

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 03/47344/EIAHYB**

**Date of Decision:** 16 July 2009

SIGNED



**Date of Issue:** 4 August 2009

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:** 21 November 2003

**Location of development:**

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

**Particulars of development:**

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 before the expiration of ten years from the date of this permission, 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.

*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 before the expiration of eight years from the date of this permission.

*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.

*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, in particular, the parameters plan (Drawing Ref: PP01/Rev A) submitted further to the Environmental Statement, dated June 2008.

*To identify the plans and documents to which the development relates.*

5. The development hereby permitted shall be implemented in accordance with a Construction Strategy and Phasing Programme identifying all the works to be carried out in accordance with the approved details. The strategy shall be submitted to and approved in writing by the Local Planning Authority before any development hereby approved commences unless otherwise agreed in writing with the Local Planning Authority.

The Construction Strategy and Phasing Programme shall have regard to the requirements of the Conditions contained within this Decision Notice and shall comprise the following documents;

a Construction Programme that sets out the timetable for the development on a site by site basis and includes landscaping (specifying the planting season in which any landscaping works would take place), highway works, infrastructure, all buildings and structures and details of the location and layout of the site compound(s) for each part of the site;

a Planning Submission Programme which sets out the order and date for the submission of any outstanding reserved matters detailed in Condition 3 above and all other details and submissions as referred to in other conditions attached to this permission and all reserved matters, details and submissions shall be submitted in accordance with the approved Planning Submission Programme and in any event, within the time limits set out in Condition 2 above:

Phasing Diagrams that shall include the following details;

- (i) Site by site construction work, commencement and completion dates;
- (ii) Landscape, highway and drainage works on an area by area basis;
- (iii) Information on public transport accessibility;
- (iv) Access for vehicles and pedestrians;
- (v) Servicing;
- (vi) Access arrangements for new premises.

A monitoring and review programme.

Details of the provision and use of on-site parking for all vehicles visiting or using the site, signage scheme for construction traffic, wheel cleaning procedures and facilities and proposed hours for the delivery of materials and delivery and collection of equipment.

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 Strategy and Phasing Programme 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

*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, ST5 and A13 of the City of Salford Unitary Development Plan.*

6. Prior to commencement of any phase of development including site clearance and preparation, a Dust Management Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority.

The Dust Management Plan shall examine 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 Dust Management Plan 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. The development shall be carried out in strict accordance with the approved Plan.

*To protect the amenity of surrounding residents and uses in accordance with policies DES7 and EN17 of the City of Salford Unitary Development Plan.*

7. Unless otherwise agreed in writing, 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.

*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. Unless otherwise agreed in writing, 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.

*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. Unless otherwise agreed in writing with the Local Planning Authority in consultation with the Highways Agency, no construction of permanent buildings pursuant to this planning permission, 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.

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. Unless otherwise agreed in writing by the Local Planning Authority in consultation with the Highways Agency, 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.

*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. Unless otherwise agreed in writing by the Local Planning Authority in consultation with the Highways Agency, no development beyond 50% of the Rail Link Warehousing (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;
- c. 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.

- 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. Unless otherwise agreed in writing by the Local Planning Authority in consultation with the Highways Agency, no more than 50% of the Rail Link Warehousing (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.

*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. Unless otherwise agreed in writing by the Local Planning Authority in consultation with the Highways Agency, 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.

*In order to minimise the use of the private car and to promote the use of sustainable modes of transport in accordance with Planning Policy Guidance Note 13.*

*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 unless otherwise agreed in writing with the Local Planning Authority. 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 in Drawing Ref: 010022/MP01 dated 15 December 2005 and such details have been first agreed in writing by the Local Planning Authority.

*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 Policy A13 of the City of Salford Unitary Development Plan.*

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 construction. This shall include elevational and sectional drawings at a scale of 1:50, materials and colour treatments. The development shall be carried out in accordance with the approved details.

*In the interest of visual amenity and highway safety in accordance with Policies A13 and DES1 of the City of Salford Unitary Development Plan.*

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). Detailed drainage plans relating to each phase of development should accord with the overall strategy and be agreed in writing by the Local Planning Authority prior to commencement of development of that phase.

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

*To ensure adequate drainage to the development.*

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.

*In the interest of highway safety in accordance with Policy A13 of the City of Salford Unitary Development Plan.*

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.

*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.

*To protect the amenity of surrounding residents and uses in accordance with policies DES7 of the City of Salford Unitary Development Plan.*

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 part 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) (L<sub>Aeq,T</sub>) shall not exceed a noise level of 70dB L<sub>Aeq</sub>(1hour) at any time on Monday to Friday 08:00 to 18:00 hours and Saturday 08:00 to 14:00 hours and L<sub>Aeq,T</sub> shall not exceed the existing background level (L<sub>Aeq,T</sub>) 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 L<sub>Aeq,T</sub> 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.

*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 Policies DES7 & EN17 of the City of Salford Unitary Development Plan.*

21. Prior to the commencement of the Western Gateway Infrastructure scheme 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.

*To safeguard the amenity of residents and having regard to Policies DES7 and EN17 of the City of Salford Unitary Development Plan.*

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 L<sub>Aeq</sub>(1 hour) between the hours of 0700 to 2300 and shall not exceed the existing L<sub>Aeq</sub> (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 L<sub>AeqT</sub> levels are not exceeded.

The existing L<sub>AeqT</sub> 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.

*To safeguard the amenity of residents and having regard to Policies DES7 and EN17 of the City of Salford Unitary Development Plan.*

23. Prior to commencement of any phase of development, 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 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 in accordance with the approved measures.

*To secure the safe development of the site in terms of human health and the wider environment in accordance with PPS23 - Planning and Pollution Control and Policy EN16 of the City of Salford Unitary Development Plan*

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.

*To secure the safe development of the site in terms of human health and wider environment in accordance with PPS23 - Planning and Pollution Control and policy EN16 of the City of Salford Unitary Development Plan.*

25. No fuels, oils, chemicals or effluents shall be stored, handled, loaded or unloaded on site 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.



*To secure the safe development of the site in terms of human health and wider environment in accordance with PPS23 - Planning and Pollution Control and policy EN17 of the City of Salford Unitary Development Plan.*

26. No development shall commence within the area identified on Drawing No. 010022/PL06 until details of measures to protect and safeguard the retained trees and hedgerows within that area have been submitted to and approved in writing by the Local Planning Authority. Such measures as may be agreed shall be implemented prior to the commencement of any site works 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.

*To ensure the protection of existing trees and vegetation in accordance with policy EN12 of the adopted UDP*

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.

*To ensure the protection of existing trees and vegetation in accordance with policy EN12 of the adopted UDP*

28. An ecological mitigation strategy, including an implementation strategy and maintenance strategy shall be submitted for the Mossland Triangle, (land enclosed by the main rail line and the connecting spurs) in accordance with the Planning Submission Programme agreed under the terms of Condition 5.

*To ensure the development is carried out in accordance with Policies EN9 and EN10 of the City of Salford Unitary Development Plan.*

29. An implementation and maintenance strategy for the ecological mitigation to Salteye Brook as set out in Volume II of the Environmental Statement shall be submitted to and approved in writing by the Local Planning Authority in accordance with the Planning Submission Programme agreed under the terms of Condition 5. The strategies shall be implemented in accordance with the approved details.

*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.*

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.

*To ensure that the immediate and long term use of this recreational facility is secured in accordance with Policy R1 of the UDP.*

31. No artificial lighting shall be constructed unless and until a scheme detailing the proposed artificial lighting scheme for the application site 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 shall be carried out in strict accordance with the approved lighting scheme and maintained as such thereafter.

*In the interest of visual amenity and in accordance with Policy DES1 of the City of Salford Unitary Development Plan.*

32. Prior to the commencement of any 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.

*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.*

33. Prior to the commencement of any phase of development, 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.

*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. The developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority, and shall allow him to observe the excavations and record items of interest and finds.

*To safeguard the archaeological integrity of the site in accordance with advice in paragraphs 29 and 30 of PPG 16: Archaeology and policy CH5 of the City of Salford UDP 2004 – 2016.*

**Reasoned Justification:**

It has been demonstrated that the development will deliver significant and substantial benefits that demonstrably outweigh the impact it will have on interests of acknowledged importance and therefore is considered to be in accordance with the development plan as detailed below:

Regional Spatial Strategy (adopted 30th September 2008)

DP1 – Spatial Principles  
DP3 – Promote Sustainable Economic Development  
DP5 – Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility  
W1 – Strengthening the Regional Economy  
W2 – Locations for Regionally Significant Economic Development  
RT2 - Managing Travel Demand  
RT4 – Management of the Highways Network  
RT6 – Ports and Waterways  
RT7 – Freight Transport  
RT8 – Inter-Modal Freight Terminals  
EM16 – Energy Conservation and Efficiency  
MCR1 – Manchester City Region Priorities

Salford Unitary Development Plan (adopted 21st June 2006)

E1 – Strategic Regional Site – Barton;  
ST3 - Employment Supply;  
ST5 - Transport Networks;  
ST13 - Natural Environmental Assets;  
ST14 - Global Environment;  
ST17 Mineral Resources  
DES1 - Respecting Context;  
DES2 - Circulation and Movement;  
DES6 - Waterside Development;  
DES7 - Amenity of Users and Neighbours;

DES9 - Landscaping;  
DES10 – Design and Crime  
A2 - Cyclists Pedestrians and the Disabled;  
A3 – Metrolink;  
A8 - Impact of Development on the Highway Network;  
A9 - Provision of New Highways;  
A10 - Provision of Car Cycle and Motorcycle Parking in New Developments;  
A14 - Barton Aerodrome;  
EN1 – Development Affecting Green Belt  
EN8 - Nature Conservation Sites of Local Importance;  
EN9 - Wildlife Corridors;  
EN11 – Mosslands;  
EN12 - Important Landscape Features;  
EN17 - Pollution Control;  
EN18 - Protection of Water Resources;  
EN19 - Flood Risk and Surface Water;  
EN22 – Resource Conservation;  
EN23 - Environmental Improvement Corridors;  
CH2 – Development Affecting the Setting of a Listed Building  
CH5 – Archaeology and Ancient Monuments  
R1 – Protection of Recreational Land and Facilities;  
R5 - Countryside Access Network;  
DEV5 – Planning Conditions and Obligations;  
M1 – Protection of Mineral Resources.

#### Salford Supplementary Planning Documents

Design and Crime (Adopted July 2006)  
Trees and Development (Adopted July 2006)  
Nature Conservation and Biodiversity (Adopted July 2006)  
Sustainable Design and Construction (Adopted March 2008)  
Design (Adopted March 2008)

#### National Statements and Guidance

Planning Policy Statement 1 (PPS1): Delivering Sustainable Development (ODPM February 2005)  
PPS1: Planning and Climate Change. Supplement to PPS1 (December 2007)  
Planning Policy Guidance Note 2 (PPG2): Green Belts (DoE, January 1995)  
PPG4: Industrial and Commercial Development and Small Firms (DoE, November 1992)  
Consultation Paper on PPS4: Planning for Sustainable Economic Development (CLG, December 2007)  
PPS9: Biodiversity and Geological Conservation (ODPM, August 2005)  
PPG13: Transport (DETR, March 2001)  
PPG15: Planning and the Historic Environment (DoE, September 1994)  
PPG16: Archaeology and Planning (DoE, November 1990)  
PPG17: Planning for Open Space, Sport and Recreation (ODPM, July 2002)  
PPS22: Renewable Energy (DATE)  
PPS23: Planning and Pollution Control (DATE)  
PPG24: Planning and Noise (DoE, September 1994)  
PPS25: Development and Flood Risk (CLG, December 2006)

MPS1: Planning and Minerals (November 2006)

Regional Economic Strategy (2006)  
The North West Regional Freight Strategy (2003)  
Strategic Rail Freight Interchange Policy (2004)  
Planning for Freight on Inland Waterways (2004)

#### 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](http://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](http://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](http://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. The developer should be aware that no work should be carried out during the bird-breeding season except in accordance with the approved details. 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 submission 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.

---

---

### **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 permission for the proposed development or to grant it subject to conditions, then you can appeal to the 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 (8 weeks for advertisements) 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](http://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 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 (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### **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.