

Planning and Transportation Regulatory Panel

Dear Member,

You are invited to attend the meeting of the Planning and Transportation Regulatory Panel to be held as follows for the transaction of the business indicated.

Miranda Carruthers-Watt
Proper Officer

DATE: Thursday, 19 March 2020

TIME: 9.30 am

VENUE: Salford Suite, Salford Civic Centre, Chorley Road, Swinton

In accordance with 'The Openness of Local Government Bodies Regulations 2014,' the press and public have the right to film, video, photograph or record this meeting.

AGENDA

- 5 **Planning applications and related development control issues.** (Pages 1 - 6)

Contact Officer:
Claire Edwards, Democratic Services

Tel No: 0161 793 2602
E-Mail: claire.edwards@salford.gov.uk

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REPORT

of

Strategic Director Place

To the

Planning & Transportation Regulatory Panel

On

19th March 2020

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.

AMENDMENT REPORT

APPLICATION No: 19/74411/HYBEIA

APPLICANT: **FREP3 (Salford) Ltd**

LOCATION: **Land At Waterfront Quay, The Quays, Salford,**

PROPOSAL: **Hybrid planning application for demolition of existing buildings and road bridge on the site and comprehensive redevelopment comprising of:**

(a) Full planning permission for 491 dwellings; 2,296 sq m of A1, A2, A3, A4, A5, B1, D1 and D2 uses; a hotel (use class C1); multi-storey car park with play park, climbing wall and bouldering area, harbour lido, public realm and landscaping, floating gardens, realigned access road and internal cycle and pedestrian links, two new bridges; and other associated works, and,

(b) Outline planning permission with all matters reserved except for access, for up to 1004 dwellings, 920 sqm of A1, A2, A3, A4, A5, B1, D1 and D2 uses, a hotel (use class C1), public realm and landscaping, and other associated works.

(EIA development, accompanied by Environmental Statement)

WARD: **Ordsall**

DESCRIPTION OF PROPOSED DEVELOPMENT

As points of clarification:

- Proposed building U1, in the Uplands Quarter, would provide 135 dwellings. It would include townhouses on its western elevation.
- A total of 48 parking spaces would be provided within the internal car park serving Acala Block 3.
- A total of 611 car parking spaces have been proposed across the Masterplan development.

ADDITIONAL OBSERVATIONS

Equality Assessment

Section 149 of the Equality Act 2010 (“the EA”) introduces a public sector equality duty. Section 149(1) of the EA provides that a public authority must, in the exercise of its functions, have regard to the need to:

- a. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the EA;
- b. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- c. Foster good relations between persons who share a relevant characteristic and those who do not share it.

The relevant ‘protected characteristics’ are listed within Section 149(7). The public sector equality duty is a material consideration in planning decisions; however, it should be borne in mind that the focus of planning decisions should be on whether proposed development is an acceptable use of land (NPPF Para 183).

The proposed development would not result in the loss of any existing facilities that are valued by persons who share a protected characteristic. Rather, the scheme would provide persons who share a protected characteristic with the opportunities to occupy, use and enjoy the new apartments, commercial and leisure floor-space and public realm that would be delivered by the proposed development. As such it is considered that the requirements of the Equalities Act 2010 have been satisfied through the development proposal.

Planning Obligations

The applicant has offered to make a financial contribution of £850,000 towards the delivery of off-site affordable housing, which has been accepted by officers. A mechanism would also be included within the section 106 that requires a reappraisal of scheme viability. This would secure up to the maximum contribution identified, should the viability of the development increase in the future. Any monies secured as part of the reappraisal process would also be directed towards the delivery of off-site affordable housing.

The applicant has requested a clause within the s106 agreement that requires Studio Egret West to be retained as the lead architect for the detailed design and construction periods associated with the Barbados and Pima Quarters, and the public realm associated with the development. In the event that this is not possible, a suitable alternative shall be agreed in writing with the Local Planning Authority.

RECOMMENDATION

Amended Recommendation (additions set-out in bold text):

That planning permission be granted subject to the following planning conditions and that:

- 1) The City Solicitor be authorised to enter into a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the following heads of terms:
 - Provision of the eastern arrival square prior to the first occupation of any plot or building within the Uplands Quarter.
 - Construction of a public Pocket Park (future proof garden) prior to the first occupation of Acala Block 3.
 - Provision of a plan for the long-term management and maintenance of the Pocket Park (future proof garden) and Play Park.

- The Barbadense roof-top Play Park (B1) to be made available for public use at all times within an agreed set of opening hours.
 - All other highways, footways and squares within the site to be made available to the public at all times.
 - **A financial contribution of £850,000 towards the provision of off-site affordable housing.**
 - Financial contribution of £800,000 towards upgrading Salford Quays Metrolink stop and access to the platform.
 - Financial contribution of £350,000 to deliver improvements to the junction of Waterfront Quay and The Quays.
 - Financial contribution of £7,000 towards the introduction of a Traffic Regulation Order that provides a Residents only Parking scheme for Merchants Quay.
 - Financial contribution of £10,000 to enable the LHA to conduct a review of existing on-street parking facilities in the vicinity of the site, post implementation of the development, and implementation of a scheme of remedial measures to prevent overspill parking, if identified.
 - Financial contribution of £62,500 to fund the issuing of resident's permits to up to 250 dwellings for a period of five years.
 - **Reasonable endeavours shall be used to employ Studio Egret West as the lead architect throughout the detailed design and construction period for the Barbadense and Pima Quarters and the public realm. Should Studio Egret West not be appointed or continue to be appointed, reasonable endeavours shall be used to appoint replacement architect of similar calibre and reputation, in consultation with the Local Planning Authority.**
 - A reappraisal mechanism to secure an increase in the level of financial contribution up to the maximum level required by the Planning Obligations SPD should the viability of the development increase in the future as the scheme is delivered. Any monies secured following the reappraisal to be directed towards the delivery of off-site affordable housing.
- 2) That the applicant be informed that the Council is minded to grant planning permission, subject to the conditions stated below, on completion of such legal agreement;
- 3) That authority be given for the decision notice relating to the application be issued, (subject to the conditions and reasons stated below) on completion of the above-mentioned legal agreement.

APPLICATION No: 20/74649/FUL

APPLICANT: **Mr Terry McBride - Salix Homes**

LOCATION: **Land To The East Of Arrow Street, Salford,**

PROPOSAL: **Erection of a 3-storey extra care facility (C2 use), consisting of 70 no. assisted extra care units for the elderly in a mix of 1 and 2 bed apartments (all affordable units) with ancillary residents facilities, private amenity space, new open space, hard and soft landscaping, new vehicular access from Arrow Street, car and cycle parking and associated works.**

WARD: **Broughton**

Mix of Units

The Design and Access Statement outlines that the mix of units would be a 75%/25% split between 1 bed and 2 bed apartments respectively. However, since publication, the applicant has clarified that the mix of units would be as follows:

	One Bed Unit	One Bed Accessible Units	Two Bed Unit	Area Total
Total	55	5	10	3,405m ²
Percentage %	78.57	7.14	14.29	
Total Dwellings	70			

This point of clarification does not alter the conclusions drawn within the corresponding report. The mix of units is not policy compliant (HOU2); however, the applicant has established a clear need for the accommodation proposed that is supported by the Housing Strategy and Enabling Team.

Amendments to Conditions

In response to comments from the Local Highway Authority the applicant has slightly altered the access arrangements into the site from Arrow Street. This was agreed during the application process; however, the floor plans required updating to reflect the change. Therefore, condition 2 requires updating to reflect the received amended plans as follows:

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

Location Plan L0001
Site Plan L1004 A
Site Access SK21979-001
Landscape Plan 101 C
Planting Plan 201 C
Ground Floor Plan L1000 B
First Floor Plan L1001 B
Second Floor Plan L1002 A
Roof Plan L1003 A
Arrow Street Elevation L1600
South Elevation B-B L1601
South Elevation C-C L1602
Bramley Street Elevation D-D L1603
North Elevation E-E L1604
North Elevation F-F L1605
Inner Bramley Street Elevation G-G L1606
Inner Arrow Street Elevation H-H L1607
Site Sections L1608
Arrow Street Bay Study L1610
Arrow Street Boundary Treatment Study L1611

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

Further to a drafting error, condition 3 should read as follows:

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any provision in any statutory instrument revoking or re-enacting that Order, planning permission shall be obtained before the use of the extra care facility (elderly provision) is altered to another C2 use as detailed in the Town and Country Planning (Use Classes) order 1987, or any order revoking or re-enacting that order with or without modification.

Reason: In order that the Local Planning Authority can retain control over uses which it considers could be harmful to amenity and highway safety or increase demand for infrastructure, services, facilities and/or maintenance in accordance with policies EN17, A8 and DEV5 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.