

<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=LQXQ5PNP5Y000>

**APPLICATION No:** 11/60840/FUL  
**APPLICANT:** Mr Shabbir Ahmed - Stay Inn Hotel  
**LOCATION:** The Stay Inn, 55 Blackfriars Road, Salford, M3 7DB  
**PROPOSAL:** Erection of a six-storey building adjacent to the existing Stay Inn Hotel; to include a ground floor retail/office unit (use classes A1 or A2) with basement storage, ground floor reception area and a refuse/recycling store. The upper levels will contain 21 new bedrooms and meeting room facilities. Re-sub/amendment of 11/60170/FUL  
**WARD:** Irwell Riverside

#### **Description of Site and Surrounding Area**

The application relates principally to the site of a former public house that fronted Hodson Street. The site also takes in the highway in front of the former building, which is a cul-de-sac, as well as a small corner of land within the grounds of Canon Green Court. The site is bordered to the south-east by Hodson Street and the existing Stay Inn Hotel. To the west a small grassed verge separates the site from Canon Green Drive and to the east is an un-named road leading on to Blackfriars Road. The eastern edge of the site is partly formed by the back yard boundary walls to a row of shops on Blackfriars Road.

The building to the east of the site at 57-69 Blackfriars Road is three/four storeys and contains shops at ground floor including a small convenience store, two hot food takeaways, a cafe, a taxi booking office and a hair and beauty salon. On the upper levels there is the taxi firm and a mix of commercial and residential accommodation to the remaining properties.

To the north and west are mixed residential developments that are made up of houses and apartment blocks, the closest of which is the eight storey Canon Green Court. To the south-west Exchange Greengate lies beyond Trinity Way and contains a mix of residential and commercial buildings as well as considerable surface car parking. Following Blackfriars Road south leads to the heart of the regional centre, which begins on the opposite side of Trinity Way.

The site is currently vacant following the demolition of the two storey public house that previously stood on the majority of the site and that was demolished approximately four years ago.

#### **Description of Proposal**

The Stay Inn is an established hotel having been built in 1996 as the Dolby Hotel. It has operated as the Stay Inn since 2003. It has 65 rooms and employs 20 people, the majority of whom are reported to live locally. The hotel is seeking to expand in order to meet demand and the new building would act as additional accommodation for the main hotel.

It is proposed to erect a six storey building providing 21 hotel bedrooms, meeting room facilities and a small 170sq.m retail unit at ground floor. The retail unit would front a short highway that faces Blackfriars Road. The entrance to the bedrooms would face the existing hotel. The proposals would also include a realignment of the existing footpath that connects Canon Green Drive to Blackfriars Road. The existing footpath turns 90 degrees as it goes round the site of the former hotel and the realignment would allow a direct line of site between Canon Green Drive and Blackfriars Road. The proposals also mean that the end of Hodson Street would be fenced

and incorporated into the curtilage of the existing hotel. While there is no vehicular access between Hodson Street and Canon Green Drive there is pedestrian access between the two roads. There would be a very small diversion required for pedestrians taking them on the line of the realigned footpath between Canon Green Drive and Blackfriars Road.

The application submission states that the existing car park exceeds the current needs and that it is not envisaged that the additional bedroom accommodation would generate a large increase in demand. However, it is proposed that an additional three parking spaces would be provided within the extended curtilage. One of these spaces would be for disabled motorists.

The proposed building takes account of the relationship to the building on Blackfriars Road by raking back from first floor level, mirroring the shops that it backs onto, so that the highest point of the building is on the western edge of the site furthest from the shops. The building acts as a stepping stone between the three/four storey Blackfriars Road building and the eight storey apartment building at Canon Green Court.

In terms of design the proposed building is contemporary. The base of the scheme is broken down with a mixture of light and dark bricks along with large areas of glazing to both the reception area and the retail space shop front. The light masonry predominates on the upper floors with small inlays of the dark masonry used to break down the composition. The sloping element is clad in zinc and this material is also used for the two canopies at the top floor level. Solar panels will be provided at roof level.

With regard to the relationship to neighbouring development the proposed building would be 39.5m from that part of Canon Green Court that directly faces the site. It would be 19m from the nearest point of Canon Green Court, where windows are at 90 degrees to the proposed development. In terms of the relationship to the terrace of buildings on Blackfriars Road the proposed building would follow a similar building line as the former public house that stood on the site.

### **Site History**

11/60170/FUL - Erection of a 7 storey 23 bedroomed hotel with ground floor retail unit - Application Withdrawn - 23 June 2011

05/50415/OUT - Outline application for the siting, design and means of access for a seven storey extension to existing hotel to provide additional rooms, restaurant and conference facilities - Approved - 31 May 2005

04/49705/OUT - Outline application for siting, design, means of access to seven storey extension to existing hotel to provide additional rooms, restaurant, conference facilities and five storey detached annex building for A1,A3,B1,B2 uses and additional rooms - Application Withdrawn - 4 March 2005

99/39537/FUL - Conversion of part office accommodation into 3 bedrooms - an amendment to planning approval 98/38726/FUL - Approved - 5 August 1999

99/39031/FUL - Installation of gates and security system - Approved - 23 March 1999

98/38726/FUL - Erection of three storey extension to provide ancillary office accommodation and 16 additional bedrooms - Approved - 1 April 1999

97/36596/FUL - Retention of 2.5m high railings fronting Canon Green Drive and West King Street, replacement of timber fencing at side of garage with 2.5m high railings and retention of remainder of timber fencing fronting Nathan Drive.  
steel railings - Approved - 3 July 1997

95/34545/FUL - Alteration to vehicle entrance for control kiosk and vehicle control barriers (Amendment to planning permission 93/30857) - Approved - 13 December 1995

### **Publicity**

**Site Notice:** Affecting public right of way Date Displayed: 3 November 2011

**Reason:** Article 13 affect public right of way

**Press Advert:** Salford Advertiser      Date Published: 17 November 2011  
**Reason:** Article 13 Affect Public right of Way

### **Neighbour Notification**

Letters have been sent to the occupiers of 139 local properties notifying them of the original application and the amended scheme.

### **Representations**

A total of 64 objections have been received. Most are from residents of Canon Green Court and most are pro-forma letters that raise the following objections:

Excess noise from the existing hotel is already unbearable, this will increase noise levels.

The existing right of way on Hodson street is the flattest and most direct route to shops, bus stops and the city centre.

The proposal would create an accident black spot caused by cars reversing out of the side road adjacent to 69 Blackfriars Road.

The individual letters also refer to the first two issues and also make the following points:

Loss of privacy

Loss of sunlight

Loss of trees

The proposed building is too high

The taxi firm has also written objecting that the proposed development would mean they would be unable to use Hodson Street and would make it impossible for them to continue to operate from their premises.

One letter of support has been received from a resident of Nathan Drive who states that the "inconvenience" of the "slightly longer route" to the city centre is made up for by the "improvement to the area generated by the development".

### **Consultations**

Design For Security - The scheme is acceptable in relation to security.

Flood Risk Management Officer - No objections subject to satisfactory drainage.

Highways - No objections

Miller Goodall Environmental Services Limited - In response to the pre-application consultation it was recommended that the design of the building take account of the parade of shops on Blackfriars road, a number of which contain hot food takeaways with their fume extraction systems at the rear of the premises and in relatively close proximity to the development site. Noise, fumes and odours could be potential issues for any hotel bedrooms overlooking the parade of shops.

It is pleasing to note from the details submitted in the application that the applicant has taken the proximity of the parade of shops into account in the design and positioning of the bedrooms in the proposal. In the main, no bedrooms with windows above second floor level have a view of the fume extraction systems and the hotel building is raked back away from the parade of shops. Furthermore, the building's design will also help to protect the bedrooms from the noise caused by road traffic on Blackfriars Road, together with the parade of shops which, in itself, is offering a barrier to noise.

The proposed retail unit on ground floor is unlikely to give rise to air quality or noise related issues and there are no objections to the conference/meeting room facilities.

In conclusion, there are no further comments to make in respect of this application.

United Utilities - No comments received to date

Urban Vision Environment (Land Contam) - Due to the demolition of the former building on the site and the proximity of former works a contaminated land condition is required.

## **Planning Policy Framework**

### **Development Plan Policy**

Regional Spatial Strategy - Policy DP1 - Spatial Principles  
Regional Spatial Strategy - Policy DP2 - Promote Sustainable Communities  
Regional Spatial Strategy - Policy DP3 - Promote Sustainable Communities  
Regional Spatial Strategy - Policy DP4 - Best Use of Existing Resources  
Regional Spatial Strategy - Policy DP5 - Manage Travel Demand  
Regional Spatial Strategy - Policy DP6 - Marry Opportunity and Need  
Regional Spatial Strategy - Policy DP7 - Promote Environmental Quality  
Regional Spatial Strategy - Policy DP9 - Reduce Emissions Adapt to Climate Change  
Regional Spatial Strategy - Policy MCR1 - Manchester City Region Priorities

#### **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 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 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 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 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 Considerations**

#### Planning Policy Guidance PPG13 - Transport

This policy states that the main objective of the guidance is to promote more sustainable transport choices for both people and for moving freight. It aims to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and reduce the need to travel by car. For retail and leisure policies should seek to promote the vitality and viability of town centres, which should be the preferred locations for new retail and leisure development. Preference should be given first to town centres then edge of centre and then on out of centre sites in locations which are (will be) well served by public transport.

#### Planning Policy Guidance PPG24 - Planning and Noise

This policy states that the impact of noise can be a material planning consideration. PPG24 recognises that it is hard to reconcile some land uses with housing and some other activities that generate high levels of noise but stresses that wherever practicable noise generating developments are separated from major sources of noise. Development involving noisy activities should if possible be sited away from noise sensitive uses. Where this is not possible there is a need to consider what can practically be controlled to reduce noise levels or mitigate noise through conditions and planning obligations.

#### Planning Policy Statement PPS1 - Delivering Sustainable Development

This policy states that planning should facilitate and promote sustainable and inclusive patterns of development through a range of measures that includes ensuring high quality development through good and inclusive design and ensuring that development supports existing communities and contributes and contributes to the creation of safe, sustainable, liveable, and mixed communities with good access to jobs and key services for all members of the community.

#### Planning Policy Statement PPS4 - Planning for Sustainable Economic Growth

This policy states that the overarching objective is sustainable economic growth to be achieved by: improving the economic performance of urban and rural areas; reducing the gap in economic growth between regions; promoting regeneration and tackling deprivation; delivering sustainable patterns of development by reducing the need to travel; and promoting the vitality and viability of town and other centres. Local Authorities are encouraged to adopt a positive approach towards planning applications for economic development having regard to a range of impact considerations such as carbon dioxide emissions, accessibility, design and regeneration. Proposals for main town centre uses outside existing centres should undertake a sequential assessment to ensure there are no suitable sites available within existing centres and to consider the impact of their proposals on the vitality and viability of those centres. Applications, which fail either of these tests, should be refused planning permission.

#### 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.

### **Appraisal**

It is considered that the main planning issues relating to this application are: whether the principle of the building and the uses proposed are acceptable; whether the design, scale and massing is appropriate; whether there would be a detrimental impact on residential amenity; whether the proposal would have any impact upon highway safety; whether there is sufficient parking; whether crime levels would increase as a result of the development.

#### Principle of the Building

The building is located on the site of a former public house that was demolished approximately 4 years ago. The site is subject to occasional fly tipping but is unfenced and open and consists of rough ground that detracts currently from the area. The site is previously developed and it is considered that the principle of the building is therefore acceptable. Furthermore, development would afford the opportunity to improve the appearance of the area.

#### Principle of the Uses

The building would provide additional accommodation for the existing hotel. The applicant has stated that the business requires additional visitor accommodation and a conference room if it is to respond to demand, remain competitive and maintain its market position. The existing building provides insufficient rooms to meet demand and the applicant claims that failure to expand the building would put the business at risk. PPS4 identifies hotel and retail as uses to which the town centre policies in PPS4 apply. The site lies adjacent to the regional centre.

The hotel element is intended as an extension of an existing business and while it is freestanding and could, in theory, operate in isolation to the existing hotel, this is highly unlikely in practice. The retail unit extends to just 75sq.m and as well as being ancillary to the hotel use it would complement the retail uses on Blackfriars Road.

The Government has recently published the Draft National Planning Policy Framework. Whilst this is a draft, and could be amended it gives a clear indication of the Government's 'direction of travel' in planning policy. This was outlined in March 2011 in the Government's written ministerial statement 'Planning for Growth' that it is the plan to put the UK on a path to sustainable, long-term economic growth and one way of considering this will be through the consolidation of Planning Policy Statements, Planning Policy Guidance and various Circulars.

Within the draft document there is a presumption in favour of sustainable development. The guidance in the document is that both plan-making and development management are to be more proactive, with an importance on meeting development needs through plans and the need to approve proposals quickly where they are in line with those plans.

It is considered that the principle of the uses is acceptable.

#### Design, Scale and Massing

Detailed discussions about this site commenced over five years ago when the former pub was still standing and the architects have worked closely with officers over a long period. The previous plans for the site were put on hold due to the economic downturn. The architects have a proven track record of designing buildings of the highest quality. The architects also designed the large Spectrum development on Blackfriars Road closer to the regional centre.

The number of storeys has been reduced from seven to six during the course of the application processing. The design is deliberately contemporary and the massing is designed to take account of the proximity to the Blackfriars Road building while still utilising the footprint of the former building on the site. The existing building fronting Blackfriars Road is a large late-Victorian three/four storey terrace and the adjacent Canon Green Court is a large eight storey mid/late 20th century apartment block. The scale and massing of the building is considered appropriate for this location. The site is constrained and the scheme represents a successful utilisation of the site. It is considered that this building, which sits on a very small footprint set back from the main road, and which is in many respects dwarfed by the size of neighbouring buildings, would be a well designed contemporary building sitting between these two neighbouring buildings and would act as a visual stepping stone between the two.

The materials proposed are considered to be well chosen and appropriate for this location.

The Council's Urban Designer has stated that "in terms of design the architects' contemporary and creative approach is welcomed".

It is considered that the building represents design of the necessary high quality required by the Design SPD and would significantly raise the quality of building design in the local area.

As a result of consultations with the police and local residents the detailed design has been amended to incorporate a direct footpath link between Canon Green Drive and Blackfriars Road.

#### Impact on Neighbours

Canon Green Court is oriented such that the closest part of the building is angled at 90 degrees to the proposed building. The part of Canon Green Court that faces the proposed building is 39.5m away.

With regard to the building on Blackfriars Road the relationship is similar to that that existed when the pub was on the site. At first and second floor level at the rear of the terraced block there are a number of uses that include offices, ancillary storage to the uses at ground floor level as well as residential accommodation. The building has been designed so that the taller elements of the building are pulled away from the common boundary. After the first floor the second and third floors step back with a mono-pitched roof. The fourth and fifth floors are 10.5m from windows on the first floor at 69 Blackfriars Road and 11m from windows in the first floor at the rear of 67 Blackfriars Road. The windows in the rear elevation of 67 Blackfriars Road are already significantly compromised by flue that rise up the facade directly adjacent to the windows and the windows at 69 Blackfriars Road are screened by heavy net curtains.

The main windows to main habitable rooms are located on the Blackfriars Road frontage of the large Victorian block. The height of the building has been reduced by a storey in response to residents concerns. The distances are ones that might reasonably be expected in this location close to the regional centre and that, on balance, the impact on neighbours of the building is acceptable.

Impacts with regard to the use are addressed below.

#### Impact on Highways and Car Parking

There are no objections on highway grounds to the proposed development. Hodson Street is an existing cul-de-sac that provides vehicular access to the existing hotel as well as pedestrian access to the rear of some of the properties on Blackfriars Road; this would continue to be the case. There is no evidence that the existing car park does not provide sufficient capacity for the existing hotel. The current hotel has 65 parking spaces for 65 bedrooms - the maximum allowed in terms of the Council's normal standards. Three more spaces are provided as part of this development that provides 21 additional bedrooms. Given the location of the hotel so close to the regional centre and to Victoria railway station it is considered that most guests will either walk or get taxis to the hotel. It is therefore considered that the proposed development is acceptable in terms of car parking and vehicular access.

The proposed development also results in the closure of the end of Hodson Street and the removal of the pedestrian access from Canon Green Drive to Hodson Street. There is an existing footpath that runs to the sides of the site and turns through 90 degrees around the site of the former public house. As one resident of Canon Green Court has previously pointed out, this path has been the site of at least one mugging in the past and the proposal provides for the straightening of this pedestrian route between Canon Green Drive and Blackfriars Road so that direct line of sight is provided between the two. The Greater Manchester Police have

been closely involved in the scheme and earlier versions of the development did not close Hodson Street. The GM Police Design for Security team were concerned about the accessibility of the building and that it was not secured within the curtilage of the existing hotel. In response to the current scheme the Design for Security Team stated that they were "extremely pleased with the amendments". The route between Canon Green Drive has been significantly improved and is now much safer albeit slightly less direct for residents of Canon Green Court who are accessing the regional centre. It is considered that the closure of Hodson Street does not represent any loss of pedestrian safety for residents and does not represent any significant detour.

It is therefore considered that the impact of the proposed development on highways is acceptable.

#### Impact on Crime

There are no objections to the proposed development from the GM Police Design for Security Team. The applicant has forwarded an email from GM Police that states that in the year from 12 October 2010 there was only one recorded crime that was attributed directly to the hotel, a theft from a motor vehicle.

#### Sustainability

The architects have stated that there is a commitment that the building is a forward-looking, contemporary development both in terms of architecture and sustainability. A number of energy efficiency and renewable generation strategies have been central to design development and in order to ensure that the development exceeds the minimum standards required the following items are integrated into the design:

- \_ air source heat pumps
- \_ solar panels
- \_ increased hot water storage capacity
- \_ automated power switch offs
- \_ rainwater harvesting for toilet flushing

The footprint of the building is comparatively small and it is considered impracticable to require additional measures to be taken. The proposed development would meet BREEAM level 'very good'. A condition is attached.

#### Trees

The proposed development would not result in the loss of any existing trees.

#### Neighbour Objections

Neighbours have objected strongly to the application on grounds of the noise and disturbance that is generated by the existing hotel. While clearly this does appear to be a problem that genuinely affects residents the applicant rejects claims that noise is a problem at the existing hotel. Claims of noise disruption have been investigated by the agents with the crime reduction advisor and there are no reported incidents in the year from 12 October 2010 that relate to noise. The closest windows in Canon Green Court that directly face the proposed development are 39.5m away. Given the lack of reported incidents, the distance from Canon Green Court and the comments of Miller Goodall it is not considered that an objection on grounds of noise disturbance can be supported.

With regard to the closure of Hodson Street this decision was taken following consultation with the GM Police Design for Security team. Their view is that the route along Hodson Street passes through a 'no-mans land' at the back of the shops, which presents issues of personal safety and security. The agents have stated that secondly, for much of the day, the route is rendered virtually unusable, particularly for people with impaired mobility, due to illegally parked cars. It is considered that the new pedestrian route is in many ways better than the route along Hodson Street. The new path has a gradient of 1 in 12. The existing footpaths contain steeper gradients of 1 in 9, albeit over a shorter distance.

With regard to the back street adjacent to 69 Blackfriars Road this lies outside of the red line of the application and there are no proposals to the existing road layout. This road will already be used by people wishing to visit the existing shops and it is not considered that the proposed development would make any significant difference to the way in which the road is used.



## **Conclusions**

## **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. 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:

i. 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

ii. 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

iii. A Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation of the development. 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 Planning Policy Statement 23*

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

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

4. Prior to the commencement of the development hereby approved, samples and details of the materials for all external elevations and the roof 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.*

5. The building hereby approved shall achieve a BREEAM rating of 'very good'. The development shall not be brought into use until a post-construction review certificate confirming the rating has been submitted to and approved in writing by the Local Planning Authority.

*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*

6. 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 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.*

7. The parking spaces shown on the submitted plan(s) shall be made available at all times in connection with the use of the premises.

*Reason: To encourage drivers to make use of the parking and servicing areas and to ensure that the use of the land shall not give rise to hazards at the entrance/exit points in the interests of public safety and in accordance with policy A8 of the City of Salford Unitary Development Plan.*

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<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=LVTQ9ENP5Y000>

**APPLICATION No:** 11/61205/FUL

**APPLICANT:** Higher Broughton Partnership And Countryside Properties (UK)

**LOCATION:** Land Bounded By Tully Street To The West, Leicester Road To The East,, Cardiff Street To The North And Devonshire Street To The South., Salford, M7 4BD, ,

**PROPOSAL:** Erection of 80 no. houses, together with associated parking, landscaping and public open space

**WARD:** Broughton

#### **Description of Site and Surrounding Area**

This application request relates to a 3.25ha site bounded by Leicester Road to the east, Tully Street to the west, Devonshire Street to the south and the rear of properties on Wellington Street East to the north. The site previously housed terraced dwellings (243 in total), many of which have been demolished along Wiltshire Street, Turner Street and part of King Street. These areas have been grassed over and enclosed by knee rails. The remaining properties on King Street and Cardiff Street are vacant and in a poor state of repair, two of the properties within the site, 34 Cardiff Street and 11 Leicester Road, are still occupied.

There is a mix of uses in the surrounding area. The land to the south and north is predominantly residential characterised by terraced dwellings. To the west are playing fields, enclosed by 3m high weldmesh fencing and to the east are a school and a row of commercial properties.

#### **Description of Proposal**

Planning permission is sought for the erection of 80 dwellings. A layout has been submitted with the application, which shows the retention of the western end of King Street and Carnavon Street and a new 'L' shaped road in the south east corner linking Leicester Road and Devonshire Street. The dwellings would be positioned to front all streets, where possible. Two cul-de-sac arrangements are proposed off King Street and Carnavon Street and dwellings fronting Leicester Road will be accessed via a private road, running parallel with Leicester Road.

The proposed dwellings would be either two or three storey's in height. Some of the two storey dwellings are taller in height to accommodate a store room in the roofspace. There would be a mix of detached, semi detached and terraced dwellings. In total there would be 16 three bed dwellings, 42 four bed dwellings and 22 six bed dwellings. Dwellings would have rear gardens and one in curtilage car parking space.

Centrally, within the site, there would be an area of open space.

The following documents have been submitted in support of the planning application:

- Planning Statement
- Design and Access Statement
- Materials schedule
- Transport Assessment
- Flood Risk Assessment
- Statement of Community Involvements
- Crime Impact Statement
- Geo Environmental Appraisal

### **Site History**

The main application of relevance to the determination of this planning application is 05/51876/OUT, which sought outline planning permission for development of land for residential purposes. This application was granted planning permission on the 22nd September 2006 and the permission has now expired.

Also of relevance in the determination of this planning application are the demolition consents for the demolition of the following addresses:

07/54363/DEMCON - 51-73 Wiltshire Street, Higher Broughton  
07/54364/DEMCON - 42-58 Wiltshire Street, Higher Broughton  
07/55631/DEMCON - 1-31 Turner Street, Higher Broughton  
07/55632/DEMCON - 16-34 and 17-33 King Street, Higher Broughton  
08/56369/DEMCON - 2-40 Turner Street, Higher Broughton  
08/56370/DEMCON - 33-47 Turner Street and 7 Leicester Road, Higher Broughton  
08/56913/DEMCON - 60 -80 Wiltshire Street and 1 Leicester Road, Higher Broughton  
08/56914/DEMCON - 75-101 Wiltshire Street and 3 Leicester Road, Higher Broughton  
08/56915/DEMCON - 42-52 Turner Street and 5 Leicester Road, Higher Broughton  
08/56916/DEMCON - 36-54 King Street and 9 Leicester Road, Higher Broughton  
09/57742/DEMCON - 1-16 King Street, Higher Broughton  
09/57981/DEMCON - 36-62 Cardiff Street and 13 Leicester Road, Higher Broughton  
11/60213/DEMCON - 69-87 Devonshire Street and 1A Leicester Road, Higher Broughton  
11/60214/DEMCON - 35-57 King Street and 11 Leicester Road, Higher Broughton  
11/60219/DEMCON - 2-34 and 1-65 Cardiff Street and 15 Leicester Road, Higher Broughton  
11/60450/DEMCON - 65 - 67 Devonshire Street, Higher Broughton

Two of the proposed demolition consents above references 11/60450/DEMCON and 09/57742/DEMCON were subject to a request from SAVE Britain's Heritage to the Secretary of State (SofS) for a screening direction on demolition works proposed. The SofS determined that due to wider cumulative impacts (ie other demolition) that it was a development that should be assessed against the EIA Regs but he then went onto confirm that the project would not have significant environmental impacts and as such not require the submission of an Environmental Statement.

### **Publicity**

**Site Notice:** Site notice Date Displayed: 6 January 2012

**Reason:** Article 13

**Site Notice:** Affecting public right of way Date Displayed: 6 January 2012

**Reason:** Article 13 affect public right of way

**Press Advert:** Salford Advertiser Date Published: 12 January 2012

**Reason:** Article 13 Affect Public right of Way

## **Neighbour Notification**

Neighbours Notified: 22nd December 2012

Amended Plan Letters: N/A

Additional Neighbours: N/A

## **Representations**

Two letters supports a residential development as it would have a positive impact on the visual amenity of the area and would establish a community feel in the area.

Four letters, of which one letter was signed by 9 households wrote in objection to the scheme. The issues raised are summarised below:

- The application site was to be used to form garden extension for properties on the southern side of Wellington Street East. The objectors are questioning why these proposals do not form part of the proposed scheme.
- The proposal will reduce light to properties on Wellington Street East
- The proposed dwellings will directly over look properties on Wellington Street East
- The proposed development does not show the garden extension or off street car parking for properties at Devonshire Street which were offered by the Council in the CPO Public Inquiry in 2006
- The proposed development is designed specifically for the Jewish Community and this can be seen in the plans by features such as two sinks in the kitchen
- Residents who live within the redline of the site were not invited to the public consultation event held prior to the application being submitted

Finally, a further letter has been written asking a number of questions, which include opening up of Tully Street, whether any of the proposed units would be for private sale and whether there will be any street lights erected.

## **Consultations**

Group Leader Landscape Design - No comments received to date

Design For Security - Support application in principle however would like recommendations in Crime Impact Statement to be included into the scheme before they can offer full support, details will be outlined later in the report.

Flood Risk Management Officer - No objection subject to drainage scheme condition. Separate drainage system required, storage on surface water to limit discharge figure agreed by UU. This area has a history of flooding due to surcharge of the main sewer and due to the low lying levels therefore minimum floor levels 300mm above adjacent road. Applicant to ensure flood water paths are maintained.

Highways - No objections, section 38 agreement and stopping up orders will be required

Environment Agency - No objections subject to contamination and flood risk conditions

Greater Manchester Archaeological Unit - No objection and considers there is no need to impose archaeological requirements upon the development

Greater Manchester Ecological Unit - No comments received to date

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

Miller Goodall Environmental Services Limited - No objections subject to conditions

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

Urban Vision Environment (Land Contam) - The report as submitted does not consider the public open space within the risk assessment, it is recommended that the risk assessment and subsequent remedial options are reconsidered. They concur that it is likely that remediation will be required and a detailed strategy for remediation will need to be agreed with the LPA. In light of this they recommend a contaminated land condition

Eccles (Chapel St, Broughton,)Neighbourhood Manager - No comments received to date

United Utilities - No objections, subject to a number of conditions

## **Planning Policy Framework**

### **Development Plan Policy**

Regional Spatial Strategy - Policy DP4 - Best Use of Existing Resources

#### **Unitary Development Plan H1 - Provision of New Housing Development**

This policy states that all new housing will contribute toward the provision of a balanced housing mix; be built of an appropriate density; provide a high quality residential environment; make adequate provision for open space; where necessary make a contribution to local infrastructure and facilities required to support the development; and be consistent with other policies of the UDP.

#### **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 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 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 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 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 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 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 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.

### **Other Material Considerations**

#### Planning Policy Statement PPS1 - Delivering Sustainable Development

This policy states that planning should facilitate and promote sustainable and inclusive patterns of development through a range of measures that includes ensuring high quality development through good and inclusive design and ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable, and mixed communities with good access to jobs and key services for all members of the community.

#### Planning Policy Statement PPS3 - Housing

This policy identifies a number of planning for housing policy objectives designed to ensure that the planning system delivers:

- \* High quality housing that is well designed and built to a high standard
- \* A mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural
- \* A sufficient quantity of housing taking into account need and demand and seeking to improve choice
- \* Housing development in suitable locations, which offer a good range of community facilities and good access to jobs, key services and infrastructure
- \* A flexible, responsive supply of land - managed in a way that makes efficient and effective use of land, including the re-use of previously developed land, where appropriate.

#### Planning Policy Statement PPS23 - Planning and Pollution Control

This policy states that the planning system plays a key role in determining the location of development which may give rise to pollution and in ensuring that other uses and developments are not affected by major existing or potential sources of pollution. The presence of pollution in land can present risks to human health and the environment but development presents opportunity to deal with these risks successfully. PPS23 puts the responsibility on the developer to ensure that a development is safe and suitable for use for the purpose for which it is intended. Therefore, the developer is responsible for determining whether land is suitable for a particular development.

#### Planning Policy Statement PPS25 - Development and Flood Risk

This policy states that all forms of flooding and their impact on the natural and built environment are material planning considerations. The aims of planning policy on development and flood risk are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Where new development is, exceptionally,

necessary in such areas, policy aims to make it safe without increasing flood risk elsewhere and where possible, reducing flood risk overall.

#### 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 - 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 - 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 - 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 - 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.

### **Appraisal**

#### Principle

The site is not allocated for any specific purpose in the City of Salford Unitary Development Plan (2004-2016).

*Policy DP4 of the RSS for the North West states that development should accord with the following sequential approach:*

- first, using existing buildings (including conversion) within settlements, and previously developed land within settlements;*
- second, using other suitable infill opportunities within settlements, where compatible with other RSS policies;*
- third, the development of other land where this is well-located in relation*

The site formerly housed rows of terraced dwellings therefore is previously developed and can be classed as a brownfield site. The first criterion of DP4 states that the sequentially preferable sites are those that are previously developed and are located within an existing settlement. The site is situated within an established

residential area offering good accessibility to existing infrastructure, public transport connections, jobs, education and community facilities. All these factors indicate that the site is located in a sustainable location in accordance with regional policy DP4 and the requirements of PPS1: Delivering Sustainable Development and PPS3: Housing. In light of this it is considered that the principle of developing the site is acceptable.

### Housing Mix

Policy HOU1 of Salford's Housing Planning Guidance (HPG) requires that the large majority of new dwellings within Salford West should be in the form of houses rather than apartments to reflect the mainly suburban, low density character of this part of the city. The proposal is for a 100% housing development, which is in line with the Planning Guidance.

Policy HOU2 specifies that the majority of new houses should have at least three bedrooms. All the dwellings proposed would have three or more bedrooms. Part of the application site is defined in the HPG as being within Broughton Park and in this area policy HOU2 states that at least 20% of dwellings should have five bedrooms or more wherever practicable. In this case the proposal would include the provision of 22 six bedroom dwellings which would equate to 27.5% of the dwellings across the development.

In light of the above the proposed housing mix is considered to fully accord with Unitary Development Plan policies H1 and the Housing Planning Guidance.

### Affordable Housing

Due to the size of the site and amount of units proposed there is a requirement for the scheme to provide an element of affordable housing. In accordance with policy HOU3 of the Housing Planning Guidance document, 20% of the total dwellings across the site should be affordable units, equating to a total of 16 units. The applicant is not providing any affordable housing across this scheme. The applicant has suggested that the proposal is an extension of existing schemes in the nearby vicinity whereby the 20% provision has therefore been met. The Local Planning Authority disagree with this view and is of the opinion that this site should be viewed as a self contained scheme and not a continuation phase of the wider Higher Broughton regeneration. This was relayed back to the applicant and they have submitted a viability appraisal of the development to demonstrate that should affordable housing be provided then the scheme would be unviable. These details have been reviewed by the City Council's surveyors who are of the opinion that the figures quoted in the appraisal are accurate and confirms that if affordable housing was provided either by way of affordable units on site or an off site contribution then the scheme would be unviable.

In this regard, whilst the provision of affordable housing is important, to meet the housing needs in this area of the City, it is considered that on balance there is a greater need to develop this site. This site has been vacant for a long period of time, with little prospect of being developed. This proposal would bring this site forward for development and would aid in the regeneration of the wider area. It is therefore considered that the benefits of the bringing this scheme forward outweigh the need for 16 affordable units and as such the development is considered acceptable in this regard.

### Site Layout, Design and Landscaping

It is considered that the introduction of two/three storey dwellings on this site is appropriate, given the context of wider area and the scale of the existing buildings. Whilst, the neighbouring dwellings at Wellington Street East and Devonshire Street are two storey, their design with large floor to ceiling heights make them tall when compared to traditional two storey dwellings and would be a comparable height to the three storey dwelling proposed.

In terms of layout, the scheme has been designed to retain some of the existing street patterns and majority of the proposed dwellings are positioned to front the main routes through the site, which would ensure that high levels of natural surveillance are achieved. The proposed street pattern and building plots arrangement is different to the surrounding area, which is predominantly terraced in nature. A different approach has to be accepted on this site, given that the existing terraced housing, which is typical of the area, has been removed to facilitate new development. In addition, the proposed dwellings would have more bedrooms and would provide areas of outdoor private amenity space larger than typically found in the immediate area. These factors have shaped the site layout and have dictated the proposed building plots.



Internally two cul-de-sac arrangements are proposed. The Council's Urban Designer has raised concerns with the cul-de-sacs as it is not quality place making. The applicant is proposing to landscape such areas and have reassured the LPA that thought has been given to how these areas will work, so they do not appear as backland development of a poor quality due to its limited presence in the street scene. Such an arrangement proposed, subject to appropriate landscaping, would demonstrate efficient and effective use of the site and is considered to be acceptable. A landscaping condition is therefore recommended.

The scheme proposes private driveways adjacent to Leicester Road, which would serve the dwellings that would front this road. The Council's Urban Designer has raised concerns with respect to the proposed frontage and considered that double road layout to be unacceptable, as it would not retain a strong building line. Whilst, it is acknowledged that such an arrangement is not ideal, in design terms, this arrangement has been proposed for highway grounds the reasoning behind this is outlined later in the report. The applicant has proposed to landscape this area and a number of trees would be provided along this frontage. It is considered that the provision of landscaping would improve the visual appearance of the Leicester Road corridor and this in turn would provide an improved living environment for future occupiers of the proposed dwellings. Given the above it is considered that on balance the proposed access arrangement to Leicester Road are acceptable and the benefits from developing this site outweighs the fact that the scheme does not present a strong building line to Leicester Road.

In elevational terms, the proposed units have a simple, modest, contemporary appearance. In this location it is not essential that the development duplicates the existing properties and it is considered that a new architectural style, which will still utilise some traditional materials, which are present locally, will add interest to the street scene and would have a positive impact on the visual amenity of the area. The proposed dwellings would be constructed from brick, which is considered to be appropriate in this location. There are concerns with the use of white window frames in the proposal. The Council's Urban Designer considered that grey windows frames would be more appropriate. However, this can be dealt with by way of a materials condition, which will also ensure that the materials proposed are of a sufficient quality.

There are a number of corner plots, within the scheme, which have frontages to two roads. Dual aspect dwellings are not proposed for plots in such circumstances, however, the applicant has provided secondary windows at ground floor and during discussions the size of such secondary windows have been increased. Whilst, in design terms dual aspect properties on these corners would be the preferred it is considered that wherever possible the applicant has positioned dwellings to have maximum frontage to key roads such as Tully Street and Leicester Road and to the public open space centrally within the site and as such on balance the scheme is acceptable in this regard.

A landscaping scheme has been submitted, with the application, and provides an indication of hard and soft landscape areas within the site. The scheme is considered to provide residents with a good balance that will not only cater for resident's parking needs, but also provides sufficient access and circulation within the site, and it is considered that these details are acceptable. Boundary treatments are also indicated, however, these will be subject to minor amendments following recommendations from the police. A landscaping condition is recommended to secure minor amendments and confirm landscaping details and hardsurfacing materials, this will ensure that landscaping scheme is of a high quality with special focus towards the private driveways and cul-de-sacs.

Adequate refuse provision has been incorporated into the scheme. Each dwelling would have space, within the rear garden for bin storage and each garden would have a direct access to the street for collection days.

In having regard to the above it is considered that the layout, design, scale, and landscaping of the proposed development is acceptable and fully in accordance with saved UDP Policies DES1, 2, 4 and 9.

### Crime

A Crime Impact Statement has been submitted with the planning application. This details a number of ways in which the scheme can be amended to improve security. Such amendments include:

- Enclosing the open space by low level boundary treatments
- Low level boundary treatment to provide defensible space to the front dwellings
- Communal alleyways must be gated at threshold of the path
- Landscaping to plot 34 should be amended to define ownership

The applicants have confirmed that the scheme can be amended to take account of these comments and have proposed low-level hedge which planting would mark the boundaries of the open space and provide defensible space to the front of dwellings. A landscape condition is recommended to secure the amendments to boundary treatments. The Design for Security Team is happy with the hedge around the open space, subject to maintenance plan, which will be conditioned. They would prefer to see railings to the front boundaries of dwellings, because the lack of upkeep of these boundaries may impact the developments resilience and a more maintenance-free treatment of railings would be a better solution. It is considered that the use of low level hedges will provide the front gardens with an area of defensible space and railings are proposed adjacent to the roads bounding the site. Many of the dwellings have small front gardens and benefit from high levels of natural surveillance in light of this it is not considered essential that railings are erected along all front boundaries to improve security. In addition the use of hedges will help to create an environment, which does not have a fortress type atmosphere.

The applicant has confirmed that they will endeavour to meet Secure by Design and are happy to accept a condition in this regard. It is considered that subject to these changes the development is considered acceptable and would accord with UDP policy DES10.

### Amenity

The proposed dwellings, on Leicester Road, would not directly face residential properties, as would the majority of dwellings along Tully Street. There would be 16.5m between the front elevations of Plot 1 and 41 Tully Street, however, the habitable room windows in these elevations are offset. It also, must be acknowledged, that there is an extant planning permission to remove 41 and 43 Tully Street to facilitate an extension to the shop at 28 Wellington Street East. In addition, the proposed scheme, presents a strong building line to Tully Street that respects the existing gable elevations of 34 Wellington Street East and 53 Devonshire Street and provides a presence to the playing fields that are directly facing these dwellings. Taking all these factors into account it is considered that the introduction of dwellings facing Tully Street, would not have an unacceptable impact on the amenity of residents at 41 Tully Street nor would it prejudice the implementation of proposed shop extension at 28 Wellington Street East. 19 Vincent Street has a dual aspect onto Tully Street, however, the elevation onto Tully Street is directly opposite garden area of plot 4. It is therefore considered that the proposed development would not have an unacceptable on the amenity or privacy enjoyed by residents at 19 Vincent Street.

The proposed dwellings, along the northern boundary of the site, are in close proximity to the existing dwellings along Wellington Street East. The proposed dwellings on plots 1, 19, 20 and 43, have gable elevations facing the rear elevation of dwellings on Wellington Street East. These are considered to be sufficiently offset from the existing habitable room windows in the rear of these existing properties to ensure that their introduction would not have an overbearing impact on the amenity of these residents. Proposed dwellings on plots 8 to 13 and 22 to 24, would be between 13m and 14m from the first floor habitable rooms windows along Wellington Street East. This would not maintain the Council's normal separation distance between existing and proposed properties. Regard must be had to the existing relationship, on site, between the rear of the dwellings along Wellington Street East and the dwellings along Cardiff Street. At the closest point, the distance between these properties is 9m. Therefore the proposed dwellings have significantly increased this interfacing distance and a reduction in the number of dwellings, would result in a reduced number of habitable room windows and this in turn will reduce overlooking and maintain privacy. The new layout proposes space between the dwellings, which will allow for an increase natural light to the existing properties along Wellington Street East. In light of the above, it is considered that the proposed layout would improve the living environment for residents, along Wellington Street East, from that which they currently enjoy and would provide existing and future residents with an acceptable level of amenity.

Proposed units 44 and 62 would have gable elevations (with no habitable windows) 8.5m from facing the rear elevation of dwellings along Devonshire Street. Whilst, this relationship is also below the Council's normal separation distances, it marks an improvement to the existing relationship which saw habitable room windows directly facing the dwellings along Devonshire Street. The proposed units, that would have a frontage onto Devonshire Street, would be situated over 21m from properties opposite and as such their introduction is considered acceptable in terms of amenity.

Within the site, there are areas, in which the interfacing distances between properties internally are below that normally required. Factors such as retaining streets within the development site and with providing large family dwelling has shaped the layout and the resulting interfacing distances. Given that future occupiers will be buying

into the scheme and will be aware of proximity of neighbouring dwellings then it is considered that such relationships are acceptable.

In order to maintain the privacy of future residents, within the scheme, and those along Devonshire Street and Wellington Street East it is considered appropriate to remove certain permitted development rights as defined by the General Permitted Development Order in respect to rear extensions, insertion of windows and roof alterations (including the erection of dormers).

The proposed development would provide future occupants with an acceptable level of outlook and satisfactory amenity space will be provided for each dwelling, ensuring that the occupiers of each unit have private, functional space.

In light of the above, it is considered that subject to the removal of permitted development rights the proposal would not have an unacceptable detrimental impact on the amenity currently enjoyed by neighbouring residents and would provide future residents with an acceptable living environment. In light of this the proposal is considered to accord with UDP policy DES7.

### Highways and Car Parking

A Traffic Statement was submitted with application and this highlights that site has excellent accessibility and is in close proximity to local services. It acknowledges that the proposal would require a number of highway closures and would result in a reduction of streets in the area. It considers that there will be a significant reduction in traffic generation as the proposed scheme proposes fewer dwellings than there were in the area previously. In light of all these factors the report concludes that the proposal would not have unacceptable impact on surrounding highway network.

The existing street pattern along King Street, Carnavon Street will be retained in part. A new road would be created in the south east corner of the site linking Leicester Road and Devonshire Street. This would be constructed in accordance with Manual for Streets standards. Two cul-de-sac arrangements would be created to access dwellings off King Street and Cardiff Street. A private driveway would also be created to serve the dwellings fronting Leicester Road. This arrangement is required because reversing onto the main road is unacceptable. The private drive will allow for vehicles to enter from and join to Leicester Road in a forward gear, in safe manner.

The scheme proposes a total of 126 spaces across the site, which equates to 1.5 spaces per dwelling. All dwellings have at least one space and there are a number of visitor spaces across the site. This accords with the sustainability standards as outlined in the Unitary Development Plan.

The City's Traffic Officer has not raised any objection to the scheme and as such the proposal is considered to comply with the UDP policies A8 and A10.

### Sustainability

The applicants have submitted a Sustainability Checklist in support of the planning application. This outlines sustainability measures that are to be incorporated into the scheme these include:

- High performance insulation products
- Low energy fittings and bulbs and water saving devices
- Provision of Public Open Space and landscaping

The applicants have confirmed that they are exploring the use of photovoltaics within the site. The contaminated land assessment confirmed that a scheme for SUD's would be unsuitable for this site, the reason for this examined in the report below.

The applicants have confirmed that they cannot meet Code Level 3 due to the cost implications. They have provided a breakdown of the costs involved in meeting Code Level 3 and this equates to £272,000. Given that the schemes viability is already constrained adding a further burden could result in the scheme not coming forward. The developer have, however, confirmed that they are able provide the developers contribution in relation to climate change, in line with the planning obligations Supplementary Planning Document to a sum of £16,000, and this will be discussed in more detail later in the planning appraisal, under the heading of Planning Obligations.

## Environmental Issues

### *Noise and Air Quality*

The application site is situated in an Air Quality Management Area and Leicester Road is a busy route through the City with high levels of traffic, therefore there are potential noise and air quality issues. The City's Environmental Consultants have reviewed the proposal and whilst they have no objections to the site being developed for residential purposes they have recommended conditions to protect the amenity of future occupiers. It is considered that with the imposition of these conditions, future occupiers of the scheme would experience an acceptable level of amenity in accordance with Unitary Development Plan policy EN17.

Given that the application site is bounded by residential dwellings, to the north and south, it is considered appropriate to attach a Considerate Contractors condition, which will ensure that the amenity of neighbouring residents, by reason of noise and disturbance, is protected during the construction phase of the development.

### *Contamination*

The applicants submitted a Geo Environmental Appraisal, with the application. This has been assessed by Urban Vision Environment who concur with the report that it is likely that remediation will be required at this site to make it suitable for the proposed end use, therefore a condition is recommended to secure such works.

### *Flood Risk*

A Flood Risk Assessment has been submitted with the planning application. This identifies that the site is located within Flood Zone 1. The site is not considered to be at risk from fluvial, canal, reservoir, groundwater, sewer or highway flooding. The report does highlight that the site lies in critical drainage area and the Strategic Flood Risk Assessment (SFRA) recommends a minimum reduction in surface water run off rates of 50% for brownfield sites of this nature. The Flood Risk Assessment concludes that a scheme for provision of surface water regulation system should be conditioned.

The option of SUD's has been explored in the FRA, however, the Contaminated Land Assessment has concluded that due to the presence of groundwater recorded within 1.5m of the surface of the site during the programme of gas/groundwater monitoring, a soak-away drainage solution for surface water is considered unsuitable. Therefore, surface water should be directed to the existing sewer network, but stored on site and released to United Utilities discharge levels.

The Environment Agency have recommended a condition to secure that the proposed drainage system complies with the Strategic Flood Risk Assessment surface water run off rates. Subject to this condition the proposal is considered acceptable and would accord with UDP policy EN19.

## Planning Obligations

A developer agreement exists between the City Council and the applicant, Countryside Properties.

Under normal circumstances the applicant would be required to deliver a number of off site improvements (eg public open space, public realm, infrastructure, heritage, construction training and climate change) in accordance with the requirements of the Council's Planning Obligations SPD. However, the SPD reports at para 4.13 that where a developer agreement exists and will deliver the requisite objectives this can negate the need for a section 106 Agreement given that the improvements will be secured in any event.

As this is the case here a Section 106 agreement is not required. The applicant has, however, agreed to make the appropriate contributions as required by the SPD through the developer agreement.

With regard to open space the applicant has argued that the proposed development would not result in a net gain in bedspaces and as such contribution towards open space would not be required. They calculate that the site housed 224 dwellings, taking an average of 3 beds per dwelling (which they state to be a cautious approach as some of the dwellings had five bedrooms) therefore total number of existing bedspaces would be 896. This application proposed 428 bedspaces, which is a significant reduction in bedspaces across the site. It must also be noted that as part of the proposal the scheme would provide on site open space. This open space would be

850sqm in size and located centrally within the site. Therefore, this approach is considered acceptable and a financial contribution towards open space would not be required.

In relation to the other relevant contributions, the applicant has confirmed that they will pay the sums in accordance with the Supplementary Planning Document. These are as set out below:

Public realm, infrastructure and heritage - £1,500 x 80 dwellings = £120,000

Construction training - £150 x 80 dwellings = £12,000

Climate change - £200 x 80 dwellings = £16,000

Total = £148,000.00 (Plus 2.5% administration fee)

It is considered that the development is acceptable and accords with the provisions of UDP policy DEV5 and the Planning Obligations Supplementary Planning Document.

### Objections

In relation to the garden extension, at existing dwellings, along Wellington Street East and Devonshire Street the potential to provide garden extensions has been a serious consideration when the scheme was being developed. However, having reviewed the cost and regeneration implications of providing such extensions the Council concluded that in order for the development proposed in this application to remain viable, that it would be necessary for the cost of such extensions to be met with the owners of the properties that would benefit from the additional garden space. This cost would be in excess of £30,000 per property and the Council considered this not to be a realistic scenario, given the cost and that it would rely on all house owners to opt into the scheme. The Council also consider that, whilst the garden extensions would enhance the living environment for existing residents that this has far less public benefit than to resume the regeneration in Higher Broughton. The residents whom this issue concerns has been informed in writing of the Council's position on this matter.

In relation to the loss of light and privacy to dwellings on Wellington Street East this has been assessed in the planning appraisal and the relationship between existing and proposed dwellings is considered to be acceptable.

In relation to the units being designed specifically for the Jewish Community and this can be seen in the plans by features such as two sinks in the kitchen. Whilst, it is acknowledged that the two sinks would be a preference of the Jewish Community the interiors of the dwelling will be designed to the requirement of any future occupants.

Finally it has been stated that the residents, who live within the redline of the site were not invited to the public consultation event held prior to the application being submitted. The applicants have provided evidence in the form of Royal Mail Recorded Delivery Receipt, which shows that the objector did receive a formal invitation to the public consultation event.

### Conclusions

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 accordingly recommended that the application be approved.

### 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. Prior to the commencement of the development hereby approved, samples and details of the materials for the walls, roof and windows 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 safeguard the amenity of the area in accordance with policy DES 1 of the City of Salford Unitary Development Plan.*

3. Notwithstanding the submitted plans 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.*

4. The development hereby approved shall not be brought into use until the means of vehicular access and the in curtilage parking shown in drawing SKL254:PL01 Rev F has been constructed and laid out in accordance with the approved plans. The access and parking spaces shall be retained and made available for use at all times that the premises are in use.

*Reason: In the interests of highway safety in accordance with policy A 8 of the City of Salford Unitary Development Plan.*

5. Prior to the commencement of the development, 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 prior to first occupation of the development. 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 EN16 of the City of Salford Unitary Development Plan*

6. The developer shall submit to the Local Planning Authority (LPA) an assessment of noise likely to affect the application site. The assessment methodology to be used, including measurement positions, shall be agreed with the LPA prior to the commencement of noise measurements.

Notwithstanding the above, the assessment must incorporate noise measurements taken across the site post demolition of the existing buildings on site and prior to the erection of any new buildings on the site. Assessment of the noise shall be made in accordance with PPG24 Planning and Noise (September 1994) and / or BS4142:1997 (or subsequent revisions thereof).

The mitigation measures shall be approved in writing by the LPA and installed prior to occupation of the site. Prior to occupation of the development / of each phase of the development 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 LPA.

*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.*

7. Prior to the commencement of development a mitigation scheme to address air quality within the development shall be 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 the development on local air quality and to mitigate the effect of local air quality upon the development. The development shall be carried out in strict accordance with the approved scheme.

*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.*

8. No construction activities shall be commenced until a Considerate Contractor's Scheme (CCS), including a Construction Environment Management Plan, has been submitted to and approved by the LPA. The CCS shall be adhered to in full for the duration of any demolition and construction work.

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

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development of the type described in Class A, B, C Part 1 of Schedule 2 of that Order shall be undertaken without the express permission of 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.*

10. The development hereby permitted shall not be commenced until such time as a scheme to regulate surface water run-off has been submitted to, and approved in writing by, the local planning authority. The scheme shall show compliance with the Strategic Flood Risk Assessment (SFRA) User Guide to reduce run-off by at least 50% of existing rates for both 1 in 2yr and 1 in 30yr events. It 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 reduce the risk of flooding from overland flows in accordance with policy EN19 of the City of Salford Unitary Development Plan*

11. Prior to the commencement of the development hereby approved, details of the existing ground levels and proposed ground and slab levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

*Reason: To reduce the risk of flooding from overland flows in accordance with policy EN19 of the City of Salford Unitary Development Plan*

12. The development hereby approved shall seek to achieve Secured By Design Standards.

*To ensure the development is secure in accordance with Policy DES10 of the Adopted Unitary Development Plan*

13. Within one month of the completion of the public open space within the development a landscaping management scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the maintenance regime for all areas of landscaping (hard and soft) within the public open space as defined on SKL254:PL01 rev F. The approved landscaping management scheme shall be implemented in full in accordance with the approved details and shall be retained at all times.

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

14. The development hereby permitted shall be carried out in accordance with the following approved plans  
SKL254:LP01  
SKL254:PL01D  
SKL254:SS01B

SKL254:TS01  
 Type TN/01, 02, 03 & 04B  
 Type L/01, 02, 03 & 04C  
 Type S/01, 02 & 03D  
 Type TR/01, 02, 03, 04C & 05D  
 Type W/01, 02, 03 & 04B  
 Type LHA/01, 02 & 03C  
 Type SHA/01 & 02  
 Type TRH/01, 02, 03, 04C & 05D  
 Type WHA/01, 02 & 03D  
 RSD 9001  
 RSD 9101  
 RSD 9102B  
 RSD 9202

*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 mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.  
  
 Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.  
  
 Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://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. In pursuant of condition 3 (landscaping) the scheme should incorporate the Design and Crime Amendments as outlined in email from Countryside Properties to Design for Security dated 23rd February 2012.
4. In pursuant of condition 10 (drainage) the applicant's attention is drawn to the comments from United Utilities in letter dated 30th November 2011.
5. The noise assessment pursuant to condition 7 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":
  - a. internal noise levels of less than 30 dB LAeq,(8hour) within bedrooms between 23.00 hours and 07.00 hours
  - b. internal noise level of less than 40 dB LAeq,(16hour) within living areas between 07.00 and 23.00 hours
  - c. typical individual noise events not in excess of 45 dB LAmx in bedrooms between 23.00 and 07.00 hours
  - d. external noise levels of less than 55 dB LAeq,(16hour) in gardens, balconies and private communal gardens between 07.00 and 23.00 hours
6. The Environment Agency recommend the developer refers to the following documents to ensure the potential risks to controlled waters are adequately assessed.



The Model Procedures for the Management of Land Contamination (CLR11);  
Guiding principles for land contamination (GPLC); and  
Guidance for the safe development of housing on land affected by contamination (2008)

All of these documents can be found on our website at the following address:

<http://www.environment-agency.gov.uk/research/planning/33710.aspx>

7. The Environment Agency recommend that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles. Further information on SUDS can be found in:

PPS25 page 33 Annex F  
PPS25 Practice Guide  
CIRIA C522 document Sustainable Drainage Systems-design manual for England and Wales  
CIRIA C697 document SUDS manual  
The Interim Code of Practice for Sustainable Drainage Systems.

The Interim Code of Practice is available on both the Environment Agency's website: [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) and CIRIA's website: [www.ciria.org.uk](http://www.ciria.org.uk)

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<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=LWHSX0NP5Y000>

**APPLICATION No:** 11/61255/COU  
**APPLICANT:** Mr Gordon Stuart Codling  
**LOCATION:** 29 Crescent, Salford, M5 4PF  
**PROPOSAL:** Change of use from offices to a house in multiple occupation  
(HMO) Re-sub of 11/60834/COU  
**WARD:** Irwell Riverside

#### **Description of Site and Surrounding Area**

The application site is a grade II listed building constructed from approximately 1800 – 1850, which forms part of a crescent of thirteen terraced three storey town houses and forms part of the Crescent Conservation Area. The building is located towards the centre of the crescent, which hosts mainly financial and professional services and office type uses. To the west of the site are a number of buildings of architectural quality and heritage importance.

The red brick, three storey town house is a mid terrace property of classical design with Georgian proportions with a columned and pedimented doorway. The property is set back from the pavement with a small front

garden, whilst to the rear of the property is a small yard which backs on to Hulme Street and an area of surface car parking.

### **Description of Proposal**

Planning permission is sought for the change of use of 29 The Crescent from an office (A2) to a seven bed roomed House of Multiple Occupation (C4). There would be no external alterations to the property as a consequence of the planning application and the original floor plan of the building would be maintained. The proposals would comprise to the basement, a cycle store, bathroom, living room and games room; whilst to the ground floor would be a kitchen/breakfast bar, lounge and bedroom; the first floor would be a bathroom, and three bedrooms; and to the third floor would be three bedrooms and a bathroom.

### **Site History**

11/60834/COU - Change of use from offices to a house in multiple occupation (HMO). The application was refused for the following reasons:-

1. Insufficient information has been submitted in respect of demonstrating whether there is a proven need for the provision of student accommodation to enable the full implications of proposed development to be assessed, which is contrary to UDP policy H7
2. The proposed development would provide insufficient aspect to habitable rooms located within the basement, which will provide unsatisfactory living conditions for potential occupiers of the proposed dwelling by virtue of the design of the development. As such, it is considered that the development is contrary to policy H1, H6 and DES7 of the City of Salford Unitary Development Plan.
3. The proposed development would not provide adequate parking facilities for users of the proposed accommodation contrary to UDP policy A10
4. The proposed change of use would have a detrimental impact on the character of the area and the delivery of the aspirations of the Central Salford Regeneration Framework and would fail to have a positive impact upon the regeneration of the wider area contrary to UDP policies MX1, H5 and H7.

11/61256/LBC - Listed building consent for the change of use from offices to a house in multiple occupation (HMO) – Under consideration

### **Publicity**

**Site Notice:** Within Conservation Area Date Displayed: 9 January 2012

**Reason:** Planning App in Conservation Area

**Site Notice:** Site notice Date Displayed: 9 January 2012

**Reason:** Article 13

**Press Advert:** Salford Advertiser Date Published: 12 January 2012

**Reason:** Planning App in Conservation Area

### **Neighbour Notification**

13 notification letters were sent to the following neighbours on 22nd December 2011:-

22 – 28 The Crescent  
30 – 34 The Crescent  
1 Hulme Place

### **Representations**

No letters of objection have been received as a consequence of the application publicity.

## **Consultations**

Design For Security - No objections.

Flood Risk Management Officer - No objections subject to satisfactory drainage provision.

Highways - No objections

Miller Goodall Environmental Services Limited - No objections subject to an assessment of road traffic noise being undertaken and identified mitigation measures being incorporated into the property to protect future residents from the effects of noise. Measures are also required to protect future residents from the effects of poor air quality caused by heavy road traffic.

## **Planning Policy Framework**

### **Development Plan Policy**

#### **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 H1 - Provision of New Housing Development**

This policy states that all new housing will contribute toward the provision of a balanced housing mix; be built of an appropriate density; provide a high quality residential environment; make adequate provision for open space; where necessary make a contribution to local infrastructure and facilities required to support the development; and be consistent with other policies of the UDP.

#### **Unitary Development Plan H5 - Residential Accommodation in Existing Building**

This policy states that the subdivision of dwellings or conversion of non-residential properties to residential use will only be permitted when the proposal would not have an unacceptable impact on the amenity of neighbouring properties or the character of the area by reason of noise and disturbance: loss of privacy; design and appearance; cumulative effects of concentration and parking and service arrangements.

#### **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 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 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 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 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 CH1 - Works to, Demolition of Listed Building

This policy states that proposals for the alteration, extension, change of use or demolition of a listed building will be considered in relation to the effect on the importance of the building; the particular features of the building, the buildings setting and contribution to the local scene and extent to which the proposed works would bring substantial benefits for the community. Proposals involving the alteration, extension, change of use or partial demolition of a listed building will be permitted only where it would preserve or enhance the character and features that would contribute towards the reasons for its listing.

#### 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.

### **Other Material Considerations**

#### Planning Policy Statement PPS1 - Delivering Sustainable Development

This policy states that planning should facilitate and promote sustainable and inclusive patterns of development through a range of measures that includes ensuring high quality development through good and inclusive design and ensuring that development supports existing communities and contributes and contributes to the creation of safe, sustainable, liveable, and mixed communities with good access to jobs and key services for all members of the community.

#### Planning Policy Statement PPS3 - Housing

This policy identifies a number of planning for housing policy objectives designed to ensure that the planning system delivers:

- \* High quality housing that is well designed and built to a high standard
- \* A mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural
- \* A sufficient quantity of housing taking into account need and demand and seeking to improve choice
- \* Housing development in suitable locations, which offer a good range of community facilities and good access to jobs, key services and infrastructure
- \* A flexible, responsive supply of land - managed in a way that makes efficient and effective use of land, including the re-use of previously developed land, where appropriate.

#### 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.

## **Appraisal**

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

- Principle
- Heritage, design and crime
- Amenity of adjacent occupiers
- Amenity of future occupiers
- Impact on highway safety and parking
- Character and impact on the regeneration of the area

### **Principle**

Policy H5 relates to the conversion of non residential property in to residential uses and policy H7 relates to the provision of student accommodation. The policies state that planning permission will be permitted where the proposal would not have an unacceptable impact on the amenity of neighbouring properties or on the character of the surrounding area; the development makes satisfactory provision for amenity and open space; the site is accessible by public transport, walking and cycling; and where the development would not have an unacceptable impact on regeneration of the local area. These issues are considered within the main body of the report.

Additional to those considerations identified above, Policy H7 indicates that planning permission would only be granted where there is a proven need for the development. Paragraph 7.25 highlights the importance of demonstrating need for student accommodation. Therefore the specialist nature of student accommodation can limit the options for reuse without major refurbishment works. However, the property is an existing building that would not be altered, save for some minor internal works and as such could be brought back into an alternative use such as an office without any the need to undertake any major redevelopment works. It is therefore less important to demonstrate need in this particular case than it would be for new build student accommodation.

Notwithstanding the above, the applicant has provided information to demonstrate need for additional student housing and this has been assessed by the city council's spatial planning team. The applicant indicates that the University of Salford is one of the UK's leading enterprise universities and has around 20,000 students including 4,000 students from more than 130 countries around the world. The University attracts significant numbers of overseas students. Foreign students currently account for some 10% of undergraduate students and 42% of post graduate students all of which require permanent and temporary accommodation while studying. They indicate that the need for varied accommodation locally to the University is paramount for its ongoing success. They indicate that although permission has recently been granted to provide 2000 extra bed spaces that this will not meet demand nor will it be available until late 2013. The information provided is considered to be proportionate to the scale of the development and is not of a scale whereby a detailed need assessment would be required under policy HOU7 of the Housing Planning Guidance.

It is considered that the proposed development, due to its close proximity to the University would satisfy a need for student accommodation, and even if the identified need was not the case granting permission would not result in a material over supply of student properties.

### **Heritage, Design and Crime**

The application site is located within the Crescent Conservation area and the building is nationally listed as a grade II listed building. The applicant has applied for listed building consent for the reinstatement of walls and removal of modern stud walls to the ground and first floor rooms. The City Council's Heritage Officer has assessed the significance of the historic asset against the values outlined in the English Heritage publication 'Conservation Principles, Policy and Guidance (2008). He indicates that, "it is a rare example of set piece Georgian town planning in an open and prominent setting, lining a principal thoroughfare into the city centre."

The City Council's Heritage Officer, states that, "the works proposed largely comprise the reinstatement of the original room layout and proportions and therefore enhance understanding of the listed building and appreciation of its original use as a house. As the interior has largely lost its decoration (timberwork and plasterwork there are no objections"

There proposals would not have any impact upon the visual amenity of the area as it would not involve any external works or extensions to the existing building. The development is therefore in accordance with UDP Policy DES1.

Greater Manchester Police Secured by Design Team has assessed the application and raises no objections in relation to design and crime therefore the proposals are considered to be in accordance with UDP policy DES10 and the Design and Crime SPD.

### **Amenity of adjacent occupiers**

As the property is a mid terraced property it shares party walls with the adjacent properties. It is not anticipated that the use of the property for residential purposes would generate noise and disturbance over and beyond what would be anticipated for a dwelling. In addition the majority of noise associated with the use would be produced during evenings and weekends as opposed to normal working hours of an office use.

It is not proposed to create any new openings within the property and the existing windows do not overlook neighbouring properties. It is therefore considered that the use of the property as a dwelling would not have a significant impact on the amenities of adjacent properties beyond the previous use of the property as an office.

### **Amenity of future occupiers**

Since submission of the previous application, the applicant has reconfigured the layout out of rooms within the property. The reorganisation of rooms has ensured that the rooms to the basement of the property can be used as secondary rooms and as such the lounge to the groundfloor would provide a communal area with sufficient amenity for the occupants of the property to satisfy concerns raised by reason for refusal 2.

The proposed change of use would retain the lawn area to the front of the property and the yard to the rear of the property to provide outdoor amenity space for future occupiers. Although this space is limited, it is considered that the location of the development within the Regional Centre and opposite Crescent Meadows and Peel Park, that the outdoor amenity space is acceptable.

Miller Goodall Environmental Services Limited has assessed the proposals and indicates that the premises are located within an Air Quality Management Area due to exceedences of national air quality objectives. Miller Goodall Environmental Services has assessed the information and indicate that a mitigation scheme to address air quality within the development should be submitted to the Local Planning Authority prior to commencement of the development. Miller Goodall Environmental Services indicate that a suitably worded condition could secure delivery of an appropriate mitigation scheme.

In respect of noise, Miller Goodall Environmental Services have indicated that there would be significant noise associated with traffic movements on the A6. They indicate that a noise assessment would need to be submitted that indicated that the proposed development would meet various internal and external noise levels for the development to be considered appropriate. Miller Goodall Environmental Services indicate that submission of a noise assessment could be conditioned as part of an approval. Subject to these considerations the scheme would considered to be in accordance with UDP policy EN17.

### **Impact on highway safety and parking**

The property currently incorporates no off street car parking spaces and parking restrictions are in force to the rear of the property. The A6, to the front of the property has double yellow line parking restrictions, whilst to the rear of the property on Hulme Street there are single yellow lines with parking restrictions in place from 8AM – 6PM Monday to Saturday.

Since refusal of the previous application, the applicant has provided further information which highlights the sustainable nature of the site. The information highlights that the Crescent and the surrounding area is well served by public transport with regular bus services into and from Manchester. It is also noted that the location of the proposed development, is located in close proximity to the education establishment for which it is expected to serve. The information provided is considered acceptable and sufficient to satisfy reason for refusal 3.

## **Character and impact on the regeneration of the area**

The site falls within the Chapel Street West mixed use area, as defined by UDP policy MX1/2 and the Proposals Map. Policy MX1/2 identifies Chapel Street West as an area to be developed as a vibrant mixed use area with a broad range of uses and activities including housing, offices, tourism, leisure, cultural uses, education, community facilities, retail and food and drink uses, essential infrastructure and knowledge based employment.

Paragraph 7.24 of the UDP indicates that, "the University of Salford campuses and those parts of the Chapel Street West mixed use area (MX1/2) closest to them, are likely to be the most appropriate location, although student accommodation will not be allowed to dominate at the expense of the overall mix of uses and vitality of the area."

As noted previously, the properties on the Crescent terrace comprise mainly financial and professional services and office uses. The proposed change of use would mean that only two properties are used for student accommodation and as such would not result in an over proliferation of such uses and would not have a negative impact on the character of the area.

The property is currently vacant and has been for approximately 1 year. The proposed use would ensure that the property is brought back into use and appropriate financial investment is made to ensure its upkeep. Bringing the building back into use would also create additional activity in the area and would assist in the wider regeneration of the area.

Since submission of the previous application, the City Council has published its Publication Core Strategy. This document represents the city council's preferred strategy for Salford over the period 2011-2028. Although the document does not form part of the development plan and won't do until it is adopted the document has been subject to a significant amount of public consultation at previous stages in its production and is therefore considered to be capable of being a material consideration when determining planning applications.

The Publication Core Strategy indicates that where possible new student accommodation should be located in the areas immediately around the campuses, and along the main Chapel Street corridor into the heart of the Manchester/Salford City Centre, where accessibility levels and student-oriented facilities are greatest. The Publication Core Strategy, policy H12 identifies this proposed location as an area which is suitable for the provision of student accommodation. It is noted that the property has been vacant for over a year and therefore granting permission would bring a vacant property back into use which would contribute towards the overall regeneration of the area. In light of these considerations, it is considered that the proposed development is acceptable in this location and would have a beneficial impact on the regeneration of the area. The information submitted is acceptable and sufficient to satisfy reason for refusal 4.

## **26. Conclusions**

The proposal would not compromise the aims and objectives of the relevant policies contained within the development plan and there are no other material considerations that would justify a refusal of consent. It is accordingly recommended that the application be approved

## **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 hereby permitted shall be carried out in accordance with the following approved plans: -

6226 PS.01 December 11 REV A  
6226 PS.03 December 11 REVA

*Reason: For the avoidance of doubt*

3. Prior to the occupation of the site the developer shall submit to the Local Planning Authority (LPA) for written approval an assessment of road traffic noise affecting the application site. The assessment methodology to be used, including measurement positions, shall be agreed with the LPA prior to the commencement of noise measurements.

Assessment of the noise shall be made in accordance with PPG24 Planning and Noise (September 1994). 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":

- 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 LAmax in bedrooms between 23.00 and 07.00 hours

The uses of ventilation measures which obviate the need for future residents to open windows for cooling and rapid ventilation shall be identified and incorporated into the noise assessment report.

The mitigation measures shall be approved in writing by the LPA and installed prior to occupation of the site. Prior to occupation of the site a Site Completion Report shall be submitted to the LPA for approval. The Site Completion Report shall validate that all works undertaken on site were completed in accordance with those agreed by the LPA.

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

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a mitigation scheme to address air quality within the development. The scheme shall identify fully all measures which are required to control the impact of poor air quality on future residents. A verification report shall be submitted for written approval to the Local Planning Authority confirming that all 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 DES 7 of the City of Salford Unitary Development Plan.*

### **Notes to Applicant**

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

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)



**APPLICATION No:** 11/61256/LBC  
**APPLICANT:** Mr Gordon Stuart Codling  
**LOCATION:** 29 Crescent, Salford, M5 4PF  
**PROPOSAL:** Listed building consent for the change of use from offices to a house in multiple occupation (HMO)  
**WARD:** Irwell Riverside

#### **Description of Site and Surrounding Area**

The application site is a grade II listed building constructed from approximately 1800 – 1850, which forms part of a crescent of thirteen terraced three storey town houses that follow the shallow concave sweep of the road and forms part of the Crescent Conservation Area. The red brick three storey town houses are of classical design with Georgian proportions, each with a columned and pedimented doorway. To the west this character is continued by a number of buildings of architectural quality and heritage importance. The application site is a mid terrace property set back from the pavement with a small front garden, whilst to the rear of the property is a small yard which backs on to Hulme Street and an area of surface car parking.

#### **Description of Proposal**

Listed building consent is sought for the reinstatement of walls and removal of modern stud walls to the ground and first floor rooms.

#### **Relevant Site History**

11/60834/COU - Change of use from offices to a house in multiple occupation (HMO). Application refused

11/61255/COU - Change of use from offices to a house in multiple occupation (HMO) Re-sub of 11/60834/COU

#### **Publicity**

**Site Notice:** Listed Building      Date Displayed: 9 January 2012

**Reason:** Listed Building Consent

**Press Advert:** Salford Advertiser      Date Published: 12 January 2012

**Reason:** Listed Building Consent

#### **Neighbour Notification**

13 notification letters were sent to the following neighbours on 22nd December 2011:-

22 – 28 (o +e) The Crescent

31 – 34 (o +e) The Crescent

1 Hulme Place

#### **Representations**

No letters of objection have been received as a consequence of the application publicity.

#### **Consultations**

English Heritage - No comments received to date

## **Planning Policy Framework**

### **Development Plan Policy**

Regional Spatial Strategy - Policy EM1 - Enhancement and Protection of Assets

#### **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.

#### **Unitary Development Plan CH1 - Works to, Demolition of Listed Building**

This policy states that proposals for the alteration, extension, change of use or demolition of a listed building will be considered in relation to the effect on the importance of the building; the particular features of the building, the buildings setting and contribution to the local scene and extent to which the proposed works would bring substantial benefits for the community. Proposals involving the alteration, extension, change of use or partial demolition of a listed building will be permitted only where it would preserve or enhance the character and features that would contribute towards the reasons for its listing.

### **Other Material Considerations**

#### **Planning Policy Statement PPS5 - Planning for the Historic Environment**

This policy states the Government's objectives for the historic environment and the rationale for its conservation. It recognises the unique place the historic environment holds in England's cultural heritage and the multiple ways it supports and contributes to the economy, society and daily life. The PPS identifies the historic environment as a non-renewable resource; its fragile and finite nature is a particularly important consideration in planning. Conserving this resource for future generations accords with the principles of sustainable development. Tests are identified to ensure that any damage or loss is permitted, against the historic environment is permitted only where it is properly justified.

### **Appraisal**

In the case of Listed Building Consents, there is no statutory requirement to have regard to the provisions of the Development Plan, although UDP policy CH1 deals with works to, and demolition of listed buildings. In consideration of applications for listed building consent the local planning authority must therefore consider Section 16 of the Town and Country Planning Act (Listed Buildings and Conservation Areas) Act 1990, PPS5 - Planning for the historic environment and UDP policy CH1.

Section 16(2) of the Town and Country Planning Act (Listed Buildings and Conservation Areas) Act 1990 states that 'in considering whether to grant listed building consent for any works, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

PPS5 places an obligation upon applicants to consider the potential; impact of development proposals on the significance of heritage assets where a heritage asset is defined as, "a building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions."

PPS5 draws on the principles established in the 2008 English Heritage publication 'Conservation Principles Policies and Guidance which seeks to understand the significance of the building and thus inform the appropriateness of the proposals. PPS5 Policy HE6 states "Local planning authorities should require an applicant to provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage asset and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset."

The City Council's Heritage Officer has assessed the significance of the historic asset against the values outlined in the English Heritage publication 'Conservation Principles, Policy and Guidance (2008). Details of this assessment are outlined below: -

**Evidential Value:** Historic fabric comprises the front elevation, structure and roof. The rear elevation has been significantly altered and the interior has lost several walls and most decoration.

**Historical Value:** Of no significance

**Aesthetic Value:** Contributes (along with the rider terrace) to an attractive piece of townscape.

**Communal Value:** Of no significance.

In terms of historical significance, the City Council's Heritage Officer indicates that, "it is a rare example of set piece Georgian town planning in an open and prominent setting, lining a principal thoroughfare into the city centre."

The City Council's Heritage Officer, states that, "the works proposed largely comprise the reinstatement of the original room layout and proportions and therefore enhance understanding of the listed building and appreciation of its original use as a house. As the interior has largely lost its decoration (timberwork and plasterwork there are no objections.

### **Conclusions**

Subject to the attachment of the following conditions, the proposed works are considered to be acceptable and the proposal is considered to be in accordance with Section 16 of the Town and Country Planning Act (Listed Buildings and Conservation Areas) 1990; and PPS5 Planning for the historic environment.

### **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 by virtue of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

2. All new walls shall be finished to the same specification as the walls to the rest of the room (skirting boards etc).

*Reason: To ensure historic integrity to the reformed rooms and so as to accord with Policy CH1 of the UDP.*

3. Any new plastering to the interior (including the basement) shall be undertaken using a lime based plaster comprising NHL2.

*Reason: To ensure the continued sound structural integrity of the building and avoid the formation of harmful damp within the historic fabric and so as to accord with Policy CH1 of the UDP.*

4. Prior to the commencement of works, the design of the new door between the two principal cells of the basement shall be submitted to and approved in writing by the local planning authority. For the avoidance of doubt the door and frame shall not be embedded into the brickwork or fixed into brickwork with screws.

*Reason: To ensure historic integrity is retained and so as to accord with Policy CH1 of the UDP*

5. All historical doors shall be retained and not removed within the scope of the works.

*Reason: To ensure historic integrity is retained and so as to accord with Policy CH1 of the UDP.*

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

6226 PS.01 December 11 REV A  
6226 PS.03 December 11 REV A

*Reason: For the avoidance of doubt*

### **Notes to Applicant**

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

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)

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<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=LXDA93NP5Y000>

**APPLICATION No:** 12/61290/REM

**APPLICANT:** Wainhomes

**LOCATION:** Land Off Moss Lane, Worsley, M28 3NN

**PROPOSAL:** Details of reserved matters application for the layout, scale, appearance, access and landscaping in relation to the erection of 241 dwellings and 12 apartments pursuant of planning permission 11/59846/FUL

**WARD:** Walkden North

### **Description of Site and Surrounding Area**

The application relates to a significant proportion of the Linnyshaw Industrial Estate. The site covers an area of 7.8 hectares and is bounded by the Linnyshaw Loopline to the east and north (identified as a strategic recreation route), the rear of houses on Manchester Road to the south, vacant demolished industrial premises on Moss Lane to the west together with vacant sites. Much of the vegetation and trees on the site have been cleared). A small finger of the application site extends west to the rear of houses on Greenhaven Close. The surroundings of the site vary from open farmland within the Green Belt to the east and north (also designated as a Wildlife Corridor Key Area of Search), residential communities to the south and west as well as the remainder of the Linnyshaw Industrial Estate to the west and north-west.

The site is generally flat with a gentle fall in the land from north to south. The site has been recently cleared of vacant industrial premises, previously unused land and a single remaining industrial occupier. A small proportion of the site is classified as greenfield land. Small watercourses run adjacent to the site alongside the Linnyshaw Loopline to the east and on a short stretch of the north west corner of the site.

## **Background**

Outline planning permission for residential development for a maximum of 300 houses with all matters reserved was granted in September 2010 (planning permission reference 09/58084/OUT).

Subsequent to the above outline planning permission a number of S73 applications were submitted to vary and remove conditions from the above planning permission. These applications are as follows:

**10/59751/FUL** - Variation of condition 5 (noise) on outline planning application 09/58084/OUT for the erection of a maximum 300 dwellings - Approve - 7 April 2011

**11/59844/FUL** - Removal of condition 18 (Lifetime homes Standard) on outline planning application 09/58084/OUT for the erection of a maximum 300 dwellings - Approve - 7 April 2011

**11/59845/FUL** - Removal of condition 16 (Unmanaged Grassland) on outline planning application 09/58084/OUT for the erection of a maximum 300 dwellings - Approve - 7 April 2011

**11/59846/FUL** - Removal of conditions 19 and 20 (Energy Reduction and 10% Renewable) on outline planning application 09/58084/OUT for the erection of a maximum 300 dwellings - Refuse - 7 April 2011

All of the above S73 applications were determined by the Planning and Transportation Regulatory Panel. As a result of the decisions two of the above applications were the subject on an appeal by way of a Public Inquiry. In terms of the application before you today the relevant appeal decision related to the following:

11/59846/FUL - The Planning and Transportation Regulatory Panel had no objections to the removal of condition 19 but did object to the removal of condition 20. The Planning Inspector allowed the appeal and removed condition 19. In terms of condition 20 the Planning Inspector agreed with the Planning and Transportation Regulatory Panel and attached a varied condition 20. Given the above it is the applicant's intention to implement 11/59846/FUL as the outline planning permission and not the original 09/58084/OUT.

The following Reserved Matters applications have been submitted:

10/59750/REM - Details of reserved matters for the access, appearance, landscaping, layout and scale in relation to the erection of 244 dwellings and 21 apartments pursuant to outline application 09/58084/OUT - Refuse - 16 March 2011

The above application was refused by delegated powers for the following reasons:

1. The proposed layout and appearance would not result in a satisfactory level of amenity and living space for all future occupiers contrary to policies H1 and DES7 of the Unitary Development Plan and the Housing Planning Guidance
2. The proposed layout and appearance of the development would result in an unacceptable level of amenity in particular loss of light and overbearing to the occupiers of neighbouring properties contrary to policy DES7 of the Unitary Development Plan.
3. Insufficient information has been provided to fully consider whether an adequate scheme for disabled parking can be achieved within the site due to the tightness of the proposed layout and parking scheme contrary to Policy A10 of the UDP and Planning Policy Guidance 13: Transport.
4. Insufficient information has been provided in respect of the noise emanating from commercial premises to the north and southwest of the site and whether this would give rise to noise pollution for future residents contrary to policy EN17 of the Unitary Development Plan and PPG24 Planning and Noise
5. The proposed layout and appearance fails to provide an appropriate; safe and secure; legible and permeable development which respects existing context. Further the appearance of some of the units fails to achieve an acceptable street scene contrary to PPS1, UDP policies DES1, DES2, DES3, DES4 and DES10, the Shaping Salford Design SPD and Design and Crime SPD.

The above application related to site layout plan 8120:01 rev B. The above application was the subject of an appeal dealt with by way of a Public Inquiry.

11/60306/REM - Details of reserved matters for the access, appearance, landscaping, layout and scale in relation to the erection of 240 dwellings and 15 apartments pursuant to outline application 09/58084/OUT (and the subsequent S73 permissions 10/59751/FUL, 11/59844/FUL and 11/59845/FUL) was submitted in May 2011 following the above refusal.

The above application was considered by the Planning and Transportation Panel on the 16th June 2011. The layout plan considered by members was 8120:01 rev G. The application was deferred for the following reasons:

- (a) open space provision including on site provision of LEAPS;
- (b) how a Sustainable Urban Drainage Scheme (SUDS) would be achieved;
- (c) affordable housing;
- (d) landscaping proposals, including the number of trees that had already been removed and the reason for their removal; and
- (e) the provision of improved plans regarding site layout and landscaping.

Prior to the above application returning to the Planning and Transportation Regulatory Panel for further consideration, the Public Inquiry relating to the refused reserved matters application opened (11/59750/REM), as such the above application was later withdrawn.

During the appeal the Inspector agreed to the consideration of layout plan 8120:01 rev K. Revision K dealt with the reasons for refusal on the original reserved matters. In addition the proposed open space provision included one Local Equipped Area of Play (LEAP), two areas of open space and the distances to neighbouring properties was increased to an acceptable distance. The submitted plans clearly identified the location of affordable housing units and improved landscaping plans were submitted. The Inspector allowed the appeal based on the amended plans submitted.

The Reserved Matters appeal was specifically attached to the original outline planning permission 09/58084/OUT. It is the applicant's intention to implement the outline permission granted on appeal 11/59846/FUL. As such the reserved matters application before you today has been submitted. The scheme before you today is almost identical to that allowed at appeal with the exception of a small layout alteration and a slight reduction in dwelling numbers (from 256 to 253).

#### Description of Proposal

This application seeks reserved matters consent for details of the access, scale, appearance, layout and landscaping in respect of the erection of 241 dwellings and 12 apartments together with associated public open space in relation to outline consent 11/59846/FUL. The development has already started on site and a number of dwellings are currently being constructed.

The application proposes the following mix of dwellings:

- 1 bed apartment - 9 (3.6%)
- 2 bed apartments - 3 (1.18%)
- 2 bed dwellings - 28 (11.06%)
- 3 bed dwellings - 76 (30.03%)
- 4 bed dwellings - 137 (54.15%)

There are seventeen different proposed house types.

In addition the development proposes three areas of public open space including 1 Local Equipped Area of Play (LEAP) and 14 car parking spaces to the rear of properties 314 to 326 for the use of residents in these existing properties on Manchester Road.

The proposed layout consists mainly of: an area of housing to the east of Moss Lane and an area of housing to the northwest / west of Moss Lane. To the east of Moss Lane the proposed development would be accessed from two vehicular access points and one pedestrian access. The pedestrian access leads directly to one of the

areas of open space. Three cul-de-sacs are proposed in this area along with a long winding road that connects the two vehicular access points.

To the west of Moss Lane the development is accessed by an additional vehicular access point from Moss Lane terminating in two cul-de-sacs. To the northwest the development proposes a continuation of Moss Lane that terminates in one cul-de-sac.

The Moss Lane frontage to the east comprises of a mix of 2 / 2 ½ storey detached and semi-detached dwellings with a block of 4 terraced properties adjacent to the existing terraced dwellings on Moss Lane. The proposed area of open space is accessed directly from Moss Lane a short distance (160m) from the junction with Manchester Road. Towards the northern end of Moss Lane is a proposed LEAP that directly fronts onto Moss Lane.

Similarly along the western Moss Lane frontage is a mix of two and three storey detached and semi-detached dwellings.

In support of the application a phasing plan has been submitted detailing three phases of development.

Phase 1 is located to the east of Moss Lane and to the rear of the properties on Manchester Road. This phase has one main access from Moss Lane which leads to the main link road and includes an area of public open space and into phase 2. Phase 1 includes part of one of the public open space area. It is made up of a mix of mostly detached and semi-detached house types with a few terraced properties and apartments.

Phase 2 is the largest of the three phases and adjoins phase 1 and extends the remaining length of Moss Lane and includes an element to the northwest of Moss Lane. It contains the LEAP. It is made up of a mix of detached, semi-detached and terraced properties with a small number of apartments.

Phase 3 is located to the west of Moss Lane and includes the finger of development that projects toward the rear of the dwellings on Greenhaven Close. It contains a further area of public open space. It is made up of a mix of mostly semi-detached and terraced house types with a few detached properties and apartments.

### **Publicity**

**Site Notice:** Affecting public right of way Date Displayed: 15 February 2012

**Reason:** Article 13 affect public right of way

**Press Advert:** Salford Advertiser Date Published: 9 February 2012

**Reason:** Article 13 Affect Public right of Way

### **Neighbour Notification**

171 neighbours were consulted on the 31st January 2012;

### **Representations**

One letter of objection have been received in response to the application publicity. The issues raised are summarised as follows:

The land to the rear of properties on Manchester Road is not within the ownership of Wainhomes;  
Since the removal of trees on the site there has been an increase in the water running on to the land / garden areas of properties on Manchester Road;  
Criticism regarding the handling of the application by Wainhomes and the Council in terms of not taking comments from neighbouring occupiers on board.

The first issue above has been raised with the applicants. The issue of land ownership has been raised with Wainhomes the current plans have been amended to remove development on the land mentioned above. The issue of land ownership is a private matter.

The issue of drainage will be discussed in the appraisal section below. In terms of the latter issue, the Council has written to the neighbouring occupiers on a number of occasions and the case officer has met with a number of residents to discuss the proposed development. Comments raised have been taken into consideration and appraised in previous reports.

### **Consultations**

Design For Security - no objections subject to a condition requiring the development to be built in accordance with the submitted Crime Impact Statement.

Flood Risk Management Officer - no objections subject to satisfactory drainage.

Highways - no comments have been received in relation to this application, however traffic issues were dealt with at the time of the outline application and a condition was attached to the planning permission requiring a detailed scheme of highway improvements.

Environment Agency - no objections subject to a condition requiring a scheme to be submitted to investigate and restore the capacity of the ditch and culvert adjoining plots 157, 158 & 178.

Greater Manchester Ecological Unit - No comments received to date

Transport For Greater Manchester - no objections but recommends that the bus stops on Manchester Road are upgraded.

Miller Goodall Environmental Services Limited - no objections subject to the erection of an acoustic fence being erected to the rear of a number of properties to ensure no conflict of uses from neighbouring commercial premises.

Urban Vision Environment (Land Contam) - no further advice in relation to this application. A contaminated land condition was attached to the outline planning permission.

### **Planning Policy Framework**

#### **Development Plan Policy**

Regional Spatial Strategy - Policy DP1 - Spatial Principles  
Regional Spatial Strategy - Policy DP2 - Promote Sustainable Communities  
Regional Spatial Strategy - Policy DP3 - Promote Sustainable Communities  
Regional Spatial Strategy - Policy DP4 - Best Use of Existing Resources  
Regional Spatial Strategy - Policy DP5 - Manage Travel Demand  
Regional Spatial Strategy - Policy RT2 - Managing Travel Demand  
Regional Spatial Strategy - Policy DP9 - Reduce Emissions Adapt to Climate Change

#### **Unitary Development Plan R2 - Provision of Recreational Land Facilities**

This policy states that planning permission for recreational development will be granted unless the development would have an unacceptable impact on residential amenity, have an unacceptable impact on highway safety, fail to make provision for cyclists, pedestrians and disabled people, have an unacceptable impact on the quiet enjoyment of the countryside, have an unacceptable impact on sites or features or archaeological ecological, geological or landscape value, or have an unacceptable impact on existing recreational facilities. The policy seeks to ensure that all households are within set distances of a range of facilities, and that there is at least 0.73ha of high quality managed sports pitches per 1,000 population, 0.25ha of equipped children's playspace per 1,000 population, and adequate amenity open space.

#### **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 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 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 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 H1 - Provision of New Housing Development

This policy states that all new housing will contribute toward the provision of a balanced housing mix; be built of an appropriate density; provide a high quality residential environment; make adequate provision for open space; where necessary make a contribution to local infrastructure and facilities required to support the development; and be consistent with other policies of the UDP.

#### 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 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 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.

### **Other Material Considerations**

#### Planning Policy Guidance PPG13 - Transport

This policy states that the main objective of the guidance is to promote more sustainable transport choices for both people and for moving freight. It aims to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and reduce the need to travel by car. For retail and leisure policies should seek to promote the vitality and viability of town centres, which should be the preferred locations for new retail and leisure development. Preference should be given first to town centres then edge of centre and then on out of centre sites in locations which are (will be) well served by public transport.

#### Planning Policy Guidance PPG24 - Planning and Noise

This policy states that the impact of noise can be a material planning consideration. PPG24 recognises that it is hard to reconcile some land uses with housing and some other activities that generate high levels of noise but stresses that wherever practicable noise generating developments are separated from major sources of noise. Development involving noisy activities should if possible be sited away from noise sensitive uses. Where this is not possible there is a need to consider what can practically be controlled to reduce noise levels or mitigate noise through conditions and planning obligations.

#### Planning Policy Statement PPS1 - Delivering Sustainable Development

This policy states that planning should facilitate and promote sustainable and inclusive patterns of development through a range of measures that includes ensuring high quality development through good and inclusive design and ensuring that development supports existing communities and contributes and contributes to the creation of safe, sustainable, liveable, and mixed communities with good access to jobs and key services for all members of the community.

#### Planning Policy Statement PPS3 - Housing

This policy identifies a number of planning for housing policy objectives designed to ensure that the planning system delivers:

- \* High quality housing that is well designed and built to a high standard
- \* A mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural
- \* A sufficient quantity of housing taking into account need and demand and seeking to improve choice
- \* Housing development in suitable locations, which offer a good range of community facilities and good access to jobs, key services and infrastructure
- \* A flexible, responsive supply of land - managed in a way that makes efficient and effective use of land, including the re-use of previously developed land, where appropriate.

#### Planning Policy Statement PPS4 - Planning for Sustainable Economic Growth

This policy states that the overarching objective is sustainable economic growth to be achieved by: improving the economic performance of urban and rural areas; reducing the gap in economic growth between regions; promoting regeneration and tackling deprivation; delivering sustainable patterns of development by reducing the need to travel; and promoting the vitality and viability of town and other centres. Local Authorities are encouraged to adopt a positive approach towards planning applications for economic development having regard to a range of impact considerations such as carbon dioxide emissions, accessibility, design and regeneration. Proposals for main town centre uses outside existing centres should undertake a sequential assessment to ensure there are no suitable sites available within existing centres and to consider the impact of

their proposals on the vitality and viability of those centres. Applications, which fail either of these tests, should be refused planning permission.

#### 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 policies used to assess and determine planning applications and is intended as a guide in designing out crime.

#### 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.

#### 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.

### **Appraisal**

#### Principal of Development

The principal of residential development on this site has been established through the granting of the outline planning permission 09/58084/OUT and subsequent S73 applications. The purpose of this application is to link this reserved matters application to the outline planning permission approved at appeal.

The scheme before members today is almost identical to that approved by the Planning Inspector in September 2011. The current scheme has been slightly amended in the area behind the existing properties on Manchester Road (332 - 346). The amendment includes the reconfiguring of around 20 dwellings including the omission of three dwellings. The reconfiguration of these dwellings results in the area of land to the rear of the properties on Manchester Road that has been the centre of a land ownership dispute not being developed upon. In all other respects the proposed development is the same as that approved by the Planning Inspector including the number of proposed affordable housing units (51).

As mentioned above members have previously considered a similar layout plan (11/60306/REM) as the one before you today at a Planning and Transportation Regulatory Panel meeting in June 2011. It was deferred by members for a number of reasons, as detailed above. The only issue outstanding is the issue of SUDS which was raised at the meeting in June 2011.

In terms of a Sustainable Urban Drainage Scheme (SUDS). Counsel advice was sought on this matter both from the applicant, then by the Council. The applicants Counsel (QC) advice considered:

"..If Salford wanted SUDS it should have been made clear prior to determination of the outline so as to guide design and its provision should have been secured by an express condition on the outline. If it is necessary now it was necessary and relevant to the development at the outline stage. The reality is that drainage on a non-SUDS basis was agreed prior to determination – it is wholly wrong for Salford to now seek to revisit the issue not least because it would probably imply fairly significant change to the layout which has fixed the broad location and position of development. Salford's stance, in short, is *ultra vires*."

The Council sought a further Counsel opinion on the above advice submitted by the applicants. The Counsel advice received considered that in general terms the Council did reserve power to approve a surface water drainage scheme by way of Condition 11 on the original outline planning permission. However it appears from the original report to the Planning and Transportation Regulatory Panel that a non-SUDS scheme was envisaged and referred to as agreed within the panel report. As such insisting upon a SUDS scheme at this stage would be undermined to some extent. Furthermore if there are difficulties with implementing a SUDS scheme on site then this should be a material factor in deciding whether to insist upon a SUDS scheme.

In addition to the above further information was submitted by the applicants, this was further discussed with the Council's drainage engineer. The SUDS options were considered unacceptable on this particular scheme due to a number of reasons:

Infiltration - unviable due the previous use of the land and contamination.

Ponds and Swales - ponds could be incorporated but they would have to be very large and shallow due to the land contamination. Ponds would result in a complete redesign of the layout of the development. Swales could be incorporated but again would take up a considerable amount of developable land. Swales get blocked very easily, require a lot of maintenance and can be a health and safety issue in terms of persons falling in to them if they are not adequately fenced off.

Given the above; the advice from Counsel and the recent Planning Inspectors decision on an almost identical scheme it is not considered that a SUDS scheme on this particular development would be appropriate.

#### Surface Water

Since construction has begun on site surface water from the application site has been running into the garden areas of properties 332 - 346 Manchester Road. As such a further condition relating to surface water drainage in this particular area has been recommended (see Condition 10). The condition requires both the submission of a scheme and its implementation with 2 months. This additional condition should ensure that surface water is controlled in an acceptable way and reduce to the risk of run-off on to adjacent land.

#### Conclusions

In conclusion, and having regard to the fact specific elements of this case, it is considered that the present scheme all but some minor alterations to the layout has already received consent from the Planning Inspector and as such the alterations to the present scheme are considered to be acceptable.

#### Recommendation

Approve

1. Prior to commencement of phase 3 of the development a scheme to investigate and restore the capacity of the ditch and culvert adjacent to plots 154, 155 and 175 (as illustrated in plan 8120/00 Rev O) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of timings and phasing of any maintenance. The approved scheme shall be implemented prior to first occupation of plots 154, 155 and 175.

*Reason: To reduce the risk of flooding from overland flows in accordance with policy EN19 of the City of Salford Unitary Development Plan.*

2. Within 1 month from the date of this decision full details of the proposed footpath link from the front of plot 67 (as illustrated on plan 8120/00 Rev O) to the existing Linnyslaw Loopline (within the application site) shall be submitted to and agreed in writing by the Local Planning Authority. The submitted scheme shall include details of proposed surfacing and details of ground levels. The approved scheme shall be implemented and available for use prior to completion of 50% of the dwellings / apartments in Phase 2 and retained thereafter.

*Reason: To ensure adequate accessibility in accordance with UDP Policy A2.*

3. Prior to commencement of development of each phase a scheme detailing the proposed public open space or local equipped play area within that phase shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include full details of trees and shrubs to be planted, walls, fences, play equipment, boundary and surface treatment (including materials). The approved scheme shall be implemented and available for use prior to first occupation of 50% of the dwellings / apartments within that 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 proposed open space is available for use in accordance with UDP Policies R2, H1 and H8.*

4. Prior to first occupation of any dwelling / apartment the parking provision associated with that dwelling / apartment shall be made available for use in accordance with the submitted layout plan 8120 / 00 revision O or any subsequent agreed plan revision. The access and parking spaces shall be retained and made available for use at all times that the premises are in use.

*Reason: In the interests of highway safety and to ensure an adequate level of parking in accordance with policies A8, A10 and Appendix B of the City of Salford Unitary Development Plan.*

5. Within 1 month from the date of this decision, samples and details of the materials to be used for the external elevations for phase 1 of the development shall be submitted to and approved in writing by the Local Planning Authority. For the remaining phases samples and details of materials shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development for that phase. The development 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.*

6. Prior to occupation of any phase a scheme for the provision of external lighting associated with that phase shall be 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, hours of use of, column details and a phasing / implementation plan. The approved scheme(s) shall be implemented in full in accordance with the timescale's approved as part of that scheme(s).

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

7. An acoustic barrier shall be erected around the site along the site boundary as identified in the attached plan (ref: Updated Acoustic Plan A ). The acoustic barriers shall have a minimum surface density of 10kgm-2 and a minimum height of 1.8 m. Plots identified as requiring an acoustic barrier (145-169 and 201-217) shall not be occupied until the acoustic barrier has been erected in association with that plot.

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

8. The development shall be implemented in accordance with the phasing plan ref: 8120/00-01 Rev O.

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

9. The development hereby permitted shall be carried out in accordance with the following approved plans:  
Location Plan,  
Proposed Site Layout Drawing no. 00 Rev O (excluding schedule of accommodation),  
Proposed Site Sections Drawing no. 02,  
Floor Plans Type W1 Drawing no. W1-01,  
Elevations Type W1 Drawing no. W1-02,  
Plans & Elevations Type W2 (rev A) Drawing no. W2-01 (rev A),  
Side Aspect Plans \_ Elevations Type W2 Drawing no. W2-02 (rev A),  
Plans & Elevations Type W3 Drawing no. W3-01,  
Plans & Elevations Type W4 Drawing no. W4-01 (3 May 2011),

Plans & Elevations Type W5 Drawing no. W5-01 (3 May 2011),  
 Plans & Elevations Type W6 Drawing no. W6-01 (3 May 2011),  
 Plans & Elevations Type W7 Drawing no. W7-01 (3 May 2011),  
 Plans & Elevations Type W8 Drawing no. W8-01 (3 May 2011),  
 Plans & Elevations Type W9 Drawing no. W9-01 (3 May 2011),  
 Plans & Elevations Type W10 Drawing no. W10-01 (3 May 2011),  
 Plans & Elevations Type W11 Drawing no. W11-01 (3 May 2011),  
 Plans & Elevations Type W12 Drawing no. W12-01 (3 May 2011),  
 Plans & Elevations Type W13 Drawing no. W13-01 (3 May 2011),  
 Plans & Elevations Type W14 Drawing no. W14-01 (3 May 2011),  
 Plans & Elevations Type W15 drawing no. W15-01 (3 May 2011),  
 Plans & Elevations Type W16 Drawing no. W16-01 (3 May 2011), and  
 Plans & Elevations Type W17 drawing no. W17-01 (3 May 2011).  
 Street scenes 8120-03 (rev B) and  
 Landscape Proposal Plans 3925-01 (Rev D - Sheet 1) (Rev C - Sheet 2) (Rev C - Sheet 3) (Rev C - Sheet 4).

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

10. Within 1 month from the date of this permission details of a scheme to reduce the surface water run off on to land to the rear of properties 332 - 346 Manchester Road (rear of plots 21 - 24) shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall detail how surface water run does not discharge onto the land referred to above nor discharge excess water into the adjacent How Clough Brook or the sewer. The approved scheme shall be completed within 2 months from the date of this permission.

*Reason: To ensure that there is adequate provision made for the discharge of foul and surface water in accordance with Policy EN19 of the Adopted UDP.*

### **Notes to Applicant**

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

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)

**APPLICATION No:** 12/61337/FUL  
**APPLICANT:** Redrow Homes NW - Mr Neil Arkwright  
**LOCATION:** Clariant Works, Hayes Road, Cadishead, M44 5BX,  
**PROPOSAL:** Erection of nine houses which constitutes a re-design of plots 51-53 and 62-66 (formally 8 dwellings) on planning approval 10/58651/FUL  
**WARD:** Cadishead

#### **Description of Site and Surrounding Area**

This application relates to the a 0.22 hectare portion of the 7.28-hectare former Clariant Works Site, which is currently being developed for residential purposes by Taylor Wimpy and Redrow following grant of planning permission to erect 214 dwellings and 29 apartments at the site under planning application 10/58651/FUL. The access road into and around the majority of the site are completed and approximately half the site has been built out with some of the completed properties being occupied.

The application site is bounded by Cadishead Park to the north and Hayes Road to the west. Cadishead Park consists mainly of open recreation fields with some children's play facilities and has a line of mature trees close to the boundary with the Clariant site. Hayes Road consists of both residential properties and commercial uses.

The Cadishead Way Bypass is located to the south of the site, beyond which is the Manchester Ship Canal.

There is a disused railway embankment to the east.

#### **Description of Proposal**

Planning permission is sought for the erection of nine two-storey dwellings in the northeastern corner of the site, bounding Cadishead Park. The proposed dwellings comprise of four pairs of semi-detached, three bedroomed dwellings and one four bed detached property. The proposed dwellings would replace eight two-storey dwellings, seven four bedroomed detached properties and one two bedroomed detached coach house, approved under planning approval 10/58651/FUL.

#### **Publicity**

**Site Notice:** Site notice Date Displayed: 13 February 2012

**Reason:** Wider Publicity

**Press Advert:** Not Applicable

**Reason:**

#### **Site History -**

The first residential application for this site was submitted in October 2003, this was granted outline permission (with all matters reserved) for residential development consisting of 288 residential units (03/46638/OUT). This application had a standard time limit of three years for submission of the reserved matters application. As a

consequence a Section 73 application was approved in July 2004 to extend the time period for implementation of the outline planning permission until 2009. This has now lapsed.

In April 2005, planning permission was granted for site remediation to facilitate residential development (04/49520/FUL). The remediation works began in February 2008.

In June 2005, outline planning permission was refused for the siting and means of access for 359 residential dwellings (05/50433/OUT).

In November 2005, an outline application (05/51272/OUT) for the erection of 350 dwellings with siting and means of access was approved subject to conditions.

In March 2009, an outline planning application (08/56334/OUT) for the erection of 42 apartments and re-siting of 8 dwellings was approved under application 05/51272/OUT. This was a result of Harrow Estates Plc acquiring a further 0.6ha of land abutting the southern corner of the original site.

In October 2010 planning permission was granted under application 10/58651/FUL for the erection of 243 dwellings comprising of 29 apartments and 214 dwelling houses.

Reserved matters application 10/58959/REM which sought approval of reserved matters for the design, appearance, and landscaping in relation to the erection of 350 dwellings (05/51272/OUT) was withdrawn from consideration in September 2011.

There have been a series of non material amendments applications which have approved amendments to the scheme approved under 10/58651/FUL including -

11/60041/NMA - Application for a non-material amendment to planning permission 10/58651/FUL for substitution of house types for plots 1 and 26 and re-alignment of footpath in front of plots 4-9 – Approved 29.03.2011

11/60684/NMA - Application for a non-material amendment to planning permission 10/58651/FUL to swap plots 111-115 with plots 76-82 with exact plot types already approved – Approved 10.08.2011

11/61092/NMA - Application for non-material amendment to planning permission 10/58651/FUL to swap plot designs 34-35 with plots 89-91 – Approved 02.12.2011

11/61100/NMA - Application for a non-material amendment to planning permission 10/58651/FUL to substitute house type on plots 99 and 113. Approved 19.12.2011

12/61331/NMA - Application for a non-material amendment to planning permission 10/58651/FUL for erection of a conservatory on plot 80. Approved 01.02.2012

Planning application 10/58651/FUL is the permission that is being implemented on site.

### **Neighbour Notification**

129 neighbours were notified of the application on the 2nd February 2012 with a further two addresses being consulted on the 9th February 2012.

### **Representations**

No letters of representation have been received in response to the application publicity.

### **Consultations**

Flood Risk Management Officer - Advise that there are no objections subject to satisfactory drainage provision to Salford City Council approval with a separate drainage system being required as approved previously and minimum floor levels being 300mm above adjacent road.

Design For Security - No comments received to date



Highways - No objections

Miller Goodall Environmental Services Limited - No objections as the proposed substitution of house types does not raise any issues with regard to noise and air quality

Urban Vision Environment (Land Contam) - Advise that a remediation strategy for the site has been agreed however verification that works are undertaken in accordance with the agreed strategy is required and should be requested via condition.

Health and Safety Executive - Advise that they do not advise against the grant of planning permission on health and safety grounds.

Environment Agency - Advise that the site is located in an area considered to be at flood risk from the Manchester Ship Canal. State that the Betts Associates Version 2.2 July 2010 flood risk assessment that has been previously agreed under 10/58651/FUL recommended that finished floor levels be set no lower than 13.50m AOD, thereby ensuring protection to the proposed development for events with return periods of up to and including the 1 in 100 year event during the "defended" operational scenario of the Manchester Ship Canal, before noting that in this area the Finished Floor Levels were set at around 14.25 and 15.40 metres Above Ordnance Datum (AOD). Advise that it is prudent in this particular case to incorporate an informative relating to the inclusion of flood resilient measures to address the potential flooding during the 1 in 1000 year extreme probability event.

## **Planning Policy Framework**

### **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 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 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 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 DEV4 - Development Close to Hazardous Uses

This policy states that development within the vicinity of notifiable installations will not be permitted where they would result in an unacceptable increase in the risk or consequences of a major accident.

#### 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 H1 - Provision of New Housing Development

This policy states that all new housing will contribute toward the provision of a balanced housing mix; be built of an appropriate density; provide a high quality residential environment; make adequate provision for open space; where necessary make a contribution to local infrastructure and facilities required to support the development; and be consistent with other policies of the UDP.

#### 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 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 Considerations**

#### Planning Policy Statement PPS1 - Delivering Sustainable Development

This policy states that planning should facilitate and promote sustainable and inclusive patterns of development through a range of measures that includes ensuring high quality development through good and inclusive design and ensuring that development supports existing communities and contributes and contributes to the creation of safe, sustainable, liveable, and mixed communities with good access to jobs and key services for all members of the community.

#### Planning Policy Statement PPS3 - Housing

This policy identifies a number of planning for housing policy objectives designed to ensure that the planning system delivers:

- \* High quality housing that is well designed and built to a high standard
- \* A mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural
- \* A sufficient quantity of housing taking into account need and demand and seeking to improve choice
- \* Housing development in suitable locations, which offer a good range of community facilities and good access to jobs, key services and infrastructure

\* A flexible, responsive supply of land - managed in a way that makes efficient and effective use of land, including the re-use of previously developed land, where appropriate.

#### 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 - 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 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.

### **Appraisal**

#### Principle

The principal of residential development on this site has been established through the granting of planning permission 10/58651/FUL and as such there are no in principle objections to this development providing that the proposal is consistent with other material policies within the development plan.

#### Housing Mix -

The scheme approved under planning application 10/58651/FUL contained the following mix of dwellings -

29 - Two bed apartments  
10 - Two bed semi detached  
63 - Three bed semi detached  
15 - Three bed town house  
25 - Three bed detached  
13 - Four bed town house  
2 - Four bed semi detached  
86 - Four bed detached

The proposal would result in the loss of seven four bed detached dwellings and one 2 bedroomed coach house which would be replaced by eight three bed semi detached properties and one four bed detached property.

It is considered that an appropriate mix of dwellings would still be provided across the site and consequently the proposed substitution of house types is considered to be acceptable in accordance with Unitary Development Plan policy H1 and the thrust of the Council's Housing Planning Guidance.

## Design

The proposed dwellings would be two storeys in height. Having regard to the scale and massing of the units previously approved in this location, all of which would have been two storeys high, and that of the rest of the estate it is considered that the proposed scale and massing of the dwellings is appropriate.

The proposed dwellings have been sited so their main frontage addresses the access road and they would have a plot layout comparable to the other units in the vicinity, whereby each unit is provided with a front garden, an area of hardstanding and garage to the side and an area of private amenity space at the rear. A landscape scheme has been submitted with the planning application, which would ensure that future residents are provided with a good balance of hard and soft landscaped areas, with adequate space for refuse provision being available.

The dwellings would be of a traditional design with some contemporary detailing, being constructed using a mix of brick and render, with tiled roofs. The design of the proposed dwellings would respect that of the dwellings approved under 10/58651/FUL, with matching materials being used in their construction and consequently, subject to the attachment of a condition relating to materials, it is considered that the introduction of the proposed dwellings would make a positive contribution to the street scene.

Overall it is considered that the proposal would be in keeping with the development it will be seen in context with and consequently the introduction of the proposed dwellings would not have a detrimental impact on the visual amenity of the area. The proposal is therefore considered to be in accordance with UDP policies DES1, DES2 and DES9 and the thrust of the Council's Design SPD.

## Design and Crime

The applicants have confirmed that the development will be carried out in accordance with the recommendations contained within the previously approved Crime Impact Statement dated February 2010 and consequently subject to the attachment of an appropriately worded condition to secure this it is considered that the proposal would accord with the provisions of policy DES10 of the Development Plan.

## Amenity

Cadishead Park is located to the north of the site of the proposed dwellings, which would only have relationships with other dwellings within the Clariant Works development site.

The siting and design of the proposed dwellings is such that they would maintain 13m between their two storey blank gables and the ground floor habitable room windows in adjacent dwellings and there would be at least 20m between facing habitable room windows in the proposed dwellings and those given consent under 10/58651/FUL.

Future occupants of the proposed dwellings would be provided with an acceptable level of outlook and satisfactory amenity space will be provided for each dwelling.

The Council's Environmental Consultants have confirmed that the proposal does not raise any issues with regard to noise or air quality, however in order to ensure that future occupants of the proposed dwellings enjoy a satisfactory level of amenity it is considered necessary to attach a condition requiring development to be carried out in accordance with the previously approved Hepworth Acoustics Reports numbered 20601.1v2 dated February 2010.

Subject to the attachment of a condition relating to noise mitigation it is considered that the introduction of the proposed development is in accordance with policy DES7 and EN17 of the adopted UDP.

## Traffic and Highway Safety

The access to the dwellings remains as previously approved under 10/58651/FUL, whereby the estate would be accessed from the Hayes Road / Cadishead Way junction with the six dwellings fronting Hayes Road being accessed from Hayes Road. The revised proposal would not interfere with existing visibility splays.

The development is fully and safely accessible, and incorporates footways throughout in order to maximise pedestrian movement on safe and direct routes and minimise potential conflict between pedestrians, cyclists and other road users.

Each dwelling would be provided with a garage and an area of hardstanding capable of accommodating either one or two cars. Having regard to provision across the Clariant Works site as a whole, which is approximately 1.5 spaces per dwelling it is considered that the level of car parking provision is acceptable.

The proposal is therefore considered to be in accordance with UDP policies A8, A10 and DES2 – it does not raise any issues from a highway safety perspective.

### Sustainability

The applicants have confirmed that the proposed dwellings will be constructed in accordance with the Redrow Energy Statement previously approved. This sets out how Redrow will aim to achieve a betterment over the requirements of the Building Regulations by using basic passive solar design to maximise day lighting and displace the need for artificial lighting, improving thermal performance at junctions, improving the levels of insulation and air tightness, using windows and building fabric specifications to reduce heat loss, utilising Mechanical Ventilation with Heat Recovery (MVHR) or Mechanical Extract Ventilation (MEV) together with effective heating controls with at least 30% of the light fittings are to be high-energy efficiency with electrical appliances specified as 'A rated' or better. In light of this the proposal is considered acceptable in this regard.

### Flood Risk

The Environment Agency have advised that the development should be carried out in accordance with the Betts Associates Version 2.2 July 2010 Flood Risk Assessment (FRA) July 2010/C1/TAY24/Rev2.3 as this will provide protection for the proposed development for the 1 in 100 year (20% allowance for Climate Change) event. Conditions relating to surface water run off and finished floor levels will be attached to secure this. An informative will also be attached advising the developer to consider the introduction of flood proofing measures such as barriers on ground floor doors and windows and that electrical services into the building are at a high level.

### Planning Obligations

A Section 106 agreement was signed for the entire site in 2010 - this secured developer contributions of £216,399 for open space provision in accordance with UDP Policy H8. The level of contribution towards the provision of open space was calculated on a pro-rata basis having regard to the extant outline and resulted in a contribution per dwelling of £ 890.53. The proposed substitution of house types would result in the addition of a further dwelling and consequently given that the proposal forms part of a wider redevelopment it is considered appropriate to require an additional contribution, applying the same principles to this development as were applied under the original consent. A new S106 will be drawn up to tie this application to 10/58651/FUL and secure an £890.53 contribution towards open space provision in the locality, the need for which arises as a result of the addition of a further dwelling at the site.

### Conclusions

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 accordingly recommended that the application be approved.

Given that this application would grant a new consent on this site it is necessary to add the same conditions which were attached to the application for the whole site where they relate to housing, deleting those that are not applicable to the small area covered by this application.

### 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 heads of terms:

-Open Space Provision

- 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;
- 4) That the authority be given to refuse the application if the applicant fails to complete the S106 agreement by 27th March 2012 on the grounds that the proposals do not support the aims and objectives of PPS1 Delivering Sustainable Development, PPS3 Housing, PPS4 Planning for Sustainable Economic Growth, Policies DEV5, H8 and DES3 of the adopted city of Salford Unitary Development Plan and the adopted City of Salford Supplementary Planning Document: Planning Obligations.

**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 hereby permitted shall be carried out in accordance with the following approved plans -

Location plan – 02-02-06 dated 3.1.12  
Proposed planning layout – 02-01 Rev S dated 28.1.12  
The Letchworth (Brick) Floorplans and elevations – 2011 release D3H095  
The Letchworth (Render) floorplans and elevations – 2011 release D3H095  
The Stratford (Brick) Floorplans and elevations – 2011 Release – D4H114  
The Stratford (Render) Floorplans and elevations – 2011 Release – D4H114  
Proposed street scene – 1455-02-02-010  
Single garage 2011 Release  
Double Garage 2011 Release  
Materials Layout – 05-01 Rev M dated 28.1.10  
Boundary Treatment – 1455-02-02-008 Rev F Dated October 2010  
Post and rail detail – D-SD0900  
Close Boarded Fencing – D-SD0906  
Gate within close boarded fencing – D-SD0910  
Landscape plan 3874.07 Rev C and 3874.08 rev C

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

3. The development hereby approved shall be constructed using the materials detailed on drawing number 05-01 Rev M dated 28.1.10

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

4. The landscape scheme shown in the Trevor Bridge Associates drawing 3874.07 Rev C and 3874.08 rev C 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.*

5. The surface water run-off generated by the development shall be limited to a rate not to exceed 30 litres per second, for events with flow probabilities of up to and including the 1 in 100 year (30% climate change) event.

*Reason: To ensure that the development is subject to minimum risk of flooding in accordance with Policy EN19 of the Adopted UDP.*

6. The car parking spaces shown on the submitted plans to be within the curtilage of the dwellings hereby permitted shall be made available for use prior to the first occupation of the units hereby approved. They shall be made available for use at all times for the parking of motor vehicles in connection with the use of the dwellings to which they relate.

*Reason: In the interests of highway safety in accordance with policy A 8 of the City of Salford Unitary Development Plan.*

7. The development shall be carried out in accordance with the approved remediation strategy. 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: To safeguard the amenity of the future occupants of the development in accordance with policy EN17 of the City of Salford Unitary Development Plan.*

8. The development hereby approved shall be undertaken in accordance with the Hepworth Acoustics Report 20601.1v2 dated February 2010. Prior to occupation of the dwellings hereby approved 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 future occupants of the development in accordance with policy EN17 of the City of Salford Unitary Development Plan.*

9. The development hereby approved shall be carried out in accordance with the approved Crime Impact Statement dated 10 February 2010 and any 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.*

10. The development hereby approved shall be constructed in accordance with the Redrow Energy Statement dated 2010. A completion report shall be provided to the Local Planning Authority before first occupation of any dwelling which sets out how the measures have been incorporated. The measures shall be maintained thereafter unless otherwise agreed in writing by the Local Planning Authority

*To ensure that new development accords with required standards of energy efficiency appropriate to the planned construction and operation of the building or plot across the relevant construction period in accordance with policies EN21 of the City of Salford Unitary Development Plan.*

11. The development hereby approved shall be carried out in accordance with the details of the Construction Management Plan and accompanying drawings 08-01 and 1455-CEMP received on the 13th October 2010.

*Reason: To safeguard the amenity of the neighbouring residents in accordance with policies DES 7 and EN17 of the City of Salford Unitary Development Plan.*

12. The development hereby approved shall be carried out in accordance with the details of the Wardell Armstrong Dust Management Plan dated October 2010.

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

13. Finished Floor Levels shall be set no lower than 13.500m above Ordnance Datum (AOD).

*Reason: To ensure that the development is subject to minimum risk of flooding in accordance with Policy EN19 of the Adopted UDP.*

### **Notes to Applicant**

1. Surface water attenuation will be provided, and storage areas should not pose a flood risk to the proposed dwellings and those neighbouring the development unless otherwise agreed in writing by the Local Planning Authority

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<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=LYG69FNP5Y000>

**APPLICATION No:** 12/61382/HH

**APPLICANT:** Mr S Aya

**LOCATION:** 31 Clarendon Crescent, Eccles, M30 9AU

**PROPOSAL:** Erection of a first floor extension to create a two storey house

**WARD:** Eccles

### **Description of Site and Surrounding Area**

This application relates to a detached bungalow, which occupies a corner plot at the junction of Clarendon Crescent and Snowden Road. The site shares its rear boundary with the side boundary of 2 Snowden Road. The area is predominantly residential in nature with a mix of house types, including bungalows, two storey and three storey dwellings, detached and semi detached. The application property has an existing extension to the side, which was approved under application 02/44695/HH. The site is bounded by a brick wall with ornamental railings and has existing driveways, one accessed off Snowden Road and one off Clarendon Crescent.

### **Description of Proposal**

Permission is sought for the erection of a first floor extension to create a two-storey dwelling.

The existing dwelling is 5.4m in height at its highest point with a pitched roof. Internally it accommodates two bedrooms, a bathroom, kitchen, lounge and dining room at ground floor level and two bedrooms, a study and shower room in the roof space. Whilst, the floor plan for the existing roof space indicates two bedrooms, the applicant has confirmed that these rooms are used for storage and a play area, as there is not sufficient headroom for them to be used as bedrooms

The proposed first floor extension would increase the height of the dwelling from 5.4m to 7.9m and would also incorporate a pitched roof. The property has existing ground floor bay windows in its front and side elevations, which would be extended up to first floor level. The extension would see all bedrooms relocated to the first floor and would provide storage areas and a playroom in the roof space.

A shadow study has been requested from the agent, however, due to the timescales involved and cost implications, the applicant has asked that the application be considered in its current form.



## **Site History**

02/44695/HH - Erection of single storey side extension, and erection of ornamental railings on existing wall to front and side of dwelling and fell on tree (T1) cherry. Permitted 15/11/2002

## **Neighbour Notification**

Neighbours notified: 30/01/12

Amended plan and description letter sent: 28/02/12

## **Representations**

Eight letters of objection have been received from the occupiers of 2, 3, 4 and 5 Snowden Road, 28, 29 and 35 Clarendon Crescent. The letters raise the following concerns:

- Overbearing
- Loss of light
- Overlooking/Loss of privacy
- Design, appearance and materials would give the look of a new build
- The development would be out of character with surrounding properties
- Un natural light from windows in rear elevation
- Shadowing/loss of natural light to garden area and windows
- Out of keeping with the existing dwelling
- Increased parking demand
- Noise and disturbance of development
- The space is too small for such a massive building

Amended plans have since been received and amended plan letters sent. Following this, one additional neighbour letter has been received from the occupiers of 2 Snowden Road. The letter details that the amended plans have not resolved the concerns raised in their original letter and as such their objections still stand.

The issues raised above will be considered in the appraisal of the proposal below.

## **Consultations**

Highways - No objections

## **Planning Policy Framework**

### **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.

## **Other Material Considerations**

### **Supplementary Planning Document - Ellesmere Park**

The policy document is designed to raise awareness of the need for and value of good design in Ellesmere Park, and how it can be achieved for the benefit of all involved.

### **Supplementary Planning Document - House Extension**

This document contains a number of policies and standards to ensure that extensions within the curtilage of dwellings have a limited and acceptable impact on neighbouring residents; future residents of the application dwelling and that development makes a positive contribution to the local environment in terms of design.

## **Appraisal**

### **Design**

The application property is located within sub area 2 of Ellesmere Park as defined within the SPD. This area features a mix of residential properties and apartments constructed from the Victorian era to present day

The application property occupies a corner plot at the junction of Clarendon Crescent and Snowden Road. The area is predominantly residential in nature with a mix of house types and designs. The application site is bounded by two storey dwellings to the side and rear. On the opposite side of Snowden Road are two storey semi detached dwellings, and on the opposite side of Clarendon Crescent is the side gable of the three storey semi detached dwellings along Victoria Crescent.

The proposed extension would retain the general design principles of the existing dwelling, incorporating a pitched roof, retaining ground floor bay windows and extending them up to first floor level. There are currently very few windows in the rear elevation of the dwelling and only three small additional windows would be added to the rear elevation at first floor level. The window sizes and design are considered to be in keeping with the existing dwelling. The submitted plans also indicate a brick band course projecting 25mm from the dwelling, between the existing ground floor and the proposed first floor, to allow for continuity between the two elements.

The proposed extension would not increase the footprint of the existing dwelling and would retain the existing space around the dwelling. Whilst, the application property occupies a similar sized plot to others in the immediate surrounding area, the orientation of the property and garden area differs with the property having a very small rear garden area with larger areas to the front and side. The existing dwelling runs in line with the building lines present along Clarendon Crescent and Snowden Road and this would be retained. The extension would increase the overall height of the dwelling by 2.5m which would bring it approximately level with the adjacent property at 33 Clarendon Crescent.

The application form states that materials used would match those of the existing dwelling and a condition could be attached to ensure this.

It is considered that the proposed development would not result in an unacceptable detrimental impact on the character and appearance of the existing dwelling or that of the surrounding area in accordance with policies DES1 and DES8 of the UDP and the Ellesmere Park SPD.

### **Amenity**

Policy HE1 of the House Extensions SPD states planning permission will not normally be granted for extensions that do not maintain a minimum distance of 21m between facing principal windows of habitable rooms and a minimum distance of 10.5m between the principal window of any habitable room of the proposed extension and the common boundary with the facing property (if applicable). In the case of ground floor windows it may be possible to reduce this distance where adequate screening is provided.

Policy HE2 of the House Extensions SPD states planning permission will not normally be granted for extensions that introduce windows or open aspects close to and directly overlooking the gardens of neighbouring dwellings. The reasoned justification to this policy considers the term 'close to' refers to 5m, however this can be overcome with obscure glazing, except to principal habitable room windows.

The proposed development would introduce a first floor bedroom window in its side elevation. This window would not be any closer than the existing ground floor habitable room window, at the application site, and would maintain a distance of approximately 21m from the facing properties on the opposite side of Snowden Road.

The rear elevation, of the proposed development, would introduce three first floor windows within 5m of the common boundary with 2 Snowden Road. Two of these windows serve bathrooms and the third would serve a bedroom. The bedroom would also be served by a larger principal window in the front elevation.

Concerns have been raised by neighbours in relation to a loss of privacy due to the close proximity of these windows. The submitted plans indicate that these windows would be obscure glazed and a condition could be attached to ensure this. Given that two of the windows would serve bathrooms it is considered that the obscure glazing of these windows would be sufficient to protect the privacy of surrounding neighbours. The bedroom window would be a secondary window with the principal window being in the main front elevation. As such a condition could be attached to ensure the bedroom window in the rear elevation is obscure glazed and non-opening. (This would be compliant with building regulations, as the front window would provide adequate means of escape.)

To the front of the application property, on the opposite side of Clarendon Crescent, is 65 Victoria Crescent. The side elevation of 65 Victoria Crescent fronts Clarendon Crescent and is offset from the front elevation of the application property and maintains a distance of approximately 20.5m at its closest point.

It is considered, therefore that the proposed development would not result in an unacceptable loss of privacy to the occupiers of surrounding properties in accordance with policies HE1 and HE2 of the House Extensions SPD and policy DES7 of the UDP.

Policy HE3 of the House Extensions SPD states planning permission will not normally be granted for a two-storey or first floor extension that does not maintain a minimum of 13m between its blank gable end wall and facing ground floor principal windows of habitable rooms of neighbouring dwellings. The same distance applies for proposed extensions that face a two storey blank gable end wall.

Policy HE3 allows for a two storey blank gable 13m from ground floor habitable room windows of facing properties. The side elevation of the proposed extension would incorporate habitable room windows (separation distances between habitable room windows have been discussed above under policy HE1) and would maintain a distance of approximately 21m from the facing properties on the opposite side of Snowden Road.

Policy HE7 of the House Extensions SPD states in the absence of an extension along the common boundary of the adjoining dwelling planning permission will normally be granted for a two storey/first floor extension provided its projection is equal too or less than its distance from the nearest common boundary. The principles of this policy can also be applied to adjacent dwellings, which do not adjoin the application dwelling.

The proposed extension would not project beyond the rear elevation of the adjacent property, 33 Clarendon Crescent. The adjacent properties, 33 Clarendon Crescent and 2 Snowden Road have no habitable windows in their side gables. 2 Snowden Road has a kitchen window in its rear elevation at ground floor level as well as a rear conservatory, which is set in from its side gable.

Policy HE7 seeks to assess proposed extensions in terms of loss of light and possible overbearing impacts on surrounding neighbours. As detailed in the description of site and surroundings, the rear boundary of the application site also forms the side boundary of 2 Snowden Road. Due to the orientation of these properties, the existing dwelling, at the application site, projects beyond the rear elevation of 2 Snowden Road, as would the proposed extension. As such the principles of policy HE7 can be applied. The proposed extension would not increase the footprint of the existing dwelling. The proposed extension would be sited to the west of 2 Snowden Road and it is acknowledged that there would be some shadowing to the adjacent property, 2 Snowden Road. The majority of the proposed extension is directly adjacent to the side gable of 2 Snowden Road with a smaller proportion of the extension being adjacent to the garden area of 2 Snowden Road. Number 2 Snowden Road has a small area of usable space to the rear as well as an existing rear conservatory. When applying the principles of policy HE7, the proposed extension would project approximately 4m beyond the rear elevation of 2 Snowden Road and would be set in between 5m and 5.8m from its side gable. The proposal therefore accords with the requirements of policy HE7.

It is considered, therefore that the proposed development would not result in an unacceptable loss of light or be overbearing to the occupiers of surrounding properties in accordance with policies HE3 and HE7 of the House Extensions SPD and policy DES7 of the UDP.

However, should members have concerns with regards to potential overbearing impacts of the proposed extension, the applicant has submitted details in relation to the personal circumstances of himself and his family.

Paragraph 4.1 of the House extensions SPD states that personal circumstances such as a disability, or the specific requirements of minority groups may make it difficult to provide the necessary facilities within the standards set out within this document. The Council may interpret these standards flexibly in such circumstances, but proposals that significantly deviate from them are still unlikely to be appropriate. Consideration of personal circumstances will be assessed on a case-by-case basis.

This is also supported by the recently adopted Personal Circumstances Guidance Note, which details that personal circumstances should be submitted at the outset with the application. The note also outlines what details are required to enable personal circumstances to be given weight.

The applicant has provided a supporting email, with his application, outlining the need for the proposed development and why he considers it appropriate. This has been summarised below:

- We have a growing family with 3 boys (ages 9,7,5) that sleep in bed 2, a daughter (age 13) who stays at weekends and sleeps on the carpet in the living room and we have another baby on the way in August. Whilst the floor plan for the existing roof space indicates two bedrooms, the applicant has confirmed that these rooms are used for storage and a play area, as there is not sufficient headroom for them to be used as bedrooms. The proposed first floor extension would provide additional bedroom space for the applicant's children.
- My grandparents are in their 80's & used to come and stay with us as their health is not good. Since our 3rd son, they have been unable to stay over, as there isn't space.
- The development would resolve privacy issues in relation to ground floor bedrooms and this would be minimised by having bedrooms upstairs.
- For the neighbour at No 2 Snowdon Road, we have taken into consideration the issue concerning the existing privacy issue. Currently, we can directly see into their garden and into their conservatory. With the obscured glass at the back of the house, there will no longer be a privacy issue because we won't be able to see into their home and garden.
- In my opinion, the new build will improve the street scene especially because every house around us is either 2 or 3 storey and ours is the only bungalow. Therefore, the street will look better as my house will be closer to the heights of the various houses around us.
- A long standing safety concern will also be addressed because our bedrooms are on a sharp bend, with fast cars heading directly towards our bedrooms. Our bedrooms are directly in the line of the cars driving along the Crescent. Moving the bedrooms upstairs will take my children out of the line of fire. It only takes one bad driver and we could have a disaster because all my children sleep in one room. (photos have been provided by the applicant and incorporated into the power point presentation.
- In summary, we will be improving the lives of 4 children and are only increasing the height of the house by 2.5m.

#### Appraisal of personal circumstances

The application property currently has two bedrooms at ground floor level, each of which contains a double bed. The applicant and his wife sleep in one room with their three children sharing the double bed in the second bedroom. When the applicant's daughter comes to stay she sleeps on the floor of the living room. The applicants are also expecting another child. The roof space of the existing dwelling is used for storage, as the head height does not allow for it to be used effectively for bedrooms. The head height within the centre of the room is sufficient but this quickly disappears given the steep roof pitch of the dwelling. The roof space is currently used for storage with a small area being used as a play area by the applicant's children. In this instance, weight can only be given to the requirements of the applicants and their immediate family members. Additional space requirements for grandparents can only be afforded very limited weight as they do not permanently reside at the application property.

It is clear from the applicant's submission and the case officer's site visit that there is a need for additional space within the dwelling. The proposed extension would result in a four bedroom dwelling. All bedrooms would be accommodated at first floor level allowing a study and utility/office to be provided at ground floor level. The extension seeks to improve the living conditions of the applicant and his family and provide the additional space

they require. The applicant has also amended the original submitted plans in order to try and overcome some of the concerns raised by neighbours. This has resulted in the removal of three large rear dormers and a slight reduction in the overall height of the dwelling.

As detailed above it is considered that the proposed development would not result in an unacceptable loss of light or be unacceptably overbearing to the occupiers of 2 Snowden Road. It is acknowledged that some shadowing may occur but this would be in line with the policies contained within the House Extensions SPD. In addition, when considering this, together with the personal circumstances of the applicant, it is considered that on balance the proposed development is acceptable and is subsequently recommended for approval.

#### Highway Safety

The existing property is a single family dwelling. The proposed extension would result in a four bedroom dwelling, however, it would not alter/intensify the use of the dwelling. The site has two driveways to the front and side, which provide off road parking for two vehicles. Parking is also available on the surrounding streets where there are no parking restrictions. Highways have been consulted and have raised no objections. It is considered, therefore that the proposed development would not result in an unacceptable impact on highway safety in accordance with policy A8 of the UDP.

#### Value Added

The original submitted plans proposed to increase the overall height of the dwelling from 5.4m to 8.2m and included the construction of three large dormers in the rear roof space. The rear dormers have since been removed and the height of the proposed extension reduced from 8.2m to 7.9m.

#### **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 facing materials to be used for the walls and roof of the development shall be the same type, colour and texture as those of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure the development fits in with the existing building in accordance with policy DES1 of the City of Salford Unitary Development Plan.*

3. Prior to the development hereby approved being brought into use, the bathroom windows in the rear elevation facing the common boundary with 2 Snowden Road shall be provided with and permanently glazed, in textured glass whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure).

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

4. The bedroom window in the rear elevation facing the common boundary with 2 Snowden Road shall be non opening and retained as such where occupied as a dwelling. Prior to the development hereby approved being brought into use, this window shall be provided with and permanently glazed, in textured glass whose obscuration level is 5 on a scale of 1-5 (where 1 is clear and 5 is completely obscure).

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

5. The development hereby permitted shall be carried out in accordance with drawing number RAD/633/11/1/RevB.

*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 mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)