
REPORT

Of

Strategic Director for Environment and Community Safety

To the

Planning & Transportation Regulatory Panel

16th August 2012

Planning Applications and Related Development Control Matters

(Not considered to contain exempt information)

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

MAIN REPORT

PLANNING AND TRANSPORTATION REGULATORY PANEL

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

LIST OF BACKGROUND PAPERS

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

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

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

Publications

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

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

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

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

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

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

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

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

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

PLANNING & TRANSPORTATION REGULATORY PANEL

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

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

INDEX TO REPORT IN WARD ORDER

DATE: 16.08.2012

RECOMMENDATION

PER	=	PERMIT
AUTH	=	CONSENT
REF	=	REFUSE
DEF	=	DEFER
FUL	=	FULL APPLICATION
ADV	=	ADVERT APPLICATION
OUT	=	OUTLINE APPLICATION
HH	=	HOUSEHOLDER APPLICATION
REM	=	RESERVED MATTERS
COU	=	CHANGE OF USE
LBC	=	LISTED BUILDING CONSENT
S106	=	SUBJECT TO A S106 OBLIGATION

Cadishead

12/62053/FUL

RECOMMENDATION: APPROVE

PAGE 108

TIME OF MEETING: **11.30a.m**

PROPOSAL: Creation of hardstanding and erection of a single storey detached modular classroom

LOCATION: St Teresa's Roman Catholic Primary School
5 Macdonald Road
Irlam
M44 5LH

APPLICANT: Mr G Durkin - Salford City Council

Langworthy

12/61953/HYBRID

RECOMMENDATION: APPROVE

PAGE 27

TIME OF MEETING: **09.30a.m**

PROPOSAL: Full planning permission for the refurbishment of 1,253 dwellings; construction of 293 new residential dwellings; creation of new public open space; new and realigned roads, car parking, landscaping and highway works, change of use of a retail unit to a dwelling; change of use of a D1 (surgery) to a B1 (office use) and demolition of 88 dwellings.

Outline planning permission with all matters reserved for comprehensive redevelopment comprising the construction of up to 1,318 new dwellings (including up to 60 extra care units), city farm, offices (up to 500 sqm), replacement retail units (A1, A2, A3, A4 and A5) (up to 430sqm); new and remodelled public open spaces; new grass sports pitch and remodelled synthetic sports pitches and associated buildings; new allotments; access/highway infrastructure works; public realm works; landscaping and demolition of 779 residential units and 6 retail units

LOCATION: Land And Property Bounded By Broad Street, Cross Street, M602, Langworthy Road, Liverpool Street, Fitzwarren Street, Heywood Way, Hankinson Way, Nursery Street And Eccles Old Road, Pendleton, Salford

APPLICANT: SP+

Ordsall

12/61569/OUT

RECOMMENDATION: APPROVE

PAGE 1

TIME OF MEETING: **02.00p.m**

PROPOSAL: Outline application including details of access for the erection of a mixed use development comprising 70,126sqm office space, two hotels, 1,148 sqm leisure provision, 1,149sqm retail and ancillary units, maximum of 75 apartments, medical centre together with 1,331 space multi-storey car park Re-sub of 11/60031/OUT

LOCATION: Batleys
Ohio Avenue
Salford
M50 2GT

APPLICANT: Batleys Ltd - Mr Malcolm Carter

Pendlebury

12/61897/FUL

RECOMMENDATION: APPROVE

PAGE 87

TIME OF MEETING: **11.30a.m**

PROPOSAL: Extension of time limit for implementation of planning permission
09/57539/OUT (Outline application to include access and layout in respect of general
industrial (B1) buildings together with associated car parking

LOCATION: Unit 6
Lamplight Way
Swinton
M27 8UJ

APPLICANT: Pin Mill Textiles Ltd

Swinton North

12/62011/FUL

RECOMMENDATION: APPROVE

PAGE 94

TIME OF MEETING: **11.30a.m**

PROPOSAL: Creation of hardstanding and erection of a single storey detached modular
classroom

LOCATION: St. Charles RC Primary School
Moorside Road
Swinton
M27 9PD

APPLICANT: Mr Gregory Durkin

Weaste And Seedley

12/62012/FUL

RECOMMENDATION: APPROVE

PAGE 101

TIME OF MEETING: **11.30a.m**

PROPOSAL: Creation of a hardstanding and installation of two single storey modular classrooms

LOCATION: St Lukes Church Of England Primary School
Eccles New Road
Salford
M5 5NX

APPLICANT: Mr Gregory Durkin - Salford City Council

<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=M1A0Y6NP5Y000>

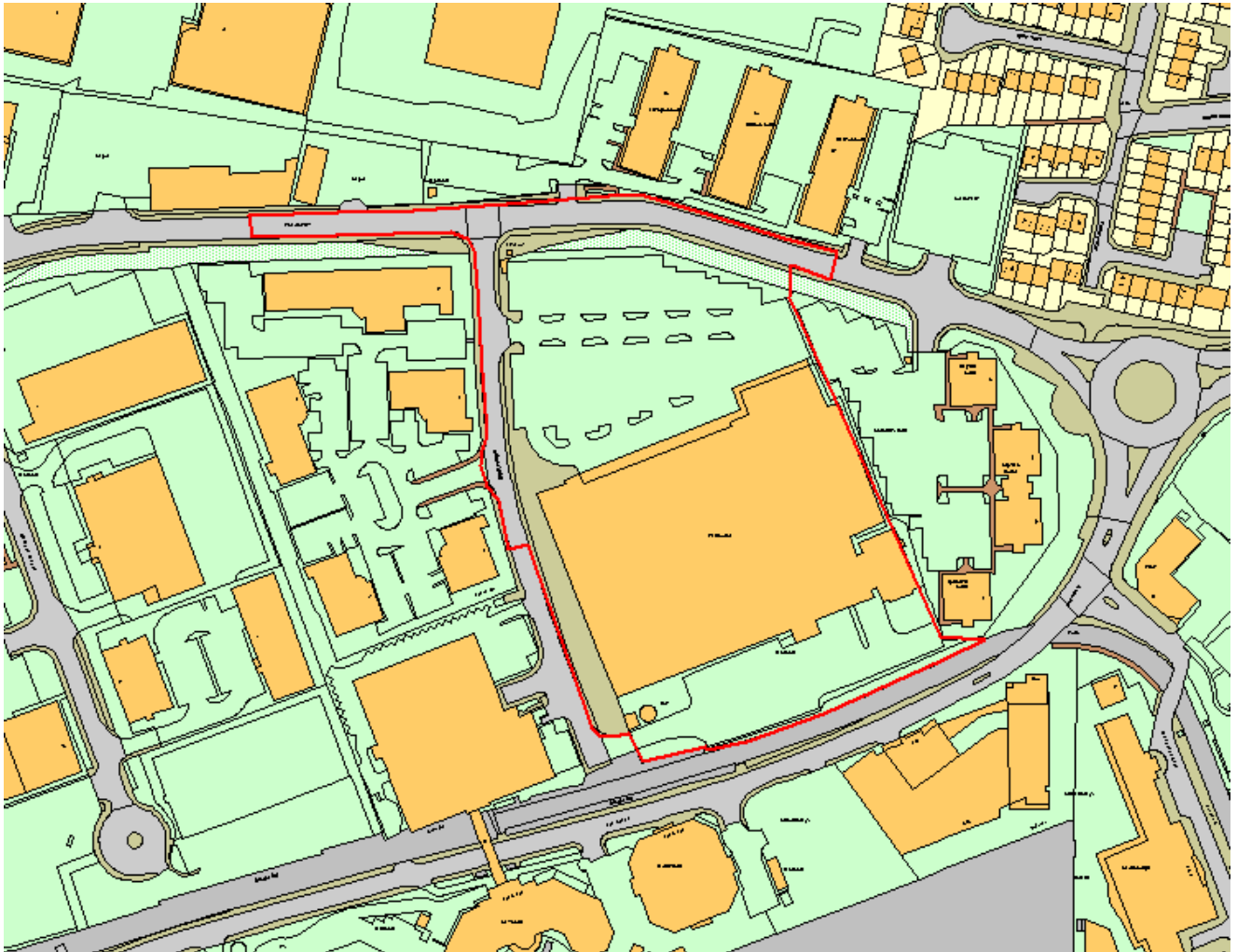
APPLICATION No: 12/61569/OUT

APPLICANT: Batleys Ltd - Mr Malcolm Carter

LOCATION: Batleys, Ohio Avenue, Salford, M50 2GT,

PROPOSAL: Outline application including details of access for the erection of a mixed use development comprising 70,126sqm office space, two hotels, 1,148 sqm leisure provision, 1,149sqm retail and ancillary units, maximum of 75 apartments, medical centre together with 1,331 space multi-storey car park Re-sub of 11/60031/OUT

WARD: Ordsall



Introduction

This application is a very similar application to that which is already the subject of an appeal against non determination. A public Inquiry in relation to that proposal will commence in October of this year. Members will also be aware that the previous application, 11/60031/OUT, has been considered by this Panel as a Part 2 item in order to understand legal advice and to establish the Council's position at the Inquiry.

Members will recall that, in relation to the appeal scheme, most aspects of the proposal were considered to be acceptable and in accordance with the provisions of the development plan. However, in relation to matters of traffic and transportation, two further pieces of work were considered necessary to finalise the Council's position in relation to public transport capacity and traffic modelling.

The information was requested from the appellant in relation to the appeal scheme, and similarly, in respect of this second scheme. The previous resolution of this Panel has formed the Council's case and has been submitted to the Planning Inspectorate.

This report provides a detailed overview of the current proposal, how it compares to the appealed scheme and other planning applications that have been submitted in this immediate area together with the relevance, or weight that can be afforded to them. Should this scheme be approved the applicant has advised that the appeal will be withdrawn upon completion of any associated legal agreement.

Description of the Site and Surroundings

The site is situated on land to the north of the Manchester Ship Canal within Salford Quays on the north side of former dock 9. The site is approximately 350m east of the new MediaCity:UK development along Quays Road. The site is bounded by Ohio Avenue, Broadway and Quays Road / the Quays-Eccles Metrolink line and is approximately 2.7 hectares in size. The proposal comprises a large (c.9,300 sq m) single storey profiled metal clad warehouse occupied by Bestway Cash and Carry. The building is situated within the southern half of the site with servicing provided to the rear (fronting Quays Road). Access to the site is taken from Ohio Avenue located off Broadway. Car parking facilities are also provided on site. Landscaping is limited and that which exists is primarily in a strip bounding Broadway to the north.

To the north of Broadway are three 6 storey apartment blocks (Madison, Lexington and Hudson) opposite the site; to the south across Quays Road and the Metrolink are Millennium Point and Tower apartments and Victoria/Alexandra office buildings; to the east Chandler's Point 3 storey pavilion style office blocks; and to the west across Ohio Avenue is a multi-storey car park adjacent to the tramline and offices forming part of Central Park towards Broadway to the north.

Proposal

The only difference between this current proposal and the appeal scheme is a reduction in height of block 'F' from 20 storey to 19 storey. Block 'F' provides hotel provision. All other aspects are identical.

Outline permission is sought for means of access with reserved matters of scale, appearance, layout and landscaping relating to the development of new offices, leisure, retail, residential, restaurant, hotel and community uses with associated car parking. The following is a breakdown of the employment led floorspace:

- Office floorspace, around 70,216 sq m
- Leisure provision, around 1,148 sq m, including the potential for a gymnasium
- Small scale foodstore 1,419 sq m gross
- Other small retail units to serve the development (up to 400 sq m per unit but totalling no more than 781 sq m)
- Approximately 75 apartments (mix of 1, 2 and 3 bedrooms)
- New restaurant and café facilities (up to 1,887 sq m)
- Two new hotels including provision for a 3* hotel and a budget hotel with hotel conferencing facilities
- Medical centre, around 771 sq m
- Multi storey car parking with a total of 1,331 spaces

It is proposed that the development would be built in a phased manner and has been designed to allow Phase 1 (Block A) to be developed whilst allowing the Batley Cash and Carry to continue to operate on the site. Ohio Avenue / Broadway junction improvements and signalisation will form part of the Phase 1 works.

Within Phase 1 (Block A) would consist of an office development (up to 15,420 sq m), a small retail foodstore (up to 1,419 sq m gross floorspace); a medical centre with provision for approximately 20 consulting rooms; and 1,331 car parking spaces. A detailed explanation of the component parts of this phase is set out later in this report.

The later phases of the development will be brought forward after the existing cash and carry use has relocated to another site in the local area. Off site highway improvements to Trafford Road / Broadway junction to relieve capacity will be triggered within later phases upon occupation levels of the multi storey car park. This will be controlled by a phasing condition. A detailed explanation of the component parts of this phase is set out later in this report.

Whilst the application is outline in nature it has been supported by a full suite of technical documents and reports:

Planning and Regeneration Statement
Retail and Leisure Statement
Design and Access Statement
Transport Assessment (together with additional information and technical reports)
Framework Travel Plan
Air Quality Assessment
Crime Prevention Plan
Daylight / Sunlight Assessment
Energy and Sustainability Statement
Noise and Vibration Report
Outline Waste Management Strategy
Flood Risk Assessment
Outline Utility Assessment
Outline Waste Management Strategy
Geo Environmental Report
Arboricultural Report

Details of the Proposed Phases

Block A

This block would consist of an office development (up to 15,420 sq m), a small retail foodstore (up to 1,419 sq m gross floorspace); a medical centre with provision for approximately 20 consulting rooms; and 1,179 car parking spaces. This block will form phase 1 of the proposed development. The phasing of the development would be secured by way of a phasing condition.

The new office floorspace will be created over 9 levels fronting onto Broadway and Ohio Avenue. Access into the offices at ground level will be provided at the junction of Broadway and Ohio Avenue with upper levels being provided above the proposed foodstore.

The proposed retail foodstore will be provided at ground floor level on the eastern boundary of Block A and will front onto Broadway. Adjoining the retail foodstore will be a medical centre and small multi-storey car park over 3 levels for the use of the medical centre. A dedicated service area for the foodstore will be provided at ground level, adjacent to the medical centre.

A multi storey car park will be provided at the entrance to Block A, on the southern boundary of the site, with approximately 13 levels of car parking facilities. This car park will serve the surrounding area and proposed development including the other blocks.

At the heart of Block A will be an area of public space. This area of public space will provide a focal point for Block A.

Along the eastern boundary of the retail foodstore and Medical Centre will be a key pedestrian route into the site with boulevard style planting linking to a new puffin crossing over Broadway. Vehicular access into the car parking within Block A will be provided via internal roads off Ohio Avenue.

Block B

Block B will include around 5,681m² of office floorspace over 9 floors. On the eastern elevation of this block retail uses (around 525m² Use Class A1 or A3) will be provided at ground floor level and split into two designated areas.

Block C

The proposals will provide around 22,740m² of office space over 10 storeys above the ground floor uses with an entrance area on the eastern elevation. Block C also includes around 835m² of retail floorspace (Use Class A1 or A3).

The proposed retail and leisure elements of the scheme will be provided to the entrance of the office development at ground floor level. Car parking provision for around 152 spaces will also be provided on the ground floor with vehicular access through the internal highway system.

Block D

Block D will accommodate 9 storeys (16,377m²) of office space above around 1,308m² of retail (A1 or A3) floorspace at ground floor level. Access into the offices will be through a ground floor reception area on the western elevation.

Block E

To the south eastern corner of the site is Block E, which will accommodate 5 levels of residential accommodation for approximately 75 apartments. A gymnasium (around 1,148m²) will be provided on the first two storeys below the residential use.

Block F

Block F will be located on the eastern boundary of the site and will accommodate a new hotel development including conferencing facilities. This block is expected to accommodate two separate hotels, will have a total floorspace of 13,482m² and will be 19 storeys in height.

Site History

Planning application 11/60031/OUT is subject to an appeal. The appeal has been recovered by the Secretary of State. The public inquiry will commence in October 2012. Once an appeal against non determination has been lodged the Local Planning Authority can no longer determine the application. Members have considered the position in relation to the appeal scheme and in order to establish the Council's position at the Inquiry. That resolution has established the Council's case.

The applicant has submitted this current application to enable the LPA to determine essentially the same scheme. Should members of the panel consider that matters of this application accord with the provisions of the development plan and that there are no material planning considerations which outweigh this view, it would enable the applicant to move forward with this second application and thus, avoid the need for the Inquiry.

Another outline mixed use scheme has been submitted which relates to a wider area of land. It includes the area of this application, Chandlers Point to the north and the land to the south east up to the Harbour City tram stop. That application has been submitted by Peel Holdings Ltd. The reference for that scheme is 11/61096/OUT. The description of the proposal states:

'Outline application with all matters reserved for the erection of a mixed use development comprising of offices (211,900 sq m), residential (1036 units), Hotel (25,900 sqm), local retail (8,100 sqm), and leisure (2,500 sqm), supported by multi-storey parking (116,000sqm), totalling some 459,200sqm.'

This proposal is undetermined and will be reported to this Panel in due course. However, this proposal is supported by an interim Transport Assessment (TA) rather than a detailed TA and does not provide a sequential or impact assessment for the proposed retail element. Members should also note that in the rule 6 statement to the Inquiry for Batleys first scheme, Peel highlight that they do not expect this particular proposal to be determined until after the adoption of the Council's Core Strategy.

Furthermore, since members considered the appeal scheme in order to establish the Council's position at the Inquiry, a second application has been submitted by Peel Holdings for a smaller area of land from that of their earlier scheme on land which is bounded by the line of the Metrolink, Broadway and Ohio Avenue (i.e. adjacent to the appeal scheme and current planning application). The reference number for that scheme is 12/61841/OUT. The description of that proposal states:

'Outline application with all matters reserved for the erection of a mixed use development comprising of offices (65040 sq m), residential (1036 units), Hotel (9830 sq m), local retail and leisure (6,450 sq m), supported by multi-storey parking (37,720sqm), totalling 197,440sqm.'

The applicant for 12/61841/OUT asserts in this latest proposal that the proposal is similar in terms of quantum of development, and therefore has a similar potential impact upon the highway network to that proposed by the schemes put forward by Batley's.

This application will be reported to this Panel in due course. However, the principle merits of the development are considered later in this report together with the relevance to this current proposal. However, there is presently a holding objection from the Highways Agency preventing the LPA from determining either of the Peel proposals.

Publicity

The application has been advertised by way of site notices, press notices and neighbour notification letters.

Site notices have been displayed in several locations around the site.

A press notice was displayed in the Advertiser.

A total of 498 individual letters have been sent to the surrounding neighbouring properties.

Neighbour Responses

In relation to the application publicity one letter has been received from Cobbetts solicitors who are instructed by Peel Media Limited. The letter raises the following issues:

- Reiterates the earlier objection by their client (summarised below)
- Concerns regarding the adverse impact upon the submission draft Core Strategy
- Location of retail provision would undermine the retail policies of the submission draft Core Strategy
- Panel should consider both, the Peel scheme and Batleys proposals, together as competing proposals. To highlight this point case law is referred to.

Detailed advice is provided in relation to how the scheme(s) should be considered / appraised. The conclusion of the letter confirms that the proposals should be considered together and that members are made aware of:

- a) The impact of each, to ensure that any decision is made with a full understanding of both the benefits of the proposals in the Peel application and the negative impact of the proposals in the Batley's application
- b) The varying effect of each upon the wider redevelopment of Salford Quays; and
- c) The adverse effects which the Batley's application proposals would have on the delivery of key policy aims within the emerging Core Strategy.

Counsel's opinion has been obtained on the issues raised in the Cobbetts letter and these are considered later in this report and explained at the beginning of the appraisal section. Matters of wider regeneration and the publication draft Core Strategy have been considered previously, are set out in the Council's Statement of Case to the Inquiry and are referred to again within the appraisal section of this report.

Furthermore, since the letter from Cobbetts has been received, further information has been provided in relation to the applicants' ability to implement junction improvements at Ohio Avenue and Broadway. The objector (Peel) states that the junction improvements proposed to Ohio Avenue cannot be implemented due to the presence of a restrictive covenant meaning that the land can only be used for the purposes of landscaping. The objector is clear that consent will not be forthcoming and highlight that when such permission will not be forthcoming, conditions requiring the junctions to be implemented should not be imposed, as in their opinion, 'there are no prospects at all' of such a condition of being performed. As such, they suggest that planning permission be refused.

Restrictive covenants can be material in the determination of planning applications. However, it is important to consider whether a condition could be complied with.

Circular 11/95 provides advice with regard to the use of planning conditions. The objector has also highlighted further advice from ODPM from November 2002 in relation to the use of Grampian type conditions. The extract from the 2002 advice is as follows (and highlighted by the objector):

"As a result of the judgement in Merritt [Merritt v SSETR and Mendip District Council], paragraph 40 should be amended to read, "It is the policy of the Secretary of State that such a condition may be imposed on a planning permission. However, when there are no prospects at all of the action in question being performed within the time-limit imposed by the permission, negative conditions should not be imposed. In other words when the interested third party has said that they have no intention of carrying out the action or allowing it to be carried out, conditions prohibiting development until this specified action has been taken by the third party should not be imposed." "

It is important to note that the suggested junction improvements would be within the site edged red. The applicant's solicitors have provided a direct response to the objection letter and strongly refute any such suggestion that the applicant cannot implement the highway works. They consider that in the circumstances, the applicant anticipate that, if Peel does not agree, the Lands Chamber will order that the restriction is modified or discharged in due course.

In any event, it cannot be concluded that there is no prospect that the condition can be cannot discharged. Ultimately, this will be a private matter that will need to be resolved by the parties. The resolution of private law disputes is not a matter for the LPA and it is not considered that there would be any material land use planning harm in the even that consent is grated and not implemented nor do Peel identify any.

Whilst it is clear that both the applicant and the objector are in dispute, the applicant has stated that they would be able to satisfy a 'Grampian' condition requiring the junction works to be completed prior to occupation of the relevant phase.

For completeness the following is a summary of the responses received in relation to the first application that is the subject of the appeal:

'Five letters were received in response to the application publicity. One from a neighbouring resident, one from Morrisons (supermarket at Radclyffe Point), one from Peel Holdings, one from the Emerson Group and one from Chandlers Point.

In terms of the local resident the following issues were raised:

- *General highway issues including whether a crossing on Broadway would be included and alterations to road layout to avoid congestion when turning right into Lexington Court.*
- *A separate issue is raised regarding possible restriction of access to their property during construction which is not a material planning consideration*

In terms of the letter from Chandlers Point the following issues were raised:

- *Issues of traffic and car parking provision*
- *There has been no investment in park and ride facilities*
- *The completion of the new school, a Tesco superstore (and others) will result in gridlock*

- The letter writer makes it clear that do not object to the principle of the development.

In terms of the objection from Wm Morrisons Supermarkets PLC the following issues were raised:

- Concerns regarding the amount of gross retail floorspace
- The site is out-of-centre in terms of PPS4
- The applicants have failed to demonstrate flexibility in terms of disaggregation therefore not complying with policy EC15.1d of PPS4
- The retail impact assessment significantly underestimates the proposed impact due to unrealistic sales density figures which should be doubled
- Council's retail capacity study highlights that whilst there is no capacity for further retail 1,000 sq m has been allocated to help develop a vibrant and coherent town centre
- Would impact upon the wider regeneration of the area

In terms of the objection from the Emerson Group the following issues were raised:

- Questions whether more office floorspace is required given the surplus in the area
- Questions the need for the hotel provision given the number in the area together with commitments
- Considers that the retail unit be restricted to A1 supermarket use only
- Questions whether there is sufficient retail capacity within the area referring to Tesco at White City, Tesco Pendleton, Booths at Media City, Morrisons on Trafford Road and Tesco at West One.
- Questions the need for A3 uses, D1 uses and residential provision
- Does not agree with the scale of the proposal in its position
- Highlights that the Core Strategy identifies that the general area of Media City, Lowry Theatre and the Lowry Mall as a district centre
- There is no guarantee that the current jobs will be retained
- Question whether there will be sufficient car parking provision for Batleys during construction

In terms of the objection from Peel Holdings the following issues were raised:

The basis of Peel's objection is that the proposed development is contrary to the provisions of the development plan and is also premature as it will prevent proper planning of the wider area through the Council's Core strategy. A summary of other issues raised is set out below:

- The northern element of the development is not connected
- If later phases do not materialise phase one would be left as a island
- Proposals do not relate to other existing developments
- Result would be an obstacle for proper planning of the area
- Contrary to UDP policies ST1 and MX1 as the proposal does not 'fit' with the wider spatial framework
- Development would undermine the efforts for a new centre as promoted within the core strategy
- Any positive impacts such as job creation would be outweighed by its adverse impact on the proper planning of the area
- Siting of the retail provision is ad hoc
- Current proposals do not relate to the wider spatial framework for the area
- The Core Strategy should be given more weight given the process has advanced considerably
- The proposals would pre-empt important decisions which should be taken via the Core Strategy
- A number of concerns have been raised regarding traffic implications and the submitted TA. They include concerns that the TA underestimates traffic generation, traffic geometry being over estimated and that several significant commitments have not been included in the TA – concluding in that the development would have a significant adverse impact on the highway and public transport network
- The development is insular and inward facing
- The development is very dense and 'blocky'
- Not clear how internal circulation of vehicles, pedestrians and cyclists will be managed
- Concerns are also raised regarding infrastructure capabilities'

Consultations

Design For Security – No objection subject to a Crime Prevent Plan being submitted with any future reserved matters application

Transport For Greater Manchester – In their earlier response they stated *'We are generally supportive of development that is likely to generate more patronage on the Metrolink network and that offers future residents, employees and visitors access to a choice of sustainable travel mode which would help reduce the amount of car travel.'* The recent response also highlights earlier short comings in the TA which have since been addressed. A further response is expected which will be reported to panel.

The Highways Agency – No objection subject to the provision of conditions requiring a site specific travel plan, a car park management strategy, an area wide travel plan together with a monitoring strategy for its use.

Highways – Comments are incorporated into the appraisal section

Flood Risk Management Officer - No objection subject to conditions regarding a drainage strategy / systems

Urban Vision Environment (Air And Noise) – No objection subject to conditions requiring a noise assessment, restrictions in terms of noise from fixed plant and suggested hours of construction.

Urban Vision Environment (Land Contam) - No objection subject to a condition being attached requiring a full site investigation

United Utilities – No objections subject to conditions relating to surface water, drainage systems, grease traps and oil interceptors

Environment Agency – No objection subject to conditions relating to external ground levels, surface water regulation, details of flood resilient measures, site investigations.

Recent Changes of Material Consideration

Since the first application was submitted two important material changes have taken place. The first is the publication of the National Planning Policy Framework (NPPF). The framework supersedes the majority of PPS's and PPG's some of which are referred to in the objections received to the first scheme.

At the heart of the framework is a presumption in favour of sustainable development. The core principles and policies of the framework are considered later in this report. However, given the previous resolution and the Council's position at the forthcoming Inquiry relates to matters of a highway nature, it is important to highlight paragraph 32 which states 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'

The policies contained in the framework apply from the date of publication. In terms of the policies contained within the UDP due weight should be given to the policies according to their degree of consistency with the framework. Therefore, the weight afforded to the UDP policies will be considered within this report against the provisions of the framework.

The second relevant material change is the Council's Publication Core Strategy. Whilst the publication core strategy is clear that it is capable of being a material planning consideration for the purposes of determining planning applications, the NPPF, provides guidance on the weight which may also be given to relevant policies in emerging plans, which in this case is the Publication Core Strategy. Weight can be afforded according to the stage of preparation of the plan, the extent to which there are unresolved objections to relevant policies together with the degree of consistency of the policies in the emerging plan within the framework.

Therefore, policies of the Publication Core Strategy will only be included within this appraisal where they are considered to have weight. Furthermore, the reason for affording such weight to those emerging policies is clearly set out within the appraisal.

This position was included within the previous report to panel in reaching a view on the Council's case at Inquiry.

Appraisal

It is necessary to address the Peel scheme and its implications for the Batley's proposal when determining this application. However, in order to deal with the matter clearly it is helpful to first consider the issue of this current proposal in isolation from the Peel application and then turn to consider the implications of Peel application. In appraising the proposal in this way it is not considered necessary to delay the consideration of this application until such time as the Peel proposal can be considered.

In formulating the Council's position at this panel in relation to the forthcoming Inquiry, the Council has concluded the following (the reasoning for reaching this decision is set out in the Council's case and a detailed extract of the Part 2 report (excluding elements of legal advice) has also been made public to the applicant and rule 6 parties at the Inquiry):

- The proposed mixture of uses is acceptable in this area
- The proposed retail element accords with the provisions of the development plan
- There are no grounds for refusing the application on the basis of prematurity or that there is a need for more general masterplanning
- The proposal would result in significant economic investment
- The proposal represents a sustainable form of development
- The proposal would provide an acceptable form of residential accommodation with affordable provision
- The layout, scale and massing are acceptable
- The proposal would safeguard amenity
- There is no unacceptable loss of trees
- The heads of terms are appropriate to mitigate the impact of the development

Given that the resubmission application is very similar to that of the appeal scheme (in fact the only difference is a reduction in the height of the hotel block), it is considered that, in the same way that the previous application was considered to be acceptable, the main aspects of this proposal are also considered acceptable. Given that the Core Strategy process has not advanced from when members considered the earlier scheme it is not considered that the Core Strategy has resulted in a material change of circumstance.

Therefore, the following appraisal will follow the same format as that which was reported to the Panel previously and will focus on whether the information submitted by the applicant together with the additional traffic modelling is sufficient to address the only outstanding area of concern of the Council. The report will conclude whether this revised application is acceptable in isolation before considering the merits of the Peel proposal (together with the issues raised in letter from Cobbetts on Peel's behalf).

In terms of any cumulative impact, consideration of the Peel proposal together with the Batley's scheme raises two separate but related issues:

- i) Whether the Peel proposal is a material consideration in determining this Batley's application and
- ii) The fair treatment of the two applications

The latter part of this report considers the implications of Peel's proposal. However, it is not considered necessary to delay consideration of this application in order that both schemes be reported to the Panel at the same time. Officers are in dialogue with Peel with respect of their application and additional information has been requested. Notwithstanding this, it is considered that the issues related above can be understood sufficiently at this stage in order to determine the current Batley's application.

Principle of Development

The site lies within the mixed use area identified on the proposals plan by policy MX1/3. The policy provides a list of appropriate uses for such mixed use areas. They include housing, offices, tourism including hotels, leisure, cultural uses, education, community facilities, retail and food and drink (where consistent with the retail and leisure policies of the UDP), essential infrastructure and support facilities and knowledge based employment.

The NPPF is supportive of mixed use development and advocates a balance of land uses to minimise journey lengths for employment, shopping, leisure, education and other activities. Therefore, at a broad level, it is considered that policy MX1 is consistent with the framework and therefore due weight can be given to the policy in consideration of the application.

The reasoned justification for policy MX1 identifies Salford Quays as one of the region's primary office locations and that its primary role as an office location should be complemented by residential, retail and leisure uses. The policy highlights that retail and leisure uses are acceptable where they are consistent with the retail and leisure policies of the UDP.

The site is also located within the area covered by the Mediacity:uk and Quays Point Planning Guidance which was adopted jointly by Trafford MBC and Salford City Council in January 2007. In particular it falls within the wider Mediacity area. Policy MC:UK2 gives further guidance on the mix of uses that is considered acceptable in this area. This includes leisure and tourism uses as it highlights that the area has "...potential to contribute to the mix of leisure, retail and visitor attraction opportunities that will contribute to its role as a visitor destination and a place that is conducive to media and creative industries." The reasoned justification states that it is not envisaged that retail facilities will be a significant component of the mix in this wider area but that any such proposals would be assessed against UDP policies and PPS6 which was replaced by PPS4 and now superseded by the NPPF.

Therefore, the principle of all of the proposed uses of the application can be seen to broadly fall within the scope of policy MX1/3. Further consideration of the retail aspects of the scheme are set out further below.

This is the same position reported to panel in relation to application 11/60031/OUT.

Retail and Leisure Provision

Policy MX1 requires retail provision in mixed use areas to be consistent with the retail and leisure policies of the plan (namely policy S1 of the UDP). However, aspects of retail policy set out within the UDP are somewhat out of date. Therefore, the submission details and assessment of the proposal has been considered, initially, against the provisions of PPS4 and latterly against the provisions of the NPPF (members will also note that the issues raised in response to the application publicity also make reference to aspects of planning guidance now superseded by the NPPF).

In relation to the retail element of the proposal, the applicant has submitted a sequential assessment of available sites in accordance with the requirements of policy MX1 and has also used a reasonable area of search on the basis of scale and nature of the retail elements proposed within the application. This area of search broadly covered the whole of the Quays area but did not include any defined centres (whether town or neighbourhood centres) and therefore in terms of the sequential test, there are no "sequentially preferable" locations for the retail element of the proposal. The search area accorded with appropriate advice contained within PPS4 guidance note at that time.

An impact assessment is required where the proposal is out of centre and not in accordance with an up-to-date local plan and where the proposal exceeds 2,500 square metres (paragraph 24 of NPPF). This application is for the redevelopment of the site to comprise a maximum of 2,200 square metres of retail development falling below the threshold required for an impact assessment.

Under the NPPF, impact assessments are required for retail and leisure developments (as required before under PPS4) and also for office developments outside of development plans which are not in accordance with an up-to-date local plan (previously under PPS4 an impact assessment was not required for office development). The application proposes over 70,000 square metres of office floorspace. However as set out above, it is considered that policy MX1 is fully consistent with the aims of the NPPF. In relation to this, offices are identified as an appropriate use within the mixed use area under policy MX1 and therefore an impact assessment is not required in this instance.

It is not considered that the scale of the retail element of the proposal is significant nor is the level proposed beyond that identified for the Quays within the Council's own retail capacity study.

Furthermore, in response to concerns regarding retail provision, the applicant has reduced significantly the amount of retail floorspace from that set out at the pre application stage and offered a restrictive condition which would limit the comparison and convenience retail floorspace to an approximately 50 – 50 percentage split. Therefore, at the Inquiry the Council would seek to ensure that such a restrictive condition be included and that the other retail elements are not later amalgamated into a larger store and similar conditions will be recommended in this case.

It is acknowledged that the emerging core strategy policies which contain floorspace amounts for both comparison and convenience provision are, in part, aimed at enabling the development of a primary shopping area focussed around the Outlet Mall and Media City. Policy TC3 of the Publication Core Strategy identifies that 2,000 square metres of convenience and 10,000 square metres of comparison floorspace are directed to the Salford Quays town centre. There are significant and unresolved objections to the emerging retail policies for Salford Quays and therefore it is not considered that sufficient weight can be afforded to this emerging policy. However, such a restrictive condition would ensure that a high proportion of convenience floorspace as set out by the emerging policy would still be available and which could be directed towards the primary shopping area to bring about the implementation of the primary shopping areas. Therefore, whilst the retail provision proposed accords with the provisions of the development plan and NPPF, it is not considered that the grant of planning permission would be harmful to the implementation of the emerging development plan.

In terms of the Publication Core Strategy there are a number of policies relevant to retail provision and the establishment of a town centre within Salford Quays. Core Strategy policy TC1 'Town centres spatial strategy' identifies Salford Quays as a Town Centre. Policy TC2 'Boundaries of Centres' (at figure 23) defines the town centre boundary for Salford Quays together with the primary shopping area. This site is located within the Town Centre but outside of the defined 'Primary Shopping Area'.

Whilst the publication core strategy represents the Council's vision for future development and objections have been received which highlight the potential impact of retail development outside of the suggested primary core, there are unresolved objections in relation to those policies and in particular the positioning of the primary and secondary shopping areas. Therefore, in relation to policies of the Publication Core Strategy and retail provision within Salford Quays, it is not considered that significant weight can be afforded at this stage.

Furthermore, inherent within the NPPF is that the purpose of the planning system is to contribute to the achievement of sustainable development with a general overriding presumption in favour of sustainable development. Paragraph 7 of the NPPF clarifies that there are three dimensions to sustainable development: economic, social and environmental and whilst paragraph 14 states that this presumption in terms of decision making means approving development proposals that accord with the development plan "without delay" and granting permission unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits" when assessed against other policies in the framework.

It is not considered that there are likely to be any significant adverse impacts which would significantly and demonstrably outweigh the benefits of the proposal in terms of retail and leisure provision, therefore it is not considered that the retail element of the proposal would be premature at this stage.

Therefore, in conclusion, it is considered that the principle of the proposed uses accords with the development plan for Salford and is supported by the NPPF. Due to the unresolved objections to the retail policies of the Consultation Core Strategy it is not considered that sufficient weight can be afforded to them which would outweigh this view. Again, this is the position accepted previously and forms part of the Council's statement of case for the Inquiry.

Regeneration and Economic Investment

The regeneration of Salford Quays is one of the successes of the city of Salford, which has taken place and developed over approximately the last thirty years. It is a flagship regeneration project with a considerable number of landmark buildings and even by 2006 when the Unitary Development Plan was adopted, it was recognised as an "internationally important visitor destination" (para 5.5 of the UDP). Considerable and extensive investment has already been committed in the area, most recently seen in the infrastructure works in the area including the extension to the tram with the new MediaCityUK stop, and the construction of the new bridge linking MediaCity to the Imperial War Museum in Trafford. This clearly demonstrates a commitment from the City Council and others including central government to the future growth and success of this area.

There is a clear need therefore, that the further expansion of the Quays maintains the design quality, both in the buildings that are constructed and the space around them and also that the infrastructure needed to support the growth is put in place. Matters of design are set out later in this report within the 'Design Implications' section.

The City Council currently has four major planning applications which, in part, relate to the same area of land. The outline nature of both applications (Peel's and Batley's) requires a level of indicative information in the form

of masterplans. The current application includes a masterplan for the site in order to help justify the quantum of development proposed. The indicative suggestion also indicates what might come forward on the neighbouring site (Chandlers Point).

The current scheme represents a significant development in itself and the largest development proposals within the Quays since the development of Media City. Furthermore, it would occupy a proportion of a larger site which has recently been submitted as a separate planning application. The site would have a frontage to both Broadway and Quays Road and sits within a larger parcel of land bounded by those roads and the Metrolink line to the south east.

In circumstances such as these it is important to ensure that applications for major development are considered in the context of the area and to ensure that development does not diminish the opportunities of the wider area and therefore represent a sustainable form of development. Since the first Batley's application was submitted an application for the whole of the parcel of land between Broadway, Quays Road and Metrolink line (at Harbour City) has been submitted (ref 11/61096/OUT). The current application for Batley's was submitted later and later still a second application by Peel on the adjoining land has been submitted (12/61841/OUT). It is now quite clear that, the redevelopment of this wider area is proposed by two different developers.

The proposal does represent, in itself, a significant investment in this part of the City and would bring about the redevelopment of the site and job creation. However, it is important to consider whether the development of the area in a piecemeal manner which is not informed by specific planning guidance would diminish the development of the wider area.

Therefore, policy DEV6 of the adopted Unitary Development Plan is relevant in this particular case. This is also acknowledged in some part within the submission as indicative information is provided to how Chandlers Point which bounds the site to the north could be developed in the future alongside this scheme. There is no similar suggestion within the submission which indicates how the area to the south east could be developed similar to what is proposed, albeit indicatively, at Chandlers point.

Policy DEV6 'Incremental Development' states:

'On sites within or immediately adjacent to an area identified for major development, planning permission will not be granted for incremental development that would unacceptably hamper or reduce the development options for that wider area.'

This policy is considered relevant to paragraphs 10, 14 and 197 of the NPPF.

As stated earlier, this site or in fact the larger area subject to application 11/61096/OUT, is not specifically allocated within the UDP although it is identified as a mixed use area through policy MX1/3.

The reasoned justification of policy MX1 goes on to state that (paragraph 15.23):

'Most of the large sites to which this policy applies are identified or allocated elsewhere in the UDP, although further sites will come forward through local development documents and the development of regeneration strategies. It is important to ensure that the development of part of a larger development site does not diminish the opportunities or options to develop the rest of the site (where land ownerships may be different), to the detriment of the regeneration and/or proper planning of the area. In some circumstances, it may be appropriate for development to be resisted until a masterplan has been produced for the wider site.'

In terms of the policy and as stated earlier, the site is not within or immediately adjacent to an area for major development within the development plan. However, the Quays as a whole, is identified within the Planning Guidance for MediaCity:UK and Quays Point. Whilst the guidance does not form part of the development plan for the City, it is a material planning consideration.

The policies within the document are generally split into two areas, Quays Point which is the area in the general vicinity of the BBC, and MediaCity:uk which is the wider area. The MediaCity:UK area extends to Trafford Road in the south (but including the southern most area of Ordsall Lane), Trafford Wharfside to the south, beyond Weaste Cemetery to the west and up to Eccles New Road in the north.

Paragraph 3.4 of the planning guidance sets out the key principles and strategic objectives in relation to the wider area. There are similar principles and strategic objectives specific to the area of Quays point. In terms of the wider area within which this application relates the planning guidance specifies the following as key principles and strategic objections:

- To be a cohesive, vibrant, mixed use area, with a distinctive sense of place and character, contributing to the dynamism of the core Quays Point site.
- Deliver a new area of high quality built environment, enhancing the profile and environment of mediacity:uk creating a thriving economic and leisure location.
- Create an area where people want to live, work, learn and invest, with social and cultural opportunities for all.
- Create clear physical linkages between the core Quays Point site and its essential hinterland, to encourage economic and social integration with surrounding industrial, commercial and residential areas, including other parts of The Quays, with the heart of Central Salford to the north - and, via new and existing bridge links, to Trafford Wharfside.
- Promote a well-conceived movement pattern and structure, urban in scale and of exceptional design quality, with flexibility to evolve and change over time, providing an environment where people can meet and interact in a secure and inviting environment.
- To achieve a series of core infrastructure and public realm interventions which, in combination, will ensure that mediacity:uk can function as a thriving part of the Regional Centre. The Broadway Link, the new footbridge from Trafford Wharfside to Quays Point and enhancements to public transport links are critical in this respect.
- To secure major public transport improvements that will significantly contribute to achieving a greater modal split within the area.
- To create exciting buildings and useable spaces which have a minimal impact on non-renewable resources.
- Link with elements of green infrastructure around Salford Quays and Trafford Wharfside and promote planting to create and enhance a network of green spaces and routes, particularly based around the Manchester Ship Canal, the River Irwell and the Bridgewater Canal.

Whilst the proposal does not include the whole of the 'city block', it is not considered that the granting of an outline planning consent for this parcel of land prior to that for the wider area, or prior to the proposals on the adjoining land (Peel's second application) or prior to the production of a Council approved masterplan / planning guidance, would stifle the development of the wider area. Furthermore, waiting could be contrary to the advice within NPPF in terms of economic growth and 'approving development proposals that accord with the development plan without delay'. The indicative arrangements within the proposal together with consideration of future reserved matters would ensure that the key principles and strategic objectives (as set out above) of the MediaCity Planning Guidance would be complied with. Therefore, it is not considered that the proposal would be contrary to the provisions of UDP policy DEV6.

Furthermore, it is clear that the proposal would result in significant economic investment. Although the emphasis in the NPPF is on 'sustainable development', it is clear that 'significant weight should be placed on the need to support economic growth through the planning system' (paragraph 19). Below is a summary of the economic benefits that the development proposals will deliver according to the applicant:

- Over 133,000m² of commercial floorspace for office, retail, commercial and leisure uses
- 4,125 full-time equivalent jobs
- Circa £95 million per annum income to the local economy from jobs created
- Circa 8,000m² of public realm and open space worth £2.96 million
- Circa £1.05million highway infrastructure on and off site

- Off site Trafford Road/Broadway junction capacity increased facilitating the development and providing opportunity for other schemes
- Two hotels providing 3/4* and budget accommodation for circa 300 bedrooms
- 75 apartments
- New Homes Bonus – £0.34 million
- Relocation of Batleys' business locally – no net loss of jobs
- Sustainable development attaining a minimum BREEAM 'very good' rating
- Travel Plan requirements.

It is considered that the proposal would result in significant economic investment and would result in the regeneration of this part of the Quays. Furthermore, it is not considered that the grant of planning permission for this scheme would stifle any identified site for major development.

Given that an Inquiry is timetabled in relation to the first proposal and as part of that process negotiations need to be held to formulate conditions and legal agreements to ensure that the identified economic value of the scheme is realised. However, it is not considered that the regenerative and economic element of the proposal is at odds with the development plan for Salford and is fully supported by the NPPF.

The implications of highway capacity, both individually and cumulatively, is discussed later in this report.

Housing

As part of the proposed development 75 apartments are being provided. Given the site is in the Regional Centre it is considered that the type of dwellings proposed would comply with Policy HOU1 of the Housing Planning Guidance.

In relation to the size of new dwellings, policy HOU2 of the Housing Planning Guidance states that where apartments are proposed they should provide a broad mix of dwellings, both in terms of the number of bedrooms and the net residential floorspace of the apartments. Furthermore, small dwellings should not predominate and a significant proportion of three bedroom apartments should be provided. Paragraph 4.31 of the reasoned justification clarifies that the majority of apartments should be over 57 square metres in size.

As this is an outline application no details as to the size of the apartments has been provided. However, a scale parameter for each building will be included which will need to be addressed at reserved matters stage..

The Council will put forward a parameters condition to provide an appropriate mix of number of bedrooms in accordance with housing planning guidance rather than the policies relating to space standards for residential development contained within the Publication Core Strategy.

Affordable Housing

Paragraph 6.13 of the planning statement states that affordable housing will be negotiated through the application process with the council. The Draft Heads of Terms states that the provision of affordable housing will need to be balanced against the wider regeneration benefits of the scheme, whilst the fact that apartments are being provided may have a bearing on the nature and desirability of the provision of affordable housing.

Affordable housing is required when there is a demonstrable lack of affordable housing to meet local needs (UDP Policy H4). Policy HOU3 of the Housing Planning Guidance sets out a 20% requirement. Having regard to evidence of need and the characteristics of the existing housing stock, the tenure split of the affordable units in this location should normally be 75% social rented and 25% intermediate tenure.

The normal preference is for affordable housing to be provided on site. However, in this part of the regional centre it may be preferable to accept a commuted sum payment or seek off site provision. The reason for this is that a developer contribution to affordable housing secured from this site, could be used more effectively by securing a greater number of units elsewhere than if affordable housing was provided on site. In addition given the scheme is apartments high service charges and often ground rents are likely to result in social rented units not being affordable to those in need. Furthermore, it is likely that intermediate products in these locations would also be unaffordable to those in need as a result of high mortgage payments on the unshared equity in shared

ownership schemes, high service charges and potentially ground rent. Having regard to this the preferred approach on this site is for a commuted sum payment to be made in lieu of on site provision. The value would equate to the same as if the dwellings were to be provided on site.

However, the applicant considers that the provision of affordable housing will need to be balanced against the wider regeneration benefit inherent to the scheme already outlined. In principle the applicant has no objection to providing affordable housing on site. The value of infrastructure, public space and highway works is reported to be in excess of £4m and coupled with the long term job creation, as well as construction job creation, the applicant considers that these benefits far outweigh any requirement for affordable housing on the site.

Having regard to the above contributions, it is considered reasonable, to negotiate with the developer on the provision of affordable housing. Given that the applicant has no objection in principle to the provision the applicant will be asked to enter into a legal agreement to provide 20% provision (on site or via an off site contribution) subject to the viability of the proposal at the time of commencement of that phase. This is considered an acceptable route to explore given the key aspects of the proposal are unknown at this stage.

Therefore, subject to such provision being included within a planning obligation as discussed below, it is considered that the proposal accords with the provisions of the development plan. This position is no different to that which was reported in relation to the first scheme.

Design Implications

There are a number of relevant design policies. The following UDP policies are considered most applicable.

Policy DES1 'Respecting Context' 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.

Policy DES2 'Circulation and Movement' 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.

Policy DES3 'Design of Public Space' 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.

Policy DES4 'Relationship Development to Public Space' 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.

Policy DES5 'Tall Buildings' states that tall buildings will be permitted where: the scale of the development is appropriate; the location is highly accessible; the building would positively relate to adjacent public realm; is of high quality design; makes a positive contribution to the skyline; would not detract from important views; would not cause unacceptable overshadowing or overlooking, detrimental to the amenity of neighbouring occupiers; be no unacceptable impact on the setting of a listed building or value of a conservation area; be no unacceptable impact on microclimate; be no unacceptable impact on telecommunications; and there would be no unacceptable impact on aviation safety.

Policy DES9 'Landscaping' 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.

Policy DES10 'Design and Crime' 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.

These policies are considered to be consistent with the NPPF, therefore significant weight can be given in the determination.

Given that the principle of uses is considered to accord with the provisions of the development plan for Salford and that only access is sought at this stage, it is necessary to consider how the quantum of development could be appropriately accommodated on this site and without unduly affecting the neighbouring land uses or fettering the future development potential of each neighbouring site.

In order to demonstrate how the development could be accommodated on this site the applicant has provided an illustrative masterplan and key parameters such as uses and building heights. This information can be conditioned in order to influence the submission of applications for reserved matters. The application is also supported by a number of environmental consideration reports such as air quality, sun light and shadowing. The conclusions of which are considered later in this report.

The submission also includes a suggestion as to how the neighbouring site, Chandlers Point, could be developed in a similar way to that of the application site. This particular element does not form part of the submission details nor are any such indicative details provided for the land to the south.

The site layout creates permeability across a site that currently presents a significant barrier to movement within the Quays area. The site layout proposes that the site is broken down into a series of blocks that replace the existing large single footprint and surface level car park of the existing use.

The blocks are arranged to create a central area of open space which gives some space to enable the setting of the 19 storey tower; the visual link with the space from Broadway also helps to start to create some legibility within the area, linking into a tree lined north south spine across the site. The spine creates a link between the existing three residential blocks to the north and routes towards the quayside, at present these blocks are a little isolated. The spine is lined with A1/A3 retail units that could enable opportunities for natural surveillance depending on final uses.

The layout plan also does not provide any detail to where the entrances to the buildings would be located to help understand the layout and what are considered primary frontages. The car parking access and egress are also not indicated; whilst the layout of the car park gives some indication to possible locations it would be helpful if the information would be clearly marked. Furthermore, the position of car parking and the medical centre has raised a number of detailed design concerns. However, it is considered that the indicative layout is sufficient to establish the principle of development although the concerns (which have been provided to the applicant's agent) would need careful consideration at reserved matters stage.

The scale of the buildings would seem acceptable, and is in line with the Design SPD Shaping Salford that seeks the Salford Quays area to "take on a dense and compact city block character, generally 8-10 storeys, punctuated by appropriate landmark buildings and open spaces" (P.64); the overall predominant scale is 9 storeys, lowering to 7 storeys on the eastern residential /leisure block and up to 19 storeys for the hotel tower. Adjacent development ranges in scale between 4 and 20 storeys. Millennium Tower provides the most significant comparable building on the dock edge of Dock 9 as a part 10 and part 19 storey development, other development along the dock edge range between 7 and 9 storeys. The proposal relationship with the existing 3 residential blocks north of the site on Broadway would seem acceptable given that these blocks primary elevations face east or west. However, whilst the 19 storey tower may be acceptable in townscape terms the application makes no reference to any potential microclimatic effects. The detailed design of this element would be a particularly important factor in the determination of future reserved matters.

The scale of the car park within Block A does pose a cause for concern in that the facades of these will have to be very high quality and whether this element will be taller than the other blocks. Block C ground level car park also occupies a prominent position on The Quays; it is noted that Block C is set back from the main building line however some thought will be needed to how this ground floor elevation is treated at reserved matters.

Other matters of detail to consider on the submission of reserved matters would be highlighted as the following:

- The street treatment may benefit from further work as it would seem appropriate that the loop road is treated differently to the streets which are terminated within the development to ensure legibility of movement for vehicle users.
- The road width of hard standing that cuts through the open space should be explained and its use reconsidered as at present I cannot see a reason for breaking the space with a vehicle route.

- The architecture proposed through the submission of CGIs is considered appropriate for the area however where buildings cantilever at first floor we would wish to see an architecture that grounds a building if support is required.

It is not considered that there are any in principle issues in terms of the scale and massing subject to consideration of future reserved matters where it is clear that detailed pre-application advice will be paramount together with high quality design solutions. Again, this is the accepted position in relation to the Council's case at the Inquiry.

Environmental Considerations and General Amenity

UDP policies DES7 'Amenity of Users and Neighbours' is considered relevant. 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.

UDP policy EN17 'Pollution Control' is also relevant which 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.

Both of these policies are considered to be consistent with the NPPF and therefore can be afforded weight.

A daylight and sunlight assessment has been submitted with the application. Due to the nature of the proposal, where scale and layout would be determined through future reserved matters, the information is limited. However, it demonstrates how the indicative layout will not have a significant adverse impact upon the current levels of sunlight/daylight experienced by adjoining properties or buildings.

The design, layout and orientation will also be a key consideration at reserved matters stage to ensure that the proposed streets and public spaces are attractive useable spaces. Similarly, consideration of the microclimate will need to be demonstrated at the reserved matters stage once the scale and design of the buildings is sought.

The submission details include a noise and air quality assessment which have been reviewed by the Council's environmental consultant. They provide advice in relation to impact of existing noise on proposed uses, impact of development on existing and proposed residential and hotel uses together with impact of existing air quality upon the development and impacts of the development on local air quality.

In terms of noise, the assessment indicates that the area of the site which would accommodate the residential elements would fall within NEC B of PPG24 (now replaced by the NPPF) and that the noisiest façade of the hotel experiences similar noise exposure levels. Whilst more detailed noise calculations will be required (to reflect the design of the future scheme), there is no objection to the proposal in terms of noise upon the development from the existing site surroundings. Furthermore, with the inclusion of conditions which would control noise from fixed plant and equipment, it is not considered that the proposed residential and hotel uses would be unduly effected by noise from the development.

In relation to noise, the Council's consultant recommends that conditions are attached in relation to noise from traffic and fixed plant, that an assessment of noise from delivery areas is carried out where they are near to sensitive uses and that a restriction is placed on the hours of construction. Conditions will be put forward to this end.

In terms of the impact of existing air quality on the proposed uses, the site lies outside the Local Authority's air quality management area and therefore no concerns have been raised regarding impact of existing air quality on the residents of the proposed development. It is acknowledged that the development has the potential to impact upon local air quality through increased road traffic and emissions from local heating plant. However, guidance within the EP-UK Development Control Planning for Air Quality (2010) defines the impact magnitude of the increases set out in the assessment (and response from the Council's consultant) as imperceptible to small.

In relation to the construction phase of the development the effects on air quality are considered to be slight adverse to negligible and that these can be controlled and reduced by the use of dust control measures. The advice recommends that a condition be attached in relation to air extraction together with a dust management plan. The recommended conditions will be put forward prior to the panel meeting.

Therefore, based on the nature of the application, supporting information and suggested conditions it is not considered that the principle of the proposal would result in any unacceptable environmental impacts upon the surrounding area or future occupiers.

In terms of amenity, the main residential neighbours to the site are the three residential blocks of Lexington, Hudson and Madison to the north off Broadway and the Millennium. The area identified for residential development within the scheme would be adjacent to the Metrolink and fronting Quays Road. Whilst the design of the scheme is reserved it is clear that the main aspect of this building is likely to be orientated towards Quays Road. The separation across Quays Road would be 30m which is considered an appropriate separation distance in this part of the Quays where the neighbouring buildings are significant in scale. Furthermore these residential units are set at right angles to the highway in that their gables front the development site.

Similarly, the separation across Broadway would be in the region of 35m. The indicative layout does not propose any residential adjacent to Broadway.

Overall, given the high density character of this part of the City it is considered that existing neighbouring residents and future occupiers would be provided with an acceptable level of amenity subject to further consideration of the layout and detailed design. Again, this is the accepted position of the Council at the Inquiry.

Phasing of Development

The application is proposed in a phased manner in which the retail element, some office, medical centre and car park would be constructed first. The applicant asserts that this would enable the development to commence whilst retaining the ability for the existing cash and carry to continue to trade, as it would, in essence, be constructed within the car park of the cash and carry. The applicant has advised that the cash and carry would be relocated within the general vicinity to continue to serve the existing patrons although the detail of this is unknown at this stage.

Phase two would represent the main bulk of the development proposal. The submission details do not indicate when this phase would commence.

An objection was raised in relation to the first proposal which suggests that only Phase 1 will be implemented which would leave an island development within the car parking area of the cash and carry. Given the components contained within phase 1 of the development it is unlikely that, given the correct economic conditions, that the whole of the development will not be built out. Furthermore, there is no evidence to suggest that this scenario would take place.

A phasing condition will be included within the suggested list of conditions.

Trees

Policy EN12 is considered relevant in this particular case as the trees on the site are not protected by preservation order but do contribute to the amenity of the area. It is not considered that the aim of this policy is at odds with the NPPF and therefore can still be afforded appropriate weight in decision making.

There are no tree preservation orders which relate to any trees within the application site boundary.

The Council's arboricultural officer has inspected the site and is of the opinion that the trees on the site, in the main, do not merit protection. However, the advice does highlight that the trees along the Broadway frontage provide a linear feature and would provide valuable screening once the development has been completed. He also notes that the wider group of trees also flanks the neighbouring parcel of land to the west which, in his opinion, ties the two sites together.

The arboricultural report submitted with the application categorises the trees along the frontage of Broadway as category A or B. Category A trees are 'Retention Most Desirable' and Category B trees are 'Retention Desirable'

Whilst the proposal is in outline, it is supported by indicative proposals to assist the decision maker in determining whether the quantum of development proposed could be accommodated on the site. The indicative proposals demonstrate a significant redevelopment of the site and one which is a high density. Furthermore, the proposal is promoted as a two phase development. Phase 1 would take up the existing area of the car park. Given the scale and quantum of the development proposed for Phase 1 there is a high likelihood that this group of trees and the majority of the trees across the whole of the site would need to be removed.

The indicative plans show an area of approximately 12m for landscaping in this area. There, those trees which are most desirable could be retained. However, given that the arboricultural officer has not recommended that the trees be protected and there is a likelihood that the wider area will be developed at some point in the future, it is considered more appropriate in this particular case not to protect the trees but to ensure appropriate landscaping be introduced across the whole of the site which would reflect a similar landscape strategy to that across the rest of the Quays.

It is also relevant that the neighbouring site to which the arborist refers is also subject to a planning application (albeit undetermined) for a comprehensive redevelopment.

In conclusion, none of the trees on the site are worthy of protection. Those which are more desirable could be retained by the development should it come forward at reserved matters stage similar to that shown on the indicative layout. However, given the scale of the development proposed, and the trees in question form part of a linear screen, it is likely that a more appropriate tree planting scheme to form part of an improved public realm would be more realistic. Should this be the case it would be a matter for future reserved matters. Furthermore, it is not considered that the lost of trees on the site should form part of the Council's case at the Inquiry.

Traffic and Transportation

Background and update position

By way of an overview the Council as local highway authority and the Highways Agency raised separate and different concerns with respect to the modelling which had been undertaken to support the application. The local highway authority's concern was that some of the technical details of the highway network had not been correctly modelled, but it raised no issue with the forecast traffic flows which were used in the model. In contrast the Highway Agency considered that the forecast traffic flows used in the model were too low and it issued a holding objection. Members will note that this is a point raised in the objection by Peel.

In order to address the concerns raised by the two highway authorities it was necessary to undertake additional modelling. However, instead of simply correcting the details of the local highway network and inputting the increased traffic flow required by the Highways Agency two separate exercises were undertaken: the local highway network was remodelled with the correct technical details but with the original traffic flows, whilst the strategic network which was the Highways Agency's concern, was remodelled using higher traffic flows. The Highways Agency is satisfied with the outcome of the modelling with respect to the strategic network and consequently has withdrawn its objection subject to conditions.

The Council has engaged different consultants to provide advice with respect to the traffic/highway impacts and they have advised that the local highway network should be modelled using the higher traffic flows used to model the strategic network. This advice was articulated to the Panel previously and currently forms the Council's position at the Inquiry.

The Council's position in relation to traffic and transportation for the previous application is set out below. An update is then provided.

Previously Reported Position

The application has been subject to a number of Holding Directives issued by the Highways Agency preventing the determination of the application. During the period of the holding directives the applicants agents met on a number of occasions with the Highways Agency and their technical advisors.

The HA had requested that further information be provided so that the development impact upon the strategic highway network could be assessed

A Transport Assessment was submitted in support of the proposed mixed-use development on Ohio Avenue in Salford Quays. This was supported by the later submission of a Car Park Management Plan and a Framework Travel Plan. The Highways Agency withdrew their holding objection following additional information provided by the applicant's team. The formal response raises no objection subject to the inclusion of conditions relating to an area wide travel plan. The area wide travel plan would be secured by a planning condition and the contributions required for its set up and maintenance over a 5 year period would be secured by way of a S106 agreement. Further information in relation to the planning obligation is set out below.

The study area, trip distribution and trip generation of the development was previously agreed with Salford City Council during the initial scoping process, and the applicant's consultants WSP have worked within these previously-agreed parameters in undertaking the Transport Assessment. The baseline trip generations assume 2010 levels of demand plus the trips to Media City Phases 1 to 3. Trips related to the proposed Ohio Avenue development have then been added on to this baseline.

The estimated trip generation and traffic impact assessment of local highway junctions in particular have been subject to extensive comments by the Highways Agency (who manage the M602) and Transport for Greater Manchester. The key issues raised have largely been addressed, as follows.

Traffic impact assessments of junctions (primarily the junctions of Broadway at Ohio Avenue, South Langworthy Road, The Quays and Trafford Road) have been provided in a Transport Assessment using computer modelling (PICADY for priority junctions, ARCADY for roundabouts and LINSIG for traffic signals). This was updated following comments from Transport for Greater Manchester, and some initial proposals for minor improvements to certain junctions have been made. The results of this showed that the proposed junctions would operate within, but close to, their practical capacity.

Following comments from the Highways Agency, WSP also undertook additional assessments of the M602 junctions using a higher level of development trips, to assess the impact on the Strategic Road Network. This reflected a more common commercial development scenario, and gave an indication of where the likely impact on the Highways Agency network would arise, allowing them to develop a mitigation strategy broadly consistent with that applied to other major development in the Quays. However, these assessments were not repeated for all the local highway network junctions using the more robust revised version of the models agreed with Transport for Greater Manchester.

Car parking provision is within Council guidelines and will be subject to a Car Park Management Plan. The restraint on parking should go some way to encouraging car sharing and sustainable travel by public transport, walking and cycling. However, this assumes that parking will not be available for users of the development elsewhere in the Quays, and that sufficient capacity will be available on existing public transport services (primarily Metrolink, though Quays Link buses also now operate to the site). This assumption has not been subject to any testing of available capacity.

The site is readily accessible by tram, and bus stops are located relatively close to the site. The applicant is supportive of travel by public transport to the development and the submitted Travel Plan describes ways in which visitors, residents and staff will be encouraged to make sustainable travel choices. However, no new public transport services are proposed, although the Framework Travel Plan assumes that a very high share of trips from the development will use public transport.

The conclusion of the initial review was that the development with the proposed improvements in place will take up all existing and proposed capacity on the local highway network.

Accordingly, as Local Planning Authority, we need to be absolutely certain of the level of transport capacity taken up by this development in view of policy guidance supporting wider regeneration of the area.

Because of this concern, following the initial review of the Ohio Avenue mixed use development's Transport Assessment and Travel Plan by Salford City Council and the Highways Agency, Salford City Council has recently asked JMP Consultants to advise on any outstanding transport issues.

JMP is undertaking a separate study for the Council to assess longer-term infrastructure needs in the light of future development potential in the Quays, and as a result, they have identified several issues relating to the proposed development and potential impacts on the capacity of the network.

The main issues identified were concerns about worst-case impacts, related to the following areas:

1. Whether the baseline levels of traffic assumed to be generated by existing uses in the Quays might be artificially low, given the economic situation in place at the time of collecting local traffic data (2010). A more intensive use of existing space in the Quays could raise the level of 'background' traffic, especially where current parking facilities are operating below full capacity.
2. Because no "opening year" for the development is proposed, there are concerns that growth in local traffic in the interim could take up some of the capacity prior to the development's actual opening. Although WSP states that there has been no recent growth, this is a departure from the usual method of assessing the transport impacts of a development five years after opening.
3. Whether the level of trips assumed to use modes other than the car is consistent with patterns of travel behaviour likely to emerge amongst users of the development, and especially how far the Travel Plan target of 45% of trips by non-car modes would be met and the impact if it is not.
4. Although good public transport services do exist to serve the development, the Framework Travel Plan proposes a very high level of additional public transport usage. Since these services are also expected to be used by a growing number of people travelling to and from Media City Phases 1-3 in peak hours, there is the potential for demand in excess of capacity.

As a result, JMP has advised what additional work WSP should be asked to submit to help Salford City Council better understand the development's impact. This will provide Salford City Council with a greater level of comfort that the highway improvement works proposed will be sufficient to cope with all existing and proposed development traffic, and also that existing public transport facilities will be adequate to cope with the extra demands placed on them in future by this development.

The applicant has been asked to provide two additional pieces of work to address the main outstanding issues and inform agreement on the improvements required to accommodate the full impact of this development on the local highway and public transport networks, as follows:

- An assessment of the impact of development trips on the capacity of existing public transport services, to estimate whether peak hour capacity exists to accommodate these new trips; and
- An assessment of the impact of the development at the nearby local road junctions, using a higher level of development trips, consistent with tests undertaken for the Highways Agency applied to the revised junction models developed in response to the comments made by TfGM.

Therefore, had the Local Planning Authority been in the position to determine the application it would have expected the applicant to provide information in relation to these points or other information which would satisfy these areas of outstanding concern to demonstrate the impact of the development upon the highway network and that the public transport facilities in the locally are adequate.

Should information be provided to this end the City Council would not seek to challenge the proposal in highway terms at the Inquiry.

Update Position

The Director of Engineering has reviewed the highway position. His comments are included in this section.

The applicant has provided further information in relation to public transport capacity which has been reviewed by Urban Vision and JMP consultants on behalf of the City Council. It is accepted that the additional work demonstrates that there is sufficient capacity within the public transport network to accommodate the assumptions contained within the TA.

A Transport Assessment has been submitted by WSP in support of the development and this has been reviewed by Urban Vision, Transport for Greater Manchester and JMP consultants on behalf of both the Highways Agency and Salford City Council.

Whilst Transport for Greater Manchester are of the opinion that the models used still have some deficiencies they have confirmed to Urban Vision that the correction of these are unlikely to make a material difference to the model outcomes. They have further confirmed that the overall network improvements suggested in the assessment would still be realised when considered against the do-nothing base flows should these corrections be made (or indeed, if greater traffic generation figures were modelled).

JMP have raised concerns about the level of trip generations utilised in the Assessment and have suggested that a more robust methodology, based entirely on the TRICS database, should be adopted. The TRICS database is a traffic generation tool which is maintained by JMP on behalf of a consortium of six southern counties. The database is updated regularly and incorporates real life flows generated by a number of developments up and down the country. In order to recognise the sustainable nature of the site, due to its mixed use and regional centre characteristics, such as Metrolink, they have then reduced the resultant figures by 20%. It is worth noting at this stage that JMP have also carried out work utilising the figures used in the WSP Assessment and a similar Assessment submitted by TTHC on behalf of a recent application (not on this agenda) by Peel Holdings on an adjacent site. JMP report that the TRICS figures used in their assessment are greater than the combined quantum of the generations created by the two developments in total. This suggests that if the TRICS database were used exclusively for future developments in the area any further development would be unsustainable. Although the JMP work indicates higher levels of predicted congestion in comparison to the WSP work, they also conclude that the network improvements suggested by WSP would still be beneficial.

Although the Director of Engineering has considered the information above he has also considered the fact that:

LINSIG, the tool that was used in these assessments (and is an industry standard) cannot take account of any extra capacity created by SCOOT. (SCOOT optimises linked signals by “borrowing” green time from one arm, as traffic grows on another). SCOOT is at present installed on the junctions along Trafford Road and is soon to be installed at M602 junction 3. This suggests that the signal capacity utilised by LINSIG is in effect lower than the present capacity at the signals.

The latest signals equipment for Metrolink allows tram movements / locations to be monitored more accurately than previous equipment, which should in turn, also create greater capacity at the affected junctions.

The Director of Engineering has also noted the fact that none of the modelling carried out appears to have considered the opportunity for traffic to re-route, should congestion in the area reach an unacceptable degree. (“Unacceptable” in this case is a matter of personal choice). Panel may recall that one of the reasons that Broadway Link was built was specifically to address predicted congestion at the junctions considered in the various documents listed above. Consequently, it should be anticipated that if journey times do increase noticeably for traffic coming into the area via junction 3 of the M602, traffic would reroute via junction 2 and utilise and Broadway Link for the purpose that it was intended.

Furthermore, Panel will also be aware that accessibility to the Quays overall has been improved by the recent doubling of Metrolink services and the provision of the high frequency bus service between The Quays, Pendleton Precinct and Salford Crescent Station which clearly improves modal choice.

It is noted that the applicant is also in the process of preparing an Area Wide Travel Plan that will detail a potential package of sustainable transport improvements that the development could introduce or contribute towards. The implementation of such a plan would undoubtedly benefit both the development and the wider Quays area and would be an important contributory factor within the relatively low traffic generation figures utilised in the WSP Assessment. However, such plans can be easily ignored, and therefore, it is the opinion of the Director of Engineering that there should be no occupancy of the development until such time as the Travel Plan has been approved and adopted by the Strategic Director.

Car parking provision is within City Council guidelines and will be subject to a car park management strategy. However cycle, motor cycle and disabled parking provision still need to be agreed.

Given the above, it is unlikely that approval of this proposal and the similar application noted above would result in a severe impact upon the highway network (although it is recognised that any level of development will increase traffic and therefore congestion).

Conclusion

Therefore the proposal is considered acceptable in highway terms subject to the highway improvements detailed within the Transport Assessment being provided in accordance with a phasing scheme to be agreed.

Planning Obligations

Policy DEV5 'Planning Obligations', the adopted Planning Obligations SPD and housing policies H4 'Affordable Housing' and H8 'Open Space provision associated with new housing development are relevant to this scheme.

The applicant has provided a detailed heads of terms and justification for the development which has been split into the following issues;

Highways

On site highway improvements for a new signalised junction at Ohio Avenue / Broadway to facilitate improved site access and improve access for Central Park and Harbour City (car park) users. Completion of works will be linked to phased delivery based on change to traffic generated through the junction. Depending on phased delivery of blocks (A to F), works must be completed as a first or subsequent phase.

Off site highway improvements for an additional right-hand turn lane off Trafford Road into Broadway to increase junction capacity and reduce queuing for the benefit of the application proposals and wider Quays users including Media City. Completion of works will be linked to phased delivery based on change to traffic generated through the junction. Depending on phased delivery of blocks (A to F), works must be completed as a first or subsequent phase.

The applicant has estimated that the total cost for both junction improvement schemes to cost in the region of £1m and could be secured by a negatively worded Grampian planning condition.

Travel Plan

As stated earlier it is a condition of the Highways Agency that an Area Wide Travel Plan (AWTP) be established for Salford Quays. Detailed discussions on the specific measures/initiatives to be covered by the area wide Travel Plan are ongoing and would form part of any S106 agreement. However, the applicant has indicated that the AWTP would have a value of circa £165,000. The S106 will be drafted on this basis.

Affordable Housing

As stated earlier the applicant considers that the provision of affordable housing will need to be balanced against the wider regeneration benefit inherent to the scheme already outlined. In principle the applicant has no objection to providing affordable housing on site. The value of infrastructure, public space and highway works is in excess of £4m and coupled with the long term job creation, as well as construction job creation, the applicant considers that these benefits far outweigh any requirement for affordable housing on the site.

However, given the outline nature of the application and should the council be in a position to determine the application further information would have been requested to provide evidence to the applications assertion that the public value of the scheme would exceed £4m.

Open Space, Public Realm, Infrastructure and Heritage

The proposal includes new linkage between Broadway and Quays Road together with a public square. The applicant considers that the proposal would provide a greater area of provision than that required by the Council's policies. Whilst this is considered an appropriate approach given the relatively low provision of residential development, it would be important that appropriate conditions are put in place to ensure that the amount and quality of provision is controlled.

Construction Training

The applicant is willing to accept a Grampian Style condition to require a Construction Training Programme to be provided prior to first development. The terms of that agreement could include specific reference to the

agreement / involvement of relevant local enterprise partnerships. This is considered an appropriate suggestion which would address the provisions of policy OB3 Of the adopted planning obligations SPD.

Climate Change

The proposal proposes to meet BREEAM 'Very Good' standard which would negate the need for further contributions. Subject to a condition to secure that standard the scheme would accord with the provisions of OB4 of the obligations SPD.

The heads of terms are considered appropriate to the development and would be continued to be negotiated prior to the commencement of the Inquiry. However, should other items be identified as a result of the request for additional highway justification they would be included in the Council's case at the Inquiry.

Public Transport Contributions

Prior to formally publishing the agenda the applicants agent has verbally confirmed the applicant's willingness to contribute to public transport improvements. Whilst this has not been confirmed or, in fact, details of the amounts involved or what they could be directed towards at this stage, the matter will be reported prior to the panel meeting.

Conclusion of Batley's Proposal

In conclusion, it is considered that this scheme (considered for the purposes of this interim conclusion in isolation of any other schemes) accords with the provisions of the development plan for Salford and would represent an appropriate form of sustainable development in this area of the City. NPPF advocates a presumption in favour of sustainable development.

Whilst the majority of the component parts of the scheme were not resisted by this panel in formulating the Council's position for the Inquiry, it was considered necessary to explore further issues of public transport capacity and traffic modelling. This work has now been undertaken and reviewed by the Council's Director of Engineering. Having regard to this work and the views expressed by consultees it is not considered that the impact of the development in transport terms would be severe or unacceptable in policy terms. Therefore, having regard to the advice within NPPF it is considered that there are no reasons to resist the proposal.

Implications of the Peel Scheme

The Peel proposals raise two but related issues (i) whether the presence of the Peel proposal as an 'alternative' is a material consideration in determining the Batleys application and (ii) the fair treatment of the two applications

The starting point is that an owner of land is entitled to use land for any purpose which is acceptable for planning purposes. A landowner's desire to develop his land in a particular way should not be frustrated because there is other land which would be more suitable in planning terms for that particular use. Consideration of alternative sites is only relevant to a planning application in exceptional circumstances. One such case is where policy expressly makes consideration of alternatives relevant.

Consideration of alternative sites is necessary if it is a policy requirement. It is also necessary if the proposal has inevitable adverse consequences which would normally merit refusal of permission but a case is being made that the need for the proposal or the benefits of the proposal are such as to outweigh those adverse effects; in such circumstances it is material to consider whether that need or those benefits can be met on a site with lesser adverse impacts or with greater benefits. In essence the point is that where what would normally be an unacceptable impact is being accepted because of some form of need it would be irrational to ignore the fact that the need can be addressed with a lesser overall negative impact.

As stated earlier in this report concluding that, individually the proposal accords with the development plan for Salford, there is no policy requirement to consider alternatives. Furthermore, there are not considered to be any adverse impacts which would provide a ground for refusal and no issue of considering whether there is a need or benefit which outweighs such adverse consequences. Accordingly, there is no reason to refuse this

application (which must be determined on its merits in accordance with s.38(6) because of the issues raised by Peel in their latest objection letter (dated 24th July 2012).

The second element relates to the fair treatment of both applications. The Peel proposal is currently subject to a holding direction and therefore cannot be determined by the Local Planning Authority. Furthermore, officers are in negotiation with the applicant with regard to appropriate levels of supporting information.

The 'Regeneration and Economic Investment' section of this report has concluded that there is no policy preventing the determination of the Batley's proposal prior to the proposals put forward by Peel. Similarly, the publication Core Strategy is not considered to have sufficient weight with regard to the specific location of retail provision in this area. Furthermore, it is considered that the outline nature of both proposals is one which would enable future reserved matters to have due regard to the key principles and strategic objectives of good design and the criteria of the planning guidance for Media City. Furthermore, it is also noted that the indicative details of both schemes are not significantly different from each other in terms of circulation and movement.

Whilst, officers are in negotiation with Peel's agent, it is not considered that there are any in principle issues that could not be appropriately addressed by way of further supporting information, particularly as the proposal proposes similar types and quantum of development to that proposed by this proposal.

Furthermore, it can be observed from the Traffic and Transportation section that in considering the appropriateness of the Batley's proposal the Director of Engineering has considered the matter both individually and cumulatively (based on assumptions that the Peel scheme is similar to that proposed by the Batley's scheme) and concluded that approval of both proposals is unlikely to result in a severe traffic impact. Paragraph 32 of NPPF is clear that development should only be refused on transport grounds if the impact is severe. As such, the Council does not consider that there is a case where only one of the two schemes can be granted consent.

Therefore, whilst the Peel proposal does not appear on this agenda, it is considered that by having regard to the Peel proposal in the consideration that both proposals have been treated fairly and the approval of Batley's proposal would not frustrate the development proposals by Peel, in that a report to this panel in the near future of the Peel proposal is unlikely to include any 'in principle' objection. However, it is important to note that the applicant will still have to address, by way of additional information, issues raised and will have to undertake similar dialogue with the Highways Agency to secure the removal of the holding objection. However, it is not anticipated that off site highway mitigation for Peel's current proposal will be disproportionate (as raised in the latest objection letter by Peel) in comparison with the measures which would be secured through the Batley's scheme but will be similar and proportionate and therefore not resulting in a burdened development. Of course, there must be consistency in administrative decision making and the Council's decision in this case will be a material consideration in the determination of subsequent applicants including Peel's.

Accordingly, taking all the matters raised in the latest objection of Peel, it is concluded that the Peel applications are not material considerations which would justify the refusal of this application, given the conclusion that it is acceptable in isolation.

OVERALL CONCLUSION

Overall, having regard to the provisions of the development plan, the Council's position at the forthcoming Inquiry and all material planning considerations, it is considered that this scheme should be approved.

Officers and the applicants agent are currently in dialogue regarding the production of appropriately worded conditions to aid the Inquiry process. This process is currently on going. Therefore, it is necessary to continue this dialogue and it is anticipated that a full list of conditions will be produced prior to the meeting of this panel. However, at this stage the following provides a list of the likely conditions (albeit not an exhaustive list at this stage):

Time to implement; provision of reserved matters; phasing of development; details of plans; details to information to support future reserved matters applications; waste management strategy, decentralised energy reduction, restriction of comparison floorspace, cycle and motorcycle provision, car park management, Area Wide Travel plan provision, site investigation and mitigation, control of noise.

RECOMMENDATION

Planning permission be granted subject to planning conditions reported in the late item report 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:

- Off Site Highway Works
- Area Wide Travel Plan
- Construction Training Contribution
- Affordable Housing Contribution

2) That the applicant be informed that the Council is minded to grant planning permission, subject to the conditions stated within the late items report, 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) on completion of the above-mentioned legal agreement;

<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=M6IYUHP01600>

APPLICATION No: 12/61953/HYBRID

APPLICANT: SP+

LOCATION: Land And Property Bounded By Broad Street, Cross Street, M602, Langworthy Road, Liverpool Street, Fitzwarren Street, Heywood Way, Hankinson Way, Nursery Street And Eccles Old Road, Pendleton, Salford, ,

PROPOSAL: Full planning permission for the refurbishment of 1,253 dwellings; construction of 293 new residential dwellings; creation of new public open space; new and realigned roads, car parking, landscaping and highway works, change of use of a retail unit to a dwelling; change of use of a D1 (surgery) to a B1 (office use) and demolition of 88 dwellings., Outline planning permission with all matters reserved for comprehensive redevelopment comprising the construction of up to 1,318 new dwellings (including up to 60 extra care units), city farm, offices (up to 500 sqm), replacement retail units (A1, A2, A3, A4 and A5) (up to 430sqm); new and remodelled public open spaces; new grass sports pitch and remodelled synthetic sports pitches and associated buildings; new allotments; access/highway infrastructure works; public realm works; landscaping and demolition of 779 residential units and 6 retail units,

WARD: Langworthy

Description Of Site And Surroundings

Location and topography

The application site covers an area of approximately 55 hectares and comprises a significant area of the city ward of Pendleton. It broadly covers the land between the M602 (to the south), the A6 – Broad Street (to the north), from Cross Lane (to the east) and Langworthy Road (to the west). As such Pendleton is located between the two main arteries running into the city centre from the west, carrying the majority of vehicular traffic bound from Liverpool, Warrington, Bolton, Preston and the M6.

The overall topography of the application site falls very gradually from north to south. This fall in topography continues south of the M602 through Weaste and Ordsall towards the Quays and the Manchester Ship Canal. To the north the land also starts to fall away (once past the A6) where it falls steeply down towards an upstream section of the River Irwell. Traversing there is also a rise in land westbound into Seedley, culminating in Buile Hill Park.

Historical Evolution

Pendleton comprises a distinctive area to the west of the regional centre of the Manchester – Salford conurbation. It is a residential area with its origins in the urban expansion of mid 19th century Salford. Its geography is formed from the ancient thoroughfare of Broad Street and the 18th century formation of Cross Street and Regents Road. The streets of residential terrace housing that developed supported the cities cattle market (that was located within the area), the railway that followed the alignment of Regent Road and the extensive area of industry that developed on the land towards the city centre.

During post war redevelopment of the city, Pendleton was heralded as a new vision for urban living, based on high density urban residential blocks set in open parkland. New infrastructure networks were built through and around the ward along with a park, shopping centre and community facilities. This programme started to the north and resulted in final clearances of the older housing stock towards the south by the mid 1970's when the new M602 motorway was driven through to Manchester city centre (parallel to the northern side of the Liverpool-Manchester railway line).

Most of the 19th century built form was demolished, save for a few public houses, a church and a small number of terrace houses (to the west). The historic street plan was largely eradicated, with only the form of Clarendon Park, Liverpool Street and a part of West High Street remaining.

The new city ward was designed around the formation of a new dual carriageway (Churchill Way) towards the northern end of the ward, to compliment the east-west axis of Liverpool Street to the south. This route was to facilitate access to a new town centre known as 'Salford Shopping City'. Four schools were built along with a health centre and a northern extension to Clarendon Park linking Liverpool Street to the new Churchill Way. Whilst this masterplan was developed over two decades, other pressures within Pendleton facilitated the need for additional community buildings and the changing demography demanded different housing stock. These pressures continued on into the 1980's and 90's and as such the original masterplan for the ward has been further compromised and adapted and as such there are now distinctive sub areas.

The Sub Areas

Whilst Pendleton's boundaries are quite clear, the application site comprises two distinct areas within the ward. Firstly the main site is bounded by Broad Street, Cross Street, M602, Langworthy Road, Liverpool Street, Fitzwarren Street, Heywood Way and Hankinson Way. The second area is bounded by Nursery Street, Broad Street and Eccles Old Road. Whilst the second area is discrete in its nature, it is useful to consider the larger site in smaller sub areas. These are as follow:

Amersham

This sub area is located in the south-western corner of the overall site, parallel to the M602, and linked to Langworthy Road (where it passes over the motorway). The area currently comprises three bands of development, a largely cleared land to the west of Athol Street, post war terrace housing to the east of Athole Street and post war tenement blocks along Amersham Street (to the east).

- The main body of the area is the cleared land to the west of Athol Street. This area is located behind the Langworthy Road frontage and comprises a series of east-west running parallel roads starting with Blodwell to the north followed by Derg Street, Shawcross Street, West Tower Street and Hodge Lane to the south. Gilbert Street and Royle Street are also included and comprise short link streets between West Tower Street and Hodge Lane (which functions as the access road along the top of the north side of the M602 motorway, behind the retaining concrete wall). The streets are bound each end by Brown Street to the west and Langshaw Street to the east. The area extends up the eastern side of St. Ambrose Gardens, so as to front Liverpool Street.

This area has been cleared of its former 19th century housing stock and now comprises rough grass landscaping surrounded by low post and rail fencing to deter vehicle access. Trees have become well established towards the Liverpool Street end of the site and sub stations are located on the corner of Liverpool Street and Athole Street and on the corner of Brown Street and Hodge Lane, where it links to Langworthy Road.

This end of the site is overlooked by early to mid 20th century terrace housing along the west side of Brown Street and north side of Blodwell Street. Adjacent to this (also on the north side of Blodwell Street) is a late 20th century housing court known as St Ambrose Gardens. To the north of Liverpool Street is Langworthy Park (formed from a former reservoir) and located above substantial brick retaining walls and piers.

- The area to the east of Athol Street (along with a small area to the southern end on the west side of Athol Street) comprises post war terraces of dates to the 1960's. These properties are formed within three streets (Primrose Close to the north, Ladyshore Close in the middle and Barnfield Close to the south). The closes are pedestrianised with central grassed areas and established trees, with service, access and parking streets provided intermittently behind the houses. Such a service street is located to the north of Primrose Close and now forms part of an open area of cleared land since the earlier buildings that were located to the north of this area (fronting onto Liverpool Street were demolished). These properties are all two storey and are concrete faced.
- The Amersham Street tenements (to the eastern end of this sub-area are three storey buildings dating to the 1960's. There are a total of 16 blocks known as Borne House, Chalfont House, Chesham House, Clinton House, Halton House, Missenden House, Padbury House, Marston House, Marlow House, Linsade House, Iver House, Wendover House, Summerton House, Quainton House and Wingrave House. This area is arranged around parking and service courts along Amersham Street (a north south street connecting Liverpool Street through to Hodge Lane). Whilst the majority of these blocks are arranged in a uniform pattern running north south with Amersham Street, Marlow House and Linslade House are out of kilter and overlooks the motorway and Padbury, Missenden and Marston House are arranged in a service court (known as Cyprus Close, accessed off Hodge Lane). This area is fenced to the west, separating this community from that of the housing around Athol Street. These blocks are uniform in their appearance and are constructed in brick and render with a series of inset open balconies.

The area is linked to Eccles New Road via a pedestrian bridge from Hodge Lane over the M602. To the northern side of the area (on the opposite side of Liverpool Street) are located Clarendon Park, Fit City and Lark Hill Primary School.

South Clarendon

This area is located to the east of the Amersham area, running parallel to the northern boundary of the M602 and south of Liverpool Street. Cross Lane forms its eastern limit and the tenements of Amersham Street form its western limits.

The area is constructed using the popular post war Radburn plan (of abstract street and building arrangements, forming deconstructed streets, parking courts and open space). The properties are entirely two-storey brick terrace housing. Housing is arranged around a series of four dog legged streets connecting onto the south side of Liverpool Street. These are Bradden Close, Port Sedderick Avenue, Ewart Avenue and Sedan Close (leading to Gavin Avenue). These cul-du-sacs lead to a series of open parking courts along their sides and at their heads. These independent streets are then connected through by a series of alleyways known as 'walks'. Due to the random orientation of many properties, these 'walks' in many instances provide the front access into houses as well as service routes. A mixture of high and low level fencing provides enclosure to gardens.

A 240m long and 50m deep area of trees and scrub is located to the south of (the eastern end of this housing, starting at Cross Lane. It includes an alleyway access through to Hodge Lane along the boundary wall to the M602. The area is linked through to Trafford Road (and the Quays) via a sub way and under the Regent Road Round-a-bout.

A modern (1960's) church (Salford Religious Centre For Spiritualism is located on the corner of Cross Lane and Liverpool Street, which along with a series of commercial enterprises on the east side of Cross Lane) is not within the application site. Cross Lane is terminated by the pedestrian access under the Regent Road round-a-bout (described above) and largely used on both sides for parking. It should be noted that housing within the site overlooking Cross Lane, turns its back on the street.

Aylesbury Close (accessed via Amersham Street, discussed above) offers a further discrete area of this housing to the south side of this road and a fenced off and overgrown area to the north side of this street marks the location of a filled in and once built on reservoir (known formerly as Kingsley Court).

Public Amenity Area (Clarendon Park) and Clarendon

This area comprises the land running along the northern side of Liverpool Street (opposite the Amersham and South Clarendon sub-areas. It extends from Lark hill Primary School (to the west (not within the application area to other sub areas, Market (also to the west) and Cavell, Denbigh and Windsor area (to the east). The area is very much in the centre of Pendleton and as well as a park hosts a leisure centre, theatre, church, shops and housing blocks.

Clarendon Park occupies an area of land over 300m north to south and 100m east to west (at its widest point) and connects together Liverpool Street to the south and Churchill Way to the north. The southern end comprises the original 19th century park and now offers an all weather play surface 80m by 50m along with two Multiple Use Games Areas (MUGA's) of which each are 30m by 15m (directly to the north of it). To the north of this in the extended area of the park is a further play area set into undulating parkland. The park has a high coverage of well established trees and a number of informal pedestrian routes running through and across it.

The northern post war extension to the park is narrower than the original part of the park and this has allowed for other development to be provided along the flanks of the park. Along the eastern side of the park are 2 two-storey a community centre (known as the Lance Burn Centre and Windsor Centre) adjacent to and serviced from Churchill Way and two high rise (17-storey) residential tower blocks (known as Apple Tree Court and Peach Tree Court) both served from the western end of West High Street. Along the western side of the park is a disused single-storey office building overlooking Churchill Way and a third 17-storey high rise residential block (Pear Tree Court).

A 'Fit City' leisure centre is located to the eastern side of the park (at the southern end towards Liverpool Street. Fit City is set back 40m from Liverpool Street and offers a range of sports provisions in connection with Clarendon Park which it overlooks to the west. The building itself is an elevated single storey structure finished in a metal sheet cladding over a brick base surrounded by 2m high fencing (railings) that encompass Tunbridge Square (a parking area for the leisure centre).

To the east of Tunbridge Square is a parade of 6 brick built shop units with maisonettes over. These are on a north – south axis and have a pedestrian access to the front and a vehicular access off Liverpool Street to the rear known as Kemsing Walk.

To the east of Kemsing Walk is an area of open space leading to Westerham Avenue. This provides access to a theatre and church (now used as a children's nursery called Kiddies Capers). These are set back from the street by 30m and 60m respectively. The theatre is constructed in a dark brown brick with a metal clad roof that is integral to its overall structure. The church (turned nursery) has a long 'A' framed concrete structure which extends the long pitched roof down to the ground and incorporates a series of smaller side gables of a similar design.

Cavell Way

An area of former housing blocks located to the east of Westerham Avenue and adjacent to the corner of Liverpool Street and Cavell Way. The area comprised a court known as Wortham Close. The area is now cleared and grassed with a few established trees.

Lindinis

This area referred to as Lindinis, comprises the area of housing between Cavell Way / Cotterill Street and Cross Lane, extending from Liverpool Street to the round-a-bout to the eastern end of Churchill Way. Other than late 20th century, two-storey housing constructed in red brick, the area contains a now disused 1960's pub 'The Ship' on the corner of Cross Lane and Liverpool Street and a 1970's church (Seventh-Day Adventist Church) noted by its octagonal corner spire (although this church is excluded from the application boundary).

Streets comprise Chevron Close (to the north) and Lindinis Avenue and Fortran Close (both accessed off the eastern side of Cavell Way). The northern part of this area comprised part of the original cattle market and over recent years a block of the 1970's housing, between Lindinis Avenue and Cross Lane has been redeveloped with new housing.

Denbigh

This area is located directly north of the Kemsing Walk shops and the theatre and church (turned nursery) and extends up to the south side of West High Street (one of the few streets to survive post war clearance/redevelopment) albeit only in part. It largely comprises modern and refurbished housing in a crescent shaped loop off the south side of West High Street. These comprise Towyn Avenue, Denbigh Place and Bala Close. The housing is constructed in red brick and consists of a variety of terrace, semi detached and detached housing. Around 50% of the housing in this area is not within the application boundary.

Windsor

This area comprises the former Windsor High School site, which was demolished over 10 years ago. The school which formed part of the original post war masterplan for Pendleton comprises an area 200m from east to west and 130m from north to south. The area extends from West High Street up to Churchill Way and comprises a housing designated in the Unitary Development Plan (UDP) (Policy H9/3 - Sites for New Housing – Former Windsor High School, Langworthy (3.8ha).

The site comprises areas of hard standing where the footprint of the school and yards once stood and rough grassland where the playing fields and recreational space was located. The site is fenced off and trees have established along the boundaries.

Market Street

The area comprises land around the once prominent High Street (a continuation of West High Street – that remains further west) but was lost due to comprehensive redevelopment in the late 1960's and early 1970's.

The area extends from the northern boundary of Lark Hill Primary School to Heywood Way and Churchill Way (south of Shopping City) and from Fitzwarren Street through to Clarendon Park.

The area of housing and high rise residential towers laid out in the Radburn style. The area has three principle points of access:

- Firstly, from Churchill Way along Holcombe Close, a north south street provided access to Pear Tree Close (on the eastern side) from which Pear Tree Court (described above overlooking Clarendon Park) as well as the former office building (also described above) and the service yard of the Winston Public House (a 1960's licensed premises fronting Churchill Way to the west of the aforementioned disused office) and a substantial substation to its rear. A terrace of houses to the west of the substation towards Holcombe Close has since been demolished and grassed over.

A wide court of housing is located at the southern head of Holcombe Close, with only pedestrian access through to the wider part of this estate. A spur to the west closer to Churchill Way called Ruthin Close provided access to two short terraces staggered towards Churchill Way. One of the two terraces has since been cleared leaving a large area of open grassed over land and Ruthin Close is now redundant. In conjunction with the clearance of the terrace near the substation, the aspect of High Street from Churchill Way is now open and unplanned in its appearance.

The Winston public house does not form part of the application boundary.

- Secondly, from Heywood Way along Brydon Close, which dog-legs into a large open court surrounded by housing on all sides. Access is afforded to one of the three 23-storey high rise towers in the north-west corner of this area, known as Churchill Court (located directly to the west of the access onto Heywood Way). Churchill Court does not form part of the application area.
- Finally, from Fitzwarren Street along Edgehill Close, this road runs through to Clarendon Park and has three separate streets leading from it. The first, Rosehill Close is to the north soon after entering into the street and snakes round the former Brass Handles public house, doubling back on itself towards Fitzwarren Street. It provides accesses to terrace d housing as well as the second and third 23-storey tower block (Rosehill Court and Fitzwarren Court) as well as the low rise residential housing complex known as Unwin Court (located overlooking the round-a-bout at the top of Fitzwarren Street). The second, Chartwell Close (to the south) which is a small contained cul-du-sac of housing. The third, Sedgefield Close at the eastern end of Edgehill Close (to the south as it meets Clarendon Park) and comprises a double legged cul-du-sac set into open grassed squares. Two terraces of housing have already been cleared to date, one within Sedgefield Close, the other to the north of Edgehill Close. Rosehill Court does not form part of the application area.

The housing in this area is late 1960's / early 1970's with the low rise constructed in brick and the high rise constructed with concrete framed (now renovated with a render) and laid out along a familiar informal Radburn layout for Pendleton.

On the opposite side of Fitzwarren Street is a new housing development, which forms a new link through to Field Street and the Chimney Pot Park development of former 19th century grid iron terrace housing.

Broadwalk

The Broadwalk area can broadly be described as that area which extends the full length of the northern side of Churchill Way and runs through to Belvedere Road. The Broadwalk itself comprises a pedestrian route that runs 110m back from and parallel to Churchill Way. Of this area, only approximately a third of it falls within the application site.

Western end of the Broadwalk:

The western end can be described as being convoluted, piecemeal and complex, comprising:

- A health centre and library (The Gateway Centre) comprising a relatively new two-storey yellow brick and render structure;
- Former library, comprising a single storey brick structure, now housing the Salford Property Shop;
- A church (St Pauls) comprising a grade II listed gothic sandstone church and associated hall and walled gardens;
- A bingo hall, comprising a modern elevated red brick structure;
- A former primary school, comprising a single-storey brick structure, now the New Broadwalk Pupil Referral Unit;
- A surgery (Pendleton Medical Centre) comprising a single-storey brick structure;
- A nursery (Belvedere Sure start centre) comprising a single-storey brick structure;
- The Broadwalk Centre (a council training centre) comprising a single-storey brick structure;
- The Salford Opportunity Centre (Connections) on Churchill Way comprising a two storey bull-nosed structure;
- A two storey brick contained residential complex (Lombardy Court);
- Three 7-storey high tenement buildings (Plane Court, Beech Court and Salix Court);
- An 8-storey high tenement building (Mauls Court);
- A 10-storey residential tower (Holm Court);
- Two 12-storey residential tower (Whitebeam Court and Hornbeam Court);
- Three identical residential 17-storey high rise towers along the southern side of the Broadwalk (Mulberry Court, Sycamore Court and Magnolia Court).
- Two 15-storey university residential blocks north of Belvedere Road (Eddie Colman Court and John Lester Court);
- The land of the former Woolpack public house (north of Belvedere Road); and
- The police station (north of Belvedere Road).

In terms of those areas falling within the application, these are the following:

- Whitebeam Court (44 apartments, amenity space/parking);
- Malus Court (84 apartments, amenity space/parking);
- Hornbeam Court (44 apartment, amenity space/parking);
- Plane Court (84 apartments, amenity space/parking);
- Lombardy Court (26 apartments, amenity space/parking);
- Salix Court (68 apartments, amenity space/parking);
- Beech Court (76 apartments, amenity space/parking);
- Holm Court (78 apartments, amenity space/parking);
- The land of the former Woolpack public house (north of Belvedere Road);
- The surgery (to the west of the access into Paddington Close; and
- Open space / playground (to the north of Plane court

The surface level car park and library building at the junction of Churchill Way and Hankinson Way are allocated under policy S1/1 – Retail and Leisure Development within Town and Neighbourhood Centres (Salford Precinct, Langworthy) but fall adjacent to the application boundary.

The area is served by a series of five ‘no-through’ access roads run into it, these include:

- Paddington Close (off Churchill Way) provides access to the Salford Opportunity Centre (to the east end on to and overlooking Churchill Way), a surgery (to the west) and Magnolia Court, Sycamore Court and St Pauls Church (on the south side of the Broadwalk);
- Mulberry Road (off Churchill Way) provides access to Plane Court (to the east, and parallel to Churchill Way) and Holm Court (to the west);
- Loganberry Avenue (off Hankinson Way) provides access to the former library (to the north), Mulberry Court (to the east), the health centre and Beech Court (both to the north east);

- Lime Close (off Belvedere Road) provides access to Beech Court (to the west) and Hornbeam Court and Malus Court (both to the east); and
- Whitebeam Close (off Belvedere Road) provides access to Salix Court (to the west), Lombardy Court (to the south) and Whitebeam Court, the Belvedere Sure Start Centre and the Broadwalk Centre (all to the east).

These streets lead into the area from the periphery, but due to the priority of the Broadwalk through the centre of the area result in no through vehicular routes, providing little more than servicing and access to car parking. The spaces between buildings are largely fenced off to provide physical security to amenity spaces and car parking around the base of individual buildings.

Eastern end of the Broadwalk:

This area extends the remaining length of Churchill Way and extends north along Cross Lane and back along Belvedere Road/Broad Street. This eastern end of the Broadwalk contains three high rise residential towers, Cherry Tree Court (17 storeys), Thorn Court and Spruce Court (both 23 storeys).

These are set within a largely redeveloped landscape of the 1990's comprising cul-du-sacs of semi-detached red brick houses access off Almond Close (off Belvedere Road) Citrus Way and Coconut Grove (off Churchill Way). In addition, the 17-storey Cherry Tree Court (Churchill Way) the 1930's Paddock public house (Ellor Street), the two-storey 1960's dark brown brick Flesh Weaver public house (still occupied) and single storey modern surgery building (Belvedere Road) complete this area.

In terms of those areas falling within the application, these are the following:

- Thorn Court (177 apartments, amenity space/parking);
- Spruce Court (178 apartments, amenity space/parking); and
- Open space north of Churchill Way (east of Cherry Tree Court).

Nursery Street Area

This discrete area is separate from the main application site and is triangular in shape. It is bounded by Nursery Street to the west, Eccles Old Road / Broad Street to the north and the rear boundary of the offices and telephone exchange to the west of Pendleton Way. The area principally contains two cul-du-sacs known as Arbour Close and Maple Close (both of which are off the north eastern side of Nursery Street).

The area contains two-storey terrace housing and three-storey tenements around parking courts.

Surrounding area

To the south of the application site are the M602 and the Liverpool to Manchester railway line, which together are sunken into a cutting below substantial concrete retaining walls. To the south of this are large interwar municipal residential buildings fronting Eccles New Road.

To the west of the application site is Langworthy Road which links over the M602 and connects with Eccles New Road, the Metrolink (Langworthy) and Salford Quays (Media City, the Lowry (gallery/theatre/shopping), Imperial War Museum and Trafford Park beyond. Langworthy Road itself comprises 19th and 20th century housing, including the innovative refurbishment programme known as Chimney Pot Park. Seedley is located to the far side of Langworthy Road and comprises an area of traditional 19th century terrace housing undergoing a restructuring of the housing market through the Housing Market Renewal Programme, new homes and schools.

To the east of the application site is Cross Lane with Albion Way beyond. This area hosts housing to the north and more commercial enterprises to the south and along Albion Way itself, where a number of garages and car sales rooms have established. On the far side of Albion Way is an area of industry featuring two gasometers and various warehouses, sheds and works, either side of the east bound continuation of Liverpool Street.

Further east is a cleared area for development known as Middlewood Locks before passing over the inner relief-road and the River Irwell into Manchester City Centre. Pedestrian links (to the south of Cross Lane lead under the M602/Regents Road Round-a-bout at the eastern end of the M602 offer an alternative route to Salford Quays and Ordsall via Trafford Road.

To the north west of the main application site, separating it from Nursery Street is Salford Precinct (Shopping City). The town centre was a purpose built structure on a gyratory island site, with a dual carriageway road running around it, allowing for Churchill Way and Fitzwarren Street to connect in with their own round-a-bout connections to each of the southern corners and a further large tributary gyratory to the north filtering traffic to and from the round-a-bout over the A6. The building itself is a large system built concrete frame and panel structure with a mall and central tower. Planning permission has been approved for refurbishment and extension of the shopping centre and also for a new food supermarket beyond (towards the Nursery Street area). This supermarket has closed off the Pendleton Way leg of the gyratory and is well under construction.

Broad Street (A6) runs along the northern boundary of the site and is a main artery running into the city centre. To the north of the A6 round-a-bout is the grade II listed church of St Thomas's which marks the highest point in the topography of the surrounding area. Beyond this is an extensive area of residential properties and industry works known as Charlestown. To the north of the junction of Cross Lane / Albion Street and the A6 is the campus of Salford University. The university has a series of 6 large 20th century buildings in this location, set back from the A6 in extensive grounds, these form an extension to the main campus formed around the 19th century buildings by the Museum and Art Gallery in The Crescent.

Description Of Proposal

Creating a New Pendleton

Following a the city's largest ever programme of consultation around housing options, Salford City Council established in 2005 that the need to meet Decent Homes Standards and tackle the social deprivation of the area, the need for improved services, and amenity for local residents and the poor physical environment would be best met through seeking funding under the Private Finance Initiative (PFI).

As part of the regeneration of Pendleton, the PFI scheme will improve the quality of 1,253 existing homes, coupled with the general modernisation of housing assets and the wider estates in terms of design and layout. The Authority is looking to complement and enhance the PFI scheme by delivering approximately 1,500 new homes through development proposals under a separate development agreement. In terms of wider regeneration the council have always anticipated that the PFI investment will be a catalyst for wider investment in and regeneration of the area.

Following the successful receipt of planning permission for the whole PFI boundary (as sought through this application) the applicant will sign a contract with Salford City Council allowing for the masterplan to be realised through the release of land in accordance with the phasing described below.

In order to facilitate this 11 year programme, a degree of flexibility is necessary and as such this application is in the form of a hybrid application, with parts of the proposals sought in full, whilst other elements are sought in outline (with all matters reserved, however providing a maximum numbers of residential units and commercial floor areas set out).

Full planning permission

The full phase comprises both (a) refurbishment works and (b) new build development.

a) Refurbishment

This will cover the sub-areas of South Clarendon, Lindinis, Denbigh, Nursery Street and Broadwalk.

It must be recognised that some properties are in private ownership and therefore this could disrupt the overall delivery.

South Clarendon

- Remodel of 10 existing house types (H004, H005, H006, H007, H008, H009, H010, H011, H012 and H021) and 1 apartment type (F003) by providing:
 - New roofs;
 - Re-pointed brickwork;
 - Aluminium frame to box ground and first floor windows with a central coloured cladding panel (three colours);
 - New entrance doors;
 - New aluminium windows;
 - New entrance canopies;
 - New garage doors (where applicable);
- New boundary treatment 4 types:
 - 1) 900mm high mild steep powder coated railings;
 - 2) 1500mm brickwork wall with angled with 300mm trellis above;
 - 3) 1500mm close board timber fence with 300mm trellis above;
 - 4) 1800mm close board timber fence;
- Alley gating;
- Reconfiguring of gardens and boundary lines;
- Reconfiguration of parking spaces both in-curtilage and on street/parking courts (reduced); and
- New landscape and planting scheme.

Lindinis

- Remodel 7 existing house types (H005, H009, H013, H014, H016, H018 and H019) by providing:
 - New roofs;
 - Re-pointed brickwork;
 - Aluminium frame to box ground and first floor windows with a central coloured cladding panel (three colours);
 - New entrance doors;
 - New aluminium windows;
 - New entrance canopies;
- Remodel 1 existing house types (H015) by providing:
 - New entrance doors;
 - New UPVC windows.

Denbigh

- Remodel 4 existing house types (H017, H020, H022 and H023) by providing:
 - New entrance doors;
 - New UPVC windows.
- New entrance doors and UPVC windows to the maisonettes on Kemsing Walk (temporary works until this structure is demolished)

Nursery Street

- Remodel of 3 existing house types (H001, H002 and H003) and 2 apartment types (F001 and F002) by providing:
 - New roofs;
 - Re-pointed brickwork;
 - Coloured cladding panel (three colours);
 - New entrance doors;
 - New aluminium windows;
 - New entrance canopies;
 - Glazing to balustrade of walkways (apartments);
- New boundary treatment 6 types:
 - 1) 900mm high mild steep powder coated railings;
 - 2) 1500mm brickwork wall with angled with 300mm trellis above;
 - 3) 1500mm close board timber fence with 300mm trellis above;
 - 4) 1800mm close board timber fence;
 - 5) 1200mm close board timber fence;
 - 6) 1800mm high mild steel powder coated railings
- Alley gating;
- Reconfiguring of gardens and boundary lines;
- Reconfiguration of parking arrangements; and
- New landscape and planting scheme.

Broadwalk

Spruce & Thorn

- New insulated rain screen cladding system (chameleon panel) ;
- New brickwork skin to lower floor;
- New single layer membrane insulated roof covering
- New aluminium double glazed windows/French doors;
- New entrance doors;
- New entrance canopies
- Additional boundary treatment:
 - 2000mm high mild steel powder coated railings; and
 - 1100mm high brick wall with 700mm mild steel powder coated railings above to match adjacent.

Malus, Hornbeam, Salix, Beech, Lombardy, Whitebeam

- New insulated rain screen cladding system (7 colours use (3 principal colours)) ;
- New brickwork skin to lower floor;
- New single layer membrane insulated roof covering
- New aluminium double glazed windows/French doors;
- New entrance doors;
- New entrance canopies;
- New garage doors (Malus, Salix and Beech only);
- Additional boundary treatment:
 - 900mm high mild steel powder coated railings; and
 - 2000mm high mild steel powder coated railings;
- NB Lombardy Court only has UPVC windows, new entrance canopy and a new platform lift.

Holm and Plane

- New insulated rain screen cladding system (6 colours use (3 principal colours)) ;
- New brickwork skin to lower floor;
- New single layer membrane insulated roof covering
- New aluminium double glazed windows/French doors;
- New entrance doors;
- New entrance canopies;
- Additional boundary treatment:
 - Relocation of existing fencing outwards to enclose rear open space area; and
 - 2000mm high mild steel powder coated railings.
- Conversion of surgery to office (no physical changes).

b) New build

This will cover the sub-areas of Cavell Way and part of South Clarendon, part of Amersham and part of Broadwalk (Phase 1a, 1b and 1c respectively).

Cavell Way (1a)

Will comprise the erection 37 residential units:

- 5 X 2 bed houses;
- 23 X 3 bed houses;
- 3 X 4 bed houses;
- 6 X 2 bed apartments (1 block);
- There will be 6 affordable units and 31 private units.

The phase requires no demolition.

The proposals are to construct a new street forming a double headed cul-du-sac off Liverpool Street, with a further secondary street accessed from it, running parallel to Liverpool Street. Housing will be constructed behind this secondary street (which is positioned over an easement) at a distance of 15m back from Liverpool Street. To the west side of the access will be the only apartment block in this phase and to the east of the access the building line will curve around the corner of Cavell Way at a set-back of 6m.

Development will comprise a mix of two and three-storeys buildings using house Type A+, Type C, Type C+, Type N, Type P (private) and Type 1, Type 3, Type 3+ (affordable).

Boundary treatment will consist of:

- 1800mm high railings;
- 900mm high railings;
- 1800mm high wall; and
- 1800mm high timber fence.

Amersham (1b)

Will comprise the erection 241 residential units:

- 36 X 2 bed houses;
- 154 X 3 bed houses;
- 15 X 4 bed houses;
- 4 X 1 bed apartments;
- 32 X 2 bed apartments;
- There will be 88 affordable units and 153 private units.

The phase requires the demolition of 88 houses (the post war terraces off Athole Street).

The proposals are to construct a new linear park along the motorway from Langworthy Road to the pedestrian bridge crossing. The park will be splayed in width from 10m (at the western end) to 50m (at the eastern end). A new route would run along the northern edge of the park and a series of three new parallel street are then proposed to run north connecting with Blodwell Street from this route (between Brown Street and Athole Street) forming four grid blocks. A block to the east of Athole Street is also proposed with a new street 110 m south of the junction with Liverpool Street, heading east. The block parallel with Liverpool Street would remain unaltered in its form.

Development will comprise a mix of two and three-storey buildings including apartment blocks along Liverpool Street and to the southern end of Brown Street and using house Type A, Type A+, Type C, Type C+, Type K, Type P (private) and Type 1, Type 3, Type 3+, Type 4 (affordable).

Boundary treatment will consist of:

- 1800mm high railings;
- 900mm high railings;
- 1800mm high wall; and
- 1800mm high timber fence.

South Clarendon and Broadwalk (1c)

Phase 1c comprises three elements, firstly, new housing in South Clarendon, secondly, refurbished park in South Clarendon and thirdly, works to the Broadwalk.

Firstly, the new houses in South Clarendon will comprise the erection 15 residential units:

- 15 X 3 bed houses;
- They will all be affordable units.

The phase requires no demolition.

The proposals are to construct terraces and detached houses in numerous locations (spare land, courts and infill sites) these include a terrace of 5 and a pair of semis on Port Soderick Avenue and a terrace of 3, a pair of semis and three detached houses on Ewart Avenue.

Development will comprise two-storeys houses only using a 3 bed house type designed to match the refurbishment designs for the existing houses in South Clarendon.

Secondly, the new South Clarendon Park will involve the refurbishment of the existing planted buffer belt along the M602. This will include the thinning out of the existing dense trees and scrub as well as supplementary planting, the construction of new footpaths and a Locally Equipped Area of Plan (LEAP) (400sq.m.).

Thirdly, public realm improvements to either end of the Broadwalk. This involves the lifting of the existing hardstanding and the application of new paving, planting and seating. The area to the western end of the Broadwalk (near to Shopping City) will be 60m long and 27m wide, whilst that to the eastern end (towards Spruce and Thorne Courts) will be approximately 170m long and the full width of the area of public realm, which varies, but on average is approximately 10m.

Outline Planning Permission (New build only)

The outline element of the application is for 1,215 dwellings (including up to 60 extra care units), city farm, offices (up to 500 sqm), replacement retail units (A1, A2, A3, A4 and A5) (up to 430sqm); new and remodelled public open spaces; new grass sports pitch and remodelled synthetic sports pitches and associated buildings; new allotments; access/highway infrastructure works; public realm works; landscaping and demolition of 779 residential units and 6 retail units

The outline phases are submitted with all matters reserved (leaving access, appearance, landscaping, layout and scale for future reserved matters applications). As such this element of the application is accompanied by an indicative Masterplan (accompanied by various parameters and phasing plans).

In summary the indicative proposals are:

Nursery Street and Broadwalk (2a)

The construction of up to 3 houses in an existing parking court (west side of Nursery Street) and public realm improvements to the central portion of the Broadwalk.

Clarendon and South Clarendon (2b)

Demolition of the shops and maisonettes on Kemsing Walk and erection of houses and apartments along with new shops. These will be developed along the Liverpool Road frontage, across Tunbridge Square and to the south of the 'Fit City'. There will also be a new apartment block to the western end of the new South Clarendon Park. This will total up to 19 houses and 48 apartments.

Public Amenity (Clarendon Park) (2c)

The demolition of Apple Tree Court and some housing in the Market area to implement the central area of the park (football pitch) along with up to 17 houses and 16 apartments, allotments and 2 Multiple Usage Gaming Areas (MUGAs).

Windsor and Public amenity (Clarendon Park) (2d)

Construction of a new diagonal route across the Windsor site (from the Churchill Way/Cross Lane roundabout through to the centre of Clarendon Park. This will include the formation of a small park and the construction of up to 185 houses and 120 apartments. This phase will also see completed the southern portion of Clarendon Park (adjacent to Liverpool Street) where 'Fit City' will be re-orientated towards the park, a new car park for 'Fit City' provided along with a new all-weather sports pitch provided and other facilities including a skate park.

Amersham (3a)

The demolition of the tenement blocks in the Amersham area, the construction of a diagonal route (picking up from the corner of the new linear Amersham Park up to Liverpool street) and the construction of dwelling to the north of this new route. This will total up to 48 houses and 9 apartments. This phase also seeks the formation of allotments behind the houses fronting Aylesbury Close (against the M602 retaining wall).

Amersham (3b)

The demolition of the remaining tenement blocks in the Amersham area, the construction of dwellings to the south of the new route implemented under phase 3a. This will total up to 116 houses and 12 apartments.

Market Street (4a)

The demolition of the housing in the Market area and the construction of a new diagonal route (between the roundabout at the southern end of Hankinson Way and the centre of Clarendon Park) and the construction of dwellings to the east side of this route. This will total 69 houses and 200 apartments. In addition there will be a 60 unit care home (overlooking Clarendon Park).

Market Street (4b)

The demolition of the remaining houses in the Market area and the construction of dwellings to the west side of the new route implemented under phase 4a. This will total up to 161 houses and 220 apartments. In addition there will be a city farm overlooking Clarendon Park and adjacent to Lark Hill Primary School.

House Types

All the new build houses (within both the full and outline elements of the application) will be one of the following house types. Materials will vary according to which area the house is to be built. The roof designs comprise pitched roofs which are orientated to maximise southerly exposure (according to the direction of the street) as all the houses are rectangular in plan, the orientation of the roof front-rear or side-side will alter its height and therefore a varied ridge height is given in the overview below.

There is a similar architectural language used throughout the project which comprises the repetitive use of the gable either as a ridge or as a saw tooth design, the application of a coloured cladding panel as a feature colour, an areas of coursed stepped brickwork, grey powder coated aluminium windows and grey powder coated aluminium porches.

- Type A:

59sq.m. 3-bed two-storey house (4.5m wide and is either 7.2m high (with forwards facing gable) or 8m high (with a side gable).

- Type A+:

71.1sq.m. 2-bed two-storey house (4.5m wide and is either 7.2m high (with forwards facing gable) or 8.5m high (with a side gable).

- Type C:

85.1sq.m. 3-bed two-storey house (5m wide and is either 7.4m high (with forwards facing gable) or 8.8m high (with a side gable).

- Type C CORNER:

86.3sq.m. 3-bed two-storey house (it has two orientations, either 5.1m wide with a side facing gable at 8.6m in height or 9.8m wide with a front facing gable at 8.8m high).

- Type C+:

86.2sq.m. -bed two-storey house (5m wide and either 7.4m high (with forwards facing gable) or 8.8m high (with a side gable).

- Type C+ CORNER:

87.5sq.m. 3-bed two-storey house (it has two orientations, either 5.1m wide with a side facing gable at 8.6m in height or 9.8m wide with a front facing gable at 8.8m high).

- Type K:
112.3sq.m. 4-bed two-storey house (9m wide and only has a side facing gable option putting the ridge at 8.8 m high).
- Type N:
95.2sq.m. 3-bed two-storey house (8.9m wide and only has a side facing gable option putting the ridge at 7.3 m high).
- Type P:
118.2sq.m. 4-bed three-storey house (4.5m wide and only has a front facing gable option putting the ridge at 9.8m high).
- Type P CORNER:
120.2sq.m. 4-bed three-storey house (it has two orientations, either 5.14.8m wide with a forward facing gable at 9.8m in height or 9.9m wide with a front facing gable at 9.8m high).
- Type 1:
71.1sq.m. 2-bed two-storey house (4.5m wide and is either 7.2m high (with forwards facing gable) or 8.5m high (with a side gable)).
- Type 3:
85.1sq.m. 3-bed two-storey house (5m wide and is either 7.4m high (with forwards facing gable) or 8.8m high (with a side gable)).
- Type 3+:
86.2sq.m. 3-bed two-storey house (5m wide and either 7.4m high (with forwards facing gable) or 8.8m high (with a side gable)).
- Type 3+ CORNER:
87.5sq.m. 3-bed two-storey house (it has two orientations, either 5m wide with a side facing gable at 8.8m in height or 9.8m wide with a front facing gable at 8.8m high).
- Type 4:
104sq.m. 3-bed two-storey house (5m wide and only has a side facing gable option putting the ridge at 8.8 m high).
- Type 4 CORNER:
105.71sq.m. 3-bed two-storey house (it has two orientations, either 5m wide with a side facing gable at 8.8m in height or 9.8m wide with a front facing gable at 8.8m high).

○ Type 6:

118.2sq.m. 4-bed, three-storey house (4.5m wide and only has a front facing gable option putting the ridge at 9.8 m high).

○ Type 6 CORNER:

120.2sq.m. 4-bed two-storey house (it has two orientations, either 4.8m wide with a front facing gable at 9.8m in height or 9.9m wide with a side facing gable at 9.7m high).

○ Type Nursery Street/South Clarendon:

81sq.m. 3-bed two-storey house (5.8m wide with a side facing gable at 9m in height) This house type can either be a terrace, semi or detached.

Landscaping

The application has been submitted with details of landscaping, including public realm, parks, play and recreational facilities and boundary treatment. Whilst this is all submitted which I high degree of detail. Should the application be approved these details would be the subject of a condition as there a major consultation exercise took place on 28th June and details may need minor alterations in order to facilitate the requirements of the community.

Information provided

The application has been the subject of several years of extensive pre application discussions and draft planning application submissions through which consultees have worked with the applicant to amend the design to that now submitted.

Several iterations of a Screening Opinion have been issued by Salford City Council during the pre-application discussions and these have been superseded by a revised Screening Opinion in line with this planning application on 13 July 2012. The Screening Opinion concluded that the application does not constitute a form of development referred to in paragraphs 41-42 of Circular 02/99: Environmental Impact Assessment (EIA). The development is not therefore considered likely to have significant long-term irreversible impacts on humans or on the environment. There is, therefore, no requirement for an EIA.

In the absence of an EIA the following supporting information has been provided in addition to the plans, application forms, schedules and certificates:

- Design & Assess Statement (including Crime Prevention Plan);
- Planning and Regeneration Statement;
- Statement of Community Involvement;
- Housing Mix Schedule;
- Crime Impact Statement;
- Air Quality Assessment;
- Biodiversity Statement;
- Flood Risk Assessment;
- Foul Drainage Assessment;
- Phase 1 Ground Conditions Survey (Desk top);
- Noise Assessment;
- Open Space Assessment;
- Transport Assessment;
- Residential Travel Plan;
- Arboricultural Survey and Constraints Report and Arboricultural Implication Study;

- Sustainability Checklist;
- Utilities Statement;
- Code for Sustainable Home Strategy;

This suite of documents is in accordance with the national as well as Salford's own validation checklist.

Relevant Site History

Since the inception of Pendleton's post war redevelopment plan, the area has been adapted and changed through the construction of various clearance, refurbishment and new build schemes. The following outline the major changes within Pendleton and adjacent to the boundary of the application site:

- The comprehensive clearance of Blodwell Street, Derg Street, Shawcross Street, West Tower Street, Hodge Lane, Gilbert Street, Royle Street, Langshaw Street and part Brown Street;
- Clearance of the buildings from the former reservoir on Aylesbury Close;
- Clearance of properties on Wortham Close;
- Clearance of properties on Sedgefield Close, Edgehill Close, Holcome Close and Ruthin Close
- Construction of 70 houses on West High Street, Denbigh Place, Towyn Avenue and Bala Close;
- Construction of 16 houses on Cross Lane (west side);
- Construction of 147 houses and 8 apartments (between Churchill Way and Belvedere Road);
- Construction of 5 houses on Churchill Way (north side)
- Construction of the Salford Opportunity Centre (Connections) on Churchill Way;
- Construction of new library and health Centre (The Gateway Centre);
- Construction of a new Bingo Hall (east side of Hankinson Way)
- Cross Lane – The reconfiguring of the public realm along the length of Cross Lane so as to facilitate a safer and more attractive pedestrian and cycling route from the university down to Trafford Road and the Quays beyond. The first phase is now completed, this comprises the section of the Regent Road – M602 round-a-bout northbound through to the alignment of Graythorpe Walk (along the south side of the housing in South Clarendon);
- New housing has been constructed on Fitzwarren Street (west side) adjacent to the Chimney Pot Park development, forming a continuation of Field Street through to Fitzwarren Street; and

Approved and/or under construction

- Tesco Pendleton – a new 13,000sq.m. superstore on the allocated town centre site to the west of Shopping City on Pendleton Way. As part of this scheme the middle section of Pendleton Way is being closed down to vehicles and being pedestrianised.
- Refurbishment and extension to Shopping City

Consultations

This project has had long standing support from a number of regional bodies (not all still functioning) including the Government Office North West, North West Regional Development agency and North West Regional Assembly (4NW)

Highway Manager

No objection has been received from the Highway Manager and comments are offered in terms of the residential travel plan, which can be conditioned as part of any approval.

Highways Agency

The Transport Assessment has been reviewed and there are various criticisms of the structure of its composition, however, it concludes that there will be an impact on Junction 3 of the M602 and this will require mitigation through a Travel Plan (which must be approved with not after the application). A Holding Direction is in place preventing the Local Planning Authority approving the scheme without this matter being resolved.

Transport for Greater Manchester (TfGM)

Have commented on pedestrian and cycle accessibility, cycle parking, bus services and infrastructure and the Residential Travel Plan. Many of the point raised are concerned with the detailed design of latter phases of the development that will be secured under reserved matters applications. A critique of the Residential Travel Plan is made and as the document is to be secured through condition, TfGM will be consulted in the discharge of this condition.

The Coal Authority

No objection.

Sport England

No objection to the loss of the Windows High School site (which is now overgrown) or alterations to the sports provisions in Clarendon Park, subject to the outline phase of the development being conditioned to deliver sports provisions of a standard that comply with Sport England's playing field policy.

Natural England

Subject to there being no protected species on the site, no objections are raised.

Greater Manchester Ecological Unit

The proposed development will not affect any local or statutorily designated sites for nature conservation or any significant areas of semi-natural greenspace.

The proposal does have the potential to affect bats. All bats and their resting sites are specially protected under the terms of the Conservation of Habitats and Species Regulations 2010. The current application makes reference to preliminary area-based bat activity surveys carried out by the Ecology Unit. I would point out that these surveys were *preliminary* surveys undertaken some years ago and the surveys are now out of date. There is mention of more recent surveys (2012) having been undertaken but the results of these surveys do not appear to be available. Ordinarily I would recommend that the application not be determined until the results of more recent bat surveys are made available for assessment. However I note the very large scale of the application and the long time scales involved in implementing any permission that may be granted. Since bats are mobile in their habits and can change roosting and feeding sites with some frequency any surveys undertaken at this time would need to be updated closer to the time of re-development in any case. I would also note that, based on existing bat records and our own surveys, albeit dated, bat activity in the areas affected by the scheme would appear to be limited. Mitigation for any possible impacts on bats is also likely to be possible in this scheme because of the large areas and time-scales involved and because very many built structures that could accommodate bat roosting provision are involved.

In these exceptional circumstances I would recommend that further bat surveys could be made a condition of any permissions that could be granted to the scheme.

Japanese knotweed has been found on the application site. Under the terms of the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause this plant to spread in the wild. A method statement should be prepared giving details of measures to be taken to control the plant during the course of any development. Once agreed this method statement must be implemented in full.

There are opportunities for implementing biodiversity enhancements in this area as part of the scheme. Some ideas for enhancement have been outlined at this stage (*ref.* Biodiversity Statement and Masterplan). I would recommend that more detailed landscape plans and proposals incorporating biodiversity enhancements are prepared for consideration by the Council.

Arboricultural Officer

The development will include the removal of a vast majority of trees on site. A tree report has been supplied which gives a thorough appraisal of the trees which will be affected by the proposal.

Despite the high visual impact the trees have in the landscape, the overall condition of trees across the site is best described as average to poor. There have been poor species choice (in relation to location); poor quality trees planted; poor planting techniques employed; poor aftercare (lack of formative pruning or thinning in group situations) and there is evidence of extensive vandalism across the site and where mowing activities have been carried out there can be seen mowing damage and exposed/damaged roots. There are some generally good trees across the site which given time, could mature into better quality trees.

As a lot of the redevelopment is completely remodelling the street layouts and associated infrastructure, existing tree locations would be at odds with the new layout and the Root Protection Area (RPA) of the majority of trees would be impacted upon. The likely outcome would be the trees would suffer as a consequence, severe root-loss would lead to poor vigour (which leaves the trees open to disease) extensive crown die-back and would also make the trees unstable. In some areas it is proposed that the ground levels will change. The level of soil around the root-collar of the tree should not be altered, lowering the level may make the tree unstable and raising it will lead to low vigour and eventually, irreversible decline. In areas where the levels are to change, tree retention is not practical.

The small strip of woodland adjacent to the M602 is proposed to be thinned and a new road is to be constructed adjacent to the dwellings. This would result in a loss of trees along the edge of the group however given the change in levels the site would be subject to in accommodating the road (approx 1.5m) it may well be that all trees to the North of the existing path would face removal. The remaining trees would benefit from being selectively thinned with a view to retain good specimens and favourable species.

A small group of trees adjacent to A5186/Langworthy Road, M602 and Hodge Lane and another small group adjacent to the crossroads of Athole Street and Liverpool Road are shown as being retained. The latter are in line of a proposed sewer extension and retention of all trees on site may not be possible.

Any trees being retained will require adequate protection measures and close monitoring after the development; identification of storage facilities in relation to trees would also be beneficial. This can be covered by an Arboricultural Method Statement. The monitoring can be incorporated into an aftercare plan. The plan would need to take into account monitoring of retained trees, formative pruning of newly planted trees, replacing any trees that decline/die and the thinning of any group planting. Following completion of the scheme, it may be beneficial to place a Tree Preservation Order (TPO) on the site to monitor future works and make it possible to prosecute following any vandalism.

Environment Agency

No objections in principle subject to planning condition for the following details:

- 1) Surface water drainage scheme for the site be submitted to the LPA approval and implemented. This shall include a 1 in 100 year event, maintenance and accordance with the Council's SFRA User Guide.
- 2) A scheme for the improvement and/or extension of the existing sewerage system is submitted to the LPA approval and implemented.

UV Environment: land contamination

The application has been submitted with a 'Phase 1 Desk Study Report'. The report reviews several phases of investigation carried out within the proposed development area. A date gap analysis has been undertaken and several areas for further work have been identified.

For each phase of the proposed development a condition requesting (1) site investigation, (2) remedial works, (3) a verification report & (4) a remediation strategy shall be submitted and approved by the LPA.

UV Noise and Air Quality

The noise assessment report identifies and assesses the various sources of noise associated with the phased development, including construction noise, traffic noise and operational noise. The report identifies the need for an environmental management plan to be submitted, taking into account the various noise mitigation measures to be controlled to an acceptable level. As such conditions addressing the submission of an environmental management plan, sports pitches, construction/demolition hours, noise and vibration management and monitoring plan, air extraction equipment, fume extraction system, dust management plan, noise levels for plant and lighting are to be attached.

United Utilities

No objection.

Health & Safety Executive

PADHI+ has been run and advises in favour of the development.

English Heritage

Confirms it has no comment to make.

Greater Manchester Archaeological Advisory Service

Raise concerns that there is insufficient information concerning both the archaeological heritage of the area and the impact of the proposal upon its significance. However, should the proposals be approved, conditions concerning a programme of archaeological works should be attached.

Design for Security

Design for Security has worked with the design team over the life of the project to date, in order to advice and influence the design of the development. As the Masterplan has evolved it has reflected the 'designing out crime' principles, as far as have been possible given the constraints of the area and existing pattern of development.

The development has been assessed against the principles of Crime Prevention through Environmental Design, CPTED, which seeks to reduce the opportunities for crime and reduce the fear of crime. It has also been judged against current Secured by Design, SBD, standards. Subject to the recommendations highlighted in, the report being included within the scheme, Design for Security is happy to endorse this development.

Places Matter!

The scheme has been presented to the North West Design Review Panel in 2010. The panel recognised that the work undertaken in Pendleton will go a long way to strengthening the connections between the important regeneration schemes that the Local Authority is undertaking and increase the viability of living in this area and being able to connect out easily into large pools of business. Detailed comments concerning links, open space and phase 1 were made, suggesting how the development could be strengthened.

Children's services directorate

Whilst the Directorate fully supports the ambitious plans to transform the area, the full realisation of the proposals would result in a net gain of 744 dwellings and therefore significantly increase the population in the area. Given the majority of the new homes would be suitable for families; the proposals are likely to generate a significant demand for additional school places. Whilst we are confident that existing local secondary schools and academies can accommodate additional pupil numbers, the ability of existing local primary schools to absorb additional demand is limited.

You may already be aware that Salford's population has grown significantly in recent years placing pressure on primary school places. Salford's population growth mirrors national trends and is the second highest growth rate in Greater Manchester. Our analysis of this trend suggests that Salford's population will continue to grow generating demand for additional primary schools across the city into the future. In order to ensure sufficient primary school places are available to meet demand, the council is working with schools across the city to develop a Primary School Provision Programme (PSPP) that will set out in detail how and where additional school places will be provided in the short, medium and long term. It is hoped that the PSPP will be complete later this year. Whilst existing local primary schools are currently being adapted to meet increased demand, it is anticipated that new primary schools may be required in this part of the city in the medium to long term. We are however confident that sufficient city council owned land and assets are available in the area that could be used to create a new school(s) and therefore have no objection to the application. We would however request that the Children's Services Directorate continue to be consulted on any future reserved matters applications or linked planning applications.

Publicity

On the 5th July 2010, 79 standard site notices were placed around the application site. On the same day a further 5 notices concerning the applications impact on the setting of the listed buildings of (1) Church of St. Paul with Christ Broadwalk; and (2) Monument to Oliver Heywood, Cross Lane, were also put up.

Press notices (including setting of listed buildings) have also been published.

A Statement of Community Involvement has been undertaken confirming the extent of pre-application consultation with the local community. It notes that:

- Consultation commenced in 2003 considering options for this regeneration programme.
- Through 2005 workshops, stakeholder consultation and exhibitions were undertaken;
- A six week consultation period was undertaken (May through June) resulting in options for redevelopment;
- A 'Preferred Options' consultation then followed in June/July 2007;
- Communication of the preferred option took place with the local community in 2008 and a Bidders Day was held on 13 November 2008 so the community fully understood the PFI process and the bidders proposals;
- Two rounds of resident consultation was undertaken in 2009 following the submission to the Council of the ISDS (Invitation to Submit Detailed Solutions) and two further consultation exercises have been undertaken in 2010 following ITSFB (Invitation to Submit Final Bids).

- During May 2010 a series of events took place, including family consultation events, a carnival and green festival and a roving consultation bus travelled around the area.

A range of activities and tools have been used to capture as wide a spectrum of the local and surrounding community so as to build a clear picture as to what local aspirations are and how people feel about the proposals presented to them.

In terms of stakeholders, these have been clearly identified and a range of meetings held to ensure the proposal has developed in line with their requirements. The breadth of those consulted and continued to be consulted reflects the consultation exercise that has been undertaken as part of this application.

The information gathered suggest that the community are most concerned with improving housing quality, reducing crime, enhancing community facilities and improving access to open space.

Major consultation events have been undertaken by the applicant since the application has been submitted including a festival on 28th July (with two follow up days on 31st July and 1st August).

The Statement of Community Involvement will remain a central tool over the delivery of phase 1 and community involvement over the submission and delivery of the following three phases over the next decade.

Consultation during the application

Since the submission of the application, further consultation events have been undertaken by the applicant since including a Festival on 28th July and two follow up events on 31st July and 1st August at the Pendleton Gateway.

Over 1000 people attended the Pendleton Festival event where residents were able to view plans and speak to the applicant and the wider Pendleton Housing and Regeneration teams. 239 residents, mainly from the application area completed feedback forms. The majority of comments made were positive (197) and ranged from 'plans OK' to 'excellent, when does it start?' 34 forms contained some form of comment or criticism of the plans, the event or wider neighbourhood. Within these 34 most residents were positive about the wider scheme.

The 34 forms with non positive feedback have been broken down by neighbourhood and contain example comments as follows:

Neighbourhood	No.	Comments.
Broadwalk	9	Would have liked balconies on Plane Court. A lots of disturbance. Should include burglar alarms
Clearance Areas	8	Need more information on when my phase is. I like where I live. Should be sooner.
South Clarendon	6	Would prefer driveway. Needs driveway. Needs CCTV.
Nursery	2	Needs parking
Outside area / neighbour	9	Nothing for kids on the Broadwalk side. Needs tenant participation.

Two follow up days on 31st July and 1st August at the Pendleton Gateway had a combined attendance of around 150 people.

The applicant also sent a leaflet outlining the principles of the application, advertising the above events and explaining how people could make representations. This leaflet was sent to c.7000 homes in the local area.

Representations

In response to the planning application 3 representations were submitted to the local planning authority. Two of these were in support of the application and one raised concerns over disruption.

Policy

North West of England Plan - Regional Spatial Strategy to 2021 (Adopted 2008)

DP 1 - Spatial Principles
DP 2 - Promote Sustainable when considering new development.
DP3 – Promoting Sustainable Economic Development
DP4 - Making the Best Uses of Existing Resources and Infrastructure
DP 5 - Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility
DP6 – Marry Opportunity and Need
DP 7 - Promote Environmental Quality
DP 9 - Reduce Emissions and Adapt to Climate Change
RDF 1 - Spatial Priorities
W1 – Strengthening the Regional Economy
L1 – Health, sport, Recreational, Cultural and Educational Services Provision
L2 – Understanding the Housing Market
L 3 – Existing Housing Stock and Housing Renewal
L4 - Regional Housing Provision
L 5 - Affordable Housing
RT1 – Integrated Transport Networks
RT 2 - Managing Travel Demand
RT3 – Public Transport Framework
RT4 – Management of the Highway Network
RT 9 - Walking and Cycling
EM1 – Integrating Environment and Protection of the Region's Environmental Assets
EM2 - Remediating Contaminated Land
EM3 – Green Infrastructure
EM15 A Framework for Sustainable Energy in the North West
EM 16 - Energy Conservation & Efficiency
EM17 – Renewable Energy
EM18 – Decentralised Energy Supply
MCR 1 - Manchester City Region Priorities
MCR 2 - Regional Centre and Inner Areas of Manchester City Region

City of Salford – Unitary Development Plan 2004-2016 (Adopted 2006)

ST1 – Sustainable Urban Neighbourhoods
ST5 – Transport Networks
ST9 – Retail, Leisure, Social and Community Provision
ST10 – Recreation Provision
ST12 – Development Density
ST13 – Natural Environmental Assets
ST14 – Global Environment
ST15 – Historic Environment
DES1 – Respecting Context
DES2 – Circulation and Movement
DES3 – Design and Public Space
DES4 – Relationship of Development to Public Space

DES5 – Tall Buildings
DES7 – Amenity of Users and Neighbours
DES8 – Alterations and Extensions
DES9 – Landscaping
DES10 – Design and Crime
H1 – Provision of New Housing Development
H3 – Housing Improvements
H4 – Affordable Housing
H6 – Residential Social and Community Uses
H8 – Open Space Provision Associated with New Housing Development
H9 – Sites for New Housing
S3 – Loss of Shops
S4 – Amusement Centres, Restaurants and Cafes, Drinking Establishments and Hot Food Takeaways
ECH3 – Provision and Improvement of Health and Community Facilities
A2 – Cyclists, Pedestrians and the Disabled
A5 – Buses
A8 – Impact of Development on the Highway Network
A10 – Provision of Car, Cycle and Motorcycle Parking in New Developments
EN9 Wildlife Corridors
EN12 – Important Landscape Features
EN17 – Pollution Control
EN18 Protection of Water Resources
EN19 – Flood Risk and Surface Water
EN21 – Renewable Energy
EN22 – Resource Conservation
EN23 – Environmental Improvement Corridors
CH2 – Development Affecting the Setting of a Listed Building
CH5 – Archaeology and Ancient Monuments
R1 – Protection of Recreation Land and Facilities
R2 – Provision of Recreation Land and Facilities
DEV5 – Planning Conditions and Obligations
DEV7 – Protection of Aviation Safety at Manchester Airport

Other Policy

National Planning Policy Framework (NPPF)

Design - Shaping Salford SPD (2008)

Design and Crime SPD (2006)

Sustainable Design & Construction SPD (2007)

Trees & Development SPD (2006)

Salford Greenspace Strategy SPD (2006)

Nature Conservation and Biodiversity SPD (2006)

Planning Obligations SPD (2007)

Pendleton Planning Guidance (2008)

Housing Planning Guidance (2006)

Flood Risk and Development (2008)

Central Salford's Spaces and Places Public Realm Handbook (2009)

Local Development Framework (Ldf)

Salford City Council is currently in the process of developing its Local Development Framework (LDF) which will form the 'Development Plan' for the city. Central to the LDF is the Core Strategy, which contains the strategic policies through which development will be regulated. The Publication Core Strategy is now in place with adoption anticipated for later this year. The policies within this document are considered to carry some weight considering the emergence of the Core Strategy and its reflection on the forward thrust of planning within the city. However, where there are substantial and unresolved objections to policies in the Core Strategy, they carry very little weight at this stage.

Planning Appraisal

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

- Regeneration benefits;
- The principle of development;
 - Strategic Location;
 - Brownfield Land;
 - Demolitions;
 - Proposed Uses;
 - Residential (C3);
 - Affordable Housing;
 - Size & Housing Mix;
 - Refurbishments;
 - Office (B1) and Maintenance & Repair (B2);
 - Retail (A1), Restaurant/café (A3), Bar (A4) and take away (A5);
 - Leisure (D2);
 - Sui Generis
- The design;
- Accessibility;
- Recreational Space;
- Trees & Landscaping;
- Crime Prevention;
- Addressing Climate Change;
- The Impact on amenity;
- Bin, refuse and cycle storage;
- Noise, air quality;
- Contaminated land;
- Drainage and Flood Risk;
- Nature Conservation;
- Cultural Heritage;
- Transportation, Parking and highway safety;
- Aviation;
- Whether an appropriate planning contribution should be provided; and
- Phasing.

Regeneration Benefits

As noted above, following a socio-economic analysis of Pendleton in 2003 a business case was agreed by Salford City Council's Board that there was a clear need to adopt through the PFI model a strategy to address the social deprivation of the city ward. The opportunity to remodel the existing housing stock and develop new affordable and open market housing is the core aim, however there are many

regeneration benefits that the programme seeks to secure through this application . A Regeneration Statement has been submitted within the Planning Statement accompanying this application.

The Housing Market Renewal 'Pathfinder' programme under which Pendleton originally was conceived ended in March 2011, however its aims are being maintained by both Manchester and Salford City Councils in order to deliver regeneration.

The Regeneration Statement identifies the existing physical environment, the poor accessibility, and a series of socio-economic issues including high levels of deprivation, very low average household incomes, low levels of owner occupancy, high levels of local authority ownership, very low levels of economic activity and high levels of unemployment.

It goes on to review the national, regional and local regeneration policies and sets out the following regeneration benefits as being central to the areas renaissance:

- Demolition of unsuitable housing stock;
- 1,621 new dwellings, comprising approximately 60% housing and 40% apartments;
- 1,254 refurbished dwellings;
- 531 affordable housing units, helping to meet local needs while diversifying the housing stock;
- New employment opportunities during construction of the new housing and the operation of the City Farm and the extra care housing;
- 9.9 hectares of high quality public green space, including both formal and informal play spaces, and new public realm; and
- New and improved community facilities including new retail units, a city farm and allotments.

Principle

The National Planning Policy Framework (NPPF) contains 12 core planning principles, one of which states that *"planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth"*.

The driver behind promoting the Pendleton PFI aligns itself entirely with the aspirations of Government and aims at investing in the growth and betterment of an established community through facilitating the development of a more diverse community. This is centred round improved tenure mix and providing better community facilities, access to social, cultural, educational and economic developments across the city.

The Publication Core Strategy sets out 10 strategic objectives which are central to the achievement of the spatial vision. Of relevance to the PFI are:

4. To meet Salford's housing needs by delivering a net increase of at least 22,100 dwellings over the period 2011-2028.

Publication Core Strategy Policy H1 (Housing Strategy) states that *'a wide range of coordinated measures will be implemented to ensure that Salford's existing and future housing stock fully meets the needs and demands of all sections of the community within attractive neighbourhoods where people want to live'*. The policy goes on to set out the need to achieve this through a supply of mixed dwellings, on previously-developed land, addressing a range of housing needs, improve the quality of affordable housing and utilise council land assets, attracting Government funding and work with development partners to maximise investment in improved housing provision.

(1) Strategic Location

The North West of England Regional Spatial Strategy (RSS) endorses these national principles into the Development Plan through Policies DP1 through DP9, RDF1, MCR1 and MCR2 which all seek to direct development into areas such as Pendleton that support the urban growth of inner city areas, reduce

dependency on the private car due to close proximity to retail, employment and good public transport links and build on existing infrastructure provision.

Policy DP1 (Spatial Principles) Addresses a suite of issues from sustainable communities and economic development to reducing emissions and travel demand and making the best use of existing resources.

Policy RDF 1 (Spatial Priorities) requires development to accord with a sequential test for the strategic location of new development. Following the first priority for growth and development within the regional centers of Manchester and Liverpool, the plan looks to the inner areas surrounding these regional centers, which is where Pendleton is located.

Policy MCR 1 (Manchester City Region Priorities) seeks to achieve a significant improvement in the sub-regions economic performance and accommodate housing in accessible locations. Moreover Policy MCR2 (Regional Centre and Inner Areas of Manchester City Region) notes that *'residential development should be focused in the inner areas adjacent to the Regional Centre in order to secure a significant increase in their population, to support major regeneration activity including the Manchester-Salford Housing Market Renewal Pathfinder, and to secure the improvement of community facilities and the creation of sustainable communities'*.

The need to deliver good quality residential development that support strategic growth is further iterated in RSS Policy DP6 (Marry Opportunity and Need) which highlights the need to give priority in locational choice to linking areas of economic opportunity with areas in greatest need of economic, social and physical restructuring and regeneration. It must be noted that the vacancy of the site, its location to Salford Quays and its accessibility to the Ordsall community, an inner city area, with regeneration aspirations makes it a regeneration opportunity with significant socio-economic benefits to the immediate as well as wider area.

The application is located within the inner area of the Manchester City Region and therefore it is well placed to support the continued growth of the city in terms of stabilizing the population, creating business opportunities and supporting cultural, environmental and social regeneration. The location of Pendleton between the city centre and Salford Quays (including Media City) with tram, bus and improved pedestrian and cycle links in both directions (through work currently being implemented by the Central Salford Urban Regeneration Company) further highlights the invaluable role which this ward can undertake in the regeneration of the wider city in providing housing support for a diverse section of the community.

UDP Policy ST1 (Sustainable Urban Neighbourhoods) encourages development that creates sustainable neighbourhoods in the urban areas of the city. This policy seeks development that does not add pressures to the city that cause harm and are damaging to the way in which the city functions. Pendleton is located within a well connected inner urban district. Whilst currently it functions as an isolated island, segregated from the wider city by large scale highway infrastructure the masterplanning exercise undertaken for the PFI focuses on maximising the opportunities through which Pendleton can be more sustainable through attracting a more diverse community and depend more on public transport, healthy living and supporting local facilities (shops, community uses and parks).

As such RSS Policy DP5 (Managing Travel demand; Reducing the Need to Travel, and Increasing Accessibility) is supportive of the proposal as it notes that major growth should, as far as possible, be located in urban areas where strategic networks connect and public transport is well provided. Moreover Policy RT2 (Managing Travel Demand) seeks to ensure that major new developments are located where there is good access to public transport and reduces dependency on the private car.

The location is considered highly sustainable and as such the proposals to comprehensively redevelop and regenerate Pendleton accords fully with the thrust of national, regional and local policy.

The Publication Core Strategy offers two policies of relevance (SF2 and SF2E).

Policy SF2 – Central Salford (excluding the Regional Centre) - focuses on the needs of this area to secure widespread housing-led regeneration, a reduction in long-term problems of deprivation and provide neighbourhoods that are attractive to a broad range of people as places to live.

Policy SF2E – Pendleton – sets out a vision for Pendleton up to 2028 which aims to:

1. Maximise the advantages of its very close proximity to both the Manchester/Salford City Centre and Salford Quays to enhance its position as an attractive inner city residential neighbourhood with excellent access to employment, retail and leisure opportunities.
2. Complete a major housing investment programme covering the eastern half of the area, involving a mixture of refurbishment, remodelling and redevelopment that retains existing residents and attracts new people to the area.
3. Improve the quality and range of housing, and the attractiveness of the residential environment.
4. Deliver a net increase of around 850 dwellings, predominantly in the form of houses.
5. Secure major improvements to the Pendleton Town Centre, including a significant increase in retail floorspace and the development of other facilities that diversify the range of town centre uses.
6. Address previous design issues through a more consistent and human scale of development, a clearer distinction between public and private spaces, and improved pedestrian connections across the major roads around the edge of the area and the town centre.

(2) Brownfield Land

The Publication Core Strategy sets out 10 strategic objectives which are central to the achievement of the spatial vision. Of relevance to the PFI are:

5. To use land efficiently and protect greenspace by delivering at least 90% of new housing over the period 2011-2028 on previously-developed sites and through the conservation of existing buildings.

Publication Core Strategy DP1 (Encouraging the reuse of previously-developed land and buildings) states that *“development should be accommodated within existing buildings or on previously-developed land wherever possible”*.

The NPPF also sets out as a core planning principle the need to make effective use of land by re-using land that has been previously developed

(3) Demolitions

The application comprises the need to undertake the demolition of 867 dwellings across all phases of the development and is in accordance with the adopted Pendleton Planning Guidance which sets out the areas where demolition is intended and the planning application is fully in accordance with this document.

(4) Proposed Uses

Whilst the application seeks consent primarily for residential use (C3), but also seeks consent for new uses and replacement of existing uses. These include employment (B1); retail uses (A1, A2, A3, A4 & A5); leisure uses (D2) and sui generis uses (such as the city farm).

Residential (C3)

The UDP makes reference to regional targets in terms of housing provision within Salford. As such RSS housing policies L2 (Understanding Housing Markets), L3 (Existing Housing Stock and Housing Renewal) and L4 (Regional Housing Provision) conclude that there is a need for 28,800 net units over the plan period (2003-2021) which averages at 1,600 per annum. The UDP refers to earlier housing targets within RPG13 which no longer stand and it is through this older target that the city wide housing allocations are based on. One such allocation covers Windsor High School (Policy H9/3). The Housing Planning Guidance document provides advice as to the dispersal of new housing across the city, but this is based on proportional distribution rather than allocating numbers of units to specific locations. Consequently it is useful to turn to the emerging LDF targets.

The Publication Core Strategy Policy SF2E – Pendleton – (as noted above) aims to deliver a net increase of around 850 dwellings, predominantly in the form of houses.

867 dwellings are proposed to be cleared and up to 1,508 new dwellings are to be built, which will result in a net addition of 641 dwellings, which will contribute significantly towards the wards targets, whilst allowing for other committed and windfall sites in Pendleton and Langworthy to still come forwards.

UDP Policy ST12 (Development Density) aims to secure a high density on sites close to key public transport routes and interchanges. It states that *‘development within the regional centre, town centres, and close to key public transport routes and interchanges will be required to achieve a high density appropriate to the location and context.*

UDP Policy H1 (Provision of New Housing Development) also aims to deliver no less than 50 units per hectare on sustainable and well connected sites.

The only housing allocation within the site, that of the former Windsor High School (policy H9(3)) notes that due to the beneficial location close to Salford Precinct town centre, that a minimum net density of at least 40 dwellings per hectare would need to be achieved.

The Pendleton Planning Guidance indicates densities for each sub area within the masterplan.

- Policy 12 (High Street, Windsor and Wortham Close) 70 dwellings per hectare; and
- Policy 13 (Amersham, Athole and Blodwell Streets) 40 dwellings per hectare.

The Publication Core Strategy Policy DP3 (Efficient Use of Land) states that *‘the density of development should reflect the accessibility of its site by public transport, cycling and walking, with the highest densities in the most accessible locations’*. It should seek achieve a minimum density of 30 dwellings per hectare.

All phases of the full and outline elements of the application will be upwards of 40 dwellings per hectare which is considered appropriate.

Size and Housing Mix

NPPF Section 6 (Delivering a wide choice of high quality homes) sets out Government stance on the mix of housing under para 50.

In terms of the size of properties the Housing guidance sets the appropriate mix for houses and apartments. In Pendleton this is supported by Policy 1 of the Pendleton Planning Guidance which seeks all new housing to contribute to the achievement of an overall mix of dwelling types and tenure in the area.

The Housing Planning Guidance (2006) provides advice concerning this control over type of housing through Policy HOU1. This policy states that *“Within Central Salford (areas not including the regional Centre, Broughton Park, Claremont and the northern part of Weaste and Seedley) new development should provide a broad mix of dwelling types”*. Policy HOU2 of the Guidance goes on to state that *“The majority of new houses should have at least three bedrooms”*.

The scheme comprises a mix of dwellings sizes in phase 1 that satisfy this policy. Of the 293 dwellings to be constructed in this phase, 210 (71%) are 3-bed or larger.

Policy HOU1 of the Council’s Housing Guidance document seeks a broad mix of residential development in this area but that apartments should only be the predominant form in the most accessible locations.

Of the 293 dwellings to be constructed in this phase 1 of the proposal, only 42 will be apartments (14%).

The outline elements of the scheme (have since the inception of this scheme) envisaged larger numbers of apartments, this was steered through the housing targets for Pendleton and the scale aspiration of the Design SPD. Outline phases are sought as a maximum and as such during reserved matters application an appropriate mix of dwelling types will be secured at that time in line with the adopted Core Strategy.

The Publication Core Strategy Policy H5 (Size of dwellings) states that the size of dwellings in every new residential development should achieve the following standards:

- A. All dwellings must have a net internal floor area of 45sq.m. or more.
- B. At least 60% of apartments should have a net internal floor area of 57sq.m or more.
- C. At least 30% of apartments should have a net internal floor area of 67sq.m. or more.
- D. At least 80% of houses should have a net internal floor area of 82sq.m. or more and provide at least 3 bedrooms, except where there is clear evidence that smaller houses are required to diversify provision in the local area and meet identified needs.
- E. Within Broughton Park and Higher Broughton, at least 35% of new dwellings should have 5 or more bedrooms wherever practicable.

The design of phase 1 meets these new standards.

The Publication Core Strategy Policy H10 (Housing for Older People) looks to secure a broad range of housing choice. The policy looks to develop new, specialist accommodation, including sheltered housing, extra care housing, nursing homes and residential care homes.

The application will provide in phase 4 a care facility of up to 60 units, the details of this will be addressed under a reserved matters application.

Affordable Housing

RSS Policy MCR 2 (Regional Centre and Inner Areas of Manchester City Region) notes that residential development should *“secure the improvement of community facilities and the creation of sustainable communities. The emphasis will be on providing a good range of quality housing, in terms of size, type, tenure and affordability”*.

RSS Policy DP 2 (Promote Sustainable Communities) along with the suite of other spatial strategy policies (DP1 through DP9) aims to addressing social inequalities in the region and provide quality housing in all areas to deliver improved prosperity.

RSS policy L5 (Affordable Housing) states that *‘evidence, including from Strategic Housing Market Assessments, should be used to support the setting of quotas and thresholds for affordable housing provision along with an indication of the type, size and tenure of affordable housing required’*.

National, regional and local planning policy seeks the delivery of affordable housing in major schemes. UDP Policy H4 (Affordable housing) is the most relevant in this instance and is supported by a suite of policies in the Housing Guidance document (HOU3 and HOU4).

Whilst normally 20% of any major application of this scale would need to be affordable housing, the socio-economic circumstances of Pendleton have been considered by the council and as such para 3.26 of the Pendleton Planning Guidance states that *‘Creating a New Pendleton’, approved by Salford Council in March 31 2006, set out the Council’s aspirations for the Pendleton PFI. Its broad aim was to achieve a significant increase in home ownership within the area. This aim has subsequently been refined to an overall tenure split of 43% owner occupied and 57% social rented. Social rented housing is defined in planning policy as a type of ‘affordable housing’. At present over 90% of properties within the PFI area are social rented. In numerical terms 1,550 new homes will be provided within the proposed redevelopment site of which 500 should be for social renting and 50 for intermediate housing. The provision of this scale of affordable housing within the PFI area and the adjacent Blodwell Street area will be considered to satisfy the need for affordable housing in relation to the PFI scheme’*.

Phase 1 of the application seeks to deliver 109 affordable units of various types/sizes and this constitutes a 37% offer. Over the entire development the indicative offer is around 30% affordable housing, which is acceptable both in policy terms, but also for the specific re-housing requirements of Pendleton.

An indicative *‘pepper-potting’* scheme has been submitted for the full application, however, due to changing priorities in the funding it is likely that the distribution will change and as such this is conditioned.

The affordable housing provision will be secured within the Developer Agreement.

Refurbishment

In terms of refurbishment, this will not significantly change the composition of the housing stock. Policy H3 of the UDP (Housing Improvement) states that *'housing improvement schemes that comprise any or all of the following measures will be permitted where they are consistent with the strategy for the regeneration of the area, and with other policies and proposals of the plan:*

- *Refurbishing and adapting the housing stock to meet local needs;*
- *Providing new and replacement housing, in a form appropriate to the needs of the local area, and wider regeneration objectives;*
- *Improving residential environments and promoting environmental care measures;*
- *Securing the provision of community and leisure facilities;*
- *Enhancing open spaces, landscape areas, and parks, in accordance with strategic and local needs;*
- *Improving access to and within housing areas, particularly by public transport, cycling and walking; and*
- *Clearing housing that is unfit, or which there is little or no demand, or that is required for site assembly for regeneration purposes, as resources permit'.*

The PFI programme and this application, aimed at delivering the requirements of the PFI programme, comprehensively satisfies all 7 criteria presented within this policy as detailed throughout this report.

Policy 11 of the Pendleton Planning Guidance takes the principles of UDP policy H3 and applies them specifically to Pendleton, clearly presenting support for proposals involving the redevelopment, improvement or remodelling of the existing housing stock within the area. Paragraph 4.14 of the Guidance suggests possible ways of addressing the housing in each of the sub areas, whilst indicatively it illustrates the radical approach seen as necessary to deliver the regeneration objectives of the PFI.

As such the commitment to refurbish 1,253 properties is considered to provide significant regeneration needs to the city as a whole and is supported in principle by the Council.

Retail (A1); Restaurant/café (A3); Bar (A4); Takeaway (A5)

The application seeks outline permission for the replacement of retail units (up to 430 sqm). The units are to be rebuilt a short distance away (over looking the redesigned Clarendon Park) in a reserved matters phase of the scheme and have been justified in accordance with local and national policy by the applicant.

UDP S4 (Amusement Centres, Restaurants and Cafes, Drinking establishments and Hot Food Takeaways) is of relevance. This policy notes that uses falling within Classes A3, A4 or A5 will not be permitted where the use would have an unacceptable impact on the amenity of surrounding residents or the vitality and viability of town and neighbourhood centres. The shops are located within the southern end of Clarendon Park and although they have flats above them, they can be delivered without compromising amenity through effective mitigation and conditions are suggested as appropriate.

Office (B1) and leisure (D2)

The application description refers to the outline submission comprising a city farm and offices (up to 500 sqm).

RSS Policy L1 (Health, Sport, Recreation, Cultural and Education Services Provision) states that *'plans, strategies, proposals and schemes (including those of education, training and health service providers) should ensure that there is provision for all members of the community (including older people, disabled people and the black & minority ethnic population) for (amongst other things) sports, recreation and cultural facilities'.*

UDP Policy ST9 (Retail, Leisure, Social and Community Provision) adopts a sequential test for such uses in order to deliver them in a sustainable and well connected location, whilst policy H6 (Residential Social and Community Uses) is supportive of such facilities where a need is demonstrated, it is in a sustainable and well

connected location, it would not have an adverse impact on neighbouring amenity and amenity space is provided within the facility.

The offices would be used by Chevin Housing who would manage the affordable housing stock. This element of the application is sought in full, however requires no physical alterations to the existing building (the surgery on the north side of Churchill Way) which will accommodate it.

The City Farm would be located to the west side of the remodelled Clarendon Park, adjacent to the entrance to Lark Hill Primary School.

The city farm will function in association with the leisure facilities within the park and the office, whilst 'out of centre', will undertake the sole function of being a management office for Chevin and therefore will not damage the viability of the town centre (which is determined by the normal market for office accommodation).

Design and appearance

A Design and Access Statement has been submitted with the application through which the proposal can be assessed. The issue of design however is holistic and covers issues concerning open space, travel, heritage and the very nature of how residential development is conceived and responds to global environmental issues.

Section 7 of the NPPF sets out the need for 'Requiring good design' and this is supported by RSS Policy DP7 (Promoting Environmental Quality).

The Design: Shaping Salford SPD (2008) resists incremental redevelopment of large sites and supports redevelopment through a master plan in order to achieve key design objectives. As such it offers guidance on development across Salford covering a number of topics of relevance as well as specific guidance for Pendleton as headlined below. Included within these sections are the design policies within the Pendleton Planning Guidance.

In terms of connections the Design SPD requires:

- *Provide connections with surrounding neighbourhoods, streets and open spaces, providing easy links to and from shops, public transport and other focuses for activity;*
- *Make streets attractive and easy to find your way around. Use strong landmarks, gateway features and corners as way finders. Keep building lines and frontages to the street strong with variety and detail providing interest.*
- *Development should reintroduce a strong pattern of interconnecting streets and narrow excessive wide roads and round-a-bouts;*
- *New development should follow this new street pattern to create perimeter blocks creating a strong edge to public spaces and providing overlooking of those spaces;*
- *Development should facilitate improvements to particular pedestrian connections between Pendleton and adjacent areas;*
- *Development along Pendleton Way should protect views towards St. Thomas' Church;*
- Policy 1 (Residential Development) which seeks new development to '*reintroduce a strong pattern of inter-connecting streets providing direct through routes for pedestrians*'
- Policy 2 (Gateway, Landmarks & Vistas) seeks new development to gateways around the Shopping City round-a-bouts, Langworthy Road/M602 bridge, Liverpool Street/Fitzwilliam Street junction as well as at the junctions of Churchill Way and Liverpool Street with Cross Lane.
- Policy 3 (Main Access Boulevards) seeks 'green boulevards' along Churchill Way, Cross Lane, Fitzwilliam Street and Liverpool Street;
- Policy 5 (Pendleton Gateway) seeks to improve the approach to the town centre through traffic calming and crossings.
- Policy 6 (Improved Pedestrian and Cycle Links) seeks development to take opportunities to improve pedestrian and cycle links across main roads and through the existing sub areas of Pendleton.

In addition, UDP policy DES2 (Circulation and Movement) is of relevance and seeks development to provide full accessibility to all people, maximise movement and facilitate orientation and improved navigation. Furthermore, UDP policy EN23 (Environmental Improvement Corridors) identifies the A6 as one of the city's roads that falls within the role of an Environmental Improvement Corridor and is charged with improving the quality of the public realm, elevational treatment and wider environmental improvements.

Greater advice is offered in the Central Salford's Spaces and Places Public Realm Handbook (2009) which sees Broad Street (the A6) as forming the gateway to the 'City High Street' (the Crescent and Chapel Street) as well as it being the regional arrival point into the city. It identifies Churchill Way and Liverpool Street as 'Main Streets' where traffic needs to be calmed and where a more intimate feel needs to be introduced.

The masterplan dividing the ward into neighbourhoods around a central 'heart' area, which principally comprises Clarendon Park, Fit City, the theatre, nursery, and the school. Leading out from this like spokes are principal routes to neighbourhoods with their own neighbourhood parks. The neighbourhoods comprise:

- Broadwalk: to the north of the 'heart' (over Churchill Way) connected via the northern reach of Clarendon Park itself;
- Market: to the north west, connected via a new route leading directly towards Shopping City, across a new area of public realm at the western end of Churchill Way, which replaces the existing round-a-bout;
- Windsor: to the north east of the 'heart' and connected via a new route linking up to the junction at the eastern end of Churchill Way towards Salford Crescent Train Station.
- Amersham: to the south west of the 'heart' and connected via a new route south linking to the M602 pedestrian bridge, but also along a new east-west street that connects through to Langworthy Road.
- Clarendon: to the south east of the 'heart' and is retained area of housing. As such a new route is carved out of an existing street leading South from Liverpool Street (Ewart Avenue). A link through to the Amersham area is also proposed to tie together this southern belt of housing.
- Nursery: This area is separate from the main area, but non-the-less the masterplan looks at strengthening immediate connections to the surrounding area so as to improve its function.

The masterplan has been developed over a number of years and places Clarendon Park at the centre of the principal routes across Pendleton. Instead of the routes being simply east-west in orientation (Churchill Way and Liverpool Street) new routes are driven through the sub-neighbourhoods to the park from the corners of Pendleton (from Langworthy Road, Cross Lane and Shopping City).

The masterplan offers an overall convincing strategy to creating a new city ward that offers better internal and external connections.

In terms of Spaces & Places the Design SPD requires:

- *Continue to add to and embrace the 'green city' concept by providing a variety of open spaces. Provide green, leafy squares, high quality public parks, tree lined streets and boulevards making use of pocket parks or greens;*
- *Use green and walkable streets to connect various open spaces;*
- *Build spaces that can be enjoyed by the whole community...recreational spaces that improve health...and, maintain a variety of habitats for wildlife and biodiversity;*
- *Give each space an appropriate level of security by having uses which ensure activity and high levels of surveillance throughout the day.*
- *Policy 4 (Natural Space) seeks development to 'retain and improve open space....changes to the location of open space, for example Clarendon Park, will be acceptable provided they lead to improvements in access, usability, the quality of planting and natural areas and no loss of open space'*

In addition, RSS Policy EM3 (Green Infrastructure) indicates that there are socio-economic benefits to be gained from the creation of new green infrastructure and enhancing its function, quality, connectivity and accessibility.

In terms of relevant UDP policies, DES 3 (Design of Public Space), DES4 (Relationship of Development to Public Space, and DES9 (Landscaping) provide criteria on how the public realm should connect to the wider network of open space and interface with private realm. UDP policy EN12 (Important Landscape Features) seeks new development not to have a detrimental impact or result in the loss of any Important Landscape Features unless this can be justified as part of a redevelopment and then such loss should be mitigated through equivalent replacement.

The Salford Greenspace Strategy also includes the following policies of relevance:

- Policy GS10 (Greenspace Design) seeks development designed to maximise access and mobility to the public and encourage safety.
- Policy GS14 (Green Access Corridors) aims for high quality pedestrian and cycle routes between strategic open spaces and linking Strategic Semi-Natural Greenspace (the provision of which is discussed in the section below).
- Policy GS15 (Public Amenity Open Space) seeks the provision of a level of public amenity open space based on the arrangement of uses proposed within the scheme.
- Policy GS16 (Management and Maintenance) resists schemes that improve or create new recreational function unless an agreed maintenance specification and site management has been secured. (as with recreational space discussed in the following section).

Greater advice is offered in the Central Salford's Spaces and Places Public Realm Handbook (2009) which sees Clarendon Park and Windsor High School as being part of the cities 'green network' and illustrates indicative links to the rest of the city.

The Masterplan seeks to deliver a clear hierarchy of open spaces across the development area with Clarendon Park acting as the 'Heart' and neighbourhood parks functioning for each of the sub areas. Each neighbourhood park has an individual character and approach in terms of its design, layout, location and relationship to surrounding development.

Phase 1 the proposal will deliver some significant areas of open space improvement in this phase in a new park adjacent to the M602.

Within refurbishment areas the parking courts are to be either properly laid out and landscaped or developed for housing so as to create stronger street scenes. Alleyways are being gated and new boundary treatment introduced to improve security. The de-Radburnisation of the area is to be a major alteration to the character of the area and will improve the relationship between properties and the public realm.

In terms of buildings the Design SPD requires:

- *Respect and maintain building lines and heights, establish plot sizes, rhythm, and setting;*
- *Consider new buildings within their proposed context...materials that are of a high quality, which are robust and easy to maintain;*
- *Lay out neighbourhoods with a strong boundary between the public and private realm;*
- *Build for the future with developments that are sustainable throughout the length of their life;*
- *New development should establish a more consistent building height and scale for Pendleton, broadly of a medium rise, to ultimately replace the existing character of high rise buildings next to low rise buildings;*

Also of relevance is UDP policy DES1 (Respecting Context) which seeks development proposals to respect the existing positive character of the environment into which it is to be introduced and DES8 (Alterations and Extensions) which aims for alterations and extensions to buildings to be sympathetic to the general scale, character, rhythm, proportions, details and materials of the original structure.

The aesthetics of the architecture employed for phase 1 is governed largely by environmental benefits. It aims to maximise southern aspect of roofs (resulting in streets of innovative saw tooth roof profiles), modulated brickwork, coloured feature panels and canopies. The majority of development is between two and three storeys in height, using this height to mark key frontages and corners.

Accessibility

Publication Core Strategy Policy A1 (Accessibility special planning) states that *'significant improvements will be sought in the ability of people and goods to move around and through the city in a quick, efficient and sustainable way'*. It goes on to state that this will be achieved by reducing the need to travel and the distance travelled and securing a modal shift towards more environmentally-friendly and socially inclusive forms of transport such as walking, cycling and public transport.

The issue of accessibility is further addressed in Publication Core Strategy Policy A2 (Transport hierarchy) addressed under the transportation section below.

Publication Core Strategy policy A4 (Walking and cycling) advocates an integrated network of safe, convenient and attractive network of walking and cycling routes in new development.

The masterplan makes significant improvements to the quality of public space so as to ensure that it is accessible to all members of the community. Parkland will have high quality routes, dropped kerbs, contrasting paving and incorporating gradients accessible to all.

Recreational Space

In terms of delivering transformational change and addressing issues of new connections, rehousing and an improved physical environment, it is necessary to build on existing open space prior to demolitions in order to decant existing residents and as such the configuration of existing open space will inevitably change. This section of the report must firstly consider the impact on loss and change to existing open space and the secondly the additional requirements placed on open space in terms of the newly formed neighbourhoods.

The Publication Core Strategy sets out 10 strategic objectives of central to the achievement of the spatial vision. Of relevance to the PFI is:

9. To enhance the environmental sustainability of Salford by significantly increasing the amount of green infrastructure in the city that positively contributes to the following key functions by 2028.

- A. Recreation
- B. Biodiversity
- C. Agriculture
- D. Flood risk mitigation

In addition, the Publication Core Strategy sets out under Policy GI1 (Green infrastructure spatial strategy) a desire to establish *"a comprehensive, high quality network of green infrastructure will be established throughout Salford"*. Moreover, Policy G12 (Green infrastructure requirements for development) states that *"all developments should maximise as far practicable:*

1. *The amount of green infrastructure on the site, whilst having regard to the development needs of the city and the design context, which will require the efficient and creative use of land and building surfaces;*
2. *The interconnectedness of green infrastructure within and around the site, and connections to the wider network, thereby helping to enhance key functions of the green infrastructure network such as supporting the movement of plants and animals;*
3. *The multi-functionality of any green infrastructure, whilst ensuring that it can properly fulfil its main functions; and*
4. *The quality of any green infrastructure, to ensure that it can meet its various functions as effectively as possible.*

The Publication Core Strategy Policy R1 (Recreation spatial strategy) seeks “*a comprehensive range of recreational facilities will be provided across Salford. Including:*

- A. *Parks and country parks.*
- B. *Children’s play areas.*
- C. *Sports pitches and facilities.*
- D. *Allotments.*
- E. *Natural greenspace and nature reserves.*
- F. *Public amenity spaces.*

The Publication Core Strategy Policy R4 (Protection of recreation land and facility) states that “*the development of existing recreation land will only be permitted where replacement recreation provision of at least the same quantity, quality, accessibility to its catchment population, common benefit and management level is made in a suitable location*”.

Reorganisation of Open Recreational Space

UDP policy ST10 (Recreation Provision) aims to deliver throughout Salford a comprehensive range of accessible recreation opportunities through (amongst other things) the protection, improvement and, where appropriate, reorganisation of existing recreation sites.

UDP policy R1 (Protection of Recreation Land and Facilities) resists the development of existing recreation land or facilities unless it is for formal/informal recreational use, adequate replacement or re-provision is found or it is demonstrated that the site is surplus.

UDP policy R2 (Provision of Recreation Land and Facilities) sets out the requirement of new recreation development and the local open space standards that need to be met.

The policies above are supplemented by Salford’s Greenspace Strategy (2006) and Salford Play Pitch Assessment (2007). The sports pitch standard was revised to a minimum of 0.92ha per 1000 population by the Playing Pitch Assessment.

UDP policy H9(3) Former Windsor High School, Churchill Way, Langworthy (3.8ha) notes within the reasoned justification that ‘*The school is now vacant and is suitable for housing combined with other uses...any residential development would need to include a significant proportion of family accommodation, provide for the replacement of the site’s sports pitches, and contribute to improvements to the nearby Clarendon Park*’.

Salford Greenspace Strategy Policy GS12 (Development Involving the Loss of a Priority Sports Pitch) any development involving the loss of a priority sports pitch will be required to provide a replacement pitch, irrespective of when the existing pitch was last used or its current condition. This shall be of at least an equivalent size and of a quality to meet the Sports England Performance Quality Standards.

A comprehensive assessment of the existing open space provision has been provided and a break down of the proposed open space provision by site is clear, with the alterations to Clarendon Park and relocation of open space at Windsor High being satisfactory.

Sport England have reviewed the scheme and are mindful that it is broadly acceptable and the loss of the playing fields at the former Windsor High site is acceptable, as is the reformation of the shape and area of Clarendon Park. Sport England do, however, make it clear that should the application be approved the sports provision is conditioned to meet their standards. The park is large enough to accommodate all the necessary sports provisions (all weather pitch, MUGAs, skate park and football pitch) and these are shown indicatively within this area.

There is adequate room within the park to move sports provision around so as to keep an adequate distance from residential properties. The grass pitch will need moving further south and east if the care home and housing in phase 4 is to be sought in reserved matters (in this current location). Likewise the MUGAs to the north of ‘Fit City’ are within 30m of existing housing on Towyn Avenue and mitigation through fencing will need to be secured to limit impact from noise and lighting, otherwise one will need relocating to other appropriate locations within the park.

Requirements for new Recreational Provision.

In terms of the new needs of open space in connection with the increased and restructured population of the areas, this is central to securing a successful, vibrant and sustainable new community. Policy L1 (Health, Sports, Recreation, Cultural and Education Services Provision) within RSS seeks the provision of such facilities within all communities and societies within the North West of England.

At the heart of this issue surrounding the provision and quality of open space is the requirement of UDP policy H8 (Open Space Provision Associated within New Housing Development). As this application primarily responds to the needs of a housing PFI this policy is central and is tied to policy R2 of the UDP and the Salford Greenspace Strategy.

Officers have reviewed the scheme against these policies and no objection is raised as the scheme both provides adequate recreational and open space, whilst preserving the amenity of existing and new residential units.

Allotments and City Farm

New allotment provision has always been supported and welcomed by the existing community and will be provided within the outline phases of the development.

Management

Management of the above provision has been discussed with the relevant officers within highways and parks and an agreement has been reached on which elements of the public realm and highways are being managed by the Council and which elements will be managed by the applicant. Any further commuted sum that will need to be paid towards upkeep will be secured through the Developer Agreement which sits in parallel to this planning application.

Trees

The Trees and Development SPD (2006) offers a suite of policies concerning the retention and replacement of trees. There are a large number of trees across the site which will be affected by the proposals and many will be removed to facilitate the masterplan.

Policy TD2 (Retention of Existing Trees), TD4 (Protection of Existing Trees) and TD5 (Excavation Near Trees) together seeks fencing and inspection of trees Root Protection Area (RPA) or maximum spread of a tree (taking into account likely future growth) of all trees that are or a quality species, in a good condition, do not need to be affected by the development and have a positive impact on the area.

Policy TD6 (Replacement Tree Planting) requires trees replacement at a ratio of two trees for every tree removed to facilitate the development.

The development will include the removal of a vast majority of trees on site. A tree report has been supplied which gives a thorough appraisal of the trees which will be affected by the proposal.

Despite the high visual impact the trees have in the landscape, the overall condition of trees across the site is best described as average to poor. There have been poor species choice (in relation to location); poor quality trees planted; poor planting techniques employed; poor aftercare (lack of formative pruning or thinning in group situations) and there is evidence of extensive vandalism across the site and where mowing activities have been carried out there can be seen mowing damage and exposed/damaged roots. There are some generally good trees across the site which given time, could mature into better quality trees.

As a lot of the redevelopment is completely remodelling the street layouts and associated infrastructure, existing tree locations would be at odds with the new layout and the Root Protection Area (RPA) of the majority of trees

would be impacted upon. The likely outcome would be the trees would suffer as a consequence, severe root-loss would lead to poor vigour (which leaves the trees open to disease) extensive crown die-back and would also make the trees unstable. In some areas it is proposed that the ground levels will change. The level of soil around the root-collar of the tree should not be altered, lowering the level may make the tree unstable and raising it will lead to low vigour and eventually, irreversible decline. In areas where the levels are to change, tree retention is not practical.

The small strip of woodland adjacent to the M602 is proposed to be thinned and a new road is to be constructed adjacent to the dwellings. This would result in a loss of trees along the edge of the group however given the change in levels the site would be subject to in accommodating the road (approx 1.5m) it may well be that all trees to the North of the existing path would face removal. The remaining trees would benefit from being selectively thinned with a view to retain good specimens and favourable species.

A small group of trees adjacent to A5186/Langworthy Road, M602 and Hodge Lane and another small group adjacent to the crossroads of Athole Street and Liverpool Road are shown as being retained. The latter are in line of a proposed sewer extension and retention of all trees on site may not be possible.

Any trees being retained will require adequate protection measures and close monitoring after the development; identification of storage facilities in relation to trees would also be beneficial. This can be covered by an Arboricultural Method Statement. The monitoring can be incorporated into an aftercare plan. The plan would need to take into account monitoring of retained trees, formative pruning of newly planted trees, replacing any trees that decline/die and the thinning of any group planting.

Crime Prevention

UDP Policy DES10 (Design and Crime) does not permit development unless it is designed to discourage crime, anti-social behaviour and the fear of crime.

The Design and Crime SPD (2006) requires major planning applications to be accompanied by a Crime Prevention Plan. It considers a range of issues through a suite of policies that are relevant to this development. These include, footpaths walkways and dedicated cycle routes, frontage of buildings, private spaces behind buildings, maintenance of spaces, natural surveillance, building entrances, building fabric, lighting, boundary treatment and perimeter gates, alley gates, communal car parking, traffic calming

The Publication Core Strategy Policy D11 (Design and Crime) is in accordance with the SPD.

A Crime Impact Statement (CIS) has been prepared by Greater Manchester Police as part of the planning submission and concludes that the proposal is generally acceptable and that the Design for Security has worked with the design team over the life of the project to date, in order to advise and influence the design of the development. As the Masterplan has evolved it has reflected the 'designing out crime' principles, as far as have been possible given the constraints of the area and existing pattern of development.

The development has been assessed against the principles of Crime Prevention through Environmental Design, CPTED, which seeks to reduce the opportunities for crime and reduce the fear of crime. It has also been judged against current Secured by Design, SBD, standards and subject to the recommendations highlighted in, the report being included within the scheme, Design for Security is happy to endorse this development.

Addressing Climate Change

The Publication Core Strategy sets out 10 strategic objectives of central to the achievement of the spatial vision. Of relevance to the PFI are:

8. To minimise the contribution that Salford makes to global climate change by significantly reducing carbon dioxide emissions from the city, helping to work towards the Greater Manchester target of a 48% reduction on 1990 levels by 2020.

The Publication Core Strategy Policy EG1 (Energy strategy) sets out an energy hierarchy whilst Policy EG2 (Renewable and low carbon energy) encourages the use of renewable and low carbon energy.

RSS Policy DP 9 (Reduce Emissions and Adapt to Climate Change) adopts the targets of PPS22 into the Development Plan and policy EM17 (Renewable Energy) looks specifically at the role of the North West Sustainable Energy Strategy in delivering these targets meaningfully over the period up to 2020. Greater Manchester is expected to produce 1MW of energy through biomass-fuelled CHP in the period ending 2010, and 2MW by 2020.

EM15 (A Framework for Sustainable Energy in The North West) and EM16 (Energy Conservation & Efficiency) introduces an Energy Hierarchy which seeks development to promote sustainable energy production. The Hierarchy seeks principally to minimize demand, in Pendleton this is very much sustained through the sustainable location, followed by more efficient use of energy, use of renewable energy and finally a cleaner use of fossil fuels through more efficient heating and CHP. Policy EM18 (Decentralised Energy Supply) places a requirement for renewable energy be generated at the location of its requirement rather than remotely on a strategic scale.

UDP Policy ST14 (Global Environment) and EN21 (Renewable Energy) are enshrined within the Councils Sustainable Design & Construction SPD (2007) Policy SDC1 (Sustainable Design and Construction in New Developments) which seeks developers to consider a range of energy saving measures.

The application has been submitted with an accompanying Sustainability Checklist and Code for Sustainable Homes Strategy. The proposal aims to achieve Code for Sustainable Homes Level 3 for private sector housing and Code Level 4 for social rented properties. Subsequent phases of development will adhere to higher code levels when they come into effect.

The Code for Sustainable Homes Level 3 is equivalent to the BREEAM 'very good'. As dwellings will be built to this standard or higher, there is no need for financial contributions in this respect. This is in accordance with policy OB4 in Salford's Planning Obligations SPD.

Buildings are designed to have a *fabric first* approach to the design process to allow sustainability to be embedded into the building from the bottom up, based on a hierarchy:

- energy efficient and passive design (use less energy – be LEAN);
- Energy efficient supply of services (supply energy efficiently – be CLEAN); and
- On site renewable energy technologies to provide energy (use renewable energy – be GREEN).

As noted above (design) properties have roofs orientated so as to maximize on a southerly aspect so that the ever increasing technologies to maximize on solar energy can be accommodated in the future, this forms part of a wider design philosophy for the private housing to “*step up*” to Code Level 4 and beyond. This key aspect in the design of the housing does prevent the use of green roofs.

Code Level 3 requires the meeting of 21 standards, whilst a further 4 standards are achieved to meet Code Level 4.

The Sustainability Checklist has been completed and addresses minimising energy consumption, insulation standards and SUDs (Sustainable Urban Drainage Systems), all of which have been addressed within the schemes design.

Amenity of neighbouring occupiers and future residents

UDP Policy DES7 requires that developments respect sunlight, daylight, aspect and privacy and general amenity of future occupiers and surrounding occupiers.

The Publication Core Strategy now provides aspirations for the city in terms of amenity standards for private garden space and separation distances.

All private gardens in phase 1 exceed 40sq.m. and proposed houses are more than 21 meters to existing houses

The position of new development has been mindful of the impact on existing residents in terms of distances to existing dwelling and lines of visibility from habitable room windows.

Noise, air quality

Chapter 23 of the Publication Core Strategy addresses pollution and hazards. Policy PH1 (Pollution control) states that *“development will not be permitted where it would result in unacceptable levels of pollution, either individually or cumulatively with other existing or proposed development”*.

Publication Core Strategy Policy PH2 (Development that could be affected by pollution) states that *“development will not be permitted where it would be subject to unacceptable levels of pollution. In determining whether a development would be acceptable given current and likely future pollution levels, regard will be had to:*

1. *The operational requirements of the development;*
2. *The potential impacts of any pollution on the health, wellbeing or amenity of any occupiers or other users of the development; and*
3. *The need to minimise future nuisance complaints.*

Conditions will be used to ensure that mitigation measures proposed in order to reduce the potential impact of pollution on a development are properly implemented and effective in the long-term”.

UDP policy EN17 (Pollution Control) considers both pollution generating activity as well as development in areas where levels of pollutants are already high. It notes that in the case of consideration must be given to the proximity to environmentally sensitive uses, which includes housing and schools. Mitigation measures need also to be sought to ensure that new development is not unacceptably impacted on.

A Noise Report and air quality report have been prepared and adequately justify the impact of the surrounding environment on the scheme proposed, the impact of the construction phase on existing neighbouring residents and the impact of the new uses once constructed and in operation. Conditions have been recommended to mitigate any harm from all sources of noise and air pollution should planning permission be granted.

Contaminated land

RSS Policy EM2 (Remediating Contaminated Land) requires sustainable remediation technologies to be adopted in the cleaning up of previous development on contaminated land.

UDP Policy EN17 (Pollution Control) requires the employment of mitigation measures to secure an acceptable environmental standard can be delivered for all new development on sites that have previously or still are polluted.

The Health and Safety Executive PADHI+ system has been run and concludes that it advises that it does not advise against the granting of planning permission as the application does not fall within consultation zones where hazardous substances would impact upon a housing led regeneration scheme such as this.

A Contaminated Land Information Review has been submitted and although previous investigation has been undertaken across most of the development area the report has identified gaps in the available information. For each phase of the proposed development a condition requesting (1) site investigation, (2) remedial works, (3) a verification report & (4) a remediation strategy shall be submitted and approved by the LPA.

Drainage, utilities and flood risk

UDP policy EN18 (Protection of Water Resources) resists development that will have an unacceptable impact on surface or ground water in terms of its quality, level or flow.

UDP policy EN19 (Flood Risk and Surface Water) resists development that would subject to an unacceptable risk of flooding, materially increase the risk of flooding elsewhere or result in an unacceptable maintenance liability for the city council or any other agency in terms of dealing with flooding issues.

Publication Core Strategy Policy WA5 (Development and flood risk) sets out measures that need to be addressed for different areas of flood risk and the requirements of a flood risk assessment.

Publication Core Strategy Policy WA6 (Surface water and sustainable drainage) states that “*development should use all practicable measures to:*

- 1 *Maximise the proportion of surface water that is dealt with on site;*
- 2 *Minimise surface water pollution; and*
- 3 *Ensure that there is no discharge of surface water from the site into the foul sewerage network, either direct or indirectly.*

The policy goes on to set out that “*for previously developed sites, a reduction of at least 50% in the rate of surface water discharge, or a reduction to equivalent greenfield rates, whichever allows the greater discharge*”.

The FRA is proposing a 50% reduction to existing run-off in redevelopment and the Environment Agency and United Utilities raise no objection to the proposal subject to conditions being attached to any recommendation for approval.

Nature Conservation

RSS Policy EM1(B): Natural Environment – seeks schemes to secure a ‘step-change’ increase in the regions biodiversity through protecting and enhancing the wildlife sites and ecology.

UDP policy ST13 (Natural Environmental Assets) resists development that would unacceptably impact on the city’s natural environmental assets.

The Nature Conservation & Biodiversity SPD (2006) seeks development to maintain and enhance biodiversity which should be accessed through an Ecological Appraisal (Policy NCB1&2).

Policy NCB3 (Provision of Habitats and Landscaping) requires development to provide landscaping schemes appropriate to the locality, incorporating locally native species, and priority and semi-natural habitats, integrating neighbouring habitats.

A Biodiversity Statement has been submitted with the application and the Greater Manchester Ecological Unit has raised no objections subject to updated bat surveys being conditioned and Japanese Knotweed being addressed on the site.

Cultural Heritage

Section 66 and 72 of the Town and country Planning (Listed Buildings & Conservation Areas) Act 1990 and the need to preserve and enhance the setting of Listed Buildings and conservation areas.

This national concept is houses within the development plan under RSS policy EM1(c) (Historic Environment) seeks to protect the regions historic assets and UDP policy ST15 (Historic Environment) which seeks to preserve the historic and cultural assets of the city wherever possible. More specifically, policy CH2 (Development Affecting the Setting of a Listed Building) within the UDP resists harm to the setting of a listed building and UDP policy CH5 (Archaeology and Ancient Monuments) resists development that has an unacceptable impact on features of archaeological importance unless appropriate mitigation can be provided.

Publication Core Strategy Policy HE1 (Heritage spatial strategy) aims to ‘protect and enhance’ the city’s heritage and ensure that it makes a positive contribution to the character and identity of the city’s neighbourhoods.

The heritage of Pendleton dates back several centuries with its development largely being realised in the 17th and 18th century, with terraced housing, works, school, churches and a cattle market principally governed this area of Salford. The post war redevelopment of the area resulted in significant swaths of Pendleton being demolished in favour of tower blocks, Radburn layout housing and large highway infrastructure.

The church of St. Paul with Christ is one of the few surviving historic buildings in the area and is now statutorily listed (Grade II). The development comprises refurbished tower blocks on all sides of the church, however considering the entirely altered landscape that the church now sits within and the extensive work undertaken to select materials to re-clad these building, it is concluded that there is a positive impact on the setting of this building.

The Monument to Oliver Heywood (Cross Lane) falls just outside the application boundary but is extremely close to the tower blocks known as Spruce and Thorn Courts. As with the church, its landscape has irreversibly changed and the alterations to the cladding of these building is considered to be a positive change to its setting.

Spruce and Thorn Courts are visible in the setting of the Crescent Conservation Area (to the west) and again the cladding of these buildings will have a positive change to its setting.

Transportation, Parking and highway safety

Publication Core Strategy Policy A2 (Transport hierarchy) sets out the priority for highway design as being:

1. Walking (including aids such as wheelchairs for those with impaired mobility);
2. Cycling;
3. Public transport;
4. Commercial deliveries and specialist service vehicles (e.g. emergency services, waste collection, taxis);
5. other motor traffic.

Sustainable Location

Pendleton is considered to be a sustainable location as set out above (Principle).

Development relationship to public transport connections

UDP policy A5 (Buses) requires new development proposals to make adequate provision for access to and the use of buses through improvements to existing bus stops, addressing deficiencies in the associated highway infrastructure required for services and make provision for new stops.

RSS policy RT1 (Integrated Transport Networks) and Policy RT 2 (Managing Travel Demand) look to maximize the opportunities to better connect to and improve public transport. Moreover, policy RT3 (Public Transport Framework) looks to development improving transport infrastructure in partnership with operators. The application seeks connections to Shopping city as well as principle bus corridors around the site so as to encourage the use of existing bus services and reconfigures the highway arrangements along Churchill Way and Liverpool Street in order to facilitate improved bus routes.

The Pendleton Planning Guidance (2008) seeks under Policy 7 (Public Transport) collaboration with the GMPTE, local bus operators, Network Rail and the train operators to improve public transport links within Pendleton and between Pendleton and surrounding areas.

The Transport Assessment (TA) has been reviewed by Transport for Greater Manchester who raises no objection to the development proposals.

Impact on Highway Safety and Infrastructure

With regards to highway standards within the site, UDP policy ST5 (Transport Networks) looks to the following measures (along with others) in order to improve the city's transport networks:

- Maintenance and improvement of the highway network; and
- New road infrastructure where this will support the city's economy;

Publication Core Strategy Policy A9 (Impact of development on the highway network) states that *development will not be permitted where it would have an unacceptable impact on...the ability of the Strategic Route Network to accommodate appropriate traffic flows*.

The Transport Assessment has been reviewed by the Highway Agency in relation to its impact on Junction 3 of the M602. A Travel Plan which offers full mitigation is required by the Agency prior to approval of the application.

The Highway Manager is satisfied that the proposals do not impact unacceptably on the local highway network, considering that the full element of the application only seeks the delivery of 293 dwellings and the outline phases would be delivered over the next decade.

Parking Provision

In terms of parking provision Appendix C of the UDP set out the parking standards for the city. With regards to residential development it refers to the guidance set out in Policy A10 (Provision of Car, Cycle and Motorcycle Parking in New Developments). This requires housing schemes to be considered on a case by case basis, having regard to the type and accommodation of the properties, their location, the availability of and proximity to public transport, the availability of shared parking facilities, and the existing level of on-street parking.

Publication Core Strategy Policy A9 (Impact of development on the highway network) states that *'development will not be permitted where it would have an unacceptable impact on...the safe and effective operation of the highway network as a result of traffic generation, access, parking or servicing arrangements, taking into account the role of the highway'*.

Publication Core Strategy Policy A10 (Parking provision and drop-off facilities in new developments) states that *'the amount of parking provision within new development should:*

1. *Reflects the accessibility of the development by modes of transport other than the private car;*
2. *Not discharge the use of more sustainable modes of transport such as walking, cycling and public transport; and*
3. *Not lead to a level of off-street car parking that would have an unacceptable impact on:*
 - a. *The safe and efficient operation of the highway network; or*
 - b. *The environmental quality or residential amenity of the local area.*

The application comprises a mix of parking solutions (on and off street) and offers an overall ratio that does not exceed 1:1.5 which is considered acceptable.

A disabled parking strategy is incorporated within the suggested conditions, should Members be mindful to recommend approval.

Minimum standards apply for motorcycle parking, disabled parking, visitor parking and Hackney carriages and taxi hire drop off points for the retail provision, office and Fit City. The retail provision and Fit City are in outline and these details can be addressed during the submission of a reserved matters application.

The office is in full and is within an existing building. It is accompanied by an area of hardstanding (to the rear) which can be used for the parking of approximately 5 vehicles which does not exceed the maximum standards of the policy.

Planning contribution

Members will be familiar with the need to secure additional works and/or monies through Planning Contributions under S106 of the Town and Country Planning Act, in order to ensure that development satisfactorily addresses the development plan and functions acceptably.

Policy DEV5 (Planning Conditions and Obligations) is supported by the Planning Obligations SPD (2007) which covers a number of standard areas. Firstly Policy OB1 (Open Space Provision), secondly Policy OB2 (Public Realm Infrastructure and Heritage), thirdly Policy OB3 (Training Programmes for Construction Workers) and finally Policy OB4 (Reducing and Offsetting Carbon Dioxide Emissions).

In addition, UDP Policy H8 (Open Space Provision Associated with New Housing Development) seeks the provision of open space when need is triggered by housing development.

Due to the ownership of land across the application site largely being in the ownership of the Council, the normal S106 legal agreement is not the most appropriate method of ensuring delivery of affordable housing and other contributions.

The council will instead enter into a Developer Agreement with the developer, which is drafted and will be entered into as a legal contract. The Developer Agreement in association with this project will address the affordable housing provision and any management requirements of the highways, public realm and parks.

The Planning statement confirms that the detailed part of the planning application will provide for 293 new dwellings and also involve 0.61 hectares of new open space in the new park, along with a Local Equipped Area of Play (LEAP) both here and in the reformed area of open space in the South Clarendon area. This direct on-site provision has resulted in the applicant offering no commuted sum.

The remainder of the new housing is the subject of the outline planning application, as shown on the indicative phasing plan submitted. As the overall development proceeds, new and improved open space will be delivered in tandem with the increase in population, including the refurbishment of Clarendon Park, which would outweigh anything that could be delivered through a commuted sum.

Policy OB2 of the Planning obligations SPD (Public Realm, Infrastructure & Heritage)

The Planning statement confirms that the masterplan proposals feature improvements to the public realm throughout both the PFI refurbishment areas and the new build area – the former through retro-fitting planting and the treatment of gates, paths etc, and the latter through the creation of high quality spaces through the layout of new development, especially in and around the ‘heart’ area, the Broadwalk and the key routes across the ward.

Given the significant cost of these direct, on-site works and the overall revitalisation of the quality of the environment that the project will provide, the applicant is not offering a commuted financial sum in association with public realm, infrastructure and heritage.

The Planning Statement confirms that the partners already are included on the Salford Construction Partnership Scheme and therefore will deliver the same objectives directly through their on-site activity and recruitment of labour. This is secured through the developer Agreement.

The Planning Statement confirms that the new housing within the application proposals will meet the latest standards for sustainability and addressing climate change. All of the new units within the detailed part of the planning application (293 units), will meet the Code for Sustainable Homes Level 3 (private housing) or Code for Sustainable Homes Level 4 (affordable housing) and the together with all the refurbished properties (Level 4). This is above the ‘BREEAM ‘very good’ standard that Policy OB4 of the SPD aspires (which was equivalent to Code for Sustainable Homes Level 3).

The remainder of the affordable housing, which is subject to the outline planning application and will be delivered through phases 2, 3 and 4, will all be built to the applicable Code Level at that time and thus exceed the standard in the SPD. This will be secured through condition and within the Developer Agreement.

Transport

All infrastructure works will be facilitated in line with a number of Section 278 and 38 agreements.

Phasing

The rational of the masterplan is to maximise on the availability of cleared sites to the western end of the Amersham sub-area and on the former Wrotham Close. This allows for the delivery of affordable housing early on so that decanting of existing residents in Amersham (along with other areas) can progress to allow for the demolition of the tenements in this area. Phase 2 continues to utilise vacant sites, including the Former Windsor High site to allow for further decanting, whilst commencing the delivery of the refurbished Clarendon Park. By this point the eastern Amersham area is cleared to facilitate decanting for phase 4 new build.

The sequence rapidly utilises the already cleared sites, but also allows for the early completion of key sites within the area. The guaranteed phase 1 does not complete comprehensively redevelop a succinct area, but does maximise on developing areas that are key gateways into the ward and highlight the changing aspirations of the district.

The delivery of Clarendon Park is a major piece of regeneration for the ward, and the phasing has considered how this can be achieved by building it out under two major phases in the outline masterplan. The phasing plan submitted is conditioned to ensure its delivery.

Conclusion

The original plan for Pendleton involved large scale comprehensive clearance of an entire city ward and its reconstruction on a new plan that was divorced from the existing city by the construction of motorways, dual-carriageways and wide tributary roads, funneling traffic past the area, rather than through it. Subsequent development have been piecemeal and reacted to the austere scale and often brutal approach the post war architects and plans took in conceiving Pendleton, through the creation of low density suburban housing estates, which have if anything heightened the scale and poor materials of the original plan.

Subsequently the social and economic performance of the area has degraded and the community have found themselves physically alienated from much of the regeneration Salford has achieved over the past decade.

As such the process of regeneration in Pendleton has been planned since 2003 and has culminated in the current PFI programme, the preparation of Planning Guidance and this planning application.

The proposal now under consideration through this planning application seeks to deliver key regeneration benefits to the ward including:

- Refurbished housing;
- New housing;
- New parks;
- New public realm;
- New leisure facilities and shops; and
- Improved infrastructure.

The masterplan has been well conceived and demonstrates itself to be a driver behind delivering the Pendleton PFI through its comprehensive approach. Major consideration has been given to ensuring that new and refurbished area have a shared design approach and that their no distinction between tenure and location throughout the district.

Recommendation

That Members approve the application subject to an acceptable Travel Plan being submitted to the Local Planning Authority that mitigates the impact on Junction 3 of the M602 and the following conditions.

Conditions

1 Time limit

The development hereby permitted shall be begun either before the expiration of three years from the date of this permission.

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

2 Time limits for reserved matters

Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:-

- (a) The expiration of five years from the date of this permission; or
- (b) The expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

3 Reserved matters

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

- a) Appearance;
- b) Scale
- c) Layout; and
- d) Landscaping

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

4 Phasing Plan

The development hereby approved shall be carried out in accordance with the demolition and construction phasing details set out in drawings:

- Notwithstanding the dates, demolition phasing plan ref: MAAS_SITE_004 REV B;
- Notwithstanding the dates, construction phasing plan ref: MAS_SITE_020 REV D;
- Notwithstanding the dates, construction phasing plan ref: MAS_SITE_021 REV B; and
- Notwithstanding the dates, construction phasing plan ref: MAS_SITE-033 REV B.

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

5 Phasing plan of Phase 1

The development hereby permitted shall be carried out in accordance with plan ref AMAS_SITE_016 Rev C (Phase 1B sub phasing plan). The once the 36 apartments and 139 houses illustrated to be completed by sub-phase 3 are completed, no further dwellings shall be commenced until the western end of the linear park is completed. The private houses for sale in sub phases 4, 5 and 6 shall not be sold until the western end of the linear park is completed.

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

6 Parameter Plans

Further to the requirements of condition 2, the parameters of the development shall carry forward the design philosophy set out in drawings:

- MAS_SITE_010 Rev E (Proposed masterplan);
- MAS_SITE_001 Rev A (Proposed landscape masterplan)
- MAS_SITE_002 Rev B (Character areas plan)

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

7 Schedule and maximum floor spaces

Notwithstanding the schedule of accommodation (dated: 2nd August 2012) the development shall be implemented in accordance with the maximum numbers set out in each phase. The number, mix and type of affordable and market/private housing for phase 1 is shown indicatively and the exact tenure mix shall be submitted prior to the commencement of this phase (condition 29). The city farm shall not exceed 430sq.m., the offices 500sq.m. and the retail units 430sq.m. (in total) and 70sq.m (for each individual unit).

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

8 Crime Prevention Plan

Prior to the commencement of each phase of development hereby approved a Crime Prevention Plan (CPP) shall be submitted for the written approval of the Local Planning Authority. Each phase of development shall be carried out in accordance with the approved CPP for that phase.

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

9 Environmental Management Plan

Prior to the commencement of each phase of development an Environmental Management Plan (EMP) shall be submitted to and approved in writing by the LPA. The approved EMP shall be implemented in conjunction with the development of each phase. For the avoidance of doubt the EMP shall include:

- i) The parking of vehicles of site operatives and visitors;
- ii) Loading and unloading of plant and materials;
- iii) Storage of plant and materials, including site cabins;
- iv) Wheel washing facilities and street sweeping;
- v) Measures to control the emission of dust and dirt during construction;

- vi) A scheme for recycling/disposing of waste resulting from demolition and construction works; and
- vii) A site operating statement in relation to provision of permitted hours for construction works.

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

10 Sound insulation scheme

Prior to the commencement of the development written details for the proposed construction and sound insulation scheme between commercial and residential premises must be provided to the Local Planning Authority (LPA) for approval. The development shall not proceed unless written approval of the proposed scheme has first been issued by the LPA. The recommendations of any construction and sound insulation scheme shall be implemented in full prior to the occupation of any affected building or residential unit.

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

11 Sports pitches (amenity)

The provision of sports pitches and recreational spaces in less than 50m to any residential curtilage will require a written scheme of mitigation from noise and light pollution. Details of such a scheme will be required for each relevant phase and mitigation detailed and agreed with the LPA. The recommendations of any scheme shall be implemented in full prior to any such facilities coming into use.

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

12 Hours of construction/demolition

Construction (and demolition) works shall not be permitted outside the following hours:

Monday to Friday 08:00 to 18:00

Saturdays 08:00 to 13:00

Construction works shall not be permitted on Sundays or Bank or Public Holidays.

Access and egress for delivery vehicles shall be restricted to the working hours indicated above.

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

13 Noise and vibration management and monitoring plan

Prior to commencement of development and subsequently each phase of development, a noise and vibration management and monitoring plan relating to the control of noise and vibration from construction, including any piling operations, of the development must be submitted to and agreed in writing by the Local Planning Authority. The plan shall:

1. require all construction plant items to be fitted with effective silencers and comply with current EC regulatory noise limits where relevant;
2. require plant to be located so as to minimise impact on sensitive properties;

3. define the responsibilities for managing noise and vibration emissions;
4. define the methodology of specifying and procuring quiet plant and equipment, for the verification of noise emission levels from plant and equipment and the consultation and reporting processes on matters of noise and vibration between the developer, the LPA and the public;
5. include site notices which advise the public of contact names and numbers both during and out of hours in the event of noise problems;
6. include information exercises such as leaflet drops;
7. include noise and vibration mitigation measures;
8. include a Noise Monitoring Protocol detailing the monitoring to be undertaken to show that the agreed LAeq,T levels are not exceeded.
9. All approved measures identified shall be implemented and maintained throughout the duration of the works they mitigate during the construction phase unless the LPA otherwise agree in writing.

The recommendations of any noise and vibration management and monitoring plan shall be implemented in full prior to the commencement of the development of any phase.

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

14 Air extraction equipment

Use of air extraction equipment shall not commence until detailed plans and specifications of the equipment, including measures to alleviate noise, vibration, fumes and odours (and incorporating active carbon filters, silencers and anti vibration mountings where necessary), have been submitted to and approved in writing by the local planning authority. The ventilation system shall be installed in accordance with the approved plans and specifications before the use of the equipment commences and shall be permanently retained thereafter in accordance with the approved specifications.

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

15 Fume extraction system

Details of the fume extraction system serving the cooking or/and food preparation areas shall be designed such that there will be no odour or noise nuisance to local premises and shall be approved in writing by the Local Planning Authority prior to the development taking place. The approved system shall be installed and shall be used at all times when the premises are used for cooking or preparing foods. The system shall be maintained and serviced in accordance with manufacturers recommendations.

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

16 Dust Management Plan

Prior to the commencement of the development, the developer shall submit a Dust Management Plan for the written approval of the LPA. The Dust Management Plan shall identify all areas of the site and site operations where dust may be generated and further identify control methods to ensure that dust does not travel beyond the site boundary. Once in place, all identified measures shall be implemented and maintained at all times. Should any equipment used to control dust fail, the site shall cease all material handling operations immediately until the dust control equipment has been repaired or replaced.

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

17 Rating level from fixed plant and machinery

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

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

18 Lighting

Prior to the commencement of the development of each phase, details of all site illumination, especially relevant to the parking, recreation and commercial areas shall be submitted to and approved in writing by the LPA. For the avoidance of doubt the lighting provided in the scheme should be erected and directed so as to avoid nuisance to residential accommodation in close proximity and not exceeding illumination level of between 5 and 20 LUX with the lower level being the preferable one. The details of lighting subsequently approved shall be implemented in full prior to the commencement of the development of any phase.

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

19 Sport England standards

Prior to the commencement of the development of phase 2, a scheme for the provision and layout of the proposed sports facilities shall be submitted to and approved in writing by the Local Planning Authority (after consultation with Sport England) and shall include:

- i) Details of the design and layout of the sports pitches and Multi Use Games Areas (including siting, dimensions, surface, illumination, fencing) to be provided within or in association with the development.
- ii) In relation to natural turf pitch or pitches to be provided within or in association with this development, a detailed assessment of the ground conditions (including drainage and topography) to identify constraints which could affect quality of natural turf playing pitches; a written specification of soils structure, cultivation and other operations associated with grass and sports turf establishment based on the results of the assessment of ground conditions; and a programme of implementation.
- iii) A schedule of playing pitch maintenance for natural turf and artificial grass pitches (including planned rejuvenation and replacement of artificial grass surfaces).
- iv) A scheme for the management of the playing pitches and MUGAs provided within the development, including provision to be made for use by other organisations / individuals within the local community.
- v) A timescale for the implementation of the agreed sports provision.
- vi) The new sports facilities shall be designed in accordance with relevant technical design guidance produced by Sport England and relevant national governing bodies for sport

No development shall commence on the areas labelled and defined as 'B Windsor Character Area' and 'C Public Amenity' on drawing number MAS_SITE_015 Rev C dated 20/06/2012 (titled 'Proposed Masterplan Outline Area Parameter Plan') until the details referred to in this condition have been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To safeguard and improve recreation land in accordance with policy R6 of the City of Salford Unitary Development Plan.

20 Code levels

All new dwellings granted permission under this consent should attain a minimum rating of Level 3 (for the market housing) and Level 4 (for the affordable housing) as set out in the 'Code for Sustainable Homes' or its successor.

Reason: To achieve sustainable development in accordance with the Sustainable Design and Construction SPD, Planning Policy Statement (PPS)1; and Delivering

Reason: In order to ensure that the development accords fully with the Code for Sustainable Homes and Policy ST14 (Global Environment) of the Salford City Council Unitary Development Plan and the Sustainable Design & Construction SPD adopted March 2008.

21 Site investigation

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

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

Reason: To safeguard environmental quality in accordance with policy EN17 of the City of Salford Unitary Development Plan.

22 Archaeology

Prior to the commencement of the development of each phase a programme of archaeological works shall be submitted to and approved in writing by the LPA. The programme is to be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by the local planning authority. The WSI shall cover the following:

1. A phased programme and methodology of investigation and recording to include:
 - Desk-based archaeological assessment to include a building assessment, detailed historical and map regression analysis
 - Targeted archaeological evaluation
 - (depending upon the evaluation) targeted area excavation
 - (depending on the results of the building assessment) targeted historic building recording
2. A programme for post investigation assessment to include:
 - analysis of the site investigation records and finds
 - any outstanding historical research into the site
 - production of a final report
3. Provision for public engagement during the fieldwork, for publication and dissemination of the analysis and report on the site investigation.

4. Provision for archive deposition of the report, finds and records of the site investigation.
5. Nomination of a competent person or persons/organisation to undertake the programme set-out within the approved WSI.

Reason: In accordance with NPPF Policy 12, paragraphs 128, 129, 135, and particularly 141 and in accordance with policy CH5 of the City of Salford Unitary Development Plan

23 Drainage scheme

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and the Flood Risk Assessment (FRA) submitted by URS for SP+ (Report ref MARP0001 Issue No 7 dated 14 June 2012) has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- details of exceedence event up to a 1 in 100 year including climate change allowance
- details of how the scheme shall be maintained and managed after completion

The scheme shall show compliance with the Council's SFRA User Guide and be fully implemented and subsequently maintained, in accordance with the timing and phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system in accordance with policy EN19 of the City of Salford Unitary Development Plan.

24 Sewage system

No development approved by this permission shall be commenced until a scheme for the improvement and / or extension of the existing sewerage system has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved. No occupation of dwellings approved by this permission shall occur until the scheme for improvement and / or extension of the existing sewerage system has been completed.

Reason: To safeguard environmental quality in accordance with policy EN18 of the City of Salford Unitary Development Plan.

25 Floor levels

Floor levels shall be a minimum of 300mm above adjacent roads unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system in accordance with policy EN19 of the City of Salford Unitary Development Plan.

26 Flood risk

Prior to the commencement of each phase of development hereby approved a drainage design, including the use SUD's shall be submitted to and approved in writing by the LPA. The approved drainage design shall be implemented in full prior to the commencement of the development of any phase.

Reason: To safeguard the amenity of the future occupants of the development in accordance with policy EN19 of the City of Salford Unitary Development Plan.

27 Bats

Prior to the commencement of the development of each phase a bat survey should be submitted to and approved in writing to the LPA. For the avoidance of doubt the survey should include area-based activity surveys and specific surveys of any buildings considered to have medium-high potential to support bats and that will be affected by the scheme. Surveys should be carried out within 12 months of any phase of the works commencing so that they are current and surveys should be carried out by suitably qualified people. If bats are found by survey and are likely to be affected by works then a method statement must be prepared giving details of measures to be taken to avoid any possible disturbance to bats. Once agreed the method statement must be implemented in full.

Reason: To prevent harm to protected species in accordance with the Nature Conservation and Biodiversity SPD (2006).

28 Japanese knotweed

Prior to the commencement of the development of each phase a method statement should be prepared for the eradication of all Japanese knotweed present. This shall include details of measures to be taken to control the plant during the course of any development. Once agreed this method statement must be implemented in full.

Reason: To prevent harm to protected species in accordance with the Nature Conservation and Biodiversity SPD (2006).

29 Affordable housing

Notwithstanding the submitted schedule of accommodation and 'pepper-potting' plans submitted (MAS_SITE_014 Rev B, SCLD_SITE_072 Rev B & AMS_SITE_101 Rev B), prior to commencement of development of each phase, a scheme for the provision of affordable housing as part of the development shall be submitted to, and approved in writing by, the local planning authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:

- i. The total provision of affordable units in each phase;
- ii. The type, tenure, size and location of affordable dwellings to be provided;
- ii. The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of the affordable housing;
- iii. The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the affordable housing, and the means by which such occupancy shall be enforced; and
- iv. The phasing of the affordable provision.

The affordable housing scheme approved shall be implemented in full in the development of each phase.

Reason: To safeguard the housing needs of the future occupants of the development are met in accordance with policy H4 of the City of Salford Unitary Development Plan.

30 Design details

Prior to the commencement of any phase or sub phase of development (new build or refurbishment) the following details (where relevant) shall be submitted at a scale 1:20:

- Window design (including frames, transoms, cills and reveal);
- Projecting frame round windows and cladding panels;
- Section of cladding panels, including fixing and turning of corners;

- Doors;
- Canopy;
- Soffits and barge boards (including colour);

The approved design details shall be used for the development of each phase.

Reason: To safeguard the amenity of the future occupants of the development in accordance with policy DES1 of the City of Salford Unitary Development Plan.

31 Materials

Prior to the commencement of development of each phase, materials shall be submitted to and approved in writing by the LPA. For the avoidance of doubt the materials shall include:

- Bricks;
- Tiles/slates;
- Mortar;
- Structural metal work;
- Timber work;
- UPVC; and
- Cladding.

The approved materials shall be used for the development of each phase.

Reason: To safeguard the amenity of the future occupants of the development in accordance with policy DES1 of the City of Salford Unitary Development Plan.

32 Boundary treatments

Notwithstanding plans ref: BRD_SITE_104, BRD_SITE_108, BRD_SITE_112, NUR_SITE_104, SCLD_SITE_104 Rev C, SCLD_SITE_108, AMS_SITE_104 Rev B, the development of each phase shall not take place until the boundary has been submitted to and approved in writing by the LPA. The approved boundary details shall be implemented in full as part of each phase.

Reason: To safeguard the amenity of the future occupants of the development in accordance with policy DES1 of the City of Salford Unitary Development Plan.

33 Landscaping

Notwithstanding plans ref: MAS_SITE_010 Rev E, MAS_LAN_001 Rev A, M.014, M.012, M.013, M.006, M.005, M.010, M.007, M.008, AMS_SITE_100, M.001, M.003, M.004, SCLD_SITE_071 Rev B, the development of each phase shall not take place until a scheme for landscaping has been submitted to and approved in writing by the LPA. For the avoidance of doubt this shall include public realm parks, SUD' recreational areas, hard and soft landscaping. For the improvement to South Clarendon Park this shall include three representative sections to illustrate actual tree retention and temporary measures to be implemented under the phase 2B area of the park (to be developed later with a building). The approved landscaping scheme shall be carried out within the first planting season following the commencement of development on that phase.

Reason: To safeguard the amenity of the future occupants of the development in accordance with policy DES1 of the City of Salford Unitary Development Plan.

34 LEAPs

Each Locally Equipped Area for Plan (LEAP) shall be 400sq.m. in area, be located at least 30m from the curtilage of any residential property (existing or proposed). Details of the position of 5 pieces of play equipment,

material and colour finish of fencing, bins and benches, position of gates and colour and material of surface treatment shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full.

Reason: To safeguard the amenity of the future occupants of the development in accordance with policy DES1 of the City of Salford Unitary Development Plan.

35 Temporary landscaping

Prior to the commencement of each phase, details of temporary measures for landscaping shall be submitted to and approved in writing by the LPA. For the avoidance of doubt this shall include treatment to areas where demolition has been undertaken (prior to redevelopment) and areas between completed phases and future phases. The approved temporary landscaping shall be implemented in conjunction with the development of phase 1c.

Reason: To safeguard the amenity of the future occupants of the development in accordance with policy DES1 of the City of Salford Unitary Development Plan.

36 Parking provision

The parking provision and arrangement approved within each phase of phase 1 of the development hereby approved shall be implemented in accordance with the plans and shall be made available to the residential development at all times. Details of the quantum, location, design and details of disabled parking throughout phase 1 shall be submitted to and approved in writing by the LPA. The disabled parking approved shall be implemented in accordance with the approved plans.

Reason: To safeguard the amenity of the future occupants of the development in accordance with policy A10 of the City of Salford Unitary Development Plan.

37 Residential travel plan

i) Prior to the commencement of the development hereby approved, a construction travel plan shall be submitted to and approved in writing by the Local Planning Authority.

ii) Prior to occupation of the development hereby approved, an operational travel plan shall be submitted to and approved in writing by the Local Planning Authority.

iii) The Travel Plans shall provide details of the objectives, targets and measures to promote and facilitate public transport use, walking, cycling and practices/facilities to reduce the need to travel and to reduce car use. It shall also provide details of its management, monitoring and review mechanisms, travel plan coordination, and the provision of travel information and marketing. The initiatives contained within the approved plan shall be implemented and shall be in place prior to the first occupation of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate provision is made for sustainable patterns of travel are made in connection with the site in accordance with policy A1 of the UDP.

38 Trees

All trees to be retained in the detailed design of landscaping (condition 33) shall be subject to an Arboricultural Method Statement and monitored as part of an aftercare plan. For the avoidance of doubt, the plan would need to take into account the monitoring of retained trees, formative pruning of newly planted trees, replacing any trees that decline/die and the thinning of any group planting.

39 Refuse

Prior to the commencement of each phase, details of refuse storage areas (bin and recycling facilities) shall be submitted to and approved in writing by the LPA. The approved refuse storage areas shall be implemented with the development of that phase.

Reason: To safeguard the amenity of the future occupants of the development in accordance with policy DES1 of the City of Salford Unitary Development Plan.

40 Compound plan

Notwithstanding plan ref MAS_SITE_016 Rev A, prior to the commencement of each phase, a phasing plan of the location of the compound, including details of the compound shall be submitted to and approved in writing by the LPA. The approved compound site shall be used during the development of that phase.

Reason: To safeguard the amenity of the future occupants of the development in accordance with policy DES1 of the City of Salford Unitary Development Plan.

41 Hoarding

Prior to the commencement of each phase, details of hoarding round construction sites shall be submitted to and approved in writing by the LPA. The approved hoarding shall be carried prior to the commencement of development of that phase.

Reason: To safeguard the amenity of the future occupants of the development in accordance with policy DES1 of the City of Salford Unitary Development Plan.

42 Plans

The development hereby permitted shall be carried out in accordance with the approved plans and information listed below:

Site wide:

MAS_SITE_001 Rev B	Red edge planning application boundary
MAS_SITE_003 Rev B	Hybrid plan (existing plan)
MAS_SITE_004 Rev B	Demolition plan (notwithstanding dates)
MAS_SITE_015 Rev D	Parameter plan
MAS_SITE_010 Rev E	Masterplan
MAS_SITE_011 Rev C	Hybrid plan (Proposed plan)
MAS_SITE_021 Rev B	Build phasing plan (notwithstanding dates)
MAS_SITE_020 Rev D	Build phasing plan (notwithstanding dates)
MAS_SITE_033 Rev B	Build phasing plan (notwithstanding dates)
MAS_SITE_001 Rev A	Landscape masterplan
MAS_SITE_002 Rev B	Character areas plan

Spruce & Thorne:

BRD_SIT_003	Proposed site plan
BRD_SIT_105	Proposed site plan and parking analysis
BRD_SPR_002	Spruce Court Proposed plans and elevations
BRD_THO_002	Thorn Court Proposed plans and elevations

Malus, Hornbeam, Salix, Beech, Lombardy & Whitebeam:

BRD_SITE_007	Proposed site plan
BRD_SITE_109	Proposed site plan and parking analysis
BRD_MAL_002	Malus Court proposed plans and elevations
BRD_HOR_002	Hornbeam Court proposed plans and elevations
BRD_SAL_002	Salix Court proposed plans and elevations
BRD_BEE_002	Beech Court proposed plans and elevations
BRD_LOM_002	Lombardy Court proposed plans and elevations
BRD_WHI_002	Whitebeam Court proposed plans and elevations
MAS_SITE_100	Change of use plan (surgery to office)

Nursery:

NUR_SITE_003	Proposed site plan
NUR_SITE_105	Proposed site plan and parking analysis
NUR_NUR_002	Type H001 proposed floor plans and elevations
NUR_NUR_006	Type H002 proposed floor plans and elevations
NUR_NUR_010	Type H003 proposed floor plans and elevations
NUR_NUR_014	Type F001 proposed floor plans and elevations
NUR_NUR_019	Type F002 proposed floor plans and elevations
NUR_NUR_025	Proposed 3-bed terrace plans, elevations/sections

South Clarendon:

SCLD_SITE_003 Rev C	Proposed site plan
SCLD_SITE_105	Proposed site plan and parking analysis
SCLD_SOU_004	Type H004 proposed floor plans and elevations
SCLD_SOU_006	Type H006 proposed floor plans and elevations
SCLD_SOU_010	Type H007 proposed floor plans and elevations
SCLD_SOU_007	Type H008 proposed floor plans and elevations
SCLD_SOU_018	Type H009 proposed floor plans and elevations
SCLD_SOU_022	Type H010 proposed floor plans and elevations
SCLD_SOU_026	Type H011 proposed floor plans and elevations
SCLD_SOU_030	Type H012 proposed floor plans and elevations
SCLD_SOU_034	Type H021 proposed floor plans and elevations
SCLD_SOU_038	Type F003 proposed floor plans and elevations
SCLD_SOU_042	Type proposed 3 bed terrace, plans, elevations
SCLD_SOU_050	Type proposed 3 bed detached, plans, elevations
SCLD_SOU_052	Type proposed 3 bed detached, plans, elevations

Lindinis:

SCLD_SITE_007	Proposed site plan
SCLD_SITE_109	Proposed site plan and parking analysis
SCLD_LIN-002	Type H005 proposed floor plans and elevations
SCLD_LIN-006	Type H009 proposed floor plans and elevations
SCLD_LIN-010	Type H013 proposed floor plans and elevations
SCLD_LIN-014	Type H014 proposed floor plans and elevations
SCLD_LIN-018	Type H015 proposed floor plans and elevations
SCLD_LIN-022	Type H016 proposed floor plans and elevations
SCLD_LIN-026	Type H018 proposed floor plans and elevations
SCLD_LIN-030	Type H019 proposed floor plans and elevations

Denbigh:

SCLD_SITE_011	Proposed site plan
SCLD_SITE_113	Proposed site plan and parking analysis
SCLD_DEN_002	Type H017 proposed floor plans and elevations
SCLD_DEN_006	Type H020 proposed floor plans and elevations
SCLD_DEN_010	Type H022 proposed floor plans and elevations

SCLD_DEN_014	Type H023 proposed floor plans and elevations
SCLD_DEN_018	Type M001 proposed floor plans and elevations

Cavell:

SCLD_SITE_073 Rev A	Phase 1 parking plan
SCLD_SITE_071 Rev B	Phase 1 proposed masterplan
SCLD_DET_201	Apartment block 5 – Lot 210

Amersham:

AMS_SITE_100 Rev B	Phase 1B proposed masterplan
AMS_SITE_111	Phase 1B building height plan
AMS_SITE_103 Rev B	Phase 1B Parking plan
AMS_SITE_016 Rev C	Phase 1B phasing
AMS_DET_220	Apartment block 1 – Lot 27
AMS_DET_221	Apartment block 2 – Lot 19
AMS_DET_222	Apartment block 3 – Lot 12
AMS_DET_223	Apartment block 4 – Lot 18

New build house types:

MAS_DET_050 Rev B	House Type A
MAS_DET_052 Rev B	House Type C
MAS_DET_053	House Type C+
MAS_DET_054 Rev B	House Type K
MAS_DET_055 Rev B	House Type N
MAS_DET_056 Rev B	House Type P
MAS_DET_057 Rev B	House Type A+
MAS_DET_058 Rev B	House Type 1
MAS_DET_061 Rev B	House Type 4
MAS_DET_062	House Type 3+
MAS_DET_063 Rev B	House Type 6
MAS_DET_064	House Type 4 CORNER
MAS_DET_065	House Type 3+ CORNER
MAS_DET_066	House Type 6 CORNER
MAS_DET_067	House Type C CORNER
MAS_DET_068	House Type C+ CORNER
MAS_DET_069	House Type C+ CORNER
MAS_DET_070	House Type P CORNER

Informative:

1. The applicant should ensure that sports facilities are fit for their intended purpose and comply with Sport England's technical Design Guidance Notes and relevant design guidance of the National Governing Bodies for Sport. Particular attention is drawn to 'Natural Turf for Sport', 'Multi Use Games Areas' and 'Selecting the Right Artificial Surface' (Sport England) and 'The FA Guide to Artificial Grass Pitches'. In relation to natural turf pitches, it is recommended that the assessment of ground conditions is undertaken by a specialist turf consultant.

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

3. The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate permitted facility and all relevant documentation is completed and kept in line with regulations.

Excavated material arising from site remediation or land development works can sometimes be classified as waste. For further guidance on how waste is classified, and best practice for its handling, transport, treatment and disposal please see our waste pages at <http://www.environment-agency.gov.uk/business/topics/waste/default.aspx>

4. 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, green roofs, 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 absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open spaces.

The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

Further information on SUDS can be found in;

the CIRIA C697 document SUDS manual

HR Wallingford SR 666 Use of SUDS in high density developments

CIRIA C635 Designing for exceedance in urban drainage - good practice

the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS.

The Interim Code of Practice is available on our website at: www.environment-agency.gov.uk and CIRIA's website at www.ciria.org.uk

<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=M5LI6FNP5Y000>

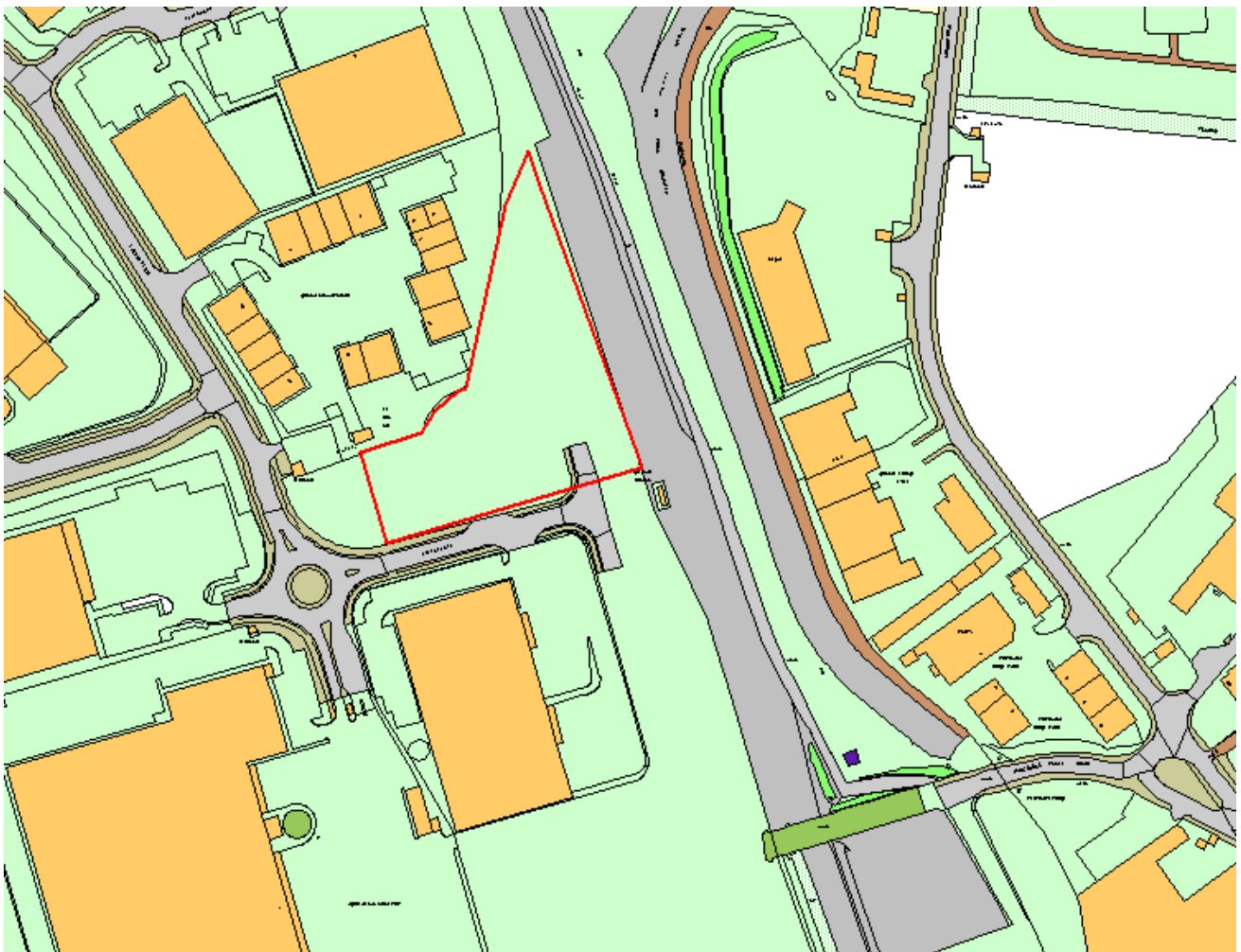
APPLICATION No: 12/61897/FUL

APPLICANT: Pin Mill Textiles Ltd

LOCATION: Unit 6, Lamplight Way, Swinton, M27 8UJ,

PROPOSAL: Extension of time limit for implementation of planning permission 09/57539/OUT (Outline application to include access and layout in respect of general industrial (B1) buildings together with associated car parking

WARD: Pendlebury



Description of Site and Surrounding Area

The application site extends to approximately 0.5 hectares located within Agecroft Commerce Park. The site itself is currently vacant and overgrown. To the north of the site are a number of small commercial units, to the south is a large high bay warehouse and to the east the land is used as a waste transfer station beyond which is a railway line.

Description of Proposal

Planning permission is being sought to extend the time limit of application 09/57539/OUT. This application sought outline planning permission to include access and layout in respect of general industrial (B1) buildings together with associated car parking.

The proposal gave consent for 10 small scale starter units on this site. The approved site plan showed the units being positioned around the perimeter of the site to form an internal car parking court. The units varied in size, with a floor space on average 207sqm in total the floorspace would be 1,994sqm. The units were set back 2m from the highway along Overman Way and between 1.5m and 5.5 from the eastern boundary. The access into the site from Overman Way has already been formed by the highway network and has been constructed on site.

Consent was granted on 19th June 2009 subject to 12 conditions, including a condition requiring the details of appearance, landscaping and scale to be submitted as part of a reserved matters application.

Publicity

Site Notice: Non HH Article 13 Date Displayed: 17 July 2012

Reason: Article 13

Press Advert: Salford Advertiser Date Published: 28 June 2012

Reason: Article 13 Standard Press Notice

Site History

04/49127/FUL - Construction of new warehouse unit with associated external yard – 22nd April 2004

09/57539/OUT - Outline application to include access and layout in respect of general industrial (B1) buildings together with associated car parking (Re-Sub of 08/56261/OUT) – 19th June 2006

Neighbour Notification

Neighbours Notified: 20th June 2012

Amended Plan Letters: N/A

Additional Neighbours: N/A

Representations

No letters have been received

Consultations

Design For Security - No objections but make a number of comments to be considered when designing the reserved matters application

Flood Risk Management Officer - No objections

Highways - No comments received to date

Environment Agency - No objection

Network Rail (LNW) - No objections but provide advice to the applicant regarding construction and maintaining the operational activity of the railway.

Urban Vision Environment (Air And Noise) - No objections

Urban Vision Environment (Land Contam) - Recommend a contaminated land condition

PSSC Canal And River Trust - No comments received to date

Planning Policy

Development Plan Policy

Regional Spatial Strategy - Policy DP3 - Promote Sustainable Communities

Unitary Development Plan ST13 - Natural Environments Assets

This policy states that development that would result in an unacceptable impact on any of the city's natural environmental assets will not be permitted.

Unitary Development Plan E5 - Develop in Established Employment Areas

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

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

Unitary Development Plan DES1 - Respecting Context

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

Unitary Development Plan 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.

Other Material Planning Considerations

National Planning Policy

National Planning Policy Framework

Local Planning Policy

Supplementary Planning Document - Planning Obligations

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

Supplementary Planning Document - Established Employment Areas

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

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.

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

Main Issues

The main issue in the determination of this planning application is whether there have been any material changes in either development plan policies or the application site and the immediate area surrounding the application site, since the original planning permission was granted which would prevent the Local Planning Authority from granting an extension of time.

Development Plan Policy

This application was approved under the City of Salford UDP which was adopted in June 2006.

Following the recent publication of the National Planning Policy Framework (NPPF) it is necessary to consider the weight which can be afforded to the policies of the Council's adopted Unitary Development Plan (paragraph 215 NPPF 27th March 2012).

In terms of this application it is considered that the relevant policies of the UDP can be afforded due weight for the purposes of decision making as the relevant criteria within the UDP policies applicable to the proposed development are consistent with the policies contained in the NPPF.

The council's Submission Core Strategy (submitted 25th May 2012) is also a material consideration in the determination of any planning application. The council has placed some weight on the Publication Core Strategy since its release in February and the NPPF confirms the appropriateness of this approach, subject to the Core Strategy's conformity with the Framework. The NPPF (paragraph 216) confirms the degree of weight that can be placed on the Core Strategy is also dependant on the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight can be given). The council invited comments on the Publication Core Strategy between 13 February 2012 and 2 April 2012. Representations have now being collated and reviewed.

Principle

The principle of development was deemed acceptable in the previous application as the proposal was consistent with the original planning permission for the whole site which obtained outline planning permission for B1, B2, and B8 uses and with UDP policies ST13 and E5. In light of the fact that these policies still forms part of the development plan and are consentient with the NPPF, which encourages economic growth, it is considered the principle of the development is acceptable. In addition it must be noted that the Core Strategy actively supports proposals that maintain and enhance the important economic role of the Agecroft Commerce Park. There have been no material changes at the application site or in the immediate area which would result in the Local Planning Authority reaching a different view. The principle of development is therefore deemed acceptable and consistent with the current development plan.

Design, Scale and Massing

In the previous scheme the layout was considered and deemed acceptable. The appearance, scale and landscaping are all matters reserved for future consideration. In the previous application the proposal was considered to comply with all relevant Unitary Development Plan design policies and the Shaping Salford Design SPD. These policies still form part of the Development Plan and the proposal and are consistent with the NPPF as such the proposal is considered acceptable in this regard.

Crime and Design

The proposal in 2009 was assessed against policy DES10 Crime and Design. This policy still forms part of the development plan and give there have been no material changes within the vicinity of the site since 2009. The Design for Security Team has been consulted on the application and have raised no objections to extending the life of the planning application. They have made some comments on various aspects of the scheme and an informative is recommended to highlight these to the applicant. It is considered that the proposal is acceptable in terms of policy DES10 and this policy is consistent with the NPPF.

Planning Obligations

In the 2009 scheme the applicant agreed to enter into a S106 agreement in accordance with the Planning Obligations Supplementary Planning Document. This would secure the following:

Public Realm, Infrastructure and Heritage - £20.00 per sqm = £39,880

Construction training - £1.50 per sqm = £2,991

Climate Change - £2.00 per sqm = £3,988

Total £46,859 plus 2.5% administration fee **£48,030**

At the time of the planning application the applicant confirmed that the scheme would achieve a high sustainability rating and a condition was recommended to secure this. If this is achieved a payment towards climate change would not be required. In addition the previous approval had a condition to secure a scheme contributing to the improvement of construction skills and it is considered in light of this condition a payment towards construction training is also not required.

In the previous application a condition was recommend to secure the above contribution. This is not considered best practice and as such the applicants have agreed to enter into a legal agreement prior to a decision on this application being issued.

Conditions

The conditions attached to the previous application have been assessed. It is considered that the contaminated land condition (3) should be updated in accordance with Local Planning Authority current practice. Also conditions 7, 8 and 9 have been removed as these elements will be covered by the legal agreement. The reasons for the conditions have also been updated to reflect saved UDP policies and the NPPF.

Recommendation

Approve

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

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

2. No development shall be started until full details of the following reserved matter have been submitted to and approved by the Local Planning Authority
 - a) Appearance
 - b) Landscaping
 - c) Scale

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

3. Prior to the commencement of the development, a Preliminary Risk Assessment report, including a conceptual model and a site walk over, to assess the potential risk of land contamination, shall be

submitted to and approved in writing by the Local Planning Authority. Should a potential risk be identified then:

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

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

4. A travel plan shall be submitted to the Local Planning Authority within three months of the date of first occupation. The statement shall set out measures to encourage staff to use alternative modes of transport other than the private motor car and shall be implemented within six months of the date of first occupation unless otherwise agreed in writing by the Local Planning Authority

Reason: To promote traffic management schemes in accordance with the National Planning Policy Framework

5. Prior to first occupation a scheme detailing the provision of disabled car parking spaces, motorcycle spaces, cycle stores, bin stores and recycling facilities shall be submitted for the written approval of the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and shall be made available for users at all times thereafter.

Reason: To promote traffic management schemes in accordance with the National Planning Policy Framework

6. Materials shall not exceed a height of 4 metres within the external yard area (as measured from existing ground levels) unless otherwise agreed 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.

7. Prior to the commencement of development details of the existing and proposed finish floor levels shall be submitted to and approved 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

8. In conjunction with subsequent submission of future reserved matters applications a scheme which details in full how the development will reduce carbon dioxide and other greenhouse gas emissions and adapt to climate change shall be submitted to and approved in writing by the local planning authority. The scheme shall achieve the minimum standards of the North West Sustainability Checklist and shall incorporate the measures identified in the NW Sustainability Checklist submitted as part of the application.

The development shall be carried out in full accordance with the approved scheme and the mitigation measures identified shall be retained thereafter unless otherwise agreed in writing by the local planning authority.

Prior to discharge of this condition a verification report shall be submitted to, and approved in writing by, the Local Planning Authority. The verification report shall validate that all mitigation measures have been completed in accordance with those agreed by the local planning authority.

Reduce: To reduce carbon dioxide and other greenhouse gas emissions and adapt to climate change in accordance with Policy DP9 of the adopted Regional Spatial Strategy for the North West and Policy ST14 of the adopted City of Salford Unitary Development Plan

9. The maximum height above ground level of the development shall be 12m unless otherwise agreed 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.

Notes to Applicant

1. If, during any works on site, contamination is suspected or found, or contamination is caused, the LPA shall be notified immediately. Where required, a suitable risk assessment shall be carried out and/or any remedial action shall be carried out in accordance to an agreed process and within agreed timescales in agreement with the LPA.
2. The applicants attention is drawn to the comments received from the Design for Security team on the 24th July 2012 which can be viewed at the following web page
<http://publicaccess.salford.gov.uk/publicaccess/> quoting the application reference number.

<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=M6MJLNP5Y000>

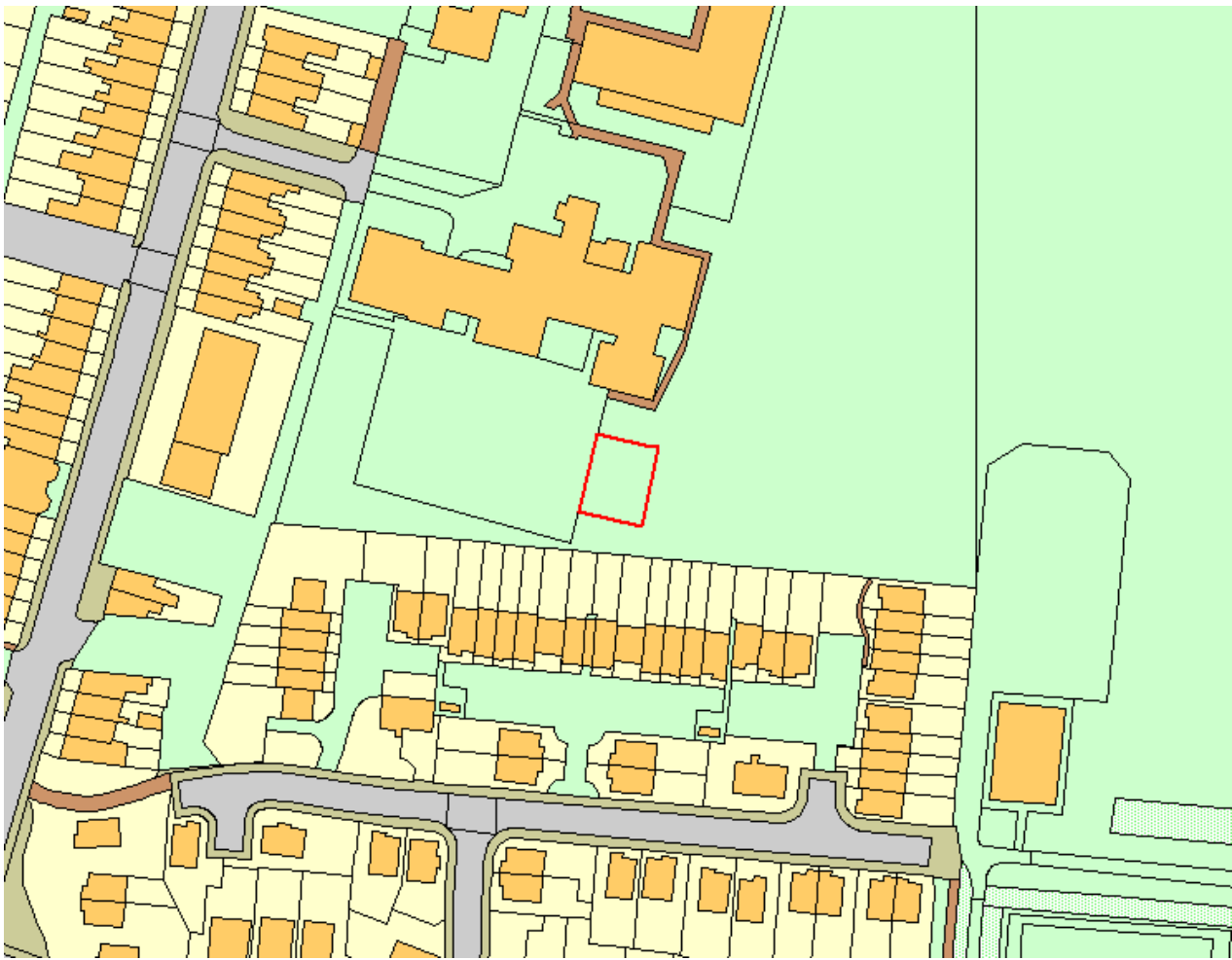
APPLICATION No: 12/62011/FUL

APPLICANT: Mr Gregory Durkin

LOCATION: St. Charles RC Primary School , Moorside Road, Swinton, M27 9PD

PROPOSAL: Creation of hardstanding and erection of a single storey detached modular classroom

WARD: Swinton North



Description of Site and Surrounding Area

This application relates to St Charles RC Primary School which is located on Moorside Road in Swinton. The school comprises a series of single storey school buildings together with associated hard play areas, playing fields and a car park which has 12 parking spaces and is accessed via Emlyn Street.

St Charles' school is located within a predominantly residential area being bounded to the north, south and west by residential properties in a variety of styles. The Beech Farm playing fields are located to the east of the school.

Description of Proposal

Planning permission is sought for the creation of a 16m by 17m hardstanding in the south-western corner of the school playing fields which are located to the south of the existing school buildings, adjacent to the existing hard play area. A single storey modular building would be installed on the hardstanding.

The modular building is a prefabricated unit that would be colour treated in grey. It would have a footprint of 10.26m by 9.85m, measuring a maximum of 3.2m in height, with a shallow pitched roof. The building would be fully accessible for wheelchair users, having 2 access ramps. The building is being introduced in order to provide an additional classroom together with a cloakroom, store and toilet facilities.

The additional classroom facilities are required in order to allow St Charles' school to increase pupil levels at the school by 15, thereby allowing them to have two reception classes in the 2012/2013 school year. The proposals would result in the capacity of the school increasing from 210 pupils to 225 pupils with 2 additional staff being employed at the school.

Site History

Application 94/33239/FUL for the erection of an extension to the staff room was approved on the 16th December 1994.

Application 01/42202/DEEM3 for the erection of 2.4m high palisade boundary fencing and the siting of a steel container was approved on the 3rd May 2001.

Application 01/43502/DEEM3 for the erection of 2.4m high palisade fencing and gates was approved on the 11th March 2002.

Application 05/51548/DEEM3 for the erection of a single storey modular building to form a new children's centre together with play area, associated landscaping, car parking and erection of boundary fencing and covered play area was approved on the 2nd February 2006.

Application 10/58744/FUL for the retention of a new pedestrian gate and footpath was approved on the 17th June 2011.

Publicity

Site Notice: Non HH Article 13 Date Displayed: 13 July 2012

Reason: Wider Publicity

Neighbour Notification

The following addresses have been notified of the application -

202-204 Moorside Road, Flats 1-13 Moorside Lodge, 224 Moorside Road, 230-250 (even) Moorside Road
St Charles Roman Catholic Presbytery, Moorside Road
Beechfield United Football Club, Shelley Road, Swinton, Manchester
Moorside Rangers, Victoria Lane, Swinton, Manchester
Swinton Moorside Children's Centre, 2 Wenlock Street
7-17 (excluding 13), 25-47 (odd) and 55-71 (odd) Victoria Lane

Representations

One letter of representation has been received in response to the application publicity. The writer does not object to the proposals but they are concerned that the introduction of the modular building would create additional noise and disturbance throughout the school day which starts at 8am and finishes at 6pm as a minimum due to pre/post school clubs. They also state that there are existing problems with traffic flow and illegal parking in the locality of the school, which will be exacerbated should the application be successful.

Consultations

Flood Risk Management Officer - No objections but advise that a separate drainage system is required, details of which should be approved by Salford City Council and United Utilities. State that there is a history of sewer surcharge in the area and therefore inspection cover levels should be above adjacent road level, with finished floor levels being 300mm above the adjacent road level.

Urban Vision Environment (Air And Noise) - No objections as the proposal does not raise any issues with noise or air quality

Urban Vision Environment (Land Contam) - No objections

Sport England - No objections as the proposal would not significantly affect the school playing fields and consequently the proposal accords with exception E3 of Sport England's Playing Field policy

Highways - No comments received to date

Health and Safety Executive - state that they do not advise against the grant of planning permission despite the site lying within the outer zone of the Priestly Road Hazardous Installation

Planning Policy

Development Plan Policy

Unitary Development Plan EHC1 - Provision, Improvement of Schools, Colle

This policy states that planning permission will be granted for the improvement, replacement or provision of new schools and colleges, provided that the development would i) not have an unacceptable impact on the amenity of neighbouring uses; ii) secure adequate, accessible playing field provision iii) be accessible by a range of means of transport iv) incorporate disabled access v) not give rise to unacceptable levels of traffic generation, impact on highway safety, parking or servicing; vi) make provision, where possible, for community use of buildings and grounds.

Unitary Development Plan 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 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 A8 - Impact of Development on Highway Network

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

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

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

Unitary Development Plan EN12 - Important Landscape Features

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

Unitary Development Plan EN13 - Protected Trees

This policy states that development which would result in an unacceptable loss of, or damage to protected trees will not be permitted. Where the loss of trees is considered acceptable adequate replacement provision will be provided.

Other Material Planning Considerations

National Planning Policy

National Planning Policy Framework

Local Planning Policy

Supplementary Planning Document - Trees and Development

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

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

Appraisal

The main issues to be considered in the determination of this application are whether the principle of introducing the hardstandings and modular buildings on the edge of the playing fields is acceptable; whether the proposed extensions are of an appropriate design and scale; whether there would be any impact on the amenity of existing or future residents in the area and whether the proposal is acceptable in highway safety terms. When making an assessment of acceptability it is important to consider the proposal against the guidance contained within the NPPF and local planning policy as set out above, however regard must also be had to two statements issued recently by the Secretary of State on the provision of schools which are summarised below -

In June 2010 the Secretary of State delivered a statement in relation to removing the planning barriers for new schools. The statement focused on encouraging new schools to be built not just by Local Authorities' but by parents, teachers and charities.

New guidance, in the form of a letter from the Secretary of State, was produced in August 2011, which follows on from the statement above and strengthens the guidance on planning for schools development. This guidance

states that 'the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools and sets out a number of principles that should apply with immediate effect. These include:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.
- Local authorities should make full use of their planning powers to support state-funded schools applications.
- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95.
- Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible.
- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.

Principle

Paragraph 74 of the NPPF states that open space, sports and recreational buildings, including playing fields, should not be built upon unless -

- a) An assessment has been undertaken which has clearly shown that the open space, buildings or land to be surplus to requirements
- b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, or
- c) The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

The proposed development is located on the edge of the school's playing fields. The playing fields occupy an area of 7,971square metres, approximately 272square metres of which would be lost as a result of the proposals. This equates to a loss of 3.4% of the playing fields. The modular building has however been sited in order to ensure that its introduction does not reduce the area the school uses for team games, which has according to national standards standards set out in The Education School premises regulations 1999, should cover 2500square metres for a school of this size.

Sport England have reviewed the proposals in the light of their playing fields policy which states that "Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the Specific circumstances applies."

In this instance no playing pitches would be affected by the proposal and the ability to move pitches, to mark out the site differently and to have training areas outside of the pitch would not be significantly affected. Consequently Sport England have not raised any objections to the proposal as by virtue of the small areas affected, and the location of the proposed development between a playground and an existing school building they are satisfied that the proposal accords with exception E3 of Sport England's Playing Field policy. This states that: "The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing areas of any playing pitch or the loss of any other sporting/ancillary facilities on the site."

Consequently, subject to the scheme being acceptable in design, amenity and highway safety terms, there are no in principle issues with the proposal.

Design

The proposed modular building is of a simple, functional design, which would, despite being different to the original school building in terms of its construction and design, respect its character and form being single storey in nature.

St Charles RC Primary is set back from Moorside Road in a location where it is bounded on all sides by residential properties or playing fields. Consequently the proposed modular building would have no visibility within the streetscene on Moorside Road, Victoria Lane, Wenlock Street or Shelley Road, with only glimpsed views being possible when viewing the site from the adjacent Beech Farm Playing Fields given the tree lined nature of the boundary and the 58m separation that would exist between the proposed modular building/hardstanding and the Beech Farm Playing Fields.

Having regard to these facets of the proposed development, it is considered that the introduction of the modular building and associated hardstanding would not have an adverse impact upon the visual amenities of the area. Consequently it is not considered necessary to restrict the length of time the modular building is on site for by issuing a temporary permission.

Amenity

There would be at least 60m between the proposed modular building/hardstanding and the rear boundaries of the properties on Moorside Road.

There would be at least 7.5m between the proposed hardstanding/modular building and the rear boundary of the properties on Victoria Lane, with at least 21m separation being provided between the development and the main rear elevations of the properties themselves.

The existing school buildings would screen the proposed modular building from the properties on Shelly Road and Blantyre Street.

It is therefore considered that adequate separation would be maintained to ensure that the introduction of the proposed modular building and associated hardstanding would not adversely affect the level of residential amenity neighbouring residents can reasonably expect to enjoy in terms of loss of light, privacy and/or over bearing impact.

The proposal would not introduce amenity/play space closer to the neighbouring residential properties than exists currently and it is not considered that the introduction of the modular building would intensify the use of the school site to the extent that it would result in neighbouring residents experiencing increased levels of noise and disturbance as the proposal would only increase pupil numbers by 15 and there would only be 2 additional members of staff employed. Consequently the proposal does not raise any issues in terms of exposing neighbouring residents to levels of noise and disturbance above that which they should reasonably expect to experience given the location of their properties adjacent to a school.

Highway Safety

The introduction of the proposed modular building and associated hardstanding would not result in the loss of any car parking. The modular building would be located in a position where its introduction would not have any impact upon visibility splays.

The introduction of the modular building would result in the capacity of the school increasing by 15 going from 210 pupils to 225 pupils. 2 additional staff would be employed at the school as a result of the increase in pupil numbers. Having regard to the minimal increase in pupil and staff numbers that would occur should the proposed modular building be introduced and the location of the school in a predominantly residential area where pupils/staff could walk to site it is not considered that the proposal would generate a significant amount of additional traffic flow to and from the site. Having regard to this, the availability of on street parking on the streets surrounding St Charles' school and the accessibility of the school by public transport, which is located just under 500m from Manchester Road with its train station and bus routes, it is not considered that the proposal would have an adverse impact upon highway safety.

Trees

There are a number of trees on site, none of which are protected by a Tree Preservation Order. There are a number of trees located within the rear gardens of the properties on Victoria Lane that run along the southern boundary of the site including a group of 36 birch and 2 sycamore, which are protected as a group under Tree Preservation Order 234.

A tree survey and arboricultural method statement has been submitted with the application and this has been reviewed by the Council's consultant arborist.

There are 6 trees in the vicinity of the site of the proposed modular building - 3 cherry, a whitebeam and 2 hornbeam. Five of the trees would need to be removed in order to facilitate the proposed development - the 3 cherry, the whitebeam and 1 of the hornbeams. The Council's consultant arborist has confirmed that he has no objections to the removal of these trees subject to replacements, which can be secured via condition.

Subject to the development being carried out in accordance with the arboricultural method statement and protective fencing being installed as detailed on the tree protection plan the proposed development would not have an adverse impact upon the trees remaining on site. It is recommended that a condition be attached to ensure that this.

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 –

Site location plan – SC-01
Existing site plan – SC-02
Proposed site plan – SC-03
Proposed floorplans – SC-004 Rev0
Proposed elevations – SC-005 Rev0

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

3. The development hereby permitted shall be carried out in accordance with the Arbtech Arboricultural Development Report dated 31st July 2012, the Tree Protection Plan (drawing ref Arbtech TPP 01) and the Arboricultural Impact Assessment Plan (drawing ref Arbtech-AIA 01).

Reason: To safeguard protected trees on the site and to ensure that adequate provision is made for their protection whilst the development is carried out.

4. Prior to commencement of development a scheme outlining the provision of replacement trees on site shall be submitted to and approved in writing. The scheme shall detail species, size and location of the replacement trees together with a timetable for planting. The approved scheme shall be implemented in accordance with the approved details, and this condition shall not be considered to have been complied with until the replacement trees have been established.

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

<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=M6MJJ5NP5Y000>

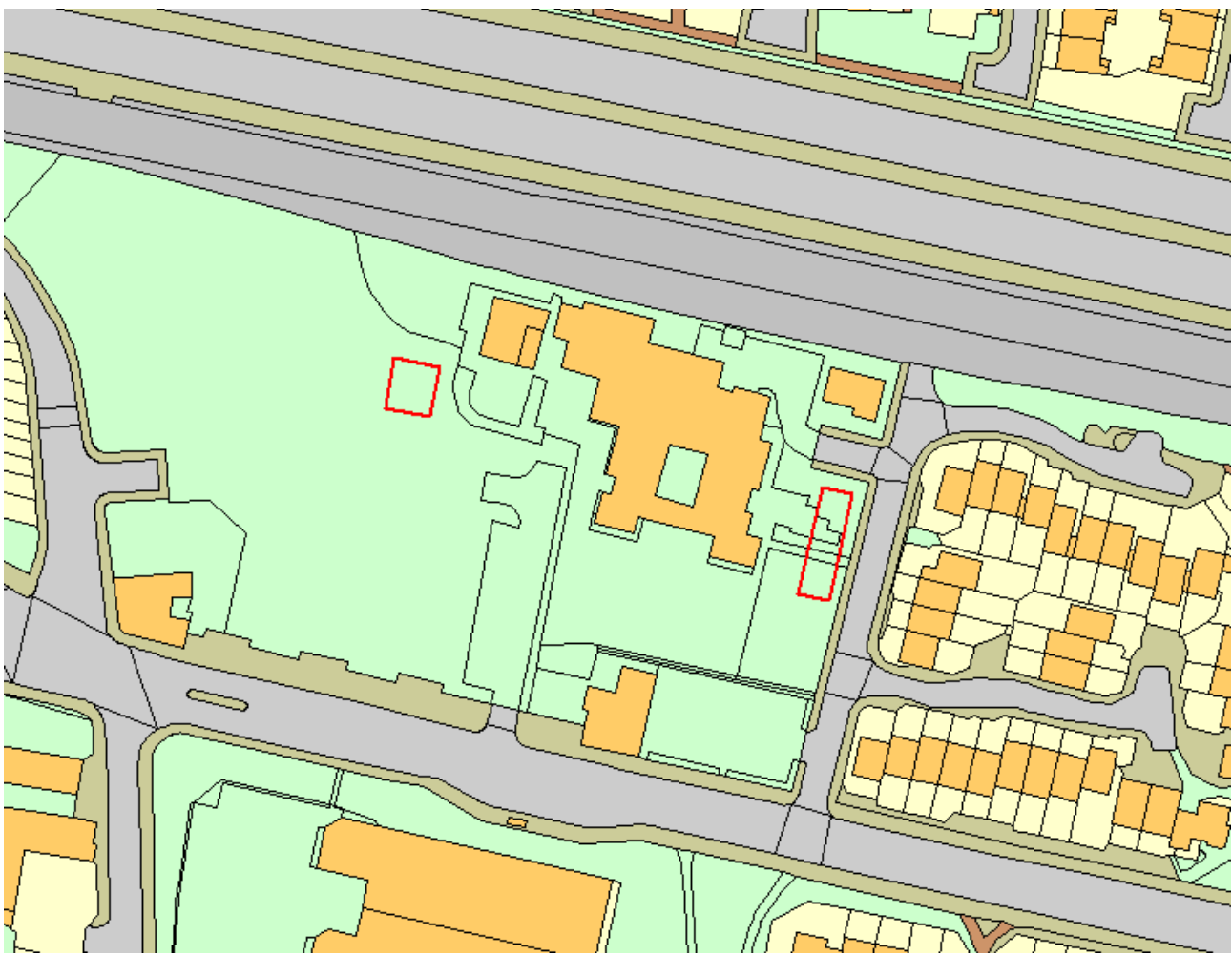
APPLICATION No: 12/62012/FUL

APPLICANT: Mr Gregory Durkin - Salford City Council

LOCATION: St Lukes Church Of England Primary School, Eccles New Road,
Salford, M5 5NX,

PROPOSAL: Creation of a hardstanding and installation of two single storey
modular classrooms

WARD: Weaste And Seedley



Description of Site and Surrounding Area

This application relates to St Lukes C of E Primary School which is located at the junction of Eccles New Road and Kerrera Drive in Eccles. The school comprises a series of single storey buildings together with associated hard play areas, playing fields and two car parks, one which has 15 spaces and is accessed from Eccles New Road and another that provides 12 spaces and is accessed from Kerrera Drive.

St Lukes is located within a mixed use area – there are residential properties located to the east and west of the school while a public house, with commercial/industrial units beyond, occupies the land to the south of the school. The M602 motorway runs to the north.

The public house to the south of the school site, The Coach and Horses is Grade II Listed.

Description of Proposal

Planning permission is sought for the creation of a hardstanding and the installation of two modular buildings – one housing a single classroom and another housing two classrooms.

The single classroom unit, which would have a footprint of 10.26m by 9.85m, measuring a maximum of 3.2m in height, with a shallow pitched roof, would be located on an area of hardstanding that would be laid to the west of the existing school buildings on the school playing fields.

The double classroom unit, which would have a footprint of 18.1m by 9.85m, measuring a maximum of 3.2m in height, with a shallow pitched roof, would be located on an area of hard play to the east of the school buildings, adjacent to Kerrera Drive.

Both modular buildings would be prefabricated units, colour treated in grey, and they would be fully accessible to wheelchair users, having 2 access ramps.

The additional classroom facilities are required in order to allow St Lukes to operate two reception classes in the 2012/2013 school year, as well as allowing the school to provide an additional 5 places for each year group of which there are 7 in total. The proposals would result in the capacity of the school increasing from 175 pupils to 240 pupils with 2 additional staff being employed at the school.

Site History

Application 99/39819/FUL for the erection of security lighting on 6m high steel tower was approved on the 22nd October 1999.

Application 04/47683/DEEM3 for the erection of 2.4m high palisade fencing and 'Crusader' railings was approved on the 24th May 2004.

Application 11/60825/FUL for the creation of additional overflow car park was approved on the 17th October 2011.

Application 12/61412/FUL for the replacement of existing fencing with 2.4m high mesh fencing was approved on the 11th July 2012.

Publicity

Site Notice: Non HH setting of listed building Date Displayed: 19 July 2012
Reason: Affecting setting of Listed Building

Site Notice: Non HH Article 13 Date Displayed: 13 July 2012
Reason: Wider Publicity

Press Advert: Salford Advertiser Date Published: 19 July 2012
Reason: Affecting setting of Listed Building

Neighbour Notification

The following neighbours were notified of the application -
2 to 22 (even) Thornfield Street

2 to 14 (even) Kerrera Drive
2 to 10 (even) Oronsay Grove
62 to 84 (even) Cumbrae Gardens
523, 525-531 and land to the rear of 525 and 531 Eccles New Road
The Grey Mare Inn 368 Eccles New Road
The Coach and Horses, 350 Eccles New Road

Representations

1 letter of representation has been received in response to the application publicity. The writer is concerned that the proposal will increase the number of cars parking in the area surrounding the school, exacerbating the problems people already have with people parking across driveways.

Consultations

Highways - No comments received to date

Flood Risk Management Officer - No objections but advise that a separate drainage system is required, the details of which should be agreed by Salford City Council and United Utilities. State that finished floor levels should be 300mm above the adjacent road level.

Urban Vision Environment (Air And Noise) - No objections as the proposal does not raise any issues with noise or air quality

Urban Vision Environment (Land Contam) - No objections

Sport England - Advise that they have no objections as the developed site could accommodate a pitch or pitches of the size which the school currently use

Planning Policy

Development Plan Policy

Unitary Development Plan EHC1 - Provision and Improvement of Schools and Colleges

This policy states that planning permission will be granted for the improvement, replacement or provision of new schools and colleges, provided that the development would i) not have an unacceptable impact on the amenity of neighbouring uses; ii) secure adequate, accessible playing field provision iii) be accessible by a range of means of transport iv) incorporate disabled access v) not give rise to unacceptable levels of traffic generation, impact on highway safety, parking or servicing; vi) make provision, where possible, for community use of buildings and grounds.

Unitary Development Plan 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 DES8 - Alterations and Extensions

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

Unitary Development Plan 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 A8 - Impact of Development on Highway Network

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

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

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

Unitary Development Plan EN12 - Important Landscape Features

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

Other Material Planning Considerations

National Planning Policy

Local Planning Policy

Supplementary Planning Document - Trees and Development

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

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

Appraisal

The main issues to be considered in the determination of this application are whether the principle of introducing the hardstandings and modular buildings is acceptable; whether the proposed buildings are of an appropriate design; whether there would be any impact on the amenity of existing or future residents in the area and whether the proposal is acceptable in highway safety terms. When making an assessment of acceptability it is important to consider the proposal against the guidance contained within the NPPF and local planning policy as set out above, however regard must also be had to two statements issued recently by the Secretary of State on the provision of schools which are summarised below -

In June 2010 the Secretary of State delivered a statement in relation to removing the planning barriers for new schools. The statement focused on encouraging new schools to be built not just by Local Authorities' but by parents, teachers and charities.

New guidance, in the form of a letter from the Secretary of State, was produced in August 2011, which follows on from the statement above and strengthens the guidance on planning for schools development. This guidance states that 'the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools and sets out a number of principles that should apply with immediate effect. These include:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework

- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.
- Local authorities should make full use of their planning powers to support state-funded schools applications.
- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95.
- Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible.
- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.

Principle

Paragraph 74 of the NPPF states that open space, sports and recreational buildings, including playing fields, should not be built upon unless -

- a) An assessment has been undertaken which has clearly shown that the open space, buildings or land to be surplus to requirements
- b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, or
- c) The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

The double classroom building would be located on an area of hard play to the east of the existing school. The area, while used informally for play, is not formally marked out for team games, nor is it utilised by members of the public for recreation and therefore this element of the proposal does not raise any issues with regard to loss of open space/recreation land.

The single classroom building and associated hardstanding would be located on the edge of the school's playing fields. The playing fields occupy an area of 4,826square metres, approximately 275square metres of which would be lost as a result of the proposals. This equates to a loss of 5.7% of the playing fields. The hardstanding and modular building has however been sited in order to ensure that their introduction does not reduce the area the school uses for team games, which has according to national standards set out in The Education School premises regulations 1999, should cover 2500square metres for a school of this size.

Sport England have reviewed the proposals in the light of their playing fields policy which states that "Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field or allocated for use as a playing field in an adopted or draft deposit local plan, unless, in the judgement of Sport England, one of the Specific circumstances applies."

In this case the applicant has provided information to demonstrate that although the proposed development would affect part of the playing field which the school currently use for football (albeit not marked with lines), the site could still accommodate two pitches of a similar size in slightly different locations. Having regard to this Sport England have confirmed that they have no objections to the proposal as it would not have any significant adverse impact on the flexibility of the school playing field.

Consequently, subject to the scheme being acceptable in design, amenity and highway safety terms, there are no in principle issues with the proposal.

Design

Paragraph 72 of the NPPF outlines the importance the Government attaches to ensuring that there are a sufficient choice of school places available to meet the needs of existing and new communities, advising LPAs to take a proactive, positive and collaborative approach to meeting this requirement.

The proposed modular buildings are of a simple, functional design, being colour treated in grey to improve their visual appearance.

The modular building and associated hardstanding that would be located to the west of the existing school buildings would be just less than 50m away from the Eccles New Road boundary, along which there are a number of trees, and it would be at least 55m from the Foster Street boundary. This part of the development would therefore have very restricted visibility when viewed from public vantage points and consequently it is not considered that the introduction of this building would adversely affect the visual amenities of the area.

The modular building that would be located on the area of hard play to the east of the school buildings would be visually prominent within the street scene, being set back just 2m from the Kerrera Drive boundary. Having regard to the guidance issued by the Secretary of State and Para. 72 of the NPPF which outlines the importance the Government attaches to ensuring that there are a sufficient choice of school places available to meet the needs of existing and new communities it is considered that on balance the design of the unit is acceptable – the unit, although constructed from differing materials, would respect the character and form of the school being a single storey, flat roofed building and the vegetation along Kerrera Drive would provide screening and soften impact. Consequently the introduction of the proposed modular building would not cause unacceptable harm to the visual amenities of the area.

The Conservation Officer has reviewed the proposals and advised that the modular classrooms are located at a sufficient distance from the Grade II Listed Coach and Horses to ensure that their introduction does not to have a significant impact on its intermediate setting.

Amenity

The modular building and associated hardstanding that would be located to the east of the existing school buildings would be screened from the properties on Kerrera Drive by the existing school buildings and this part of the development would be at least 69m from the rear boundaries of the properties on Thornfield Street.

The modular building that would be located on the area of hard play to the west of the school buildings, adjacent to Kerrera Drive, would be approximately 11m from the front boundaries of the properties opposite.

Having regard to the relationship between the neighbouring properties and the modular buildings it is not considered that their introduction would have an adverse impact upon the residential amenity neighbouring residents can reasonably expect to enjoy in terms of loss of light, privacy and/or over bearing impact.

The proposal would not introduce amenity/play space closer to the neighbouring residential properties than exists currently and consequently although the proposals would increase pupil numbers from 175 to 240 given the length of the school day and the hours between which pupils will be present on site it is not considered that the proposal raises any issues in terms of exposing neighbouring residents to levels of noise and disturbance above that which they should reasonably expect to experience given the location of their properties adjacent to a school.

Highway Safety

The introduction of the proposed modular buildings and associated hardstandings would not result in the loss of any car parking. The modular buildings would be located in positions where their introduction would not have any impact upon visibility splays.

The introduction of the two modular buildings would result in the capacity of the school increasing by 65 going from 175 pupils to 240 pupils. 2 additional staff would be employed at the school as a result of the increase in pupil numbers. Having regard to the proximity of the school to residential properties which means a large number of pupils/staff could walk to school and given the accessibility of the school by public transport being located on the tram route and within walking distance of a number of bus stops it is not considered that the proposal would generate a significant amount of additional traffic flow to and from the site. Having regard to this, the presence of onsite staff and visitor parking and the availability of on street parking on the streets surrounding St Lukes, it is not considered that the proposal would have a severe adverse impact upon highway safety.

Trees

There are a number of trees on site, none of which are protected by a Tree Preservation Order. A tree survey and arboricultural method statement has been submitted with the application and this has been reviewed by the Council's consultant arborist.

There are a number of trees in the vicinity of the site of the proposed modular building including a silver birch (T18), two plums (T19 and T20), an ash (T33) and a cherry (T21). The silver birch, the two plums and the ash would have to be removed to facilitate the proposed development. The Council's consultant arborist has confirmed that he has no objections to the removal of these trees subject to replacements, which can be secured via condition.

Subject to the development being carried out in accordance with the arboricultural method statement and protective fencing being installed as detailed on the tree protection plan the proposed development would not have an adverse impact upon the trees remaining on site. It is recommended that a condition be attached to ensure that this.

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 –

Existing site plan – SL-002

Proposed site plan – SL-003

Proposed floorplans – SL 004 Rev0 and SL-006 Rev0

Proposed elevations – SL-005 Rev0 and SL-007 Rev0

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

3. The development hereby permitted shall be carried out in accordance with the Arbtech Arboricultural Development Report dated 30th July 2012, the Tree Protection Plan (drawing ref ATC TPP 01) and the Arboricultural Impact Assessment Plan (drawing ref ATC-AIA 01).

Reason: To safeguard protected trees on the site and to ensure that adequate provision is made for their protection whilst the development is carried out.

4. Prior to commencement of development a scheme outlining the provision of replacement trees on site shall be submitted to and approved in writing. The scheme shall detail species, size and location of the replacement trees together with a timetable for planting. The approved scheme shall be implemented in accordance with the approved details, and this condition shall not be considered to have been complied with until the replacement trees have been established.

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

<http://publicaccess.salford.gov.uk/publicaccess/applicationDetails.do?activeTab=summary&keyVal=M71EARNP06300>

APPLICATION No: 12/62053/FUL

APPLICANT: Mr G Durkin - Salford City Council

LOCATION: St Teresa's Roman Catholic Primary School, 5 Macdonald Road,
Irlam, M44 5LH,

PROPOSAL: Creation of hardstanding and erection of a single storey
detached modular classroom

WARD: Cadishead



Description of Site and Surrounding Area

This application relates to St Teresa's RC Primary School which is located on MacDonald Road in Irlam. The school comprises of a single storey brick built building and a modular classroom building together with associated hard play areas, playing fields and a car park, which has 16 parking spaces and is accessed via MacDonald Road.

St Teresa's is located within a predominantly residential area, with residential properties occupying the land to the north, east and the majority of the land to the west of the school, where there is also a health centre. The Irlam and Cadishead High School occupies the land to the south of the school.

Description of Proposal

Planning permission is sought for the creation of a hardstanding and the installation of a modular building that will provide an additional classroom together with a cloakroom, store and toilet facilities.

The modular building is a prefabricated unit that is colour treated in grey. It would have a footprint of 10.26m by 9.85m and it would measure a maximum of 3.2m in height, with a shallow pitched roof. The building would be fully accessible, having 2 access ramps for wheelchair users.

In order to facilitate the proposal an existing 8m by 6m single storey modular classroom building, which is located on the corner of the playground area, adjacent to the application site, would be removed from site. This unit needs to be removed as it is no longer fit for purpose due to its age.

The additional classroom facilities are required in order to allow St Teresa's to provide an additional 30 places, 15 in the reception class and 15 in year 1. The proposals would result in the capacity of the school increasing from 210 pupils to 240 pupils with 2 additional staff being employed at the school.

Publicity

Site Notice: Non HH Article 13 Date Displayed: 12 July 2012

Reason: Wider Publicity

Site History

Application 94/32920/FUL provision of mobile classroom unit was approved in November 1994

Application 01/43292/FUL for the erection of single storey extension and minor alterations to elevations was approved in January 2002.

Application 02/43826/DEEM3 for the construction of staff car park and new vehicular access was approved in May 2002

Application 03/46925/FUL for the erection of 2.4m high perimeter fencing was approved in November 2003

Application 04/48181/FUL for the retention of 2.4m high perimeter fence to include pedestrian gate adjacent to Clarendon Road entrance (Amendment to previous application 03/46925/FUL) was approved in June 2004

Application 07/55115/DEEM3 for the erection of a steel framed external canopy with glazed roof was approved in September 2007.

Application 09/58417/FUL for the erection of a single storey extension was approved in February 2010.

Neighbour Notification

The following neighbours were notified of the application -

2-8 (even) Richbell Close

2-12 (even) Clarendon Road

7, 9 and 11 Clarendon Road

Irlam and Cadishead College, Station Road, Irlam

Macdonald Road Medical Centre and AAH Retail Pharmacy, Macdonald Road

Edale, 1 and 3 Macdonald Road

Representations

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

Consultations

Flood Risk Management Officer - No objections subject to the use of a separate drainage system, details of which should be agreed by Salford City Council and United Utilities and finished floor levels being 300mm above the adjacent road level

Highways - No comments received to date

Urban Vision Environment (Air And Noise) - No objections as the proposal does not raise any noise or air quality issues

Urban Vision Environment (Land Contam) - No objections

Sport England - The building would be sited immediately to the west of an existing playground, and north of a car park. Both these existing features separate this part of the site from the grass area of playing field which is used for sport. No playing pitches would be affected by the proposal, and the ability to move pitches, to mark out the site differently and to have training areas outside of the pitch would not be significantly affected. Consequently there are no objections to the proposal - it complies with exception E3 of Sport England's Playing Field policy

Planning Policy

Development Plan Policy

Unitary Development Plan EHC1 - Provision and Improvement of Schools and Colleges

This policy states that planning permission will be granted for the improvement, replacement or provision of new schools and colleges, provided that the development would i) not have an unacceptable impact on the amenity of neighbouring uses; ii) secure adequate, accessible playing field provision iii) be accessible by a range of means of transport iv) incorporate disabled access v) not give rise to unacceptable levels of traffic generation, impact on highway safety, parking or servicing; vi) make provision, where possible, for community use of buildings and grounds.

Unitary Development Plan 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 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 A8 - Impact of Development on Highway Network

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

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

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

Unitary Development Plan EN12 - Important Landscape Features

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

Other Material Planning Considerations

National Planning Policy

National Planning Policy Framework

Local Planning Policy

Supplementary Planning Document - Trees and Development

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

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

Appraisal

The main issues to be considered in the determination of this application are whether the principle of introducing the hardstandings and modular buildings is acceptable; whether the proposed extensions are of an appropriate design; whether there would be any impact on the amenity of existing or future residents in the area and whether the proposal is acceptable in highway safety terms. When making an assessment of acceptability it is important to consider the proposal against the guidance contained within the NPPF and local planning policy as set out above, however regard must also be had to two statements issued recently by the Secretary of State on the provision of schools which are summarised below -

In June 2010 the Secretary of State delivered a statement in relation to removing the planning barriers for new schools. The statement focused on encouraging new schools to be built not just by Local Authorities' but by parents, teachers and charities.

New guidance, in the form of a letter from the Secretary of State, was produced in August 2011, which follows on from the statement above and strengthens the guidance on planning for schools development. This guidance states that 'the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools and sets out a number of principles that should apply with immediate effect. These include:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework*
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.*

- Local authorities should make full use of their planning powers to support state-funded schools applications.
- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95.
- Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible.
- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority..

Principle

The proposed modular building would be located on a grassed area to the west of the existing school. The proposal would not therefore result in the loss of any playing fields and consequently, subject to the scheme being acceptable in design, amenity and highway safety terms, there are no in principle issues with the proposal as it would facilitate an expansion of an existing school.

Design

Paragraph 72 of the NPPF outlines the importance the Government attaches to ensuring that there are a sufficient choice of school places available to meet the needs of existing and new communities, advising LPAs to take a proactive, positive and collaborative approach to meeting this requirement.

The proposed modular building is of a simple, functional design, being colour treated in grey to improve its visual appearance.

The modular building and associated hardstanding would be visually prominent within the street scene, with one of the access ramps being set back just 1m from the Macdonald Road boundary. Having regard to the guidance issued by the Secretary of State and the advice contained within Para. 72 of the NPPF re planning positively for school expansion it is considered that on balance the design of the unit is acceptable as although constructed from differing materials and having a flat roof the unit would not form an obtrusive feature within the street scene as its scale and massing would respect the existing school buildings and the vegetation along MacDonald Road would provide screening and soften impact. Consequently the introduction of the proposed modular building would not cause unacceptable harm to the visual amenities of the area.

Amenity

The modular building and associated hardstanding would be located at least 13.5m from the front boundaries of the residential properties on the opposite side of MacDonald Road in an offset position.

There would be at least 22m between the proposed development and the properties to the north at 1 and 3 MacDonald Road.

The existing school buildings would screen the proposed development from the properties to the east on Clarendon Road and Richbell Close.

Having regard to the relationship between the neighbouring properties and the modular buildings it is not considered that their introduction would have an adverse impact upon the residential amenity neighbouring residents can reasonably expect to enjoy in terms of loss of light, privacy and/or over bearing impact.

The proposal would not introduce amenity/play space closer to the neighbouring residential properties than exists currently and it is not considered that the introduction of the modular building would intensify the use of the school site to the extent that it would result in neighbouring residents experiencing increased levels of noise and disturbance as the proposal would only increase pupil numbers by 30 and there would only be 2 additional members of staff employed. Consequently the proposal does not raise any issues in terms of exposing neighbouring residents to levels of noise and disturbance above that which they should reasonably expect to experience given the location of their properties adjacent to a school.

Highway Safety

The introduction of the proposed modular building and associated hardstanding would not result in the loss of any car parking. The modular building would be located in a position where its introduction would not have any impact upon visibility splays.

The introduction of the modular building would result in the capacity of the school increasing by 30 going from 210 pupils to 240 pupils. 2 additional staff would be employed at the school as a result of the increase in pupil numbers. Having regard to the proximity of the school to residential properties which means a large number of pupils/staff could walk to school and given the accessibility of the school by public transport being located within walking distance of Liverpool Road where numerous bus routes can be accessed it is not considered that the proposal would generate a significant amount of additional traffic flow to and from the site. Having regard to this and the availability of on street parking on the streets surrounding St Teresa's, it is not considered that the proposal would have an adverse impact upon highway safety.

For the reasons set out above with regards to design, amenity and highway safety it is also considered that the proposal would be in accordance with policy EHC1 of the adopted UDP as it will result in the improvement to an existing school whilst not compromising visual amenity, the amenities of neighbouring residents and highway safety.

Trees

There are a number of trees on site, none of which are protected by a Tree Preservation Order. A tree survey and arboricultural method statement has been submitted with the application and this has been reviewed by the Council's consultant arborist.

There are a number of trees in the vicinity of the site of the proposed modular building -an oak (T1), two cherries (T2 and T8), an elder (T6), a maple (T7) and a group of leyland cypress. The cherry (T1), the elder (T6), the maple (T7) and the group of cypress trees would need to be removed in order to facilitate the proposed development. The Council's consultant arborist has confirmed that he has no objections to the removal of these trees subject to replacements, which can be secured via condition.

Subject to the development being carried out in accordance with the arboricultural method statement and protective fencing being installed as detailed on the tree protection plan the proposed development would not have an adverse impact upon the trees remaining on site. It is recommended that a condition be attached to ensure that this.

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 –

Site location plan – ST-01

Existing site layout plan – ST-02

Proposed layout plan – ST-03

Proposed floorplans – ST-04 Rev0

Proposed elevations – ST-05 Rev0

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

3. The development hereby permitted shall be carried out in accordance with the Arbtech Arboricultural Development Report dated 31st July 2012, the Tree Protection Plan (drawing ref Arbtech TPP 01) and the Arboricultural Impact Assessment Plan (drawing ref Arbtech-AIA 01).

Reason: To safeguard protected trees on the site and to ensure that adequate provision is made for their protection whilst the development is carried out.

4. Prior to commencement of development a scheme outlining the provision of replacement trees on site shall be submitted to and approved in writing. The scheme shall detail species, size and location of the replacement trees together with a timetable for planting. The approved scheme shall be implemented in accordance with the approved details, and this condition shall not be considered to have been complied with until the replacement trees have been established.

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