



Appeal Decision

Inquiry held 6th – 9th May 2025

Site visit made on 9th May 2025

by **T Burnham BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22nd July 2025

Appeal Ref: APP/Q4245/W/25/3358756

**Land West of Manchester Road (A6144), Carrington, Manchester Easting (x)
372414 Northing (y) 392566**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
- The appeal is made by Peel NRE Limited against the decision of Trafford Metropolitan Borough Council.
- The application Ref is 107456/OUT/22.
- The development proposed is up to 19,000sqm of Use Class B2 (General Industry) and B8 (Storage and Distribution) floorspace with all matters reserved except for access.

Decision

1. The appeal is allowed and planning permission is granted for up to 15,500sqm of Use Class B2 (General Industry) and B8 (Storage and Distribution) floorspace with all matters reserved except for access at Land West of Manchester Road (A6144) Carrington, Manchester Easting (x) 372414 Northing (y) 392566 in accordance with the terms of the application, Ref 107456/OUT/22 subject to the conditions in the attached schedule.

Preliminary Matters

2. The application is made in outline with all matters reserved except for access. The description of the proposal within the decision above differs from the banner heading and this is to take account of a reduction in the size of the scheme during the course of the application.
3. The approved plans include the site location plan, parameter plan, proposed access arrangement and proposed access surfaces and materials. All other plans are illustrative. The development would be delivered as 50% within the B2 use class and 50% within the B8 use class.
4. I have framed the main issues below in a slightly different manner to the way in which they were set out within the CMC Summary Note¹. This is in the interests of clarity and to avoid repetition across the two main issues. There are no changes to the substance of the previously identified main issues.
5. A completed planning obligation in the form of a unilateral undertaking has been submitted. The obligation includes provisions for a public right of way contribution, tree contribution, bus stop contribution and biodiversity net gain.

¹ CD-B15 Case Management Conference Summary Note dated 12th March 2025.

6. That the provisions of the planning obligation before me are necessary to make the development acceptable in planning terms, are directly related to the development and fairly and reasonably related in scale and kind to the development is not in dispute between the main parties and they meet the relevant tests².
7. It is rather a financial contribution that is not included within the planning obligation that is a principle issue to be addressed within the main issue. That contribution relates to a sum of £5,375,400 towards New Carrington Infrastructure. The Council consider that this contribution meets the relevant tests³.

Main Issue

8. The main issue is whether the monetary contribution sought under the Interim New Carrington Developer Contributions Formula (NCCF) is justified.

Reasons

9. The site is included within the strategic allocation of New Carrington under the Places for Everyone Joint Development Plan Document (2024) (PFE), amongst other uses identified for around 350,000sqm of employment opportunities for B2/B8 uses. There is an intention for the area to be master planned with the associated infrastructure, including new roads, active travel and new public transport, funded in association with the future development of New Carrington. However, there is currently no masterplan in place and the Council acknowledged at the Inquiry that no public consultation has yet taken place with regard to it. Consequently, it is some way off coming to fruition.
10. The appeal site, consisting of a former landfill, extends to around 11ha being broadly rectangular in shape. It is bounded by Carrington Power Station, open land, a paper mill and the Manchester Ship Canal (MSC). The site incorporates a small scale electricity generation plant and gas fired energy reserve facility. Amongst other things, the parameter plan indicates an employment area along with a retained green infrastructure and woodland buffer.
11. The site would be accessed via the A6144. In one direction this road runs through to Partington and in the other direction, Carrington Village with a connection to the M60 motorway beyond. Routing options for road traffic are limited and in part are constrained by the presence of the MSC and its limited crossing points in the area.

Active Travel/Sustainable Travel

12. The surrounding industrial areas mean that accessing the site via active travel modes is difficult, and whilst it is possible to cycle to the site on the A6144, the high amount of commercial traffic is likely to discourage less experienced cyclists. There are other cycle routes and public rights of way available within the wider area away from the roads and I was able to access the site via bicycle from Flixton Railway station via the Carrington Estate avoiding the need to cycle on the carriageway of main routes for the majority of the journey. However, much of that route, particularly around the Carrington Estate was secluded, indirect and poorly surfaced, factors which would limit the appeal of those routes.

² Contained within Paragraph 58 of the National Planning Policy Framework 2024.

³ CD-B12 CIL Compliance Statement p14-17.

13. There is footpath provision on the A6144 although this would generally involve walking on footways of limited width closely adjacent to the carriageway. The walking distances to many residential properties would be lengthy, which in practical terms would limit the likelihood of this mode of travel being used to access the site from many areas.
14. Partington could be accessed via the footpath network and the footpath to Partington is proposed for improvement, enabled by a financial contribution within the planning obligation. However, this route is currently rather secluded, running between the MSC and the paper mill and because of this its appeal would be likely to be limited.
15. There are bus stops close to the site with a regular service of 5 buses per hour in each direction routing to Trafford, Manchester and Warrington⁴. A financial contribution towards improving the nearby bus stops is included within the planning obligation.
16. There is the realistic potential that the site could be accessed via more sustainable modes of travel such as the bus and there would therefore be alternative means of accessing the site than using a private car. However, despite the improvements associated with the scheme, including the provision of pedestrian crossings and a travel plan the area does and would not support travel to the site via active modes.

Impact of proposal on road network

17. It is common ground between the main parties that the development is forecast to generate 50 two-way vehicle movements in the morning peak hour and 38 in the evening peak hour based on TRICS trip rates⁵.
18. Much of the Inquiry when considering Highways Matters focussed on three junctions, the A6144 / Flixton Road / Isherwood Road, the A6144 / Carrington Spur / Banky Lane and the M60 Junction 8. Future year modelling taking account of consented developments has been undertaken with regard to those junctions by the Council⁶.

A6144 / Flixton Road / Isherwood Road

19. The evidence from the Council indicates that in future year modelling with additional traffic the junction would operate above its design capacity in peak periods, with increases in overall queuing traffic of around 180m in the morning peak and 50m in the evening peak.

A6144 / Carrington Spur / Banky Lane

20. Modelling shows that with additional traffic the junction will operate well above its design capacity in the morning peak period and above its design capacity in the evening peak, with increases in overall queuing by around 300m in the morning peak and around 100m in the evening peak.
21. With both of these junctions, my attention is drawn to more significant impact when accounting for overcapacity operation beyond the modelled hour.

⁴ CD-B09 Highways and Transport Statement of Common Ground p7.

⁵ CD-B09 Highways and Transport Statement of Common Ground p5.

⁶ CD-F05a Highways and Transport Proof of Evidence Gavin Coupe p46-51.

M60 Junction 8

22. For the M60 Junction 8, the model predicts very significant queueing in the morning peak, in both the 'with' and 'without' development scenarios. The modelling indicates that development would effectively add traffic to the back of queues with the knock-on effect of increasing delays.
23. However, the modelling is to some extent disputed by the appellant. Amongst other matters they do not accept that oversaturated conditions will always occur at all times on all arms and at all junctions during peak hours. This is because the presentation of results displays the worst case scenarios and I agree with the appellant⁷ that the modelling presented by the Council is likely to present over-estimated and unrealistic queuing conditions.
24. The modelling does not take account of driver responses to congestion that would occur amongst other factors. Drivers could respond by taking alternative routes where possible, modify travel times or change modes of transport. However, the nature of the network means that alternative route options would be limited, support for active travel is limited and buses would have to contend with queuing traffic in any event. The modelling relies on all accounted for development coming forward.
25. Future impacts on the road network are likely to be lesser than the modelled scenarios. However, it seems inevitable that the proposal would exacerbate traffic congestion on the network through adding to queues.
26. However, importantly, it is common ground that there would be no unacceptable impact on highway safety⁸ nor would the residual cumulative impacts on the road network be severe⁹. I have no reason to come to any other conclusion. The Framework advises that development should only be prevented on highways grounds if either of those circumstances would occur when considering development proposals.

Interim Planning Strategy

27. The Trafford Council Infrastructure & Development in New Carrington Report and Infrastructure and Development in New Carrington – Developer Contributions Report lead onto the NCCF. The second report introduced the NCCF which is a formula to be employed so that financial contributions towards infrastructure in New Carrington could be sought prior to the adoption of the New Carrington Masterplan.
28. I accept that the NCCF is based on information contained within the PFE evidence base, however by the Council's own admission¹⁰, the NCCF was not subject to detailed costing and viability sensitivity testing which is anticipated as part of the masterplan.
29. Further, the design and infrastructure specifications for the New Carrington allocation do not appear to be known¹¹. The location and cost of supporting infrastructure is also unknown with it being suggested that this will come forward as part of the masterplan¹². This makes assessing a proportionate contribution

⁷ CD-G01 Carl Peers Highway Rebuttal Proof p16.

⁸ CD-B09 Highways and Transportation Statement of Common Ground p5.

⁹ As noted by the Council's Highways Witness and within CD-H07 Appellant Closing Submissions p2.

¹⁰ CD-F04a Caroline Wright Proof of Evidence p31.

¹¹ CD-F04a Caroline Wright Proof of Evidence p32.

¹² CD-E10 Infrastructure and Development in New Carrington – Developer Contributions Report p7.

extremely difficult and this is reflected in the very significant 'buffer' allowance of 30% which is incorporated into the NCCF. In this case it would equate to a substantial sum of money, at approximately £1.6 million.

30. The appellant is unwilling to pay the £5,375,400 and as such the proposal would conflict with these reports as it would not provide the suggested funds to support the infrastructure required as part of the masterplan.
31. However, as with the masterplan, no public consultation has taken place on both reports. The Council's planning witness acknowledged at the Inquiry that in general, public consultation is important, and it is an important factor in assessing weight to the afforded to such documents. I agree with both of those positions.

Policy background

32. Policy JP-Strat11 of the PFE seeks amongst other things, the delivery of employment floorspace within New Carrington. It also states that major investment in active travel, public transport and highway infrastructure, such as the Carrington Relief Road, improvements to Junction 8 of the M60 and public transport corridors will be delivered to support the development of New Carrington. Policy JP Allocation 30 New Carrington of the PFE states that amongst other things development will be required to be in accordance with a masterplan. With regards to Transport, Integration and Accessibility it states that development of the site will be required to amongst other things make provision for new and improved sustainable transport and highways infrastructure, including the delivery of the Carrington Relief Road.
33. There would be conflict with both policies given the proposal does not contribute to the Carrington Relief Road and other supporting infrastructure although the proposal can also not accord with a non-existent masterplan.
34. Policy L4 of the Trafford Local Plan: Core Strategy (2012) (CS) seeks amongst other things to promote the development of a sustainable integrated transport network and seek developer funding towards the provision or improvement of highway and public transport schemes. Although more limited transport interventions would be funded through the planning obligations, more substantial funding for example towards the Carrington Relief Road would not.
35. Policy JP-C8 of the PFE relates to Transport Requirements of New Development and states that through various measures new development is required to be located and designed to enable and encourage walking, cycling and public transport use, to reduce the negative effects of car dependency, and help deliver high quality, attractive, liveable and sustainable environments. Policy JP-Strat 14 of the PFE seeks to further support the making of journeys by more sustainable modes of transport. There would therefore be some conflict with these policies.
36. Policy JP-D1 of the PFE relates to Infrastructure Implementation. It supports the provision of new infrastructure including sustainable transport through funding and along with Policy JP-D2 of the PFE outlines that such funding could be secured through planning obligations. Policy JP-D1 where it relates to funding, states that a Local Planning Authority should set out policies which indicate the level of contributions required. The proposal would not conflict with these policies.

Other Matters

37. It is common ground that the presence of nearby heritage assets does not pose an impediment to the proposal but the effect of the proposal on the setting of the nearby assets is not agreed by the main parties.
38. The heritage assets include the designated Grade II* Church of St George and non-designated heritage assets in the form of the former schoolhouse and former vicarage along with the MSC. The buildings are set away from the site on the opposite side of the A6144, whilst the MSC runs to the opposite side of the site.
39. The Church of St George, former schoolhouse and former vicarage have significance as attractive and historic buildings which reference the lesser developed history of the area. The MSC has significance as an example of Victorian engineering having allowed the transportation of goods between Manchester and the Irish Sea.
40. The MSC is already dominated by large, modern, industrial and commercial buildings adjacent to its banks and there would be no adverse impact on the setting of that asset.
41. However, I agree with the Council that the sites absence of development positively contributes to a sense of rural character, referencing the lesser developed history of the area. This in turn makes a positive contribution to the setting of the Church of St George, the former schoolhouse and former vicarage.
42. Given the substantial level of development proposed, the slight positive contribution that the site makes to the area and to the setting of those buildings would be eroded. Therefore, the proposal would harm the setting of the heritage assets resulting in harm to their significance.
43. The heritage harm to the setting of the Church of St George would be less than substantial. Given the distance between the site and the asset along with intervening land and tree and shrub screening, the extent of harm within the less than substantial harm category would be extremely limited. Nonetheless, the Framework requires that this harm be weighed against the public benefits of the proposal.
44. For the same reasons, the heritage harm to the setting of the former schoolhouse and former vicarage would be extremely limited. The Framework requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account.
45. There is nothing to indicate that the proposal would cause any unacceptable harm to any ecological assets within the area including peat moss nor have any significant adverse impact on the living conditions of residents within the area.

Planning Balance

46. There would be conflict with policies JP-Strat11, JP Allocation 30, JP-C8 and JP-Strat 14 of the PFE along with Policy L4 of the CS along with the NCCF and its supporting reports. The proposal would therefore conflict with the development plan as a whole.

47. However, the proposal cannot accord with a masterplan that has not been produced or which does not appear to be imminent. Further, the suggested remedy to the policy conflict with regard to this proposal would be a payment of £5,375,400 towards infrastructure within New Carrington.
48. The monetary contribution sought under the NCCF is not justified as the planning obligation which would need to be used to secure it would not meet tests a) and c) within Paragraph 58 of the Framework and the planning obligation to secure such is not necessary to make the development acceptable in planning terms.
49. This is because whilst I note that the area would not support travel to the site via active modes of travel, there would be no unacceptable impact on highway safety nor would the residual cumulative impacts on the road network be severe.
50. Further, the planning obligation which would secure the contribution would not be fairly and reasonably related in scale and kind to the development. This is due to the uncertainties in the absence of the masterplan given the lack of evidence on the design and infrastructure specifications and costings, viability testing, the significant 30% buffer as well as the lack of public consultation which restrict the weight I can afford to the NCCF.
51. The development would make a notable contribution towards meeting the employment and economic growth aspirations for the New Carrington Area through the supply of a substantial amount of B2 and B8 floorspace. This would be of benefit to the local economy and create jobs both within the construction and operational phases within an area earmarked for such development in substantial amounts. This is of substantial weight in favour of the proposal.
52. There would be the provision of 10% biodiversity net gain and some improvements to Active Travel/Sustainable Travel associated with the proposal but these would be limited and localised and I afford these matters limited weight. There is also nothing to indicate that the proposal would undermine any of the aims of the future masterplan, given the peripheral location of the site adjacent to the MSC.
53. The public benefits of the proposal would outweigh the heritage harm to the Grade II* Church of St George. The harm to the setting of non-designated heritage assets would also be outweighed by the benefits of the proposal.
54. Despite evidence provided, given my conclusions above, it has not been necessary to consider the effect of the contribution required under the NCCF on the viability of the proposal.

Conditions

55. Conditions 1-5 are necessary to define the development. Conditions 6, 9, 18 and 30 are necessary in the interests of the character and appearance of the area. Condition 7 is necessary to ensure adequate parking is provided for the development. Conditions 8, 10, 24 and 31 are necessary in the interests of sustainability. Condition 11 is necessary to reduce the risk of crime. Condition 12 is necessary to ensure no unacceptable impact on air quality. Conditions 13, 21 and 32 are necessary in the interests of the living conditions of those in the area. Condition 14 is required to ensure the development is phased appropriately. Conditions 15, 29 and 33 are required to ensure there is no unacceptable risk relating to contaminated land. Conditions 16, 17, 25, 26, 27, 28 and 34 are

necessary in the interests of biodiversity. Conditions 19 and 20 are necessary to ensure adequate drainage of the site. Conditions 22 and 23 are necessary in the interests of accessibility.

Conclusion

56. For the reasons set out above, material considerations indicate that a decision should be made otherwise than in accordance with the development plan and the appeal should be allowed.

T Burnham

INSPECTOR

SCHEDULE OF CONDITIONS

1. Details of the appearance, landscaping, layout, and scale, (hereinafter referred to as the reserved matters) for each phase of the development as defined by the Phasing Plan agreed as part of condition 14 shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase begins, and the development shall be carried out as approved.
2. Applications for the approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and the development hereby permitted must be begun no later than whichever is the later of the following dates: (a) The expiration of three years from the date of this permission; or (b) The expiration of two years from the approval of the last of the reserved matters to be approved.
3. The development hereby permitted shall not be carried out except in accordance with the following approved plans: Site Location Plan (ref. DWG05 Rev. B), Parameter Plan (ref. DWG06 Rev. J), Proposed Access Arrangement (ref. 74194-CUR-00-XX-DR-TP-03005-P02) & Proposed Access Surfaces and Materials (ref. 74194-CUR-XX-00-D-TP-75005-P01).
4. The maximum quantum of development on this site shall not exceed a total of 15,500 square metres (of Class B2/Class B8 floorspace in combination).
5. No more than 50 per cent of the maximum 15,500 square metres of floorspace hereby approved shall be used for Class B2 (General Industrial) purposes. The condition is drafted with reference to the Town and Country Planning (Use Classes) Order 1987 as amended but it shall apply to any equivalent uses/Classes in any statutory instrument revoking and re-acting that Order with or without modification.

6. The layout details submitted pursuant to condition 1 shall include details of the levels of the existing site and the finished site and floor levels of the proposed development relative to existing levels on the boundaries of the site and shall also include proposed building sections and long-range site sections. The development shall thereafter be carried out in accordance with the approved details.

7. The layout details submitted pursuant to condition 1 shall include details of the parking that would be provided as part of the development or specified phase of development. The submitted details shall cross-refer to the quantum of floorspace and the use/s sought. The submitted details shall include a car parking layout and confirmation of the quantity of car and other motorised-vehicle spaces (including motorcycles), mobility spaces, cycle spaces, and electric vehicle charging spaces. The approved parking details shall be implemented prior to the use of the development commencing, or use of that specified phase, and shall thereafter be retained for the lifetime of the development.

8. The layout and/or appearance details submitted pursuant to condition 1 shall include details of the features and measures that would be incorporated into the development or specified phase of development in order to ensure that the development would meet the policy requirement of being net zero carbon in operational terms (unless it can be demonstrated that the achievement of operational net zero carbon would not be practicable or financially viable).

9. The landscape details submitted pursuant to condition 1 shall include:

- i. The formation of any banks, terraces or other earthworks;
- ii. Existing plants/trees to be retained (including a scheme for their protection during the construction period);
- iii. A planting plan(s) showing the planting layout of proposed tree, hedge, shrub and grass areas (and which shall show tree planting within car park areas in accordance with adopted guidance);
- iv. A schedule of proposed planting (indicating species, size at time of planting and numbers/densities of plants);
- v. A written specification outlining cultivation and other operations associated with plant and grass establishment;
- vi. A schedule of maintenance, including watering and weed control; and
- vii. A schedule of implementation.

The landscaping shall be provided and maintained in accordance with the approved details.

10. Full details of the development's ability to exploit the use of decentralised heat/energy networks shall be submitted as part of application(s) for reserved matters approval as required by condition 1.

11. Full details of the features and measures to be incorporated within the development to contribute towards the prevention of crime shall be submitted as part of application(s) for reserved matters approval as required by condition 1.

12. An updated Air Quality Assessment of the development or any specified phase of the development shall be submitted as part of application(s) for reserved matters

approval as required by condition 1. The submitted assessment(s) shall have regard to the operational characteristics and the intended use/s and/or user/s of the development proposed.

13. An updated Noise Impact Assessment of the development or any specified phase of the development shall be submitted as part of application(s) for reserved matters approval as required by condition 1. The submitted assessment(s) shall have regard to the operational characteristics and the intended use/s and user/s of the development proposed and shall also give consideration to the location of external plant.

14. Prior to the commencement of development, or in conjunction with the submission of the first reserved matters (whichever is the sooner), a phasing plan showing the proposed sequence of development shall be submitted to and approved in writing by the Local Planning Authority. The submitted phasing plan shall include details of the following in relation to the provision of the approved Class B2/Class B8 floorspace:

- i. The timing of the provision of highway and drainage infrastructure to serve the proposed development;
- ii. The timing of on-site biodiversity enhancement and woodland management, and all hard and soft landscape features including new tree, grass, shrub and hedge planting; and
- iii. The timing of the provision of on-site amenity space.

The development shall be carried out in accordance with the approved phasing plan, unless otherwise agreed in writing by the Local Planning Authority.

15. No development shall take place unless and until a site-wide investigation and risk assessment in relation to contamination on site has been submitted to and approved in writing by the Local Planning Authority. The submitted assessment, which shall be undertaken by competent persons, shall investigate the nature and extent of any contamination on site (whether or not it originates on site). The submitted assessment shall include the following:

- i. A survey of the extent, scale and nature of contamination;
- ii. An assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments;
- iii. Where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s) to form a remediation strategy for the site;
- iv. A remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
- v. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action;

The development shall thereafter be carried out in full accordance with the approved remediation strategy prior to any commencement in use of the development hereby approved.

16. No development, or any specified phase of the development (subject to the approval of the phasing plan required by condition 14) shall take place unless and until full details of biodiversity enhancement measures to be provided within the development or that phase of development have been submitted to and approved in writing. The submitted details shall include, but shall not be restricted to, a scheme for the management of any retained woodland within the development or that phase of development and shall provide an implementation schedule for all proposed biodiversity enhancement measures. The development shall be implemented in accordance with the approved details and thereafter the biodiversity enhancement measures shall be maintained and retained for the lifetime of the development.

17. No development, or any specified phase of the development (subject to the approval of the phasing plan required by condition 14), shall take place unless and until a Landscape and Ecological Management Plan (LEMP) for the development or that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The submitted LEMP(s) shall contain a scheme for the landscape and ecological management of all landscaped areas within the development or that phase of the development (including areas of hard and soft landscaping, tree planting, retained and enhanced woodland, and all other on-site ecological features). The submitted LEMP(s) shall include:

- i. A description and evaluation of features within the site (or that part of the site affected by that phase) to be managed;
- ii. Ecological trends and constraints within the site (or that part of the site affected by that phase) which may influence management;
- iii. Aims and objectives of management (which shall be guided by the policy requirement to achieve a minimum of 10% biodiversity net gain across the full site area (through on-site or off-site provision) and with the extent of that net gain achieved on site maximised including within each specified phase);
- iv. A Biodiversity Impact Assessment (prepared in accordance with published guidance which supported Biodiversity Metric 3.0) which shall demonstrate the matters covered in item iii above and which shall identify any shortfall in achieving a minimum of 10% biodiversity net gain across the full site area);
- v. An account of the cumulative extent of biodiversity net gain achieved across the full site area when having regard to any previous LEMP(s) and previous Biodiversity Impacts Assessment(s) submitted for any earlier phase(s) of development;
- vi. Appropriate management options for achieving aims and objectives and prescriptions for management actions;
- vii. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five year period);

- viii. Details of the party/parties responsible for the implementation of the LEMP;
- ix. Details of the arrangements for ongoing monitoring and of long-term review mechanisms (over a period of at least 30 years from the date of approval of the LEMP);
- x. Details of how contingencies and/or remedial action will be identified, agreed and implemented in order to meet the objectives of the LEMP including over the long-term; and
- xi. Details of the legal and funding mechanism by which the long-term implementation of the plan will be secured.

The LEMP(s) shall be implemented as approved and shall remain in force throughout the period specified.

18. No development, or any specified phase of the development (subject to the approval of the phasing plan required by condition 14), shall take place unless and until a Tree Schedule for the development or that phase of development has been submitted to and approved in writing by the Local Planning Authority. The submitted Tree Schedule(s) shall identify the number of trees that shall be removed in that phase of development and a strategy for the replacement of the trees lost by that phase of development. The submitted Tree Schedule(s) shall also include:

- i. A Tree Survey (undertaken in accordance with established standards) of trees within the site;
- ii. Identification of trees, as part of a submitted Arboricultural Impact Assessment (undertaken in accordance with established standards), to be removed as part of the development or phase of development and confirmation of the overall number of trees to be lost;
- iii. Identification of trees (or tree groups) to be retained, enhanced and managed as part of the development or phase of development;
- iv. Identification of new trees/hedgerows (including quantities) to be planted as part of the development or phase of development. This shall have regard to the adopted guidance requirement for new tree planting to support all new development in addition to the policy requirement for the provision of 2 new trees for each tree lost, and it shall aim to maximise new/replacement planting on site;
- v. Identification of any shortfall in on site new/replacement planting when having regard to the guidance/policy requirement; and
- vi. An account of the cumulative extent of tree loss and new/replacement planting when having regard to any previous Tree Schedule(s) submitted for any earlier phase(s) of development.

The Tree Schedule(s) shall be implemented as approved. No trees shall be removed other than in accordance with the approved Tree Schedule(s). Any trees removed without such consent shall be replaced by trees of a similar size and species.

19. No development, or any specified phase of development (subject to the approval of the phasing plan required by condition 14), shall take place unless and until full details of a scheme for surface water drainage to serve the development or phase of development has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the maintenance and management of the proposed surface water drainage system, and an implementation schedule of surface water drainage. The submitted scheme shall also have regard to condition 33. The development shall be carried out in accordance with the approved details.

20. No development, or any specified phase of development (subject to the approval of the phasing plan required by condition 14), shall take place unless and until full details of a scheme for foul drainage to serve the development or phase of development has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of maintenance and management of the proposed foul drainage system, and an implementation schedule of foul drainage. The development shall be carried out in accordance with the approved details.

21. No development, or any specified phase of the development (subject to the approval of the phasing plan required by condition 14), shall take place unless and until a Construction Method Statement for that work or phase has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:

- i. measures to minimise the impact of the works on the use of Public Right of Way Carrington 7;
- ii. the parking of vehicles of site operatives and visitors;
- iii. loading and unloading of plant and materials including times of access/egress;
- iv. storage of plant and materials used in constructing the development;
- v. the erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate, and information for members of the public;
- vi. wheel washing facilities, including measures for keeping the highway clean;
- vii. measures to control the emission of dust and dirt during construction and procedures to be adopted in response to complaints of fugitive dust emissions;
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works;
- ix. hours of construction activity;

- x. measures to prevent disturbance from noise and vibration, including any piling activity; and
- xi. site compound layout.

The approved Statement(s) shall be adhered to throughout the construction period of the development or of that respective phase.

22. No development affecting Public Right of Way Carrington 7 shall take place unless and until full design and section details of the improvement works to, and within the vicinity of, the Public Right of Way have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall also cover the proposed surface materials, hard/soft landscaping, any external lighting and signage. The approved improvement works shall be implemented prior to the first use of the development.

23. No development associated with the provision of two pedestrian crossing points (one to A6144 Manchester Road and one to the private access road at the site's southern edge, as indicated on approved plan ref. 74194-CUR-00-XX-DR-TP-03005-P02) shall take place unless and until full design and section details of the proposed crossing points have been submitted to and approved in writing by the Local Planning Authority. The approved pedestrian crossing points shall be installed prior to the first use of the development commencing and shall thereafter be retained.

24. Prior to the commencement of development or specified phase of development (subject to the approval of the phasing plan required by condition 14), a Waste Management and Servicing Strategy for the development or phase of development shall be submitted to and approved in writing by the Local Planning Authority. The submitted strategy shall identify suitable provision of storage and collection space for refuse and recycling bins together with the arrangements for the collection of waste, and it shall demonstrate that waste collections could be undertaken safely and conveniently within the site. The Waste Management Strategy shall be implemented as approved.

25. Prior to the commencement of development or any specified phase of the development (subject to the approval of the phasing plan required by condition 14), an updated badger survey shall be submitted to and approved in writing by the Local Planning Authority. The pre-commencement survey(s), which shall follow established survey methods and practices, shall establish whether there have been any changes in the presence and/or existence of badgers and their setts in the period since the last badger survey, and shall identify any new ecological impacts that may arise from any changes, and any mitigation that may be required. Vegetation clearance and construction of the development shall take place in accordance with the recommendations of the approved pre-commencement survey(s).

26. Prior to the commencement of development or any specified phase of the development (subject to the approval of the phasing plan required by condition 14), a Reasonable Avoidance Measures (RAMS) Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The submitted method statement(s) shall demonstrate that safeguards shall be put in place throughout the

period of vegetation clearance and construction with the purpose of minimising and preventing any harm to protected species. Vegetation clearance and construction of the development shall take place in accordance with the recommendations of the approved RAMS Method Statement(s).

27. Prior to the commencement of development or any specified phase of the development (subject to the approval of the phasing plan required by condition 14), an Invasive Species Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted plan(s) shall demonstrate the measures that shall be adopted to remove invasive non-native species which have been found on site and to prevent further spread. The Invasive Species Management Plan(s) shall be implemented as approved.

28. Prior to commencement of any above ground works of the development or of a specified phase of the development (subject to the approval of the phasing plan required by condition 14), a lighting strategy for any external lighting proposed within the development or phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted lighting strategy shall demonstrate that any external lighting would be designed, located and operated in order to minimise adverse impacts on features of ecological interest. External lighting shall be installed only in accordance with the approved lighting strategy.

29. No commencement of the use of the development shall take place unless and until a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan, where required (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

30. Prior to the commencement of use of any phase of development (subject to the approval of the phasing plan required by condition 14), a site management plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted plan shall detail the arrangements for the maintenance and management of all internal roads, footpaths and parking areas, and all common areas (including the on-site amenity space) provided within that particular phase of development and (other than for the first phase of development) operating in conjunction with earlier phase/s of development. Thereafter the development shall be implemented and operated in accordance with the last management plan to be approved.

31. Prior to the commencement of use of the development or the commencement of use of any specified phase of development (subject to the approval of the phasing plan required by condition 14), a Travel Plan for the development or that phase of development, and which shall include measurable targets for reducing car travel, shall be submitted to and approved in writing by the Local Planning Authority. Upon the commencement of use of the development or the use of the specified phase to which the Travel Plan relates, the approved Travel Plan shall be implemented and thereafter

shall continue to be implemented throughout a period of ten years commencing on the date of first use.

32. No piling, or any other foundation designs using penetrative methods, shall take place as part of any phase of the development hereby approved unless and until a piling method statement has been submitted to and approved in writing by the Local Planning Authority. The submitted statement shall detail the depth and type of piling to be undertaken and the methodology by which such piling shall be carried out, including measures to prevent and minimise any pollution risks to groundwater. Any piling activity shall be undertaken in accordance with the approved piling method statement.

33. No infiltration of surface water drainage into the ground where adverse concentrations of contamination are known or suspected to be presented shall take place as part of the development hereby approved unless and until an infiltration method statement has been submitted to and approved in writing by the Local Planning Authority. The submitted statement shall demonstrate the methods by which such infiltration would take place whilst preventing and minimising any pollution risks to groundwater. Any infiltration shall take place in accordance with the approved infiltration method statement.

34. No clearance of trees, hedgerows or shrubs shall take place during the bird nesting season (March to August inclusive) unless and until a competent ecologist has undertaken a careful, detailed check of the vegetation for active birds' nests immediately before the works commence. Should the check reveal the presence of any nesting birds, then no such works shall take place during the period specified above unless and until a mitigation strategy has first been submitted to and approved in writing by the Local Planning Authority which provides for the protection of nesting birds during the period of works on site. The mitigation strategy shall be implemented as approved.

APPEARANCES

FOR THE APPELLANT:

Ian Ponter, instructed by Greg Dickson (Stantec)

Carl Peers BA (Hons) MSc CMILT FCIHT (Highways)

Matthew Spilsbury BA (Hons) MSc MRICS MRTPI (Viability)

Greg Dickson BSc (Hons) MA MRTPI (Planning)

FOR THE LOCAL PLANNING AUTHORITY:

David Forsdick KC, instructed by Clare Petford (Borough Solicitor)

Gavin Coupe BSc (Hons) MSc MTPS (Highways)

Simon Heather BSc (Hons) MRICS (Viability)

Caroline Wright – MTCP MRTPI (Planning)

DOCUMENTS SUBMITTED AT INQUIRY:

Appellant Opening Statement (CD-H03)

Council Opening Statement (CD-H04)

Geotechnical Review by Geotech Nicholls Ltd (CD-H01)

Summary of Comparator Sites by Simon Heather (CD-H02)

Peaks Nook Carrington Geotechnical Note E3P (CD-H05)

Appellant Closing Statement (CD-H07)

Council Closing Statement (CD-H08)

DOCUMENTS SUBMITTED AFTER INQUIRY:

Final agreed planning conditions (CH-H09)

Final unilateral undertaking (CD-H10)