

Town and Country Planning Act 1990: Town and Country Planning (Development Management Procedure) (England) Order 2015: Notice of Planning Permission

Reference: PA/2024/0187
Applicant: Mr Andrew Willison
Agent: Mr James Wilson

Date of Issue: 03/05/2024

Part 1 – Particulars of Application

Location: Swinton football Club, Barton Road, Swinton, M27 5LJ
Proposal: Drilling of boreholes and grouting of voids in two sections of a disused and substantially filled former railway tunnel (PJM/8, Clifton Hall Tunnel).

Part 2 – Particulars of Decision

Approve with Conditions

In pursuance of their powers under the above Act, Salford City Council as Local Planning Authority hereby GRANT permission for the above development subject to the following;

Conditions (9)

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

- 38380DE-FA-SITE PLAN Site Location Plan
- B38380DE-FA-000I 01 Phase 3 Grouting Works – General Arrangement
- B38380DE-FA-0002 01 Phase 4 Grouting Works – General Arrangement

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

- 3 No development shall take place, including any works of excavation or demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The duly approved Statement shall be adhered to throughout the construction period. The Statement shall include:

- (i) The times of construction activities on site which, unless agreed otherwise as part of the approved Statement, shall be limited to between 8am-6pm Monday to Friday and 9am-2pm Saturday only (no working on Sundays or Bank Holidays). Quieter activities which are carried out inside buildings such as electrical works, plumbing and plastering may take place outside of agreed working times so long as they do not result in significant disturbance to neighbouring occupiers;
- (ii) Exact locations of the proposed work and access arrangements;
- (iii) The spaces for and management of the parking of site operatives and visitors' vehicles;
- (iv) The storage and management of plant and materials (including loading and unloading activities);
- (v) Measures of how the site shall be secured – if appropriate, inc details of the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;

- (vi) Measures to prevent the deposition of dirt on the public highway;
- (vii) Measures to control the emission of dust and dirt during demolition/construction;
- (viii) A scheme for recycling/disposing of waste resulting from demolition/construction works;
- (ix) Measures to minimise disturbance to any neighbouring occupiers from noise and vibration, including from any piling activity;
- (x) Measures to prevent the pollution of watercourses;
- (xi) A community engagement strategy which explains how local neighbours will be kept updated on the construction process, key milestones, and how they can report to the site manager or other appropriate representative of the developer, instances of unneighbourly behaviour from construction operatives. The statement shall also detail the steps that will be taken when unneighbourly behaviour has been reported. A log of all reported instances shall be kept on record and made available for inspection by the local a planning authority upon request; and
- (xii) An intended date for the commencement of development and, following commencement, evidence of the material start on site.

Reason: In the interests of the amenity of neighbours, the efficient, effective and safe operation of the highway network, and protection of the environment in accordance with Policies F1, A6, PH1 and WM1 of the Salford Local Plan: Development Management Policies and Designations and the National Planning Policy Framework.

Reason for pre-commencement condition: Any works on site could harm the amenity of neighbouring occupiers if not properly managed so details of the matters set out above must be submitted and agreed in advance of works starting.

- 4 Prior to any clearance of trees or scrub, a plan identifying areas to be cleared together with reinstatement proposals, to ensure as a minimum no net loss of biodiversity is achieved, shall be submitted to and approved in writing by the Local Planning Authority. The approved reinstatement proposals shall be carried out in the next available planting season following the removal of the trees/scrub.

Reason: To ensure the development does not have an adverse impact on biodiversity in accordance with Policy BG2 of the Salford Local Plan: Development Management Policies and Designations and the National Planning Policy Framework.

- 5 Prior to any trees being removed, a tree survey and an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the provisions of the duly approved AMS.

Reason: In the interests of safeguarding existing trees from harm in accordance with Policy GI5 of the Salford Local Plan: Development Management Policies and Designations and the National Planning Policy Framework.

- 6 Prior to any vegetation clearance to facilitate access to the site(s), a reasonable avoidance measures method statement for mammals and amphibians (including a timetable for implementation) shall be submitted to and approved in writing by the Local Planning Authority. Any agreed mitigation measures shall be implemented in accordance with the approved timescales.

Reason: To avoid harm being imposed on protected species in accordance with National Planning Policy Framework paragraph 185.

- 7 The trees named TN3 and TN6 within the Ecology Survey Report by Jacobs (project no. B38380DE, Appendix B) shall not be removed unless an ecological survey establishing that they do not contain any roosting bats has been submitted to and agreed in writing by the Local Planning Authority.

Reason: To avoid harm being imposed on protected species in accordance with National Planning Policy Framework paragraph 185.

- 8 The development shall be undertaken in accordance with the Control of Noise and Vibration document (Appendix A of letter dated 5 December 2023).

Reason: In the interest of the amenity of residents in accordance with Policies F3, HH1, D5 and PH1 of the Salford Local Plan: Development Management Policies and Designations, Policy JP-P6 of Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan, and the National Planning Policy Framework.

- 9 During the period of construction, should contamination be found on site that has not been previously identified, no further works shall be undertaken in the affected area. Prior to further works being carried out in the affected area, the contamination shall be reported to the Local Planning Authority within a maximum of 5 days from the discovery, a further contaminated land assessment shall be carried out, appropriate mitigation identified and agreed in writing by the Local Planning Authority. The development shall be undertaken in accordance with the agreed mitigation scheme.

Reason: To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policies WA1 and PH1 of the Salford Local Plan: Development Management Policies and Designations and the National Planning Policy Framework.

Article 35 Declaration

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

Signed



John Searle
Executive Director of Place

Notes to Applicant

Please ensure that you have fully read and understand the contents of this notice. Your attention is drawn to the informative notes set out below:

Informatives (5)

- 1 The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework and the current Building Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.
- 2 The Wildlife and Countryside Act 1981 (as amended) makes it an offence (with certain limited exceptions and in the absence of a licence) to intentionally to kill, injure or take any wild bird, or intentionally to damage, take or destroy its nest whilst it is being built or is in use, or to take or destroy its eggs. Further, the Act affords additional protection to specific species of birds listed in Schedule 1 of the Act. In respect of these species it is unlawful to intentionally or recklessly to disturb such a bird whilst it is nest-building or is

at or near a nest with eggs or young; or to disturb their dependent young. You are therefore advised to seek the advice of a suitably qualified ecologist before commencing works on site.

3 It is an offence under the Wildlife & Countryside Act 1981, as amended, to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Japanese knotweed and Himalayan balsam are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

4 With regards drainage in the vicinity of the works, particular attention should be given to ensure that grout does not escape the tunnel and pollute ground water.

If the applicant comes across unchartered drainage infrastructure, the applicant is expected to contact the suspected owner of that infrastructure to ensure their requirements are met.

5 This grant of planning permission does not authorise any temporary closure or diversion of any Public Right of Way (PRoW). Please contact the Public Rights of Way team to secure the appropriate permission.

Please note where the sites are on or in close proximity to a PRoW or public footpaths, or vehicular access is required from a PRoW or footpath, the applicant must contact the Public Rights of Way team to carry out a dilapidation survey of the PRoW or public footpath prior to any works commencing.

For the full duration of the construction, the developer will be responsible for 'Wear & Tear' /accelerated deterioration' of all existing PRoW or footpaths either adjacent to the site or PRoW used as access and egress to the site. Any necessary remedial works will be carried out under licence and at the developer's expense.

Useful contacts - PRoW / Dilapidation Survey:

- Liam Sands - email: Liam.K.Sands@Salford.gov.uk

Further Information

- 1 You can find advice in regard to your rights of appeal at:
www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent
- 2 This notice relates solely to a planning decision and does not purport to convey any approval or consent which may be required under the Building Regulations or any other statutory purpose. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.
- 3 For more information about making a Building Regulations application, Salford City Council Building Control Team by email building.control@salford.gov.uk, or see our website at www.salford.gov.uk/planning-building-and-regeneration/building-regulations.