
REPORT

Of

Strategic Director for Environment and Community Safety

To the

Planning & Transportation Regulatory Panel

5th September 2013

Planning Applications and Related Development Control Matters

(Not considered to contain exempt information)

Non-members of the panel are invited to attend the meeting during
consideration of any applications included within the report
in which they have a particular interest.

MAIN REPORT

PLANNING AND TRANSPORTATION REGULATORY PANEL

THE LOCAL GOVERNMENT ACT 192-SECTIONS 100A-100K

LIST OF BACKGROUND PAPERS

The “Background Papers” relating to all reports on Planning Applications appearing in this report are: -

1. The appropriate ‘Development Information Folder’ for each planning application on the Agenda. The contents of the folder include the following documents:
 - (a) The submitted planning application (forms, plans and supporting documents and Information)
 - (b) Correspondence with statutory and other consultees;
 - (c) Letters and other documents from interested parties.
2. Any previous planning applications and subsequent Decision Notices (if issued referred to in each planning application report on this Agenda.
3. Any Tree Preservation Order referred to in each planning application report on the agenda.
4. Any Conservation Area Plan referred to in each planning application report on the agenda.
5. The “Standard Planning Conditions Etc...” ‘Booklet’.
6. Papers specifically listed under a heading “Other Background Papers” in any planning report on the agenda.

These Background Papers can normally be inspected between the hours of 8.30 am and 4.30 pm on any weekday (except Bank Holidays) at Urban Vision Partnership Ltd reception at Emerson House, Albert Street, Eccles. Whilst background papers will be made available for inspection as quickly as possible, immediate access cannot be guaranteed. It is therefore advisable wherever practical, to make an appointment by telephoning (0161) 779 4851. Alternatively the planning application forms, plans and supporting information is available on the Council’s web site www.salford.gov.uk/living/planning/planninglist.

Publications

In considering planning applications or legal action, the City Council has regard to a wide range of published documents, although not ‘Background Papers’ for the purposes of the Local Government Act 1972 – Sections 100A-100K, are nevertheless important to the consideration of these matters.

The Government in particular has published a large number of circulars and Statutory Instruments in addition to the primary legislation and these are available from Her Majesty’s Stationery Office, which has a bookshop in Manchester.

The following Local Authority publications are available for inspection at Emerson House, Albert Street, Eccles where, in many cases, copies can be purchased. Also they can be viewed on the Council’s web site

www.salford.gov.uk/living/planningadvice/plan-policies.htm

- Design and Crime – SPD
- Trees and Development – SPD
- House Extensions – SPD
- Housing Planning Guidance
- Salford Green Space Strategy – SPD
- Nature Conservation & Biodiversity – SPD
- Lower Broughton Design Code – SPD
- Ellesmere Park – SPD
- Hot Food Take Aways - SPD
- Telecommunications - SPD
- Planning Obligations - SPD
- Sustainable Design and Construction SPD
- Design SPD
- Education Contributions SPD

The following Planning Guidance documents have been adopted by the city council or are being produced at present: -

- The Exchange, Greengate
- Mediacity:uk & Quays Point
- Housing Planning Guidance
- Claremont and Weaste Neighbourhood Plan
- Salford City Council - UDP Policy E5: Development in Established Employment Areas
- Flood Risk and Development Planning Guidance
- Salford central
- Irwell City Park
- Ordsall Riverside
- Pendleton Planning Guidance

Amendments/Additional Information received after the completion of this series of reports

Any amendment/additional information, such as amendments to planning applications, additional information from applicants or consultees, representations from interested parties, etc.... received AFTER the preparation of this series of reports will be reported at the Panel meeting together with any changes to my recommendation.

PLANNING & TRANSPORTATION REGULATORY PANEL

Set out below are details of all of the items which will be considered by the Planning and Transportation Regulatory Panel at their meeting. Some of these applications may be subject to a s.106 legal agreement (planning obligation). Where this is the case it will be stated next to the recommendation using the code 'S106' as detailed in the list of codes below.

Ward Members may make representations to the Panel on all items below including those with an associated s.106 legal agreement.

INDEX TO REPORT

DATE: 05.09.2013

RECOMMENDATION

PER	=	Approve
AUTH	=	Consent
REF	=	Refuse
FUL	=	Full application
ADV	=	Advert Application
OUT	=	Outline Application
HH	=	Householder Application
REM	=	Reserved Matters
COU	=	Change of use
LBC	=	Listed Building Consent
CON	=	Conservation Area Consent
S106	=	Subject to a S106 Obligation

Walkden South

13/63182/OUT

RECOMMENDATION: APPROVE

PAGE 1

TIME OF MEETING: **9.30am**

PROPOSAL: Outline planning application with details of reserved matters for the access, construction of up to 24 dwelling houses

LOCATION: Land To The East Of
Greylag Crescent
Worsley

APPLICANT: Ms Louise Morrissey - Peel Investments (North) Ltd

Boothstown And Ellenbrook

13/63230/OUT

RECOMMENDATION: APPROVE

PAGE 29

TIME OF MEETING: **11.30am**

PROPOSAL: Outline planning application with details of reserved matters for the access, construction of up to 100 dwelling houses

LOCATION: Land Off Vicars Hall Lane And Highclove Lane
Boothstown
Salford

Ordsall

12/62638/FUL

RECOMMENDATION: APPROVE

PAGE 59

TIME OF MEETING: **1.30pm**

PROPOSAL: Erection of 12 industrial units (B2) with associated access, landscape and parking

LOCATION: Charles House
325 Ordsall Lane
Salford
M5 3HP

APPLICANT: Digital Village Salford Quays LLP

Ordsall

13/63394/FUL

RECOMMENDATION: APPROVE

PAGE 73

TIME OF MEETING: **1.30pm**

PROPOSAL: Change of use of vacant land to allotments, installation of sheds, two containers and other associated equipment and erection of 2.4m high railings

LOCATION: Land Formerly The Jubilee
Tatton Street
Salford

APPLICANT: Mr Tommy McMullen - Ordsall Community Allotment Society

Irwell Riverside

12/61649/OUT

RECOMMENDATION: APPROVE

PAGE 83

TIME OF MEETING: **1.30pm**

PROPOSAL: Outline application with all matters reserved for a foodstore (A1 Retail) and up to 40 dwellings with associated car parking

LOCATION: Land To The East Of
Springfield Lane
Salford

APPLICANT: Urban Splash Ltd & Si Si Investments Ltd

Ordsall

13/63370/FUL

RECOMMENDATION: APPROVE

PAGE 113

TIME OF MEETING: **1.30pm**

PROPOSAL: Demolition of existing buildings and erection of a part three / part four storey 6478sqm, 720 place Creative Industry University Technical College, with associated landscaping and car parking.

LOCATION: Units 3 To 4 Washington Centre
100-102 Broadway
Broadway
Salford
M50 2UW

APPLICANT: Mr Adrian Blackie - BAM Construction Ltd (North West)

Irwell Riverside

13/63457/HYB

RECOMMENDATION: APPROVE

PAGE 129

TIME OF MEETING: **3.15pm**

PROPOSAL: Demolition of existing buildings and structures and full planning permission for the carrying out public realm improvement works, improvements to existing pedestrian and vehicular accesses, landscaping and internal pedestrian and highway works, and outline planning permission for the erection of up to 2100 student bedrooms within 3 no. blocks (maximum of 10 storeys above podium) including undercroft car parking with removal of Condition 13 relating to tree replacement.

LOCATION: Peel Park Campus
University Of Salford
Crescent
Salford

APPLICANT: C/o Agent - Salford Village Limited

Irlam

12/62701/EIAHYB

RECOMMENDATION: APPROVE

PAGE 139

TIME OF MEETING: **3.15pm**

PROPOSAL: Application to vary condition number 4 (approved plan condition) attached to planning permission 12/61611/ EIAHYB for a multi-modal freight interchange comprising rail served distribution warehousing, rail link and sidings, inter-modal and ancillary facilities including a canal quay and berths, vehicle parking, hardstanding, landscaping, re-routing of Salteye Brook, a new signal controlled access to the A57 and related highway works including realignment of the A57 and improvements to the M60 (Port Salford). Canal crossing and associated roads and other highway improvements as part of the Western Gateway Infrastructure Scheme (WGIS). The amendment relates to a road realignment of part WGIS.

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

APPLICANT: Sheila Wright - Peel Investments (North) Ltd

Irlam

13/62779/EIA

RECOMMENDATION: APPROVE

PAGE 180

TIME OF MEETING: **3.15pm**

PROPOSAL: Application to vary condition 2 (approved plan condition) of planning permission 12/61631/EIA for the construction of a highway in connection with the re-alignment of the Western Gateway Infrastructure Scheme (WGIS) and planning application 12/61611/EIAHYB. The amendment relates to a road realignment of Part WGIS.

LOCATION: Land Between Midpoint Of Manchester Ship Canal And Liverpool Road, Eccles, Salford

APPLICANT: Sheila Wright - Peel Investments (North) Ltd

PLANNING & TRANSPORTATION REGULATORY PANEL
PART I
SECTION 1: APPLICATIONS FOR PLANNING PERMISSION

<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=MLHQ5TNP5Y000>

APPLICATION No: 13/63182/OUT

APPLICANT: Ms Louise Morrissey - Peel Investments (North) Ltd

LOCATION: Land to the east of Greylag Crescent, Worsley

PROPOSAL: Outline planning application with details of reserved matters for the access, construction of up to 24 dwelling houses

WARD: Walkden South



Description of Site and Surrounding Area

The application site is located to the east of Greylag Crescent and itself is broadly rectangular in shape. The site comprises an area of 0.94 hectares and generally slopes from north to south, with levels at the northern end being generally in the region of 53.26 m AOD to 53.88 m AOD. The main portion of the site comprises an area of rough grass land which is currently used for grazing horses.

The site is bounded to the west by a raised public footpath (footpath 80), further to which there are the existing residential properties located on Greylag Crescent. To the north the site is bound by the Worsley Loop Line recreation route, beyond which lies residential development. The A580 East Lancashire Road forms the southern boundary of the site and an area of existing woodland is located immediately to the east which is subject to a Tree Preservation Order.

The surrounding area is largely residential in character comprising a mix of residential properties from the 1960s, 70s and 90s. Walkden Town Centre is located approximately 1.3 km north of the application site.

Description of Proposal

The application seeks outline planning consent for the development of up to 24 residential dwellings. All matters are reserved with the exception of access to the site. Three indicative layouts have been submitted for illustrative purposes only. The layout of the scheme; scale, design, materials and architectural details of the buildings; and the developments landscaping and boundary treatments including an acoustic barrier are all details to be submitted as part of a Reserved Matters application should outline permission be granted. The number of units indicated in the description relate to the maximum figure. Provided any future scheme complies with the scale parameters set by this outline and other material considerations at the detailed design stage, there is scope within the site for the numbers of dwellings to vary from the maximum number of units.

As part of the outline application submission, details of access arrangements to be approved are provided. Vehicular access would be via a single access from Greylag Crescent, via a gap between properties 26 and 30. Pedestrian access to the site will be maintained via the public footpath which forms the western and northern boundary of the site as well as two further pedestrian pathways to the north and east of the site.

The three indicative layout plans are based upon the submitted Development Principles Plan (which will be approved should outline consent be granted). Each indicative layout plan presents an alternative layout, comprising a different mix of dwelling types, sizes and numbers. Each of the indicative layouts however are based upon a series of principles which are common to each layout; including three areas for development, a central vehicular access road, with shared driveways running off this; and a woodland footpath through the adjacent woodland which links to the Worsley Loopline. The applicant would undertake management works to the adjacent woodland to enhance the woodland and to provide connectivity from the site to the Worsley Loopline.

A Public Right of Way, located in an elevated position to the western boundary of the site would be severed by the proposed vehicle access. A series of ramps and landings would be provided to ensure continued use of the Public Right of Way.

Whilst scale, layout, design and landscaping are all subject to approval at a later stage, to help demonstrate that the principle of residential development could be acceptable, the application has been accompanied by a range of supporting documents as follows: -

- Development Plan Principles
- Design and Access Statement
- Planning Statement
- Acoustic Assessment
- Air Quality Assessment
- Ecological Survey
- Crime Impact Statement
- Flood Risk Assessment
- Phase 1 Environmental Review
- Tree Report
- Indicative access, footpath diversion and typical cross sections
- Public Right of Way Statement
- Sustainability Checklist
- Planning Obligations Proforma

Relevant Site History

None.

Publicity

Site Notice: Non HH Article 13

Date Displayed: 29 April 2013

Reason: Article 13 affect public right of way
Wider Publicity

Press Advert: Salford Advertiser

Date Published: 9 May 2013

Reason: Article 13 Affect Public right of Way

Community Involvement

The applicant has undertaken pre-application consultation with the local community through distributing a letter and a copy of the Illustrative Masterplan to approximately 230 properties in the surrounding area on the Ellenbrook estate to the west and some properties in South Walkden to the north. The applicant has indicated that a total of 10 responses had been received, of which 9 were against and 1 for the development. The main issues raised were in relation to the loss of open space; traffic generation and impact on local residents.

Neighbour Notification

200 neighbour notification letters were sent out to neighbouring residential properties and business on the 26th April 2013. Those properties consulted included the following: -

- Broadway
- Ellerbeck Crescent
- Gadwall Close
- Greylag Crescent
- Hawfinch Grove
- Harrier Close
- Kingsway
- Nuthatch Avenue
- Redstart Grove
- Valdene Drive
- Wagtail Close
- Walkden Road
- Woodpecker Place

Representations

In January 2013 following a public meeting of over 600 local residents a local campaign group was formed known as Residents Against Inappropriate Development (RAID). RAID comprises a Local Councillors from the Worsley, Boothstown & Ellenbrook and Walkden South and seven community organizations including: -

- Boothstown Residents Association
- Ellenbrook Village Association
- The Worsley Civic Trust Amenity Society
- Broadoak Park Residents Association
- Worsley Village Community
- Moorside South Residents Association
- Friends of Roe Green

RAID has submitted a detailed letter of objection which raises the following issues: -

- The proposal is not in a sustainable location and does not present real a choice of public transport options when considering how to travel
- The applications submitted by the applicant to date are premature. The cumulative effect of the submitted applications, together with the effects of the Burgess Farm and those sites identified by the applicant and submitted as part of the Core Strategy process would be substantial and would prejudice the development plan documents by determining decisions about the scale, location and phasing of new development
- The policy vacuum represents an opportunity to force through a set of housing developments that would severely disrupt and degrade the functionality of the existing infrastructure
- Consideration should be given to the cumulative effects of the proposed development on the community including; increased congestion and queue lengths on the local highway network (including A572, A575, and A580); the severe highway impact on the access to the M60 and M62 at junction 13. This cumulative effect would have an unacceptable impact on highway safety and the ability of the Strategic Route network to function.
- Cumulative effects of proposed development have not been modelled as part of the TA
- The cumulative effects of development have not been modelled by TfGM during the design stage of the LSM Busway and these developments would seriously compromise the weekday morning peak services.
- The lack of a 5 year supply does not mean that planning permission should be granted. The example at Glebelands is stated.
- Salford City Council does have a 5 year supply of housing sites.
- It is not the role of the City Council to be prescriptive and demand that approved applications are built
- The length of the access road means that it would be open to driver abuse and especially dangerous considering the public right of way that crosses the entrance
- Access road is 90 metres long and is open to drivers abuse and is dangerous considering the PROW crosses the site at the entrance.
- Number of parking spaces needs to be addressed at the detailed design stage
- Even the low density option would impact upon the settle community, including highway safety
- Lack of primary school places locally and where there are limited places these are at a distance from the application site and would involve crossing the busy A580 or Walkden Road.
- There is no pressing need for the development. Other applications already with permissions or currently in the pipeline and houses currently on sale will adequately cater for the presumed market that the applicant has identified.
- Woodland acts as a green lung and is crossed by public rights of ways or promissory paths within the woodland. The woodland reduces the chemical pollution of the air and acts to reduce in a small way the pollution generated by the A580. Tree thinning and loss will reduce this function.
- Site is only accessible for the disabled and those with limited or impaired mobility from the road access to the west of the site. The site is not accessible by such groups unless they have access to a car and therefore fails to satisfy UDP policy DES2.
- The closest distance to local amenity is 0.8 miles and the bus stop is 0.7 miles away.
- The setting of the new build close to the footpath, the loss of a mature oak tree and others, and the constructed gradient change as a discontinuity in the footpath are serious and unacceptable impact on the members of neighbouring communities and users of the path and fails to satisfy UDP policy DES7.
- The site is located within an Air Quality Management Area and would have a detrimental impact on air quality. Although an Air Quality Assessment is carried out no survey points are taken within the application site.
- Proposed footpath arrangements may result in a serious collision between users of the footpath and the proposed access.
- Consider that the proposed footpath solution is not the best solution. The gradient ramps should be placed the other way round so that the entrance / exit to the at gradient ramp is further to the right in the plan. Road calming solutions should be sought.
- Flood risk has not been fully considered and finished floor levels should be 300mm or more
- If all of the applicant's proposals were submitted under a single application then this would be too much for the local infrastructure to cope with.
- This is the first of a series of applications that challenges the status of the Worsley Greenway and policy EN2 of the UDP
- No assessment has been carried out that indicates that this site is surplus to future requirements.
- The effect on wildlife should be taken into account

- The development would have an unacceptable impact on one of the city's natural environmental assets contrary to policy ST13

43 letters of objection have been received in response to the application publicity. The following issues have been raised:

- Loss of green space, trees and ponds
- Loss of recreational area
- Impact on the public footpath
- Impact on health and well being as a consequence of increased pollution
- There are a high number of houses for sale already
- Construction impacts (traffic, noise, dust, vibrations)
- Highway impacts including increase in traffic and congestion, highway safety, maintenance and under provision of public transport
- Insufficient infrastructure (school places, medical facilities)
- No secondary school south of the A580
- Impact on residential amenity (noise, traffic)
- Flooding and inadequate drainage
- Impacts to the water table
- Lack of retail facilities in the area
- Impact on property prices
- Impact on wildlife and habitats
- Sufficient brownfield sites available for development

An objection to the proposals has also been received from Barbara Keeley MP. The following issues have been raised:

- Impact on quality of life
- Increased strain infrastructure
- Shortage of primary school places
- Loss of green space
- Land should be protected as Local Green Space
- Increase in traffic on congested roads
- Health implications arising from increased traffic
- Improvements are required to public transport

Consultations

Highways – *“The Transport Note accompanying the application describes the accessibility of the site and in view of the low number of proposed units this development will have a limited impact on the surrounding highway network. As such there is no objection to this proposal. It is noted that this application is outline but the Council would require 2m wide footways on the development”*. However, the minimum requirement for footway width is 1.8m which is shown on the submitted details

Senior Engineer Flood Risk Management – Considers that the Flood Risk Assessment is acceptable. The proposed development meets the requirements of the Sequential Test.

Design For Security - No objections subject to a condition requiring the development be built in accordance with the recommendations contained within the Crime Impact Statement and a condition requiring the development to ultimately achieve Secured by Design accreditation.

Urban Vision Environment (Land Contamination) - No objections subject to implementation of a condition

Urban Vision Environment (Air and Noise) - No objections, although they identify that there are noise and air quality issues that need to be taken into account if planning permission is to be granted. Planning conditions are proposed to secure an appropriate level of amenity.

Environment Agency - No objections to the principle of the development subject to a condition relating to contamination issues.

The Open Spaces Society - No comments received to date

Peak and Northern Footpaths Society –Should a temporary or permanent obstruction be unavoidable, then no development should take place until a Diversion Order has been confirmed and the diversion route, with a satisfactory surface and adequate width and way marking, is available for public use

Ramblers Association Manchester Area - No comments received to date

Little Hulton, Walkden Neighbourhood Manager - No comments received to date

Walkden South and Boothstown and Ellenbrook Ward Councillors – Councillors Andy Cheetham, Jillian Collinson and Robin Garrido (Boothstown & Ellenbrook ward) and Councillors Iain Lindley and Les Turner (Walkden South ward) have submitted a detailed letter of objection and have objected on the following grounds:-

- Consider that the application will have a significant impact on local residents in both wards as well as the wider community.
- Have nominated the application site for designation as a Local Green Space as part of the Local Plan consultation process.
- The cumulative effects of the additional traffic created by the proposed developments would create an unacceptable impact on local roads, which are already strained beyond capacity in peak hours and are completely incapable of absorbing the effect of events such as a severe accident on the M60 and would be contrary to UDP policy A8.
- Any additional development will have a disproportionate impact on existing residents in terms of additional traffic as there is only one means of entrance and exit and would impact upon residential amenity contrary to UDP policy DES7.
- The site is not a sustainable location with suitable access to public transport.
- The site would be difficult to access without the use of a car, and it is clearly not fully accessible to those who have limited mobility contrary to UDP policy DES2.
- The steep slope required to enable the adjacent footpath to cross the site access road would create a significant risk of an accident or collision
- A lack of sufficient school places for families who may move into the proposed development would constitute a failure to provide a sustainable urban neighbourhood as outlined in UDP Policy ST1.
- Loss of a greenfield site which is enjoyed by local residents
- Although the site is not a formal part of the Worsley Greenway it does form part of the wider Greenway corridor. The loss of this site damage the wider amenity value of the Greenway
- The removal of this last remaining green field site which is considered to be a natural environmental asset, plus the loss of a mature oak tree, would be a significant loss of amenity for neighbours and the wider community contrary to policy DES7 and ST13.
- The application site is located within the Greater Manchester Air Quality Management Area and is adjacent to the A580 East Lancashire Road.

Greater Manchester Ecological Unit - No objections subject to conditions to protect the functionality of the wildlife corridor.

United Utilities – No objections. No surface water from the development should be discharged either directly or indirectly to the combined sewer network. This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to a soakaway as stated on the planning application.

Planning Policy

Development Plan Policy

Saved Policies of the City of Salford Unitary Development Plan 2004 - 2016

The Salford Unitary Development Plan (UDP) was adopted on the 21st June 2006. The 2004 Planning and Compulsory Purchase Act automatically saved the UDP Policies for a period of three years from adoption (i.e. until 21 June 2009). The City Council applied to and received the consent of the Secretary of State to save many of the UDP policies beyond 21st June 2009.

The UDP was adopted on 21 June 2006 and although it has been adopted since 2004, the UDP is not a 'development plan document' as defined within the 2004 Planning and Compulsory Purchase Act. Annex 1 of the NPPF offers guidance as to the weight to be afforded to development plan policies in such cases. NPPF paragraph 215 states that, *"due weight should be given to relevant policies in existing plans according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

Unitary Development Plan - Policy ST1 (Sustainable Urban Neighbourhoods)
Unitary Development Plan - Policy ST12 Development Density
Unitary Development Plan - Policy DES1 (Respecting Context)
Unitary Development Plan - Policy DES2 (Circulation and Movement)
Unitary Development Plan - Policy DES3 (Design of Public Space)
Unitary Development Plan - Policy DES4 (Relationship of Development to Public Space)
Unitary Development Plan - Policy DES7 (Amenity of Users and Neighbours)
Unitary Development Plan - Policy DES9 (Landscaping)
Unitary Development Plan - Policy DES10 (Design and Crime)
Unitary Development Plan - Policy H1 (Provision of New Housing Development)
Unitary Development Plan - Policy H8 (Open Space Associated with New Housing Development)
Unitary Development Plan - Policy A2 (Cyclists, Pedestrians and the Disabled)
Unitary Development Plan - Policy A8 (Impact of Development on the Highway Network)
Unitary Development Plan - Policy A10 (Provision of Car, Cycle and Motorcycle Parking in New Developments)
Unitary Development Plan - Policy EN9 (Wildlife Corridors)
Unitary Development Plan - Policy EN12 (Important Landscape Features)
Unitary Development Plan - Policy EN13 (Protected Trees)
Unitary Development Plan - Policy EN17 (Pollution Control)
Unitary Development Plan - Policy EN19 (Flood Risk and Surface Water)
Unitary Development Plan - Policy R1 (Protection of Recreation Land and Facilities)
Unitary Development Plan - Policy DEV5 (Planning Conditions and Obligations)

Other Material Planning Considerations

National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) was published by the Department of Communities and Local Government (DCLG) on the 27th March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied in the determination of planning applications and the preparation of development plans. The NPPF sets out the requirements for the planning system to the extent that it is relevant, proportionate and necessary to do so.

The ministerial forward to the NPPF states that *"Development that is sustainable should go ahead without delay - a presumption in favour of sustainable development that is the basis for every plan and every decision"*. There are three dimensions to sustainable development, including (paragraph 7):

- *"an economic role – contributing to building a strong responsive and competitive economy by ensuring that sufficient land of the right type is available at the right time and in the right places to support growth... .."*
- *"a social role – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, by creating a high quality built environment with accessible local services... .."*
- *"an environmental role – contributing to protecting and enhancing our natural, built and historic environment and as part of this helping to improve bio-diversity... .."*

To achieve sustainable development, economic, social and environmental gains should be sought jointly.

Paragraph 12 of the NPPF states that, *“This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.”*

Paragraph 14 of the NPPF states, *“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.”*

Specific to decision-taking, the NPPF states that this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 1. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 2. *specific policies in the Framework indicate development should be restricted.*

Technical Guidance to the National Planning Policy Framework (March 2012)

The document provides additional guidance to local planning authorities on development in areas at risk of flooding. Guidance is provided within the document on the application of both the sequential and exception tests.

Local Planning Policy

Supplementary Planning Document - Greenspace Strategy
Supplementary Planning Document - Nature Conservation and Biodiversity
Supplementary Planning Document - Design and Crime
Supplementary Planning Document - Trees and Development
Supplementary Planning Document - Planning Obligations
Supplementary Planning Document - Sustainable Design and Construction
Supplementary Planning Document - Design
Supplementary Planning Document – Education Contributions
Planning Guidance - Housing

Other relevant guidance, plans and strategies

Salford West Strategic Regeneration Framework and Action Plan 2008 – 2028 (January 2008)
Prosperity for all: The Greater Manchester Strategy (August 2009)
Planning for Growth Ministerial Statement 23rd March 2011

Appraisal

The main planning issues to be considered in determination of this application are as follows: -

1. Principle of development
 - i) Strategic location
 - ii) Greenfield land
 - iii) Existing uses
 - iv) Proposed uses - Residential
 - a) Identifying the objectively assessed housing need
 - b) Housing land supply assessment
 - c) Qualitative need
 - d) Housing mix, type and density

2. Impact on the highway network; transport infrastructure and public rights of way
 - i) Sustainable location
 - ii) Proposed access arrangements
 - iii) Impacts on highway network
 - iv) Public Right of Way
3. Design and layout
4. Crime and Design
5. Amenity
6. Education
7. Pollution
 - i.) Air Quality
 - ii.) Noise
 - iii.) Contaminated Land
8. Ecology, Nature Conservation and Trees
9. Flood risk and drainage
10. Sustainability credentials
11. Planning Obligations
12. Other issues

1. Principle of development

i) Strategic location

UDP Chapter 3 identifies a Spatial Framework for the City and recognises that the opportunities and the need for development, regeneration and environmental protection vary in their scale and nature across the city. The site is located within Salford West where, *“during the plan period, the emphasis for development will be on continuing to develop Salford West as a series of attractive and thriving neighbourhoods.”*

The application site is identified in the Greenspace Strategy Supplementary Planning Document as comprising land which constitutes a Local Semi – Natural Greenspace (WLH/009 Land Fronting East Lancashire Road) and as such, the site makes a contribution towards the delivery of this local standard. It is noted that the landowner raised no objections to the inclusion of the site within the Greenspace SPD when the document was published. However, it is noted that the document was published in 2006 and is time dated to a certain degree. Sites such as this will be reviewed in due course, in conjunction with the production of Salford Local Plan and will be subject to full public consultation.

The site is currently used to graze horses; however the site does not function as an area for recreation. The site is privately owned by the applicant and there is no public right of access to the site. Although the site is identified in the Greenspace SPD it does not meet all three of the policy tests identified by policy GS1 (Local Semi-Natural Greenspaces) of the Greenspace SPD; that is that the site is not publically accessible without restrictions on entry.

The UDP Proposals Map identifies the site as being a Wildlife Corridor Key Area of Search and as such is afforded policy protection via UDP policy EN9. The open grassland area of the site is also identified in the Biodiversity SPD as being unimproved neutral grassland, and this is a Local Priority Habitat. Greater Manchester Ecology Unit indicate that the sites’ wildlife corridor functionality mainly operates to provide connectivity from west to east, since the A580 to the south and residential development to the north will restrict species movement from north to south. GMEU consider that whilst the built development will cause a degree of fragmentation to the wildlife corridor, mitigation would be provided through the landscaped ‘mound’ and ditch to the south of the development running west-to-east and the management of the woodland to the east. GMEU have recommended conditions to ensure that the proposed ecological mitigation measures are implemented appropriately and to ensure compliance with the policy.

ii) Greenfield land

UDP Policy ST11 (Location of New Development) sought to ensure that new development is located on the most sustainable sites within the city and that less sustainable sites are only brought forward where necessary. In essence the policy identified a sequential approach to development. The policy was not however saved beyond 21st June 2009 because it was not fully in conformity with RSS Policy DP4 (Making Best Use of Existing Resources and Infrastructure) and it was considered that this policy covered the issue adequately. However,

following revocation of RSS, the development plan makes no reference to a sequential approach to use of land, nor does it identify a target for the use of brownfield land.

NPPF paragraph 17 identifies a set of twelve core land use planning principles, of which bullet point 8) states that planning should *“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.”* This encouragement of the use of previously developed land is reiterated in paragraph 111. Although NPPF does encourage the use of brownfield land, it does not set a priority for previously developed land and does not identify a sequential approach test to development.

Clarification on this matter was provided by the Secretary of State, following receipt of the decision on the Burgess Farm application (Appeal Reference APP/U4230/A/11/2157433) on the 16th July 2012. It concludes in paragraph 14 of his decision letter that, *“The Secretary of State agreed that the sequential approach to location of housing development is not reflected in the framework.”* He then went on further to state in paragraph 17 that, *“National planning policy in the Framework encourages the use of previously developed land, but does not promote a sequential approach to land use.”*

While NPPF states that the effective use of land should be encouraged by re-using land that has been previously developed; the NPPF does not promote a sequential approach to land use and there is no presumption that Greenfield sites are unsuitable for development per se. The presumption in favour of sustainable development is an important part of the NPPF and it is noted that delivery of sustainable development is not restricted to the use of previously developed land and can include the development of greenfield land.

iii) Existing uses

The site is currently used to graze horses. The site comprises 0.94 hectares of land and forms a small opening in an otherwise built up area. Access to the site for agricultural purposes is heavily constrained, whilst its size and configuration would clearly restrict the ability to effectively manage the land for agricultural use. The past use of the site has been limited to grazing which reflects these constraints and it is therefore not considered that the site could actively be used for agricultural purposes because of these constraints.

iv) Proposed uses - Residential

NPPF Chapter 6 (Delivering a wide choice of high quality homes) paragraph 47 identifies a clear policy objective to, *“boost significantly the supply of housing”*. Paragraph 17 states further that the planning system should *“proactively drive and support sustainable economic development to deliver new homes....that the country needs. Every effort should be made objectively to identify and then meet the housing...needs of an area.”* NPPF indicates that this will be achieved first and foremost, by local planning authorities, *“using their evidence base to ensure that their local plan meets the full, objectively assessed needs of market and affordable housing in the housing market area,...including identifying key sites which are critical to the delivery of the housing strategy over the plan period.”*

a) Identifying the objectively assessed housing need

Policy L4 (regional housing provision) of the Regional Spatial Strategy (RSS) identified an average annual housing requirement for Salford of 1,600 dwellings net of clearance replacement. Policy ST2 of the UDP identified an annual average rate of housing provision of 530 net additional dwellings up to 2016, but this policy was not saved beyond 21 June 2009 due to its inconsistency with the RSS. Given the RSS was revoked on 20th May 2013; there is no specific housing requirement for Salford contained within any part of the city's development plan.

The focus of the NPPF is on meeting objectively assessed needs that have been identified through the plan making process (paragraph 47, bullet point 1). Although work is ongoing in relation to the production of the city's Local Plan, it is at an early stage.

Consideration has been given as to what is an appropriate requirement for the purposes of calculating whether there is currently a 5 year supply of land for housing. One option would be to use the net housing requirement of 1,300 dwellings per annum identified in Salford's Publication Core Strategy. However, there was considerable objection to this, with some residents arguing that it should be lower than proposed and some landowners and

developers suggesting it should be higher. In relation to the proposed requirement of 1,300 dwellings per annum the initial findings of the Core Strategy Inspector were set out in a letter to the city council as follows: -

“The evidence presented to me supports an annual housing requirement of at least 1,600 dwellings instead of the current proposed annual provision of at least 1,300 dwellings. In addition to reflecting an objective assessment of need in accordance with the Framework requirement, this would be likely to bring forward more affordable and aspirational homes to which reference has been made at the Hearings, a considerable benefit” (paragraph 3).

Having given careful consideration to the issues raised by the inspector concerning the proposed housing requirement (and other issues he had raised), the Core Strategy was withdrawn on 21 November 2012 at a meeting of full Council. As such, the annual 1,300 net additional dwelling requirement has no status in planning policy terms. Given that the Core Strategy has been withdrawn, and that the Core Strategy Inspector heard the evidence of the city council and others in coming to a conclusion on the most appropriate housing requirement (notwithstanding the fact that they were his initial findings), the 1,300 figure carries very limited weight as a material consideration.

Other evidence that could potentially be used to estimate objectively assessed need is household forecasts. The latest sub-national household projections were published by the Department for Communities and Local Government in April 2013. For the period 2011 to 2021, these projections estimate household growth in Salford to equate to an average of 1,356 households per annum (a total of 13,536). If they were to be used as the basis for calculating the city's housing requirement, then it would be appropriate to look at this ten year period as a whole, taking into account the net increase in dwellings since 2011, rather than simply working from 2013. On this basis, given the relatively low net completions over the period 1 April 2011 to 31 March 2013 (697 dwellings), this would result in a net requirement for 2013 to 2021 of around 1,600 dwellings per annum.

The 2012 Greater Manchester Forecasting Model (GMFM) provides longer-term household forecasts. For the period 2012 to 2032, it forecasts an average increase of 1,046 households per annum, with higher growth in the early years (around 1,300 per annum) and then the rate of growth gradually declining over time. There was considerable debate over the use of the GMFM during the Core Strategy examination, and in light of this it would seem inappropriate to seek to use its household forecasts as the basis for any interim housing requirement. The Core Strategy Inspector has already effectively concluded that using the GMFM forecasts in isolation could provide insufficient dwellings to meet Salford's needs, particularly having regard to the scale of economic development being proposed in the city. Furthermore, it would not address the issue of ensuring that housing needs across Greater Manchester as a whole were being met.

Although the RSS has been revoked there have been a number of recent appeal decisions where it has been concluded by planning inspector's that the RSS housing requirements should at the current time continue to apply. For example, the decision of a planning inspector in July 2013, relating to an appeal against a decision of South Northamptonshire to refuse planning permission for 220 dwellings, considered that *“Notwithstanding its diminished status, the former RSS housing target is the most up-to-date and objectively based figure which has been subject to examination”* (Appeal Reference: APP/Z2830/A/12/2183859, paragraph 167). The inspector at another appeal held against the refusal of planning permission by Warrington Borough Council for up to 150 dwellings, similarly concluded in July 2013 that *“The RSS has been revoked, but is nevertheless represents the last independently examined set of housing figures....”* (Appeal Reference APP/M0655/A/13/2192076, paragraph 35).

Given the Core Strategy Inspector's reference to an annual housing requirement for Salford of at least 1,600 dwellings reflecting an objective assessment of need, and the lack of any more recent agreement at the Greater Manchester level regarding the appropriate scale and distribution of new housing than that contained in the RSS, at the current time the RSS figure is considered to be the most appropriate basis on which to determine the housing requirement. The appropriateness of this will be kept under review, having regard to the publication of new evidence and discussions at the Greater Manchester level.

b) Housing land supply assessment

NPPF paragraph 47, bullet point 2, requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements, with an additional 5% to 20% buffer depending on past performance of delivery; and identify a supply of specific, developable sites to broad locations for growth, for years 6-10, and where possible, for years 11-15.

The NPPF is clear that for sites to be within the five year supply, local planning authorities must identify 'specific' 'deliverable' sites that are available 'now'. The footnote to Paragraph 47 clarifies that, *"To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans."*

Paragraph 159 of NPPF requires local planning authorities to prepare a Strategic Housing Land Availability Assessment (SHLAA) *"to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period"*. The NPPF sees the SHLAA as an important part of the Local Plan evidence base; however in practice the SHLAA is also important as it sets out what the supply of housing will be over the next five years.

The City Council's SHLAA (published August 2013) covers the period from 1st April 2013 to 31st March 2032 and represents the most up to date evidence of the council's five year housing land position for the period 1st April 2013 to 31st March 2018. The SHLAA has been produced in line with DCLG practice guidance and the NPPF. The SHLAA estimates that between 1st April 2013 and the 31st March 2018 there is a likely deliverable supply of 6,775 net additional dwellings.

Although there were 12,843 dwellings with extant planning permission across the city as at 31 March 2013, the NPPF is very clear that for sites to be part of the five year supply they have to be deliverable in practice. Within the supply of extant planning permissions some sites will be phased over a long period due to the number of dwellings in that permission, or it is known that the site will come forward with fewer dwellings than currently consented. Of the 12,843 dwellings with extant planning permission almost half of these have been granted by the following four permissions which will be subject to long phasing / a revised scheme:

- MediaCityUK phases 1 to 3: 1,871 dwellings (planning permission 06/53168/OUT, SHLAA site S/ORD/012)
- Middlewood Locks: 1,758 dwellings (planning permission 06/52762/OUT, SHLAA site S/ORD/010)
- Creating a New Pendleton Together: 1,508 dwellings (planning permission 12/61953/HYBRID, SHLAA sites S/LAN/056 and S/LAN/057)
- Michigan Avenue, Salford Quays: 1,036 dwellings (planning permission 10/58887/FUL, SHLAAA site S/ORD/090)

As well as assessing all sites with extant planning permission for their deliverability over the next five years, some sites without extant planning permission as at 31 March 2013 have been included in the five year supply. These sites are generally those where there is an undetermined planning application for housing and the general principle of housing is likely to be acceptable, or where it has been indicated to the city council by the landowner / developer that dwellings will be delivered on a specific site within the next five years. A comprehensive and realistic approach has therefore been taken in identifying potential sites.

In determining whether a site is deliverable, ongoing consultation with stakeholders over the last five years (i.e. since the City Council published its first SHLAA) has informed the latest SHLAA. The SHLAA has also been informed by market intelligence / knowledge of particular sites, and discussions with developers / agents and development management case officers from Urban Vision. Internal discussions have also taken place with, amongst others, Children's Services relating to the potential availability of current and former schools for new housing in the future, the development team in the Chief Executive Directorate, and the Creating a New Pendleton Together team. Account has also been taken of discussions and evidence presented at the Core Strategy examination in relation to matters of housing supply.

It is considered that for the time being the RSS figure of 1,600 net additional dwellings per annum should be used for the purposes of calculating whether there is a five year supply. As noted above paragraph 47 (bullet point 2) of the NPPF requires a buffer of either 5% or 20% to be added to the five year requirement. A buffer of 5% is considered by the NPPF as being appropriate to ensure choice and competition in the market for land, although a 20% buffer should be applied in circumstances where there has been a consistent under delivery of housing.

The Core Strategy Inspector in his letter of 26 September 2012 (paragraph 6) considered that there has been an *“often substantial shortfall”* against an annual requirement of 1,600 net completions. He considered that reasons for this may include a shortage of sites attractive to prospective developers and the shortage of mortgage finance. Nevertheless, he concluded that *“... this appears to me to constitute a persistent under-delivery of housing and this calls for the buffer of 20% to which the aforementioned paragraph 47 refers.”*

The level of housing completions position has not improved significantly in the time period following that considered by the inspector (which was up to the end of March 2011). Between 1 April 2011 and 31 March 2013 there were 697 net additions. Should a requirement of 1,600 per annum apply to this two year period then there would be a shortfall of 2,503 net additional dwellings. Given the inspector's conclusion, and that there is a shortfall of 7,290 dwellings in the longer term period between 1 April 2003 and 31 March 2013, there has been a persistent under delivery of housing when measured against the RSS figure. Given this, a 20% buffer (i.e. an additional 1,600 net additions) needs to be added to the five year housing land requirement.

The total five year land requirement for Salford for the period 1 April 2013 to 31 March 2018 is therefore 9,600 dwellings (i.e. 5 x RSS figure of 1,600 dwellings per annum equals 8,000 + 20% = 9,600). This equates to 1,920 dwellings per annum over the five years.

Taking into account a requirement of 9,600 and an identified supply of deliverable dwellings of 6,775 in the SHLAA, there is a shortfall of 2,825 in the supply of specific deliverable sites between 1 April 2013 and 31 March 2018. This represents a current land supply position of **3.53 years**, which is calculated by dividing the supply of 6,775 deliverable dwellings by the annual average requirement of 1,920 dwellings.

Based upon the above SHLAA data, there is a severe shortfall in the provision of specific deliverable housing sites in Salford over the five year period 1st April 2013 to 31st March 2032. In a recent called-in appeal in the Cotswolds (Appeal Ref: APP/F1610/A/11/2165778) the Secretary of State endorsed the approach of the Planning Inspector, stating that, *“the Council has a serious shortfall in its supply of housing land, and I consider that to be a material consideration that weighs heavily in favour of allowing the proposed development to go ahead.”* The Secretary of State considered that a 3.53 year supply represented a “severe” shortfall of housing land supply, when assessed against the relevant requirement.

The absence of a continuing supply of housing land has significant consequences in terms of the council's ability to contribute towards the government's aim of *“boost(ing) significantly the supply of housing.”* Significant weight should therefore be afforded to the schemes contribution to addressing the identified housing shortfall and meeting the Government's objective of securing a better balance between housing demand and supply, in the determination of this planning application.

Paragraph 49 of the NPPF requires that housing applications should be considered in the context of the presumption in favour of sustainable development. As the city council is unable to identify a five year supply of deliverable housing sites, NPPF paragraph 49 states that, *“relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites.”* Where relevant policies are out of date NPPF paragraph 14 requires that where there are no material considerations to indicate otherwise, planning permission should be granted unless there are any adverse impacts that would significantly and demonstrably outweigh the benefits, or specific policies in the Framework that indicated that development should be restricted that would prevent permission being granted. This matter is addressed within the Planning balance and conclusions section of this report.

c) Qualitative need

The site is located within Salford West. The City Council has developed a regeneration framework to drive activity and investment within Salford West over the next 20 years. This document, known as the Salford West Strategic Regeneration Framework (2008 – 2028) (SWRF) indicates that there is a lack of high quality homes that will attract and retain the higher income earners required to deliver the growth objectives of the region. Paragraph 2.12 of the SWRF states that, *“there is a clear role for Salford West to provide an increasing supply of the quality residential developments needed to retain and attract a skilled and aspirational workforce. This includes providing high quality aspirational housing that attracts and retains higher income earners and families.”*

Paragraph 2.73 of the SWRF elaborates upon the role of Salford West stating, *“Ensuring a critical mass of new housing is important in challenging perceptions and creating a new housing market. This will include new family,*

professional and affordable housing that combine location advantages with high quality of design and high standards of sustainability. The challenge for housing is to create a housing stock that attracts and retains higher earning households. To do this, dialogue between Salford City Council, landowners and developers must be established, which can collaboratively and proactively identify opportunities for high quality solutions in areas of particular need.”

Salford's Strategic Housing Market Assessment (SHMA) (February 2012) gives consideration to the potential future supply of higher value homes in the city, and finds at paragraph 5.113 that the availability of higher cost housing outside of the Regional Centre is relatively limited, and concludes at paragraph 5.114 that: “It may therefore be appropriate to give consideration to whether there is the potential to increase the supply of housing land in the mid and/or mid/high [sales value] areas, in order to support the Greater Manchester priority of increasing the supply of higher value housing within the conurbation”.

The key housing objective identified in the Greater Manchester Strategy is “*creating quality places to meet the needs of a competitive city region.*” It explains on page 47 that, “*Within the city region, there is need to focus on improving the match between the housing ‘offer’ and the aspirations of existing and potential new households and ensuring our housing policy is linked to improving life chances in deprived communities, attracting and retaining the best talent and moving towards a low-carbon economy*”. Page 48 of the Strategy makes a strong link between the provision of housing for skilled workers and the sub-regions economic prospects, stating that, “*the city region has to be known as a place that offers high quality housing in places where people at all levels of the market, including the highly skilled and talented, will choose, and can afford, to live and invest.*”

Although the SWRF and the Greater Manchester Strategy do not form part of the statutory development plan, they are important material considerations in the determination of this planning application and provide a clear indication that Salford West has a clear role in increasing the supply of quality residential developments needed to retain and attract a skilled and aspirational workforce.

The development of the application site could provide higher value housing and could help to diversify the type of housing that is available within the city, and Greater Manchester. The development could, in principle, help to meet the key housing objective of the Greater Manchester Strategy and could be in accordance with the Salford West Regeneration Framework and UDP Policy H1 (in terms of providing a balanced mix of dwellings).

d) Housing mix, type and density

The development proposes a maximum of 24 dwellings on site which would comprise a mix of detached, semi-detached and terraced properties. Three Illustrative Masterplans have been submitted as part of the Design and Access Statement to demonstrate how the site could be delivered. Members should be aware that these indicative layouts are not fixed at this stage, and the final scheme to be delivered could be for less dwellings than the maximum number of units proposed. The housing mix, type and density will be influenced by the council's relevant development plan policies (UDP policy H1) and housing planning guidance policies (HOU1 and HOU2) and the housing market at the time of delivery. The table below provides an overview of the three indicative schemes presented through the Design and Access Statement to allow Members to gain an understanding of how the site could be delivered.

Indicative scheme	Mix	Density (dwellings per hectare)
Alternative 1 (13 units)	13 detached dwellings 0 semi detached dwellings 0 linked dwellings	30
Alternative 2 (19 dwellings)	9 detached dwellings 4 semi detached dwellings 6 linked dwellings	43
Alternative 3 (24 dwellings)	4 detached dwellings 8 semi detached dwellings 12 linked dwellings	54

No firm conclusions can be reached at this outline stage regarding the mix, size and density of units to be provided on site as this will be considered through future reserved matters applications. However, it is noted that the indicative higher density scheme does illustrate relationships between properties that appear tight.

However, it is considered that there is potential for revisions to individual siting and design solutions which would ensure an appropriately designed scheme. Through the reserved matters process, careful consideration of these detailed matters will be required to ensure that the development meets the design aspirations and housing needs of the City Council as provided by the relevant policies and guidance to deliver a high quality, family housing scheme.

2. Impact on the highway network; transport infrastructure and public rights of way

i.) Sustainable location

The nearest bus stops to the site are located along Walkden Road, located approximately 300 metres from the site. They are accessible from the site via series of footpath connections. Bus services along Walkden Road provide connections to Leigh, Manchester and The Trafford Centre. Although located at a greater distance from the site, bus services are provided along the B5232 Newearth Road and provide connections to Leigh, Bolton, Wigan and Manchester. The Leigh-Salford-Manchester (LSM) Busway scheme will pass directly adjacent to the southern boundary of the site and will provide improved transport links between Leigh and Manchester city centre and provide access to additional links to improved connecting services. The nearest LSM bus stop will be 420 metres from the development site using the footpath link to the development site. This is within the desirable range for suggested acceptable walking distance included with the institute for Highways and Transportation (IHT) "Guidelines for journeys on foot" (2000) for trips for the purpose of commuting and going to school. Walkden Railway Station is located approximately 1.1km from the site and there is a network of cycle routes within the vicinity of the site. It is therefore considered that the site is located in an accessible location.

ii.) Proposed access arrangements

Vehicle and pedestrian access to the site will be provided from Greylag Crescent, via a gap between properties 26 and 30. The access route would have a carriageway width of 5.5 metres with footways on both sides. Urban Vision's Highways Engineer has assessed the scheme and raises no objections on highway safety grounds.

iii.) Impacts on highway network

The applicant has submitted a Transport Note in support of the application. The document provides an assessment of the traffic generation impacts of the proposed development and indicates that the development would have no material or perceptible impact on the highway network. Urban Vision's Highways Engineer has assessed the submitted Transport Note and considers that the document is robust. She raises no objections to the development on traffic impact grounds and therefore the development complies with the requirements of UDP policy A8.

iv). Public Right of Way

A Public Right of Way (PROW) known as Worsley footpath 80 runs along the western site boundary of the site in a north-south direction along a raised tree lined embankment. Worsley 80 is a footpath only, there are no bridleway rights. The proposed site access would sever the route of the PROW. The applicant has appraised the following options for accommodating the PROW:-

- Option 1 – To provide straight gradient ramps leading to an at-grade crossing of the access road;
- Option 2 – To provide a new footbridge over the access road; and
- Option 3 – To provide a series of ramps and landings leading to an at-grade crossing of the access road

The options available to maintain the public right of way are constrained by existing site levels, location of the existing embankment and a desire to limit the impact (both physical and visual) of any proposals on existing properties adjacent the development site and new properties within it. Options 1 and 2 were discounted due to various technical reasons and as such Option 3 was considered to be the most appropriate solution.

Option 3 would provide a series of ramps and landings to the north of the access road and a direct approach to the south side of the access road. The ramps will be 2.5m wide (measured between handrails which will be provided adjacent to all ramps) and are proposed at a maximum gradient of 1:12 with landings spaced no more than 9.0m apart. All ramps will be surfaced in accordance with general access requirements and an at grade crossing of the site access road will be provided and will include for dropped kerbing and tactile paving. This

option follows the guidance outlined by Sustrans on the provision of rural routes, which is considered appropriate for the semi-rural nature of the existing PROW.

A number of footpath groups have been consulted and no objections to the proposals in this regard have been received.

3. Design and layout

The applicant has submitted a Development Principles plan in support of the application which provides a general guide to inform the detailed design of the scheme, reflecting fixed elements of the development, core design features and other indicative design principles. The Plan provides details of the development areas; public greenspace; primary vehicular routes; the proposed woodland footpath; and landscaping bund details. In addition to this, three Illustrative Masterplans have been presented to provide indicative details of how the site may be delivered. Although the scheme is in outline with matters of access sought at this stage, it is relevant to consider the parameters of the development together with the indicative layouts to gain a level of certainty that the quantum of development proposed can reasonably be accommodated on the site.

The Design and Access Statement provides a rationale for the development principles which are incorporated into each of the indicative layouts to respond to the site characteristics. The Development Principles Plan aims to retain key landscape features and maintain wildlife corridors; maximise green views; provide improved pedestrian connections; and provide acoustic and air quality screening from the A580. As a consequence, any future proposals to be considered at the reserved matters stage will follow a similar layout to the plans submitted in order to deliver the identified quantum of development and to ensure adequate mitigation is provided.

The Design and Access Statement indicates that the development will comprise a mix of detached, semi-detached and some terraced units, the quantum of which will be determined through submission of a subsequent reserved matters application. Notwithstanding this, the applicant has indicated that dwellings will comprise a mix of 2 and 2.5 storey units with a maximum height to the ridge of 10 and 12 metres respectively. Terraced groups would have a maximum length of 30 metres and depth of 12 metres, whilst the largest detached unit would be 12 metres in length by 12 metres in depth.

Based upon the identified development principles, it is considered that an appropriate layout could be developed on site in principle. The overall acceptability of the layout will however depend upon the design solution proposed at a future reserved matters stage. The applicant will be expected to address detailed design issues in accordance with relevant development plan policies, the design SPD and the NPPF to ensure that a quality scheme is achieved, which respects the characteristics of the surrounding area.

4. Crime and Design

UDP policy DES10 states that development will not be permitted unless it is designed to discourage crime, anti-social behaviour and the fear of crime. This approach is fully in accordance with NPPF paragraphs 58 and 69 which indicate that planning decisions should aim to ensure that developments *“create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.”* Further policy guidance is outlined in the council’s Supplementary Planning Document (SPD) on Design and Crime.

The applicant has submitted a Preliminary Crime Impact Statement (16th April 2013) which has been prepared by Greater Manchester Police Design for Security. The Greater Manchester Police Design for Security Team has assessed the indicative layout against the principles of Crime Prevention through Environmental Design and Secured by Design. They consider that the indicative layout is acceptable in principle, although they encourage the applicant to have further dialogue with them during the preparation of future reserved matters applications. A planning condition is recommended which requires that a Crime Prevention Plan is prepared to inform the detailed design stage of the development and that the scheme achieves Secured by Design accreditation.

5. Amenity

A landscape bund and acoustic fence will be provided to provide mitigation against noise and air quality impacts associated with vehicular traffic using the A580. In addition to this, dwellings would be orientated to face the

A580 with private amenity space provided to the rear. These matters are discussed in further detail in Section 7 of this report.

The construction of a 3 metre high fence on top of a 2 metre high landscape mound may appear visually intrusive, without an effective landscape scheme in place. Notwithstanding this, the principle of the approach is considered acceptable and would protect the amenity of future residents. Through the reserved matters process, it is considered that an acceptable landscaping scheme could be developed to appropriately address this matter. A landscape management plan will be required to be submitted at the reserved matters stage which will specify the management arrangements for the landscaped areas.

Residents have raised objections to the scheme based upon impacts associated with the construction phase of the development. Although there may be impacts associated with the construction phase of the development, these impacts will be temporary in nature and can be mitigated through effective implementation of site management methods. A planning condition is outlined at the end of this report which requires the developer to submit, for approval, a Construction Environmental Management Plan (CEMP). The CEMP identifies a series of measures to manage and mitigate potential environmental effects arising from the construction phase of the development. Details of this condition are outlined at the end of my report. Subject to the inclusion of the recommended conditions, the proposals are considered acceptable and in accordance with UDP policies DES7 and EN17; and the NPPF.

6. Education

The City Council adopted the Educations Contributions Supplementary Planning Document on the 29th August 2013. The SPD has been prepared in order to provide additional guidance on the City Council's approach to seeking developer contributions towards education infrastructure provision from new housing development within the city. The SPD ensures that new housing development (over 10 units) makes a proportionate contribution to meeting the additional requirement for education provision that it will generate. Saved policy DEV5 of the Salford Unitary Development Plan provides the policy basis for requiring such contributions.

It is considered that the proposed development would result in a material increase in the demand for primary school places that could not be met by existing provision, and therefore it is necessary for a planning obligation would secure a financial contribution towards creating additional primary school places. The actual scale of the financial contribution can only be determined when the precise mix of dwellings is known at the point of a future reserved matters application being determined. The applicant has agreed to the approach outlined in the SPD and as such it is considered that a proportionate contribution can be secured through the Section 106 Agreement and appropriate mitigation of this impact can be achieved; as such there is no objection on education matters.

7. Pollution

i.) Air Quality

NPPF identifies 12 core planning principles one of which indicates that planning should “*contribute to....reducing pollution.*” To prevent unacceptable risks from air pollution, planning decisions should ensure that new development is appropriate for its location. The NPPF states that the effects of pollution on health and the sensitivity of the area and the development should be taken into account.

The applicant has submitted an Air Quality Assessment (AQA) Report in support of the planning application. The AQA describes the existing local air quality conditions and assesses the air quality impacts associated with the operation of the proposed development.

The southern portion of the site is located within an Air Quality Management Area (AQMA) which has been declared by the City Council for exceedences of the annual mean nitrogen dioxide objective along the major arterial roads.

The AQA indicates that the impacts of local traffic on air quality for residents living in the proposed development are acceptable for much of the site; however, concentrations of nitrogen dioxide are above the air quality objectives close to the A580 East Lancashire Road. The AQA recommends that a development buffer is incorporated into the design principles of the scheme to restrict the development of residential units within this part of the site and to ensure that air quality for future residents is acceptable. The Development Principles Plan,

submitted as part of the planning application indicates that all properties would be located in excess of the recommended buffer.

The AQA indicates that the scale of the development is such that it will not significantly increase traffic on local roads and as such, the overall operational air quality impacts of the development associated with traffic movements would be insignificant.

Urban Vision Air and Noise Consultants have assessed the AQA and raise no objections in principle to the proposed development. They however recommend that a mitigation scheme to address air quality within the development is submitted to the Local Planning Authority prior to commencement of the development. The mitigation scheme would include details of the 23 metre development buffer to be incorporated within the development. Urban Vision Air and Noise Consultants consider that a suitably worded condition could secure delivery of an appropriate mitigation scheme, details of which are provided at the end of this report.

A further planning condition is recommended to ensure that appropriate measures are in place to manage and mitigate environmental effects associated with the construction period of development. As part of a wider Construction Environmental Management Plan the developer will be required to submit details, for the approval of the Local Authority, of dust suppression measures that will be in place. Details of this condition are outlined at the end of this report. Subject to the inclusion of the recommended conditions, the proposals are considered acceptable and in accordance with UDP policy EN17 and the NPPF.

ii.) Noise

NPPF paragraph 123 states that Local Planning Authorities avoid granting consent for development which would give rise to significant adverse impacts on health and quality of life and should mitigate and reduce any impacts to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

The applicant has submitted an Acoustic Assessment Report in support of the planning application. The report assesses the suitability of the site for residential use from an acoustic perspective and identifies mitigation measures which will need to be incorporated into the final site design of the scheme.

The report identifies that the main existing environmental noise sources affecting the site are road traffic associated with the A580 East Lancashire and A575 Walkden Roads. The report recommends noise mitigation measures along with bund and barrier boundary mitigation to provide an acceptable level of amenity. Urban Vision Air and Noise Consultants have assessed the submitted report and raise no objections to the proposed scheme. They recommend that a condition is attached which requires a detailed scheme of mitigation to be submitted; details of which are outlined at the end of this report.

A further planning condition is recommended to ensure that appropriate measures are in place to manage and mitigate environmental effects associated with the construction period of development. The Construction Environmental Management Plan will require the developer to agree appropriate working hours with the Local Planning Authority to ensure that an appropriate level of amenity is retained for neighboring residents. Details of this condition are outlined at the end of this report. Subject to the inclusion of the recommended conditions, the proposals are considered acceptable and in accordance with UDP policy EN17 and the NPPF.

iii.) Contaminated Land

The applicant has submitted a Phase 1 Environmental Review which reviews historic, environmental and geological information on site and develops a conceptual site model. Urban Vision Environment and the Environment Agency has assessed the submitted reports and raise no objections to the proposals subject to the inclusion of a condition which requires the submission of a Preliminary Risk Assessment report prior to commencement of development. Details of this condition are outlined at the end of this report.

8. Ecology, Nature Conservation and Trees

The NPPF incorporates measures to conserve and enhance the natural and local environment, including 'Biodiversity and Geological Conservation'. Paragraph 118 of the NPPF requires that in determining planning applications the following principles are applied to conserve and enhance biodiversity:-

- Significant harm resulting from a development should be avoided, adequately mitigated, or, as a last resort compensated for; and
- Opportunities to incorporate biodiversity in and around developments should be encouraged.

The land is identified on the UDP Proposals Map as a Wildlife Corridor Key Area of Search and is afforded policy protection under saved UDP policy EN9. The policy requires that any development of designated sites ensures that the site is able to continue to function as a wildlife corridor and advises that conditions or planning obligations may be used to secure the protection, enhancement or management measures to facilitate this. The open grassland area of the site is also identified in the Biodiversity SPD as being unimproved neutral grassland, which is a Local Priority Habitat.

Greater Manchester Ecology Unit (GMEU) has assessed the submitted Ecological Survey and consider that the assessments have been carried out to a satisfactory standard and that no further surveys are required prior to determination of the application. The site is not designated for its nature conservation value and nor is it located adjacent to any specially designated sites. GMEU considered that it is unlikely to support important populations of specially protected species.

GMEU indicate that the development would not affect any site designated for its nature conservation value and is unlikely to affect any populations of protected or priority species. It will directly affect the wet grassland/marsh habitat and the pasture grassland and will directly affect a number of mature trees. There will also be direct and indirect effects on the area of broadleaved woodland to the east of the site. The built development will also cause a degree of fragmentation of the wildlife corridor and a loss in the openness of the site.

Mitigation is offered for these impacts by creating a landscaped 'mound' and ditch to the south of the development running west-to-east that will also act as a noise attenuation feature, by retaining trees to the west and north and by managing the adjacent woodland to enhance biodiversity interests. GMEU has recommended that this buffer zone should be as wide as possible practicable and as such would have a preference for a less dense development at the lower end of the numbers of residential units suggested for the site. GMEU have recommended that a condition is attached which requires the applicant to submit a detailed habitat creation and management plan for the landscaped areas and a detailed landscape creation and management plan for the whole site. Details of these conditions are outlined at the end of the report.

Trees

The Trees and Development Supplementary Planning Document (2006) presents a suite of policies concerning the retention and replacement of trees. The applicant has submitted a Tree Report in accordance with policy TD1 of the Trees and Development SPD. The Tree Report provides a schedule of trees surveyed (classified according to BS 5837:2012) and a Tree Constraints Plan. There is also an Arboricultural Impact Assessment and a Tree Removal Plan supplied.

Within the proposed development area and including adjacent land there are a total of 69 individual trees and 6 groups of trees with the potential to be affected by the development proposals. The woodland to the west of the application site is protected by a Tree Preservation Order (TPO 45) which was made on the 6th May 1981. A provisional woodland TPO (497) was made on the 3rd May 2013 and covers the extent of the application site, except for the trees within the centre of the site which did not merit the protection of a TPO due to their poor form.

The tree survey classifies the trees on site into the following categories: -

- Category A: Trees of high quality and value: in such a condition as to be able to make a substantial contribution (a minimum of 40 years is suggested). Trees in this category are the best trees on the site and should be retained where possible.
- Category B: Trees of moderate quality and value: In such a condition as to make a significant contribution (a minimum of 20 years is suggested).
- Category C: Trees of low quality and value: Currently in adequate condition to remain until new planting could be established (minimum of 10 years is suggested), or young trees with a stem diameter below 150mm.

Category R: Trees in such a condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management.

The proposed development will result in the removal of 14 trees and two groups of trees. 7 trees will also be lost due to poor quality and safety reasons.

Of the trees to be removed as a result of the development, thirteen trees are Category A and is Category B; both the groups being removed are Category B. The trees being removed to facilitate the development are centred around the access which is to be expected; the majority of trees around the perimeter are being retained which will minimise the impact on the surrounding area.

Policy TD6 of the Trees and Development SPD requires trees to be replaced where practicable on the basis of at least two trees for each tree lost. At this stage a tree replacement planting scheme has not been provided, however the Council's Consultant Arboriculturalist has indicated that the removal of these trees would call for mitigation planting on a 2:1 basis.

The Arborist has indicated that the Method Statement and Tree Protection Plan give an account of how the retained trees will be protected throughout the development phase. No replacement planting scheme has been supplied to mitigate against the loss of these trees and the Arborist has requested that one be provided. He considers that a planting proposal scheme should be supplied to give details of trees being planted (species and locations) and that this can be secured through appropriate planning conditions and consideration of future reserved matters.

The applicant has indicated that a Woodland Management Plan would be prepared to manage the woodland located to the east of the site. Outline proposals have been put forward which include tree thinning, replanting with suitable native species and introducing selected ground flora. GMEU consider that these proposals could lead to a biodiversity enhancement in the woodland but indicate that the management of small woodlands close to residential developments needs to be carefully planned and implemented, particularly to avoid over-thinning. GMEU have recommended that a condition is imposed which requires the applicant to prepare a detailed Woodland Management Plan, in consultation with GMEU, to ensure that effective management processes are carried out.

9. Flood risk and drainage

The 0.94 hectare site is located within flood zone 1 and is considered to be at low risk of flooding from nearby watercourses, rivers or the sea. The Council's Level 2 Strategic Flood Risk Assessment (SFRA) however identifies that the site is located within a Critical Drainage Area (Northwest Drainage Area). The applicant has submitted a site specific Flood Risk Assessment (FRA) in support of the application in accordance with the requirements of the SFRA.

The Council's Drainage Engineer has assessed the submitted FRA and has indicated that the development meets the requirements of the Sequential Test. The FRA provides details of the proposed flood mitigation measures and states that finished floor levels are to be raised 150mm to prevent surface water egress. A planning condition is proposed which ensures that any residual risk in affecting overland flow can be dealt with. Details of the condition are outlined at the end of this report.

The applicant has assessed the potential for using Sustainable Urban Drainage Systems (SUDs) on site and has discounted various options due to site circumstances. The applicant has however confirmed that the site could accommodate porous / permeable paving and modular underground attenuation tanks as part of the detailed scheme design.

An indicative surface water drainage design has been produced for the site based on discharging to the sewer located in Greylag Crescent. United Utilities have assessed the scheme and raise no objections to the proposals. A planning condition is however recommended which requires the submission of a scheme for surface water regulation prior to commencement of development. Details of this condition are provided at the end of this report.

10. Sustainability credentials

The Sustainable Design & Construction SPD seeks to encourage new development to improve its impact on the environment and to build into proposals a design that maximizes the sites potential, utilizes green technologies and ensures the users employ a sustainable pattern of travel. The applicant has completed the Sustainable Design & Construction SPD Sustainability Checklist as part of the planning application submission. The checklist demonstrates that the applicant has given some initial thought as to how the development would meet the various aims of the checklist, however as the application is in outline at this stage, further detailed consideration of how the scheme would incorporate sustainability measures will be provided at the detailed design stage of a future reserved matters application.

11. Planning Obligations

The need to secure additional works or monies through Planning Obligations (S106) in order to ensure that development is satisfactory is covered by various UDP policies and the Planning Obligations SPD.

Policy OB1 of the planning obligations SPD requires a contribution of to be provided for residential development which is proportionate to the size and type of dwellings proposed.

Policy OB2 of the planning obligations SPD requires a contribution of £1,500 per dwelling towards improvements to the public realm, infrastructure or heritage features within the vicinity of the application site.

Policy OB3 of the Planning Obligations SPD relates to construction training. It states that major developments should contribute to the improvement of construction skills amongst Salford residents. The contribution that should be sought is £150 per dwelling for residential development.

Policy OB4 of the Planning Obligations SPD relates to climate change. It states that unless schemes achieve a very good BREAM rating major developments should make a contribution £200 per dwelling for residential development. The applicant has confirmed in the planning statement that the scheme would achieve a very good rating. An appropriate condition has been suggested.

Policy OB5 of the Planning Obligations SPD states that developers should pay all reasonable expenses incurred by the City Council in drawing up and administering legal agreements. In order to ensure this happens an additional charge of 2.5% will be added to cover the administrative costs of ensuring that the commuted sums are directed towards appropriate schemes.

The applicant has agreed to enter into a S106 agreement to deliver commuted sums for; public realm, infrastructure and heritage; construction training and climate change in full accordance with the requirements set out in the Planning Obligations SPD. The final financial contribution would be finalised during consideration of future reserved matters as the contributions are based upon the number of dwellings to be delivered on site.

As discussed previously, the S106 Agreement will also secure education contributions as discussed in an earlier section of this report.

With respect to open space obligations, although there is a deficiency in terms of Locally Equipped Area of Play (LEAP) provision, the area is reasonably well provided for in respects of all other open space standards. Paragraph 6.5 of the Planning Obligations SPD explains that other material considerations including where community benefits can be secured, may be taken into account to justify a reduction in S106 payments. It is considered that the proposed works to the adjacent woodland and the requirement to submit a Woodland Management Plan would be of benefit to the community and as such is considered an acceptable alternative to the payment of the usual commuted sum payment.

12. Other issues

Impact on property values

The planning system does not exist to protect neighbours from financial loss, but rather to protect their amenity. As such, a potential effect on house prices (whether that be an decrease or increase) is not considered to be material in the determination of a planning application.

Prematurity

Guidance on weight to be accorded to emerging plans and prematurity is provided by Annex 1 of the NPPF paragraph 216 and The Planning System: General Principles document (2005). The guidance offered by The Planning System: General Principles document refers specifically to Development Plan Documents rather than the Local Plan however, it is considered that the principles outlined in the document remain extant.

Paragraphs 17-19 of The Planning System: General Principles prescribe the limited circumstances in which prematurity might constitute a ground for refusing planning permission. This may be appropriate where a proposed development is so substantial, or where the cumulative effect would be so significant, that granting permission could prejudice the Local Plan process by predetermining decisions about the scale, location or phasing of new development which are being addressed by the Local Plan. Otherwise, refusal of planning permission on grounds of prematurity will not usually be justified. It also states that where the Local Plan is at the consultation stage, with no early prospect of submission for examination, then refusal on prematurity grounds would seldom be justified because of the delay this would impose in determining the future use of the land in question. For prematurity to be the reason for refusal of planning permission, the LPA must demonstrate how the grant of permission for the development concerned would prejudice the outcomes of the Local Plan process.

The City Council is currently in the process of preparing its Local Plan, following its decision to withdraw the Core Strategy in November 2012. The Local Plan is at a very early stage of the preparation process and it is anticipated that the Local Plan will not be adopted until 2016. Given the early stage that the Local Plan process is at and the length of time until adoption, refusal of the planning application on grounds on prematurity are not considered appropriate in this instance.

Planning balance and conclusions

Section 38(6) of the Planning and Compulsory Purchase Act, 2004 requires the determination of this application to be made in accordance with the development plan, unless material considerations indicate otherwise. For the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004, the Development Plan for Salford City Council comprises the following documents: -

- The saved Unitary Development Plan (UDP) policies
- The Greater Manchester Joint Waste Development Plan Document (Waste DPD)
- The Greater Manchester Joint Minerals Development Plan Document (Minerals DPD)

The National Planning Policy Framework (NPPF) was published in March 2012 and is the most recent expression of government policy. Whilst the NPPF does not change the legal status of the Development Plan, it constitutes an important material consideration in the determination of planning applications. The NPPF constitutes the Government's view of what sustainable development means in practice for the planning system.

The Council's Strategic Housing Land Availability Assessment (2013) and a report of the Assistant Director for Planning (27 August 2013) provide the up-to-date position regarding the Council's housing land supply position. They demonstrate that the City Council cannot demonstrate a supply of specific deliverable sites sufficient to provide five years' worth of housing against the previous RSS requirement. In accordance with NPPF paragraph 49, relevant UDP policies for the supply of housing are therefore considered out-of-date and as such the application should be determined in accordance with paragraph 14 of the NPPF.

NPPF paragraph 14 indicates that for decision-making, the presumption in favour of sustainable development means: -

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, then the presumption in favour of sustainable development means that planning permission should be granted unless:
 1. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or
 2. specific policies in the Framework indicate development should be restricted.

As noted, the City Council can not demonstrate a 5 year supply of deliverable housing sites and as such the second bullet point of paragraph 14 is triggered. The site is identified as being a Wildlife Corridor Key Area of Search and as such is afforded policy protection via UDP policy EN9. NPPF paragraph 215 states that, *“due weight should be given to relevant policies in existing plans according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”*

It is considered that there is a degree of conflict between UDP policy EN9 and the NPPF. Although the NPPF endorses the approach of adopting wildlife corridors, there must be clear evidence that the proposed development unacceptably impairs the movement of flora and fauna, and that any harm caused outweighs the benefits of the scheme. The scheme should be considered with this policy position in mind.

There have been a number of objections to the scheme, as detailed within previous sections of this report by local residents and these objections have been given due consideration and weight in the overall planning balance. Previous sections of this report have addressed the issues raised and it is considered that the impacts of the development are acceptable, or can be made acceptable through the implementation of planning conditions and obligations where appropriate and necessary.

The presumption in favour of sustainable development means that it is necessary to consider whether the proposed development represents ‘sustainable development’. NPPF paragraph 7 identifies that there are three dimensions to sustainable development; namely economic, social and environmental. NPPF advises that these roles should not be undertaken in isolation, because they are mutually dependent. Furthermore, to achieve sustainable development, economic, social; and environmental gains should be sought jointly and simultaneously.

An economic role

NPPF paragraph 19 states that, *“The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”* The government has identified the delivery of housing as a key driver of future economic growth and stimulation of the economy.

The scheme would deliver economic benefits through both direct and indirect employment opportunities. However, the most significant economic benefits would be realised during the construction phase of development through the creation of approximately 36 jobs. The applicant has indicated assuming an average household size of 2.4 people per dwelling the future occupants of the development would contribute an additional £269,107 per annum in total to local consumer spending. The economic benefits of the development are therefore considered to be tangible and weigh in the favour of the application.

A social role

NPPF paragraph 7 refers to the social dimension of sustainable development, supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; by creating a high quality built environment with accessible local services that reflect the community’s needs and support its health, social and cultural wellbeing.

The need to widen the choice of high quality homes is reiterated in paragraph 9 with Section 6 ‘Delivering a Wide Choice of High Quality Homes’ of the NPPF. It is clear that one of the main purposes of the NPPF is to “boost the supply of housing” nationally, and particularly in those areas where there is a demonstrable shortfall against objectively assessed needs. It is clear therefore, that where there is not a demonstrable 5 year supply of deliverable housing sites that this must be afforded significant weight in the overall planning balance and that this must count strongly in favour of the proposed development.

The proposed development would help to meet the objectively assessed needs for market and affordable housing in Salford. The proposed site is wholly deliverable (i.e. suitable, available and achievable) and would contribute towards addressing the lack of a 5 year supply of deliverable housing land. The importance of delivering new housing in helping to retain and attract a skilled and talented workforce is identified through the council’s regeneration strategies and planning policy documents. It is considered that the development would make a contribution towards achieving this aim through the supply of market units which would contribute

towards meeting the shortfall of family and aspirational homes across the city. The social benefits of the development are therefore considered to be significant and must be afforded significant weight in the overall planning balance.

An environmental role

NPPF paragraph 7 refers to the environmental dimension of sustainable development, as being the contribution to protecting and enhancing the natural, historic and built environment. Part of this is to help improve biodiversity, use natural resources prudently including mitigating and adapting to climate change.

The site is greenfield in nature and is used for informal grazing. The loss of this site from future agricultural use is however considered to be very limited. Although NPPF encourages the use of brownfield sites, it does not prioritise development of such sites over greenfield land and nor does it preclude development of them.

The site is designated as a Wildlife Corridor Key Area of Search by UDP policy EN9. GMEU indicate that the built development will cause a degree of fragmentation of the wildlife corridor. Mitigation is however provided through the provision of a landscaped mound and ditch to the south of the development running west-to-east. GMEU consider that the scheme will be need to be carefully planned and implemented to ensure that the site remains valuable as a wildlife habitat. However, conditions are recommended to ensure that the functionality of the site as a wildlife corridor is secured. The proposed woodland management works could also lead to a biodiversity enhancement.

Overall conclusions

The site is located in a sustainable location, with good accessibility to local amenities. The proposed layout will improve connectivity to the surrounding area through the provision of improved linkages to the Worsley Loopline and further afield. The adverse impacts of the proposed development have been considered, assessed and weighed against the benefits of the scheme. It is considered that the impacts associated with the proposed development occur; these can be mitigated through the use of planning conditions and obligations where necessary. It is considered that there are no adverse impacts which would significantly and demonstrably outweigh the benefits of the development, when considered in the context of the current housing supply position and the delivery of new housing in a sustainable location.

Recommendation

Planning permission is granted subject to the following planning conditions and that:

1) The Strategic Director of Customer and Support Services be authorised to enter into a legal agreement under Section 106 of the Town and Country Planning Act to secure the following heads of terms:

- Public Realm Infrastructure and Heritage Provision
- Construction Training
- Climate Change
- Education

2) That the applicant be informed that the Council is minded to grant planning permission, subject to the conditions stated below, on completion of such a legal agreement;

3) The authority be given for the decision notice relating to the application be issued (subject to the conditions and reasons stated below) on completion of the above-mentioned legal agreement;

1. Application for approval of reserved matters shall be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. No development for which outline planning permission has hereby been granted shall be started on any phase within the development until full details of the following reserved matters, in respect of that phase within the development, have been submitted to and approved in writing by the Local Planning Authority:

- a) appearance;
- b) scale
- c) layout; and
- d) landscaping

Reason: *The application is for outline permission only and these matters were reserved by the applicant for subsequent approval.*

3. Further to the requirements of condition 2, the parameters of the development shall carry forward the design philosophy set out in the Development Principles drawing (dwg. No. 458A-05A) (dated 15.01.13).

Reason: *For the avoidance of doubt and to safeguard amenity in accordance with policy DES1 of the City of Salford Unitary Development Plan*

4. Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority to include details of the measures proposed during construction to manage and mitigate the main environmental effects. The following matters shall be addressed:

- (i) the times of construction activities on site
- (ii) the parking of vehicles of site operatives and visitors
- (iii) loading and unloading of plant and materials
- (iv) storage of plant and materials used in constructing the development
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (vi) wheel washing facilities
- (vii) measures to control the emission of dust and dirt during construction
- (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works
- (ix) measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity
- (x) measures to prevent the pollution of watercourses

The development hereby approved shall be carried out in accordance with the approved CEMP.

Reason: *To safeguard the amenity of the area in accordance with policy EN17 of the City of Salford Unitary Development Plan*

5. Any application for the approval of reserved matters for any phase within the development hereby approved shall be accompanied by a 'Crime Prevention Plan' (CPP) which shall examine all aspects of site security including, site car parking, pedestrian footways, entrances, internal layout and external security measures for that plot and which shall be capable of meeting 'Secured by Design' requirements unless. Development of that phase shall be carried out in accordance with the approved CPP and any approved site security measures shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: *To ensure that the development is appropriately secured from crime in accordance with policy DES 10 of the City of Salford Unitary Development Plan.*

6. No development hereby approved shall commence on site until a scheme which provides for the retention and protection of trees, shrubs and hedges within the site (or overhanging) the site which may be affected by the construction process, with the exception of those trees clearly shown to be felled on the submitted plan, and any other trees the removal of which is approved through the approval of reserved matters applications, has been submitted to and approved in writing by the Local Planning Authority. The agreed tree protection

measures shall remain until all development is completed and no work, including any form of drainage or storage of materials, earth or topsoil shall take place within the perimeter of such protective fencing.

Reason: *To safeguard the amenity, appearance and character of the area in accordance with policy DES 1 of the City of Salford Unitary Development Plan.*

7. Prior to the commencement of the development hereby approved, a Preliminary Risk Assessment report, including a conceptual model and a site walk over, to assess the potential risk of land contamination, shall be submitted to and approved in writing by the Local Planning Authority. Should a potential risk be identified then:

1. A Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health and the wider environment; and
2. The details of any proposed Remedial Works shall be submitted to, and approved in writing by the Local Planning Authority. Such Remedial Works shall be incorporated into the development during the course of construction and completed prior to occupation of the development; and
3. A Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority. The Verification Report shall validate that all remedial works undertaken on site were completed in accordance with those agreed by the LPA.

Reason: *In the interests of public safety in accordance with UDP policy EN17 and NPPF paragraph 121.*

8. A noise attenuation scheme shall be submitted to the Local Planning Authority as part of the application for Reserved Matters part d (Landscaping). The use of ventilation measures which obviate the need for future residents to open windows for cooling and rapid ventilation shall be identified through submission of reserved matters a) appearance and be agreed in writing and implemented to the satisfaction of the Local Planning Authority. The approved noise mitigation measures shall be installed prior to occupation of the site and a Site Completion Report shall be submitted to the Local Planning Authority for approval. The Site Completion Report shall validate that all works undertaken on site were completed in accordance with those agreed by the Local Planning Authority.

Reason: *To safeguard the amenity of the neighbouring residents in accordance with policy DES 7 of the City of Salford Unitary Development Plan.*

9. No development hereby approved shall take place until a mitigation scheme to address air quality within the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify fully all measures which are required to control the impact of poor air quality, as recommended in the Air Quality assessment undertaken by AQC Ltd, February 2013. A verification report shall be submitted for written approval to the Local Planning Authority confirming that all approved measures have been implemented in full prior to the final occupation of the site. All approved measures shall be retained and maintained thereafter.

Reason: *To safeguard the amenity of the future occupants of the development in accordance with policy EN17 of the City of Salford Unitary Development Plan.*

10. No development hereby approved shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the timing/phasing arrangements embodied within the scheme. Those details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: *To reduce the risk of flooding to the proposed development and future occupants in accordance with policy EN19 of the City of Salford Unitary Development Plan*

11. Prior to the commencement of the development hereby approved, a comprehensive Habitat Creation and Management Plan for the proposed landscaped mound and ditch to the south of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved Habitat Creation and Management Plan shall be implemented in full prior to occupation of the first dwelling

Reason: *To secure opportunities for the enhancement of the nature conservation value of the site in accordance with the Nature Conservation and Biodiversity SPD and NPPF.*

12. Prior to the commencement of the development hereby approved, a comprehensive site-wide Landscape Creation and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include full details of the of the proposed works including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (except privately owned domestic gardens) taking into account its value as a wildlife corridor. The approved scheme shall be implemented in full prior to occupation of the first dwelling.

Reason: *To secure opportunities for the enhancement of the nature conservation value of the site in accordance with the Nature Conservation and Biodiversity SPD and NPPF.*

13. Prior to the commencement of the development hereby approved, a detailed Woodland Management Plan for the woodland to the east of the application site, shall be submitted to and agreed in writing by the local planning authority. The approved Woodland Management Plan shall include details of all arboricultural works, programme for implementation, footpath works, lighting, signage, seating, measures to ensure its future public use and programme of future management. The scheme shall be implemented in accordance with the agreed details and programme of works.

Reason: *To enhance and maximise the biodiversity value of the woodland in accordance with UDP policies EN9 and EN10*

14. No tree felling or vegetation clearance should take place within the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by a suitably qualified person

Reason: *To protect and prevent unnecessary disturbance of nesting birds in accordance with policies ST13 and EN12 of the City of Salford Unitary Development Plan*

15. Prior to commencement of the development hereby approved, a scheme shall be submitted to the Local Planning Authority, which provides full details of the design solution to maintain the public right of way (Worsley Footpath 80) following the construction of the proposed site access. The scheme shall include details of all works required to implement the scheme, including any proposed signage and shall be developed in accordance with current guidance on the provision of rural routes accessible for all. Once agreed the scheme shall be implemented in full prior to occupation of the first dwelling and maintained thereafter.

Reason: *To provide an appropriate design solution to maintain the Public Right of Way in accordance with the provisions of UDP policy DES2.*

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

Dwg. No. M11097 – A – 001 Rev A – Proposed access junction

Dwg. No. 458A-02 – Application boundary

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

Notes to Applicant

1. If during any works on site, contamination is suspected or found, or contamination is caused, the LPA shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales in agreement with the LPA.
2. The following noise standards shall be attained with respect to residential accommodation on the site as stipulated in BS8233:1999 "Sound insulation and noise reduction for buildings - Code of practice":
 - (a) internal noise levels of less than 30dB LAeq,(8hour) within bedrooms between 23.00 hours and 07.00 hours
 - (b) internal noise level of less than 40dB LAeq,(16hour) within living areas between 07.00 and 23.00 hours
 - (c) typical individual noise events not in excess of 45dB LAm_{ax} in bedrooms between 23.00 and 07.00 hours
 - (d) external noise levels of less than 55dB LAeq,(16hour) in gardens, balconies and private communal gardens between 07.00 and 23.00 hours
3. Should a temporary or permanent obstruction be unavoidable, then no development should take place until a Diversion Order has been confirmed and the diversion route, with a satisfactory surface and adequate width and way marking, is available for public use
4. The proposed landscape mound should be as wide as practicable. The fence on top of the mound should be constructed with gaps underneath to allow for small mammals and invertebrates to pass freely across the barrier. To remain valuable as a habitat the ditch will also need to be properly managed.

APPLICATION No: 13/63230/OUT

APPLICANT: Peel Investments (North) Ltd - Ms Louise Morrissey

LOCATION: Land Off Vicars Hall Lane And Highclove Lane, Boothstown, Salford

PROPOSAL: Outline planning application with details of reserved matters for the access, construction of up to 100 dwelling houses

WARD: Boothstown And Ellenbrook



Description of Site and Surrounding Area

The proposed development site is located to the southwest of Boothstown. The site is bounded by Vicars Hall Lane and hedgerows to the north and west, dense scrubland to the south (further to which is the Bridgewater Canal) and the existing residential development to the east. The adjacent housing to the east is clearly visible from within the site and a small stable block in the adjacent field to the north is also visible from within the site.

The site itself comprises an area of grassland with mature hedges along boundaries. The site is a relatively flat open ended basin with topographic highs at the south-western and eastern ends of the site of 23.30m AOD and 22.56m AOD respectively with a shallow slope towards the north western end of the site to a topographic low of 21.82m AOD. Views are restricted into and out of the site due to the relatively flat topography of the site and the

surrounding area, and the site vegetation. An area of deciduous woodland to the north west of the site is the main feature in the landscape.

There is no vehicular access into the site currently, however there is an existing access road located adjacent to the eastern boundary of the site, positioned between numbers 69 and 70 Highclove Lane. There are no Public Rights of Way (PROW) through the site, although a PROW follows Vicars Hall Lane along the northern and western boundaries of the site.

Description of Proposal

The application seeks outline planning consent for up to 100 (maximum) dwellings and all matters are reserved with the exception of access to the site. Vehicular access would be taken from an existing road spur off Highclove Lane, located between properties 68 and 70 Highclove Lane. Highclove Lane in conjunction with Godmond Hall Drive, Amberhill Way and Booth's Hall Way, provide a series of loop roads which connect the site to the A572 Chaddock Lane / Simpson Road. Booth's Hall Way has two junctions with the A572, and a third connection is provided via Leigh Road (between the two Booth's Hall way junctions). Whilst the application is in outline only, it is accompanied by an Indicative Layout that has been prepared on the basis of the submitted Development Principles Plan (which will be approved should outline consent be granted).

Three Indicative Layouts have been submitted which provide examples of how the site may be developed. However, the layout of the scheme; scale, design, materials and architectural details of the buildings; and the developments landscaping and boundary treatments are all details to be submitted as part of a Reserved Matters application should outline permission be granted. The number of units indicated in the description relate to the maximum figure. Provided any future scheme complies with the scale parameters set by this outline and other material considerations at the detailed design stage, there is scope within the site for the numbers of dwellings to vary from the maximum number of units.

To help demonstrate that the principle of residential development could be acceptable, the application has been accompanied by a range of supporting documents as follows: -

- Air Quality Assessment
- Crime Impact Statement
- Design and Access Statement
- Development Plan Principles
- Ecological Survey
- Phase 1 Environmental Report
- Flood Risk Assessment
- Planning Statement
- Planning Obligations Heads of Terms
- Transport Assessment
- Tree Report
- Sustainability Checklist
- Utilities Report
- Salford five year land requirement implications of revocation of NW RSS

Relevant Site History

None

Community Involvement

In accordance with the Council's Statement of Community Involvement and the NPPF, the applicant has undertaken pre-application consultation with the community by hosting a public exhibition, held between 2pm and 7pm on 6th December at Boothstown Community Centre. The event was publicised via a leaflet drop to 500 surrounding properties, an advert was placed on the Community Notice Board and a dedicated website was set up.

Details of the proposals were provided on exhibition boards displayed at the event and a questionnaire was provided for attendees to submit their comments. The applicant and their team of consultants were at the exhibition to answer questions and to provide feedback to attendees.

The applicant estimated that 60 people attended the event and a total of 19 questionnaires and emails were submitted. Of the responses submitted, 16 people raised concern about the proposals, either objecting in principle or raising an issue about a specific feature of the development; two people were in support of the proposals and one of the responses received was neutral in nature.

The key issues from the pre-application process included the following: -

- No need for any form of additional housing
- Brownfield sites should be used instead of Greenfield
- No need or desire for affordable housing in this area
- Insufficient affordable housing proposed
- Lack of shops and community facilities
- Inability of utilities network (sewerage, drainage and electricity) to accommodate additional housing
- Congestion in terms of both accessing Leigh Road to the north and on Leigh Road itself
- Detrimental impact on property values
- Loss of views of open land
- Lack of capacity in local schools
- Concerns regarding the un-adopted status of the existing local road network and its future maintenance
- Impact on wildlife and loss of accessible greenspace
- Informal play area would have detrimental impact on existing residential amenity

Publicity

Site Notice: Non HH Article 13

Date Displayed: 7 May 2013

Reason: Article 13 affect public right of way and Wider Publicity

Press Advert: Salford Advertiser

Date Published: 9 May 2013

Reason: Article 13 Affect Public Right of Way

Neighbour Notification

101 neighbour notification letters were sent out to neighbouring residential properties and business on the 2nd May 2013. Those properties consulted included the following: -

- Amberhill Way
- Fellfoot Close
- Godmond Hall Drive
- Highclove Lane
- Kepplecove Meadow
- The Borrans
- Millcrest Close

Representations

64 letters of objection have been received from residents in response to the application publicity. The following issues have been raised:-

- Unsustainable development
- Loss of agricultural land
- Loss of green space used for recreational and leisure pursuits
- Salford has plenty of Brownfield sites available for development
- Detrimental impact on health and wellbeing
- Impact on residential amenity (overlooking, overbearing, loss of light)
- Loss of quality of life

- inappropriate density of development
- Construction impacts (traffic, noise, congestion)
- Increased traffic congestion during peak periods
- Impacts on highway safety
- Insufficient public transport accessibility
- Inappropriate access arrangements
- Depreciation of property value
- Insufficient infrastructure (school places (primary and high school), roads, doctors, dentists, power)
- No High School south of the A580
- No housing need in Boothstown
- Loss of wildlife and habitat
- Increased risk of flooding
- Un-adopted roads and sewers cannot cope
- Inadequate drainage infrastructure
- Proximity to landfill and associated methane gas
- Pollution (air, noise and light)
- Scheme has increased from 80 to 100 units

1 comment has been received which indicates that the site was listed within the Council's SHLAA as being 'not deliverable / developable'. They consider that the site is very boggy and as such is likely to have a large role in drainage. They however consider that the use of Sustainable Urban Drainage System could be beneficial for the site.

In January 2013 following a public meeting of over 600 local residents a local campaign group was formed known as Residents Against Inappropriate Development (RAID). RAID comprises a Local Councillors from the Worsley, Boothstown & Ellenbrook and Walkden South and seven community organizations including: -

- Boothstown Residents Association
- Ellenbrook Village Association
- The Worsley Civic Trust Amenity Society
- Broadoak Park Residents Association
- Worsley Village Community
- Moorside South Residents Association
- Friends of Roe Green

RAID has submitted a detailed letter of objection which raises the following issues: -

- The proposal is not in a sustainable location and does not present real a choice of public transport options when considering how to travel
- The applications submitted by the applicant to date are premature. The cumulative effect of the submitted applications, together with the effects of the Burgess Farm and those sites identified by the applicant and submitted as part of the Core Strategy process would be substantial and would prejudice the development plan documents by determining decisions about the scale, location and phasing of new development
- The policy vacuum represents an opportunity to force through a set of housing developments that would severely disrupt and degrade the functionality of the existing infrastructure
- Consideration should be given to the cumulative effects of the proposed development on the community including; increased congestion and queue lengths on the local highway network (including A572, A575, and A580); the severe highway impact on the access to the M60 and M62 at junction 13. This cumulative effect would have an unacceptable impact on highway safety and the ability of the Strategic Route network to function.
- Public transport has been seriously degraded in recent years and more development will degrade the ability of public transport to operate successfully as a consequence of increased traffic on the roads
- The cumulative effects of development have not been modelled by TfGM during the design stage of the LSM Busway. The cumulative effects of the developments would seriously compromise the weekday morning peak services.
- Development will exacerbate difficulties accessing health facilities due to increased congestion and poor connections provided by public transport

- The site is located within a Air Quality Management Area and would have a detrimental impact on air quality. Although an Air Quality Assessment is carried out no survey points are taken within the application site.
- The City Council does have a 5 year supply of housing sites when considered against the 1300 a year requirement. There is no pressing need to develop this land. Other applications already with permissions or currently in the pipeline and houses currently on sale will adequately cater for the presumed market that the applicant has identified.
- The lack of a 5 year supply should not automatically result in the grant of planning consent. The example at Glebelands is stated.
- It is not the role of the City Council to be prescriptive and demand that approved applications are built
- There is no pressing need for the development. Other applications already with permissions or currently in the pipeline and houses currently on sale will adequately cater for the presumed market that the applicant has identified.
- Lack of primary school places locally and where there are limited places these are at a distance from the application site and would involve crossing the busy A580 or Walkden Road.
- The site is not fully accessible to the disabled or those with limited or impaired mobility, unless they have access to a car. The nearest shops and post office are 0.5 metres from the site
- A shuttle bus does not present a realistic solution to providing long term sustainable public transport services. The shuttle bus will need to navigate narrow corridors between parked cars
- Existing public transport is inadequate and is not sustainably located to access future employment opportunities in Manchester or Bolton
- Flood risk has not been considered fully by the applicant. The area to the north of the site is located in flood zone 3

A further letter of objection has been received from the Boothstown Residents Association who object to the planning application on the following grounds: -

- No need for additional housing in Boothstown. There are 10,000 extant planning applications for new housing in Salford and 400,000 nationally
- 300 houses for sale in the Boothstown area covering a range of price brackets
- Loss of greenfield site
- Focus for development should be on brownfield regeneration
- Development since the 1960's in the area has increased traffic noise, vehicle air pollution and resulted in severe congestion on both the A580 and A572
- Access to employment and medical facilities can only be achieved via car
- No public transport services on an evening
- Increased traffic congestion caused by an increase of approximately 200 vehicles
- Due to traffic congestion buses are not able to meet any reasonable schedules
- Walkden Station is located too far away to be a practical option for commuters
- Trains services at Walkden Station are full
- Boothstown already suffers from high levels of air pollution and this will be exacerbated by the proposed development
- Worsley & Boothstown Community Committee have reaffirmed for another period that a reduction in pollution is a community priority, therefore to allow this outline planning application to proceed would be to contradict this community priority.
- Drainage, public roads and lighting services for estate south of Leigh Road
- Highclove area has been subjected to very strong and unpleasant sewerage odours
- Drainage services are not fit for purpose. A detailed survey should be carried out and rectification/upgrade work undertaken
- No further consideration of the Vicars Hall Lane/ Highclove Lane development should take place until all outstanding drainage issues have been resolved, roads adopted and a period of time has been allowed to ensure that the various drainage services have been shown to operate satisfactorily.
- Existing services are over stretched
- If residents shopping needs could not be met by local shops, then a visit to Walkden or further afield would be necessary - a further need for private cars.
- Surface/flood water drainage issues associated with building a new housing estate in the proposed development area.

An objection to the proposals has also been received from Barbara Keeley MP. Summary details of the objection relates to the following issues:

Loss of open green space and local wildlife

Local green spaces should be protected and designated as Local Green Space and the land should be preserved for future generations. There are also concerns that the development could harm local wildlife

Strain on existing infrastructure

A housing development of this size would put further strain on primary school provision

Traffic / congestion

The amount of traffic that would be generated by a development of this size would be significant, increasing congestion problems on local roads and causing more pollution.

The development would generate an increase in traffic which would exacerbate problems experienced on local roads which are congested at peak times

Public transport

Public transport in the area would not be able to cope with extra passengers

Bus travel – Complaints have been received about cancellations of service and delay.

Walkden Station – The station has significant problems with overcrowding and the current capacity at this station could not cope with such an increase in passenger numbers.

Concerns about pollution and congestion

Concerns are raised by local people about the impact that the development could have on the health of local residents due to air pollution from the additional cars in the area

The addition of up to 100 homes and potentially 200 cars will have an impact on pollution levels

Preservation of the land for recreation

Adverse impact on the quality of life of local people and their families

Area should be designated as Local Green Space in the Council's Local Plan

Consultations

Design For Security - No comments received to date

Highways - The Transport Note accompanying the application describes the accessibility of the site and in view of the low number of proposed units this development will have a limited impact on the surrounding highway network. As such there is no objection to this proposal. It is noted that this application is outline but the Council would require 2m wide footways on the development.

Senior Engineer Flood Risk Management – No objections subject to conditions outlined at the end of this report.

Environment Agency – No objections subject to the implementation of mitigation measures identified in the Flood Risk Assessment.

Greater Manchester Ecological Unit - No objections. Recommend that every effort is made to incorporate boundary hedgerows into final designs for the schemes; that no vegetation clearance be undertaken during the optimum period for bird nesting (March to July inclusive); and that every effort be made to incorporate biodiversity enhancement measures into the final designs of the development.

Transport For Greater Manchester – Indicate that the applicant is prepared to fund a bus service for a period of 5 years at a cost of £330,000. TFGM strongly recommend that specification of any bus service is left open as possible as they have reservations about the long term viability of their initial proposals, given the likely level of market demand. Consider that the provision of a shuttle bus should not be made at the expense of other measures that would permanently improve accessibility. TFGM recommend that the Section 106 Agreement includes a financial contribution to improving the accessibility of the site by sustainable modes and that the means of achieving this should be determined by the Council, in consultation with TfGM.

The Open Spaces Society - No comments received to date.

Peak and Northern Footpaths Society – If planning permission is granted, please include a condition that there must be no obstruction of any public right of way. Should a temporary or permanent obstruction be unavoidable, then no development should take place until a Diversion Order has been confirmed and the diversion route, with a satisfactory surface and adequate width and way marking, is available for public use.

Ramblers Association Manchester Area - No comments received to date.

Urban Vision Environment (Air and Noise) - No objections subject to conditions.

Urban Vision Environment (Land Contamination) – No objections subject to a condition requiring the submission of a Preliminary Risk Assessment.

United Utilities – No objections. No surface water from the development should be discharged either directly or indirectly to the combined sewer network. The site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to a Sustainable Drainage System as stated on the planning application form and the surface water sewer at a rate not exceeding 40l/s.

Worsley, Boothstown Neighbourhood Manager - No comments received to date

Boothstown Ellenbrook Ward Cllrs - Ward Councillors have indicated their wish for the application to be considered by the Planning and Transportation Regulatory Panel due to the high number of local objections which they are aware of. The Ward Councillors have also submitted a detailed letter of objection and have objected on the following grounds: -

- The development is inconsistent with paragraph 9 of the NPPF which refers to improving the conditions in which people live, work, travel and take leisure
- Development would encroach into a rural area and would result in continuous development from Manchester City Centre through Salford to Wigan and beyond
- An assessment against NPPF paragraph 74 has not been undertaken
- Consideration of the impact on wildlife should be undertaken
- Significant initial investment in infrastructure is required to support the development
- Survey data in the Transport Assessment is over 5 years old and does not take account of local traffic data
- Development would have an unacceptable impact on the existing highway network. The proposed development will increase the amount of outward traffic on Boothshall Way in the AM peak period by approximately 20 per cent and would represent a severe impact
- The proposed shuttle bus would not deal with the amount of traffic leaving the area at peak times to travel further afield using junction 13 of the M60. Additionally, to fund this shuttle service for only 5 years is only short term and is unsustainable in the longer term.
- Children will not be able to play safely on the roads surrounding their home as a consequence of an increase in traffic from the proposed development
- On street parking on Highclove Lane and Godmondhall Drive is often at such a level that it is difficult to pass easily with the road only being 5.5 metres in width
- There have been significant problems in relation to adoption of the sewer network and pumping station which serves the existing estate. These problems need to be addressed before any development is considered.
- There is no spare capacity at schools and this would mean that children would need to travel to other schools in the area regardless of the extra traffic problems this would create. This is not in line with Salford Council's policy on sustainable school travel.
- This proposed development is inconsistent with paragraph 72 of the NPPF as key planning issues have not been resolved before the application has been submitted

Planning Policy

Development Plan Policy

Saved Policies of the City of Salford Unitary Development Plan 2004 - 2016

The Salford Unitary Development Plan (UDP) was adopted on the 21st June 2006. The 2004 Planning and Compulsory Purchase Act automatically saved the UDP Policies for a period of three years from adoption (i.e. until 21 June 2009). The City Council applied to and received the consent of the Secretary of State to save many of the UDP policies beyond 21st June 2009.

The UDP was adopted on 21 June 2006 and although it has been adopted since 2004, the UDP is not a 'development plan document' as defined within the 2004 Planning and Compulsory Purchase Act. Annex 1 of the NPPF offers guidance as to the weight to be afforded to development plan policies in such cases. NPPF paragraph 215 states that, *"due weight should be given to relevant policies in existing plans according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

Relevant policies in the determination of this application are as follows: -

Unitary Development Plan - Policy ST1 (Sustainable Urban Neighbourhoods)
Unitary Development Plan - Policy ST12 Development Density
Unitary Development Plan - Policy ST14 (Global Environment)
Unitary Development Plan - Policy DES1 (Respecting Context)
Unitary Development Plan - Policy DES2 (Circulation and Movement)
Unitary Development Plan - Policy DES3 (Design of Public Space)
Unitary Development Plan - Policy DES4 (Relationship of Development to Public Space)
Unitary Development Plan - Policy DES7 (Amenity of Users and Neighbours)
Unitary Development Plan - Policy DES9 (Landscaping)
Unitary Development Plan - Policy DES10 (Design and Crime)
Unitary Development Plan - Policy H1 (Provision of New Housing Development)
Unitary Development Plan - Policy H4 (Affordable Housing)
Unitary Development Plan - Policy H8 (Open Space Associated with New Housing Development)
Unitary Development Plan - Policy A2 (Cyclists, Pedestrians and the Disabled)
Unitary Development Plan - Policy A8 (Impact of Development on the Highway Network)
Unitary Development Plan - Policy A10 (Provision of Car, Cycle and Motorcycle Parking in New Developments)
Unitary Development Plan - Policy EN12 (Important Landscape Features)
Unitary Development Plan - Policy EN13 (Protected Trees)
Unitary Development Plan - Policy EN17 (Pollution Control)
Unitary Development Plan - Policy EN18 (Protection of Water Resources)
Unitary Development Plan - Policy EN19 (Flood Risk and Surface Water)
Unitary Development Plan - Policy DEV5 (Planning Conditions and Obligations)

Other Material Planning Considerations

National Planning Policy

National Planning Policy Framework (March 2012)

The National Planning Policy Framework (NPPF) was published by the Department of Communities and Local Government (DCLG) on the 27th March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied in the determination of planning applications and the preparation of development plans. The NPPF sets out the requirements for the planning system to the extent that it is relevant, proportionate and necessary to do so.

The ministerial forward to the NPPF states that *"Development that is sustainable should go ahead without delay - a presumption in favour of sustainable development that is the basis for every plan and every decision"*. There are three dimensions to sustainable development, including (paragraph 7):

- *"an economic role – contributing to building a strong responsive and competitive economy by ensuring that sufficient land of the right type is available at the right time and in the right places to support growth... .."*

- *“a social role – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, by creating a high quality built environment with accessible local services... ..”*
- *“an environmental role – contributing to protecting and enhancing our natural, built and historic environment and as part of this helping to improve bio-diversity... ..”*

To achieve sustainable development, economic, social and environmental gains should be sought jointly.

Paragraph 12 of the NPPF states that, *“This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.”*

Paragraph 14 of the NPPF states, *“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.”*

Specific to decision-taking, the NPPF states that this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 3. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 4. specific policies in the Framework indicate development should be restricted.

Technical Guidance to the National Planning Policy Framework (March 2012)

The document provides additional guidance to local planning authorities on development in areas at risk of flooding. Guidance is provided within the document on the application of both the sequential and exception tests.

Local Planning Policy

Supplementary Planning Document - Greenspace Strategy
 Supplementary Planning Document - Nature Conservation and Biodiversity
 Supplementary Planning Document - Design and Crime
 Supplementary Planning Document - Trees and Development
 Supplementary Planning Document - Planning Obligations
 Supplementary Planning Document - Sustainable Design and Construction
 Supplementary Planning Document – Design
 Supplementary Planning Document – Education Contributions
 Planning Guidance - Housing

Other relevant guidance, plans and strategies

Salford West Strategic Regeneration Framework and Action Plan 2008 – 2028 (January 2008)
 Prosperity for all: The Greater Manchester Strategy (August 2009)
 Planning for Growth Ministerial Statement 23rd March 2011

It is not considered that there are any local finance considerations that are material to the application

Appraisal

The main planning issues to be considered in determination of this application are as follows: -

1. Principle of development
 - i) Strategic location
 - ii) Greenfield land
 - iii) Proposed uses - Residential
 - a.) Identifying the objectively assessed housing need
 - b.) Housing land supply assessment
 - c.) Qualitative need
 - d.) Housing mix, type and density
 - e.) Affordable housing
2. Impact on the highway network; transport infrastructure and public rights of way
 - i) Sustainable location
 - ii) Proposed access arrangements
 - iii) Impacts on highway network
 - iv) Public Rights of Way
3. Design and layout
4. Crime and Design
5. Amenity
6. Education
7. Pollution
 - i.) Air Quality
 - ii.) Noise
 - iii.) Contaminated Land
8. Ecology, Nature Conservation and Trees
9. Flood risk, drainage and utilities
10. Sustainability credentials
11. Planning Obligations
12. Other issues

1. Principle of development

i) Strategic location

UDP Chapter 3 identifies a Spatial Framework for the City and recognises that the opportunities and the need for development, regeneration and environmental protection vary in their scale and nature across the city. The site is located within Salford West where, *“during the plan period, the emphasis for development will be on continuing to develop Salford West as a series of attractive and thriving neighbourhoods.”*

The site is located on the edge of the built up area of Boothstown and is not allocated by, or subject to, a protective designation in the UDP. The site itself comprises an area of open undeveloped grassland. Details of agricultural land quality were requested but were not forthcoming from the applicant. The applicant has indicated that the site has never been actively farmed for any other purpose than for informal grazing. It is noted that local residents have raised concerns regarding on site flooding and as such, it is highly unlikely that a site which experiences such circumstances could constitute Best and Most Versatile (BMV) agricultural land. Notwithstanding this, even if the whole of the site was classified as BMV agricultural land, the loss would be limited in terms of its size and would have a very limited impact upon the overall national supply of BMV agricultural land. When considered in the context of NPPF paragraph 112, the benefits of the scheme, in terms of the need for housing need to be weighed against the limited loss of agricultural land.

ii) Greenfield land

UDP Policy ST11 (Location of New Development) sought to ensure that new development is located on the most sustainable sites within the city and that less sustainable sites are only brought forward where necessary. In essence the policy identified a sequential approach of development. The policy was not however saved beyond 21st June 2009 because it was not fully in conformity with RSS Policy DP4 (Making Best Use of Existing Resources and Infrastructure) and it was considered that this policy covered the issue adequately. However,

following revocation of RSS, the development plan makes no reference to a sequential approach to use of land, nor does it identify a target for the use of brownfield land.

NPPF paragraph 17 identifies twelve core land use planning principles, of which bullet point 8) states that planning should *“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.”* Although NPPF does encourage the use of brownfield land, it does not identify a sequential approach to development which prioritizes the use of previously developed land over greenfield sites.

Clarification on this matter was provided by the Secretary of State, following receipt of the decision on the Burgess Farm application (Appeal Reference APP/U4230/A/11/2157433) on the 16th July 2012. He concludes in paragraph 14 of his decision letter that, *“The Secretary of State agreed that the sequential approach to location of housing development is not reflected in the framework.”* He then went on further to state in paragraph 17 that, *“National planning policy in the Framework encourages the use of previously developed land, but does not promote a sequential approach to land use.”*

While NPPF states that the effective use of land should be encouraged by re-using land that has been previously developed; the NPPF does not promote a sequential approach to land use and there is no presumption that Greenfield sites are unsuitable for development per se. The presumption in favour of sustainable development is an important part of the NPPF and it is noted that delivery of sustainable development is not restricted to the use of previously developed land and can include the development of greenfield land. There is no objection to the general principle of developing this greenfield site for residential purposes and as such is considered acceptable.

iii) Proposed uses - Residential

NPPF Chapter 6 (Delivering a wide choice of high quality homes) paragraph 47 identifies a clear policy objective to, *“boost significantly the supply of housing”*. Paragraph 17 states further that the planning system should *“proactively drive and support sustainable economic development to deliver new homes....that the country needs. Every effort should be made objectively to identify and then meet the housing...needs of an area.”* NPPF indicates that this will be achieved first and foremost, by local planning authorities, *“using their evidence base to ensure that their local plan meets the full, objectively assessed needs of market and affordable housing in the housing market area,...including identifying key sites which are critical to the delivery of the housing strategy over the plan period.”*

a) Identifying the objectively assessed housing need

Policy L4 (regional housing provision) of the Regional Spatial Strategy (RSS) identified an average annual housing requirement for Salford of 1,600 dwellings net of clearance replacement. Policy ST2 of the UDP identified an annual average rate of housing provision of 530 net additional dwellings up to 2016, but this policy was not saved beyond 21 June 2009 due to its inconsistency with the RSS. Given the RSS was revoked on 20th May 2013; there is no specific housing requirement for Salford contained within any part of the city's development plan.

The focus of the NPPF is on meeting objectively assessed needs that have been identified through the plan making process (paragraph 47, bullet point 1). Although work is ongoing in relation to the production of the city's Local Plan, it is at an early stage.

Consideration has been given as to what is an appropriate requirement for the purposes of calculating whether there is currently a 5 year supply of land for housing. One option would be to use the net housing requirement of 1,300 dwellings per annum identified in Salford's Publication Core Strategy. However, there was considerable objection to this, with some residents arguing that it should be lower than proposed and some landowners and developers suggesting it should be higher. In relation to the proposed requirement of 1,300 dwellings per annum the initial findings of the Core Strategy Inspector were set out in a letter to the city council as follows: -

“The evidence presented to me supports an annual housing requirement of at least 1,600 dwellings instead of the current proposed annual provision of at least 1,300 dwellings. In addition to reflecting an objective assessment of need in accordance with the Framework requirement, this would be likely to bring forward more affordable and aspirational homes to which reference has been made at the Hearings, a considerable benefit” (paragraph 3).

Having given careful consideration to the issues raised by the inspector concerning the proposed housing requirement (and other issues he had raised), the Core Strategy was withdrawn on 21 November 2012 at a meeting of full Council. As such, the annual 1,300 net additional dwelling requirement has no status in planning policy terms. Given that the Core Strategy has been withdrawn, and that the Core Strategy Inspector heard the evidence of the city council and others in coming to a conclusion on the most appropriate housing requirement (notwithstanding the fact that they were his initial findings), the 1,300 figure carries very limited weight as a material consideration.

Other evidence that could potentially be used to estimate objectively assessed need is household forecasts. The latest sub-national household projections were published by the Department for Communities and Local Government in April 2013. For the period 2011 to 2021, these projections estimate household growth in Salford to equate to an average of 1,356 households per annum (a total of 13,536). If they were to be used as the basis for calculating the city's housing requirement, then it would be appropriate to look at this ten year period as a whole, taking into account the net increase in dwellings since 2011, rather than simply working from 2013. On this basis, given the relatively low net completions over the period 1 April 2011 to 31 March 2013 (697 dwellings), this would result in a net requirement for 2013 to 2021 of around 1,600 dwellings per annum.

The 2012 Greater Manchester Forecasting Model (GMFM) provides longer-term household forecasts. For the period 2012 to 2032, it forecasts an average increase of 1,046 households per annum, with higher growth in the early years (around 1,300 per annum) and then the rate of growth gradually declining over time. There was considerable debate over the use of the GMFM during the Core Strategy examination, and in light of this it would seem inappropriate to seek to use its household forecasts as the basis for any interim housing requirement. The Core Strategy Inspector has already effectively concluded that using the GMFM forecasts in isolation could provide insufficient dwellings to meet Salford's needs, particularly having regard to the scale of economic development being proposed in the city. Furthermore, it would not address the issue of ensuring that housing needs across Greater Manchester as a whole were being met.

Although the RSS has been revoked there have been a number of recent appeal decisions where it has been concluded by planning inspector's that the RSS housing requirements should at the current time continue to apply. For example, the decision of a planning inspector in July 2013, relating to an appeal against a decision of South Northamptonshire to refuse planning permission for 220 dwellings, considered that *"Notwithstanding its diminished status, the former RSS housing target is the most up-to-date and objectively based figure which has been subject to examination"* (Appeal Reference: APP/Z2830/A/12/2183859, paragraph 167). The inspector at another appeal held against the refusal of planning permission by Warrington Borough Council for up to 150 dwellings, similarly concluded in July 2013 that *"The RSS has been revoked, but is nevertheless represents the last independently examined set of housing figures..."* (Appeal Reference APP/M0655/A/13/2192076, paragraph 35).

Given the Core Strategy Inspector's reference to an annual housing requirement for Salford of at least 1,600 dwellings reflecting an objective assessment of need, and the lack of any more recent agreement at the Greater Manchester level regarding the appropriate scale and distribution of new housing than that contained in the RSS, at the current time the RSS figure is considered to be the most appropriate basis on which to determine the housing requirement. The appropriateness of this will be kept under review, having regard to the publication of new evidence and discussions at the Greater Manchester level.

b) Housing land supply assessment

NPPF paragraph 47, bullet point 2, requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements, with an additional 5% to 20% buffer depending on past performance of delivery; and identify a supply of specific, developable sites to broad locations for growth, for years 6-10, and where possible, for years 11-15.

The NPPF is clear that for sites to be within the five year supply, local planning authorities must identify 'specific' 'deliverable' sites that are available 'now'. The footnote to Paragraph 47 clarifies that, *"To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans."*

Paragraph 159 of NPPF requires local planning authorities to prepare a Strategic Housing Land Availability Assessment (SHLAA) *“to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period”*. The NPPF sees the SHLAA as an important part of the Local Plan evidence base; however in practice the SHLAA is also important as it sets out what the supply of housing will be over the next five years.

The City Council's SHLAA (published August 2013) covers the period from 1st April 2013 to 31st March 2032 and represents the most up to date evidence of the council's five year housing land position for the period 1st April 2013 to 31st March 2018. The SHLAA has been produced in line with DCLG practice guidance and the NPPF. The SHLAA estimates that between 1st April 2013 and the 31st March 2018 there is a likely deliverable supply of 6,775 net additional dwellings.

Although there were 12,843 dwellings with extant planning permission across the city as at 31 March 2013, the NPPF is very clear that for sites to be part of the five year supply they have to be deliverable in practice. Within the supply of extant planning permissions some sites will be phased over a long period due to the number of dwellings in that permission, or it is known that the site will come forward with fewer dwellings than currently consented. Of the 12,843 dwellings with extant planning permission almost half of these have been granted by the following four permissions which will be subject to long phasing / a revised scheme:

- MediaCityUK phases 1 to 3: 1,871 dwellings (planning permission 06/53168/OUT, SHLAA site S/ORD/012)
- Middlewood Locks: 1,758 dwellings (planning permission 06/52762/OUT, SHLAA site S/ORD/010)
- Creating a New Pendleton Together: 1,508 dwellings (planning permission 12/61953/HYBRID, SHLAA sites S/LAN/056 and S/LAN/057)
- Michigan Avenue, Salford Quays: 1,036 dwellings (planning permission 10/58887/FUL, SHLAA site S/ORD/090)

As well as assessing all sites with extant planning permission for their deliverability over the next five years, some sites without extant planning permission as at 31 March 2013 have been included in the five year supply. These sites are generally those where there is an undetermined planning application for housing and the general principle of housing is likely to be acceptable, or where it has been indicated to the city council by the landowner / developer that dwellings will be delivered on a specific site within the next five years. A comprehensive and realistic approach has therefore been taken in identifying potential sites.

In determining whether a site is deliverable, ongoing consultation with stakeholders over the last five years (i.e. since the City Council published its first SHLAA) has informed the latest SHLAA. The SHLAA has also been informed by market intelligence / knowledge of particular sites, and discussions with developers / agents and development management case officers from Urban Vision. Internal discussions have also taken place with, amongst others, Children's Services relating to the potential availability of current and former schools for new housing in the future, the development team in the Chief Executive Directorate, and the Creating a New Pendleton Together team. Account has also been taken of discussions and evidence presented at the Core Strategy examination in relation to matters of housing supply.

It is considered that for the time being the RSS figure of 1,600 net additional dwellings per annum should be used for the purposes of calculating whether there is a five year supply. As noted above paragraph 47 (bullet point 2) of the NPPF requires a buffer of either 5% or 20% to be added to the five year requirement. A buffer of 5% is considered by the NPPF as being appropriate to ensure choice and competition in the market for land, although a 20% buffer should be applied in circumstances where there has been a consistent under delivery of housing.

The Core Strategy Inspector in his letter of 26 September 2012 (paragraph 6) considered that there has been an *“often substantial shortfall”* against an annual requirement of 1,600 net completions. He considered that reasons for this may include a shortage of sites attractive to prospective developers and the shortage of mortgage finance. Nevertheless, he concluded that *“... this appears to me to constitute a persistent under-delivery of housing and this calls for the buffer of 20% to which the aforementioned paragraph 47 refers.”*

The level of housing completions position has not improved significantly in the time period following that considered by the inspector (which was up to the end of March 2011). Between 1 April 2011 and 31 March 2013

there were 697 net additions. Should a requirement of 1,600 per annum apply to this two year period then there would be a shortfall of 2,503 net additional dwellings. Given the inspector's conclusion, and that there is a shortfall of 7,290 dwellings in the longer term period between 1 April 2003 and 31 March 2013, there has been a persistent under delivery of housing when measured against the RSS figure. Given this, a 20% buffer (i.e. an additional 1,600 net additions) needs to be added to the five year housing land requirement.

The total five year land requirement for Salford for the period 1 April 2013 to 31 March 2018 is therefore 9,600 dwellings (i.e. 5 x RSS figure of 1,600 dwellings per annum equals 8,000 + 20% = 9,600). This equates to 1,920 dwellings per annum over the five years.

Taking into account a requirement of 9,600 and an identified supply of deliverable dwellings of 6,775 in the SHLAA, there is a shortfall of 2,825 in the supply of specific deliverable sites between 1 April 2013 and 31 March 2018. This represents a current land supply position of **3.53 years**, which is calculated by dividing the supply of 6,775 deliverable dwellings by the annual average requirement of 1,920 dwellings.

Based upon the above SHLAA data, there is a severe shortfall in the provision of specific deliverable housing sites in Salford over the five year period 1st April 2013 to 31st March 2018. In a recent called-in appeal in the Cotswolds (Appeal Ref: APP/F1610/A/11/2165778) the Secretary of State endorsed the approach of the Planning Inspector, stating that, *"the Council has a serious shortfall in its supply of housing land, and I consider that to be a material consideration that weighs heavily in favour of allowing the proposed development to go ahead."* The Secretary of State considered that a 3.53 year supply represented a "severe" shortfall of housing land supply, when assessed against the relevant requirement.

The absence of a continuing supply of housing land has significant consequences in terms of the council's ability to contribute towards the government's aim of *"boost(ing) significantly the supply of housing."* Significant weight should therefore be afforded to the schemes contribution to addressing the identified housing shortfall and meeting the Government's objective of securing a better balance between housing demand and supply, in the determination of this planning application.

Paragraph 49 of the NPPF requires that housing applications should be considered in the context of the presumption in favour of sustainable development. As the city council is unable to identify a five year supply of deliverable housing sites, NPPF paragraph 49 states that, *"relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites."* Where relevant policies are out of date NPPF paragraph 14 requires that where there are no material consideration to indicate otherwise, planning permission should be granted unless there are any adverse impacts that would significantly and demonstrably outweigh the benefits, or specific policies in the Framework that indicated that development should be restricted that would prevent permission being granted. This matter is addressed within the Planning balance and conclusions section of this report.

c) Qualitative need

The site is located within Salford West. The City Council has developed a regeneration framework to drive activity and investment within Salford West over the next 20 years. This document, known as the Salford West Strategic Regeneration Framework (2008 – 2028) (SWRF) indicates that there is a lack of high quality homes that will attract and retain the higher income earners required to deliver the growth objectives of the region. Paragraph 2.12 of the SWRF states that, *"there is a clear role for Salford West to provide an increasing supply of the quality residential developments needed to retain and attract a skilled and aspirational workforce. This includes providing high quality aspirational housing that attracts and retains higher income earners and families."*

Paragraph 2.73 of the SWRF elaborates upon the role of Salford West stating, *"Ensuring a critical mass of new housing is important in challenging perceptions and creating a new housing market. This will include new family, professional and affordable housing that combine location advantages with high quality of design and high standards of sustainability. The challenge for housing is to create a housing stock that attracts and retains higher earning households. To do this, dialogue between Salford City Council, landowners and developers must be established, which can collaboratively and proactively identify opportunities for high quality solutions in areas of particular need."*

Salford's Strategic Housing Market Assessment (SHMA) (February 2012) gives consideration to the potential future supply of higher value homes in the city, and finds at paragraph 5.113 that the availability of higher cost

housing outside of the Regional Centre is relatively limited, and concludes at paragraph 5.114 that: *“It may therefore be appropriate to give consideration to whether there is the potential to increase the supply of housing land in the mid and/or mid/high [sales value] areas, in order to support the Greater Manchester priority of increasing the supply of higher value housing within the conurbation”*.

The key housing objective identified in the Greater Manchester Strategy is *“creating quality places to meet the needs of a competitive city region.”* It explains on page 47 that, *“Within the city region, there is need to focus on improving the match between the housing ‘offer’ and the aspirations of existing and potential new households and ensuring our housing policy is linked to improving life chances in deprived communities, attracting and retaining the best talent and moving towards a low-carbon economy”*. Page 48 of the Strategy makes a strong link between the provision of housing for skilled workers and the sub-regions economic prospects, stating that, *“the city region has to be known as a place that offers high quality housing in places where people at all levels of the market, including the highly skilled and talented, will choose, and can afford, to live and invest.”*

Although the SWRF and the Greater Manchester Strategy do not form part of the statutory development plan, they are important material considerations in the determination of this planning application and provide a clear indication that Salford West has a clear role in increasing the supply of quality residential developments needed to retain and attract a skilled and aspirational workforce.

The development of the application site could provide higher value housing and could help to diversify the type of housing that is available within the city, and Greater Manchester. The development could, in principle, help to meet the key housing objective of the Greater Manchester Strategy and could be in accordance with the Salford West Regeneration Framework and UDP Policy H1 (in terms of providing a balanced mix of dwellings).

d) Housing mix, type and density

The development proposes up to a maximum of 100 dwellings on site, which may comprise a mix of detached, semi detached, terraced properties and apartments. Three indicative layouts have been submitted to demonstrate how the site could be delivered should outline planning consent be granted. Members should be aware that the indicative layout is not fixed at this stage, and the final scheme to be delivered could be for fewer dwellings than the maximum number of units proposed. The housing mix, type and density will be influenced by the council's relevant development plan policies (UDP policy H1) and housing planning guidance policies (HOU1 and HOU2) and the housing market at the time of delivery. The table below provides an overview of the three indicative schemes to allow Members to gain an understanding of how the site could be delivered, should outline planning consent be granted.

Indicative scheme	Mix	Density (dwellings per hectare)
Alternative 1 (61 dwellings)	41 detached dwellings 10 semi-detached dwellings 10 linked dwellings	37
Alternative 2 (80 dwellings)	20 detached dwellings 34 semi-detached dwellings 26 linked dwellings	49
Alternative 3 (100 dwellings)	14 detached dwellings 38 semi-detached dwellings 19 linked dwellings 29 apartments	61

The indicative layouts are for illustrative purposes only, and as such the design solution which is developed for submission as part of a future reserved matters application may well comprise a significantly different mix, type and density of dwellings on site to that outlined at this stage. Although no firm conclusions can be reached at this outline stage regarding the mix, size and density of dwellings, the applicant has demonstrated that a mix of units could be accommodated on site. It is noted that the indicative layout outlined by Alternative 3 comprises the delivery of 29 apartments (29% of the overall total). Paragraph 4.6 of the Housing Planning Guidance SPD indicates that in order to protect the suburban character of Salford West this would typically mean *“at least 80-90% of dwellings on individual sites being in the form of houses rather than apartments.”* In light of this, it is considered that an innovative design solution would be required for a scheme which delivers the maximum number of dwellings on site and achieves the design aspirations and housing needs of the City Council. It is

however noted that these matters will be controlled through the reserved matters process where due consideration will be provided by the relevant policies and guidance to deliver a high quality, family housing scheme.

e) Affordable housing

NPPF paragraph 50 requires Local Authorities to identify the affordable housing need for an area and then, “*set policies for meeting this need on site, unless off-site provision or a financial contribution can be robustly justified and the agreed approach contributes to the objectives of creating mixed and balanced communities.*”

UDP Policy H4 requires that in areas where there is a demonstrable lack of affordable housing to meet local needs, developers will be required, by negotiation with the city council, to provide an element of affordable housing, of appropriate types on all residential sites over 1 hectare, irrespective of the number of dwellings, or in housing developments of 25 or more dwellings. The Strategic Housing Market Assessment (SHMA) identifies a net additional need for 1,019 affordable dwellings per annum, based on addressing the current backlog of need over a five year period.

Additional policy guidance is outlined in the city council’s Housing Planning Guidance document. Policy HOU3 of the Housing Planning Guidance requires that 20% of dwellings should be affordable on sites above the thresholds set out in UDP Policy H4. There is a requirement that the type, size and mix of affordable housing should be agreed with the City Council. This requirement and the parameters for consideration are identified in HOU4.

The applicant has indicated that they would provide 20% affordable housing on site in accordance with Housing Planning Guidance policy HOU3. Through negotiations it has been agreed that 60% will be rented and 40% ownership. Of the rented no less than 50% will be social rent and the remainder will be affordable rent. Of the owned, no less than 80% would be shared ownership and the remainder shared equity. The affordable housing would be integrated on site into the rest of the development in accordance with policy HOU5. This approach is considered acceptable and in accordance with the relevant UDP policies. The affordable housing provision will be secured through the S106 Agreement.

2. Impact on the highway network; transport infrastructure and public rights of way

i) Sustainable location

The nearest bus stops to the site are located approximately 1 kilometre to the north on Simpson Road (A572). There are regular bus services east to Walkden, Salford Crescent station, Manchester city centre, Bolton and the Trafford Centre; and west to Wigan and Leigh. The applicant acknowledges that although the site is well served by bus routes (including the future operation of the LSM Busway, which is scheduled to become operational by late 2014), that the distance from the bus stops to the site may deter residents from using the bus.

As a consequence of the sites location, it is acknowledged that the accessibility of the site is currently low and that improvements are required to offer future residents a choice of travel mode. The applicant acknowledges that there is a need to improve public transport accessibility and has proposed that a shuttle bus service is provided which would connect the site with the centre of Boothstown, the bus stops on the A572 and the Leigh-Salford-Manchester Busway on the A580. The shuttle bus service would be operated for a minimum period of 5 years at a cost of £330,000 following occupation of the 25th dwelling. The service would operate at a frequency of every 22 minutes and would be available for wider community use.

Transport for Greater Manchester (TfGM) has been in discussion with the applicant prior to submission of the application and they welcome the applicants desire to improve public transport accessibility. TfGM have indicated that they would be keen to ensure, as far as possible, that any bus service provided would be commercially viable at the end of the 5 year period, when the subsidy ends, however they note that if this is not the case then the development would be left without a service, as is the case at present.

The applicant has made a commitment to provide a shuttle bus service which will link the site to local amenities and the existing wider public transport infrastructure. The shuttle bus will be provided on the basis of the details outlined above. It is highly likely that a shuttle bus will be provided, however on light of comments from TFGM

there is scope provided within the legal agreement to provide alternative sustainable transport solutions to the value of £330,000 in consultation with the City Council and TfGM.

ii) Proposed access arrangements

There is an existing vehicle access stub located between properties 68 and 70 Highclove Lane which will provide a single vehicle access point into the site. The access stub has a carriageway width of 5.5 metres with public footways on either side of the carriageway. No vehicular access would be provided on to Vicars Hall Lane. Urban Vision's Highways Engineer has assessed the proposed access arrangements outlined in the Transport Assessment and raises no objections on highway safety grounds.

The Development Principles plan indicates that footpath connections would be provided to the north east (on to Vicars Hall Lane), south east and south west corners of the site. The proposed pedestrian connection routes will provide enhanced permeability through the site and will link to existing footpath routes including the Bridgewater Canal and the wider network of footpaths and Public Rights of Way in the area.

Construction traffic will access the site from the A572 via a series of loop roads (Highclove Lane, Godmond Hall Drive and Amberhill Way) and Booth's Hall Way. The loop roads are approximately 5.5 metres in width with footways both sides, whilst Booth's Hall Way is 6.5 metres in width with footpaths either side of the carriageway. The loop roads incorporate traffic calming measures, including the use of block paved speed tables; and priority traffic management measures' which reduce vehicular access to a single direction of traffic on certain sections of the access roads.

Concerns have been raised by residents as to whether safe vehicular access could be provided for construction traffic. This matter has been raised with Urban Vision's Highway Engineer who acknowledges that for a limited period of time there will be an increase in vehicles on these roads whilst construction takes place. She considers that the roads are suitably designed with the existing traffic calming features to ensure that traffic maintains a low speed throughout the estate and are suitably wide to allow safe passage. Footways are in place throughout the estate on both sides of the carriageway and visibility is good so pedestrian safety should not be compromised. As noted within subsequent sections of this report a Construction Environmental Management Plan condition will be applied to the grant of consent which requires the contractor to work with the city council to ensure that nuisance is not caused to the existing residents on the estate. The Highways Engineer has noted that at the current time, the estate is not an adopted highway, which although would not prevent vehicular access from being taken from it, any damage to the roads will have to be repaired to the appropriate standard before the city council will complete the highway adoption procedure.

iii) Impacts on highway network

The Transport Assessment (TA) identifies and assesses the likely routing patterns and traffic generation impacts of the development. The TA states that vehicles *"heading to and from the west would naturally use the most western of the three junctions, whilst those heading to and from the east similar distances/ journey times would result from using any of the three junctions, and hence traffic is expected to disperse over all of these local roads."* The TA states further that, *"there would be a maximum of 44 two-way movements on any part of the existing highway network (Highclove Lane), which occurs during in the PM peak hour. Clearly, such low numbers would have no perceptible impact on these residential roads. Likewise, at the junctions on to the A572, such low traffic increases would have no material impact on the operation of the junctions."* The TA indicates that given the scale and impact of the proposed development on the local network, it is not necessary for highway improvements to be provided as a consequence of the proposals.

Urban Vision's Highways Engineer has assessed the submitted TA and considers that the document is acceptable. She raises no objections to the development on traffic impact grounds and therefore the development complies with the requirements of UDP policy A8 and the NPPF.

iv) Public Rights of Way

There are no Public Rights of Way (PROW) which run through the site, although an existing PROW follows Vicars Hall Lane along the northern and western boundaries of the site. The proposed development would have no impact upon the existing PROW and rather would provide a series of new connections to it. A number of footpath groups have been consulted and no objections to the proposals in this regard have been received.

3. Design and layout

The applicant has submitted a Development Principles plan in support of the application which provides a framework to inform the detailed design of the scheme, reflecting fixed elements of the development, core design features and other indicative design principles. The Plan provides details of the development areas; public greenspace; primary vehicular routes; SUDs; proposed footpath links and details of the broad location and scale of the central square.

An Illustrative Masterplan has been prepared to provide indicative details of how the site may be delivered. Although the scheme is in outline with matters of access sought at this stage, it is relevant to consider the parameters of the development together with the indicative layouts to gain a level of certainty that the quantum of development proposed can reasonably be accommodated on the site.

The Design and Access Statement provides a rationale for the development principles which are incorporated into the indicative layout to respond to the site characteristics. The Development Principles Plan aims to retain landscape feature; provide pedestrian connections; and create a focal space and maximize views. As a consequence, any future proposals to be considered at the reserved matters stage will follow a similar layout to the plan submitted in order to deliver an acceptable quantum of development and to ensure adequate mitigation is provided.

The Design and Access Statement indicates that the development will comprise a mix of detached, semi-detached and some terraced units, the quantum of which will be determined through submission of a subsequent reserved matters application. Notwithstanding this, the applicant has indicated through the design and Access Statement that dwellings will comprise a mix of 2 storey dwellings, with the occasional use of 2.5 storey dwellings (up to 12 metres to the ridge), located around a central square.

Based upon the identified development principles and details within the Design and Access Statement, it is considered that an appropriate layout could be developed on site in principle. The overall acceptability of the layout will however depend upon the design solution proposed at a future reserved matters stage. The applicant will be expected to address detailed design issues in accordance with relevant development plan policies, the Design SPD and the NPPF to ensure that a high quality scheme is achieved, which respects the characteristics of the surrounding area.

4. Crime and Design

UDP policy DES10 states that development will not be permitted unless it is designed to discourage crime, anti-social behaviour and the fear of crime. This approach is in full accordance with NPPF paragraphs 58 and 69 which indicates that planning decisions should aim to ensure that developments *“create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.”* Further policy guidance is outlined in the council’s Design and Crime Supplementary Planning Document.

The applicant has submitted a Preliminary Crime Impact Statement (25th February 2013) which has been prepared by Greater Manchester Police Design for Security. They indicate that crime levels in the area are extremely low and that an extension to the existing housing estate would not adversely affect the neighbouring or proposed properties from a crime and disorder perspective. Although the detailed layout of the scheme would be considered through a subsequent reserved matters application, it is recommended that the scheme is developed in accordance with the recommendations of the Crime Impact Statement. A planning condition is recommended which requires that a Crime Prevention Plan is prepared to inform the detailed design stage of the development and that the scheme achieves Secured by Design accreditation.

5. Amenity

A number of objections have been raised in respect of impacts associated with the construction phase of the development. Environmental impacts associated with the construction phase of the development will be temporary in nature and can be mitigated through effective implementation of site management and mitigation methods. It is recommended that the applicant submits, for approval by the city council, a Construction Environmental Management Plan (CEMP) which identifies effective measures to manage and mitigate potential environmental effects, including for example dust, noise, construction traffic and parking. These matters will be secured via condition, the details of which are outlined at the end of this report. Subject to the inclusion of the

recommended condition, the proposals are considered acceptable and in accordance with UDP policies DES7 and EN17; and the NPPF.

6. Education

The City Council adopted the Educations Contributions Supplementary Planning Document on the 29th August 2013. The SPD has been prepared in order to provide additional guidance on the City Council's approach to seeking developer contributions towards education infrastructure provision from new housing development within the city. The SPD ensures that new housing development (over 10 units) makes a proportionate contribution to meeting the additional requirement for education provision that it will generate. Saved policy DEV5 of the Salford Unitary Development Plan provides the policy basis for requiring such contributions.

It is considered that the proposed development would result in a material increase in the demand for primary school places that could not be met by existing provision, and therefore it is necessary for a planning obligation to which would secured a financial contribution towards creating additional primary school places within the Boothstown area. The actual scale of the financial contribution can only be determined when the precise mix of dwellings is known at the point of a future reserved matters application being determined; however the financial contribution secured would be directed to enlarging existing schools in the area, such as Boothstown Methodist Primary School (currently a one form entry primary school) where vacant land immediately to the north of the existing school could potentially be used for expansion. The applicant has agreed to the approach outlined in the SPD and as such it is considered that a proportionate contribution can be secured through the Section 106 Agreement and appropriate mitigation of this impact can be achieved; as such there is no objection on education matters.

7. Pollution

i.) Air Quality

NPPF identifies 12 core planning principles one of which indicates that planning should “*contribute to....reducing pollution.*” To prevent unacceptable risks from air pollution, planning decisions should ensure that new development is appropriate for its location. The NPPF states that the effects of pollution on health and the sensitivity of the area and the development should be taken into account.

The applicant has submitted an Air Quality Assessment (AQA) Report in support of the planning application. The proposed development site is approximately 700 metres from the closest section of the AQMA. The applicants consider that the proposed scheme would not significantly increase traffic on local roads and therefore the scheme would not result in any significant changes in pollutant concentrations. Urban Vision Air and Noises Consultants have assessed the report and raise no objections to the proposals on air quality grounds. The proposals are considered to be in accordance with UDP policy EN17 and the NPPF.

The proposed development site lies to the northeast of Whitehead landfill site. The closest point on the Vicars Hall Lane site boundary lies approximately 350 m from any areas of landfill. A desk-based assessment of potential odour impacts from Whitehead landfill site has been carried out, taking into account the proximity of areas of landfill to proposed and existing sensitive locations, as well as previous odour complaints. The applicant concludes that Whitehead landfill site does not pose a significant risk of odour impacts at the Vicars Hall Lane site as a consequence of good working practices, outlined and employed under the site's environmental permit. Urban Vision Air and Noises Consultants raise no objections to the proposals on odour grounds.

ii.) Noise

NPPF paragraph 123 states that Local Planning Authorities should avoid granting consent for development which would give rise to significant adverse impacts on health and quality of life and should mitigate and reduce any impacts to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions. Urban Vision Air and Noise Consultants have assessed the proposed scheme and raise no objections to the proposals. They recommend that two planning conditions are attached to ensure that an appropriate level of amenity can be provided for existing occupants during the construction period and for future residents following completion of the works. Details of these conditions are outlined at the end of this report.

iii.) Contaminated Land

The applicant has submitted a Phase 1 Environmental Review which has been reviewed by Urban Vision Environment. The desk study does not identify any significant sources of contamination; however Urban Vision Environment advises that there may be many potential sources of contamination associated with the agricultural use of the site; the sewage works located to the south of the site and an historical landfill site located 120m to the southwest of the site. Urban Vision Environment has assessed the submitted reports and raises no objections to the proposals subject to the inclusion of a condition which requires the submission of a Preliminary Risk Assessment report prior to commencement of development. Details of this condition are outlined at the end of this report.

8. Ecology, Nature Conservation and Trees

The NPPF incorporates measures to conserve and enhance the natural and local environment, including 'Biodiversity and Geological Conservation'. Paragraph 118 of the NPPF requires that in determining planning applications the following principles are applied to conserve and enhance biodiversity:-

- Significant harm resulting from a development should be avoided, adequately mitigated, or, as a last resort compensated for; and
- Opportunities to incorporate biodiversity in and around developments should be encouraged.

The applicant has submitted an Ecological Survey in support of the planning application. The Survey indicates that the application site is not designated for its nature conservation value, and nor is it adjacent to any designated sites. The site does not support any protected or priority habitat types and it is considered unlikely to directly support any specially protected species, although small numbers of bats may use the site as a feeding resource. Although Great Crested Newts have historically been recorded in ponds to the south of the application site, recent surveys have not shown the species to be present. The Survey however notes that the site does support hedgerows which are of some local biodiversity value.

Greater Manchester Ecology Unit (GMEU) has assessed the submitted Ecological Survey. They consider that the Survey has been undertaken by suitably qualified consultants and that the assessments have been carried out to the appropriate standards. GMEU have assessed the ecological impacts of the development and agree with the overall conclusions of the various surveys. GMEU conclude that they have no objections on nature conservation grounds subject to the inclusion of a condition relating to vegetation clearance; details of which are outlined at the end of this report.

The Trees and Development Supplementary Planning Document (2006) presents a suite of policies concerning the retention and replacement of trees. The applicant has submitted a Tree Report in accordance with policy TD1 of the Trees and Development SPD. The Tree Report provides a schedule of trees surveyed (classified according to BS 5837:2012) and a Tree Constraints Plan. There is also an Arboricultural Impact Assessment and a Tree Removal Plan supplied.

Within the proposed development area and including adjacent land there are a total of 16 individual trees, 2 groups and 8 hedgerows with the potential to be affected by the development proposals.

The tree survey classifies the trees on site into the following categories: -

- Category A: Trees of high quality and value: in such a condition as to be able to make a substantial contribution (a minimum of 40 years is suggested). Trees in this category are the best trees on the site and should be retained where possible.
- Category B: Trees of moderate quality and value: In such a condition as to make a significant contribution (a minimum of 20 years is suggested).
- Category C: Trees of low quality and value: Currently in adequate condition to remain until new planting could be established (minimum of 10 years is suggested), or young trees with a stem diameter below 150mm.

Category R: Trees in such a condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management.

The proposed development will result in the removal of 2 trees and one group. One other tree and one group which would be removed on the grounds of good arboricultural management as the trees are in a poor condition.

Of the two trees to be removed as a result of the development, one tree is Category B and one is category C; the group being removed is Category C. A small part of a hedgerow will need to be removed and one Category A tree will have a slight infringement (< 4%) into the Root Protection Area which is considered acceptable. The majority of trees being removed to facilitate the development are centred around the access which is to be expected. The majority of trees around the perimeter are being retained which will minimise the impact on the surrounding area.

Policy TD6 of the Trees and Development SPD requires trees to be replaced where practicable on the basis of at least two trees for each tree lost. At this stage a tree replacement planting scheme has not been provided, however the Council's Consultant Arboriculturalist has indicated that due to the amount of properties proposed there is significant scope for replacement planting and on this basis is considered achievable.

The Arborist has indicated that the Method Statement and Tree Protection Plan give an account of how the retained trees will be protected throughout the development phase. No replacement planting scheme has been supplied to mitigate against the loss of these trees and the Arborist has requested that one be provided. He considers that a planting proposal scheme should be supplied to give details of trees being planted (species and locations) and that this can be secured through appropriate planning conditions and in consideration of future reserved matters applications.

9. Flood risk, drainage and utilities

The applicant has submitted a Flood Risk Assessment (FRA) as part of the submission in accordance with the requirements of NPPF and its Technical Guidance. The FRA outlines the potential for the site to be impacted by flooding, the potential impacts of the development on flooding both onsite and in the vicinity, and the proposed measures which can be incorporated into the development to mitigate the identified risks.

The FRA indicates that the majority of the site is located in Flood Zone 1, while the northern boundary of the site is situated within Flood Zone 2. Access and egress to the site is located within Flood Zone 1 and as such safe access is achievable. The Bridgewater Canal is located approximately 250 metres south of the site at its nearest point.

It has been agreed through negotiations with the Environment Agency that finished floor levels will be set at a minimum of 22.6 metres AOD which includes 600mm freeboard above the 1 in 1000 year flood level. This approach has also been agreed by the Council's Drainage Engineer. A planning condition is proposed which secures the mitigation measures as outlined in the applicants revised FRA. Details of the condition are outlined at the end of this report.

An indicative surface water drainage layout has been produced for the site and the applicant has assessed the potential for using Sustainable Urban Drainage Systems (SUDs) on site. The applicant has assessed the potential for using Sustainable Urban Drainage Systems (SUDs) on site and has discounted various options due to site circumstances. The applicant has however confirmed that the site could accommodate porous / permeable paving and swales could be used and will maintain Greenfield run-off rates.

United Utilities and the Council's Drainage Engineer have assessed the proposals and raise no objections to the proposals. The Drainage Engineer has indicated that the drainage system will be required which will ensure that the disposal of Surface Water Drainage will not exacerbate existing flooding. A planning condition is however recommended which requires submission of a scheme for surface water regulation prior to commencement of development.

It is considered on the basis of the advice from consultees that the site is capable of satisfactorily being developed without increasing the risk of flooding and drainage issues that might adversely impact on the amenity of residents or the surrounding area. The proposed development is therefore considered to be in accordance with UDP policy EN19 and the NPPF.

10. Sustainability credentials

NPPF paragraph 96 requires new development to be designed to minimize energy consumption. The Sustainable Design & Construction SPD seeks to encourage new development to improve its impact on the environment and to build into proposals a design that maximizes the sites potential, utilizes green technologies and ensures the users employ a sustainable pattern of travel.

The applicant has completed and submitted the Salford Sustainability Checklist in support of the planning application. The checklist demonstrates that the applicant has given some initial thought as to how the development would meet the various aims of the checklist, however as the application is in outline at this stage, further detailed consideration of how the scheme would incorporate sustainability measures will be provided at the detailed design stage of a future reserved matters application.

11. Planning Obligations

The need to secure additional works or monies through Planning Obligations (S106) in order to ensure that development is satisfactory is covered by various UDP policies and the Planning Obligations SPD.

Policy OB1 of the planning obligations SPD requires a contribution of to be provided for residential development which is proportionate to the size and type of dwellings proposed.

Policy OB2 of the planning obligations SPD requires a contribution of £1,500 per dwelling towards improvements to the public realm, infrastructure or heritage features within the vicinity of the application site.

Policy OB3 of the Planning Obligations SPD relates to construction training. It states that major developments should contribute to the improvement of construction skills amongst Salford residents. The contribution that should be sought is £150 per dwelling for residential development.

Policy OB4 of the Planning Obligations SPD relates to climate change. It states that unless schemes achieve a very good BREAM rating major developments should make a contribution £200 per dwelling for residential development. The applicant has confirmed in the planning statement that the scheme would achieve a very good rating. An appropriate condition has been suggested.

Policy OB5 of the Planning Obligations SPD states that developers should pay all reasonable expenses incurred by the City Council in drawing up and administering legal agreements. In order to ensure this happens an additional charge of 2.5% will be added to cover the administrative costs of ensuring that the commuted sums are directed towards appropriate schemes.

The applicant has agreed to enter into a S106 agreement to deliver commuted sums for open space provision; public realm, infrastructure and heritage; construction training and climate change in full accordance with the requirements set out in the Planning Obligations SPD. As discussed previously, the S106 Agreement will also secure 20% on site affordable housing provision, education and sustainable transport improvements as discussed in earlier sections of this report.

12. Other issues

Impact on property values

The planning system does not exist to protect neighbours from financial loss, but rather to protect their amenity. As such, a potential effect on house prices (whether that be an decrease or increase) is not considered to be material in the determination of a planning application.

The development will set a precedent for future development

Concerns are raised by residents that granting consent for residential development on this site may set a precedent for future development on adjacent sites. However, any subsequent planning application will be judged on its own merits, in accordance with the development plan unless there are other material considerations which indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act, 2004).

Prematurity

Guidance on weight to be accorded to emerging plans and prematurity is provided by Annex 1 of the NPPF paragraph 216 and The Planning System: General Principles document (2005). The guidance offered by The Planning System: General Principles document refers specifically to Development Plan Documents rather than the Local Plan however, it is considered that the principles outlined in the document remain extant.

Paragraphs 17-19 of The Planning System: General Principles prescribe the limited circumstances in which prematurity might constitute a ground for refusing planning permission. This may be appropriate where a proposed development is so substantial, or where the cumulative effect would be so significant, that granting permission could prejudice the Local Plan process by predetermining decisions about the scale, location or phasing of new development which are being addressed by the Local Plan. Otherwise, refusal of planning permission on grounds of prematurity will not usually be justified. It also states that where the Local Plan is at the consultation stage, with no early prospect of submission for examination, then refusal on prematurity grounds would seldom be justified because of the delay this would impose in determining the future use of the land in question. For prematurity to be the reason for refusal of planning permission, the LPA must demonstrate how the grant of permission for the development concerned would prejudice the outcomes of the Local Plan process.

The City Council is currently in the process of preparing its Local Plan, following its decision to withdraw the Core Strategy in November 2012. The Local Plan is at a very early stage of the preparation process and it is anticipated that the Local Plan will not be adopted until 2016. Given the early stage that the Local Plan process is at and the length of time until adoption, refusal of the planning application on grounds on prematurity are not considered appropriate in this instance.

Planning balance and conclusions

Section 38(6) of the Planning and Compulsory Purchase Act, 2004 requires the determination of this application to be made in accordance with the development plan, unless material considerations indicate otherwise. For the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004, the Development Plan for Salford City Council comprises the following documents: -

- The saved Unitary Development Plan (UDP) policies
- The Greater Manchester Joint Waste Development Plan Document (Waste DPD)
- The Greater Manchester Joint Minerals Development Plan Document (Minerals DPD)

The National Planning Policy Framework (NPPF) was published in March 2012 and is the most recent expression of government policy. Whilst the NPPF does not change the legal status of the Development Plan, it constitutes an important material consideration in the determination of planning applications. The NPPF constitutes the Government's view of what sustainable development means in practice for the planning system.

The Council's Strategic Housing Land Availability Assessment (2013) and a report of the Assistant Director for Planning (27 August 2013) provide the up-to-date position regarding the Council's housing land supply position. They demonstrate that the City Council cannot demonstrate a supply of specific deliverable sites sufficient to provide five years' worth of housing against the previous RSS requirement. In accordance with NPPF paragraph 49, relevant UDP policies for the supply of housing are therefore considered out-of-date and as such the application should be determined in accordance with paragraph 14 of the NPPF.

NPPF paragraph 14 indicates that for decision-making, the presumption in favour of sustainable development means: -

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, then the presumption in favour of sustainable development means that planning permission should be granted unless:
 3. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole; or
 4. specific policies in the Framework indicate development should be restricted.

As noted, the City Council cannot demonstrate a 5 year supply of deliverable housing sites and as such the second bullet point of paragraph 14 is triggered. The site is not allocated by, or subject to, a protective designation in the UDP and there are no policies within the NPPF which indicate that development on this greenfield site should be restricted.

There have been a number of objections to the scheme as detailed within previous sections of this report by local residents, ward councilors and the local MP and these objections are given due consideration and weight, where appropriate, in the overall planning balance. Previous sections of this report aim to address the issues raised and it is considered that the impacts of the development are acceptable or can be made acceptable through the implementation of planning conditions, consideration of future reserved matters and obligations where appropriate and necessary.

The presumption in favour of sustainable development identified by NPPF means that it is necessary to consider whether the proposed development represents 'sustainable development'. NPPF paragraph 7 identifies that there are three dimensions to sustainable development; namely economic, social and environmental. NPPF advises that these roles should not be undertaken in isolation, because they are mutually dependent. Furthermore, to achieve sustainable development, economic, social; and environmental gains should be sought jointly and simultaneously.

An economic role

NPPF paragraph 19 states that, *"The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."* The government has identified the delivery of housing as a key driver of future economic growth and stimulation of the economy.

The scheme would deliver economic benefits through both direct and indirect employment opportunities. However, the most significant economic benefits would be realised during the construction phase of development through the creation of approximately 45 jobs. The applicant has indicated assuming an average household size of 2.4 persons and average expenditure per head of £4,672 per annum, the occupants of the development would add £1,121,277 pa to local consumer spending. The economic benefits of the development are therefore considered to be tangible and weigh in the favour of the application.

A social role

NPPF paragraph 7 refers to the social dimension of sustainable development, supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; by creating a high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural wellbeing.

The need to widen the choice of high quality homes is reiterated in paragraph 9 with Section 6 'Delivering a Wide Choice of High Quality Homes' of the NPPF. It is clear that one of the main purposes of the NPPF is to "boost the supply of housing" nationally, and particularly in those areas where there is a demonstrable shortfall against objectively assessed needs. It is clear therefore, that where there is not a demonstrable 5 year supply of deliverable housing sites that this must be afforded significant weight in the overall planning balance and that this must count strongly in favour of the proposed development.

The proposed development would help to meet the objectively assessed needs for market and affordable housing in Salford. The proposed site is wholly deliverable (i.e. suitable, available and achievable) and would contribute towards addressing the lack of a 5 year supply of deliverable housing land. The importance of delivering new housing in helping to retain and attract a skilled and talented workforce is identified through the council's regeneration strategies and planning policy documents. It is considered that the development would make a contribution towards achieving this aim through the supply of both market and affordable units which would contribute towards meeting the shortfall of affordable, family and aspirational homes across the city. The social benefits of the development are therefore considered to be significant and must be afforded significant weight in the overall planning balance.

An environmental role

NPPF paragraph 7 refers to the environmental dimension of sustainable development, as being the contribution to protecting and enhancing the natural, historic and built environment. Part of this is to help improve biodiversity, use natural resources prudently including mitigating and adapting to climate change.

There are no specific policies within the NPPF which indicate that development should be restricted on the site. The site is greenfield in nature and is used for informal grazing. The loss of this site from future agricultural use would be very limited and the benefits of the scheme need to be weighed against this loss of a greenfield site, of which they are significant. Although NPPF encourages the use of brownfield sites, it does not prioritise development of such sites over greenfield land and nor does it preclude development of them. The site is not designated for its nature conservation value and nor does it support any protected or priority habitat types or protected species. The ecological value of the site is considered limited and the impact of the development in respect of biodiversity would be minimal.

Overall conclusions

The accessibility of the site is currently low and improvements are required to offer future residents a choice of travel mode. The open space contribution will be directed towards improvements to the Bridgewater Canal, which will contribute towards improving and upgrading the Bridgewater Canal towpath to provide recreational and longer distance links for pedestrians and addition to this, the proposed financial contribution towards the likely provision of a shuttle bus would help to overcome this concern and with these measures it is considered that the site is located in a sustainable location. The adverse impacts of the proposed development have been considered and assessed and it is considered that impacts associated with the proposed development can be mitigated through the use of planning conditions and obligations. It is not considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the development and as such it is considered that planning permission should be granted.

Recommendation

Planning permission is granted subject to the following planning conditions and that:

1) The Strategic Director of Customer and Support Services be authorised to enter into a legal agreement under Section 106 of the Town and Country Planning Act to secure the following heads of terms:

- Open Space
- Public Realm Infrastructure and Heritage Provision
- Construction Training
- Climate Change
- Affordable Housing
- Education
- Sustainable Transport measures (Shuttle bus)

2) That the applicant be informed that the Council is minded to grant planning permission, subject to the conditions stated below, on completion of such a legal agreement;

3) The authority be given for the decision notice relating to the application be issued (subject to the conditions and reasons stated below) on completion of the above-mentioned legal agreement;

1. Application for approval of reserved matters for each phase of development shall be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. No development for which outline planning permission has hereby been granted shall be started on any phase within the development until full details of the following reserved matters, in respect of that phase within the development, have been submitted to and approved in writing by the Local Planning Authority:

- a) appearance;
- b) scale
- c) layout; and
- d) landscaping

Reason: *The application is for outline permission only and these matters were reserved by the applicant for subsequent approval.*

3. Further to the requirements of condition 2, the parameters of the development shall carry forward the design philosophy set out in the submitted Development Principles drawing (dwg. No. 463A-09L) (dated 02.01.13)

Reason: *For the avoidance of doubt and to safeguard amenity in accordance with policy DES1 of the City of Salford Unitary Development Plan*

4. No development hereby approved shall commence until a phasing scheme for the development, which sets out the sequence in which the various elements of the development will be constructed and brought into use and proposals for monitoring and review of the same, has been submitted to and approved in writing by the Local Planning Authority.

Reason: *To ensure the satisfactory development of the site in a phased manner and that phasing details were not submitted as part of the application.*

5. Prior to the commencement of the development, or phase of development hereby approved, a Construction Environmental Management Plan (CEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority to include details of the measures proposed during construction to manage and mitigate the main environmental effects. The following matters shall be addressed:

- (i) the times of construction activities on site
- (ii) the parking of vehicles of site operatives and visitors
- (iii) loading and unloading of plant and materials
- (iv) storage of plant and materials used in constructing the development
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (vi) wheel washing facilities
- (vii) measures to control the emission of dust and dirt during construction
- (viii) a scheme for recycling/disposing of waste resulting from demolition and construction works
- (ix) measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity
- (x) measures to prevent the pollution of watercourses

The development hereby approved shall be carried out in accordance with the approved CEMP.

Reason: *To safeguard the amenity of the area in accordance with policy EN17 of the City of Salford Unitary Development Plan*

6. Any application for the approval of reserved matters for any phase within the development hereby approved shall be accompanied by a 'Crime Prevention Plan' (CPP) for that phase which shall examine all aspects of site security including, site car parking, pedestrian footways, entrances, internal layout and external security measures for that plot and which shall be capable of meeting 'Secured by Design' requirements. Development of that phase shall be carried out in accordance with the approved CPP and any approved site security measures shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is appropriately secured from crime in accordance with policy DES 10 of the City of Salford Unitary Development Plan.

7. No development, or any phase of development, hereby approved shall commence on site until a scheme which provides for the retention and protection of trees, shrubs and hedges within the site (or overhanging) the site or phase, which may be affected by the construction process, with the exception of those trees clearly shown to be felled on the submitted plan, and any other trees the removal of which is approved through the approval of reserved matters applications, has been submitted to and approved in writing by the Local Planning Authority. The agreed tree protection measures shall remain until all development is completed within that phase and no work, including any form of drainage or storage of materials, earth or topsoil shall take place within the perimeter of such protective fencing.

Reason: To safeguard the amenity, appearance and character of the area in accordance with policy DES 1 of the City of Salford Unitary Development Plan.

8. Prior to the commencement of the development, or phase of development hereby approved, a Preliminary Risk Assessment report for that phase, including a conceptual model and a site walk over, to assess the potential risk of land contamination, shall be submitted to and approved in writing by the Local Planning Authority. Should a potential risk be identified then:

1. A Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health and the wider environment; and
2. The details of any proposed Remedial Works shall be submitted to, and approved in writing by the Local Planning Authority. Such Remedial Works shall be incorporated into the development during the course of construction and completed prior to occupation of the development; and
3. A Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority. The Verification Report shall validate that all remedial works undertaken on site were completed in accordance with those agreed by the LPA.

Reason: In the interests of public safety in accordance with policy EN17 of the City of Salford Unitary Development Plan.

9. Prior to commencement of development, or phase of development hereby approved an assessment of noise likely to affect that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The assessment methodology to be used, including measurement positions, shall be agreed with the Local Planning Authority prior to the commencement of noise measurements.

The assessment shall provide details of noise attenuation measures required to ensure that the following standards are attained with respect to residential accommodation on the site as stipulated in BS8233:1999 "Sound insulation and noise reduction for buildings - Code of practice":

- i. internal noise levels of less than 30dB LAeq,(8hour) within bedrooms between 23.00 hours and 07.00 hours
- ii. internal noise levels of less than 40 dB LAeq,(16hour) within living areas between 07.00 and 23.00 hours
- iii. typical individual noise events shall not be in excess of 45 dB L_{Amax} in bedrooms between 23.00 and 07.00 hours
- iv. external noise levels of less than 55 dB LAeq,(16hour) in gardens, balconies and private communal gardens between 07.00 and 23.00 hours

Prior to occupation of the site a Site Completion Report shall be submitted to the Local Planning Authority for approval. The Site Completion Report shall validate that all works undertaken on site were completed in accordance with those agreed by the Local Planning Authority.

Reason: To safeguard the amenity of future residents in accordance with policy DES 7 of the City of Salford Unitary Development Plan.

10. No development, or phase of development hereby approved shall commence until the Local Planning Authority has received and approved in writing a Noise Management Scheme for that phase of development. The Scheme shall:

- i. identify the noise sensitive properties;
- ii. detail the works involved for various stages of the development;
- iii. detail the impact of noise and vibration from the proposed works on neighbouring noise sensitive properties;
- iv. detail any mitigation measures which are required to minimise the impact of noise and vibration from the construction phase of the development on the neighbouring sensitive properties.

The construction phase of the development shall be carried out in strict accordance with the approved Scheme and associated mitigation measures unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenity of the neighbouring residents in accordance with policy DES 7 of the City of Salford Unitary Development Plan.

11. Vegetation shall only be removed / cleared outside of the bird nesting season (March to July inclusive) unless a suitably qualified ecologist has inspected the vegetation and confirmed to the satisfaction of the Local Planning Authority that no nesting/breeding birds will be affected by the works.

Reason: To protect and prevent unnecessary disturbance of nesting birds in accordance with policies ST13 and EN22 of the City of Salford Unitary Development Plan.

12. No development, or phase of development hereby approved shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme for that phase of development have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the timing/phasing arrangements embodied within the scheme. Those details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with policy EN19 of the City of Salford Unitary Development Plan

13. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from RPS (RCEF 19817 rev 3) and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the site to no more than the run-off from the undeveloped site and not increase the risk of flooding off-site as outlined in section 10 of the FRA.
2. Setting finished floor levels as outlined in section 9.11 of the FRA.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

14. Any application for the approval of reserved matters for any phase of development shall be accompanied by a Design and Access Statement for that phase and shall set the design principles and concepts that have been applied to the proposals including, the appearance, scale, layout and landscaping of the development. Development of each phase of development shall be carried out in accordance with the approved details.

Reason: *To ensure high standards of design and access for all users in accordance with UDP policies DES1, DES2, DES3, DES4, DES9 and the Design Supplementary Planning Document.*

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

Dwg. No. 463A.14A (dated 26.10.12) - Red Line Boundary Plan

Dwg. No. 463A-09L (dated 02.01.13) - Development Principles drawing

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

Notes to Applicant

1. If, during any works on site, contamination is suspected or found, or contamination is caused, the LPA shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales in agreement with the LPA.

2. In line with Section 11 of the NPPF, we would also recommend that opportunities for biodiversity enhancement be incorporated into the development. These could include, but are not restricted to:

- Native planting
- Bat bricks and/or tubes within the new development
- Bat boxes (a variety should be used i.e. hibernation/summer)
- Bird boxes (these should also include a variety of boxes and could include swallow/house martin boxes on the houses)

3. During submission of any future reserved matters applications, the applicant should incorporate existing boundary hedgerows into final designs of the scheme.

4. There must be no obstruction of any public right of way. Should a temporary or permanent obstruction be unavoidable, then no development should take place until a Diversion Order has been confirmed and the diversion route, with a satisfactory surface and adequate width and way marking, is available for public use

5. No surface water from the development should be discharged either directly or indirectly to the combined sewer network. The site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to a Sustainable Drainage System as stated on the planning application form and the surface water sewer at a rate not exceeding 40l/s.

A separate metered supply to each unit will be required at the applicants expense and all internal pipe work must comply with current water supply (water fittings regulations 1999). It is the applicants responsibility to demonstrate the exact relationship between any assets that may cross the site and any proposed development. Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer record, if a sewer is discovered during construction, please contact a Building Control; Body to discuss the matter further.

6. Under the terms of the Water Resources Act 1991, and the Land Drainage Byelaws, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of Stirrup Brook which, is a designated a 'main river'.

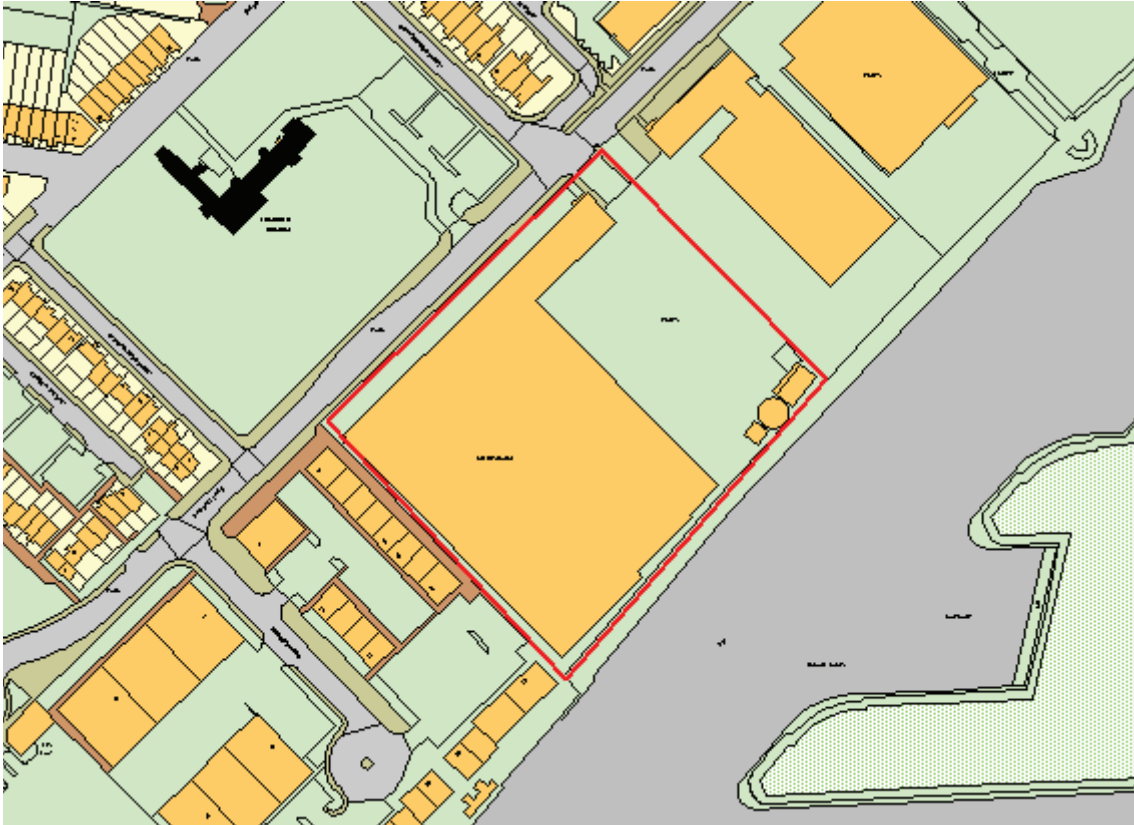
APPLICATION No: 12/62638/FUL

APPLICANT: Digital Village Salford Quays LLP

LOCATION: Charles House, 325 Ordsall Lane, Salford, M5 3HP,

PROPOSAL: Erection of 12 industrial units (B2) with associated access, landscape and parking

WARD: Ordsall



Background

This former Vanguard Textiles site was acquired by the Council in 2008 with funding from the North West Development Agency to allow the City Council to deliver one of the key aspirations set out in the Ordsall Riverside Planning Guidance, a 40m wide Ordsall Boulevard linking Ordsall Lane to the waterside.

Description of Site and Surrounding Area

This application relates to a vacant site on Ordsall Lane opposite the grade I listed Ordsall Hall. This site covers an area of 1.37 hectares and is bounded by Manchester Ship Canal/River Irwell to the south east, existing office development on the Waterside Business Park to the south west and industrial development to the north east and by Ordsall Lane, beyond which is Ordsall Hall, to the north west. The site has a frontage to Ordsall Lane of 125m.

An existing riverside walkway runs along the south east boundary of the site.

The site is level but has a slight step down of 1.5m to the riverside walkway and is currently bounded by a brick retaining wall and metal rail fencing to Ordsall Lane. The boundary to the riverside walkway is a brick wall.

The site formerly housed a large industrial unit and was last used in January 2008.

The site is located in the Riverside Living area of the Ordsall Riverside Planning Guidance.

Description of Proposal

It is proposed to erect a total of twelve B2 industrial units in two blocks of six units. The total amount of floorspace would be 4,056sq.m.

The blocks are arranged symmetrically on the site so that the 125m frontage is divided up as follows:
service area | building | boulevard | building | service area.

The blocks would be orientated at 90 degrees to Ordsall Lane and would face each other across a central boulevard that provides access to the riverside walkway. This central boulevard would also provide visitor spaces for the units. There would be three vehicular access points, one adjacent to each common side boundary providing access to the service areas and one centrally providing access to the boulevard.

The front and side elevations of the buildings would be a combination of brickwork (red multi, blue grey and patterned blue grey), galvanised steel framework and glazing. The rear elevations would be composite cladding panels. Feature sliding security gates would secure the buildings at night as the boulevard would remain open at all times.

The 32m wide central boulevard would be a mix of parking, pedestrian routes and landscaping. The parking areas are surfaced in resin bound gravel with the pedestrian routes picked out in concrete/stone block paving. 2m wide shrub planting beds are provided to the fronts of the buildings. Pedestrians have dedicated 4.5m wide routes to the frontage of each of the buildings. The route that leads to the pedestrian ramp that links the site to the riverside walkway is also flanked by grass and tree planting in front of the central parking area. As well as the ramp there are 26m wide steps down to the riverside walkway. A total of 15 granite/concrete slab benches would be provided within the central boulevard

To the Ordsall Lane frontage three new trees would be planted in a 7m wide grassed area in front of unit A1. An existing mature tree would be retained in a 10m wide grassed area in front of unit B1. The shrub planting to the front of the units would wrap around the corners of the units on the road frontage granite/concrete cube seating would be located adjacent to the vehicular entrance as well as in front of the steps to the riverside walkway. This cube seating would also prevent unwanted vehicular access. Retractable bollards would also be used in the vehicular access points to the boulevard.

To the riverside walkway there would be a planting strip gradually decreasing from 5m in width.

A new electricity substation would be provided to the rear of units A1 on the Ordsall Lane frontage.

The service yards would be secured by 2.4m high paladin fencing. The fences to Ordsall Lane and the riverside would be screened with climbing/creeping planting.

A total of 102 parking spaces are provided of which 20 are disability spaces. Five spaces per unit are provided to the rear service area, 60 in total and 42 spaces are provided within the central boulevard

Publicity

Site Notice: Non HH setting of listed building Date Displayed: 25 April 2013

Reason: Affecting setting of Listed Building

Press Advert: Salford Advertiser Date Published: 4 April 2013

Reason: Affecting setting of Listed Building

Neighbour Notification

The occupiers of 69 neighbouring properties have been notified of the application

Representations

Six representations have been received, one in support, one giving no opinion and four objecting to the proposals.

The grounds of objection are as follows:

- Detrimental effect on the grade I listed Ordsall Hall
- Elevations are blank and featureless
- The boulevard is car focused and not pedestrian friendly and will not encourage use of the riverside walkway
- It will have a detrimental effect on tourism
- The site should not be developed with industrial units
- The quality of the development is not good enough.
- Buildings should address the street and the riverside walkway and provide no passive surveillance
- The elevations will attract graffiti
- The development is contrary to the Irwell City Park Planning Guidance, which states that the river will be the driver for future development of the area for high quality waterside living and mixed use development. The Guidance also states that a high quality greenspace link will be created between Ordsall Hall and the river.
- The boulevard is offset from Ordsall Hall and so the development would be contrary to policy OR5 of the Guidance regarding key views.
- The development is contrary to policy OR6 of the Guidance which requires development affecting the setting of Ordsall Hall to enhance the context and character of the Hall, through the provision of open space that enables the length of the frontage of Ordsall Hall to be viewed from the riverside walkway.
- The development is contrary to policy OR7 of the Guidance which states that developments fronting Ordsall Lane should contribute to the transformation of the highway to an urban street with tree planting, wider footways, active frontages and pedestrian crossings, particularly in relation to appropriate building set-backs and boundary treatment and the positioning of active frontages to ensure the amenities of users of the Lane and enhance the character of the area
- The quality of the fencing proposed is not good enough for this position opposite Ordsall Hall.
- Whilst aspirations for the area will have been revised since the economic downturn the Council should still have a vision for the area that has greater ambition than that provided by this proposal.
- There are vacant industrial units in the area and previously residential schemes in the area have been justified on the basis of lack of demand for industrial floorspace.

The letter of support comes from the City Council's museums manager. He states that Ordsall Hall is pleased to see this positive development. The development of the site is welcomed and the quality of the proposed materials is acknowledged. The importance of the view of Ordsall Hall from the Metrolink is also highlighted.

Consultations

Design For Security - No comments received to date

Senior Engineer Flood Risk Management - No comments received to date

Highways – No objections

Environment Agency – No objections subject to conditions being attached with regard to flooding and landscaping.

Manchester Ship Canal Company - No comments received to date

Urban Vision Environment (Air and Noise) – No objections to the proposed development but there are dwellings to the north on Guy Fawkes Street. To safeguard these residents from any future noise from plant and machinery a noise condition is required.

Urban Vision Environment (Land Contamination) – Due to the historic industrial use a condition regarding contamination is required.

Trafford M B C - No comments received to date

English Heritage - No comments received to date

Ordsall, Langworthy Neighbourhood Manager - No comments received to date

United Utilities (Developer Services & Planning) - No objections subject to conditions regarding drainage.

Planning Policy

Development Plan Policy

Unitary Development Plan A10 - Provision of Car, Cycle, Motorcycle Park

This policy states that there should be adequate provision for disabled drivers, cyclists and motorcyclists, in accordance with the Council's minimum standards; maximum car parking standards should not be exceeded; and parking facilities should be provided consistent with the provision and maintenance of adequate standards of safety and security.

Unitary Development Plan A2 - Cyclists, Pedestrians and the Disabled

This policy states that development proposals, road improvement schemes and traffic management measures will be required to make adequate provision for safe and convenient access by the disabled, other people with limited or impaired mobility, pedestrians and cyclists

Unitary Development Plan A8 - Impact of Development on Highway Network

This policy states that development will not be permitted where it would i) have an unacceptable impact upon highway safety ii) cause an unacceptable restriction to the movement of heavy goods vehicles along Abnormal Load Routes.

Unitary Development Plan CH2 - Dev. Affecting Setting of Listed Building

This policy states that development will not be granted that would have an unacceptable impact on the setting of any listed building.

Unitary Development Plan MX1 - Development in Mixed-use Areas

This policy states that a wide range of uses and activities (housing, offices, tourism, leisure, culture, education, community facilities, retail, infrastructure, knowledge-based employment) are permitted within the identified mixed use areas (Chapel Street East, Chapel Street West, Salford Quays, Ordsall Lane Riverside Corridor).

Unitary Development Plan E5 - Develop. in Established Employment Areas

This policy states that planning permission will only be granted for the reuse or redevelopment of sites or buildings within an established employment area for non-employment uses where the development would not compromise the operating conditions of other adjoining employment uses, and where one or more of the following apply:

- a) The developer can demonstrate there is no current or likely future demand for the site for employment purposes
- b) There is a strong case for rationalising land uses or creating open space
- c) The development would contribute to the implementation of an approved regeneration strategy or plan for the area
- d) The site is allocated for another use in the UDP.

Unitary Development Plan DES1 - Respecting Context

This policy states that development will be required to respond to its physical context and respect the positive character of the local area in which it is situated and contribute towards a local identity and distinctiveness.

Unitary Development Plan DES2 - Circulation and Movement

This policy states that the design and layout of new development will be required to be fully accessible to all people, maximise the movement of pedestrians and cyclists through and around the site safely, be well related to public transport and local amenities and minimise potential conflicts between pedestrians, cyclists and other road users.

Unitary Development Plan DES6 - Waterside Development

This policy states that all new development adjacent to the Manchester Ship Canal will be required to facilitate pedestrian access to, along and, where appropriate, across the waterway. Schemes should incorporate a waterside walkway with pedestrian links between the walkway and other key pedestrian routes and incorporate ground floor uses and public space that generate pedestrian activity. Where it is inappropriate to provide a waterside walkway, an alternative route shall be provided. Development should protect, improve or provide wildlife habitats; conserve and complement any historic features; maintain and enhance waterside safety; and not affect the maintenance or integrity of the waterway or flood defences. All built development will face onto the water, and incorporate entrances onto the waterfront; be of the highest standard of design; be of a scale sufficient to frame the edge of the waterside; and enhance views from, of, across and along the waterway, and provide visual links to the waterside from surrounding areas.

Unitary Development Plan DES7 - Amenity of Users and Neighbours

This policy states that all new development, alterations and extensions to existing buildings will be required to provide potential users with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout. Development will not be permitted where it would have an unacceptable impact on the amenity of occupiers or users of other development.

Unitary Development Plan DES9 - Landscaping

This policy states that hard and soft landscaping should be provided where appropriate that is of a high quality and would enhance the design of the development, not detract from the safety and security of the area and would enhance the attractiveness and character of the built environment.

Unitary Development Plan DES10 - Design and Crime

This policy states that developments must be designed to discourage crime, antisocial behaviour, and the fear of crime. Development should i) be clearly delineated ii) allow natural surveillance iii) avoid places of concealment iv) encourage activity within public areas.

Unitary Development Plan EN17 - Pollution Control

This policy states that in areas where existing levels of pollution exceed local or national standards, planning permission will only be granted where the development incorporates adequate measures to ensure that there is no unacceptable risk or nuisance to occupiers, and that they are provided with an appropriate and satisfactory level of amenity.

Unitary Development Plan EN19 - Flood Risk and Surface Water

This policy states that any application for development that it is considered likely to be at risk of flooding or increase the risk of flooding elsewhere will need to be accompanied by a formal flood risk assessment. It should identify mitigation or other measures to be incorporated into the development or undertaking on other land, which are designed to reduce that risk of flooding to an acceptable level.

Unitary Development Plan EN23 - Environmental Improvement Corridors

This policy states that development along any of the city's major road, rail and water corridors will be required to preserve, or make a positive contribution to the corridor's environment and appearance.

Unitary Development Plan R5 - Countryside Access Network

This policy states that planning permission will not be granted for development that would result in the permanent obstruction or closure of any part of the Countryside Access Network, unless an alternative route is provided that is equally attractive and convenient. New development that is proposed on a site needed for the provision of a new route or link as part of the Countryside Access Network will be required to incorporate that route/link as part of the development.

Other Material Planning Considerations

National Planning Policy

National Planning Policy Framework

Local Planning Policy

Supplementary Planning Document - Design

This document reflects the need to design in a way that allows the city to support its population socially and economically, working with and inviting those affected into an inclusive decision making process. Equally, development must contribute to the creation of an environmentally sustainable city supporting the natural environment minimising the effects of, and being more adaptable to, the potential impact of climate change.

Supplementary Planning Document - Design and Crime

This policy document contains a number of policies used to assess and determine planning applications and is intended as a guide in designing out crime.

Supplementary Planning Document - Planning Obligations

This policy document expands on the policies in Salford's Unitary Development Plan to provide additional guidance on the use of planning obligations within the city. It explains the city council's overall approach to the use of planning obligations, and sets out detailed advice on the use of obligations in ensuring that developments make an appropriate contribution to: the provision of open space; improvements to the city's public realm, heritage and infrastructure; the training of local residents in construction skills; and the offsetting of greenhouse gas emissions.

Supplementary Planning Document - Sustainable Design and Construction

This policy document expands on policies in Salford's Unitary Development Plan to provide additional guidance for planners and developers on the integration of sustainable design and construction measures in new and existing developments.

Supplementary Planning Document - Design

This document reflects the need to design in a way that allows the city to support its population socially and economically, working with and inviting those affected into an inclusive decision making process. Equally, development must contribute to the creation of an environmentally sustainable city supporting the natural environment minimising the effects of, and being more adaptable to, the potential impact of climate change.

Supplementary Planning Document - Design and Crime

This policy document contains a number of policies used to assess and determine planning applications and is intended as a guide in designing out crime.

Supplementary Planning Document - Established Employment Areas

This document contains a number of policies that promote sustainable economic growth, which both enhances prosperity and reduces inequalities. The document encourages the provision of a wide range of employment opportunities, having regard to evidence based conclusions on need and demand.

Planning Guidance - Ordsall Riverside

This guidance sets down the council's broad vision for the regeneration of the area and sets out the principles to create a cohesive and distinctive character and sense of place to enable an appropriate mix of uses and high quality design in new development and public realm across the area.

Planning Guidance - Flood Risk and Development

The overarching aim of the planning guidance is to ensure that new development in areas at risk of flooding in the city, is adequately protected from flooding and that the risks of flooding are not increased elsewhere as a result of new development.

Planning Guidance - Irwell City Park

This guidance relates to the intention to establish the Irwell City Park as an exciting and unique waterfront location within the Regional Centre.

Planning Guidance - Ordsall Riverside

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Planning Guidance - Irwell City Park

This guidance relates to the intention to establish the Irwell City Park as an exciting and unique waterfront location within the Regional Centre.

It is not considered that there are any local finance considerations that are material to the application.

Appraisal

It is considered that the main issues to be considered are whether the principle of the use is acceptable bearing in mind the Ordsall Riverside Planning Guidance, whether the design is acceptable bearing in mind the Irwell River Park Planning Guidance, whether sufficient parking is provided, whether the boulevard is sufficiently good to encourage people to access the riverside walk, whether the effect on the setting of Ordsall Hall is acceptable and whether a financial contribution is warranted.

Principle of the development

The site falls within the area covered by Policy MX1 of the Unitary Development Plan which allows for a range of uses to come forward towards a vibrant mix reflecting the area's status as part of the Regional Centre. Whilst this policy supports the development of knowledge-based employment as part of a mix of uses, this would not normally be considered to include general industrial units of a B2 Use Class as proposed in this application.

Policy MX1 is supplemented by the Ordsall Riverside Planning Guidance which sets out an approach to the application of the UDP policy on land between Ordsall Lane and the Manchester Ship Canal.

The Ordsall Riverside Planning Guidance was adopted in July 2008 and divides the corridor into three character areas:

- the revitalised Exchange Quay area extends and supports the commercial function of Exchange Quay;
- the Riverside Living area is promoted primarily for residential use, with a strong emphasis on creating an attractive, green and sustainable residential environment suitable for family living; and
- the Regent Road Quarter area will provide a broad mix of uses built to a high density, relating to the St George's Island development in Manchester and surrounding high rise residential apartment buildings.

The Guidance gives high priority to creating a more attractive riverside area, with attractive green fingers between the waterside and the Ordsall neighbourhood and that the design and layout of new development provides good surveillance to the open space.

Within the Riverside Living area, the Guidance promotes the creation of a quayside vehicular route – an 'Amsterdam canalside frontage', and wide open areas. One of the specified green fingers is through the application site creating a 40m wide vista in front of Ordsall Hall. The delivery of the quayside vehicular route requires developers giving over areas of their sites to accommodate the vehicular route and green fingers.

The requirement for an attractive waterside is reiterated in the Irwell City Park Planning Guidance.

Market conditions have changed substantially since the Guidance was adopted in 2008. The housing market remains in flux and the apartment market is still uncertain, although there is an acknowledged demand in the regional centre for private rented accommodation. There is currently limited development activity in the Ordsall Riverside corridor with the exception of the Soapworks where phase two of the development is currently on site and will deliver 22,00sq.m of new floorspace by May 2014. 154 apartments have recently been completed at Derwent Street and the owners of the former Whitbread site, on Ordsall Lane, 120m to the north-east of the application site, are believed to be awaiting the outcome of this current application.

When the Guidance was adopted the main policy driver was the need to resist pressure for high density apartment development throughout the corridor and to allow space for family accommodation and for new employment uses. The Guidance was accordingly written to specify maximum heights.

The Guidance encourages employment development, defined as office uses and knowledge based employment, throughout the corridor. Development in the revitalised Exchange Quay character area and in parts of the Regent Road Quarter character area would not be permitted unless at least 50% of floorspace was devoted to those employment uses. It points out that Ordsall ward is one of the more deprived wards in the City.

Through work undertaken with private sector partners it is acknowledged that there are viability questions over the delivery of the scale of development that is set out in the Guidance. The City Council has worked with a number of agents to understand what the market is looking to develop. This has shown that there is a demand for small business units of between 200 and 500sq.m, similar to the Waters Edge Business Park, where the investor can purchase the freehold or long leasehold interest. The issue with delivering this type of product is its ability to meet the planning policy requirements on scale and massing. It is not considered that there is any current or likely long term demand for apartments in this location given market conditions and the knowledge that the uses on both adjacent sites will remain in employment use in the medium to long term.

The adjacent business park site to the south west is owned by St Modwen Properties with individual units leased on a range of terms up to 30 years in length. The City Council is aware that St Modwen have no intention to redevelop the site in the medium to long term and that it would be costly to acquire the leasehold interest should St Modwen be supportive.

The site to the north-east is owned by NG Bailey, an engineering firm. At the height of the market the firm did discuss rationalizing their operations in a purpose built factory on a site outside Salford. It is believed that their aspirations for the site's value were inflated though and in recent times the company has taken the decision to remain on the Ordsall Lane site and invest in the property.

It is considered that there is very limited scope for the transformational regeneration of Ordsall Riverside in line with the masterplan set out in the Ordsall Riverside Planning Guidance and that the proposed scheme could be the only developable option for the site for the foreseeable future. With regard to the principle of the development the NPPF contains a number of relevant points that place a significant emphasis on delivery and on promoting economic growth.

At paragraph 6 it states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 7 points out that there are three dimensions to sustainable development, one is economic and another environmental. It states that planning needs to perform a number of roles - with regard to its economic role this includes contributing to building a strong, responsive and competitive economy, with regard to its environmental role this includes protecting and enhancing our built and historic landscape. Paragraph 8 states that to achieve sustainable development economic and environmental gains should be sought jointly and simultaneously through the planning system. Paragraph 14 points out that where policies are out-of-date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

The site currently remains vacant and an eyesore with no access to the waterside. This large site has a significant and increasing profile given its location on a key corridor from the City Centre to Salford Quays, its proximity to Ordsall Hall, and the potential for a water taxi stop adjacent to it. The site has been vacant for some time and given this profile it is clearly important that development is actively promoted, bringing with it a key connection from the river to Ordsall Lane, achieving aims of the Irwell River Park Planning Guidance to attract new waterfront development and linking neighbourhoods and communities with the heart of the Regional Centre.

Given these concerns it is considered that many of the detailed aspirations set out in the Guidance for this part of the corridor will not be realised and that therefore it would be appropriate to allow for a degree of flexibility to be applied. A total of twelve objectives are set out in the Guidance. A summary of these is set out below with a comment on whether the proposed scheme contributes towards meeting the objective or not or whether there is nil or neutral effect.

- To create a new residential quarter – objective not met
- To consolidate and strengthen the Exchange Quay office development – nil effect
- To encourage small businesses to locate in the area – objective met
- To provide a limited range of facilities including shops, bars and leisure opportunities – objective not met
- To ensure that development responds to the existing context both in terms of height and massing objective met
- To enhance the setting of Ordsall Hall and open up views of the Hall from the Riverside – objective met
- To provide a new pedestrian bridge – nil effect.
- To transform Ordsall Lane into an attractive tree lined street, that is easy to cross and is fronted by new development – objective met.
- To establish a network of well designed, safe, pedestrian friendly streets and spaces that open up access to the riverside – objective met.
- To provide a distinctive riverside setting with new development overlooking the riverside walkway – objective not met
- To building on the aspirations of Irwell City Park – objective met

One of the key elements in the Guidance will be achieved, the creation of a landscaped boulevard linking Ordsall Lane to the riverside walkway that re-establishes the historic connection between Ordsall Hall and the waterfront, increasing its visibility and increasing the potential number of visitors. As set out above though, it is not considered that residential development is likely to occur contrary to Policy OR10 of the Planning Guidance, which states that this Riverside Living Character Area will be developed primarily for residential use.

The proposal would provide jobs in accordance with the NPPF regarding the promotion of economic growth, in one of the more deprived wards in the City. Given the clear thrust of NPPF it is considered that the benefits of the development would outweigh those adverse impacts that have been identified.

It is, on balance, therefore considered that the principle of the development is acceptable.

Design

The design policies of the UDP, the Design SPD, the NPPF and the Ordsall Riverside Planning Guidance all require development of the highest standard of design. The application has been the subject of pre-application discussions regarding design involving the City Council's former conservation officer.

The application is for two buildings comprising small industrial units. The design scope is therefore somewhat limited. However, given the constraints imposed by the buildings it is considered that the architects have achieved a building that is of a high standard of design. One of the merits of a relatively simple design is that it does not compete for attention with Ordsall Hall; rather, it allows the merit of the Hall to stand out.

While it is considered that the quality of the design is good, Policies OR3 and OR7 of the Planning Guidance state that active frontages are required to Ordsall Lane and the Ordsall Riverside. The proposed development would fail to meet this particular policy requirement. Given the need for security and the need to overlook the central boulevard it has not been considered possible to introduce active frontages into gable elevations and in this regard it is contrary to the Planning Guidance. It is considered difficult to design such a development to an obviously higher quality bearing mind the location where the need for security is high.

Parking and highways

Policy OR3 of the Planning Guidance states that developments fronting the riverside walkway within the Riverside Living Character Area should provide a quayside vehicular route. Clearly the proposed development does not provide such a route. Given though the unlikelihood of residential development and the fact that adjacent sites are unlikely to be redeveloped in the medium to long term it is not considered that this particular requirement is one that should be sensibly enforced.

The parking standards are in accordance with Council policy and it is not considered that the proposed development would have any detrimental effect on the highway network.

The Boulevard

Policy OR3 of the Planning Guidance states that a green finger of open space, linking the riverside walkway with Ordsall Lane, should be provided in front of Ordsall Hall. It states that the open space should be overlooked and should have active uses fronting onto them.

Policy OR6 explains the purpose and design principles of the wide open space in front of Ordsall Hall.

Plans within the Planning Guidance, including the illustrative masterplan and the public realm strategy, indicate the green finger located centrally in front of Ordsall Hall. Unfortunately the application site does not line up so conveniently with the site of Ordsall Hall and the development for two buildings each with a rear service area does not lend itself to allowing an offsetting of the central boulevard to align perfectly with the main façade of the listed building.

There has been considerable discussion of the boulevard above. While it also provides visitor parking spaces for the industrial units it is considered that its main objective in enhancing the setting of Ordsall Hall and opening up views towards the Hall from the riverside is achieved. The provision of a clear tree lined pedestrian route also meets the objective of providing part of a network of well designed, safe, pedestrian friendly spaces that open up access to the riverside. It is acknowledged though that the space could be greener, that it could align symmetrically with the façade of Ordsall Hall and that the use of the units outside of normal business hours is unlikely to be significant thereby reducing the increased surveillance that would be provided by residential properties. It is considered though that visitor parking is essential and that an appropriate balance has been struck between providing green space and meeting the operational needs of any future occupier of the units.

Effect on Ordsall Hall

Ordsall Hall is a grade I listed building and therefore has the highest possible status in terms of its importance as a heritage asset. As set out above, the boulevard re-establishes the historic connection between the Hall and the waterfront. It is considered that the derelict vacant fenced site currently has a significant negative effect on the setting of Ordsall Hall. Paragraph 6.121 of the Planning Guidance states that the present setting of the Hall is poor.

The establishment of low rise development that has a landscaped frontage to Ordsall Lane and that is constructed predominantly of a mix of high quality natural materials will have a considerable beneficial effect on the setting of this important historic building. The Planning Guidance allows four storey development on the Ordsall Lane frontage and it is arguable whether this would have a better effect on the setting of Ordsall Hall than the lower development now proposed.

It is considered that the proposed development has a considerable beneficial effect on the setting of Ordsall Hall.

Response to objections

While only four objections have been received they do raise a large number of issues. These are addressed in turn.

Detrimental effect on Ordsall Hall – this issue is addressed above. It is considered significant that the Council's museums manager is supportive of the proposed development

Poor quality elevations/quality of the development is not good enough – this issue is addressed above.

The boulevard is car focused – the level of parking does not exceed the maximum standards set out in the UDP. An appropriate level of parking must be provided if these units are to be occupied and jobs provided.

Detrimental effect on tourism – it is considered that the current poor setting in front of Ordsall is a greater deterrent to tourism than the proposed development would be. It is noted that the City Council's museums manager welcomes the proposed development.

The site should not be developed with industrial units – this issue is addressed above in the section on the principle of the development.

The elevations will attract graffiti – a condition is attached to deal with this problem should it arise.

The development is contrary to the Irwell River Park Planning Guidance – it is acknowledged that the development is contrary to key elements of the Guidance. The issue is dealt with in greater detail in the section above on the principle of the development.

The boulevard is offset from Ordsall Hall – this issue is addressed above

The development is contrary to policy OR6 of the Ordsall Riverside Planning Guidance – this issue is addressed above.

The development is contrary to policy OR7 of the Ordsall Riverside Planning Guidance – this issue is addressed above.

The quality of the proposed fencing is not good enough – the fencing to Ordsall Lane and the riverside walkway is to be planted in order to provide a green boundary treatment that considerably enhances the quality of the fencing to an appropriately high level.

The Council should have greater ambition for the area – this is largely addressed above in the section on the principle of the development. To address this criticism directly though it is considered that the Council's ambitions for the area as set out in the Ordsall Riverside Planning Guidance are realistically not going to be met for a considerable time. Therefore the difficult issue of whether to allow the site to remain a vacant eyesore opposite one of Salford's most historic buildings or to allow a development that brings investment, jobs and the required link between the riverside and Ordsall Lane must be addressed.

There are many vacant industrial buildings in the area and previously residential schemes have been justified through a lack of demand for industrial sites – the existing vacant industrial premises do not address the need for modern purpose built small industrial units.

Financial contribution

The Planning Obligations SPD states that non- residential development should be £23.50 per square meter of floorspace. It also points out that higher or lower sums may be appropriate in individual circumstances.

In this instance the development would attract a commuted sum of £95,316.

The applicant has stated that there is not an intention to provide any contribution given that the scheme requires £1.1m of funding from the European Regional Development Fund in order to make it viable. In addition a 30m wide boulevard is being provided and the development would provide up to 120 new jobs.

It is considered that given the requirement for over £1m of ERDF funding the development is clearly unviable without it and therefore it is appropriate to waive any contribution in this instance.

Value Added

The application has been subject to considerable improvements at pre-application stage and during the processing of the application.

Conclusions

The NPPF places significant emphasis on delivery and on promoting economic growth. In the case of this site its profile clearly makes it important that development is promoted. Whilst the proposed scheme conflicts with UDP policy MX1 and certain policies within the associated Ordsall Riverside Planning Guidance, changes in the market have cast considerable doubt of the achievability of the detailed vision for this part of the Ordsall Riverside Corridor. This conflict therefore needs to be considered in light of these concerns, and balanced against the benefits of securing the redevelopment of this site that do meet many of the objectives set out in the Planning Guidance.

In this particular instance it is considered that the benefits of development of the site that include ERDF funding of £1.1m, the improvement of the setting of Ordsall Hall, the provision of a landscaped boulevard between Ordsall Lane and the waterside and the creation of over 100 jobs outweigh the harm caused by not fully complying with certain policies in the Ordsall Riverside Planning Guidance

It is therefore recommended that permission is granted subject to the following conditions.

Recommendation

Approve

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

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development subject to this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Capita ref:SS)18955/01 and the following mitigation measures detailed within the FRA:

1. Limiting surface water run-off generated by the proposed development to no more than 50% of the existing rates of run-off;
2. Identification and provision of safe refuge at upper levels within the units and route(s) into and out of the site to an appropriate safe haven;
3. Finished floor levels that are set no lower than 24.88m above Ordnance Datum (AOD)

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site; to ensure safe access and egress to and from the site; and to reduce the risk of flooding to the proposed development and future occupants in accordance with policy EN19 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

3. No development shall take place until a scheme for the provision and management of the landscaped area alongside the River Irwell, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:
 - details on areas of landscaping and future management;
 - details of any proposed planting scheme, including planting schedule, preferably largely based on native species;
 - plans showing the extent and layout of riverside landscaping;
 - details of any riparian boundary features that accentuate and enhance the Irwell River Park public open space i.e. fencing, lighting etc
 - removal of redundant structures or poor boundary features

Reason: Development that encroaches on watercourses has a potentially severe impact on their ecological value. Land alongside watercourses is particularly valuable and it is essential that this is protected and enhanced where possible. This is supported by paragraph 109 of the National Planning Policy Framework

4. Prior to the commencement of the development, a Preliminary Risk Assessment report, including a conceptual model and a site walk over, to assess the potential risk of land contamination, shall be submitted to and approved in writing by the Local Planning Authority. Should a potential risk be identified then:

1. A Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health and the wider environment; and

2. The details of any proposed Remedial Works shall be submitted to, and approved in writing by the Local Planning Authority. Such Remedial Works shall be incorporated into the development during the course of construction and completed prior to occupation of the development; and

3. A Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority.

The Verification Report shall validate that all remedial works undertaken on site were completed in accordance with those agreed by the Local Planning Authority.

Reason: In the interests of public safety in accordance with National Planning Policy Framework.

5. The rating level (LAeq,T) from all fixed plant and machinery associated with the development, when operating simultaneously, shall not exceed the background noise level (LA90,T) by more than -5 dB at any time when measured at the nearest noise sensitive premises. Noise measurements and assessments shall be carried out according to BS 4142:1997 "Rating industrial noise affecting mixed residential and industrial areas". 'T' refers to any 1 hour period between 07.00hrs and 23.00hrs and any 5 minute period between 23.00hrs and 07.00hrs.

Reason: To safeguard the amenity of the neighbouring residents in accordance with policy DES 7 of the City of Salford Unitary Development Plan.

6. No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured by Design accreditation will be achieved have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with those details or any subsequent agreed amendments. The development hereby approved shall not be occupied or used until the Local Planning Authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

Reason: To reduce crime in accordance with policy DES10 of the City of Salford Unitary Development Plan and the Design and Crime Supplementary Planning Guidance.

7. The development hereby permitted shall be carried out in accordance with the following approved plans:
Proposed site plan - P004 revision J
Proposed landscape plan - P011 revision B
Proposed ground floor plan unit A - P006 revision B
Proposed site section - P005 revision D
Proposed street elevations - P010 revision C
Proposed elevations unit B - P009 revision F
Proposed ground floor plan unit B - P008 revision C
Proposed elevations unit A - P007 revision C

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

8. Prior to the commencement of the development hereby approved, samples and details of the materials for the boulevard and the walls and roofs of the development shall be submitted to and approved in

writing by the Local Planning Authority. The scheme shall be carried out using the approved materials, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure the development fits in with the existing buildings in the vicinity in accordance with policy DES 1 of the City of Salford Unitary Development Plan.

9. Further to condition 3, the site shall be treated in accordance with a landscape scheme, which shall be submitted to and approved in writing by the Local Planning Authority before development is started. Such scheme shall include full details of trees and shrubs to be planted, walls, fences, boundary and surface treatment and shall be carried out within 12 months of the commencement of development. Any trees or shrubs dying within five years of planting shall be replaced with the same species within twelve months.

Reason: To safeguard the amenity of the area in accordance with policy DES 1 of the City of Salford Unitary Development Plan.

10. No development shall commence until a scheme for the provision of external lighting has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall include full details of the locations, design, luminance levels, light spillage and hours of use of, and columns for, all external lighting within the site and the approved scheme shall be implemented in full prior to the occupation of development.

Reason: To safeguard the amenity of the area in accordance with policy DES 1 of the City of Salford Unitary Development Plan.

Notes to Applicant

In considering Condition 3, the applicant should refer to the Council's planning guidance documents for Irwell City Park and Ordsall Riverside.

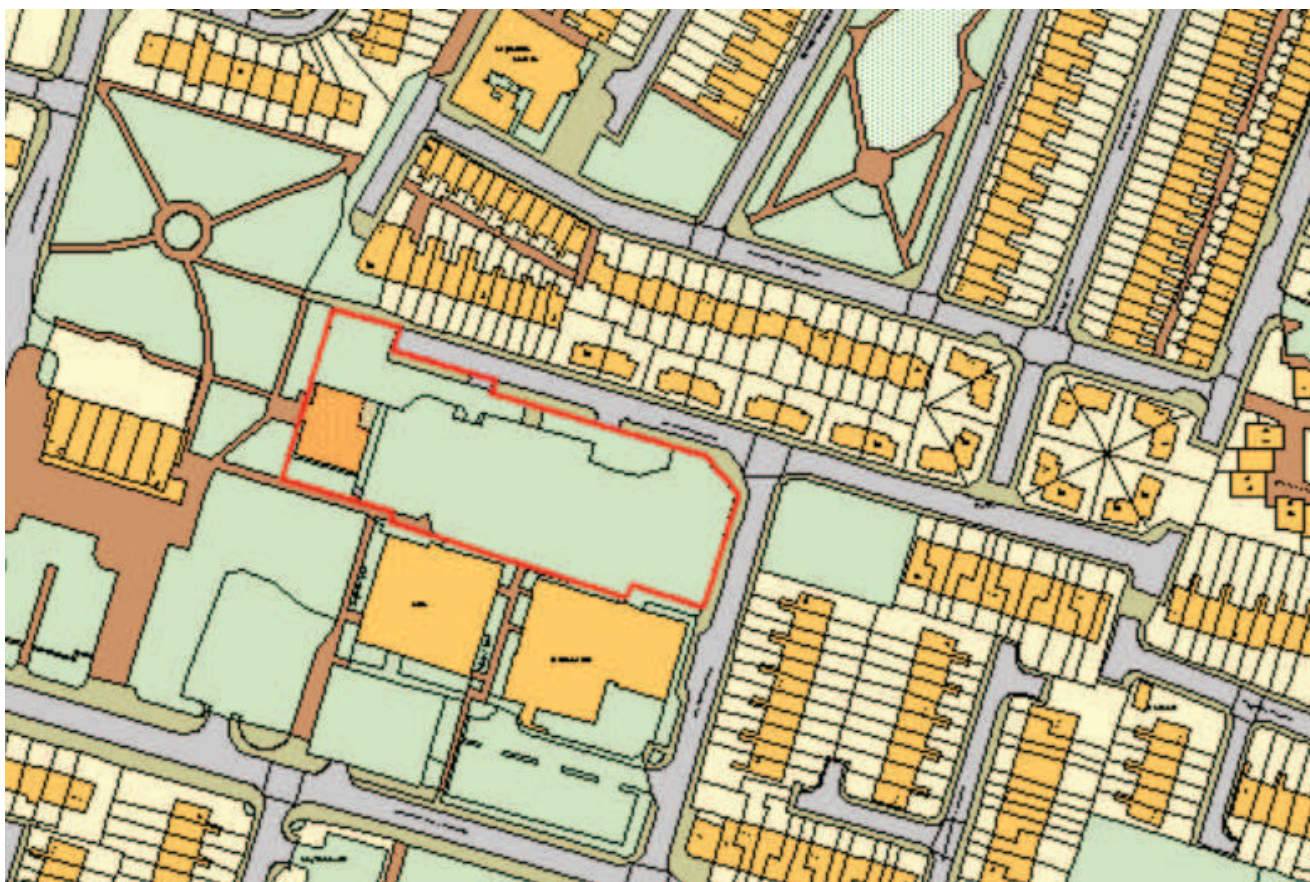
APPLICATION No: 13/63394/FUL

APPLICANT: Mr Tommy McMullen - Ordsall Community Allotment Society

LOCATION: Land Formerly The Jubilee, Tatton Street, Salford, ,

PROPOSAL: Change of use of vacant land to allotments, installation of sheds, two containers and other associated equipment and erection of 2.4m high railings

WARD: Ordsall



Description of Site and Surrounding Area

This application relates to a 0.4 hectare plot of land located at the junction of Tatton Street and Belfort Drive in Ordsall.

The application site comprises an extensive area of overgrown scrub land, the majority of which is enclosed by a series of 2.4m high railings, with the remainder being enclosed by a low timber post and rail fence, together with an area of hardstanding that provides parking on an informal basis.

There are a number of trees on site, none of which are protected by a tree preservation order.

The application site was formally occupied by a series of buildings including a Post Office, a church, a library and convenience store, most of which have been demolished in the past 10 years. Consent was recently granted for the demolition of the remaining building on the site and the former Ordsall Health Centre building to the south east.

The application site is located within a mixed use area – there are residential properties located to the north and east and there is an area of open space to the west. There is a vacant health centre and a club to the south, together with another area of open space.

Description of Proposal

Planning permission is sought to use the land as allotments, including a series of private plots (19), a number of community plots (7) and a series of raised beds suitable for use by the disabled (16). The plots for use by individuals, including those for use by the disabled, would each be provided with a shed and water butt.

A community orchard and a community garden with picnic benches would also be created on site and a series of composting bays, storage cabins and a composting toilet would also be introduced.

The parking arrangements would also be formalised with 10 parking spaces, including two suitable for use by disabled persons and 1 motorcycle space being provided on the existing hardstanding.

The portion of the site currently enclosed by the low timber post and rail fence would be enclosed with 2.4m high railings to match those already present on site.

The site would be operated by the Ordsall Community Allotment Society that has a policy to let the allotment plots only to people who live within the Ordsall area.

Publicity

Site Notice: Non HH Affecting public right of way Date Displayed: 18 July 2013

Reason: Article 13 affect public right of way

Press Advert: Salford Advertiser Date Published: 18 July 2013

Reason: Article 13 Affect Public right of Way

Relevant Site History

13/63646/DEMCON - Prior notification for the demolition of 1-6 And 21-26 Ordsall District Centre Phoebe Street Salford M5 3PN – Consent granted August 2013

Neighbour Notification

55 neighbouring properties were notified of the application on the 10th July 2013.

Representations

One letter of representation has been received in response to the application publicity. The following issues have been raised –

- The proposal is contrary to the Ordsall Community Framework which showed the application site being developed for housing, showing an allotment development coming forward at the St Clements School Site.
- The Consultation Feedback Report that supports the Ordsall Community Framework notes that there was greater public support for a public park than allotments and suggesting that the allotments popularity could be initially tested with a small scale pilot scheme – this scheme is not small scale and there has not been any public consultation on the proposals.
- The proposals would not allow the plans set out in the District Framework for more open space to be brought forward. As such there are objections to the proposal on the basis that it would result in the loss of open space and the loss of an open aspect of the land due to increased fencing and erection of multiple structures.

- The security fencing surrounding the site has a poor visual appearance and it is not fit for purpose – many of the vertical bars have been jacked apart to provide access onto the site. Additional fencing of the same type should not be installed as this would further increase the prison camp look of the area and leave the allotments vulnerable to vandalism, theft and anti-social behaviour.
- The proposal involves the installation of shipping containers opposite residential properties which is not acceptable – the community orchard would not provide screening as it would take many years to become established and in any event it would only offer limited, if any screening, due to the numbers and type of trees proposed.
- The proposal involves the introduction of composting bays opposite residential properties giving rise to concerns over smells. The writer is also concerned that the compost bays could attract insects and vermin.
- Allotments would not be in keeping with the character of the area which is characterised by housing interspersed by greenspace. There have been proposals to list the New Barracks Estate and as such additional protection should be given to the character of the area.
- The proposal would result in the removal of a number of high quality trees and the replanting proposals would not make the same pleasing contribution to visual amenity.
- The proposals show the fencing around the site extending westwards alongside the southern edge of the car park and beyond, something which would remove a footpath that provides access from Tatton Street towards the schools, shops and medical centre etc. The path has been in place since 1978 it is an established right of way as defined under Section 31 of the Highways Act 1980 and therefore the proposal would result in the stopping up of a public right of way without due public consultation – something which is objected to as it would prevent people using an established route.

Consultations

Highways - Note that the application includes car parking provision for visitors to the site, stating that it is likely that allotment holders will visit the site throughout the day and weekend with no marked peaks in traffic flow or parking demand. Confirm that the level of parking is appropriate and state that there are no objections to the proposal on highways grounds.

The council's public rights of way officer has advised that there are only a few unadopted passages on the site and no formal definitive public rights of way. He has therefore advised that he has no objections to the proposal.

Senior Engineer Flood Risk Management - No comments received to date

Urban Vision Environment (Air and Noise) - Advise that they have no objections to the proposal as the scheme does not raise any issues with regard to noise or air quality. Confirm that the composting bays will be used to store vegetation waste and decomposing garden litter such as leaves, cuttings etc and consequently subject to management to avoid anaerobic activity they consider that the proposal is unlikely to generate smells and/or vermin.

Urban Vision Environment (Land Contamination) - Advise that they have reviewed the preliminary risk assessment and ground investigation report (Report Ref: UV/003704) that has been submitted in support of the planning application and confirm that they agree with its recommendations that the site requires remedial treatment should it be developed as allotments.

On this basis they state that they have no objections to the proposal subject to the attachment of a condition requiring the details of the proposed remediation to be agreed by the Local Planning Authority, implemented in the development and a subsequent verification report provided.

Ordsall, Langworthy Neighbourhood Manager - No comments received to date

The Open Spaces Society - No comments received to date

Peak and Northern Footpaths Society - No comments received to date

Ramblers Association Manchester Area - No comments received to date

The Greater Manchester Pedestrian Assoc. - No comments received to date

Ramblers Association Manchester Area - No comments received to date

Planning Policy

Development Plan Policy

Unitary Development Plan DES1 - Respecting Context

This policy states that development will be required to respond to its physical context and respect the positive character of the local area in which it is situated and contribute towards a local identity and distinctiveness.

Unitary Development Plan DES7 - Amenity of Users and Neighbours

This policy states that all new development, alterations and extensions to existing buildings will be required to provide potential users with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout. Development will not be permitted where it would have an unacceptable impact on the amenity of occupiers or users of other development.

Unitary Development Plan DES8 - Alterations and Extensions

This policy states that planning permission will only be granted for alterations or extensions to existing buildings that respect the general scale, character, rhythm, proportions, details and materials of the original structure and complement the general character of the surrounding area.

Unitary Development Plan DES9 - Landscaping

This policy states that hard and soft landscaping should be provided where appropriate that is of a high quality and would enhance the design of the development, not detract from the safety and security of the area and would enhance the attractiveness and character of the built environment.

Unitary Development Plan DES10 - Design and Crime

This policy states that developments must be designed to discourage crime, antisocial behaviour, and the fear of crime. Development should i) be clearly delineated ii) allow natural surveillance iii) avoid places of concealment iv) encourage activity within public areas.

Unitary Development Plan A8 - Impact of Development on Highway Network

This policy states that development will not be permitted where it would i) have an unacceptable impact upon highway safety ii) cause an unacceptable restriction to the movement of heavy goods vehicles along Abnormal Load Routes.

Unitary Development Plan A10 - Provision of Car, Cycle, Motorcycle Park

This policy states that there should be adequate provision for disabled drivers, cyclists and motorcyclists, in accordance with the Council's minimum standards; maximum car parking standards should not be exceeded; and parking facilities should be provided consistent with the provision and maintenance of adequate standards of safety and security.

Unitary Development Plan EN12 - Important Landscape Features

This policy states that development that would have a detrimental impact on, or result in the loss of, any important landscape feature will not be permitted unless the applicant can clearly demonstrate that the importance of the development plainly outweighs the nature conservation and amenity value of the landscape feature and the design and layout of the development cannot reasonably make provision for the retention of the landscape feature. If the removal of an important existing landscape feature is permitted as part of a development, a replacement of at least equivalent size and quality, or other appropriate compensation, will be required either within the site, or elsewhere within the area.

Unitary Development Plan EN17 - Pollution Control

This policy states that in areas where existing levels of pollution exceed local or national standards, planning permission will only be granted where the development incorporates adequate measures to ensure that there is

no unacceptable risk or nuisance to occupiers, and that they are provided with an appropriate and satisfactory level of amenity.

Unitary Development Plan EN19 - Flood Risk and Surface Water

This policy states that any application for development that it is considered likely to be at risk of flooding or increase the risk of flooding elsewhere will need to be accompanied by a formal flood risk assessment. It should identify mitigation or other measures to be incorporated into the development or undertaking on other land, which are designed to reduce that risk of flooding to an acceptable level.

Other Material Planning Considerations

National Planning Policy

National Planning Policy Framework

Local Planning Policy

Supplementary Planning Document - Design and Crime

This policy document contains a number of policies used to assess and determine planning applications and is intended as a guide in designing out crime.

Supplementary Planning Document - Trees and Development

The policy document has been prepared to give information to all those involved in the development process about the standard that the Local Planning Authority requires for new development proposals with specific reference to the retention and protection of trees.

It is not considered that there are any local finance considerations that are material to the application

Appraisal

Principle

The application site is not allocated in the adopted UDP and there are no supplementary planning documents or supplementary planning guidance notes relating specifically to the site.

The objector notes that the proposals to develop the site for allotments are contrary to the proposals set out in the Ordsall Community Framework, however in planning terms this document has very little weight - it is an aspirational document that was produced by BPTW in consultation with local residents and endorsed by both Ordsall and Langworthy Community Committee and the council in 2004, and subsequently updated in 2007, in order to outline a number of environmental and infrastructure improvements that would benefit the estate, identify sites suitable for development and sets out key principles to guide development. –The Framework is currently undergoing a further update which will be taken to both the Ordsall and Langworthy Community Committee and Ordsall Forum later this year. This update includes for both housing development and allotments on the former District Centre site in line with local community aspirations.

Having regard to these facts, the vacant, unkempt appearance of the site and the fact that the scheme is led by the community it is considered that the development of the site for allotments is acceptable in principle – it will bring a vacant site back into use and provide a facility that could provide a focus for local interaction, building a community feel and assisting in addressing health and social issues in the area.

Design and Visual Amenity

The application site comprises an extensive area of overgrown scrub land, the majority of which is enclosed by a series of 2.4m high railings, with the remainder being enclosed by a low timber post and rail fence, together with an area of hardstanding that provides parking on an informal basis. There are also a number of trees on the site, none of which are protected by a tree preservation order (see below).

In order to create the allotments the site would be cleared of its existing surface vegetation and the top 400mm excavated from the site, before 200mm of subsoil and 400mm of topsoil are added to create the standard plots and the community plots.

Each standard plot would have shed in the corners. The shed would have a footprint of 1.8m by 2.4m that measures a maximum of 2m in height with a mono pitch roof. The sheds would be of a standard timber construction, being sited on a hard standing made up of self-binding gravel. Adjacent to each shed there will be a slim-line water butt with a diameter of 0.46m and a height of 1.2m. There would be a series of pathways across the site in order to provide access to and around the allotments.

The raised beds for use by the disabled would be constructed from re-inforced concrete fencing post and pre-cast concrete base panel/gravel board. The beds would be 300mm high and 1.22m wide, having 1.22m wide paths on both sides in order to allow full access to both sides of each raised bed. There would be 4 sheds for use by those using the raised beds.

The community orchard, which would occupy the area at the junction of Tatton Street and Belfort Drive as well as running along part of the sites' boundary with Tatton Street, would be created by importing 1000mm of certified, clean natural topsoil, within which a series of fruit trees would be planted.

In terms of ancillary equipment it is proposed to install two shipping containers with a footprint of 3m by 2.4m, measuring 2.6m in height together with a composting toilet within a building that would have a footprint of 1.95m by 2.5m and a maximum height of 3.4m to the top of the vent pipe. The shipping containers and the composting toilet would be colour treated in pine green (RAL 6028).

It is also proposed to install an open composting bay using concrete panels. The structure would have a footprint of 5.2m by 2m incorporating 3 bays, with a height of 1.2m. A galvanized steel standpipe would also be introduced and two picnic benches would also be installed on the grassed section of the community garden.

The storage containers, the composting bays and the composting toilet would be installed at the western end of the site, at the rear of the parking area and to the west of the vehicular entrance point, while the standpipe would be located to the east of the entrance, adjacent to the raised beds. There would be at approximately 34.5m between these pieces of equipment and the closest residential property on the opposite side of Tatton Street whilst the planting of fruit trees on the site boundary will help further mitigate the visual impact of the proposals.

Having regard to unkempt nature of the existing site and the small scale of the works proposed it is considered that the proposal is acceptable in design terms. The proposal would bring a vacant site back into use, introducing equipment on site that is typically found within an allotment site and within a residential area, with the scheme utilizing appropriate colour treatments and trees within the community orchard to provide some screening to the storage containers, composting toilet and the composting bays.

The allotment site would be secured using the existing 2.4m high railings which would be extended around the western portion of the site. The fencing would allow for natural surveillance of the site, with additional security being provided by the CCTV camera located to the Community Cafe on the opposite side of Tatton Street which the applicant states will cover the site. It is therefore considered that the applicant has taken all reasonable means to prevent unauthorised access onto the site.

For these reasons the proposal is considered to be in accordance with UDP policies DES1 and DES10 – it is acceptable both in visual amenity and design and crime terms.

Residential Amenity

The land to the south and west of the site is not used for residential purposes. There are however residential properties located to the north and east on Tatton Street and Belfort Drive.

The proposed allotments would be low to the ground and the ancillary equipment that would be installed to facilitate the use of the site as allotments would be limited in scale, being located in positions where there would be significant separation between it and the neighbouring residential properties. Similarly there would be significant separation between the new fencing and the neighbouring properties and the 2.4 metre high fencing that would be installed is a visually permeable, standard railing design. Consequently it is not considered that the proposal would result in neighbouring residents experiencing any issues with regard to overbearing impact and loss of light.

It is not considered that the proposed use of the site as allotments would result in neighbouring residents experiencing a significant increase in the levels of noise and disturbance they can reasonably expect to enjoy either. The constitution of the Ordsall Community Allotment Society states that:

- plots will not be given to those under 18;
- children using the site must be supervised at all times; and
- the committee would refuse to allow those that may create problems to become members.

The Council's environmental consultants have advised that the proposal does not raise any issues with regard to noise and disturbance.

The objector has raised concerns that the proposal, in particular the composting bays, has the potential to give rise to smells as well attracting insects and vermin. The Council's environmental consultants have stated that the composting bays will be used to store vegetation waste and decomposing garden litter such as leaves, cuttings etc and consequently subject to management to avoid anaerobic activity they consider that the proposal is unlikely to generate smells and/or vermin.

For these reasons the proposal is considered to be acceptable in terms of its impact upon neighbouring residents. The scheme is therefore in accordance with UDP policies DES7 and EN17.

Trees

There are a number of trees on site, none of which are protected by a tree preservation order. A tree survey has been submitted with the application and this has been reviewed by the Council's consultant arborist.

The consultant arborist has confirmed that 14 trees would be removed in order to facilitate the proposal, however he notes that one of the trees (T6) needs to be removed in any event as it is in a poor condition.

He advises that most of the trees that would be removed have been classed as Category B, noting that given the proposed use of the site and the defects noted on the trees due to vandalism their removal is justified and any loss of amenity can be mitigated against with replacement planting. It is not therefore considered that the trees on site should constrain the development.

The applicant has submitted a proposed landscape plan with the application which shows 28 half standard native fruit trees being introduced, including apples, pears, plums and damsons which would range between 1.8 and 2.4m in height. The trees would be planted at the junction of Tatton Street and Belfort Drive as well as along part of the sites' boundary with Tatton Street. The arborist has reviewed the proposed replanting and confirmed that he is happy with the planting with the replacement trees as they would provide 2 for 1 replacements in accordance with policy TD6 of the Council's Supplementary Planning Document, with the species proposed being appropriate for the proposed use.

Highways

The vehicular access into the site would remain unchanged. The proposals would formalise the parking arrangements with 10 parking spaces, including two suitable for use by disabled persons and 1 motorcycle space being provided on the existing hardstanding in the north eastern portion of the site.

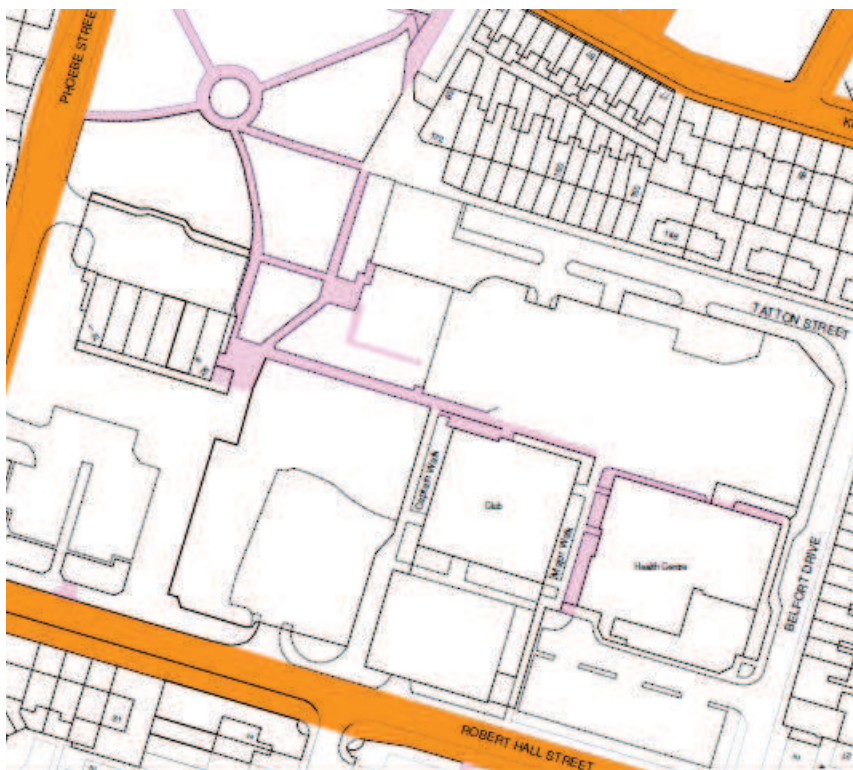
Having regard to the fact that the proposed allotments would serve the local community it is considered that the level of parking provision would be adequate.

The introduction of the fencing and the use of the site as allotments would not result in the loss of any car parking, nor would the proposed development interfere with visibility splays to and from the site.

The Council's highway officers have reviewed the proposals and raised no objections to the proposal and therefore it is considered that a suitable means of access, adequate parking and suitable servicing arrangements would be provided. The development is therefore considered to be acceptable in highway safety terms – the scheme complies with UDP policies A8 and A10.

Public Rights of Way (PROW)

The Council's PROW officer has reviewed the proposal and advised that there are no formal PROW across the site. However there are a number of unadopted passages running across the site shown pink on the plan below.



The proposed development would not therefore affect any PROW; it would however enclose a number of unadopted passageways.

In planning terms, the enclosure of the unadopted passageways is considered acceptable as it does not raise any issues in terms of accessibility or the free flow of pedestrian movement as individuals would still be able to use the cut through from Tatton Street to Robert Hall Street by using the adopted passage that would be retained to the west of the application site. Furthermore it is considered that pedestrians could be easily diverted to the footpaths on Tatton Street, Belfort Drive and Robert Hall Street, all of which are well lit, without any significant increase in travel distance.

A neighbouring resident has objected to the proposal on the basis that it would result in the closure of part of one of the unadopted passageways located adjacent to the car parking area. They state that the portion of the passageway that would be closed has become a public right of way by virtue of the fact that the route across the car park and on towards the schools, shops and medical centre has been in situ since the Jubilee Pub opened in 1978 and consequently it has been established a right of way under section 31 of the Highways Act 1980.

The PROW officer has advised that members of the public can apply to have a route added to the definitive map if they have had uninterrupted access to it for 20 years or more and that the use of the route has been "as of right" meaning without force, secrecy or permission. In this case they have confirmed that they have not received any such application to designate the route as a public right of way and add it to the definitive map.

Notwithstanding this the PROW officer has advised that the objector could apply at any stage to have the route designated as a public right of way and add it to the definitive map, advising that their application could be successful if they are able to provide supporting evidence of its existence.

The applicant's agent has been made aware of the issue and advised that they should consider applying for a formal closure of the unadopted passageways on site in order to avoid issues in the future. In order to bring the matter to the attention of the applicant it is suggested that an informative is attached to the decision notice recommending that the applicant contact the public rights of way officer to discuss the matter further.

Site selection and consideration of alternative sites

Although not required to justify the development in planning policy terms, the applicant has provided an explanation as to why the site of the former St Clements Primary School has not been used as originally envisaged in the Ordsall Development Framework in response to the objection received from a neighbouring resident.

The applicant has explained that the use of the former St Clements Primary School site was discounted as the land is protected for education use and therefore is not considered available for an alternative use at this time.

The applicant has also added that the potential for the proposed allotments to compliment the Ordsall Community Café next door influenced their site selection decisions.

As mentioned above, the now dated Ordsall Community Framework has very little weight in planning terms and is currently being updated to include both housing development and allotments on the former District Centre site in line with local community aspirations.

Recommendation

Approve

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

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The landscaping scheme hereby approved shall be carried out within 12 months of the commencement of development. Any trees or shrubs dying within five years of planting shall be replaced with the same species within twelve months.

Reason: To safeguard the amenity of the area in accordance with policy DES 9 of the City of Salford Unitary Development Plan.

3. The storage containers and composting toilet hereby approved shall be colour treated with the approved colour pine green (RAL 6028) prior to installation and shall be maintained as such thereafter.

Reason: To safeguard the amenity of the area in accordance with policy DES 1 of the City of Salford Unitary Development Plan.

4. The railings and gates hereby approved shall be colour treated with the approved colour black (RAL 9005) prior to installation and shall be maintained as such thereafter.

Reason: To safeguard the amenity of the area in accordance with policy DES 1 of the City of Salford Unitary Development Plan.

5. Prior to the commencement of development details of remediation works shall be submitted to, and approved in writing by the Local Planning Authority. The approved remedial Works shall be incorporated into the development during the course of construction and completed prior to the first use of the land as allotments. Prior to discharge of the condition a Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority. The Verification Report shall validate that all remedial works undertaken on site were completed in accordance with those agreed by the Local Planning Authority.

Reason: In the interests of public safety in accordance with National Planning Policy Framework.

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

Location plan - received 9th July 2013

Proposed site layout plan dated 15th March 2013, revision dated 5th June 2013
Footpath sections plan dated 8th May 2013
Planting plan dated 26th April 2013
Site sections A-A and B-B dated 15th March 2013, revision dated 9th May 2013
Site sections C-C and D-D dated 15th March 2013, revision dated 9th May 2013
Composting toilet plan dated 7th March 2013
Shipping container plan dated 7th March 2013, revision dated 8th May 2013
Railing and gate detail plan dated 7th March 2013
Raised bed plan dated 7th March 2013, revision dated 8th May 2013
Shed plan dated 7th March 2013, revision dated 8th May 2013
Standpipe and water butt plan dated 7th March, revision dated 8th May 2013
Composting bay plan dated 7th March 2013

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

Notes to Applicant

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

2. If, during any works on site, contamination is suspected or found, or contamination is caused, the LPA shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales in agreement with the LPA.
3. The proposal would result in the closure of an unadopted passageway. It is claimed by a neighbouring resident that the passageway could be a public right of way by virtue of the fact that it has been used for over 20 years. It is therefore recommended that you contact the public rights of way officer Ian Lavin on 0161 779 6111 to discuss the matter further.

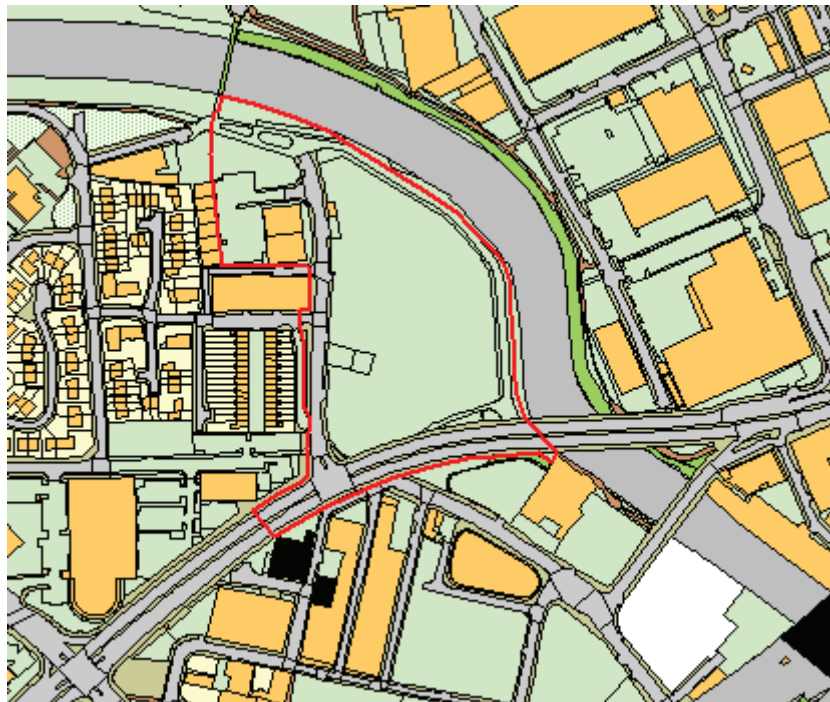
APPLICATION No: 12/61649/OUT

APPLICANT: Urban Splash Ltd & Si Si Investments Ltd

LOCATION: Land To The East Of, Springfield Lane, Salford, ,

PROPOSAL: Outline application with all matters reserved for a foodstore (A1 Retail) and up to 40 dwellings with associated car parking

WARD: Irwell Riverside



Description of Site and Surrounding Area

This application relates to land off Springfield Lane that covers an area of 3.5 hectares. The site is bordered by the River Irwell to the north and east, Trinity Way to the south and Springfield Lane and Springfield Business Park to the west. The eastern and larger part of the site is currently vacant and cleared of buildings and has been in this state for some considerable time. This part of the site has more recently been cleared of shrubs and tidied. The north western part of the site is currently occupied by a cluster of industrial buildings that form part of Springfield Business Park.

In terms of neighbouring uses these primarily comprise residential developments in the form of a newly built apartment block and a Victorian terrace of houses to the west on the opposite side of Springfield Lane and commercial/industrial properties to the north west and to the east on the opposite bank of the River Irwell. The Greengate area lies to the south beyond Trinity Way.

The existing site access is taken from Trinity Way on to Springfield Lane at the south west corner of the site. Springfield Lane drops from Trinity Way and the site itself is generally flat with a bank rising to Trinity Way level, which is 4 to 5m above the site. An existing stair and ramp provides pedestrian access to the Riverside walkway from Trinity Way and Springfield Lane serves as access to a limited number of properties; the business units, dwellings on Evans Street and the apartment building located between Dean Road and Reservoir Street. Bollards prevent access to the remainder of the dwellings to the west that gain their access from Blackfriars Road.

Self-seeded trees border the site to Trinity Way and the river Irwell. A riverside walkway runs along the eastern boundary of the site and is just 1m lower than the main level of the site

The site is not allocated for any particular purpose in the UDP. The entire site does though fall within an Air Quality Management Area. On the opposite bank of the Irwell, in Manchester, are industrial premises.

The application site includes the carriageway on Trinity Way adjacent to the grade II* listed Collier Street baths.

Description of Proposal

The application seeks approval in outline, with all matters reserved, for a new foodstore of 4,224sq.m (gross, 2,602sq.m net) and up to 40 dwellings. The foodstore would be located in the south west corner of the site parallel to Springfield Lane as shown on one of a series of parameter plans that define the proposed development. The plans indicate that a total of 230 car parking spaces would be provided to the north of the site. The dwellings would be located to the eastern part of the site adjacent to the river Irwell in two terraces, one backing onto the river and one backing onto the superstore.

Whilst the application is outline with all matters reserved the application is supported by eight parameter plans that deal with the following issues:

- The site boundary
- Maximum and minimum building envelope and horizontal limits of deviation
- Maximum and minimum building envelope and vertical limits of deviation
- Access and movement
- Area and land use plan
- Landscape strategy
- Site sections (x2)

A purpose of the parameter plans is to control aspects of the detailed design of the development. The main details of the parameter plans are considered below.

The land use plan (parameter plan 5) shows the maximum extents of:

- the food store;
- the residential use;
- the car park; and
- the food store roof canopy.

It also shows the location of a pocket park to the north of the terraces of dwellings.

The access plan (parameter plan 4) shows:

- the four existing pedestrian access points to the site, 2 on the riverside walkway, north and south, and two from Trinity Way;
- the approximate location of the proposed access to the service yard and the dwellings, which would be opposite Dean Road and the rear of numbers 1 to 19 Evans Street;
- the approximate location of the access to the car park, on Springfield Lane at the junction with Reservoir Street, and the approximate location of the access to the remaining units on the Springfield Business Park, to the rear of the new apartments at Springfield Court;
- two pedestrian routes through the site to the riverside walkway, one a continuation of Springfield Lane that would run through the car park, the other at 90 degrees to Springfield Lane to the north of the proposed store and through the pocket park.

The horizontal limits of deviation plan (parameter plan 2) establishes some key principles and develops those established by the land use plan (parameter plan 5). It shows the ground floor building lines and allows deviation of between +/- 2m to 10m. It establishes the following:

- An 8m easement adjacent to the River Irwell for the Environment Agency, within which there would be no built development or car parking;

- A minimum separation distance of 21m between the foodstore (including the roof canopy) and the gable elevation of Springfield Court;
- A minimum size of the pocket park of 285sq.m;
- A minimum distance of 2m between the rear boundary of the residential curtilage and the foodstore;
- A minimum distance of 6m between the roof canopy and the rear boundary of the residential curtilage;
- A minimum distance of 15m between the front elevations of the dwellings;
- A minimum distance of 3m between the foodstore and the access road to the dwellings on the Springfield Lane elevation and 1.5m on the Trinity Way elevation.

The vertical limits of deviation plan (parameter plan 3) establish maximum (and minimum) heights above Ordnance Survey level for each building element as follows:

- Maximum height of car park screening canopies – 6m
- Maximum height of foodstore roof canopy – 13.05m
- Maximum height of roof canopy above pavement level adjacent to Trinity Way – 1.15m
- Maximum height of dwellings adjacent to the River Irwell – 11m
- Maximum height of dwellings adjacent to the foodstore – 14m
- Maximum height of dwellings adjacent to Trinity Way – 21m
- Maximum height of the roof lantern – 18m
- Minimum height of the roof canopy above the foodstore roof – 4m

The landscape strategy (parameter plan 6) establishes principles with regard to the landscaping of the site as follows:

- Existing Irwell City Park corridor retained and enhanced with landscape features
- A wildflower roof meadow to the foodstore
- The car park to contain orchard trees and/or car park screen canopies
- A pocket park (minimum 285sq.m adjacent to the riverside walkway
- Landscaping to the pedestrian corridor along Springfield lane
- Landscaping / Screening to the northern edge of Reservoir Street

The two sections plans (parameter plans 7 and 8) assist in the interpretation of parameter plan 3 that deals with vertical limits of deviation.

From the parameters plans it is clear that the applicant has gone to considerable lengths to firstly understand the context of the site, the opportunities and constraints it offers and poses that can then be used to assure and give comfort to the planning authority that while this is an outline application with all matters reserved, there would be a significant level of certainty with regard to the format of future reserved matters. Clearly this is on the basis that should planning permission be granted the parameters would become part of the planning permission to ensure subsequent reserved matters are submitted in substantial accordance with them.

The application is supported by the following documents:

- Design and Access Statement
- Air Quality Assessment
- Biodiversity Report
- Tree Survey
- Crime Prevention Plan
- Flood Risk Assessment
- Land Contamination Assessment
- Noise Impact Assessment
- Transport Assessment (including Travel Plan)
- Planning and Retail Statement

During the processing of the application considerable further information regarding retail matters has been submitted by the applicant. In addition the City Council has commissioned its own independent advice from White Young Green regarding the retail impact of the proposed scheme.

Site History

The site has been cleared and vacant for approximately 15 years and has an extensive planning history.

05/51525/OUT - Outline application for the erection of 555 flats and 2437sq.m of retail/commercial space (Option 2) - Approved December 2005

05/51524/OUT - Outline application for the erection of 540 flats and 4029sq.m of retail/commercial space (Option 1) - Approved December 2005

05/51317/OUT - Outline application for the erection of 469 flats, a 171 bed hotel and 3407sq.m of retail/commercial space (Option 3) - Approved December 2005

04/49525/OUT - Outline planning application for the demolition of existing buildings and use of land for residential purposes (178 apartments) and commercial use (515sq.m of office space) (re-submission of planning application 04/48916/OUT) - Approved January 2005

04/48916/OUT - Outline application for demolition of existing buildings and use of land for residential purposes - Withdrawn October 2004

04/48283/FUL – Change of use of vacant land to temporary car park and erection of fencing and siting of cabin – Approved July 2004 – The permission was for a period ending July 2007.

02/44926/DEEM3 - Outline planning application for the development of land for housing (60) and offices (3960sq.m) and improvement of existing riverside walkway and addition of pedestrian route through site - Approved December 2002

02/44925/DEEM3 - Outline planning application for development of land for housing (90 dwellings) and offices and improvement of existing riverside walkway and two additional pedestrian routes through site - Approved December 2002

None of the above permissions remain extant and the permission for temporary car parking was not implemented.

Publicity

Site Notice: Non HH Article 13 Date Displayed: 11 May 2012

Reason: Article 13

Site Notice: Non HH setting of listed building Date Displayed: 5 August 2013

Reason: Affecting setting of Listed Building

Press Advert: Salford Advertiser Date Published: 26 April 2012

Reason: Article 13 Standard Press Notice

Press Advert: Salford Advertiser Date Published: 26 April 2012

Reason: Affecting setting of Listed Building

Neighbour Notification

Over 200 neighbouring properties and interested parties have been notified of both the submitted application and the additional information that has been submitted.

Representations

A total of 44 representations have been received. Of these 31 are objecting to the application and 13 are in support. One of the letters of support is a letter written to the applicant by Vertical Villages Tenants and Residents Association.

The letters in support raise the following issues:

- The continued demise of Mocha Parade means that the need for a new food store is increasingly evident
- The design is excellent and the meadow canopy is an iconic landmark feature
- The local community will benefit from the proposed development far more than from previous proposals
- The provision of pedestrian routes, improvements to Trinity Way and landscaping is good

Of the objections that have been submitted, two are from planning consultants on behalf of clients who own other potential supermarket sites. These letters of objection make the following points:

- The application makes only oblique reference to NPPF and so there is no proper assessment of national planning policy
- The applicant places too much weight on a fall-back position with regard to previously approved schemes that do not exist
- Existing road junctions are already at or are beyond practical capacity and the scheme would worsen conditions on a busy section of the highway network
- There is no mitigation of the adverse impacts on air quality within an Air Quality Management Area
- There is inadequate sequential assessment
- There is inadequate retail impact assessment
- There is inadequate flood risk assessment
- There is inadequate geo-environmental assessment
- The scheme would prejudice regeneration in Manchester
- There is no commitment to deliver improvements to reduce the use of private cars.

Objection letters from residents raise the following issues:

- Noise - There will be huge noise disruption in the evenings and at weekends as a result of all the traffic. This must not be a 24-hour operation and there must not be night time deliveries.
- The site floods and building on it is not a good idea
- The car-dependent design is inappropriate
- Increase in traffic will cause congestion
- Air pollution will be increased
- Light pollution at night
- Danger to pedestrians and cyclists, pedestrian crossing and refuge facilities are insufficient
- The proposals will lead to an increase in crime
- The proposals will lead to a massive increase in alcohol consumption in the area
- What guarantee is there that the green roof will be provided?
- How will supermarket shopping trolleys be prevented from being stolen and dumped on surrounding streets
- Loss of privacy
- The scheme will destroy the existing community - it will create an unsustainable and uncomfortable living environment in the long term
- There is insufficient information to assess the application
- The proposals will decrease biodiversity and have a detrimental effect on wildlife
- An existing excellent green space will be lost
- The development is not needed and using the site for sports facilities, or other uses that would benefit the community, would be better, more sustainable uses
- Updated reports are required

Some request that improvements are made to the existing underpass under Trinity Way and that traffic calming and parking restrictions are provided if permission is granted.

Consultations

East Salford Neighbourhood Manager - No comments received to date

City of Manchester (First objection) - Manchester City Council would like to thank the Council for the opportunity to comment on the application. It is recognised that there is a close relationship between the two cities, and Salford's plans to promote the growth of the city centre in the area surrounding the site are

supported. However, Manchester City Council is concerned that the proposed development will add little to these positive regeneration schemes and, more significantly could have a detrimental impact on the realisation of regeneration in Manchester in line with its stated priorities.

On this basis Manchester objects in the strongest possible terms to the planning application.

It is also considered that the proposal is a departure and that, by virtue of its scale, when aggregated with other retail floorspace existing and with planning permission within 1km of the site, the application is captured by the Town and Country Planning (Consultation) (England) Direction 2009 and therefore should be referred to the Secretary of State.

The Manchester Core Strategy promotes 4,500sq.m of convenience retail development to meet needs generated primarily in the City Centre. The Core Strategy also explains that the most appropriate sites for this development are outside the Primary Shopping Area (taking account of the nature of this catchment and its focus on comparison retail) in locations that are well connected to residential populations, including those on the edge of the City Centre (such as Ancoats). Manchester City Council has recently commissioned work to identify the best sites to meet this need in the light of policy and regeneration considerations, and the conclusions of this work have identified First Street and Central Retail Park. The sites that have been chosen constitute the most appropriate response to national and local planning policy, reflecting sustainable retail development that promotes quality neighbourhoods, economic development and sustainable travel patterns.

The two sites that have been identified also connect retail development to wider regeneration programmes, underpinning investment across larger areas and supporting regeneration benefits in excess of those directly associated with the supermarket. These are developing proposals and a planning application for the redevelopment of First Street South has been submitted for a mixed use development comprising a retail foodstore, two levels of car parking, a hotel, student accommodation with ground floor shops, restaurants and café uses with associated public realm.

Springfield Lane was not identified in the Salford Core Strategy. The NPPF advocates a plan-led planning system. In these circumstances it is clear that a plan-led approach favours development of the sites in Manchester.

Manchester Council's concern is that the proposals at Springfield Lane have the potential to threaten the delivery of the schemes in Manchester without bringing any of the wider benefits. The capacity for retail development is finite, and the site selection is therefore an important exercise. Although sequentially equivalent in general terms according to the NPPF, the sites in Manchester respond better to the advice to promote sustainable connections to likely customers that is at the core of the sequential approach. It is contended that the sites at First Street and Central Retail Park are preferable, particularly considered against the NPPF as a whole (as the document suggests it should be read).

Manchester Council has sought to supplement Core Strategy policy and address the issue of site selection through a detailed retail and regeneration study (March 2012). This assessment identified the best sites to meet this need in the light of policy and regeneration considerations. The study specifically assessed nine known potential convenience retail development locations in and around Manchester City Centre. Two of the sites, including the Springfield Lane application site, were located within Salford.

The site-specific assessments were based on a number of criteria as summarised in the bullet points below:

- Test 1: Alignment with Core Strategy Context: consideration of the potential regenerative benefits of the sites against the Core Strategy objectives;
- Test 2: Alignment with Strategic Regeneration Framework Context: consideration of the potential regenerative benefits of the sites against the relevant priorities established within Strategic Regeneration Framework documents across the cities;
- Test 3: Alignment with Community Strategy Aspirations: consideration of the sites in the context of the seven policy and performance indicators within the Community Strategy, including the quantitative 'scoring' of the sites in this context;
- Test 4: Regeneration Impact in line with PPS4 EC10.2d: testing of the potential regenerative impact of foodstore development on the nine sites against the scale and nature of deprivation evidenced in line with PPS4 policy EC10.2d; and

- Test 5: Deliverability: consideration of the potential issues and barriers that may influence the timing and delivery of foodstore development on the nine sites.

Drawing together the site-specific assessments, the study specifically identified that the First Street and Central Retail Park sites as constituting the most appropriate locations to meet the identified need arising. The two sites are hugely sustainable and accessible and have the potential to promote quality neighbourhoods, economic development and sustainable travel patterns.

Retail has a wider value too because it can act as a catalyst for larger schemes, underpinning development and creating a focus for a wider area. Manchester Council has identified its sites based on a thorough assessment of fit with strategic and regeneration objectives, including consideration of the relationship with associated developments at First Street and New Islington.

The proposals at Springfield Lane have not been promoted on the same basis, and Manchester City Council feels that their approval could have a detrimental effect on regeneration in Manchester. The site assessment exercise undertaken concluded that, of the nine sites considered, Springfield Lane was one of the worst performing. The results of the study and specifically the two sites (including Springfield Lane) were shared with Salford City Council, and it is understood that Salford City Council was comfortable with the study's findings.

Manchester City Council has identified two sites on the basis of national policy and its local plan, reinforced by a robust detailed site assessment. The development of these two sites (First Street and Central Retail Park) would deliver the maximum sustainability and regeneration benefits. It is considered that Salford City should give appropriate weight to this in its overall assessment of the planning application, particularly considering the evident limitations in these terms of the proposal at Springfield Lane.

The applicant at Springfield Lane has provided evidence in support of the application that seeks to consider issues such as impact and regeneration benefits. However, Manchester City Council has considered this evidence and does not feel that it provides the necessary reassurance with regard to potential impacts on development in Manchester. Overall the quantitative retail assessment suffers from a number of inconsistencies and inaccuracies, some of which are particularly significant. Despite the policy and strategy context, the assessment does not consider the sites in Manchester. The assessment seeks to demonstrate that the proposal can operate within the available expenditure without unduly affecting nearby retail facilities. However, there are a number of weaknesses to this analysis. First, the scale of the available expenditure is overestimated. The population estimates are based on dated and exaggerated housing growth figures - the White Young Green study on which the estimates are based assumes 3,900 more new homes in the local catchment than are promoted in the final draft Salford Core Strategy. Further, although the expenditure growth figures allow a reasonable 0.5% per annum growth in convenience spending between 2013 and 2018, they do not account for the reduction in spending that occurred between 2008 and 2012. Consequently, the actual available local expenditure will be lower than suggested, and the impacts of the proposal greater.

This underestimate of impact is compounded by an assumption about the proportion of turnover generated locally. It is suggested that 30% of the supermarket's turnover will come from beyond the local catchment. However, there is no clear explanation of this figure, which has the effect of distributing and diluting impact across a wider area. Where impacts are identified, such as on supermarkets within Salford, they are under-represented. The level of predicted turnover for Sainsbury's at Regent Road, for example, would be more than 40% below the company benchmark. Together, these are significant flaws, and Manchester City Council would suggest that a proper understanding of the impact of the development is not possible on this basis.

The planning application submission includes evidence related to qualitative benefits associated with the Springfield Lane supermarket. Again, Manchester City Council is not persuaded that these are sufficient to overcome concerns about the impact of the development. The level of employment proposed exceeds a realistic estimate, based on application of the standard Homes and Communities Agency employment density ratios. There is also little evidence that this development will have a catalytic role in the delivery of surrounding regeneration. Manchester City Council does not dispute that Springfield Lane sits amongst several significant regeneration proposals. However, these schemes are well-established and have not been conceived with a supermarket as a vital element for their delivery. If there is a beneficiary of this co-location, it would appear to be the supermarket.

In summary, Manchester City Council's concerns are that the development of a foodstore at Springfield Lane will potentially have a detrimental impact on the delivery of stated regeneration priorities in Manchester,

priorities which reinforce policies in a Core Strategy that will soon be adopted. These concerns are not assuaged by evidence of any local regeneration benefits attributable to the proposed development, and therefore we feel it necessary to express our objection to the planning application. We emphasise that this in no way diminishes our support for the wider plans to regenerate Salford's City Centre.

City of Manchester (Second objection) - Manchester City Council welcomes the opportunity to comment again on the above application. The Council still has very serious concerns about this application and its implications for regeneration schemes in Manchester that have the benefit of full and proper policy support. The Springfield Lane scheme has no policy support and has not been considered in the context of plan preparation and the level of scrutiny that this entails. Manchester has an up-to-date Core Strategy that underpins the identification of First Street and Ancoats (Central Retail Park) as areas for food retail to support the city centre. It is considered that these areas create a regeneration benefit greater than that related to just the site it is located on. The Council is seriously concerned that development at the Springfield Lane site will jeopardize the development of sites in Manchester that benefit from policy support in line with the NPPF. It is emphasised that the original objection to this planning application stands for the reasons previously set out but there are a number of further comments for consideration by Salford City Council and these are set out below:

- a. Population growth is a key factor in the capacity for additional retail development in this location. The original retail assessment utilized population growth rates from the WYG shopping study undertaken for Salford that our analysis have proven to be too optimistic. Despite the further information submitted, the City Council still has concerns that the evidence is silent on how future population is estimated and consequently it is unclear how the analysis has used Experian data and what other information has been used to generate the population estimates.
- b. In terms of per capita expenditure, the estimates utilized do not reflect actual change during the period since 2007 (the base date of the expenditure information) and the drop in spending that has occurred in some years as a consequence of the recent and current economic conditions. It is unclear whether non-store spending (essentially internet shopping) has been taken into account. Based on the most recent estimates from Experian (published Sept 2012), it is estimated that the figures for per capita expenditure are about 9% too high. Consequently the City Council is concerned that the evidence regarding expenditure being used as the basis to support this store is out of date and is not robust.
- c. In the last response the City Council raised concerns regarding the trade draw and the further information acknowledges the inconsistencies within the retail assessment submitted with the application. The further information clarifies the assumptions that 45% of trade would be derived from the primary (walk-in) catchment, 30% from the secondary catchment (5 minute drive time isochrones) and 25% from beyond the defined catchment. However, whilst the 5 minute drive time is intended to reflect actual drive times, the primary catchment is defined by a radius from the site intended to represent an 8 minute walking zone. However, the 8 minute walking zone is not realistic as it takes no account of the accessibility of areas within the zone to the site. This is particularly important given the presence of the river adjacent to the site and the limited crossing opportunities. In addition the City Council supports Salford City Council's policy comments that highlight concern about drawing such a tight catchment area and the need for greater justification of the catchment areas chosen.
- d. The City Council is still concerned that there has not been a proper assessment of the capacity for the development having regard to MCC's aspirations. The argument put forward is that the proposal would help retain expenditure within the area that is presently lost. However, this ignores the fact that many of the shops and centres that presently serve the area are closer and more accessible to many parts of the catchment defined. Consequently, it is wrong to assert that there is any 'loss' from this area – the pattern of shopping simply reflects the functional shopping hierarchy. Furthermore the assertion that the proposal would represent a sustainable development because it would limit outflows of expenditure from the defined catchment takes no account of the tight catchment that has been defined and the presence of the existing facilities that presently serve the area and that would be more convenient (and closer) for parts of the catchment compared to the application site. Moreover, it takes no account of the role of a foodstore at Central Retail Park or First Street in meeting needs arising within Manchester both of which respond to Manchester Core Strategy policies.
- e. Bearing in mind the assertions that the proposal would function as a local, sustainable shopping destination, serving a local walk-in trade, the further information seeks to justify the estimates of trade diversion on the basis of the existing pattern of shopping for main food trips (which are predominantly

car borne). Bearing in mind that the development would be in direct competition with local shops for day-to-day walk in trade, the impact assessment assumes very limited trade diversion in this respect. Whilst the further information attempts to explain how trade diversion relates to the survey evidence, the City Council does not consider this to be robust having regard to the role the proposed development is expected to serve.

- f. The estimates of trade diversions take no account of that part of the turnover (25%) derived from outside the catchment (referred to as pass-by trips). Those shopping trips will be happening at present at, for example, Sainsbury's at Regent Road or other local shops. The impact assessment is therefore only partial as it omits to consider the impact arising from turnover derived from households outside the catchment. Trade diversions from existing shops and centres would therefore be higher than estimated in the information supporting the application.

The City Council remains of the opinion that should Salford be minded to support the application it would need to be referred to the Secretary of State.

The further information submitted in support of this application does not address the matters of concern identified in the original objection, including the lack of policy support. The City Council still maintains that this application, if permitted, would have a serious detrimental effect on the ability of the City Council to deliver its own regeneration proposals in the City Centre and adjoining neighbourhoods and deliver the increased jobs and economic benefit to the City Region.

Design For Security – The applicant has included a Preliminary Crime Impact Statement (CIS) as part of the submission. In most respects the development appears acceptable in relation to security, subject to inclusion of the recommendations contained within the CIS report.

Flood Risk Management Officer - No comments received to date

Highways – Subject to paragraph 2.1 in the TFGM report (that assumes that the models for the weekday and evening peak period are the same in terms of layout, phasing parameters and staging), and the agreement of waiting / loading restrictions to be funded by the developer, the Transport Assessment is acceptable in highway terms. A section 278 agreement will be required by both the City Council and TfGM.

Environment Agency – In the absence of an acceptable Flood Risk Assessment (FRA) the Environment Agency objects to the grant of planning permission and recommend refusal on this basis (see below).

Urban Vision Environment (Air and Noise) - The proposed development site is in close proximity to the busy A6042 Trinity Way, and it is within the City Council's Air Quality Management Area. Consequently, poor air quality and environmental noise are two issues that need to be addressed in respect of the residential aspects of the development. In addition the operation of proposed retail store will give rise to noise issues and to air quality issues, both on existing dwellings and on the proposed dwellings.

In support of the application the developer has submitted an Air Quality Assessment (report by Resource and Environmental Consultants Ltd, No. 33015p1r1, dated 21st March 2012) and a Noise Assessment (report by Sol Acoustics, ref p1416-REP01-SJF, dated March 2012).

There are no objections in principle subject to conditions and the following comments are made:

The air quality report determines the baseline air quality conditions of the development site and considers the suitability of the site for the proposed end use. Air quality impact of the proposed development is also assessed. The report recognises that air quality in respect of the road vehicle pollutant Nitrogen Dioxide (NO₂) is poor across the development site, with NO₂ levels predicted to be above Air Quality Objective Level of 40 ug/cu m both with and without the development for the year 2013.

With the development in place, NO₂ pollution levels are predicted to increase at all the sensitive receptor (residential) locations assessed, but the report considers the increase to be negligible at all locations with the exception of two, where a slight impact was predicted on annual mean NO₂ concentrations. The two locations are at Springfield Lane and at New Bridge Street.

The overall significance of potential impacts was determined to be slight, in accordance with recognised air quality guidance. The report stresses that the assessment utilised worst-case assumptions as far as practicable,

including consideration of uncertainty over future NO₂ concentrations, and actual impacts are likely to be lower than those predicted.

As high levels of pollution were predicted across the development site the report recommends mechanical ventilation should be included within the proposed residential units with an air inlet located at roof level towards the north of the site. Other techniques to reduce or offset impacts associated with operational phase traffic emissions are also identified in the report.

The findings of the report are not disagreed with. While air quality will worsen in the short term as a consequence of the development mainly due to road traffic emissions, the area already experiences poor air quality, and with development in place the potential impact on existing and future residents is determined to be slight. The report considers existing environmental noise on the proposed residential units and it assesses the impact of future noise from the proposed store on both existing dwellings and on the proposed residential units. The likely noise sources from the operation of the store include the use of the service yard, delivery vehicles, fixed plant and machinery and the customer vehicles accessing the store's car park. There will also be noise implications for the construction phase of the proposal.

The noise report identifies road traffic from the A6042 Trinity Way to be the main existing noise source, which will need to be taken into account in the design of the proposed residential units.

While the report assesses the likely noise impact of the proposed food store and its operation, this is based on a number of assumptions e.g. the operating hours of the store, the hours of deliveries, the numbers of heavy goods vehicles and other service vehicles etc. If the store is intended to be operated on a 24 hour, 7 days per week basis, the likely noise impact of both existing and on proposed dwellings will be different to, say, 'day time' hours of operation. It is therefore considered that operation hours are dealt with at reserved matters stage.

Residents may be subject to noise from heavy goods vehicles and other delivery vehicles, therefore service deliveries should not take place outside the hours of 0700 and 2200. These concerns are founded partly on the shortage of information provided and partly on how the noise predictions were made.

Whilst there is no objection in principle, the absence of information requires a condition to be attached regarding deliveries.

Urban Vision Environment (Land Contamination) - In our previous memo 01-1261649je01 we recommended a site investigation report prior to granting planning permission due to insufficient information. We have subsequently been in receipt of the following letter report:

- Environmental Review and Assessment of Development, Springfield Lane, Salford, REC Ltd ref 01c45204, 28th August 2013

The REC letter report identifies that the previous Preliminary Risk Assessment report by RSK submitted with the planning application was based on a retail use with a car park. However the planning application is for a mixed retail use and residential use. REC has subsequently added to the RSK conceptual site model (CSM) in the above letter report to include a residential land use. We agree with the additional CSM by REC for a residential land use.

REC has presented a number of land management options based on the possible identified source-pathway-receptor linkages in the CSM. REC concludes that in their professional opinion the site can be safely developed to a residential end use.

Site Investigation should be undertaken to investigate the potential pollution linkages identified in both the REC CSM for a mixed retail use and the RSK CSM for a residential use.

When considering the updated assessment by REC, we recommend that the full contaminated land condition be attached.

Planning Policy

Development Plan Policy

Unitary Development Plan ST1 - Sustainable Urban Neighbourhoods

This policy states that development will be required to contribute towards the creation and maintenance of sustainable urban neighbourhoods.

Unitary Development Plan ST12 - Development Density

This policy states that development within regional centres, town centre and close to key public transport routes and interchanges will be required to achieve a high density appropriate to the location and context.

Unitary Development Plan ST7 - Mixed-use Development

This policy states that mixed use development schemes that minimise the need to travel will be focused towards specific areas including Lower Broughton.

Unitary Development Plan ST9 - Retail, Leisure, Social Community Provision

This policy states that the provision of a comprehensive and accessible range of retail, leisure, social and community facilities will be secured by, protecting and enhancing the vitality and viability of existing town and neighbourhood centres, adopting a sequential approach to the location of new retail and leisure development and facilitating enhanced education, health and community provision that will be maintain and enhanced.

Unitary Development Plan A10 - Provision of Car, Cycle, Motorcycle Park

This policy states that there should be adequate provision for disabled drivers, cyclists and motorcyclists, in accordance with the Council's minimum standards; maximum car parking standards should not be exceeded; and parking facilities should be provided consistent with the provision and maintenance of adequate standards of safety and security.

Unitary Development Plan A2 - Cyclists, Pedestrians and the Disabled

This policy states that development proposals, road improvement schemes and traffic management measures will be required to make adequate provision for safe and convenient access by the disabled, other people with limited or impaired mobility, pedestrians and cyclists

Unitary Development Plan A8 - Impact of Development on Highway Network

This policy states that development will not be permitted where it would i) have an unacceptable impact upon highway safety ii) cause an unacceptable restriction to the movement of heavy goods vehicles along Abnormal Load Routes.

Unitary Development Plan CH2 - Dev. Affecting Setting of Listed Building

This policy states that development will not be granted that would have an unacceptable impact on the setting of any listed building.

Unitary Development Plan DES1 - Respecting Context

This policy states that development will be required to respond to its physical context and respect the positive character of the local area in which it is situated and contribute towards a local identity and distinctiveness.

Unitary Development Plan DES10 - Design and Crime

This policy states that developments must be designed to discourage crime, antisocial behaviour, and the fear of crime. Development should i) be clearly delineated ii) allow natural surveillance iii) avoid places of concealment iv) encourage activity within public areas.

Unitary Development Plan DES2 - Circulation and Movement

This policy states that the design and layout of new development will be required to be fully accessible to all people, maximise the movement of pedestrians and cyclists through and around the site safely, be well related to public transport and local amenities and minimise potential conflicts between pedestrians, cyclists and other road users.

Unitary Development Plan DES3 - Design of Public Space

This policy states that development should include the provision of public space; designed to have a clear role and purpose which responds to local needs; reflects and enhances the character and identify of the area; is an

integral part of and provide appropriate setting and an appropriate scale for the surrounding development; be attractive and safe; connect to establish pedestrian routes and public spaces and minimise and make provision for maintenance requirements.

Unitary Development Plan DES4 - Relationship Development to Public Space

This policy states that developments that adjoin a public space shall be designed to have a strong and positive relationship with that space by creating clearly defining public and private spaces, promoting natural surveillance and reduce the visual impact of car parking.

Unitary Development Plan DES6 - Waterside Development

This policy states that all new development adjacent to the Manchester Ship Canal will be required to facilitate pedestrian access to, along and, where appropriate, across the waterway. Schemes should incorporate a waterside walkway with pedestrian links between the walkway and other key pedestrian routes and incorporate ground floor uses and public space that generate pedestrian activity. Where it is inappropriate to provide a waterside walkway, an alternative route shall be provided. Development should protect, improve or provide wildlife habitats; conserve and complement any historic features; maintain and enhance waterside safety; and not affect the maintenance or integrity of the waterway or flood defences. All built development will face onto the water, and incorporate entrances onto the waterfront; be of the highest standard of design; be of a scale sufficient to frame the edge of the waterside; and enhance views from, of, across and along the waterway, and provide visual links to the waterside from surrounding areas.

Unitary Development Plan DES7 - Amenity of Users and Neighbours

This policy states that all new development, alterations and extensions to existing buildings will be required to provide potential users with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout. Development will not be permitted where it would have an unacceptable impact on the amenity of occupiers or users of other development.

Unitary Development Plan DES9 - Landscaping

This policy states that hard and soft landscaping should be provided where appropriate that is of a high quality and would enhance the design of the development, not detract from the safety and security of the area and would enhance the attractiveness and character of the built environment.

Unitary Development Plan DEV5 - Planning Conditions and Obligations

This policy states that development that would have an adverse impact on any interests of acknowledged importance, or would result in a material increase in the need or demand for infrastructure, services, facilities and/or maintenance, will only be granted planning permission subject to planning conditions or planning obligations that would ensure adequate mitigation measures are put in place.

Unitary Development Plan EN12 - Important Landscape Features

This policy states that development that would have a detrimental impact on, or result in the loss of, any important landscape feature will not be permitted unless the applicant can clearly demonstrate that the importance of the development plainly outweighs the nature conservation and amenity value of the landscape feature and the design and layout of the development cannot reasonably make provision for the retention of the landscape feature. If the removal of an important existing landscape feature is permitted as part of a development, a replacement of at least equivalent size and quality, or other appropriate compensation, will be required either within the site, or elsewhere within the area.

Unitary Development Plan EN17 - Pollution Control

This policy states that in areas where existing levels of pollution exceed local or national standards, planning permission will only be granted where the development incorporates adequate measures to ensure that there is no unacceptable risk or nuisance to occupiers, and that they are provided with an appropriate and satisfactory level of amenity.

Unitary Development Plan EN18 - Protection of Water Courses

This policy states that development will not be permitted where it would have an unacceptable impact on surface or ground water.

Unitary Development Plan EN19 - Flood Risk and Surface Water

This policy states that any application for development that it is considered likely to be at risk of flooding or increase the risk of flooding elsewhere will need to be accompanied by a formal flood risk assessment. It should

identify mitigation or other measures to be incorporated into the development or undertaking on other land, which are designed to reduce that risk of flooding to an acceptable level.

Unitary Development Plan EN9 - Wildlife Corridors

This policy states that development that would affect any land that functions as a wildlife corridor, or that provides an important link or stepping stone between habitats will not be permitted. Conditions and planning obligations may be used to protect, enhance or manage to facilitate the movement of flora and fauna where development is permitted.

Unitary Development Plan H4 - Affordable Housing

This policy states that in areas that there is a demonstrable lack of affordable to meet local needs developers will be required by negotiation with the city council to provide an element of affordable housing of appropriate types.

Unitary Development Plan H8 - Open Space Provision with New Housing

This policy states that planning permission will only be granted where there is adequate and appropriate provision for formal and informal open space, and its maintenance over a twenty-year period. Standards to be reached will be based upon policy R2 and guidance contained within Supplementary Planning Documents.

Unitary Development Plan R5 - Countryside Access Network

This policy states that planning permission will not be granted for development that would result in the permanent obstruction or closure of any part of the Countryside Access Network, unless an alternative route is provided that is equally attractive and convenient. New development that is proposed on a site needed for the provision of a new route or link as part of the Countryside Access Network will be required to incorporate that route/link as part of the development.

Other Material Planning Considerations

National Planning Policy

National Planning Policy Framework (NPPF)

Local Planning Policy

Supplementary Planning Document - Sustainable Design and Construction

This policy document expands on policies in Salford's Unitary Development Plan to provide additional guidance for planners and developers on the integration of sustainable design and construction measures in new and existing developments.

Supplementary Planning Document - Design

This document reflects the need to design in a way that allows the city to support its population socially and economically, working with and inviting those affected into an inclusive decision making process. Equally, development must contribute to the creation of an environmentally sustainable city supporting the natural environment minimising the effects of, and being more adaptable to, the potential impact of climate change.

Supplementary Planning Document - Greenspace Strategy

This policy document expands on the policies of the Unitary Development Plan relating to the issues of open space and recreation, and seeks to ensure that all stakeholders have a clear understanding of how those policies should be implemented and their desired outcome. This should help to ensure that the greenspace needs of Salford are successfully met; delivering safe, high quality open spaces that are well-located, well-designed, well-managed, and meet the aspirations of local communities.

Supplementary Planning Document - Design and Crime

This policy document contains a number of policies used to assess and determine planning applications and is intended as a guide in designing out crime.

Supplementary Planning Document - Trees and Development

The policy document has been prepared to give information to all those involved in the development process about the standard that the Local Planning Authority requires for new development proposals with specific reference to the retention and protection of trees.

Supplementary Planning Document - Planning Obligations

This policy document expands on the policies in Salford's Unitary Development Plan to provide additional guidance on the use of planning obligations within the city. It explains the city council's overall approach to the use of planning obligations, and sets out detailed advice on the use of obligations in ensuring that developments make an appropriate contribution to: the provision of open space; improvements to the city's public realm, heritage and infrastructure; the training of local residents in construction skills; and the offsetting of greenhouse gas emissions.

Supplementary Planning Document – Education Contributions

This policy document expands on the policies in Salford's Unitary Development Plan to provide additional guidance on the use of planning obligations within the city. It sets out detailed advice on the use of obligations in ensuring that developments make an appropriate contribution to the provision of school places within the city.

Planning Guidance - Housing

The purpose of the guidance is to ensure that the residential development coming forward in Salford contributes to establishing and maintaining sustainable communities, tackles the specific housing and related issues that face Salford, and helps to deliver the vision and strategy of the UDP, the Housing Strategy and the Community Plan.

Planning Guidance - Flood Risk and Development

The overarching aim of the planning guidance is to ensure that new development in areas at risk of flooding in the city, is adequately protected from flooding and that the risks of flooding are not increased elsewhere as a result of new development.

It is not considered that there are any local finance considerations that are material to the application.

Appraisal

It is considered that the main planning issues relevant to the determination of the application are as follows:

- The principle of the development - whether the site should be developed.
- Retail issues - whether a foodstore of this size in this location is acceptable, the extent to which the proposal satisfies the sequential test, the extent to which the proposal would impact on existing, committed and planned investment in centres within the catchment of the proposal and the impact on town centre vitality and viability.
- Effect on neighbouring residents - how the proposed development would impact on neighbours and whether such impacts can be mitigated to the extent that they are acceptable.
- Highway issues - the extent to which the development impacts on the local highway network.
- Design – whether the design as defined by the parameters is of sufficient quality at this outline stage.

The NPPF sets out 12 core land-use planning principles that should underpin decision-taking. These include the following:

- That planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- That planning should always seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- That planning should encourage the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value.
- That planning should promote mixed use developments, and encourage multiple benefits from the use of land.
- That planning should focus significant development in locations which are or can be made sustainable.

Principle of development

The site is unallocated in the UDP and is currently vacant. It was previously used for industrial uses and is considered a brownfield site.

As stated above the NPPF encourages the effective use of land by re-using land that has been previously developed, provided that it is not of high environmental value.

This site is brownfield land and previously planning permission has been granted for significant mixed use development on the site. While the site has more recently been cleared of scrub and grassed it does not have such high environmental value as to render the site unsuitable for development.

The redevelopment of this previously developed site is therefore considered to be acceptable in principle. As this site has remained vacant for some time, and occupies a prominent location on the inner relief road, its redevelopment in a way that is complementary to the City Council's activities in the nearby Lower Broughton, Greengate and Salford Central areas is supported in principle. It is acknowledged that the proposed scheme would bring this site into active use and generate significant economic investment in this part of the city; however, there are a number of detailed issues set out below that need to be taken into account.

A number of responses from residents have referred to keeping the land as open space. It is considered that as previously developed land greater weight must be given to development of the site than to any long term continued use of the site as open space.

Having established that development is acceptable in principle it is necessary to consider the uses that are proposed by the application. The main use is as a retail foodstore with a secondary use for housing.

Retail Issues

In order to inform its determination of this application, the city council commissioned independent specialist retail advice from White Young Green (WYG) regarding the detailed retail planning issues associated with the proposed scheme. This advice is contained within two reports:

- 'Planning application reference 12/61649/OUT – Appraisal of Retail Planning Issues' (January 2013)
- 'Technical note on retail impact of Springfield Lane application (12/61649/OUT)' and associated covering letter (5 June 2013)

The application site is considered to be an out of centre location in retail terms, having regard to the definitions within Annex 2 of the NPPF, given that it is located approximately 750m from the primary shopping area of Manchester city centre (as the nearest defined retail centre). As such, the NPPF requires that a sequential test should be applied to ensure that there are no sequentially preferable sites which could accommodate the development. The NPPF also requires that an impact assessment should be applied to demonstrate that the proposal would not result in a significant adverse impact on defined retail centres and their vitality and viability.

Sequential assessment

Paragraph 24 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date local plan. Local planning authorities should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

In considering whether there are sequentially preferable sites, the Manchester Retail and Regeneration Impact Study undertaken for Manchester City Council (November 2011) is of assistance in identifying alternative sites in proximity to the city centre which may have potential to accommodate large-scale food retail development.

The MRRIS was commissioned by Manchester City Council in order to plan for the additional convenience retailing needed to serve the growing residential community within the city centre. The purpose of the MRRIS was to assess the extent to which new foodstore development serving the city centre could best secure wider regeneration benefits and support the delivery of Manchester's Community Strategy, Core Strategy and

Strategic Regeneration Frameworks. The basis of the MRRIS was that the land requirements of large food stores means that it is unlikely that this form of development would occur at the heart of Manchester city centre, and that large format convenience provision would not normally be appropriate in the primary shopping area where the priority is to maximise opportunities for comparison retail. The MRRIS therefore assessed nine sites within and around the city centre which had the potential to accommodate a foodstore of c. 9,200sqm gross floorspace. The nine sites assessed were:

- Central Retail Park
- First Street
- Manchester Fort Shopping Park
- Regent Road, Salford
- Boddingtons
- BBC Oxford Road
- Piccadilly East (Piccadilly Trading Estate)
- Crownsgate, Chester Road
- Springfield Lane, Salford

Of the nine sites assessed, the MRRIS considered that the sites at First Street and Central Retail Park had the greatest potential to deliver associated regeneration benefits and therefore concluded that these were the preferred locations for new foodstores to serve the city centre. It is important to clarify that the MRRIS does not of itself constitute a sequential site assessment as the methodology employed assessed sites on the basis of their perceived regeneration benefits and strategic fit with Manchester City Council's policy and development objectives. Its ultimate conclusion that the sites at First Street and Central Retail Park were the preferred locations does not therefore imply that these are the most sequentially preferable sites for new foodstores serving the city centre.

The nine sites identified within the MRRIS were also subject to assessment by NJL as part of their additional submission relating to this application (Sequential Sites Assessment – Supplementary Note, November 2012), and in addition WYG provided an independent assessment in this regard.

Assessing the sites in sequential terms, it is considered that Manchester Fort Shopping Park, Regent Road, Crownsgate and Piccadilly East are all located at the periphery of the city centre and would therefore be less suited to serving the convenience retail needs of city centre residents. In terms of the remaining sites, the distance from the site to the primary shopping area of Manchester city centre is set out below:

- Boddingtons – 450m
- Central Retail Park – 750m
- Springfield Lane – 750m
- BBC Oxford Road – 900m
- First Street – 1,000m

Whilst the Boddingtons site is the closest to the primary shopping area, it is not considered suitable to accommodate large foodstore development. The Development Framework for the Boddingtons site endorsed by Manchester City Council on 24 October 2007 identifies that retail and leisure development at the site will be acceptable as part of a mixed-use development, but one of the established principles is that a retail or residential-led scheme will not be acceptable on the site. Furthermore, in its recent grant of planning consent for a foodstore at Central Retail Park, Manchester City Council did not consider that there were any sequentially preferable sites to accommodate the development proposed for Central Retail Park, and therefore the Boddingtons site would have been discounted on this basis.

In relation to Central Retail Park, planning consent for the redevelopment of the retail park incorporating a foodstore with a net sales area of 4,645sqm was granted by Manchester City Council in June 2013. Central Retail Park is not therefore considered to be an available site on this basis, as it is the subject of an alternative development proposal for a supermarket-led redevelopment scheme.

After these two sites, Springfield Lane is the closest to the city centre's primary shopping area. The nearest part of the primary shopping area (as defined within Manchester's adopted Core Strategy) is at the junction of Deansgate / Victoria Street / Cateaton Street adjacent to Manchester Cathedral. The route from this part of the primary shopping area to the Springfield Lane site will be subject to significant improvement as part of the

comprehensive redevelopment and public realm improvements at Greengate. The recently completed pedestrian bridge link at Greengate Square represents the first stage of these improvements, and will strengthen the attractiveness of this as a pedestrian route connecting the Springfield Lane site to the city centre primary shopping area.

In relation to the BBC Oxford Road and First Street sites, it is not considered that these sites perform better than the Springfield Lane site in sequential terms, as their proximity, accessibility and connection to the primary shopping area are not considered to be any better.

The Salford Retail and Leisure Study (SRLS) (August 2010) identified the need for improved convenience goods provision within this part of the city in response to available capacity and the significant increase in population that has occurred in this area over recent years and is forecast to continue. Within this part of the city, the nearest main food (i.e. supermarket) retail provision is at either the new Tesco store at Pendleton, the Sainsbury's store at Regent Road, or the Tesco store at Cheetham Hill. Whilst there are smaller local convenience retail stores within the city centre and at Mocha Parade, these are not of a scale that enable people to undertake a main food (i.e. weekly) shop, or provide a sufficiently wide range of goods to enable people's convenience retail needs to be met. In order for local residents to meet their convenience retail needs therefore requires them to travel outside of the area. There is therefore considered to be a clear lack of main food retail provision serving this part of the city, comprising the north western quadrant of the city centre and the surrounding residential neighbourhoods of Trinity and Lower Broughton. Given this qualitative deficiency in terms of main food shopping provision in this area of the city, the development of a new supermarket at Springfield Lane would have a clear benefit in reducing the need of residents to travel outside of the area in order to access a supermarket. It is therefore considered that the proposed development would encourage more sustainable main food shopping patterns in this part of the city, and would effectively serve the main food convenience retail needs of local residents.

As part of the supporting information submitted on behalf of the applicant in relation to the Springfield Lane application, bespoke drive time analysis was commissioned. This demonstrates the extent to which movement across the city centre by car is significantly constrained, such that parts of the city centre effectively have different functional retail catchments with relatively limited overlap in terms of trade diversion between them. This evidence supports the conclusion that even if the stores at both First Street and Central Retail Park were to be delivered (serving the south and eastern parts of the city centre respectively), there would still remain a qualitative deficiency within the north western part of the city centre.

In conclusion, the proposed development at Springfield Lane is considered to be the location that best addresses the identified qualitative issues in this part of the city, and meets the requirements of the sequential test.

Impact

Paragraph 26 of the NPPF states that when assessing applications for retail development outside of town centres, which are not in accordance with an up-to-date Local Plan, LPAs should require an impact assessment if the development is over 2,500sqm (where there is no locally set threshold). This should include assessment of the impact of the proposal on existing, committed and planned public and private investment in centres in the catchment area of the proposal, and the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area.

Paragraph 27 states that where an application fails to satisfy the sequential test or is likely to have a significant adverse impact on one or more of the above factors, it should be refused.

In order to assess impact, WYG were commissioned to undertake an independent assessment of the impact of the proposed store. A cumulative impact assessment exercise was undertaken, taking into account the impact of the Springfield Lane store, together with the applications that were pending determination by Manchester City Council for large scale foodstores at Central Retail Park and First Street. As identified above, the application relating to Central Retail Park was subsequently approved by Manchester City Council in June 2013. The application for First Street is still pending determination. The assessment of impact considered the impact of both the convenience and comparison retail floorspace proposed as part of the application.

It is important to highlight that whilst the assessment undertaken by WYG drew on the MRRIS (2011) and SRLS (2010), it also took into account the impact that recent new development has had on local shopping patterns,

which includes the following stores which have become operational subsequent to the production of the MRRIS and SRLS; Morrisons (Trafford Road, Ordsall), Booths (MediaCityUK), Tesco (Pendleton), Tesco (Chester Road, Trafford), and the extension to Sainsbury's (Regent Road). The assessment also took account of other extant planning permissions within the study area that if built may influence local shopping patterns. This included the Tesco at West One (although there has now subsequently been a statement issued by the owners of West One to confirm that the development of the consented store will not be proceeding), and the recently consented scheme for the redevelopment of Mocha Parade with its associated increase in retail floorspace.

Convenience goods impact

The first stage of the assessment was to assess the impact of the Springfield Lane proposal in isolation. This concluded that the impact of the proposed development on its own was not significantly adverse on any of the protected retail centres. The greatest impact in terms of trade diversion from stores is anticipated to be on Sainsbury's at Regent Road and the Tesco Metro at Market Street (Manchester). As a proportion of turnover however, none of the identified impacts are considered to be significantly adverse.

A number of scenarios were then assessed as part of the cumulative impact assessment, to reflect the different ways in which the three store proposals may come forward in combination:

1. Springfield Lane and Central Retail Park
2. Springfield Lane, First Street and Central Retail Park
3. First Street and Central Retail Park
4. Springfield Lane and First Street

Under scenario 1, WYG consider that the cumulative impact of both Springfield Lane and Central Retail Park would not be significantly adverse on any of the protected retail centres. In relation to the Sainsbury's at Regent Road they consider that this store would continue to trade albeit at a level that is below company benchmark levels for convenience good retailing. Similarly in relation to the redevelopment proposals for Mocha Parade, WYG consider that whilst the impact of this scenario would result in any new store trading below company benchmark levels, this should not represent a significant adverse impact on Mocha Parade and would not prejudice the ability of the redevelopment proposals to be brought forward.

In relation to scenario 2, WYG express reservations about the likelihood of all three schemes coming forward at the scale proposed due to issues of commercial deliverability and attractiveness to supermarket operators. On the basis of commercial logic, WYG consider it is more likely that just two large supermarkets (or three smaller supermarkets) would be implemented, recognising that in current market conditions it is unlikely that one of the 'big four' foodstore operators would be willing to invest in a new large scale store which would impact on one of their existing stores which is underperforming. Notwithstanding these reservations, for robustness WYG has assessed the cumulative impact of all three stores being delivered by 2017. The results of applying scenario 2 indicate that if all three stores were to come forward, there would be a substantial trade diversion impact on the Sainsbury's at Regent Road which would result in it trading significantly below company benchmark and would notably affect the future performance of the store. The impact on Mocha Parade would be as per scenario 1, given that First Street of itself should have no impact on Mocha Parade due to no real overlap between their catchments.

Under scenario 3, WYG assume that given the size of the Central Retail Park and First Street proposals, both stores would take trade off each other as their potential catchments overlap and therefore once this is taken into account both stores are likely to trade below company benchmark levels. The results of applying scenario 3 indicate that there would be an adverse impact on Sainsbury's at Regent Road, albeit an impact that would be less than that under scenario 2. The impact on Mocha Parade would be negligible.

Under scenario 4, WYG consider that as per scenario 2, there would be a substantial trade diversion impact on the Sainsbury's at Regent Road which would result in it trading significantly below company benchmark and would notably affect the future performance of the store. The impact on Mocha Parade would be less than under scenarios 1 and 2, and therefore should not prejudice the ability of the redevelopment proposals to be brought forward.

In assessing the four scenarios, WYG consider that scenarios 2, 3 and 4 would lead to a significant level of trade diversion on the Sainsbury's at Regent Road. This impact is however predominantly due to the impact of the First Street proposal, which given its scale and proximity to Regent Road local centre would result in a substantial impact even when taken in isolation. Therefore each of the scenarios which include First Street

necessarily result in a substantial impact in this regard. In this context it is important to highlight that the assumptions contained within the MRRIS (and cascaded through into the supporting planning and retail statements which accompanied the planning applications to Manchester City Council for First Street and Central Retail Park) are considered to be flawed as they identify a zero impact from First Street on the Sainsbury's store at Regent Road. Given the scale of the proposed store at First Street and its proximity to Regent Road local centre via the Inner Relief Route, it is not considered realistic to assume that the First Street store would result in a zero trade diversion impact on Sainsbury's at Regent Road. In undertaking the cumulative impact assessment, WYG have therefore made a more realistic assumption regarding the level of trade diversion and impact that would result from the First Street proposal on Sainsbury's at Regent Road. This is an issue that Manchester City Council will need to consider in any determination of the application at First Street.

Comparison goods impact

In relation to the cumulative impact assessment of all three proposals coming forward, the assessment by WYG concluded that there would be no significant adverse impact on the comparison goods floorspace within existing centres. Any impact on the trading performance of comparison goods floorspace within the city centre would be negligible. Even in relation to Regent Road local centre the impact is not considered to be significant adverse, and the retail park would still be able to trade at levels above that achieved in 2011.

Combined cumulative impact

WYG brought together the impact analysis for both the convenience and comparison goods elements of the proposed developments. The results show that even under scenario 2 (the 'worst case' scenario where all three proposed stores are operational by 2017), Regent Road local centre is anticipated to trade within 80% of expected levels, both in terms of its derived and benchmark turnovers. WYG do not consider that this would have a significant adverse impact on the defined centre as a whole, and consider that there is unlikely to be a significant adverse impact on any other defined centres, including those which lie within Manchester.

In addition to this analysis, WYG reviewed the potential cumulative impact on the Sainsbury's store at Regent Road on its own (reflecting impact on its convenience and comparison goods floorspace), given that it is recognised that people's comparison goods shopping is typically linked to their convenience goods shopping patterns and therefore there is less likelihood of trade diversion from the other retailers located within Regent Road local centre). WYG identified that the store is currently undertrading, due to the impact of new supermarkets having been delivered within its wider catchment in recent years (i.e. Tesco at Pendleton, Morrisons at Ordsall, and Tesco at Old Trafford). The combined impact on the Sainsbury's store of all three proposals being delivered (i.e. scenario 2) would represent a substantial reduction in the derived turnover of the store. However, WYG consider that even in this extreme scenario (which for the reasons set out above regarding commercial logic, they consider is unlikely to occur in practice) the Sainsbury's store would still retain a trade at 78% of its expected benchmark levels. WYG consider that this level of trade diversion is unlikely to result in Sainsbury's resolving to close the store, particularly given its strategic accessibility and the recent investment in the expansion of the store. WYG consider that the residual level of turnover would still be substantial enough to warrant the continued operation of the store, albeit at a significantly reduced turnover.

It should be emphasised that this cumulative impact assessment is considered to be a worst case scenario. As identified above, further to the announcement in June 2013 by the owners of West One Retail Park, it has been confirmed that the extant consent for a new Tesco superstore at West One will not be delivered. Given that the new store at West One was factored into the capacity calculations as an existing commitment, as this will not be proceeding, it thereby reduces the cumulative trade draw impact on centres within its catchment. There would therefore be a reduced overall impact on Regent Road, recognising that the assessment factored in a trade diversion impact on Regent Road that would arise from the delivery of the Tesco store at West One. Similarly, it should be noted that the impact assessment made no allowance for expected future housing growth within the Manchester and Salford area and should therefore be considered as conservative in terms of future population growth. Future population growth within this area will increase available retail expenditure, and therefore the cumulative impact on any particular centre will be reduced accordingly. As identified above, it also represents a worst case scenario in the context that it is considered unlikely in commercial terms that all three store proposals would come forward at the scale proposed given current market conditions.

The qualitative and regeneration benefits associated with the development of the foodstore proposal are material considerations which should be considered in the appraisal of the application. The site occupies a prominent location on the Inner Relief Route within Salford which also has frontage to the River Irwell, and the

proposal would create a high quality landmark store at this important gateway location, with family housing presenting a positive frontage to the river. The merits of the scheme in urban design terms are discussed further in the appraisal below. The scheme will introduce new high quality family housing into this part of the city and widen housing choice locally. The store will also support local job creation. In terms of the qualitative dimension, as discussed above, there are existing qualitative deficiencies in main food (i.e. supermarket) retail provision within this part of the city. The proposal would enable residents to the north west of the city centre and within surrounding neighbourhoods of Trinity and Lower Broughton to undertake main food shopping without having to travel outside of the area to an alternative supermarket.

In conclusion, it is considered that the impact of the Springfield Lane store (even when taken together with the proposals for new stores at Central Retail Park and First Street) would not be significantly adverse on any of the protected retail centres. Notwithstanding that the impact on Sainsbury's at Regent Road would be substantial, this is considered unlikely to result in a decision by the operator to close the store for the reasons that are set out above. When assessing the impact on Regent Road local centre as a whole, the vitality and viability of the local centre is unlikely to be significantly affected by the proposed developments. The role and function of Regent Road local centre as a well established and popular retail park is unlikely to be significantly affected. Taken as a whole, it is therefore considered that the significant qualitative and regeneration benefits associated with the development of the scheme proposal at Springfield Lane outweigh the trade diversion impacts on Regent Road local centre, which would not in any case result in a significant adverse impact on the vitality and viability of the centre. It is therefore considered that the proposed development satisfies paragraphs 24, 26 and 27 of the NPPF in this regard.

Housing Issues

The scheme proposes up to 40 dwellings which will be located to the eastern part of the site adjacent to the River Irwell. Residential development on the site has previously been accepted on the site, although those permissions have all lapsed and were approved prior to the current UDP being adopted. The housing element of the scheme is of a size that would not adversely impact the regeneration aspirations for the neighbouring areas.

The site is included as a developable housing site in the 2013-2032 SHLAA (published in August 2013). The SHLAA estimates that the site will be developed in the period between 1 April 2013 and 31 March 2018, with a potential yield of 40 dwellings. This residential yield has been determined having regard to the current planning application on the site.

The site is located in an area characterised by residential development and is adjacent to the area of the city covered by policy MX1 where regeneration typically features a mix of uses that includes residential development.

It is considered that the partial residential use of the site is acceptable in principle.

Design

The application has been subject to a number of pre-application meetings and is submitted in outline but with a number of parameter plans that seek to establish a number of design principles. The concept for the supermarket design is understood in terms of a desire to move away from more basic models however the constraints are led by the requirements of the likely end user (a rectangular floor space and associated car parking). In dealing with this in outline there has been much discussion to how the parameters can be used to enable the Council to have confidence in the approach of the applicant. The strength of these parameters has been improved during the processing of the application.

The site is divided into a foodstore area, a residential area and a large surface car park.

The residential development is located on the east boundary to provide frontage onto the river corridor; the street is arranged around a homezone style design. The arrangement places allocated car spaces within the façade width of each home; with landscaping (hard and soft) used to break the space up. With regard to using house types with integrated garages, these are generally a less preferable option as they provide little relationship with the street because of living accommodation located at first floor, however, in this arrangement the properties with garages are inserted every other house so the street will benefit from some ground floor surveillance; therefore this would be an acceptable approach.

The overall scale ranging 2 – 4 storeys for the residential street is considered appropriate, as are the taller elements at each end of the street that will provide clear visual markers along the Irwell River Park corridor and Trinity Way. The proposed housing would increase surveillance of the riverside walkway in this location.

In terms of the retail element the store concept presents a wild flower roof, with a rising gradient away from Trinity Way, the execution of this is key to the success of the scheme. There is clearly the potential though for a innovative and well designed building to be delivered. The maximum height difference between the roof and the back edge of pavement is stated as 1.15m.

Attempts have been made to reduce the extent of site devoted to surface car parking. The landscaping of the car park will be very important given its positioning on the Irwell River Park corridor. The treatment of this space will either use tree cover, or canopies, or a combination. It is suspected this will be led by operator requirements; the illustrative layout plan arranges trees around the car park perimeter, therefore doing little to breakdown the hard space. Canopies are referred to; however there is a possibility depending on their purpose that these will become visual clutter, they also don't contribute to the softening of this area of hard landscape. However, these details are for a reserved matters application. It will be expected though that the future treatment of the car park will need to be of the highest quality appropriate to a setting alongside Irwell City Park

The mixed use of this site is important in ensuring that the site generates the necessary activity to support movements along the Irwell River Park. With such segregated uses a guarantee will need to be sought to ensure that the mix of uses proposed are all delivered and that the retail element is not delivered without the residential part of the proposed development. A condition is attached to ensure this outcome.

Against Trinity Way a maximum height is proposed; the importance in creating visual interest within a quality public realm and ensuring views into the site are attractive and not just into the access road/service yard is significant.

The issues of signage and the commercial requirements of a potential store operator have not been addressed through the application but will be an important consideration for future applications. Whilst the concept of the store is to try and hide it beneath the Meadow, an operator will require presence onto Trinity Way, and this should be borne in mind and dealt with at reserved matters stage.

The parameter plans establish a number of principle with regard to design that include a wildflower roof, a lantern, siting of dwellings overlooking the riverside walkway and providing appropriate height overlooking the River Irwell, a pocket park and extensive tree planting. All of these are considered to be positive. The detailed design though will be a matter of considerable importance when reserved matters are considered and it will be expected that the highest quality of design is delivered.

At this outline stage it is considered that the design of the proposed development as demonstrated through the parameters plans is acceptable and in accordance with the design policies of the UDP, the Design SPD and the NPPF.

Planning Obligations

The Planning Obligations Supplementary Planning Document requires that contributions are made towards a range of issues including open space, public realm, construction training and climate change.

The applicants have agreed to provide planning obligations in accordance with the Planning Obligations SPD.

The applicant has also agreed to pay the education contributions in accordance with the draft Educations Contributions Supplementary Planning Document.

Affordable Housing

Policy H4 of the UDP and the Housing Planning Guidance require that affordable housing is provided in appropriate circumstances. It is considered that housing development on this site should contribute to the cities supply of affordable housing.

The applicants have agreed to provide affordable housing in accordance with the requirements that are set out in Housing Planning Guidance.

Trees and Biodiversity

The existing trees are self-seeded and are located predominantly on the perimeters of the site. As the application is in outline and parameters allow flexibility with regard to siting of buildings it is not possible to establish which may be retained at this stage. The landscape parameter plan shows new tree planting and an enhancement of the existing riverside walkway.

The phase 1 habitat survey submitted with the application identified the existence of a hedgerow which although in poor condition is nonetheless a UKBAP habitat. The ecological assessment noted that if the trees and hedgerow cannot be retained then replacement planting should be incorporated into the scheme. This does not appear in the submitted landscape strategy, and whilst landscaping a matter reserved for future consideration, a condition is attached to the effect that prior to commencement a detailed planting strategy needs to be submitted and agreed with the Local Planning Authority. As stated earlier the landscape strategy for the car parking will be an important consideration to ensure that its appearance does not detract from the character of the area and the riverside walkway.

Flood Risk

The majority of the site lies within Flood Zone 2 and as such a flood risk assessment has been submitted in support of the application. The Environment Agency currently formally object to the application triggering the need to refer any decision to approve the application to the Secretary of State on flood risk grounds giving him the option to call in the application for his own determination. However, discussions on flood risk mitigation measures with the Environment Agency and internal drainage experts in the Council are ongoing and it is hoped that the Environment Agency will withdraw their formal objection to the application shortly.

This report will be updated by an Amendment Report to the Panel before it sits on 5 September to consider the application detailing the up to date position following further negotiations with the Environment Agency.

Sustainability

Many aspects of the sustainability credentials of this proposal are good given, in particular, the extensive use of green roofs that is set down within the parameter plans. The details will need to be confirmed at reserved matters stage. A condition is therefore attached requiring that the future development meets a BREAM rating of 'very good' (or equivalent) as a minimum.

Response to Objections Raised

Manchester City Council Objection

The City Council has commissioned its own independent assessment of the retail issues and this is detailed above. The policy backgrounds for each city are different. Manchester City Council's Core Strategy places considerable emphasis on the regenerative benefits of proposals. This emphasis is not as pronounced in either the City Council's Unitary Development Plan or in the NPPF albeit that there would be clear regenerative benefits as a result of the proposal.

Objections from Planning Consultants

The independent assessment of the application answers the objections that are raised with regard to retail matters. While TfGM do raise concerns with the quality of the transport assessment these relate to detailed points. Whilst it is agreed that there are deficiencies with several of the supporting documents submitted by the applicant these are adequately addressed by the imposition of conditions. It is not considered that there are any issues raised that are so significant that they justify refusal of the proposed development.

Objections from Neighbours

Noise – these concerns are addressed via condition regarding servicing. It is not considered that the additional traffic on Springfield Lane would be so significant as to require further control.

24-hour operation – It is considered that 24-hour opening of large stores such as this would not have a significant detrimental effect on the amenity of neighbours. The need for reduced opening hours has been carefully considered by the Councils environmental consultants.

Flooding – This issue is addressed above and will be set out in greater detail in an Amendment Report before the Panel sits to consider the application.

Car dependent design is inappropriate – The site is located off Trinity Way and will inevitably attract passing trade. The level of car parking is considered appropriate for a store of this size and the store will significantly improve facilities for local residents who will access the store on foot.

Increase in congestion – Improvements to the road junction are proposed as part of the development. It is not considered that there would be an unacceptable impact on the local highway network.

Air pollution would increase – A condition is attached requiring a mitigation scheme to be submitted.

Light pollution – lighting associated with the development is controlled via condition.

Danger to pedestrians and cyclists – the proposals improve pedestrian crossing facilities on both Springfield Lane and Trinity Way.

Increase in crime – the Design for Security team does not object to the proposal.

Increase in alcohol consumption – there is no evidence presented to suggest that this would be the case. Further it is not considered that this is a relevant planning consideration for a development of this type.

No guarantee of a green roof – reserved matters can only progress if a green roof is provided as part of the development. Any other application submitted though would need to be dealt with on its merits.

Trolleys being stolen and dumped – this is a management issue for any eventual operator.

Loss of privacy – it is not considered that the foodstore would result in any loss of privacy for neighbouring or future residents. The proposed dwellings are over 100m from the nearest existing neighbouring property and therefore it is not considered that existing neighbours would suffer any significant loss of privacy as a result of the proposals.

The scheme will destroy the local community – a letter in support of the scheme has been submitted by the Vertical Villages Tenants and Residents Association that identifies a need for a better local food store and that states that the local community will benefit far more from this proposal than the previous proposals on the site (for office and residential development).

Lack of information to assess the application – this is partly due to the nature of the application as an outline application. However, more information has been submitted during the processing of the application.

Loss of green space and detrimental effect on biodiversity and wildlife – the site has only become useable as a green space recently since vegetation was removed in order to deal with crime and anti-social behavior on the site. The provision of significant green roofs as well as new tree planting will not result in a significant detrimental effect on wildlife or biodiversity.

The development is not needed – this view is not necessarily shared by the local community as whole.

The site should be used for sport facilities or other uses that would benefit the local community – it is considered that the proposals would be of considerable benefit to the local community.

Updated reports are required – although the application was submitted in April 2012 it is not considered that the passage of time is so significant as to warrant updated reports on ecology or highway matters as referred to by the objector.

Traffic and Transportation

The impact on the highway network has been assessed in detail by Transport for Greater Manchester. Their conclusion is that pedestrian facilities are provided at the Springfield Lane/Trinity Way junction. This would provide safer and more substantial improvements for pedestrians, especially improving the pedestrian facilities across Trinity Way. This would require widening of Springfield Lane from the eastern carriageway edge and the provision of refuge islands to enable 'walk with traffic' pedestrian facilities to be provided. In addition there would be widening of the Trinity Way carriageway into the site to allow a formal right turning lane from Trinity Way into Springfield Lane to increase the safety and capacity on Trinity Way

Amenity

It is considered that the amenity of both neighbouring and future residents will be controlled through a combination of detailed design and conditions on both this outline application and any future reserved matters application.

Effect on Listed Buildings

As stated above the application site includes the carriageway adjacent to the grade II* listed Collier Street baths. Works to the highway have no effect on the setting of the building as they comprise kerb realignments to provide junction improvements. The closest proposed building would be the foodstore and its canopy roof, which would be over 50m away from the listed building. The Exchange Greengate Planning Guidance establishes that much taller buildings would be acceptable in much closer proximity to the Collier street baths than the current proposal.

It is therefore considered that the proposed development does not affect the setting of the grade II* listed Collier Street baths.

Value Added

The application has been subject to considerable pre-application discussions and a significant amount of further information has been submitted during the course of the application particularly with regard to retail matters.

Conclusions

The site has been vacant for a considerable time. The proposals have qualitative and regeneration benefits for the local community and the proposed future community within the Greengate area as well as for residents further afield.

The parameter plans, secured by condition, will ensure that the design of the development will be a positive addition to the local area.

Recommendation

That the Panel be minded to approve the application subject to the applicants entering into a s106 agreement and that the application be referred to the Secretary of State for his consideration and that:

1) The Strategic Director of Customer and Support Services be authorised to enter into a legal agreement under Section 106 of the Town and Country Planning Act to secure the following heads of terms:

- Open Space Provision
- Public Realm Infrastructure and Heritage Provision
- Construction Training Contribution
- Climate Change Contribution
- Affordable Housing Contribution
- Education Contribution

2) That the applicant be informed that the Council is minded to grant planning permission, subject to the conditions stated below, on completion of such a legal agreement;

3) The authority be given for the decision notice relating to the application be issued (subject to the conditions and reasons stated below) on completion of the above-mentioned legal agreement;

Recommendation

Approve

1. Application for approval of reserved matters shall be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. No development shall be started on any phase or plot within the development until full details of the following reserved matters have been submitted to and approved by the Local Planning Authority:

- a) appearance;
- b) landscaping;
- c) layout;
- d) scale.

Reason: The application is submitted for outline permission only and these matters were reserved by the applicant for subsequent approval.

3. No delivery vehicle movements and associated unloading activities shall take place outside the hours of 0700 and 2200 Monday to Friday or at any time on Saturdays, Sundays or Bank Holidays.

Reason: To safeguard the amenity of neighbouring and future residents in accordance with policy EN17 of the City of Salford Unitary Development Plan.

4. No development shall be started until all the trees within the 8m Environment Agency easement have been surrounded by substantial fences which shall extend to the extreme circumference of the spread of the branches of the trees (or such positions as may be agreed in writing by the Local Planning Authority). Such fences shall be erected in accordance with a specification to be submitted to and approved in writing by the Local Planning Authority and shall remain until all development is completed and no work, including any form of drainage or storage of materials, earth or topsoil shall take place within the perimeter of such fencing.

Reason: To safeguard protected trees on the site and to ensure that adequate provision is made for their protection whilst the development is carried out in accordance with Policy EN12 of the City of Salford Unitary Development Plan.

5. Construction works shall not be permitted outside the following hours:

Monday to Friday	08:00 to 18:00
Saturdays	08:00 to 13:00

Construction works shall not be permitted on Sundays or Bank or Public Holidays.

Access and egress for construction delivery vehicles shall be restricted to the working hours indicated above.

Reason: To safeguard the amenity of existing and future residents in accordance with policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

6. A Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall

include an identification and assessment of the risk to receptors focusing primarily on risks to human health and the wider environment; and

The details of any proposed Remedial Works shall be submitted to, and approved in writing by the Local Planning Authority. Such Remedial Works shall be incorporated into the development during the course of construction and completed prior to occupation of the development; and

A Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority. The Verification Report shall validate that all remedial works undertaken on site were completed in accordance with those agreed by the Local Planning Authority.

Reason: In the interests of public safety in accordance with the National Planning Policy Framework.

7. No development shall commence until such time as details of the proposed development levels have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed floor and external levels and be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with Policy EN19 of the City of Salford Unitary Development Plan.

8. Prior to the commencement of development, a scheme detailing the method and timescales of the disposal of Japanese Knotweed and Himalayan Balsam shall be submitted to and approved in writing by the Local Planning Authority. The disposal shall be undertaken in accordance with the approved scheme.

Japanese Knotweed and Himalayan balsam are invasive plants, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent their spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring. This is in accordance with the National Planning Policy Framework.

9. Vegetation shall only be removed outside of the bird breeding season (between October and February) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and prevent unnecessary disturbance of nesting birds in accordance with policies ST13 and EN22 of the City of Salford Unitary Development Plan.

10. The development hereby approved shall achieve a minimum post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'very good' (or equivalent). A post-construction review certificate for each particular phase shall be submitted to and approved in writing by the Local Planning Authority before any phase of the development is first occupied.

Reason: In the interests of resource conservation and environmental sustainability in accordance with Policy EN22 of the City of Salford Unitary Development Plan and policy SDC1 of the Sustainable Design and Construction Supplementary Planning Guidance and to reduce the risk of flooding from overland flows in accordance with policy EN19 of the City of Salford Unitary Development Plan.

11. No application for reserved matters shall be made until a scheme for the phasing of development across the site has been submitted to and approved in writing by the Local Planning Authority. The phasing scheme shall include the following matters:

- a) a programme for the delivery of necessary highway improvement works; and
- b) a programme of delivery of development phases.

All reserved matters applications and consequent development shall be made in accordance with the approved phasing scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory development of the site in a phased manner and that phasing details were not submitted as part of the application.

12. The reserved matters shall be in strict accordance with the eight Parameters Plans dated February 2012.

Reason: For the avoidance of doubt and in accordance with policy DES1 of the City of Salford Unitary Development Plan.

13. No development shall take place until a mitigation scheme to address air quality as a consequence of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify all measures required to control the impact of poor air quality on existing residents surrounding the development site and of future residents within the development site. A verification report shall be submitted to the Local Planning Authority for written approval confirming that all approved measures have been implemented in full prior to the final occupation of the site. All approved measures shall be retained and maintained thereafter.

Reason: To safeguard the amenity of existing and future residents in accordance with policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

14. Prior to the commencement of the development, the developer shall submit a Dust Management Plan for the written approval of the Local Planning Authority. The Dust Management Plan shall identify all areas of the site and site operations during the construction phase where dust may be generated and further identify control methods to ensure that dust does not travel beyond the site boundary. Once in place, all identified measures shall be implemented in full and maintained at all times. Should any equipment used to control dust fail, the site shall cease all material handling operations immediately until the dust control equipment has been repaired or replaced.

Reason: To safeguard the amenity of existing and future residents in accordance with policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

15. The following noise level standards (as stipulated in BS8233:1999 "Sound insulation and noise reduction for buildings - Code of practice") shall apply to any residential unit on the development site:
- internal noise levels of less than 30dB LAeq,(8hour) within bedrooms between 23.00 hours and 07.00 hours
 - internal noise level of less than 40dB LAeq,(16hour) within living areas between 07.00 and 23.00 hours
 - typical individual noise events not in excess of 45dB L_{Amax} in bedrooms between 23.00 and 07.00 hours
 - external noise levels of less than 55dB LAeq,(16hour) in gardens, balconies and private communal gardens between 07.00 and 23.00 hours

The use of ventilation measures which obviate the need for future residents to open windows for cooling and rapid ventilation shall be identified and approved by the Local Planning Authority (LPA) prior to occupation of the site.

The noise mitigation measures shall be approved in writing by the Local Planning Authority and installed prior to occupation of the site. Prior to occupation of the site a Site Completion Report shall be submitted to the Local Planning Authority for approval. The Site Completion Report shall validate that all works undertaken on site were completed in accordance with those agreed by the Local Planning Authority.

Reason: To safeguard the amenity of existing and future residents in accordance with policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

16. The rating level (LAeq,T) from all fixed plant and machinery associated with the development, when operating simultaneously, shall not exceed the background noise level (LA90,T) by more than -5dB at any time when measured at the nearest noise sensitive premises. Noise measurements and assessments shall be carried out according to BS 4142:1997 "Rating industrial noise affecting mixed residential and industrial areas". 'T' refers to any 1 hour period between 07.00hrs and 23.00hrs and any 5 minute period between 23.00hrs and 07.00hrs.

Reason: To safeguard the amenity of existing and future residents in accordance with policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

17. Details of the acoustic noise barriers/enclosures to the service yard where it abuts the proposed residential uses to the east shall be submitted to and approved by the Local Planning Authority prior to the development taking place. The acoustic barriers/enclosures shall be constructed prior to first occupation of the store and shall be retained thereafter.

Reason: To safeguard the amenity of existing and future residents in accordance with policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

18. Prior to the commencement of the development, a service yard management plan to control the emissions of noise shall be provided and to and approved in writing by the Local Planning Authority prior to the occupation of the development. The management plan shall be implemented in full and adhered to at all times.

Reason: To safeguard the amenity of existing and future residents in accordance with policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

19. Prior to commencement of development, a noise and vibration management and monitoring plan relating to the control of noise and vibration from construction, including any piling operations, of the development must be submitted to and agreed in writing by the Local Planning Authority. The plan shall:
- require all construction plant items to be fitted with effective silencers and comply with current EC regulatory noise limits where relevant;
 - require plant to be located so as to minimise impact on sensitive properties;
 - define the responsibilities for managing noise and vibration emissions;
 - define the methodology of specifying and procuring quiet plant and equipment, for the verification of noise emission levels from plant and equipment and the consultation and reporting processes on matters of noise and vibration between the developer, the LPA and the public;
 - include site notices which advise the public of contact names and numbers both during and out of hours in the event of noise problems;
 - include information exercises such as leaflet drops;
 - Include noise and vibration mitigation measures;
 - include a Noise Monitoring Protocol detailing the monitoring to be undertaken to show that the agreed LAeq,T levels are not exceeded.

All approved measures identified shall be implemented and maintained throughout the duration of the works they mitigate during the construction phase unless the Local Planning Authority otherwise agree in writing.

Reason: To safeguard the amenity of existing and future residents in accordance with policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

20. No development authorised by this permission shall take place unless and until the Local Planning Authority has received and approved in writing a site operating statement in relation to provision of permitted hours for construction works, delivery of materials and delivery and collection of equipment, provision and use of on-site parking for contractor's and workpeople's vehicles, wheel washing facilities, street sweeping and no development or activities related or incidental thereto shall take place on the site in contravention of such site operating statement.

Reason: To safeguard the amenity of existing and future residents in accordance with policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

21. Prior to the occupation of the development details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. External lighting shall be provided in accordance with the approved details prior to occupation and retained at all times thereafter.

Reason: To safeguard the amenity of existing and future residents in accordance with policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

22. Any application for the approval of reserved matters for any relevant phase or plot within the development site shall be accompanied by the following information for approval in writing by the Local Planning Authority:
- a) details of finished floor levels;
 - b) details of on-site waste management relevant to any building or use(s) therein, including waste recycling;
 - c) signage strategy for the foodstore to inform future advertisement consent applications; and
 - d) details of opening hours of the foodstore.

The development of any phase or plot shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure satisfactory standards of design, scale, appearance, landscaping and layout are achieved in accordance with policies DES1 and DES2 of the City of Salford Unitary Development Plan, the Design Supplementary Planning Document and the National Planning Policy Framework.

23. Any application for the approval of reserved matters for any phase or plot within the development site shall be accompanied by a Design and Access Statement for that phase or plot that shall set the design principles and concepts that have been applied to the proposals including the appearance, scale and landscaping of the development. In addition, the design element shall demonstrate how the proposals have had regard to the hereby approved layout in terms of the context of the phase or plot within its development zone and the overall development site. The access element shall explain how access arrangements to the relevant phase or plot will ensure that all users will have a convenient and safe means of access to buildings and spaces related to the phase or plot, its development zone, the overall development site and the public transport network. Development of each phase or plot shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory standards of design and access for all users in accordance with policies DES1 and DES2 of the City of Salford Unitary Development Plan, the Design Supplementary Planning Document and the National Planning Policy Framework.

24. Any application for the approval of reserved matters for any phase or plot within the development site shall be accompanied by a 'Crime Prevention Plan' (CPP) which shall examine all aspects of site security including, site car parking, pedestrian footways, entrances, internal layout and external security measures for that phase or plot and which shall be capable of meeting 'Secured by Design' requirements unless otherwise agreed in writing by the Local Planning Authority. The CPP shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development of that phase or plot. Development of that phase or plot shall be carried out in accordance with the approved CPP and any approved site security measures shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of public safety and in accordance with policy DES10 of the City of Salford Unitary Development Plan, the Design and Crime Supplementary Planning Document and the National Planning Policy Framework.

Notes to Applicant

1. No removal of trees shall be carried out between the months of March to August inclusive, unless nesting birds have been shown to be absent.

2. No vegetation clearance required by the scheme should take place in the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by a suitably qualified person.

<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=MO0GV8NP5Y000>

APPLICATION No: 13/63370/FUL

APPLICANT: Mr Adrian Blackie - BAM Construction Ltd (North West)

LOCATION: Units 3 To 4 Washington Centre , 100-102 Broadway, Broadway, Salford, M50 2UW

PROPOSAL: Demolition of existing buildings and erection of a part three / part four storey 6478sqm, 720 place Creative Industry University Technical College, with associated landscaping and car parking.

WARD: Ordsall



Description of Site and Surrounding Area

The site is located on the corner of Broadway and South Langworthy Road. The surrounding area is predominantly commercial/industrial in nature with the existing site accommodating two storey commercial buildings with in-curtilage car parking. The site forms part of the Washington Centre, which is made up of 4 identical two storey flat roof buildings. To the north of the site are commercial buildings; to the east is a raised area of landscaping with South Langworthy Road beyond it; to the south is Broadway and to the east the remainder of the Washington Centre.

Description of Proposal

This application seeks to demolish the existing two buildings on site (2,520 m²) and replace it with a 720 place University Technical College (UTC) for 14 – 19 year olds, employing 68 full time equivalent staff. The UTC would specialise in creative and digital industries. Partners involved in the proposed UTC include Salford City College, The University of Salford, The Lowry and The Aldridge Foundation.

The proposed building would be part three / part four storeys in height with a floor area of 6,478m². There are three distinct elements to the building. To the west would be the film studios and technical facilities (black box)

with a multi use games area (MUGA) located on the roof. To the east is a traditional three storey teaching block and holding these two elements together is a four storey element accommodating all of the support facilities (dining, social and circulation space, WCs and other ancillary functions).

In terms of design: the studio element has an appearance of a black box, with dark grey / black cladding weaved together and interspersed with LED lighting. On top of the black box would be the MUGA surrounded by mesh panels. The central section is mainly glazed with white metallic cladding; the fourth floor of this element is set back from the main elevation. The main teaching block has a vertical emphasis with evenly spaced windows and dark cladding. The black box element of the proposal would have the same building line as the adjacent commercial premises with the remainder of the building set back slightly and the teaching block set at an angle to the rest of the building.

The proposed site layout would consist of the main building being set back from Broadway by approximately 18 metres. To the west of the building would be a servicing area including parking spaces for two minibuses and then a strip of landscaping including seating areas that would separate the building from the remaining Washington Centre. To the rear and east would be further landscaping separating the building from the commercial properties to the rear and Langworthy Road South. In front of the building would be located: the cycle store; bin store; a further 2 minibus parking spaces; 4 disabled parking spaces and 2 visitor parking spaces. Further landscaping would separate these from Broadway. Pedestrian and vehicular access would be taken from Broadway.

The cycle store, bin store and electrical substation would be located behind a 2.4m high brick wall. The wall would have individual lettering upon it relating to the college and associated landscaping.

Publicity

Site Notice: Article 13 Date Displayed: 22 July 2013

Reason: Article 13

Press Advert: Salford Advertiser Date Published: 4 July 2013

Reason: Article 13 Standard Press Notice

Neighbour Notification

Notification letters were sent to 23 adjacent properties.

Representations

No representations have been received in response to the application publicity.

Relevant Site History

No relevant site history.

Neighbour Notification

Notification letters were sent to 23 adjacent properties.

Representations

No representations have been received in response to the application publicity.

Consultations

Design For Security - No comments received to date

Senior Engineer Flood Risk Management - No comments received to date

Highways - No objections subject to conditions requiring the submission of a Travel Plan and highway and public transport infrastructure improvement works.

The Greater Manchester Pedestrian Assoc. - No comments received to date.

Environment Agency – “The proposal development sits within Flood Zone 2 as defined in table 1 of the Technical Guide to the National Planning Policy Framework and is therefore at risk of flooding. We have produced a series of standard comments for local planning authorities and planning applicants to refer to on 'lower risk' development proposals where flood risk is an issue to replace direct case by case consultation with us. This planning application sits within this category. As such the relevant standing advice should be adhered to.”

The Highways Agency - No objections subject to a condition requiring a travel plan.

Urban Vision Environment (Air and Noise) - No objection to the proposed development.

“The application is supported by an air quality assessment and by a noise and vibration assessment.

In respect of air quality the assessment concludes that the proposed development shows a beneficial impact due to the reduction in traffic associated with the development's use.

I do not disagree with this conclusion.

In respect of noise, the assessment report considers the impact of existing, road traffic noise on the proposed teaching environment. Building Bulletin 93 "Acoustic Design for Schools" is used to determine the relevant, internal noise levels that are to be achieved, and recommendations as to building design are made in the report. In respect of any new noise generated by the proposal this is likely to be from building services, plant and machinery. A recommended noise design criteria is provided in the report.

I do not disagree with the findings of the noise assessment report but recommend a condition relating to noise omitted from plant and machinery.”

Trafford M B C - No comments received to date.

Urban Vision Environment (Land Contamination) - No objections to the proposal subject to a condition requiring further site investigations.

Transport For Greater Manchester (TFGM) - No objections subject to conditions requiring highway and public transport infrastructure improvement works, travel plans and construction management details.

Planning Policy

Development Plan Policy

Unitary Development Plan ST1 - Sustainable Urban Neighbourhoods

This policy states that development will be required to contribute towards the creation and maintenance of sustainable urban neighbourhoods.

Unitary Development Plan A2 - Cyclists, Pedestrians and the Disabled

This policy states that development proposals, road improvement schemes and traffic management measures will be required to make adequate provision for safe and convenient access by the disabled, other people with limited or impaired mobility, pedestrians and cyclists

Unitary Development Plan A5 - Buses

This policy states that Quality Bus Corridors, bus lanes, guided busways and other bus priority measures will be permitted, where they are consistent with regeneration objectives. Bus priority measures will be introduced on the i) A6/A580 Leigh to Manchester ii) A56 Bury to Manchester iii) A6 through Swinton iv) A666 through Swinton v) A57/B5320 Cadishead to Eccles. The following routes will be investigated in conjunction with GMPTE; i) A575 through Walkden, and B5211 through Worsley, Winton and Patricroft ii) A5063 Trafford Road/Albion Way iii) A576 Pendleton to Cheetham iv) B5229 and B5231 Eccles to Swinton.

Improvements to the quality of bus services, facilities and associated highway infrastructure will be secured through i) new interchange facilities ii) improvements to existing provision iii) new forms of bus provision.

New developments are required make adequate provision for access to and the use of buses; development should i) facilitate safe, direct and convenient access to existing bus stops; ii) make good any deficiencies in bus services, facilities or associated highway infrastructure iii) in larger developments make specific provision for new bus stops and other associated infrastructure.

Unitary Development Plan A8 - Impact of Development on Highway Network

This policy states that development will not be permitted where it would i) have an unacceptable impact upon highway safety ii) cause an unacceptable restriction to the movement of heavy goods vehicles along Abnormal Load Routes.

Unitary Development Plan A10 - Provision of Car, Cycle, Motorcycle Park

This policy states that there should be adequate provision for disabled drivers, cyclists and motorcyclists, in accordance with the Council's minimum standards; maximum car parking standards should not be exceeded; and parking facilities should be provided consistent with the provision and maintenance of adequate standards of safety and security.

Unitary Development Plan DES1 - Respecting Context

This policy states that development will be required to respond to its physical context and respect the positive character of the local area in which it is situated and contribute towards a local identity and distinctiveness.

Unitary Development Plan DES2 - Circulation and Movement

This policy states that the design and layout of new development will be required to be fully accessible to all people, maximise the movement of pedestrians and cyclists through and around the site safely, be well related to public transport and local amenities and minimise potential conflicts between pedestrians, cyclists and other road users.

Unitary Development Plan DES9 - Landscaping

This policy states that hard and soft landscaping should be provided where appropriate that is of a high quality and would enhance the design of the development, not detract from the safety and security of the area and would enhance the attractiveness and character of the built environment.

Unitary Development Plan DES10 - Design and Crime

This policy states that developments must be designed to discourage crime, antisocial behaviour, and the fear of crime. Development should i) be clearly delineated ii) allow natural surveillance iii) avoid places of concealment iv) encourage activity within public areas.

Unitary Development Plan E5 - Develop. in Established Employment Areas

This policy states that planning permission will only be granted for the reuse or redevelopment of sites or buildings within an established employment area for non-employment uses where the development would not compromise the operating conditions of other adjoining employment uses, and where one or more of the following apply:

- a) The developer can demonstrate there is no current or likely future demand for the site for employment purposes
- b) There is a strong case for rationalising land uses or creating open space
- c) The development would contribute to the implementation of an approved regeneration strategy or plan for the area
- d) The site is allocated for another use in the UDP.

Unitary Development Plan EHC1 - Provision, Improvement of Schools, Colle

This policy states that planning permission will be granted for the improvement, replacement or provision of new schools and colleges, provided that the development would i) not have an unacceptable impact on the amenity of neighbouring uses; ii) secure adequate, accessible playing field provision iii) be accessible by a range of means of transport iv) incorporate disabled access v) not give rise to unacceptable levels of traffic generation, impact on highway safety, parking or servicing; vi) make provision, where possible, for community use of buildings and grounds.

Unitary Development Plan EN12 - Important Landscape Features

This policy states that development that would have a detrimental impact on, or result in the loss of, any important landscape feature will not be permitted unless the applicant can clearly demonstrate that the importance of the development plainly outweighs the nature conservation and amenity value of the landscape feature and the design and layout of the development cannot reasonably make provision for the retention of the landscape feature. If the removal of an important existing landscape feature is permitted as part of a development, a replacement of at least equivalent size and quality, or other appropriate compensation, will be required either within the site, or elsewhere within the area.

Unitary Development Plan EN17 - Pollution Control

This policy states that in areas where existing levels of pollution exceed local or national standards, planning permission will only be granted where the development incorporates adequate measures to ensure that there is no unacceptable risk or nuisance to occupiers, and that they are provided with an appropriate and satisfactory level of amenity.

Unitary Development Plan EN19 - Flood Risk and Surface Water

This policy states that any application for development that it is considered likely to be at risk of flooding or increase the risk of flooding elsewhere will need to be accompanied by a formal flood risk assessment. It should identify mitigation or other measures to be incorporated into the development or undertaking on other land, which are designed to reduce that risk of flooding to an acceptable level.

Unitary Development Plan EN22 - Resource Conservation

This policy states that development proposals for more than 5,000 square metres of floorspace will only be permitted where it can be demonstrated that the impact on the conservation of non-renewable resources and on the local and global environments, has been minimised as far as practicable; and full consideration has been given to the use of realistic renewable energy options, and such measures have been incorporated into the development where practicable.

Other Material Planning Considerations

National Planning Policy

National Planning Policy Framework (NPPF)

Policy statement – Planning for schools development (Ministerial Statement - August 2011)

Local Planning Policy

Supplementary Planning Document - Sustainable Design and Construction

This policy document expands on policies in Salford's Unitary Development Plan to provide additional guidance for planners and developers on the integration of sustainable design and construction measures in new and existing developments.

Supplementary Planning Document - Design

This document reflects the need to design in a way that allows the city to support its population socially and economically, working with and inviting those affected into an inclusive decision making process. Equally, development must contribute to the creation of an environmentally sustainable city supporting the natural environment minimising the effects of, and being more adaptable to, the potential impact of climate change.

Supplementary Planning Document - Design and Crime

This policy document contains a number of policies used to assess and determine planning applications and is intended as a guide in designing out crime.

Planning Guidance - MediaCity UK and Quays Point

This guidance relates to the intention to establish mediacity uk on approximately 220 ha of land in and around Salford Quays and Trafford Wharfside, with the 14.8 ha Quays Point site at its core. The Vision is to create a globally significant new media city. The intention is to create a modern digital city for the UK, where creative talent is drawn by the quality and excitement of the environment and the range and mix of people.

Supplementary Planning Document - Trees and Development

The policy document has been prepared to give information to all those involved in the development process about the standard that the Local Planning Authority requires for new development proposals with specific reference to the retention and protection of trees.

It is not considered that there are any local finance considerations that are material to the application

Appraisal

This application seeks planning permission for the erection of a new 720 place University Technical College (UTC) on the site of existing commercial/industrial buildings. Members must be satisfied and must assess whether college is acceptable in this location; whether the resultant loss of commercial buildings is acceptable; whether the design, size and layout of the proposed college is acceptable; whether acceptable access points and car parking provision would be provided; whether the development would not have an acceptable impact on the surrounding highway network.

Principle of Development

Paragraph 72 of the National Planning Policy Framework (NPPF) is the Government's most up to date planning policy on the provision of schools and fully reflects the Government's commitment to the delivery of schools as outlined above in the August 2011 Ministerial Policy Statement. It states that *"the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*

- *give great weight to the need to create, expand or alter schools; and*
- *work with schools promoters to identify and resolve key planning issues before applications are submitted."*

National guidance therefore presents a high level of support for the provision of additional education facilities. The proposed UTC would be state funded and has been approved by the Department for Education.

Given the technical college includes pupils from age 14 it is appropriate to consider it as a school rather than a college in terms of appraising the application.

Loss of Employment Use

It is understood that the University of Salford is one of the schemes sponsors, along with Salford City College and the Lowry, and as such the proposal would be expected to complement and support the University's role as a higher education establishment in line with saved UDP policy EHC5.

Furthermore, given the potential to tailor the curriculum to the specific needs of industry at MediaCityUK, with other partners on the project, including the BBC, ITV and Adobe Systems Inc, the scheme would be expected to make a positive contribution to the ongoing growth of the area and people's ability to access the jobs provided there.

The proposal involves the introduction of an education use in an employment area and as such the requirements of saved UDP policy E5 would apply. UDP Policy E5 aims to protect employment uses in established employment areas.

In terms of part 1 of the policy, the site is surrounded on three sides by light industrial/office accommodation (including a light industrial unit used as a church) with Quays Point located across Broadway to the frontage of the unit, which includes a range of uses. The nature of surrounding uses therefore makes it unlikely that a UTC would compromise any existing activities. As such the loss of employment uses for the proposed UTC is considered acceptable in this instance given the specialty of the college.

In terms of part 2 of the policy, the education facility has a specific industry focus, is located on the edge of the Quays Point area, and has the potential to contribute to the growth and success of MediaCityUK in line with the objectives of the MediaCityUK and Quays Point Planning Guidance. Policy MC:UK 2 of the adopted planning guidance sets out appropriate uses in the area that explicitly includes community and education facilities such

as that proposed to help ensure that *“the area is attractive to a diverse range of households and that all sections of society benefit from the opportunities within it”*. Given the proposed use is supported by the adopted MediaCityUK and Quays Point Planning Guidance no further justification in relation to the loss of an employment use is required by part 2 of saved UDP policy E5 is required.

Given compliance with UDP Policy E5 and the local and national policy presumption in favour of new schools, there is therefore strong, in-principle, planning policy support for the proposed UTC.

Design, Layout and Amenity

Paragraphs 56 to 68 of the NPPF emphasise the importance of good design recognising that good design is a key aspect of sustainable development and indivisible from good planning.

In addition to the NPPF, UDP policies DES1, DES2, DES4 and DES 7 are of relevance.

With regard to layout it is considered that the building sits appropriately on the site. The main part of the building sits back from the highway on the same building line as the existing neighbouring buildings. While the proposed building sits much closer to its rear boundary it is not considered that this is unacceptable in terms of layout given that the buildings to the north are commercial buildings and that uses on this common boundary comprise car parking and a blank gable elevation. The teaching block is angled and this is welcome as it adds interest to this large building and provides an appropriate elevation to the junction of Broadway and South Langworthy Road.

Turning to the design of the building itself, it is considered that its height is acceptable given the context of new, taller building in the surrounding area. The elevational treatment to the three main elements breaks down the mass of the building and the subtle variation in height assists in this. The range of materials is limited, which is welcomed, and they are consistent with materials used elsewhere in the area and are considered to be of sufficiently good quality. Limited parking is provided to the front of the building and it is considered that the proposed landscaping is of a high quality with a significant number of new trees in raised beds that will enhance the street scene.

It is considered that the proposed development would have no detrimental effect on any neighbouring occupier and that the character of the area and the street scene specifically would be enhanced by these proposals.

It is considered that the proposed development subject to conditions requiring samples of materials to be submitted accords with the design policies of the UDP, the Design SPD and the requirements of the NPPF with regard to good design.

Crime Prevention

UDP Policy DES10 states that development will not be permitted unless it is designed to discourage crime, anti-social behaviour and the fear of crime. The policy also makes clear that crime prevention measures should not be at the expense of overall design quality, and proposals will not be permitted where they would have a hostile appearance or engender a fortress type atmosphere. The Council's Supplementary Planning Document (SPD) on Design and Crime seeks to ensure that development is designed to discourage crime, anti-social behaviour and the fear of crime, and support personal and property security. These local policies are supported by Paragraph 58 of the NPPF that requires developments to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

In accordance with the above policy, the applicant has submitted a Crime Impact Statement (CIS) prepared by Greater Manchester Police: Design for Security. The Greater Manchester Police Design for Security team has assessed the proposals and indicates that they are generally supportive of the scheme recognising that the proposed building entrance and location of parking will be highly visible. Recommendations made by GMP including the provision of boundary treatment to the east have been taken on board and incorporated in to the scheme. Other recommendations made relate to the operation of the school i.e. the reception desk should be manned at all times.

It is considered that the detailed design matters suggested by GMP can be dealt with through the imposition of conditions requiring the submission and approval of a comprehensive and detailed landscaping scheme, external lighting and CCTV details. It is also recommended that an informative be added to any consent

reminding the applicant that they should seek to address the recommendations in the CIS when submitting outstanding detailed design proposals required by condition.

Landscaping and Trees

Paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments benefit from “appropriate landscaping”.

UDP Policy DES9 and the Trees and Development SPD are also of relevance.

The submitted landscape masterplan incorporates a plaza to the front of the building providing an attractive entrance to the building. Low level planting as recommended by GMP would be incorporated within the scheme. To the west of the building is an area of landscaping including seating area for the pupils of the school to use.

There are a number of trees located within the site boundary, namely 7 individual trees and 4 small groups of trees. A tree report accompanies the application which states that none of the trees are particularly worthy of retention and are of low quality as such it is proposed to remove all the trees within the site. None of the trees are protected by a Tree Preservation Order.

Our Arboricultural Consultant has visited and inspected the trees. The submitted tree report is considered to be an adequate and suitable assessment of the trees. There are little to no signs of tree maintenance and there are many significant defects present. Ivy has been allowed to persist on the site and many stems are not clearly visible which may hide further defects. Re-establishing tree cover on site and maintaining these to a better standard is considered a pragmatic approach to maintaining amenity tree cover on site. The trees should be replaced on a 2 for 1 basis and a condition is recommended to ensure this.

The submitted boundary treatment details the proposed boundary treatment. It includes: 2.4m green weldmesh fencing with climber plants to the eastern boundary; 2.4m high green weldmesh fencing to the north and west boundary, this accords with GMP recommendations and is considered to be appropriate for this location.

Overall the landscape strategy is considered acceptable; however, full details of planting densities and species have not yet been submitted. Subject to a condition requiring details of plant species and densities the submitted details are considered to be acceptable in terms of landscaping and loss of trees and the proposal accords with the above policies.

Impact on the Highway Network, Safety and Parking

NPPF paragraph 32 states that Transport Assessments should be prepared for all developments that generate significant amounts of traffic. The Transport Assessment should identify opportunities for sustainable transport modes; ensure that safe and suitable access to the site can be achieved for all people; and that improvements to the highway network are provided that would limit any significant impacts of the development. NPPF states that, “development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

The applicant has submitted a Transport Assessment and a Travel Plan Framework. These documents have been assessed by Transport for Greater Manchester (TfGM), The Highways Agency and the council’s highway consultants. The main issues relating to this scheme are whether there would be an unacceptable increase in vehicle trips, car parking and whether there is an acceptable level of sustainable modes of transport for future users of the UTC. Taking each issue in turn:

The development site currently accommodates 2,520m² of commercial floorspace with an associated 50 car parking spaces. The development site currently generates a number of vehicle trips to the area.

The Transport Assessment includes an assessment of the trip generation for the proposal; the applicant’s consultant believes that due to the unique nature of this development and its location that the majority of staff and all students will travel to the site by public transport. As this is a new facility and there is no forthcoming information on student catchment area or staff home locations a more pessimistic view has been tested.

A broad brush review undertaken by the Highways Agency's consultant has shown that, using TRICS, the industry standard software, that at similar sites, drop-off trips do occur. Indeed the Councils' experience of the Building Schools for the Future programme in Salford indicates that despite best efforts students are dropped off by car at school sites. The UTC's opening time coincides with the highway network peak AM hours, whilst the departure times will be spread between the hours of 16:00 to 17:30, as such spreading the number of trips from the UTC. The following table shows a comparison of the number of vehicle trips to the site generated by the existing use compared to the number of trips likely to be generated by the proposed development. The table concentrates on the AM peak period as this would be where the majority of the trips would be generated.

	Arrive	Depart	2 Way
Total UTC trips	70	37	146
Existing Employment Units	46	6	52
Total net trips	24	31	55

Given that the age range of pupils is from 14 – 19 it is likely that the younger students would have different travel requirements than the older students. Likely parent drop offs have there been included within the above analysis. The above table indicates that there will not be a significant increase in vehicle trips during the AM peak period. As stated previously trips in the PM peak period are spread across the period so will have a lesser impact.

In terms of the recent Batleys public inquiry, the above robust analysis supports the Council's decision to consider this application although work on the Quays Infrastructure Strategy is on-going. This development will not result in significant vehicle trip generation and therefore is not a material consideration in developing the Strategy, though the effect of this development will be taken into account in its development.

An analysis of available capacity on the existing metrolink has also been carried out. The information was provided by TfGM and concludes that there is capacity within the existing provision to cater for the projected demand.

In terms of walking and cycling, the surrounding area has existing pedestrian and cycle infrastructure and is considered to be conducive to both walking and cycling. The application site would accommodate 80 cycle spaces which slightly exceeds the minimum standard of 77 as set out in the UDP.

There are 3 main bus stops within the vicinity of the site. These are located to the east of the site entrance on either side of Broadway and South Langworthy Road and on The Quays Road itself serving MediaCityUK and The Lowry. The following bus services are available within 400m of the site:

Table 4.6 – Summary of Bus Service Frequencies within 400m

Bus Service	Journey	Peak Frequency (per hour)			
		AM	PM	Sat	Sun
50	East Didsbury — Kingsway — Manchester — Salford Shopping Centre — Salford Quays	5 mins	Not more than 10 mins	Not more than 10 mins	Every 15 mins
79	Swinton — Swinton Park — Pendleton — Salford Quays — Stretford	Every hour	Every hour	Every hour	-

In view of the reliance of pupils and staff on public transport there is a need to enhance the waiting environment at the bus stops in the vicinity (specifically those sited on Broadway). At the current time there are no shelters and the waiting environment is of poor quality in respect of the proposed demand. Minor footway improvements removing the grass verge to provide a wider footway, the installation of improved bus stop platforms and the provision of shelters at each stop are considered necessary given the UTC's reliance on public transport.

Analysis of the South Langworthy Road / Broadway signalised junction shows that the majority of vehicle trips generated by the development will use it, as will as pedestrians accessing the site. Transport for Greater Manchester, who manage and operate the signals, have been consulted. They consider that the additional development traffic, in conjunction with the forecasted increase in pedestrian demand, would result in increases to queuing and delay during morning and afternoon peak times. However with a slight change to the signal timings any impact could be adequately mitigated.

As the above measures could be addressed by the applicant, working alongside the council as local highways authority and Transport for Greater Manchester, a condition is recommended that would require the delivery of the necessary improvements.

The application site would accommodate 4 disabled car parking spaces, 2 car parking spaces and 3 minibus spaces. The level of disabled car parking exceeds the minimum requirement set out in the UDP. It is intended that staff will be encouraged to access the site via sustainable transport methods and those that do drive to the site would park in one of the multi storey car parks in the vicinity. A capacity assessment has been undertaken at The Garage multi storey car parking located 300m from the site. The assessment was carried out between the hours of 08:45 and 10:00 and indicated that there were in excess of 1,500 spaces available. There are few opportunities for parking on the highway within the vicinity of the site due to waiting restrictions. The information indicates that there is adequate parking provision within the vicinity of the site for those who choose to drive.

In terms of student pick-up and drop off at the site, the UTC's focus is on preparing students for university and encouraging independence amongst students. This includes travel to and from the facility, which in this case is considered to be primarily via public transport, including Metrolink. This rationale has led to formal drop-off facilities not being included within the site. The submitted Travel Plan Framework includes a number of measures to discourage the dropping off of students. These measures include bespoke travel plans for each student and furnishing students with public transport information.

Nonetheless, consideration has been given to the management of drop-off trips should these occur. It is considered that should parents persistently continue to drop-off children at the facility, the Travel Plan Coordinator will advertise a safe and convenient location for students to be dropped off, other than via the site access or Broadway. Initial consideration has been given to Montford Street to the north of the site which has several lengths of unrestricted parking regulations, the prevalence of on street parking bays with a two hour waiting period and a turning area at the end of the street. The walking route from Montford Street to the site is approximately 500m long and the site can be comfortably accessed via existing crossing facilities at the South Langworthy Road/Broadway junction. A condition requiring the submission of a Travel Plan is recommended. Addresses of students and staff will be known at a later date and will influence the production of the Travel Plan to ensure that sustainable methods of transport are promoted and any drop offs to the facility discouraged. It is considered that a Travel Plan could adequately deal with the above issues.

In summary the proposed development would not result in a significant increase in vehicle trips to the site. Staff travelling to the site by private car would need to park in one of the existing pay and display car parks. Student drop off would be discouraged but if they do occur these can be dealt with through the submission of a Travel Plan. Given that there would be an increase number of pedestrians it will be necessary to alter the timings of the signals at the Broadway / South Langworthy Road junction to avoid any unnecessary waiting times for both pedestrians and vehicles. The bus stops within the vicinity of the require improving to provide shelter for waiting passengers. Subject to the recommended conditions, it is considered that the proposed development does provide an adequate level of onsite parking and would not have an unacceptable detrimental impact on the highway network or highway safety.

Pollution

NPPF paragraph 120 states, "To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environmental or general amenity, and the potential sensitivity of the area or proposed development to adverse effect from pollution, should be taken into account."

(i) Air Quality

Although the application lies outside Salford's Air Quality Management Area, the applicant has submitted an Air Quality Assessment Report in support of the planning application. The report considers the impact of the

construction and operation phase of the development on local air quality. In respect of the operational phase of the development the report concludes that road traffic impacts are predicted to be negligible, or beneficial, relative to the existing conditions. In addition to the submitted air quality assessment a project management plan has been submitted. The documents detail how dust would be controlled during the demolition process.

Urban Vision Air and Noise consultants have assessed the submitted information and agree with the findings of the reports. The proposed dust mitigation processes during construction are considered to be sufficient. The proposal, in respect of impacts on air quality, is therefore considered to be in accordance with UDP policy EN17 subject to the addition of the condition.

(ii) Noise

NPPF paragraph 123 states that local planning authorities should avoid granting consent for noisy development which would give rise to significant adverse impacts on health and quality of life and should mitigate and reduce any other adverse impacts to a minimum, including through the use of conditions.

The applicant has submitted a Noise Assessment in support of the application. The noise report discusses details of the acoustic design that are relevant to a development of this kind and comments on the ventilation strategy that is likely for a new school building on the proposed site. The report also assesses the likely noise and vibration impacts during the construction and operational phases of the development. The report does not consider the proposed development would generate an unacceptable level of noise. The nearest noise sensitive properties are in excess of 120m away, separated from the development by various commercial units.

Urban Vision Air and Noise consultants have assessed the submitted information and agree with the findings of the report. A condition is recommended to ensure that any plan and machinery does not exceed certain noise levels. Details of the relevant conditions are outlined at the end of the report. The proposal, in respect of noise is therefore considered to be in accordance with UDP policy EN17 subject to the inclusion of the condition.

(iii) Contaminated Land

NPPF paragraph 121 states that planning decisions should ensure that the proposed site is suitable for its new use taking account of ground conditions, including pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation. The applicant has submitted a Phase 1 desk-top site investigation report. The report identifies a potential risk from contamination, due to the historical uses at the site. Further site investigation and risk assessment is recommended. Urban Vision's Environment Team has assessed the submitted documents and has no objections to the scheme subject to a condition requiring further land contamination investigations and any necessary remediation

Flood Risk and Drainage

NPPF paragraph 103 states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where it can be demonstrated that within the site, the most vulnerable development is located in areas of lowest flood risk and where development is appropriately flood resilient and resistant.

The site is located within Flood Zone 2. A Flood Risk Assessment has been submitted in support of the application. The information has been assessed by the Council's drainage consultant. In accordance with NPPF the proposed development is classified as a non residential site for educational purposes, the use is therefore considered to be acceptable within Flood Zone 2 and as such it is not necessary to carry out an exception test. It is agreed from the information submitted that the development would not appear to increase the risk of flooding on the site. Subject to conditions relating to the submission of a drainage scheme and a reduction of surface water flows the proposed development is considered to be acceptable in terms of flooding issues in accordance with the above policies.

Sustainability credentials

A Sustainability Statement of Intent has been submitted in support of the application. The statement details that a 'Very Good' BREEAM rating is targeted. This would be achieved through the design of the building as follows:

- **The position, orientation and form** of the building clusters a large proportion of teaching provision on the North and North West facing elevations to significantly reduce the solar heat gain.
- **Solar control glazing** will be installed on South, East and West facing façades, to reduce the internal summer time peak temperatures, lowering the amount of thermal energy passing through the glazing, whilst letting daylight in.
- **Brise soleil** supplements the solar shading properties of the windows and further reduces the need for cooling.
- **Natural ventilation** is delivered to some of the larger spaces within the building, reducing the need for cooling and fans.
- **Highly efficient heat recovery** will be provided to the main air handling plant to minimise heat losses associated with the mechanical ventilation systems where such systems are necessary.
- **Enhanced fabric U values** will exceed those required to achieve compliance with the Building Regulations Approved Document Part L2A by roughly 25%. This is achieved by increasing the insulation in the external walls, ground, roof and windows.
- **Air leakage** will be halved from that required under Building Regulations to achieve a maximum air leakage rate of 5m³/m²/hour, reducing the demand for heating significantly.
- **Natural daylighting** will be maximised through enhanced levels of glazing designed through the use of daylight simulation modelling to guarantee high levels of daylight whilst minimising solar gain and glare. Borrowed light from the Cauldron and central areas will introduce a light, airy feel to adjacent spaces.
- **Daylight linked lighting control** will be combined with high efficiency lighting, maximising the use of natural light and minimising artificial lighting.
- **Air Source Heat Pumps** will be used to deliver much of the heating to the building through low carbon means.
- **Metering and Monitoring:** Sub-metering of water, heating, cooling and electricity is proposed, with outputs to the ICT network, allowing the building to be monitored and well managed.

In addition to the above, during the construction phase additional measures would be put in place including: sourcing materials from sustainable locations / suppliers; a site waste management plan to reduce any waste generated; promotion of sustainable transport choices for construction workers. It is considered that the proposal would bring forward a sustainable development subject to a condition to ensure that a minimum of 'very good' BREEAM is achieved.

Conclusions

In conclusion, it is considered that the principle, layout, scale, and design of the development is acceptable and that there would be no unacceptable detrimental impacts in relation to amenity, highway safety, impact on the highway network, pollution and flood risk. Importantly, the scheme would deliver significant educational benefits for the wider community. The proposal would not compromise the aims and objectives of the relevant policies contained within the adopted Unitary Development Plan and there are no material planning considerations that would justify a refusal of permission. It is recommended that the application be approved accordingly.

Recommendation

Approve

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

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The rating level (LAeq,T) from all fixed plant and machinery associated with the development, when operating simultaneously, shall not exceed the background noise level (LA90,T) by more than -5 dB at any time when measured at the boundary of the nearest residential premises. Noise measurements and assessments shall be carried out according to BS 4142:1997 "Rating industrial noise affecting mixed residential and industrial areas". 'T' refers to any 1 hour period between 07.00hrs and 23.00hrs and any 5 minute period between 23.00hrs and 07.00hrs.

Reason: To safeguard the amenity of the neighbouring residents in accordance with policy EN17 of the City of Salford Unitary Development Plan.

3. No part of the development hereby approved shall be brought into use unless and until a detailed travel plan is submitted to and approved in writing by the local planning authority in consultation with the Highways Agency, and all approved measures have been implemented accordingly.

Reason: In the interests of highway safety and the promotion of sustainable transport choices in accordance with policies A8 and EHC1 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

4. Notwithstanding the submitted Landscape Masterplan (PL1259-GA-003 Rev O), the site shall be treated in accordance with a landscape scheme, which shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall include full details of trees to be planted (including the specification of size, species and location); details of species and density of planting; details of surface treatments; a maintenance and management plan and a timetable for implementation. The development shall be completed and operated in full accordance with the approved scheme.

Reason: To safeguard the amenity of the area in accordance with policy DES 9 of the City of Salford Unitary Development Plan.

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

Bin and Cycle store	PL1259-GA-010.B;
Boundary Treatments	PL1259-GA-006 Rev A;
Building Frontage Sections	PL1295-GA-008-PL;
Landscape Masterplan	PL1259-GA-003 Rev O;
Proposed Ground Floor Plan	PL(20)01 Rev 115
Proposed First Floor Plan	PL(20)02 Rev 115;
Proposed Second Floor Plan	PL(20)03 Rev 115;
Proposed Third Floor Plan	PL(20)04 Rev 115;
Proposed External Elevations	EL(20)01 Rev 115;
Proposed Building Sections	SE(20)01 Rev 115;
Proposed Roof Plan	PL(20)05 Rev 115;

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

6. Finished floor levels shall be 300mm above the general ground level.

Reason: To ensure that the development is subject to minimum risk of flooding in accordance with Policy EN19 of the Adopted UDP.

7. Prior to commencement of development saved for demolition of the existing buildings, a foul and surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall:
 fully investigate the use of a Sustainable Urban Drainage Systems;
 aim for a reduction in surface water flows of 50% compared to the existing up to the 1 in 100 year event (plus 30% climate change);
 demonstrate that in the event of exceedence, all flood water would be contained on site.

 The approved scheme shall be fully implemented and subsequently maintained in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the local planning authority.

Reason: To ensure that the development is subject to minimum risk of flooding in accordance with Policy EN19 of the Adopted UDP.
8. Prior to first occupation of the development, a highways and public transport infrastructure improvement scheme shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to first occupation of the development and include the following measures:

 Improvement of the bus stops on Broadway including boarding platforms and removal of grass verges (NF0178 and NF0179);
 Improvement of the bus stops on South Langworthy Road to include boarding platforms (NF0171 and NF0175);
 Alteration to the signal timings at the Broadway / South Langworthy Road junction.

Reason: To mitigate the traffic impact of the development, to encourage the use of more sustainable transport modes and to ensure highway safety in accordance with policies A5 and A8 of the adopted City of Salford Unitary Development Plan and the National Planning Policy Framework
9. The construction of the development shall be carried out in full accordance with the following submitted information:

 Anthony O'Connor and Sons Demolition Document;
 Project Management Plan dated June 2013.

Reason: To safeguard the amenity of the neighbouring residents in accordance with policy EN17 of the City of Salford Unitary Development Plan.
10. No development shall take place, including any works of demolition until the following information has been submitted:

 A construction plan denoting:
 The location of the access and parking of vehicles for site operatives and visitors;
 Storage of plant and materials used in constructing the development;
 The location and details of security hoarding;
 Location of cranes (if applicable).
 Site Waste Management Plan

Reason: In the interests of highway safety in accordance with policy A8 of the City of Salford Unitary Development Plan; to safeguard the amenities of the locality; to ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working adjacent to the Metrolink system.
11. The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) Schools rating of 'very good' or 'excellent', unless otherwise agreed in writing by the local planning authority. A post-construction review certificate shall be submitted to and approved in writing within 6 months from the date of occupation.

Reason: In the interests of resource conservation and environmental sustainability. This is in accordance with Policy EN22 of the City of Salford Unitary Development Plan 2004-2016.

12. Prior to the commencement of the development saved for demolition a site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The investigation shall address the nature, degree and distribution of land contamination on site and shall include an identification and assessment of the risk to receptors focusing primarily on risks to human health and the wider environment; and

The details of any proposed remedial works shall be submitted to, and approved in writing by the Local Planning Authority. Such Remedial Works shall be incorporated into the development during the course of construction and completed prior to occupation of the development; and

Prior to first occupation a verification report shall be submitted to, and approved in writing by, the Local Planning Authority. The verification report shall validate that all remedial works undertaken on site were completed in accordance with those agreed by the Local Planning Authority.

Reason: In the interests of public safety in accordance with the National Planning Policy Framework.

13. Prior to the construction of the school building (saved for foundation construction) hereby approved, samples and details of the materials for the external elevations of the school building shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out using the approved materials.

Reason: To safeguard the amenity of the area in accordance with policy DES 1 of the City of Salford Unitary Development Plan.

14. Prior to the construction of the cycle shelter, bin store and installation of the electricity substation, samples and details of the materials to be used on the proposed 2.4m wall as indicated on the submitted plan PL1259-GA-010.B shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason: To safeguard the amenity of the area in accordance with policy DES 1 of the City of Salford Unitary Development Plan.

15. Prior to the first occupation of the building the car parking and cycle provision (minimum of 80 spaces) as set out on the landscape masterplan PL1259-GA-003 Rev 0 shall be made available for use. Such provision shall be retained and kept available for use thereafter.

Reason: To ensure adequate levels of parking provision in accordance with policy A10 of the City of Salford Unitary Development Plan

16. Prior to first occupation a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include full details of the locations, design, luminance levels, light spillage and hours of use of, and columns for, all external lighting within the site. The approved scheme shall be implemented in full prior to first use of the development.

Reason: To ensure that the development is appropriately secured from crime in accordance with policy DES 11 of the City of Salford Unitary Development Plan.

17. Prior to first use of the development, a scheme for CCTV coverage, including the design, type, mounting, and colour of all equipment, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the building and be retained at all times thereafter.

Reason: To ensure that the development is appropriately secured from crime in accordance with policy DES 10 of the City of Salford Unitary Development Plan.

Statement of conformity with Article 31 of The Town and Country Planning (Development Management Procedure) (England) Order 2010

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during pre-application discussions 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 Paragraphs 186-187 of the NPPF.

Notes to Applicant

1. In terms of Condition 4 trees should be replaced on a 2 for 1 basis for those trees removed to accommodate the development.
2. No removal of trees, shall be carried out between the months of March to August inclusive, unless nesting birds have been shown to be absent.
3. The applicant is advised that the requirements of all the conditions precedent must be satisfied prior to the commencement of the development. Failure to satisfy the conditions precedent renders all development unauthorised and unlawful and appropriate action may be taken by the Council.
4. If, during any works on site, contamination is suspected or found, or contamination is caused, the LPA should be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales in agreement with the LPA.
5. The details required to be submitted in relation to conditions 16 and 17 should take in to consideration the recommendation with the submitted Crime Impact Statement.

APPLICATION No: 13/63457/HYB

APPLICANT: C/o Agent - Salford Village Limited

LOCATION: Peel Park Campus, University Of Salford, Crescent, Salford, ,

PROPOSAL: Demolition of existing buildings and structures and full planning permission for the carrying out public realm improvement works, improvements to existing pedestrian and vehicular accesses, landscaping and internal pedestrian and highway works, and outline planning permission for the erection of up to 2100 student bedrooms within 3 no. blocks (maximum of 10 storeys above podium) including undercroft car parking with removal of Condition 13 relating to tree replacement.

WARD: Irwell Riverside



Description of Site and Surrounding Area

This application relates to the main Peel Park Campus of the University of Salford and the proposals are part of the first phase of a comprehensive redevelopment programme of its Frederick Road and Peel Park campuses to deliver the transformation required in the campus environment in order for the University to remain attractive, vibrant and competitive and to maintain its market position as one of the most successful universities in the North West.

The site extends to approximately 6.4 hectares and comprises existing large scale University buildings including the University Estates Office housed in the Myers Building, the Tom Husband Leisure Centre, student welfare offices and catering facilities housed in University House, the Northern Car Park and incidental open space between the buildings. The application also includes a small part of the council owned Peel Park.

The site slopes from west to east towards the River Irwell and difference in levels between the car park and University House is approximately 4m.

Peel Park borders the site to the south east. To the north, the site is bounded by the David Lewis Playing Fields along with intermittent residential properties. The River Irwell lies to the east and to the west and south the site is bordered by the existing Peel Park Campus.

The Northern Car Park currently acts as a barrier between the playing fields to the north and the park to the south and is bordered by palisade fencing, heavy vegetation and tree cover.

In 2008 Peel Park and the David Lewis Playing Fields were included within an enlarged Crescent Conservation Area. In addition the boundary of the original Peel Park has been extended over the years and now includes the David Lewis Playing Fields.

Description of Proposal

The application seeks to undertake the development described in more detail in the following paragraphs without the need to comply with condition 13 of the previously approved application. Condition 13 requires a two for one tree replacement of trees that were removed as a result of the development. Specifically, its wording is as follows:

Prior to the commencement of any phase of the student development a scheme for the two for one replacement of trees removed from the particular phase shall be submitted to and approved in writing by the Local Planning Authority. The schemes, in total, shall include full details of 466 new heavy standard trees to be planted within the site, within local parks within a 2 mile radius of the site or within the Chapel Street corridor and shall be carried out within twenty four months of the commencement of each particular phase of the student development. Any trees or shrubs dying within five years of planting shall be replaced with the same species within twelve months. The figure of 466 includes the 128 trees to be planted as part of the approved landscaping scheme covered by condition 9.

In place of the requirement to plant further trees, the applicant proposes that a contribution of £90,000 be made to the City Council to be used for tree planting in the Chapel Street and Crescent road corridor and/or for improvements to Peel Park.

Following detailed discussions, it is considered that further tree planting in the road corridor could accommodate approximately 50 trees. With regard to the improvements to Peel Park the contribution would serve as match funding to a Heritage Lottery Fund bid that has been made by the City Council. It is understood that the ability to demonstrate the availability of match funding is essential if the HLF bid is to be successful.

If approved, this Section 73 application would result in a new, stand-alone permission being issued and therefore details of the previously approved development are as follows:

It is proposed to erect new student accommodation with associated undercroft car parking, public realm and landscape works and a new public pedestrian route linking the accommodation to the rest of the campus and beyond. The student accommodation would replace 1,059 beds that are currently provided on the Castle Irwell site and 248 beds that are currently provided in Horlock and Constantine Courts that are due to be demolished to make way for the recently approved Arts building. These would form the first phase of the new student village. Phase 2 will provide a further 636 bedrooms and enable the transfer of Matthias and Bramhall Courts onto the campus, completing the University's total withdrawal from the Adelphi area. Therefore it is envisaged that 1,949 rooms will be removed from the University's existing stock.

The original application was submitted as a hybrid with the student accommodation element being in outline (with all matters reserved except access) with the pedestrian route and its associated public realm and landscape works in full detail.

The works to Peel Park are to facilitate the necessary re-grading, landscaping and public realm works to improve the accessibility, safety, character and usability of Peel Park. They include the provision of a new ramped access into the park and new footpaths around and through the site linking Peel Park to the playing fields beyond.

The parameters plan and illustrative material showed that up to 2,018 student bed spaces could be delivered on the site in three zones via two phases with the majority of building heights ranging between one and six storeys with some building heights rising to a maximum of ten storeys.

Reserved matters have already been approved and as this application could result in a new, stand-alone permission the conditions attached to application 13/63250/REM need to be incorporated into those conditions attached to the previous hybrid permission that have not yet been discharged.

The description of the development approved under the reserved matters permission was as follows:

The application sought approval for the five reserved matters, scale, layout, access appearance and landscaping relating to the outline permission for the erection of up to 2100 student bedrooms across three blocks and up to 10 storeys in height above podium level.

In detail, the application proposed the following schedule of accommodation:

- 2079 en-suite student bedrooms;
- 327 bedroom clusters;
- 3 blocks of development
- A total of 14 individual buildings
- 3 central landscaped courtyards
- 495 car parking spaces (including 29 disabled spaces)

The approved reserved matters fully complied with the original hybrid consent 11/60366/HYB. The detailed design is in strict accordance with the parameter plans approved under the hybrid application, which set the principles of the design and defined the scope and extent of the development proposal.

The parameters approved and fixed by the hybrid application covered the following points:

- Heights – maximum of 6 storeys above podium facing Peel Park and maximum of 10 storeys elsewhere
- Levels
- Student numbers – maximum 2100, split between 4 blocks
- Extent of the buildings
- Extent of the podium
- Views through the site
- Car parking numbers – minimum 440 spaces, maximum 530 spaces
- Percentages of active frontage
- Courtyards and open space
- Service vehicle access routes

The fourteen individual student residential buildings range in height between five, seven and nine storeys above podium level. The hybrid application allowed heights of ten and six storeys above podium and so the detailed scheme submitted as reserved matters is between one and three storeys lower than the hybrid approval.

A mix of elevational treatments are proposed with the main material being red/multi brick in the Conservation Area with fibre cement board and red, cream and grey bricks on the part of the site adjacent to the existing University buildings.

A total of 495 parking spaces were approved.

Publicity

Site Notice: Non HH Within Conservation Area Date Displayed: 1 July 2013

Reason: Planning App in Conservation Area

Press Advert: Salford Advertiser Date Published: 11 July 2013

Reason: Planning App in Conservation Area

Neighbour Notification

The application has been advertised by means of both site and press notices.

Representations

No representations have been received.

Relevant Site History

11/60366/HYB - Demolition of existing buildings and structures and full planning permission for the carrying out public realm improvement works, improvements to existing pedestrian and vehicular accesses, landscaping and internal pedestrian and highway works, and outline planning permission for the erection of up to 2100 student bedrooms within 3 no. blocks (maximum of 10 storeys above podium) including undercroft car parking. - Approved - 28 October 2011

13/63250/REM - Details of reserved matters for the access, appearance, landscaping, layout and scale in relation to the erection of student residential accommodation including 2079 bedrooms and undercroft parking across three blocks pursuant to planning permission 11/60366/HYB - Approved - 4 July 2013

Consultations

Given the nature of the application there are no relevant consultees

Planning Policy

Development Plan Policy

Unitary Development Plan A10 - Provision of Car, Cycle, Motorcycle Park

This policy states that there should be adequate provision for disabled drivers, cyclists and motorcyclists, in accordance with the Council's minimum standards; maximum car parking standards should not be exceeded; and parking facilities should be provided consistent with the provision and maintenance of adequate standards of safety and security.

Unitary Development Plan A2 - Cyclists, Pedestrians and the Disabled

This policy states that development proposals, road improvement schemes and traffic management measures will be required to make adequate provision for safe and convenient access by the disabled, other people with limited or impaired mobility, pedestrians and cyclists

Unitary Development Plan A8 - Impact of Development on Highway Network

This policy states that development will not be permitted where it would i) have an unacceptable impact upon highway safety ii) cause an unacceptable restriction to the movement of heavy goods vehicles along Abnormal Load Routes.

Unitary Development Plan CH3 - Works Within Conservation Areas

This policy states that work in conservation areas will only be permitted where it would preserve or enhance the character or appearance of the conservation area. Consideration will be given to the extent that the proposal i) retains or improves features that contribute to the character or appearance of the conservation area ii) are of a high standard of design iii) retains mature trees iv) secures environmental improvements and enhancements v) protects views into an out of the conservation area.

Unitary Development Plan DES1 - Respecting Context

This policy states that development will be required to respond to its physical context and respect the positive character of the local area in which it is situated and contribute towards a local identity and distinctiveness.

Unitary Development Plan DES2 - Circulation and Movement

This policy states that the design and layout of new development will be required to be fully accessible to all people, maximise the movement of pedestrians and cyclists through and around the site safely, be well related to public transport and local amenities and minimise potential conflicts between pedestrians, cyclists and other road users.

Unitary Development Plan DES3 - Design of Public Space

This policy states that development should include the provision of public space; designed to have a clear role and purpose which responds to local needs; reflects and enhances the character and identity of the area; is an integral part of and provide appropriate setting and an appropriate scale for the surrounding development; be attractive and safe; connect to establish pedestrian routes and public spaces and minimise and make provision for maintenance requirements.

Unitary Development Plan DES6 - Waterside Development

This policy states that all new development adjacent to the River Irwell will be required to facilitate pedestrian access to, along and, where appropriate, across the waterway. Schemes should incorporate a waterside walkway with pedestrian links between the walkway and other key pedestrian routes and incorporate ground floor uses and public space that generate pedestrian activity. Where it is inappropriate to provide a waterside walkway, an alternative route shall be provided. Development should protect, improve or provide wildlife habitats; conserve and complement any historic features; maintain and enhance waterside safety; and not affect the maintenance or integrity of the waterway or flood defences. All built development will face onto the water, and incorporate entrances onto the waterfront; be of the highest standard of design; be of a scale sufficient to frame the edge of the waterside; and enhance views from, of, across and along the waterway, and provide visual links to the waterside from surrounding areas.

Unitary Development Plan DES7 - Amenity of Users and Neighbours

This policy states that all new development, alterations and extensions to existing buildings will be required to provide potential users with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout. Development will not be permitted where it would have an unacceptable impact on the amenity of occupiers or users of other development.

Unitary Development Plan DES9 - Landscaping

This policy states that hard and soft landscaping should be provided where appropriate that is of a high quality and would enhance the design of the development, not detract from the safety and security of the area and would enhance the attractiveness and character of the built environment.

Unitary Development Plan DES10 - Design and Crime

This policy states that developments must be designed to discourage crime, antisocial behaviour, and the fear of crime. Development should i) be clearly delineated ii) allow natural surveillance iii) avoid places of concealment iv) encourage activity within public areas.

Unitary Development Plan DEV5 - Planning Conditions and Obligations

This policy states that development that would have an adverse impact on any interests of acknowledged importance, or would result in a material increase in the need or demand for infrastructure, services, facilities and/or maintenance, will only be granted planning permission subject to planning conditions or planning obligations that would ensure adequate mitigation measures are put in place.

Unitary Development Plan EHC5 - University of Salford

This policy states that development proposals within Peel Park, Adelphi and Frederick Road campuses will be permitted, provided they i) contribute to the integration with the surrounding area and improve public access; ii) secure public transport, walking and cycling access improvements; iii) retain a mix of uses in the surrounding areas iv) are of high quality design; v) retain a network of open space; vi) contribute towards infrastructure provision vii) are consistent with other policies in the plan.

Unitary Development Plan EN12 - Important Landscape Features

This policy states that development that would have a detrimental impact on, or result in the loss of, any important landscape feature will not be permitted unless the applicant can clearly demonstrate that the importance of the development plainly outweighs the nature conservation and amenity value of the landscape feature and the design and layout of the development cannot reasonably make provision for the retention of the landscape feature. If the removal of an important existing landscape feature is permitted as part of a development, a replacement of at least equivalent size and quality, or other appropriate compensation, will be required either within the site, or elsewhere within the area.

Unitary Development Plan EN17 - Pollution Control

This policy states that in areas where existing levels of pollution exceed local or national standards, planning permission will only be granted where the development incorporates adequate measures to ensure that there is no unacceptable risk or nuisance to occupiers, and that they are provided with an appropriate and satisfactory level of amenity.

Unitary Development Plan EN19 - Flood Risk and Surface Water

This policy states that any application for development that it is considered likely to be at risk of flooding or increase the risk of flooding elsewhere will need to be accompanied by a formal flood risk assessment. It should identify mitigation or other measures to be incorporated into the development or undertaking on other land, which are designed to reduce that risk of flooding to an acceptable level.

Unitary Development Plan EN22 - Resource Conservation

This policy states that development proposals for more than 5,000 square metres of floorspace will only be permitted where it can be demonstrated that the impact on the conservation of non-renewable resources and on the local and global environments, has been minimised as far as practicable; and full consideration has been given to the use of realistic renewable energy options, and such measures have been incorporated into the development where practicable.

Unitary Development Plan H7 - Provision of Student Accommodation

This policy states that planning permission will be granted for provision of student residential accommodation where i) there is a proven need; ii) the site is accessible by public transport, walking and cycling iii) there is no unacceptable impact on the amenity of neighbouring occupiers iv) there would not be an unacceptable impact on the character of the area; v) it is compatible with regeneration objectives and other policies in the plan.

Unitary Development Plan ST10 - Recreation Provision

This policy states that a comprehensive range of accessible recreation opportunities will be provided through 1) the protection, improvement and reorganisation of existing recreation sites; 2) the development of a regional park; 3) developing a network of Key Recreation Areas; 4) provision of new recreation facilities on sites allocated in the UDP; 5) the development of a series of Local Nature Reserves; 6) improvement of access between urban areas and the Countryside; 7) use of planning obligations to provide new and enhanced recreation facilities.

Unitary Development Plan ST15 - Historic Environmental

This policy states that historic and cultural assets that contribute to the character of the city will be preserved and wherever possible and appropriate, enhanced.

Other Material Planning Considerations

National Planning Policy

National Planning Policy Framework

Local Planning Policy

Supplementary Planning Document - Sustainable Design and Construction

This policy document expands on policies in Salford's Unitary Development Plan to provide additional guidance for planners and developers on the integration of sustainable design and construction measures in new and existing developments.

Supplementary Planning Document - Design

This document reflects the need to design in a way that allows the city to support its population socially and economically, working with and inviting those affected into an inclusive decision making process. Equally, development must contribute to the creation of an environmentally sustainable city supporting the natural environment minimising the effects of, and being more adaptable to, the potential impact of climate change.

Supplementary Planning Document - Greenspace Strategy

This policy document expands on the policies of the Unitary Development Plan relating to the issues of open space and recreation, and seeks to ensure that all stakeholders have a clear understanding of how those policies should be implemented and their desired outcome. This should help to ensure that the greenspace needs of Salford are successfully met; delivering safe, high quality open spaces that are well-located, well-designed, well-managed, and meet the aspirations of local communities.

Supplementary Planning Document - Nature Conservation and Biodiversity

This policy document expands on the policies of the Unitary Development Plan relating to the issues of nature conservation and biodiversity, and seeks to ensure that all stakeholders have a clear understanding of how those policies should be implemented and their desired outcome.

Supplementary Planning Document - Design and Crime

This policy document contains a number of policies used to assess and determine planning applications and is intended as a guide in designing out crime.

Supplementary Planning Document - Trees and Development

The policy document has been prepared to give information to all those involved in the development process about the standard that the Local Planning Authority requires for new development proposals with specific reference to the retention and protection of trees.

Supplementary Planning Document - Planning Obligations

This policy document expands on the policies in Salford's Unitary Development Plan to provide additional guidance on the use of planning obligations within the city. It explains the city council's overall approach to the use of planning obligations, and sets out detailed advice on the use of obligations in ensuring that developments make an appropriate contribution to: the provision of open space; improvements to the city's public realm, heritage and infrastructure; the training of local residents in construction skills; and the offsetting of greenhouse gas emissions.

Planning Guidance - Flood Risk and Development

The overarching aim of the planning guidance is to ensure that new development in areas at risk of flooding in the city, is adequately protected from flooding and that the risks of flooding are not increased elsewhere as a result of new development.

Planning Guidance - Irwell City Park

This guidance relates to the intention to establish the Irwell City Park as an exciting and unique waterfront location within the Regional Centre.

It is not considered that there are any local finance considerations that are material to the application

Appraisal

Given that planning permission has already been granted for the development, it is considered that only issue under consideration is whether the proposed payment of £90,000 is appropriate recompense for the lack of a two for one tree replacement.

It is considered that the following matters were adequately addressed under the previously approved applications and remain acceptable:

- The principle of the proposed development
- The siting scale and massing of the student accommodation
- Design quality
- Effect on Amenity and on Peel Park

- Effect on the Conservation Area
- Sustainability
- Highways
- Ecology
- Flooding

Members may recall that condition 13 was added by the Panel during their debate on the application. The University's former Estates Manager was in attendance to agree to the condition. The practical difficulty that the applicant has in complying with the condition that requires a scheme for the planting of 338 trees in Council owned land to be agreed before development can commence has prompted the current application. Having secured detailed planning permission for the development, the applicant is seeking to commence development as soon as possible to ensure the timely delivery of the new student accommodation.

Initially the applicant proposed a lower sum that was derived by multiplying the cost of planting a single tree (£209) by 338. This figure was then reduced as 18 fewer trees were being removed. The initial sum offered was £63,118. This cost represents the cost of planting a tree in a green landscaped setting. Officers have pointed out to the applicant that the condition may have resulted in the requirement to plant a considerable number of street trees that would cost considerably more than the cost of planting trees in a parkland setting. The applicant increased the sum offered to £90,000 and responded that the 128 trees to be planted within the University grounds and approved under application 11/60366/HYB were semi-mature trees and therefore of a greater size than is required by the condition and that the trees that were being removed were located in a green landscaped setting thereby justifying the original sum offered.

It is considered that £90,000 represents an appropriate figure given the above points and equates to a financial contribution of £266 per tree. This is considered to be an acceptable contribution given practical limitations of implementing the condition as it stands and the requirements of policy TD6 of the Trees and Development SPD which states that:

"In the case of replacement tree planting the Council will require, wherever practicable, the replacement on the basis of at least two trees for each tree lost. The size and species of the trees shall be agreed with the Local Planning Authority. Where replacement trees cannot be accommodated on site, contributions to off-site planting will be sought."

The reason that further tree planting within local parks is not considered appropriate is that local parks already benefit from considerable tree planting - indeed in some and particularly in Peel Park it is considered that there is a surfeit of trees. The City Council's Greenspace Asset Manager has stated that over many years funding from planning obligations has been used to bolster tree planting in local parks across the city and that in many cases this is no longer appropriate.

The work that is being undertaken to improve Peel Park is advanced to the stage that a stage 1 bid for funding from the Heritage Lottery Fund has been submitted. A masterplan has been drawn up in consultation with the local community and the Friends of Peel Park group has been reformed. It is considered that the bid stands a greater prospect of success if it can be demonstrated that match funding exists. The Friends of Peel Park group and officers involved in the bid and the work on Peel Park are supportive of the application.

The applicants other suggestion for spending the £90,000 is to plant street trees on the Chapel Street and Crescent corridor. While Chapel Street itself is already planted as a result of the recent improvement works, officers have identified that there is scope on Crescent and on roads off Chapel Street to plant approximately 50 trees.

It is considered that the above two areas of spend are appropriate in place of condition 13.

Value Added

Pre-application discussions have taken place and the sum offered has been increased.

Recommendation

Planning permission be granted subject to the following planning conditions and that:

- 1) The Strategic Director of Customer and Support Services be authorised to enter into a legal agreement under Section 106 of the Town and Country Planning Act to secure the following:
 - A contribution of £90,000 to be used for the following purposes:
 - Tree planting along the Chapel Street and Crescent corridor
 - Improvements to Peel Park
- 2) That the applicant be informed that the Council is minded to grant planning permission, subject to the conditions stated below, on completion of such a legal agreement;
- 3) The authority be given for the decision notice relating to the application be issued (subject to the conditions and reasons stated below) on completion of the above-mentioned legal agreement.

Conditions

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

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed in the submitted schedule of drawings dated 16 May 2011 submitted under application 11/60366/HYB and as revised under application 12/61958/NMA and to the approved plans listed in the Sheppard Robson issue sheet number 129 dated 5 June 2013 and referenced 4628 submitted under application 13/63250/REM.

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

3. No development on any phase shall be started until all the trees within (or overhanging) the phase, with the exception of those trees clearly shown to be felled on the submitted plan, have been surrounded by substantial fences which shall extend to the extreme circumference of the spread of the branches of the trees (or such positions as have been agreed in writing by the Local Planning Authority on 5 July 2013 under application 13/63279/DISCON). Such fences shall be erected in accordance with the specification approved in writing by the Local Planning Authority on 5 July 2013 under application 13/63279/DISCON and shall remain until all development within the particular phase is completed and no work, including any form of drainage or storage of materials, earth or topsoil shall take place within the perimeter of such fencing.

Reason: To safeguard protected trees on the site and to ensure that adequate provision is made for their protection whilst the development is carried out in accordance with policy EN13 of the City of Salford Unitary Development Plan.

4. Development of any phase or plot within a phase shall take place in accordance with details of the sustainable drainage system for that particular phase or plot within a phase approved in writing by the Local Planning Authority on 5 July 2013 under application 13/63279/DISCON. The system shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details include a timetable for its implementation, and a management and maintenance plan for the lifetime of the development which includes the arrangements for adoption by any public body or statutory undertaker and other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime.

Reason: In the interests of resource conservation and environmental sustainability in accordance with Policy EN22 of the City of Salford Unitary Development Plan and policy SDC1 of the Sustainable Design and Construction Supplementary Planning Guidance and to reduce the risk of flooding from overland

flows in accordance with policy EN19 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

5. Prior to the occupation of any phase of the student accommodation development, a Verification Report for that phase shall be submitted to, and approved in writing by, the Local Planning Authority further to those details that have been approved by the Local Planning Authority on 5 July 2013 under application 13/63279/DISCON. The Verification Report shall validate that all remedial works undertaken on the relevant phase were completed in accordance with those agreed by the Local Planning Authority.

Reason: In the interests of public safety in accordance with the National Planning Policy Framework

6. The development shall be carried out in accordance with the floor and external levels approved on 5 July 2013 under application 13/63279/DISCON and shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with policy EN19 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

7. The disposal of Japanese Knotweed shall be undertaken in accordance with the details approved by the Local Planning Authority on 5 July 2013 under application 13/63279/DISCON.

Reason: Japanese Knotweed is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring.

8. The landscape scheme hereby approved shall be carried out within 18 months of the commencement of development. Any trees or shrubs dying within five years of planting shall be replaced with the same species within twelve months.

Reason: To safeguard the amenity of the area in accordance with policy DES 1 of the City of Salford Unitary Development Plan.

9. Each phase or plot within each phase of the student accommodation development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'excellent'. A post-construction review certificate for each particular phase shall be submitted to and approved in writing by the Local Planning Authority within 18 months of occupation.

Reason: In the interests of resource conservation and environmental sustainability in accordance with Policy EN22 of the City of Salford Unitary Development Plan and policy SDC1 of the Sustainable Design and Construction Supplementary Planning Guidance and to reduce the risk of flooding from overland flows in accordance with policy EN19 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

10. Implementation of the development shall be carried out in accordance with the Phasing Plan approved by the Local Planning Authority on 5 July 2013 under application 13/63279/DISCON.

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

11. Prior to the commencement of the development hereby approved, samples and details of the materials for the external elevations of the buildings, including bricks, mortar, windows, doors and boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out using the approved materials, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the amenity of the area in accordance with policy DES 1 of the City of Salford Unitary Development Plan.

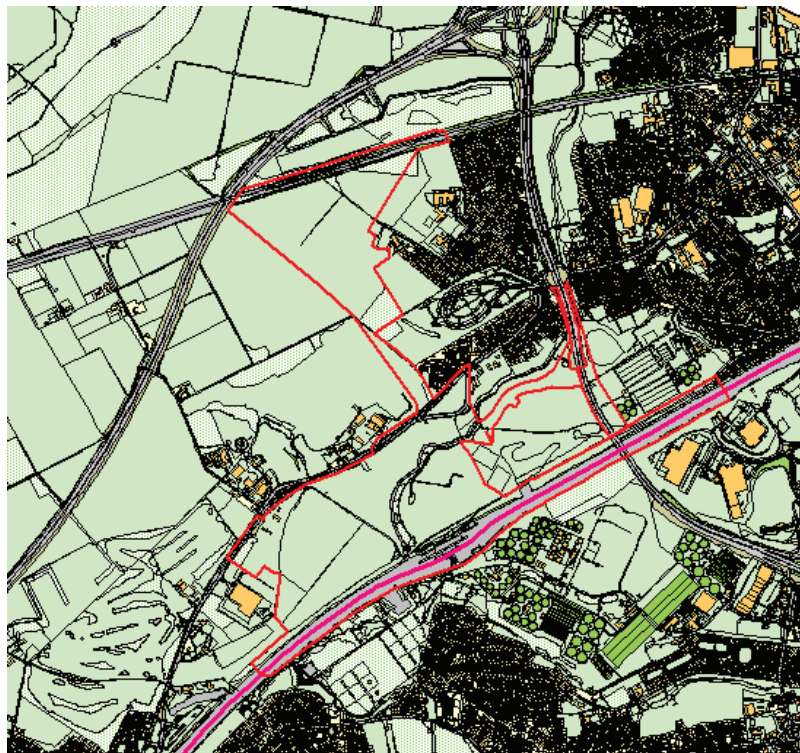
APPLICATION No: 12/62701/EIAHYB

APPLICANT: Sheila Wright - Peel Investments (North) Ltd

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

PROPOSAL: Application to vary condition number 4 (approved plan condition) attached to planning permission 12/61611/ EIAHYB for a multi-modal freight interchange comprising rail served distribution warehousing, rail link and sidings, inter-modal and ancillary facilities including a canal quay and berths, vehicle parking, hardstanding, landscaping, re-routing of Salteye Brook, a new signal controlled access to the A57 and related highway works including realignment of the A57 and improvements to the M60 (Port Salford). Canal crossing and associated roads and other highway improvements as part of the Western Gateway Infrastructure Scheme (WGIS). The amendment relates to a road realignment of Part WGIS.

WARD: Irlam, Winton and Barton



Background and Planning History

The report below relates to planning application 12/62701/HYBEIA in its entirety and 13/62779/EIA with regards to the background, site description, proposal and appraisal. Please see the separate report titled 13/62779/EIA with regards to relevant planning policies, representations, consultation responses and proposed conditions.

Planning permission was granted in 2009 for a multi-modal freight interchange comprising rail served distribution warehousing, rail link and sidings, inter-modal and ancillary facilities including a canal quay and berths, vehicle parking, hardstanding, landscaping, re-routing of Saltey 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).

The original development was the subject of an environmental impact assessment which covered the following topic areas:

- Ground Engineering
- Water Quality
- Traffic and Transportation
- Air Quality
- Noise and Vibration
- Nature Conservation
- Landscape and Visual Amenity
- Archaeology
- Heritage
- Agricultural Land Quality
- Socio Economic Assessment

The planning permission granted both outline and full planning permission for the development. The transportation infrastructure (road, rail and wharf) received full planning permission, as did the intermodal terminal. The rail linked distribution warehouses were granted in outline. A parameters plan for the warehouses was submitted as part of the application, this indicated the area that the warehouses could occupy and the maximum height of the buildings (154,500m² and 20m in height).

In September 2012 two further permissions were granted to cover minor amendments to the approved A57 road alignment. Following the acquisition of additional land it allowed for a simplified route from the A57 towards Barton Motorway Bridge. At the same time the opportunity was taken to amend planning conditions to facilitate a phased approach and update policy references. The two recent extant permissions are:

- i) 12/61611/EIAHYB Application to vary or remove a number of conditions attached to planning permission 03/47344/EIAHYB; and
- ii) 12/61631/EIA Construction of a highway in connection with the re-alignment of the Western Gateway Infrastructure Scheme (WGIS) and planning application 12/61611/EIAHYB.

Since the successful grant of the Regional Growth Fund (RGF) the developers has now employed design and build consultants who have been working on the detailed design of the road in conjunction with Urban Vision Highway colleagues. The proposed minor change derives from detailed engineering design work that assists in avoiding major services diversions and more efficient programming of construction works for the Part WGIS scheme. As such further changes to the road are required.

This has necessitated two further planning applications. The proposed re-alignment of the highway relates to the section of the proposed road between Liverpool Road (A57) under the M60 motorway towards the Manchester Ship Canal and the boundary with Trafford MBC. Part of the proposed re-alignment is within the red line boundary of the original planning permission (03/47344/HYBEIA) and a small area falls outside the original red line boundary. Two applications have been submitted, the first is a Section 73 application that deals with the area of road within the original redline boundary (12/61611/EIAHYB), whilst the second application is a S73 dealing with the area outside the original red line application (12/61631/EIA).

Works have already begun on site in connection with permission 12/61611/EIAHYB.

Application Format

Section 73 of the Town and Country Planning Act 1990 allows applications to be made for permission to carry out a development without complying with a condition(s). It also allows applications to be made to vary condition(s) previously imposed on a planning permission. In this case, the condition to be varied lists the plans originally approved. A S73 planning permission is the grant of a new planning application. The original planning permission continues to exist whatever the outcome of the application made under section 73.

These Section 73 applications propose to vary the approved plan conditions attached to the original planning permissions. Revised plans have been submitted to deal with the re-alignment of the proposed highway and the applicants are applying to vary this condition to include the current proposed plans – the proposed variation of the conditions are discussed in further detail below.

Both planning applications are accompanied with an Environmental Statement addendum, prepared in accordance with the EIA regulations. This updates the original Environmental Assessment and is limited to areas where the amended proposals give rise to further environmental considerations. This is dealt with in greater detail below.

Description of Site and Surrounding Area

These applications relate to an irregular shaped parcel of land of approximately 116 hectares located to the north of the Manchester Ship Canal and to the west of the M60 motorway. The site is considered in three broad areas:

Area A: This is approximately rectangular and is located south of the A57 and north of the Manchester Ship Canal; it is approximately 550m wide and 1.2 kilometres in length. It is surrounded by Barton Aerodrome, farmland and some residential properties to the north and sewage works, nature reserves and residential properties to the south, within Trafford MBC's jurisdiction, while to the west is Makro, and a golf course and range. The area has been filled over a lengthy period to a level of between 18 and 25m above ordnance datum and industrial buildings have recently been cleared from the northern part of the area. Saltey Brook and public footpath bisect this part of the site and a number of trees and hedges line the brook, canal and A57. The site is adjacent to the Community Stadium.

Area B: is located north of the A57, linking the site to the Manchester - Newton-le-Willows - Liverpool railway line. This is an area of open land located between Barton Aerodrome and the Peel Green residential area and cemetery. The northern part of Area B comprises farmland and the northern part of the Brookhouse playing fields. The site levels vary between 18 and 34m AOD and the height of the existing railway embankment is 26.4m AOD.

Area C: Is located to the north of the Manchester Ship Canal, between Area A and the end of Langland Drive, to the south of the existing United Utilities sewage works and extends both sides of the M60 motorway this area includes the location of the smaller S73 application (13/62779/EIA).

Description of Proposal

12/62701/EIAHYB

The above application proposes the variation of condition 4 (approved plans).

The submitted plans show more details of the design of the road from the A57 to the Manchester Ship Canal and the boundary with Trafford MBC.

The proposed plans indicate relatively minor alignment changes which result in a lower number of service diversions required to construct the scheme and a straighter alignment. Amendments have been made to the design to accommodate both pedestrian and cycle crossing facilities on each arm of the junction with the Community Stadium and A57, increasing accessibility for more vulnerable road users. Other amendments relate to improved access to the Eccles Waste Water Treatment Works and the proposed carriageway splitting around the Barton Bridge supports for the M60.

It is also necessary to amend a number of conditions that require information to be submitted prior to commencement of development due to the development already starting on site. Information has been submitted with regards to a number of conditions attached to planning permission 12/61611/EIAHYB but much of it has yet to be agreed in its entirety as such it is necessary to re-attach those conditions albeit worded slightly differently.

The following conditions have not been amended: 1, 2, 3, 11, 12, 13, 17, 18, 19, 22, 24, 25, 30 and 31.

The following conditions have been varied to re-word "Prior to commencement of development...." as works have begun on site: 5, 6, 8, 20, 21, 23, 26, 29, 32, 33, 34, and 35.

Condition 4 - (approved plans) has been updated to include the amended plans submitted with this current application.

Condition 7 – has been amended to reflect that the first meeting of Port Salford / WGIS Highway Design Group has taken place

Condition 9 - (part WGIS completion) has been re-worded to remove references to statutory orders required that sit outside the planning process at the time of this report being published the Highways Agency had not yet agreed to the wording of this amended condition.

Condition 10 - (submission of traffic management details and construction of rail link) has been re-worded to ensure the rail link is in situ prior to any buildings being occupied without referring to a plan reference at the time of this report being published the Highways Agency had not yet agreed to the wording of this amended condition.

Condition 14 - (construction of new A57 junction) has been re-worded to include reference to the current plans.

Condition 15 - (details of bridge over canal) has been re-worded to replace reference to the proposed bridge details being submitted at a scale of 1:50 to a scale of 1:500.

Condition 16 - (drainage strategy) has been re-worded to reflect works beginning on site and incorporating United Utilities comments relating to surface water discharge.

Condition 27 - (landscape scheme) has been amended to require the submission of a landscape scheme to be submitted, approved and implemented. The original condition related to an approved landscape scheme.

Condition 28 – (Ecological Mitigation Strategy) has been reworded to ensure that an Ecological Mitigation Strategy for the Mossland Triangle is submitted prior to the construction of the railway line to the north of the A57.

A full list of existing and proposed conditions that have been amended can be viewed in appendix 1 attached to this report.

13/62779/EIA

The second application relates to two parcels of land and represents the road alignment that lies outside the original application site boundary. The first parcel accommodates the section of road that crosses the Salteye Brook and the associated approved bridge. The second parcel of land accommodated a proposed balancing lagoon (for drainage purposes, this has now been omitted). This is discussed in more detail in the drainage section of the appraisal below.

Condition 1 has been amended to remove reference to reserved matters, due to the application being a full application.

Condition 2 has been amended to incorporate the plans submitted in respect of the alignment. Works on site within this site boundary have not yet taken.

Condition 5 has been slightly re-worded to reflect that the initial meeting of the Port Salford / WGIS Highway Design Group has been held.

Condition 6 has been amended to be consistent with the wording of Condition 8 of 12/62701/EIAHYB.

Condition 7 has been amended to be consistent with the wording of Condition 16 of 12/62701/EIAHYB and the comments received from United Utilities.

Publicity in connection with 12/62701/EIAHYB

Site Notice: Non HH Affecting public right of way

Reason: Article 13 affect public right of way

Site Notice: Accompanied by Environmental Statement

Reason: Planning application with Environmental Impact Assessment

Press Advert: Salford Advertiser Date Published: 28 February 2013

Reason: Planning application with Environmental Impact Assessment

Press Advert: Salford Advertiser Date Published: 21 February 2013

Reason: Article 13 Affect Public right of Way

Article 13 Standard Press Notice

Neighbour Notification in connection with 12/62701/EIAHYB

A total of 260 neighbouring occupiers were notified of the two applications.

Representations in connection with 12/62701/EIAHYB

One letter of representation has been received in response to the application publicity. The issues raised are summarised below:

Consideration to be given to the following:

- sufficient signage be erected to encourage traffic to adopt the routes away from built up pedestrian housed areas;
- weight limit be put on the A57 road
- additional speed cameras to reduce speed of the increased traffic / or to visibly decrease the width of the road by including a new cycle lane / or even traffic calming measures.

Relevant Site History

03/47344/EIAHYB - 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 Saltey 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) - Approve - 16 July 2009

12/61611/EIAHYB - Application to vary or remove a number of conditions attached to planning permission 03/47344/EIAHYB for a multi-modal freight interchange comprising rail served distribution warehousing, rail link and sidings, inter-modal and ancillary facilities including a canal quay and berths, vehicle parking, hardstanding, landscaping, re-routing of Saltey 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) - Approve - 5 July 2012

12/61631/EIA - Construction of a highway in connection with the re-alignment of the Western Gateway Infrastructure Scheme (WGIS) and planning application 12/61611/EIAHYB. - Approve - 5 July 2012

Consultations

PSSC Canal And River Trust - No comments to make.

County Bird Recorder - No comments received to date

Department For Environment Food And Rural Affairs - No comments received to date

Environment Agency - We can confirm that we have no objection to the variation of condition 4 and no further comments to make.

Greater Manchester Archaeological Advisory Service - no comments relating to this further amendment.

Greater Manchester Ecological Unit - no objections.

The Greater Manchester Pedestrian Assoc. - No comments received to date

Transport For Greater Manchester (TfGM) - The proposed highway realignment as shown on drawings SK39 and SK40 does not preclude the construction and operation of future Metrolink in this area. TfGM request that diverted public footpath Eccles No. 3 shown on drawing number NTH/2058/05-100 rev P11 is diverted out of the future Metrolink corridor, on the delivery of Metrolink in this area.

The Highways Agency - No objections

Lancashire Aero Club - No comments received to date

Lancashire Wildlife Trust - No comments received to date

Manchester Port Health Authority - No comments received to date

Manchester Ship Canal Company - No comments received to date

National Planning Casework Unit - No comments received to date

The Open Spaces Society - No comments received to date

Peak and Northern Footpaths Society - No comments received to date

Ramblers Association Manchester Area - No comments received to date

Network Rail (LNW) - fully support application.

Red Rose Forest - No comments received to date

Trafford M B C - No comments received to date

United Utilities - Developer Services & Planning – No objections subject to an amendment to the drainage condition (no 16) to ensure that any submitted drainage scheme does not include surface water that discharges to either the foul or combined sewerage systems.

Urban Vision Environment (Air And Noise) - As there are no new noise issues or air quality issues to consider with the proposed road realignment I have no comment to make.

Urban Vision Environment (Land Contamination) - no further comments to make on the application.

Warrington M B C - No comments received to date

Senior Engineer Flood Risk Management - satisfied that the change of layout of the proposed highway will not increase the flood risk to the site. I have no objections to the proposed change and the existing conditions should remain

Highways – the proposal improves waiting times at the junction with the A57 and the Community Stadium and allows for full pedestrian and cycle access which is an improvement on the extant permissions. Other alterations to the design and alignment are considered to be minor.

Planning Policy

Development Plan Policy

Unitary Development Plan E1 - Strategic Regional Site, Barton

This policy states that one, or a combination of any two of the following types of development will be permitted on the Barton Strategic Regional Site:

- A) A mix of light and general industry, warehouse and distribution, and ancillary offices and other uses;
- B) A multi-modal freight interchange, incorporating rail and water based freight handling facilities, and a rail link to the Manchester-Newton-le Willow- Liverpool railway line
- C) A sports stadium for Salford City Reds with a maximum capacity of 20,000 spectators, and appropriate enabling development.

Proposals must i) make an appropriate contribution towards road and services infrastructure ii) secure improvements to public transport iii) minimise adverse impact on visual amenity, views and vista in the area; enhance the Liverpool Road corridor; v) maintain nature conservation interest of the site vi) have no unacceptable impact on local environmental quality vii) maintain the flood alleviation capabilities of Salteye Brook; viii) provide for a strategic route alongside the Manchester Ship Canal; ix) make appropriate provision for the training and employment of local residents during construction and operational phases.

Unitary Development Plan ST5 - Transport Networks

This policy states that transport networks will be maintained and improved through a combination of measures including the extension of the network of pedestrian and cycling routes; the expansion and improvement of the public transport system and the enhancement of support facilities; the maintenance and improvement of the highway network; the provision of new road infrastructure where this will support the city's economic regeneration; requiring development proposals, highway improvement schemes and traffic management measures to make adequate provision for the needs of the disabled, pedestrians and cyclists, and, wherever appropriate, maximise the use of public transport; and the protection and enhancement of rail and water-based infrastructure to support the movement of freight and passengers.

Unitary Development Plan ST13 - Natural Environments Assets

This policy states that development that would result in an unacceptable impact on any of the city's natural environmental assets will not be permitted.

Unitary Development Plan ST14 - Global Environmental

This policy states that development will be required to minimise its impact on the global environment. Major development proposals will be required to demonstrate how they will minimise greenhouse gas emissions.

Unitary Development Plan DES2 - Circulation and Movement

This policy states that the design and layout of new development will be required to be fully accessible to all people, maximise the movement of pedestrians and cyclists through and around the site safely, be well related to public transport and local amenities and minimise potential conflicts between pedestrians, cyclists and other road users.

Unitary Development Plan DES6 - Waterside Development

This policy states that all new development adjacent to the Manchester Ship Canal will be required to facilitate pedestrian access to, along and, where appropriate, across the waterway. Schemes should incorporate a waterside walkway with pedestrian links between the walkway and other key pedestrian routes and incorporate ground floor uses and public space that generate pedestrian activity. Where it is inappropriate to provide a waterside walkway, an alternative route shall be provided. Development should protect, improve or provide wildlife habitats; conserve and complement any historic features; maintain and enhance waterside safety; and not affect the maintenance or integrity of the waterway or flood defences. All built development will face onto the water, and incorporate entrances onto the waterfront; be of the highest standard of design; be of a scale sufficient to frame the edge of the waterside; and enhance views from, of, across and along the waterway, and provide visual links to the waterside from surrounding areas.

Unitary Development Plan DES1 - Respecting Context

This policy states that development will be required to respond to its physical context and respect the positive character of the local area in which it is situated and contribute towards a local identity and distinctiveness.

Unitary Development Plan DES9 - Landscaping

This policy states that hard and soft landscaping should be provided where appropriate that is of a high quality and would enhance the design of the development, not detract from the safety and security of the area and would enhance the attractiveness and character of the built environment.

Unitary Development Plan DES10 - Design and Crime

This policy states that developments must be designed to discourage crime, antisocial behaviour, and the fear of crime. Development should i) be clearly delineated ii) allow natural surveillance iii) avoid places of concealment iv) encourage activity within public areas.

Unitary Development Plan A2 - Cyclists, Pedestrians and the Disabled

This policy states that development proposals, road improvement schemes and traffic management measures will be required to make adequate provision for safe and convenient access by the disabled, other people with limited or impaired mobility, pedestrians and cyclists

Unitary Development Plan A3 - Metrolink

This policy states that extensions or improvements to the Metrolink system will be permitted, where they are consistent with regeneration objectives and other policies and proposals of the UDP. Identified routes are subject to further investigation in conjunction with GMPTE and, where appropriate, the Highways Agency, the Strategic Rail Authority, Network Rail and adjoining local authorities.

Unitary Development Plan A9 - Provision of New Highways

This policy states that planning permission will be granted for:

1. The Broadway Link;
2. A57 Trafford Park link road through the Barton Strategic Regional Site

Development of the A57 Trafford Park link road will be permitted where i) development will have no unacceptable impact on the capacity of the highway network, or prevent the release of sites allocated for development ii) the necessary road improvements are made to manage the resultant traffic flows.

Development of a link road between the A57 and the M62 at Barton will be considered positively where:

- i) it is constructed in conjunction with the development of the Barton Strategic Regional Site
- ii) the benefits outweigh the harm to the Green Belt through:
 - enhancing the economic potential of the site; and
 - maximising freight transport by sustainable means
- iii) improving traffic safety and congestion locally.

Schemes should incorporate adequate bus, pedestrian and cyclist provision.

Unitary Development Plan A10 - Provision of Car, Cycle, Motorcycle Park

This policy states that there should be adequate provision for disabled drivers, cyclists and motorcyclists, in accordance with the Council's minimum standards; maximum car parking standards should not be exceeded; and parking facilities should be provided consistent with the provision and maintenance of adequate standards of safety and security.

Unitary Development Plan A14 - Barton Aerodrome

This policy states that development close to the Barton Aerodrome that is incompatible with any existing or potential aviation operation will not be permitted.

Unitary Development Plan EN11 - Mosslands

This policy states that development on land that cannot practicably be restored to lowland raised bog habitat will be permitted provided it would not prevent the restoration of other land to that habitat. The overall nature conservation interest of the Mosslands will be maintained.

Unitary Development Plan EN17 - Pollution Control

This policy states that in areas where existing levels of pollution exceed local or national standards, planning permission will only be granted where the development incorporates adequate measures to ensure that there is no unacceptable risk or nuisance to occupiers, and that they are provided with an appropriate and satisfactory level of amenity.

Unitary Development Plan EN18 - Protection of Water Courses

This policy states that development will not be permitted where it would have an unacceptable impact on surface or ground water.

Unitary Development Plan EN19 - Flood Risk and Surface Water

This policy states that any application for development that it is considered likely to be at risk of flooding or increase the risk of flooding elsewhere will need to be accompanied by a formal flood risk assessment. It should identify mitigation or other measures to be incorporated into the development or undertaking on other land, which are designed to reduce that risk of flooding to an acceptable level.

Unitary Development Plan EN23 - Environmental Improvement Corridors

This policy states that development along any of the city's major road, rail and water corridors will be required to preserve, or make a positive contribution to the corridor's environment and appearance.

Unitary Development Plan CH2 - Dev. Affecting Setting of Listed Buildin

This policy states that development will not be granted that would have an unacceptable impact on the setting of any listed building.

Unitary Development Plan R1 - Protection of Recreation Land Facilities

This policy states the development of existing Recreation Land and facilities will not be permitted unless: i. the development is for recreation purposes that would contribute to the continued recreation use of the site; ii. adequate replacement provision, of equivalent or better accessibility, community benefit and management is made in a suitable location; iii. it has been clearly demonstrated that the site is surplus to recreational requirements; iv. the development is ancillary to the principal use of the site.

Unitary Development Plan R5 - Countryside Access Network

This policy states that planning permission will not be granted for development that would result in the permanent obstruction or closure of any part of the Countryside Access Network, unless an alternative route is provided that is equally attractive and convenient. New development that is proposed on a site needed for the provision of a new route or link as part of the Countryside Access Network will be required to incorporate that route/link as part of the development.

Other Material Planning Considerations

National Planning Policy

National Planning Policy Framework

Local Planning Policy

Supplementary Planning Document - Design

This document reflects the need to design in a way that allows the city to support its population socially and economically, working with and inviting those affected into an inclusive decision making process. Equally, development must contribute to the creation of an environmentally sustainable city supporting the natural environment minimising the effects of, and being more adaptable to, the potential impact of climate change.

Supplementary Planning Document - Trees and Development

The policy document has been prepared to give information to all those involved in the development process about the standard that the Local Planning Authority requires for new development proposals with specific reference to the retention and protection of trees.

Supplementary Planning Document - Design and Crime

This policy document contains a number of policies used to assess and determine planning applications and is intended as a guide in designing out crime.

It is not considered that there are any local finance considerations that are material to the application

Appraisal

Members will be aware that the approval of a Section 73 application grants a new planning permission in its own right. In terms of decision making regard should be had to any changes on site or in the surrounding area and any changes to planning policy.

No significant changes to the site or surrounding area have been made since July 2012. The 2012 applications were approved having regard to the adopted UDP, Regional Spatial Strategy (RSS) (which has now been revoked), the National Planning Policy Framework and various Supplementary Planning Documents all of which are still part of the development plan.

Members will be aware of the ability for an applicant to seek to remove or vary conditions. In coming to a view on such applications; and indeed in considering whether to attach a planning condition to any planning permission; the Local Planning Authority must be mindful of advice contained within Circular 11/95: Use of conditions in planning permission. Paragraph 10 of this circular refers to the need to assess whether a planning permission should be approved with planning conditions and advises that reasons for conditions must be given.

Principle of Development

The principle of development has been established through the following extant permissions, 03/47344/EIAHYB, 12/61611/EIAHYB and 12/61631/EIA. There have been no relevant changes to the development plan, save for the revocation of the Regional Spatial Strategy. The principle of development is still considered to be acceptable.

Environmental Impacts of the Proposed Re-alignment

An environmental statement (ES) addendum was submitted with the applications to specifically appraise the impact of the proposed re-alignment on the environment. The ES addendum dealt with all the original topic areas as the original application. The submitted addendum concluded that the proposed re-alignment would not give rise to any additional environment effects from those identified and dealt with in the original application and the 2012 ES addendum in the following topic areas:

- Ground Engineering and Construction
- Water Quality
- Traffic and Transportation
- Air Quality
- Noise and Vibration
- Nature Conservation
- Landscape and Visual Amenity
- Heritage Features
- Agricultural Land Quality
- Socio Economic Assessment
- Hazard and Risk
- Archaeology

The impact of the proposal on the environment was assessed thoroughly in the originally submitted Environmental Statement and the subsequent addendums. The appropriate consultations have taken place and the original planning conditions, although worded slightly differently would be attached to any new permission to ensure that mitigation of any environmental impacts would still be required.

Impact of the Proposed Development on the Highway

NPPF paragraph 32 states that Transport Assessments should be prepared for all developments that generate significant amounts of traffic. The Transport Assessment should identify opportunities for sustainable transport

modes; ensure that safe and suitable access to the site can be achieved for all people; and that improvements to the highway network are provided that would limit any significant impacts of the development. NPPF states that, “development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

In support of the previous applications transport modeling work was submitted and approved. The work completed in support of these applications has developed the modeling work and the design of the current proposal. Refinement of the design and rigorous analysis has developed the layout so that the proposed signal junction at A57/ City of Salford Stadium Access / WGIS is predicted to operate with less delays/queuing time to traffic than those plans previously approved.

The following table shows the Practical Reserve Capacity (PRC) for the above junction. The PRC is related to the degree of saturation of a traffic signal junction. A positive PRC indicates that a junction has spare capacity and is operating with minimal queuing. A negative PRC indicates that the junction is over capacity and will have traffic queues and delay.

Junction	Practical Reserve Capacity			
	2012 approved Part WGIS*	This application Part WGIS	2012 approved Full WGIS*	This application Full WGIS
AM Peak	-19.3%	6.7%	-4.3%	20.7%
PM Peak	-29.0%	-8.1%	-40.2%	1.3%
PM Peak (With stadium)	-77.7%	-47.7%	-118.2%	-22.9%

With regard to the modeling work submitted in support of this application, it should be noted that the Part WGIS scheme does operate slightly over capacity but the Full WGIS scheme is then within capacity. All time periods tested with this proposed design operate better than the design approved previously.

The table shows delays with the City of Salford Stadium access being used throughout the PM period. In reality this will not happen on a daily basis only when there is an event occurring at the Stadium, as is the current situation.

The proposed amendment to the carriageway under Barton Bridge has no impact on the highway capacity or surrounding roads.

The proposal would improve the signalised junction with the A57 / Stadium and WGIS and would therefore have less of an impact on the highway than the extant permission as such the proposed amendments to the scheme are considered to be acceptable.

The representation received suggests a number of measure that could be put in place to ensure that the majority of traffic would use the new road rather than the existing A57. The suggestions, if necessary would be implemented by the Highways Authority rather than the applicant.

Impact on Future Metrolink / Port and Rail

The proposed development would not have an impact or fetter the aspiration of continuing Metrolink through this area. Transport for Greater Manchester have been consulted on the scheme and have come to the view that the proposal does not preclude the construction and operation of future Metrolink in this area.

The proposed road design would still incorporate the rail and brook bridges as approved in planning permissions 12/61611/EIAHYB and 12/61631/EIA. This proposed alignment does not affect any other part of the overall port development including the railway line and sidings.

Drainage

In order to comply with the drainage conditions attached to both applications (condition 16 of 12/62701/EIAHYB and condition 7 of 13/62779/EIA), SuDS features are to be installed. During detailed design of the highway, it became apparent that various features were required so that the discharge into the Saltey Brook was not increased. This has resulted in several attenuation features along the length of the route. There would still be an attenuation feature in a similar location to that shown on the original drawing but this has would be redesigned to allow for both a simpler construction of Full WGIS and installation of the United Utilities outfall from Eccles Waste Water Treatment Works. The detailed design of the drainage scheme is still being discussed with the relevant parties and the detailed information is required to be submitted as per the above conditions. United Utilities have commented on these application and have no objections subject to the drainage conditions being amended to ensure that no surface water is discharged to the public foul or combined sewerage system. This additional wording has been incorporated into the conditions.

Planning Obligation

As with the original planning permission the applicant is required to pay the original sum of £30,000 for the purposes of monitoring air quality in the vicinity of the site is contained with the legal agreement. It is the intention of the applicant to pay this money prior to the issuing of planning permission rather than to enter in to a new legal agreement.

Conclusions

There are no significant environmental effects arising from the proposed changes to the approved scheme. The proposal would improve the capacity of the A57 / Community Stadium junction therefore reducing waiting times once the scheme is built. The proposals would not compromise the aims and objectives of all relevant national policies and local policies, and there are no material planning considerations that would justify a refusal of permission. This application, if approved would grant a new planning permission for the site. As such, the previous conditions have been recommended albeit amended to reflect that work has begun on site.

Recommendation

Grant planning permission subject to the following conditions. Issue the decision upon payment of the S106 monies relating to the provision of funding toward air quality monitoring equipment.

Approve

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

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

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

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

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

- A Design Statement;

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

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

- Full details of the existing and proposed ground levels.

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

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

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

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

5110828/BR/001 B - New rail Bridge Over A57 and New Salteye Brook Bridge General Arrangements;
00100098/1 - Extent of Archaeological Investigation.
M08098-A-180 Rev B - Part WGIS (Revised Plan A);
M05013-A-033 Rev G - WGIS: Proposed Infrastructure Plan C;
NTH/2058/01-100 Rev P6 - A57 Barton Aerodrome Access and WGIS Tie In General Arrangement;
NTH/2058/02-100 Rev P10 - Salford Stadium Junction General Arrangement;
NTH/2058/03-100 Rev P3 - A57 Realignment General Arrangement;
NTH/2058/04-100 Rev P6 - Junction East and West of M60 General Arrangement;
NTH/2058/05-100 Rev P11 - Manchester Ship Canal Crossing General Arrangement;
NTH/2058/13-100 Rev P9 - M60 Junction 11 General Arrangement.

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

5. Within 3 months from the date of this permission a Phasing Plan for the entire development shall be submitted for the written approval of the Local Planning Authority.

No work on each phase of development shall commence until a Construction Programme relating to that phase has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission, the Construction Programme shall include the following details;

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

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

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

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

6. No work on each phase of development shall commence until a construction working method statement relating to that phase has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission.

The works shall be carried out in accordance with the approved working method statement. The statement shall include a scheme to minimise the control of dust (including all aspects of the site preparation and construction phase where the generation of dust is feasible and identify control measures to mitigate the generation of dust. The statement shall contain recommendations for measures to adequately control the generation of dust on the site including the access and egress of vehicles on and off the site), details of the provision and use of on-site parking for all vehicles using the site, a signage scheme for construction traffic, wheel cleaning procedures and facilities and proposed hours for the delivery of materials and delivery and collection of equipment.

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

7. The Port Salford / WGIS Highway Design Group shall continue to meet at the frequency agreed by all parties attending the meetings.

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

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

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

9. No part of the development hereby permitted shall be brought into use 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) (M8098-A-180 Rev B) have been submitted to and approved in writing by the Local Planning Authority
 - b) A scheme for the periods of closure to vehicular traffic of the proposed additional crossing of the Ship Canal set out in Plan A has been submitted to and approved in writing by the Local Planning Authority.
 - c) 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 submitted to and approved in writing by the Local Planning Authority.

Reason

a) To maintain the safe and reliable operation of the Strategic Road Network.

b) To ensure that 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

c) To ensure that 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. The developer shall have regard to Informative 11 below.

10. No permanent building erected pursuant to this planning permission shall be occupied unless and until:
- a) details of the proposed rail linkages linking this site to the national rail network have been submitted to and approved in writing by the local planning authority and the works have been implemented in accordance with the approved details;
 - b) The highway works approved under Condition 9(a) (Part WGIS) have been implemented in accordance with the approved details.

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

a) To ensure this proposed multi-modal development has access to the rail network to help realise the benefits of freight transfer away from the SRN.

b) To ensure the safe and reliable operation of the M60 as part of the SRN.

11. No development of the Rail Link Warehousing beyond a maximum figure of 77,250 sq.m and the full Multi Modal Terminal pursuant to this planning permission, shall be commenced unless and until:
- a. the detailed design, construction details and traffic management details broadly in accordance with the highway works set out in Plan C (Full WGIS) have been approved by the Local Planning Authority in consultation with the Highways Agency;

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

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

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

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

d) As b) above.

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

The developer shall have regard to Informative 12 below.

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

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

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

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

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

The developer shall have regard to Informative 13 below.

14. No building shall be occupied or any commercial use of the site commence until the circulation, movement, highway improvements and associated works for that phase of development have been completed in accordance with the approved details and relevant conditions attached to this planning consent. This shall include details of the full design and construction details of the required new junction onto the A57 Liverpool Road as shown on the following submitted plans and such details have been first agreed in writing by the Local Planning Authority

NTH/2058/01-100 Rev P6 - A57 Barton Aerodrome Access and WGIS Tie In General Arrangement;
NTH/2058/02-100 Rev P10 - Salford Stadium Junction General Arrangement;
NTH/2058/03-100 Rev P3 - A57 Realignment General Arrangement.

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

15. The road bridge across the Manchester Ship Canal shall be constructed in accordance with details submitted to and approved in writing by the Local Planning Authority prior to commencement of its construction. This shall include elevational and sectional drawings at a scale not less than 1:500, materials and colour treatments. The construction of the bridge shall be carried out in accordance with the approved details.

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

16. Within 3 months from the date of this permission an overall drainage strategy for the disposal of foul and surface waters and a detailed drainage scheme for the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B shall be submitted to the Local Planning Authority for written approval. A detailed drainage scheme relating to each remaining phase of development shall accord with the overall strategy and be agreed in writing by the Local Planning Authority prior to commencement of development of that phase. The 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) and should ensure that no surface water shall discharge to the public foul or combine sewerage system. The approved detailed scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

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

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

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

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

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

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

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

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

20. No work on each phase of development shall commence until a noise and vibration management and monitoring plan has been submitted to and approved in writing by the Local Planning Authority with the

exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission. The submitted management and monitoring plan shall include any piling operations and have been discussed with the Port Salford Noise and Vibration Steering Group (which shall meet with, as a minimum, representatives of the two local authorities (Salford and Trafford), community representatives and Ward Members) and submitted to and approved in writing by the Local Planning Authority. The plan shall have regard to the recommendations contained within BS5228. All approved measures identified within the Plan shall be implemented and maintained throughout the duration of the works they mitigate during the construction phase.

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

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

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

21. No work on any phase of the Western Gateway Infrastructure Scheme shall commence until a Noise Assessment Scheme relating to the control of noise of the Western Gateway Infrastructure scheme has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission. The Noise Assessment 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) prior to submission. The assessment shall identify mitigation measures, which might include barriers, for the control of noise from the Western Gateway Infrastructure Scheme. The measures shall be installed in accordance with the noise assessment scheme as approved and maintained at all times.

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

22. A noise and vibration management and monitoring Plan relating to the control of noise and vibration from the operation of the Port Salford development in total (other than highway works but including the rail link, sidings and on site marshalling activities) shall be discussed with the Port Salford Noise and Vibration Steering Group (which shall meet with, as a minimum, representatives of the two local authorities (Salford and Trafford), community representatives and Ward Members) and submitted to and approved in writing by the Local Planning Authority (LPA). The Plan shall include an implementation programme and shall be implemented in accordance with that timetable and maintained at all times.

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

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

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

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

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

23. No work on each phase of development shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission.

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

a) risks to human health; and

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

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

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

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

24. Any imported materials, soil or soil forming materials brought onto site for use in soft landscaping areas, 'filling' or construction shall be tested for contamination and suitability for use on site. Proposals for

contamination testing shall be submitted to, and approved by the Local Planning Authority in advance of any imported materials being brought onto the site. The development shall proceed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

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

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

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

26. No work on each phase of development shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission.

Details of the measures to protect and safeguard the retained trees and hedgerows within that phase. The agreed measures shall be implemented prior to the commencement of any site works within that phase and remain for the duration of the construction phase unless otherwise agreed in writing. The removal of the protection measures shall not take place until it has been agreed in writing with the Local Planning Authority.

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

27. No work on each phase of development shall commence until a landscape scheme relating to that phase has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission. Such a scheme shall include full details of trees and shrubs to be planted, walls, fences, boundary and surface treatment and shall be carried out within in accordance with an agreed timetable for that particular phase. Any trees or shrubs dying within five years of planting shall be replaced with the same species within twelve months.

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

28. Prior to the construction of the rail link north of the A57 an ecological mitigation strategy for the Mossland Triangle, (land enclosed by the main rail line and the connecting spurs), including an implementation and maintenance strategy with dates for completion shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation strategy shall be implemented in accordance with the agreed completion timetable.

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

29. Within 3 months from the date of this permission an implementation and maintenance strategy for the ecological mitigation to Saltey Brook as set out in Volume II of the Environmental Statement (and subsequent addenda) shall be submitted to and approved in writing by the Local Planning Authority. The submitted strategy should include a plan showing the extent of any intended buffer zone between the Brook and the active construction zone where part of the implementation and maintenance strategy would apply, phasing and details of responsible parties for implementation and maintenance. The strategy shall be implemented in accordance with the approved details.

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

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

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

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

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

32. No work on each phase of development shall commence until a Security and Crime Prevention Strategy including details of all physical security measures has been submitted to and approved in writing with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission.

For the avoidance of doubt this shall include all fencing positions, heights, design, materials and colour treatment; provision of CCTV; vehicle and pedestrian access gates and barriers; access controls, site management and liaison with the relevant police authorities. The development shall be carried out in accordance with the approved details.

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

33. No work on each phase of development shall commence until scheme for targeting and utilising local people for construction and post construction employment has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission. The scheme shall be implemented in accordance with the approved details.

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

34. Within 3 months from the date of this permission the following information shall be submitted to and approved in writing by the Local Planning Authority in respect of the areas defined on the submitted Extent of Archaeological Drawing No: 00100098/1 dated 04.05.12:

1. A programme for post investigation assessment to include:
 - analysis of the site investigation records and finds;

- production of a final report.

2. Provision for analysis of the site investigation and recording, and production of a final report on the significance of the archaeological interest represented.
3. Provision for publication and dissemination of the analysis and report upon the site investigation.
4. Provision for achieve deposition of the report and records of the site investigation.
5. Nomination of a competent person or persons / organisation to undertake the work set out within the approved Wintertree Software Inc..

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

35. No work on each phase of development shall commence until a survey to identify the existence of invasive plants has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission. The survey shall include invasive plants (as listed in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended)) and be carried out between April to September. The results of the survey shall be submitted along with any necessary mitigation measures, including the method and timescales for the eradication and disposal of any identified invasive plants. The eradication and disposal shall be undertaken in accordance with the approved measures and timescales.

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

Statement of conformity with Article 31 of The Town and Country Planning (Development Management Procedure) (England) Order 2010

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 Paragraphs 186-187 of the NPPF.

Notes to Applicant

1. 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.
2. No vegetation clearance required by the scheme should be undertaken during the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by an ecologist. It is an offence to disturb any protected species except in accordance with an approved scheme and the appropriate licenses.
3. The submission of reserved matters relate only to those aspects applied for in outline (i.e., the buildings and their surrounds). The rail link, MMFI or WGIS elements were submitted in full and the submissions of reserved matters for these elements are not therefore required.
4. 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

5. 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.

6. 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.

7. 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.

8. 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.
9. 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.
10. Salt Eye Brook is designated "Main River" and is subject to Byelaw Control. In particular, no works may take place within 8 metres from the bank top of the watercourse without the prior consent of the Agency. Consent is also required under the Water Resources Act 1991, for any works on, over or within the channel of the watercourse, including construction of surface water outfalls.

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

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

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

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

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

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

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

Appendix 1 – Existing and Proposed Conditions

ORIGINAL CONDITION 1 – not amended

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

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

ORIGINAL CONDITION 2 – not amended

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

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

ORIGINAL CONDITION 3 – not amended

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

- A Design Statement;

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

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

- Full details of the existing and proposed ground levels.

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

ORIGINAL CONDITION 4

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

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

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

M08098-A- 88 B - WGIS A57 Realignment Planning Application General Arrangement;
M08098-A-89 B WGIS A57 Realignment Planning Application Red Line Plan;
M08098-A-90 A - Proposed Balancing Lagoon;
M08098-A-094 A - Salteye Brook Bridge to Balancing Lagoon Plan and Cross Sections;
5110828/BR/001 B - New rail Bridge Over A57 and New Salteye Brook Bridge General Arrangements;
00100098/1 - Extent of Archaeological Investigation.

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

PROPOSED CONDITION 4 – amended to include details of the submitted approved plans and Environmental Statement

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

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

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

5110828/BR/001 B - New rail Bridge Over A57 and New Salteye Brook Bridge General Arrangements;
00100098/1 - Extent of Archaeological Investigation.
M08098-A-180 Rev B - Part WGIS (Revised Plan A);
M05013-A-033 Rev G - WGIS: Proposed Infrastructure Plan C;
NTH/2058/01-100 Rev P6 - A57 Barton Aerodrome Access and WGIS Tie In General Arrangement;
NTH/2058/02-100 Rev P10 - Salford Stadium Junction General Arrangement;
NTH/2058/03-100 Rev P3 - A57 Realignment General Arrangement;
NTH/2058/04-100 Rev P6 - Junction East and West of M60 General Arrangement;
NTH/2058/05-100 Rev P11 - Manchester Ship Canal Crossing General Arrangement;
NTH/2058/13-100 Rev P9 - M60 Junction 11 General Arrangement.

ORIGINAL CONDITION 5

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

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

- i. Site by site construction work, commencement and completion dates;
- ii. Landscaping (including the specification of the planting season);
- iii. Highway and drainage works on an area by area basis;

- iv. Information on public transport accessibility;
- v. Access for vehicles and pedestrians;
- vi. Servicing;
- vii. Access arrangements for new premises.
- viii. Details of the location and layout of the site compound(s) for each part of the site;
- ix. A monitoring and review programme.

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

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

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

PROPOSED CONDITION 5 – amended to reflect that development has begun on site.

5. Within 3 months from the date of this permission a Phasing Plan for the entire development shall be submitted for the written approval of the Local Planning Authority.

No work on each phase of development shall commence until a Construction Programme relating to that phase has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission, the Construction Programme shall include the following details;

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

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

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

ORIGINAL CONDITION 6

6. No work on each phase of development shall commence until a construction working method statement relating to that phase has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved working method statement. The statement

shall include a scheme to minimise the control of dust (including all aspects of the site preparation and construction phase where the generation of dust is feasible and identify control measures to mitigate the generation of dust. The statement shall contain recommendations for measures to adequately control the generation of dust on the site including the access and egress of vehicles on and off the site), details of the provision and use of on-site parking for all vehicles using the site, a signage scheme for construction traffic, wheel cleaning procedures and facilities and proposed hours for the delivery of materials and delivery and collection of equipment.

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

PROPOSED CONDITION 6 – amended to reflect that development has begun on site.

6. No work on each phase of development shall commence until a construction working method statement relating to that phase has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission.

The works shall be carried out in accordance with the approved working method statement. The statement shall include a scheme to minimise the control of dust (including all aspects of the site preparation and construction phase where the generation of dust is feasible and identify control measures to mitigate the generation of dust. The statement shall contain recommendations for measures to adequately control the generation of dust on the site including the access and egress of vehicles on and off the site), details of the provision and use of on-site parking for all vehicles using the site, a signage scheme for construction traffic, wheel cleaning procedures and facilities and proposed hours for the delivery of materials and delivery and collection of equipment.

ORIGINAL CONDITION 7

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

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

PROPOSED CONDITION 7 – amended to reflect that first meeting has taken place

7. The Port Salford / WGIS Highway Design Group shall continue to meet at the frequency agreed by all parties attending the meetings.

ORIGINAL CONDITION 8

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

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

PROPOSED CONDITION 8 – amended to reflect that development has begun on site.

8. Within 3 months from the date of this 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.

ORIGINAL CONDITION 9

9. No construction of permanent buildings pursuant to this planning beyond site remediation measures, shall be commenced unless and until;
- a) The detailed design, construction details and traffic management details broadly in accordance with the highway works set out in Plan A (Part WG1S) 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 WG1S) being closed to vehicular traffic has been agreed.
 - f) The necessary Transport and Street Works Act order or orders (should such orders be necessary) required to implement the rail connection to the development have been confirmed.

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

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

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

d) As c) above.

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

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

PROPOSED CONDITION 9 – amended to remove references to statutory orders falling outside the planning process – AWAITING AGREEMENT FROM HA

9. No part of the development hereby permitted shall be brought into use 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) (M8098-A-180 Rev B) have been submitted to and approved in writing by the Local Planning Authority
 - b) A scheme for the periods of closure to vehicular traffic of the proposed additional crossing of the Ship Canal set out in Plan A has been submitted to and approved in writing by the Local Planning Authority.
 - c) 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 submitted to and approved in writing by the Local Planning Authority.

Reason

- a) *To maintain the safe and reliable operation of the Strategic Road Network.*
- b) *To ensure that 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*
- c) *To ensure that 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.*

ORIGINAL CONDITION 10

10. No development pursuant to this planning approval shall be occupied unless and until:
- a) The rail linkages as set out in Plan B linking the site to the national rail network have been implemented and are operating;
 - b) The highway works as agreed in Condition 9(a) (Part WGIS) are fully implemented to the satisfaction of the local planning authority in consultation with the Highways Agency.

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

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

PROPOSED CONDITION 10– amended to ensure that the rail link is in situ without referring to a plan reference - AWAITING AGREEMENT FROM HA

10. No permanent building erected pursuant to this planning permission shall be occupied unless and until:
- a) details of the proposed rail linkages linking this site to the national rail network have been submitted to and approved in writing by the local planning authority and the works have been implemented in accordance with the approved details;
 - b) The highway works approved under Condition 9(a) (Part WGIS) have been implemented in accordance with the approved details.

ORIGINAL CONDITION 11 – not amended

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

a. the detailed design, construction details and traffic management details broadly in accordance with the highway works set out in Plan C (Full WGIS) have been approved by the Local Planning Authority in consultation with the Highways Agency;

b. The highways orders necessary under the Highways Act 1980 required for the mitigating highways works as identified in Plan C namely:

- i. the closure of the M60 Junction 11 southbound on slip;
 - ii. the closure of the M60 Junction 11 northbound off slip;
 - iii. the closure of the M60 Junction 11 southbound off slip;
- have been confirmed;

c. agreement of the periods of closure to vehicular traffic of the proposed additional crossing of the Ship Canal set out in Plan C has been reached with the Local Planning Authority in consultation with the Highways Agency;

d. The necessary harbour revision orders, (should such an order be necessary) under the Harbours Act (or such other necessary Act) to limit the navigable rights of way of water based traffic passing along the MSC through the proposed additional crossing shown in Plan C (as part of Full WGIS) to the times specified in 11(c) above have been confirmed;

e. Details of a traffic management and advanced driver information strategy to inform drivers and the Highways Agency's Regional Control Centre (RCC) of the occurrence of the swing bridge shown on Plan C being closed to vehicular traffic has been agreed.

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

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

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

d) As b) above.

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

The developer shall have regard to Informative 12 below.

ORIGINAL CONDITION 12 – not amended

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

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

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

ORIGINAL CONDITION 13 – not amended

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

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

The developer shall have regard to Informative 13 below.

ORIGINAL CONDITION 14

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

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

PROPOSED CONDITION 14 – amended to refer to current plan reference

14. No building shall be occupied or any commercial use of the site commence until the circulation, movement, highway improvements and associated works for that phase of development have been completed in accordance with the approved details and relevant conditions attached to this planning consent. This shall include details of the full design and construction details of the required new junction onto the A57 Liverpool Road as shown on the following submitted plans and such details have been first agreed in writing by the Local Planning Authority

NTH/2058/01-100 Rev P6 - A57 Barton Aerodrome Access and WGIS Tie In General Arrangement;
NTH/2058/02-100 Rev P10 - Salford Stadium Junction General Arrangement;
NTH/2058/03-100 Rev P3 - A57 Realignment General Arrangement.

ORIGINAL CONDITION 15

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

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

PROPOSED CONDITION 15 – amended to remove reference to 1:50 plans and replace with 1:500 plans

15. The road bridge across the Manchester Ship Canal shall be constructed in accordance with details submitted to and approved in writing by the Local Planning Authority prior to commencement of its construction. This shall include elevational and sectional drawings at a scale not less than 1:500, materials and colour treatments. The construction of the bridge shall be carried out in accordance with the approved details.

ORIGINAL CONDITION 16

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

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

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

PROPOSED CONDITION 16 – amended to reflect work commencing in site and incorporating United Utilities consultation response.

16. Within 3 months from the date of this permission an overall drainage strategy for the disposal of foul and surface waters and a detailed drainage scheme for the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B shall be submitted to the Local Planning Authority for written approval. A detailed drainage scheme relating to each remaining phase of development shall accord with the overall strategy and be agreed in writing by the Local Planning Authority prior to commencement of development of that phase. The 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) and should ensure that no surface water shall discharge to the public foul or combine sewerage system. The approved detailed scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

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

ORIGINAL CONDITION 17 – not amended

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

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

ORIGINAL CONDITION 18 – not amended

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

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

ORIGINAL CONDITION 19 – not amended

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

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

ORIGINAL CONDITION 20

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

approved measures identified within the Plan shall be implemented and maintained throughout the duration of the works they mitigate during the construction phase.

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

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

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

PROPOSED CONDITION 20 – amended to reflect that development has begun on site.

20. No work on each phase of development shall commence until a noise and vibration management and monitoring plan has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission. The submitted management and monitoring plan shall include any piling operations and have been discussed with the Port Salford Noise and Vibration Steering Group (which shall meet with, as a minimum, representatives of the two local authorities (Salford and Trafford), community representatives and Ward Members) and submitted to and approved in writing by the Local Planning Authority. The plan shall have regard to the recommendations contained within BS5228. All approved measures identified within the Plan shall be implemented and maintained throughout the duration of the works they mitigate during the construction phase.

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

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

ORIGINAL CONDITION 21

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

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

PROPOSED CONDITION 21 – amended to reflect that development has begun on site.

21. No work on any phase of the Western Gateway Infrastructure Scheme shall commence until a Noise Assessment Scheme relating to the control of noise of the Western Gateway Infrastructure **scheme** has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission. The Noise Assessment 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) prior to submission. 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.

ORIGINAL CONDITION 22 – not amended

22. A noise and vibration management and monitoring Plan relating to the control of noise and vibration from the operation of the Port Salford development in total (other than highway works but including the rail link, sidings and on site marshalling activities) shall be discussed with the Port Salford Noise and Vibration Steering Group (which shall meet with, as a minimum, representatives of the two local authorities (Salford and Trafford), community representatives and Ward Members) and submitted to and approved in writing by the Local Planning Authority (LPA). The Plan shall include an implementation programme and shall be implemented in accordance with that timetable and maintained at all times.

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

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

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

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

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

ORIGINAL CONDITION 23

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

a) risks to human health; and

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

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

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

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

PROPOSED CONDITION 23 – amended to reflect that development has begun on site.

23. No work on each phase of development shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission.

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

a) risks to human health; and

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

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

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

ORIGINAL CONDITION 24 – not amended

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

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

ORIGINAL CONDITION 25 – not amended

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

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

ORIGINAL CONDITION 26

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

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

PROPOSED CONDITION 26 – amended to reflect that development has begun on site.

26. No work on each phase of development shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission.

Details of the measures to protect and safeguard the retained trees and hedgerows within that phase. The agreed measures shall be implemented prior to the commencement of any site works within that phase and remain for the duration of the construction phase unless otherwise agreed in writing. The removal of the protection measures shall not take place until it has been agreed in writing with the Local Planning Authority.

ORIGINAL CONDITION 27

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

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

PROPOSED CONDITION 27 – amended to require the submission of a landscape scheme rather than reference to an approved landscape scheme

27. No work on each phase of development shall commence until a landscape scheme relating to that phase has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission. Such a scheme shall include full details of trees and shrubs to be planted, walls, fences, boundary and surface treatment and shall be carried out within in accordance with an agreed timetable for that particular phase. Any trees or shrubs dying within five years of planting shall be replaced with the same species within twelve months.

ORIGINAL CONDITION 28

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

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

PROPOSED CONDITION 28 – amended to to ensure the submission of details prior to construction of the rail link

28. Prior to the construction of the rail link north of the A57 an ecological mitigation strategy for the Mossland Triangle, (land enclosed by the main rail line and the connecting spurs), including an implementation and maintenance strategy with dates for completion shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation strategy shall be implemented in accordance with the agreed completion timetable.

ORIGINAL CONDITION 29

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

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

PROPOSED CONDITION 29 – amended to reflect that development has begun on site.

29. Within 3 months from the date of this permission an implementation and maintenance strategy for the ecological mitigation to Salteye Brook as set out in Volume II of the Environmental Statement (and subsequent addenda) shall be submitted to and approved in writing by the Local Planning Authority. The submitted strategy should include a plan showing the extent of any intended buffer zone between the Brook and the active construction zone where part of the implementation and maintenance strategy would apply, phasing and details of responsible parties for implementation and maintenance. The strategy shall be implemented in accordance with the approved details.

ORIGINAL CONDITION 30 – not amended

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

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

ORIGINAL CONDITION 31 – not amended

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

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

ORIGINAL CONDITION 32

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

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

PROPOSED CONDITION 32 – amended to reflect that development has begun on site.

32. No work on each phase of development shall commence until a Security and Crime Prevention Strategy including details of all physical security measures has been submitted to and approved in writing with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission.

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.

ORIGINAL CONDITION 33

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

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

PROPOSED CONDITION 33 – amended to reflect that development has begun on site.

33. No work on each phase of development shall commence until scheme for targeting and utilising local people for construction and post construction employment has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WG1S as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission. The scheme shall be implemented in accordance with the approved details.

ORIGINAL CONDITION 34

34. A phased programme and methodology of site investigation and recording to include:
- a desk-based assessment;
 - targeted archaeological evaluation
 - (depending upon the evaluation) targeted area excavation;
 - site strip by machine to top of archaeological level;
 - hand clean and record; and
 - targeted excavation of identified features.
2. A programme for post investigation assessment to include:
- analysis of the site investigation records and finds;
 - production of a final report.
3. Provision for analysis of the site investigation and recording, and production of a final report on the significance of the archaeological interest represented.
4. Provision for publication and dissemination of the analysis and report upon the site investigation.
5. Provision for achieve deposition of the report and records of the site investigation.
6. Nomination of a competent person or persons / organisation to undertake the work set out within the approved WSI.

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

PROPOSED CONDITION 34 – amended to reflect that development has begun on site.

34. Within 3 months from the date of this permission the following information shall be submitted to and approved in writing by the Local Planning Authority in respect of the areas defined on the submitted Extent of Archaeological Drawing No: 00100098/1 dated 04.05.12:
1. A programme for post investigation assessment to include:
- analysis of the site investigation records and finds;
 - production of a final report.

2. Provision for analysis of the site investigation and recording, and production of a final report on the significance of the archaeological interest represented.
3. Provision for publication and dissemination of the analysis and report upon the site investigation.
4. Provision for achieve deposition of the report and records of the site investigation.
5. Nomination of a competent person or persons / organisation to undertake the work set out within the approved WSI.

ORIGINAL CONDITION 35

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

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

PROPOSED CONDITION 35 – amended to reflect that development has begun on site.

35. No work on each phase of development shall commence until a survey to identify the existence of invasive plants has been submitted to and approved in writing by the Local Planning Authority with the exception of the Phase known as Part WGIS as indicated on Plan M8098-A-180 Rev B, which shall be submitted to the Local Planning Authority for written approval within 3 months from the date of this permission. The survey shall include invasive plants (as listed in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended)) and be carried out between April to September. The results of the survey shall be submitted along with any necessary mitigation measures, including the method and timescales for the eradication and disposal of any identified invasive plants. The eradication and disposal shall be undertaken in accordance with the approved measures and timescales.

<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=MH2JPPNP5Y000>

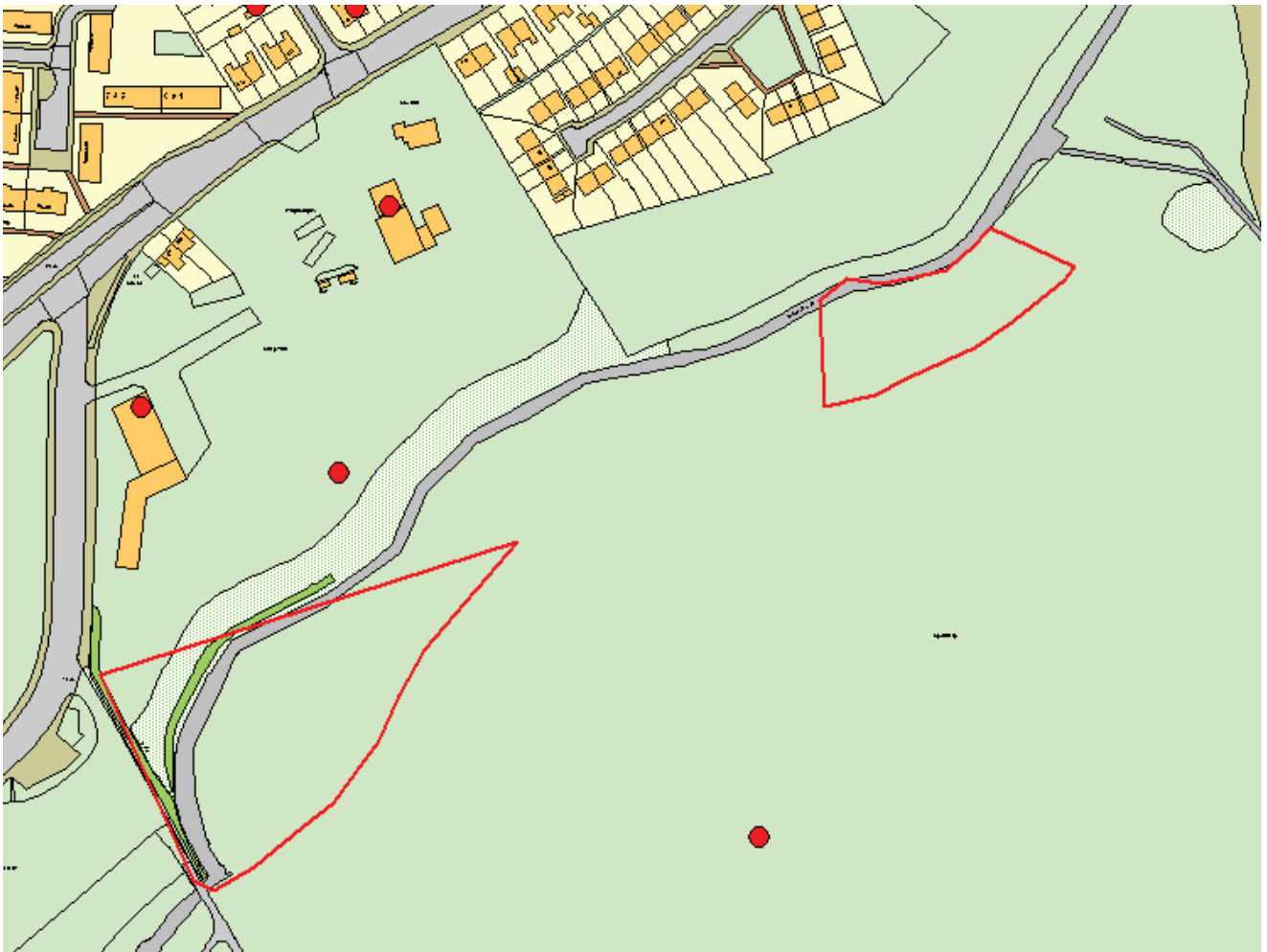
APPLICATION No: 13/62779/EIA

APPLICANT: Sheila Wright - Peel Investments (North) Ltd

LOCATION: Land Between Midpoint Of Manchester Ship Canal And Liverpool Road, Eccles, Salford,

PROPOSAL: Application to vary condition 2 (approved plan condition) of planning permission 12/61631/EIA for the construction of a highway in connection with the re-alignment of the Western Gateway Infrastructure Scheme (WGIS) and planning application 12/61611/EIAHYB. The amendment relates to a road realignment of Part WGIS.

WARD: Irlam



Introduction

Please read (prior to this specific item) the report for 12/62701/HYBEIA for the full background relating to Port Salford and the related infrastructure known as the Western Gateway Infrastructure Scheme (part and full elements) and its appraisal against the relevant development plan policies.

In summary the second application relates to two parcels of land and represents the road alignment that lies outside the original application site boundary. The first parcel accommodates the section of road that crosses the Saltey Brook and the associated approved bridge. The second parcel of land accommodated a proposed balancing lagoon (for drainage purposes, this has now been omitted from the scheme.

Condition 2 would be amended to incorporate the plans submitted in respect of the alignment. Works on site within this site boundary have not yet taken place as such it is not necessary to amend the conditions in this regard. Condition 5 has been slightly re-worded to reflect that the initial meeting of the Port Salford / WGIS Highway Design Group has been held.

Publicity

Site Notice: Non HH Affecting public right of way

Reason: Article 13 affect public right of way

Site Notice: Accompanied by Environmental Statement

Reason: Planning application with Environmental Impact Assessment

Press Advert: Salford Advertiser Date Published: 28 February 2013

Reason: Planning application with Environmental Impact Assessment

Press Advert: Salford Advertiser Date Published: 21 February 2013

Reason: Article 13 Affect Public right of Way

Article 13 Standard Press Notice

Neighbour Notification in connection with 12/62779/EIA

A total of 260 neighbouring occupiers were notified of the two applications.

Representations in connection with 12/62779/EIA

One letter of objections has been received in connection with_ the application publicity. The letter refers to the diversion of Definitive Footpath No. 2.

Definitive footpath No.2 does not run through this application site, however is does run through the application boundary of 12/62701/HYBEIA, which is also under consideration by the Panel today. A number of footpath diversions are required to accommodate the Port Salford proposal. These were assessed as part of the original application and subsequent planning permission 03/47344/HYBEIA. The diversion of these footpaths involves a separate legal process including consultation and publicity with members of the public.

Consultations

National Planning Casework Unit - No comments received to date

Red Rose Forest - No comments received to date

Trafford M B C - No comments received to date

Urban Vision Environment (Air And Noise) - As there are no new noise issues or air quality issues to consider with the proposed road realignment I have no comment to make.

Urban Vision Environment (Land Contamination) - no comments to make for this application in respect of Environmental Protection matters.

Warrington M B C - No comments received to date

United Utilities - Developer Services & Planning - No objections subject to an amendment to the drainage condition (no 7) to ensure that any submitted drainage scheme does not include surface water that discharges to either the foul or combined sewerage systems.

Senior Engineer Flood Risk Management - satisfied that the change of layout of the proposed highway will not increase the flood risk to the site. I have no objections to the proposed change and the existing conditions should remain

British Gas Transco - No comments received to date

British Transport Police - No comments received to date

PSSC Canal And River Trust - no comments to make.

Ian McKerchar County Bird Recorder - No comments received to date

Dept For Env Food And Rural Affairs - No comments received to date

Environment Agency - no further comments to add

Greater Manchester Archaeological Advisory Service - the application does not affect any known archaeological heritage assets.

Greater Manchester Ecological Unit - No comments received to date

The Greater Manchester Pedestrian Assoc. - No comments received to date

Transport For Greater Manchester (TFGM) - no comments to make on the above application.

The Highways Agency - no objections.

Lancashire Aero Club - No comments received to date

Lancashire Wildlife Trust - No comments received to date

Manchester Port Health Authority - No comments received to date

Manchester Ship Canal Company - No comments received to date

The Open Spaces Society - No comments received to date

Peak and Northern Footpaths Society - no objections subject to the necessary Diversion Orders being sought.

Ramblers Association Manchester Area - No comments received to date

Network Rail (LNW) - no comments to make on this application.

Highways – the proposal improves waiting times at the junction with the A57 and the Community Stadium and allows for full pedestrian and cycle access which is an improvement on the extant permissions. Other alteration to the design and alignment are considered to be minor.

Planning Policy for 13/62779/EIA

Development Plan Policy

Unitary Development Plan E1 - Strategic Regional Site, Barton

This policy states that one, or a combination of any two of the following types of development will be permitted on the Barton Strategic Regional Site:

- A) A mix of light and general industry, warehouse and distribution, and ancillary offices and other uses;
- B) A multi-modal freight interchange, incorporating rail and water based freight handling facilities, and a rail link to the Manchester-Newton-le Willow- Liverpool railway line
- C) A sports stadium for Salford City Reds with a maximum capacity of 20,000 spectators, and appropriate enabling development.

Proposals must i) make an appropriate contribution towards road and services infrastructure ii) secure improvements to public transport iii) minimise adverse impact on visual amenity, views and vista in the area; enhance the Liverpool Road corridor; v) maintain nature conservation interest of the site vi) have no unacceptable impact on local environmental quality vii) maintain the flood alleviation capabilities of Saltey Brook; viii) provide for a strategic route alongside the Manchester Ship Canal; ix) make appropriate provision for the training and employment of local residents during construction and operational phases.

Unitary Development Plan ST5 - Transport Networks

This policy states that transport networks will be maintained and improved through a combination of measures including the extension of the network of pedestrian and cycling routes; the expansion and improvement of the public transport system and the enhancement of support facilities; the maintenance and improvement of the highway network; the provision of new road infrastructure where this will support the city's economic regeneration; requiring development proposals, highway improvement schemes and traffic management measures to make adequate provision for the needs of the disabled, pedestrians and cyclists, and, wherever appropriate, maximise the use of public transport; and the protection and enhancement of rail and water-based infrastructure to support the movement of freight and passengers.

Unitary Development Plan ST13 - Natural Environments Assets

This policy states that development that would result in an unacceptable impact on any of the city's natural environmental assets will not be permitted.

Unitary Development Plan ST14 - Global Environmental

This policy states that development will be required to minimise its impact on the global environment. Major development proposals will be required to demonstrate how they will minimise greenhouse gas emissions.

Unitary Development Plan DES2 - Circulation and Movement

This policy states that the design and layout of new development will be required to be fully accessible to all people, maximise the movement of pedestrians and cyclists through and around the site safely, be well related to public transport and local amenities and minimise potential conflicts between pedestrians, cyclists and other road users.

Unitary Development Plan DES6 - Waterside Development

This policy states that all new development adjacent to the Manchester Ship Canal will be required to facilitate pedestrian access to, along and, where appropriate, across the waterway. Schemes should incorporate a waterside walkway with pedestrian links between the walkway and other key pedestrian routes and incorporate ground floor uses and public space that generate pedestrian activity. Where it is inappropriate to provide a waterside walkway, an alternative route shall be provided. Development should protect, improve or provide wildlife habitats; conserve and complement any historic features; maintain and enhance waterside safety; and not affect the maintenance or integrity of the waterway or flood defences. All built development will face onto the water, and incorporate entrances onto the waterfront; be of the highest standard of design; be of a scale sufficient to frame the edge of the waterside; and enhance views from, of, across and along the waterway, and provide visual links to the waterside from surrounding areas.

Unitary Development Plan DES7 - Amenity of Users and Neighbours

This policy states that all new development, alterations and extensions to existing buildings will be required to provide potential users with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout. Development will not be permitted where it would have an unacceptable impact on the amenity of occupiers or users of other development.

Unitary Development Plan DES9 - Landscaping

This policy states that hard and soft landscaping should be provided where appropriate that is of a high quality and would enhance the design of the development, not detract from the safety and security of the area and would enhance the attractiveness and character of the built environment.

Unitary Development Plan DES10 - Design and Crime

This policy states that developments must be designed to discourage crime, antisocial behaviour, and the fear of crime. Development should i) be clearly delineated ii) allow natural surveillance iii) avoid places of concealment iv) encourage activity within public areas.

Unitary Development Plan A2 - Cyclists, Pedestrians and the Disabled

This policy states that development proposals, road improvement schemes and traffic management measures will be required to make adequate provision for safe and convenient access by the disabled, other people with limited or impaired mobility, pedestrians and cyclists

Unitary Development Plan A9 - Provision of New Highways

This policy states that planning permission will be granted for:

1. The Broadway Link;
2. A57 Trafford Park link road through the Barton Strategic Regional Site

Development of the A57 Trafford Park link road will be permitted where i) development will have no unacceptable impact on the capacity of the highway network, or prevent the release of sites allocated for development ii) the necessary road improvements are made to manage the resultant traffic flows.

Development of a link road between the A57 and the M62 at Barton will be considered positively where:

- i) it is constructed in conjunction with the development of the Barton Strategic Regional Site
- ii) the benefits outweigh the harm to the Green Belt through:
 - enhancing the economic potential of the site; and
 - maximising freight transport by sustainable means iii) improving traffic safety and congestion locally.

Schemes should incorporate adequate bus, pedestrian and cyclist provision.

Unitary Development Plan A14 - Barton Aerodrome

This policy states that development close to the Barton Aerodrome that is incompatible with any existing or potential aviation operation will not be permitted.

Unitary Development Plan EN17 - Pollution Control

This policy states that in areas where existing levels of pollution exceed local or national standards, planning permission will only be granted where the development incorporates adequate measures to ensure that there is no unacceptable risk or nuisance to occupiers, and that they are provided with an appropriate and satisfactory level of amenity.

Unitary Development Plan EN18 - Protection of Water Courses

This policy states that development will not be permitted where it would have an unacceptable impact on surface or ground water.

Unitary Development Plan EN23 - Environmental Improvement Corridors

This policy states that development along any of the city's major road, rail and water corridors will be required to preserve, or make a positive contribution to the corridor's environment and appearance.

Unitary Development Plan R5 - Countryside Access Network

This policy states that planning permission will not be granted for development that would result in the permanent obstruction or closure of any part of the Countryside Access Network, unless an alternative route is provided that is equally attractive and convenient. New development that is proposed on a site needed for the provision of a new route or link as part of the Countryside Access Network will be required to incorporate that route/link as part of the development.

Other Material Planning Considerations

National Planning Policy

National Planning Policy Framework

Local Planning Policy

Supplementary Planning Document - Nature Conservation and Biodiversity

This policy document expands on the policies of the Unitary Development Plan relating to the issues of nature conservation and biodiversity, and seeks to ensure that all stakeholders have a clear understanding of how those policies should be implemented and their desired outcome.

Supplementary Planning Document - Sustainable Design and Construction

This policy document expands on policies in Salford's Unitary Development Plan to provide additional guidance for planners and developers on the integration of sustainable design and construction measures in new and existing developments.

It is not considered that there are any local finance considerations that are material to the application

Recommendation

Grant planning permission subject to the following conditions. Issue the decision upon payment of the S106 monies relating to the provision of funding toward air quality monitoring equipment.

Approve

1. The development hereby permitted shall be begun by 4th August 2019.

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

2. The development hereby permitted shall only be carried out in accordance with the submitted planning application and the following plans submitted further to the Environmental Statement addendum.

New Rail Bridge over A57 and New Saltey Brook Bridge General Arrangements 5110828/BR/001 Rev B;
Part WG1S (revised Plan A) M8098-A-180 Rev B;
Proposed Infrastructure Plan C M05013-A-033 Rev G - WG1S:
Salford Stadium Junction General Arrangement NTH/2058/02-100 Rev P10;
Junction East and West of M60 General Arrangement NTH/2058/04-100 Rev P6;

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

3. No work shall commence until a Construction Programme has been submitted, the Construction Programme shall include the following details;

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

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

The development shall be carried out in accordance with the approved Construction Programme notwithstanding the requirements of any other condition and the approved Construction Strategy.

Reason: In the interests of the proper planning of the area and facilitating a comprehensive and sustainable development of the facility in accordance with Policies E1 and ST5 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

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

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

5. The Port Salford / WGIS Highway Design Group shall continue to meet at the frequency agreed by all parties attending the meetings.

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

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

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

7. No development approved by this permission shall commence until the Local Planning Authority has approved a detailed drainage scheme. 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) and should ensure that no surface water shall discharge to the public foul or combine sewerage system. A detailed drainage scheme relating to each phase of development shall accord with the overall strategy and be agreed in writing by the Local Planning Authority prior to commencement of development of that phase. The approved detailed scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

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

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

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

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

10. 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 the development, including any piling operations has been discussed with the Port Salford Noise and Vibration Steering Group (which shall meet with, as a minimum, representatives of the two local authorities (Salford and Trafford), community representatives and Ward Members) and submitted to and approved in writing by the Local Planning Authority. The plan shall have regard to the recommendations contained within BS5228. All approved measures identified within the Plan shall be implemented and maintained throughout the duration of the works they mitigate during the construction phase.

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

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

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

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

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

12. Prior to commencement 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 of that particular phase to which it relates. Where remedial measures have been identified and approved by the Local Planning Authority, the remediation to which the application for approval of reserved matters relates shall be carried out in accordance with the approved remediation statement report. Where approved remedial measures have been undertaken, a remediation verification report shall be submitted to the Local Planning Authority for approval, validating that all remediation works have been completed for that particular phase in accordance with the approved measures prior to first use.

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

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

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

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

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

15. The landscaping schemes hereby approved shall be carried out in accordance with the agreed Construction Programme required under the terms of Condition 3 of this Notice. Any trees or shrubs dying within five years of planting shall be replaced with the same species within twelve months.

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

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

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

17. No artificial lighting shall be constructed / erected unless and until a scheme detailing the proposed artificial lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first use.

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

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

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

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

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

20. No development shall commence until the detailed design and construction of the highway has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policy A 8 of the City of Salford Unitary Development Plan.

Statement of conformity with Article 31 of The Town and Country Planning (Development Management Procedure) (England) Order 2010

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 Paragraphs 186-187 of the NPPF.

Notes to Applicant

1. 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.
2. No vegetation clearance required by the scheme should be undertaken during the optimum period for bird nesting (March to July inclusive) unless nesting birds have been shown to be absent by an ecologist. It is an offence to disturb any protected species except in accordance with an approved scheme and the appropriate licenses.
3. 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 TfGM 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.

4. 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.
5. 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.
6. Salt Eye Brook is designated "Main River" and is subject to Byelaw Control. In particular, no works may take place within 8 metres from the bank top of the watercourse without the prior consent of the Agency. Consent is also required under the Water Resources Act 1991, for any works on, over or within the channel of the watercourse, including construction of surface water outfalls.

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

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

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

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

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

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

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