeal against your local authority's decision then you must do so within 28 days from the date the enforcement notice is served, unless the effect would be to extend the period beyond the usual time limit for cases not involving an enforcement notice (i.e. 6 months of the date of this notice).
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase notices

- If either the local planning authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he 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

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him/her. These circumstances are set out in section 114 and related provisions of the Town and Country Planning Act 1990.

