APPLICATION No: 18/71823/FUL
APPLICANT: England Cities Fund
LOCATION: Plots B2/3 (land southwest of New Bailey Street and southeast of Salford Central Railway Station)
PROPOSAL: Construction of a seven-storey office building (Use Class B1(a)), formation of parking area within railway arches and pedestrian link between New Bailey and Gore Streets, means of access, landscaping, ancillary facilities and servicing and public realm works
WARD: Ordsall

Description of site and surrounding area

This subject site is located on the south-western side of New Bailey Street and encompasses elements of the adjacent Grade II* listed Salford Railway Station Viaduct and Colonnade. Aside from the viaduct and colonnade, the site is otherwise vacant.

Hoardings extend around the New Bailey Street and south-eastern property boundaries whilst an existing adjacent multi-storey car park encloses the south-western boundary. Though the railway viaduct encloses part of the northern boundary, access through to Gore Street to the north may be obtained via a row of disused railway arches.
An unnamed and semi-secure roadway extends along the south-eastern property boundary. This roadway provides access to the aforementioned adjacent multi-storey car park and in the opposite direction New Bailey Street. Beyond this unnamed roadway stands a multi-storey office building (1 New Bailey). A small temporary marketing suite occupies land immediately to the east of this. New Bailey Street extends southward beyond this building and across the River Irwell and northward beneath the railway viaduct where access to Salford Central Railway Station may be obtained.

**Description of proposal**

This application follows the granting of part outline, part full planning permission ref: 09/57950/EIAHYB and seeks approval to construct a seven-storey office building on site. The adjacent land beneath the listed railway viaduct and colonnade would be used for associated car parking and new landscaping and public realm works provided around the perimeter of the site.

Whilst the redevelopment of identified plots such as this within Salford Central are typically considered via the submission of reserved matters applications (REM), in this case the applicant has opted to apply for full planning permission (FUL). This is on the basis that when lodged the application did not correspond with the approved development parameters of the site. These parameters have since been amended to reflect the proposed building (refer overleaf).

The proposed building would have a total floor area of 19,444 square metres and accommodate 1,842 employees. The building would feature weaved brick facades punctuated by large windows. At ground floor level, this includes graduating black fritted glazing.

The ground floor of the building would comprise a spacious double height lobby, access to which may be obtained via a new paved forecourt adjacent to New Bailey Street. The balance of the ground floor would comprise building services, staff amenities, a 120 space secure bicycle store and office/break out space. Whilst service areas/amenities/stores would largely be screened behind the aforementioned graduating black fritted glazing, the office/break out space and lobby would feature clear glazing.

At first floor level and above, the building would comprise open plan office space and staff amenities. Plant and equipment would be located at roof level and concealed from view behind an extended hit and miss brick parapet.

The land behind the building and extending under the listed viaduct and colonnade would be enclosed by decorative perforated metal fencing. Black metal security gates would also be installed across the adjacent archways. These gates would enclose a 53-space car park, access to which may be obtained via Gore Street. An adjacent archway immediately to the west would be used as a pedestrian walkway and provide direct access to Gore Street. This walkway, together with the footways extending around the perimeter of the site, would be finished in natural stone. Raised planters and bench seating would extend across the aforementioned forecourt and additional plantings provided adjacent to new footways.

Importantly, a related application for Listed Building Consent (LBC) to repair and redecorate the listed colonnade has also been submitted. This report does not consider the merits of these works. These works will be considered separately by Officers in accordance with the Council’s scheme of delegation.

**Publicity**

**Site notices:** Displayed on site on 25 May 2018  
**Reason:** Wider publicity

**Press advert:** Notice appeared in the Manchester Weekly News, Salford Edition on 31 May 2018  
**Reason:** Wider publicity

**Neighbour notification**

Notice of the application was sent to 92 surrounding properties on 24 May 2018.
Representations

Two representations were received in response to the applications. The concerns of objectors are:

- The scale and height of the proposed building;
- The development would place undue strain upon New Bailey Street;
- The development would generate excessive noise to the detriment of nearby residents;
- The development would allow for overlooking into nearby apartments and result in a loss of outlook from these apartments; and
- The lack of motorcycle parking provided on and off-site. There are demands for such spaces in this area.

Site History

Two previous planning permissions are of particular relevance to this application as follows:

- Planning Permission 09/57950/EIAHYB - This permission allowed the comprehensive and phased redevelopment of Salford Central to accommodate a variety of land uses including office/commercial, retail, food and drink, leisure, hotels and residential. This outline permission established the principals in accordance with which certain plots within Salford Central are to be developed.
- Planning Permission 18/71687/NMA - The plans associated with 09/57950/EIAHYB showed one building on each of Plots B2 and B3. This non-material amendment allowed the merging of these plots and the construction of one building form on site. This, in turn, required amendments to the development schedule noted in Condition 5 of 09/57950/EIAHYB.

The application the subject of this report seeks permission to construct a new building on site in accordance with the updated development schedule. Importantly, the overall footprint of the proposed building will not exceed that originally specified by 09/57950/EIAHYB.

Development Agreement

The Council, the URC and ECf entered into an overarching Development Agreement for Central Salford in December 2006. The agreement set out the objectives, responsibilities and the process by which the regeneration of the Salford Central area would be brought forward in a comprehensive manner.

The establishment of the Development Trust Account (DTA) is enshrined in the agreement. The primary purpose of the DTA is to enable the development of sites within the boundary, which would not be viable without cross subsidy from successful phases of development.

The S106 agreement associated with hybrid planning consent (ref: 09/57950/EIAHYB) also required the creation of the DTA, thereby mirroring the provisions for a DTA contained within the Development Agreement. The S106 agreement provides for surplus development receipts to be applied in a particular order of priority:

- To cross-subsidise phases of the development that would not otherwise occur but for the cross-subsidy and therefore promote comprehensive regeneration;
- For the provision or enhancement of infrastructure and/or public realm;
- For affordable housing; and
- Other such items that may be required by the Planning Obligations SPD

In light of the existing legal agreements outlined above, a further Section 106 legal agreement attached to this application is not necessary or justified as it would duplicate existing agreements already in place.

Consultations

The following responses have been received from consultees -

- Design for Security - Having now reviewed the plans and Crime Impact Statement (ref:2018/0251/CIS/01) we would recommend that a condition is put in place for the development to be
built to both the recommendations (section 3.3) and physical security specification set out within the Crime Impact Statement.

Control of access into the buildings and other physical security specifications such as alarms, windows, doors etc is beyond the scope of planning control and as such an informative is recommended to draw the applicant’s attention to the recommendations made by Design for Security.

- Environment Agency – No objections subject to conditions in relation to contamination not previously identified found and not permitting piling or any other foundation designs using penetrative methods. The recommended conditions have been attached. The Environment Agency also recommend an informative relating to the CLAIRE definition of waste and this has been attached to advise the applicants of whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste.

- Greater Manchester Archaeological Advisory Service (GMAAS) - The development will likely impact upon remains from the former New Bailey Prison built nearby in the late eighteenth century. Notwithstanding this, the archaeological value of the site is well understood owing to previous assessments of adjacent sites. It is anticipated that substantial remains will be encountered here also. Conditions should be included on any permission issued requiring the submission of a written scheme of investigation and the provision of commemorative information on site.

- Greater Manchester Ecological Unit (GMEU) - The archway to be used as a pedestrian walkway may accommodate bats. It is unclear what works, if any, are proposed to this archway. If no works are proposed then reasonable avoidance measures during the construction phase should be adopted. If works are however proposed bat emergence surveys are required.

- Network Rail - provided comments relating to ensuring that the construction of the development does not affect the safe operation of the railway. The applicant will be advised of these comments via conditions and/or informatives.

- Urban Vision Environment (Air and Noise) -
  
  **Air:** The site is located within the Council’s Air Quality Management Area (AQMA). All 53 car parking spaces provided on site are required for operational reasons. Staff will otherwise be required to park off-site where electric vehicle charging infrastructure is available.

  The Draft Travel Plan submitted in support of the application highlights the fact that access to/from the site may be obtained via other, more sustainable modes of transport. The use of these modes would assist in reducing air quality impacts. Mitigation measures in accordance with the ‘Principles of Good Practice/IAQM Guidance (Land-Use Planning and Development Control: Planning for Air Quality)’ are considered to be sufficient. This should include measures to accommodate electric/ultra-low emission vehicles (if only for future use).

  **Noise:** Whilst there are no significant local noise sources that might impact upon the development, any external plant/equipment installed on site could impact upon nearby residential uses (the nearest of which is located appropriately 30 metres to the east). Noise and dust resulting from construction works might also impact upon the general amenity of nearby residents.

- Urban Vision (Drainage Engineer) - The Flood Risk Assessment submitted in support of the application confirms that site levels are above the predicted 1 in 1,000 year flood event level. An office is considered to be an appropriate use in Flood Zone 2.

  This is a major development for which Sustainable Urban Drainage Systems (SUDS) are required. On the basis that this is a brownfield site, surface water run-off should be reduced to no more than 50% of the existing, or greenfield equivalent, whichever is the greater.

  A Detailed Drainage Strategy demonstrating how the site would be drained is required prior to the commencement of development. This Strategy should include a Drainage Design Statement explaining how the drainage system works. Source control SUDs should be considered. This includes the use of green/blue roofs, permeable paving and multifunctional green surface storage and conveyance.
systems. A SUDs treatment train should also be provided in the car park. If this is not possible, a Class 1 oil interceptor is required.

- **Urban Vision (Highways)** - The site is in a highly sustainable location and benefits from access to a range of transport options. A full Travel Plan should be required by condition. This Travel Plan should promote the range of transport options available to the site in order to foster a culture of sustainable travel.

It is considered that the development would not materially impact upon the function or safety of the surrounding road network. The number of car parking and bicycle spaces provided on site accords with the provisions of the Salford UDP though no disabled persons or motorcycle parking spaces are provided.

The proposed vehicle access arrangements off Gore Street are acceptable. Sightlines should however be maximised. This would be aided by the provision of crossovers adjacent to each exit rather than formalised junctions. This will give pedestrians priority and assist in reducing the likelihood of pedestrian/vehicle conflicts.

Conditions should also be added to any permission issued requiring the submission of a Construction Management Plan/Statement and Refuse Management Plan.

In addition to this, a condition should also be added to any permission issued requiring the access doors to cycle stores to open inwards.

All highway and public realm works will be subject to a S278 agreement and the developer will be required to contribute to the on-going maintenance of the enhanced surfaces to be provided.

- **Urban Vision Environment (Land Contamination)** - Though the environmental assessments submitted in support of the application relate to a 10-storey building with basement (as originally envisaged by 09/57950/EIAHYB), the conclusions put forward nevertheless remain relevant and are accepted. This includes the fact that chemical sampling previously undertaken shows potentially harmful levels of hydrocarbons exist on site. On the basis that the site would however be capped with hard surfaces, contaminants would be contained.

**Planning Policy**

**Development Plan Policy**

**Unitary Development Plan ST1 - Sustainable Urban Neighbourhoods**
This policy states that development will be required to contribute towards the creation and maintenance of sustainable urban neighbourhoods.

**Unitary Development Plan ST12 - Development Density**
This policy states that development within regional centres, town centre and close to key public transport routes and interchanges will be required to achieve a high density appropriate to the location and context.

**Unitary Development Plan MX1 - Development in Mixed-use Areas**
This policy states that a wide range of uses and activities (housing, offices, tourism, leisure, culture, education, community facilities, retail, infrastructure, knowledge-based employment) are permitted within the identified mixed use areas (Chapel Street East, Chapel Street West, Salford Quays, Ordsall Lane Riverside Corridor).

**Unitary Development Plan DES1 - Respecting Context**
This policy states that development will be required to respond to its physical context and respect the positive character of the local area in which it is situated and contribute towards a local identity and distinctiveness.

**Unitary Development Plan DES2 - Circulation and Movement**
This policy states that the design and layout of new development will be required to be fully accessible to all people, maximise the movement of pedestrians and cyclists through and around the site safely, be well related
to public transport and local amenities and minimise potential conflicts between pedestrians, cyclists and other road users.

**Unitary Development Plan DES3 - Design of Public Space**
This policy states that development should include the provision of public space; designed to have a clear role and purpose which responds to local needs; reflects and enhances the character and identify of the area; is an integral part of and provide appropriate setting and an appropriate scale for the surrounding development; be attractive and safe; connect to establish pedestrian routes and public spaces and minimise and make provision for maintenance requirements.

**Unitary Development Plan DES7 - Amenity of Users and Neighbours**
This policy states that all new development, alterations and extensions to existing buildings will be required to provide potential users with a satisfactory level of amenity in terms of space, sunlight, daylight, privacy, aspect and layout. Development will not be permitted where it would have an unacceptable impact on the amenity of occupiers or users of other development.

**Unitary Development Plan DES9 - Landscaping**
This policy states that hard and soft landscaping should be provided where appropriate that is of a high quality and would enhance the design of the development, not detract from the safety and security of the area and would enhance the attractiveness and character of the built environment.

**Unitary Development Plan DES10 - Design and Crime**
This policy states that developments must be designed to discourage crime, antisocial behaviour, and the fear of crime. Development should i) be clearly delineated ii) allow natural surveillance iii) avoid places of concealment iv) encourage activity within public areas.

**Unitary Development Plan E3 - Knowledge Capital**
This policy states that a Knowledge Capital will be developed, focusing upon the “Arc of Opportunity” around the University of Salford. The provision of financial and professional services and other office based uses; creative, cultural and media industries; communications; research and development; and higher education will be emphasised.

**Unitary Development Plan A2 - Cyclists, Pedestrians and the Disabled**
This policy states that development proposals, road improvement schemes and traffic management measures will be required to make adequate provision for safe and convenient access by the disabled, other people with limited or impaired mobility, pedestrians and cyclists.

**Unitary Development Plan A8 - Impact of Development on Highway Network**
This policy states that development will not be permitted where it would i) have an unacceptable impact upon highway safety ii) cause an unacceptable restriction to the movement of heavy goods vehicles along Abnormal Load Routes.

**Unitary Development Plan A10 - Provision of Car, Cycle and Motorcycle Parking in New Developments**
This policy states that there should be adequate provision for disabled drivers, cyclists and motorcyclists, in accordance with the Council’s minimum standards; maximum car parking standards should not be exceeded; and parking facilities should be provided consistent with the provision and maintenance of adequate standards of safety and security.

**Unitary Development Plan EN17 - Pollution Control**
This policy states that in areas where existing levels of pollution exceed local or national standards, planning permission will only be granted where the development incorporates adequate measures to ensure that there is no unacceptable risk or nuisance to occupiers, and that they are provided with an appropriate and satisfactory level of amenity.

**Unitary Development Plan EN19 - Flood Risk and Surface Water**
This policy states that any application for development that it is considered likely to be at risk of flooding or increase the risk of flooding elsewhere will need to be accompanied by a formal flood risk assessment. It should identify mitigation or other measures to be incorporated into the development or undertaking on other land, which are designed to reduce that risk of flooding to an acceptable level.
Unitary Development Plan CH2 - Development Affecting the Setting of a Listed Building

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

Other Material Planning Considerations

National Planning Policy

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Local Planning Policy

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

Supplementary Planning Document - Design and Crime
The design and crime supplementary planning document is used to help assess and determine planning applications and is intended to guide architects, developers, landscape architects and urban designers in designing out crime.

Supplementary Planning Document - Sustainable Design and Construction
This policy document expands on policies in Salford’s Unitary Development Plan to provide additional guidance for planners and developers on the integration of sustainable design and construction measures in new and existing developments.

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

Appraisal

Following the publication of the National Planning Policy Framework (NPPF) it is now necessary to consider the weight which can be given to the policies of the Council’s adopted Unitary Development Plan (refer Paragraph 215 of the NPPF dated 27 March 2012).

It is considered that those policies of the UDP relevant to this application can be afforded due weight for the purposes of decision-making on the basis that the criteria of each is consistent with the NPPF.

The principle of the development

Notwithstanding that full planning permission has been applied for, the principle of the development has previously been established by way of planning consent 09/57950/EIAHYB, as later amended by 18/71687/NMA. This permission allowed the merging of Plots B2 and B3 and the application the subject of this report is consistent with the intent of this permission.

The key matters for consideration are the appropriateness of the design and detailing of the building and associated works, the impact of these works upon the adjacent listed Salford Railway Viaduct and Colonnade and the appropriate resolution of technical matters. These matters are discussed below and overleaf.

Design matters

Retained Policy DES1 of the Salford UDP states that development will be required to respond to its physical context, respect the positive character of the local area in which it is situated and contribute towards local identity and distinctiveness.
This policy complements Paragraph 56 of the NPPF which states that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

It is considered that the scale and design detailing of the proposed building appropriately responds to the surrounding context and reinforces the emerging built form character of the immediate surrounding area. To this end, the scale of the building generally reflects that of 1 New Bailey immediately to the south whilst the use of brick cladding appropriately references the adjacent listed railway viaduct and the predominant building material used in this area.

Whilst the building will present as a distinctly contemporary element of the streetscape, it’s more modern scale and form is again tempered by the use of a finer grain traditional building material (brick). Again, this appropriately responds to and respects the primary architectural and historic building element in this area, being the adjacent railway viaduct.

Whilst the proposed building would be significantly taller than the viaduct, in the context of this Regional Centre site and as permitted by 09/57950/EIAHYB, this is considered to be acceptable. Indeed higher built forms are located along the length of the viaduct. This includes to the north across Gore Street where a multi-storey residential development is currently being constructed, immediately to the west where a multi-storey car park now stands, to the east across New Bailey Street where a multi-storey residential building stands and also to the north-east across Chapel Street where another multi-storey building is currently being constructed (Albert Vaults). To this end, higher built forms adjacent to the viaduct are typical of the emerging built form character of this area and again are consistent with the scale of development envisaged in this regeneration area.

Importantly, higher built forms can often generate adverse wind effects along surrounding streets. The wind assessment submitted in support of the application concludes that in this case the wind generated by the development would not exceed accepted standards. This ensures that a comfortable pedestrian environment (sitting and standing) would be maintained. This is due to the fact that the height of the building would not generally exceed that of surrounding buildings and as such not capture additional winds and direct these downward to street level. As a result no wind mitigation measures are considered necessary.

On the upper floors of the building open plan office space is proposed arranged around the primary core. In addition to stairs and lifts the primary core will accommodate male, female and gender-neutral WCs and an enlarged accessible WC to accommodate the space needs of power-assisted wheelchairs. The secondary core also includes a Part M complainant accessible WC.

Though ideally the ground floor of the building would comprise additional active uses, for operational reasons this is not possible. The end user has specific requirements, including being the sole tenant of the building. This is for security reasons. On the basis that the building would accommodate a single office use, scope to activate ground level frontages is limited. Notwithstanding this, the applicant has again provided a publically visible office/break out space. The activities carried out in this space would not only create visual interest but also allow for the passive surveillance of the adjacent public footway.

The need to secure the rear of the site has resulted in the provision of more utilitarian installations here including security fencing and gates. Notes on the application plans show that fencing would be decorative and gates would be solid.

Whilst preferably all gates would be visually permeable, the proposed solid gates are again necessary for security reasons. These gates prevent views into the operational areas of the site. Whilst the gates would result in the Gore Street frontage of the site being inactive, this can be accepted on the basis that Gore Street is not a primary pedestrian thoroughfare and a new pedestrian footway would be provided through an adjacent archway. This footway would provide an alternate pedestrian route around the site.
This new pedestrian route would extend past the decorative security fencing flanking the rear car park. It is considered vitally important that this fencing be appropriately finished to ensure a satisfactory pedestrian environment. The detailing of this fencing has not yet been finalised and as such it is recommended that a condition be included on any permission issued requiring the submission of this detail. Ideally, this would include landscape elements. This point is discussed further overleaf.

The treatment of the upper levels of a building can also impact upon the pedestrian environment. In this case, an extended height hit and miss brick parapet would be constructed around roof top plant/equipment to conceal these installations from public view. This would assist in preserving the visual amenity of the area. In accordance with recommended conditions, this roof top plant/equipment shall also not exceed certain noise levels. This, in turn, would assist in maintaining the general amenity of the immediate surrounding area, including that of the residents of the adjacent residential building to the east across New Bailey Street.

It is considered that the scale, form and design detailing of the building, including its ground level treatments and associated public realm works, appropriately respects the positive character of the immediate surrounding area in accordance with the provisions of Retained Policy DES1 of the Salford UDP. In addition to this, it is considered that the development, including the pedestrian connections it provides, would positively contribute to making the surrounding area better for people in accordance with Paragraph 56 of the NPPF.

**Landscaping**

Retained Policy DES9 of the Salford UDP states that *development will be required to incorporate appropriate hard and soft landscaping…*

Soft landscaping is not a key feature of the immediate surrounding area with the area being characterised by more robust building forms and hard landscape features. Opportunities to provide meaningful soft landscaping on site are limited. Notwithstanding this, raised planters would be provided to assist in softening the appearance of the building and to supplement hard treatments. This includes the raised planter and seating feature extending across the forecourt.

Whilst again opportunities to provide soft landscaping are limited, such landscaping could be provided upon the security fencing enclosing the rear car park. Green walls here would assist in softening the appearance of the fencing and improve the pedestrian experience. This is considered vitally important given the site is adjacent to Salford Central Railway Station. Owing to the orientation of the site however as well as the scale of surrounding buildings and the fact that the adjacent railway viaduct extends part way over the proposed fencing, it may be that vegetation here may not thrive.

To this end, it is considered that the provision of green walls be expressed as a preference only rather than a requirement of any permission issued. If green walls were required and it was later found that vegetation could not thrive in this environment, this may impact adversely upon the public realm and pedestrian experience. At the very least, the finish of the fencing should contribute positively to the public realm and this should be the focus of any condition.

It is considered that in the context of this Regional Centre site, the proposed landscape treatment of the site is appropriate and accords with the provisions of Retained Policy DES9 of the Salford UDP.

**Heritage impacts**

Retained Policy CH2 of the Salford UDP states that *planning permission will not be granted for development that would have an unacceptable impact on the setting of any listed building.*

This is complemented by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that when considering development proposals which might impact upon a listed building or its setting, ‘special regard’ should be given to the ‘desirability of preserving the building or its setting or any features of special architectural or historic interest.’

In addition to this, Paragraph 132 of the NPPF states that when considering the impacts of development upon the significance of a designated heritage asset, great weight should be given to that asset’s conservation. This paragraph also states that significance can be harmed or lost through alteration or destruction of the heritage
asset or development within its setting and that as heritage assets are irreplaceable any harm or loss caused requires clear and convincing justification.

Paragraph 133 states that where development would lead to substantial harm or the total loss of the significance of a heritage asset, permission should be refused unless it can be demonstrated that the harm or loss caused would be outweighed by public benefits. Paragraph 134 states that where a development would result in less than substantial harm, this harm should be weighed against public benefits.

The setting of the adjacent listed viaduct and colonnade must be considered alongside the fact that the site and surrounding area forms part of the Regional Centre where higher scale building forms are typically encouraged in the interests of maximising social, economic and environmental benefits (the three dimensions of sustainable development).

In this case, it is considered that the proposed development would in fact enhance the setting of the listed structures. This includes by improving views thereto, in particular from the proposed forecourt forward of the building and leading into Salford Central Railway Station. This forecourt will accommodate a large number of commuters and other rail users, all of whom will now benefit from improved views of the listed structures. This is considered to be a key public benefit and one that outweighs any residual concerns regarding impacts upon the setting of the listed structures.

Though elements of the viaduct and some columns would now be located on private land and as such not physically accessible, again views of these would be increased. To this end, the listed structures would still contribute to the character of the surrounding area. Importantly, lengthy stretches of the viaduct and a number of columns remain in the public realm and physically accessible.

Access and highways matters

Paragraph 32 of the NPPF states that applications for planning permission should only be refused on highways grounds where the residual impacts of a development are considered to be severe.

The site layout plan shows 120 bicycle parking spaces and 53 standard car parking spaces would be provided on site. The parking spaces provided would be for operational vehicles required in association with the surveillance and servicing activities of the end user, and would not be for staff or visitor’s personal vehicles. Whilst ideally fewer car parking spaces would be provided on site and better use made of the railway arches, these parking spaces are required for operational reasons. Therefore, this level of parking is considered to be acceptable to meet the operational needs of the end user. Importantly, all parking spaces would be concealed within the site and beneath railway arches and as such would not impact upon the built form character of the area. However, it is considered that two of the car parking spaces provided on site should be capable of accommodating electric or ultra-low emission vehicles. This includes the provision of charging infrastructure. This is considered necessary given the site is located within the Council’s Air Quality Management Area (AQMA) where there is an identified need to maintain and improve air quality.

Importantly, the site is very well served by public transport. This includes Salford Central Railway Station immediately to the east. The Council’s Consultant Highways Officer has raised no objection to the application. This is however subject to the appropriate resolution of certain technical matters. These matters can reasonably be addressed via conditions on any permission issued. This includes the provision of crossovers adjacent to the entry/exits to the on-site car park. Crossovers are preferred here in place of formalised junctions on the basis that they offer pedestrians priority and assist in reducing the likelihood of conflicts.

The developer will also be required to enter into a s278 legal agreement with the Local Highways Authority to facilitate all highway and public realm works. This includes a contribution for the on-going maintenance of the enhanced surfaces to be provided around the site. As noted by the Highways Officer, it is considered that the development would not impact upon the function or safety of the surrounding road network and as such accords with the provisions of Paragraph 32 of the NPPF.

Drainage

Retained Policy EN19 of the Salford UDP states that development, including the alteration of land levels, will not be permitted where it would …be 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.

The Council’s Consultant Drainage Officer has raised no objection to the application. In accordance with the provisions of Retained Policy EN19, it is recommended that conditions be included on any permission issued requiring the submission of a Detailed Drainage Strategy. This strategy should include source control SUDS as a means of reducing impacts on the local drainage network. Ultimately, the drainage strategy should ensure that surface water run-off is reduced to no more than 50% of the existing or greenfield equivalent, whichever is the greater. This will assist in ensuring that the development does not cause flooding on site or materially increase the risk of flooding elsewhere.

Land contamination

Retained Policy EN17 of the Salford UDP states that in areas where existing levels of pollution exceed local or national standards, planning permission will be granted... only 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.

The site assessments submitted in support of the application reveal that potentially harmful contaminants exist here. On the basis however that these materials would be contained beneath hard surfaces, health risks would be minimised.

To prevent health impacts from previously unidentified contaminants, it is recommended that conditions be included on any permission issued requiring further assessments of the site. This includes the screening of any imported soils to ensure no contaminants are introduced to the site and the submission of a verification report confirming that all required mitigation works have been implemented as previously agreed with the Local Planning Authority.

Ecology

The Conservation of Habitats and Species Regulations 2010 (Amended 2012) prohibits certain activities affecting European Protected Species (EPS). This includes damage to, or the destruction of a breeding site or resting place.

The application proposes the re-use of an existing archway as a pedestrian walkway. Following on from the comments provided by the Greater Manchester Ecological Unit as set out earlier in this report the agents advised that emergence surveys in relation to bats have been carried out. The surveys were carried out on 5th June & 2nd July. The applicants ecologists have confirmed that the results of the surveys demonstrate that no bats were recorded roosting within the arches. They advise that there were low levels of activity throughout the survey from a single common pipistrelle, which was foraging beneath the tracks and that since no roosts were found during either survey, and only low numbers of common bat species were recorded commuting and foraging, no further works will be required with regards to bats. The ecologists are currently finalising their reports which will confirm this. Upon receipt of these reports Greater Manchester Ecology Unit will be re-consulted and an update will be provided prior to the panel meeting via the amendment sheet.

Sustainability

Condition 32 of 09/57950/EIAHYB states that future applications should be accompanied by a report examining the viability/feasibility of obtaining 10% of the development’s energy requirements from decentralised and renewable or low-carbon sources.

The energy report submitted with the application states that the development will feature a number of sustainability measures/initiatives. These include:

- The orientation of the building to maximise solar access;
- The provision of enhanced insulation systems, including high performance windows;
- Reduced air permeability to reduce leakage;
- The use of highly efficient lighting, presence and detection, heating and cooling systems; and
- Waste heat recovery systems.
A pre-design stage assessment revealed that with these initiatives the building would achieve an ‘Excellent’ BREAM rating.

It is recommended that a condition be included on any planning permission issued requiring further details of all proposed measures/initiatives.

Planning obligations

In accordance with the National Planning Policy Framework (paragraph 204) planning obligations should only be sought where they are necessary to make a development acceptable in planning terms, directly related to the development; and fairly and reasonably related in scale and kind to the development. The Planning Obligations SPD (2015) sets out the circumstances where planning obligations will be sought in Salford to mitigate the impact of development.

For commercial developments of the scale proposed, site specific contributions may be required for transport / highway infrastructure and public realm improvements. The application includes a variety of public realm works around the site, including a pedestrian footway beneath the adjacent railway arches and new footways around the perimeter of the site linking it with Salford Central Railway Station and surrounding streets. In addition, the City’s Highways consultant has identified highway works that are needed for the development and these will be secured via condition. Therefore it is considered that the development sufficiently migrates its impact in respect of transport/highway infrastructure and public realm and further planning obligations are not required.

It is also important to note, as outlined in the planning history section of this report, that the hybrid planning consent ref: 09/57950/EIAHYB for Salford Central was subject to a legal agreement in accordance with S106 of the Town and Country Planning Act 1990. This agreement requires developers to pay any profits realised over a certain percentage into a Development Trust Account (DTA). These monies would then be used to fund works elsewhere within the regeneration area. This includes subsidising the redevelopment of less viable plots, public realm works and the provision of affordable housing.

Whilst the Section 106 agreement applies to applications for reserved matters only (as opposed to applications for full planning permission), the Section 106 mirrors the Development Agreement for Central Salford secured outside of the planning process. Therefore, in light of the existing legal agreement, it is not necessary or justified to require a Section 106 agreement with this application as it would duplicate an existing agreement already in place.

Conclusion

The principle of the development was established by planning consent ref: 09/57950/EIAHYB (as amended by 18/71687/NMA) and the scale/form of the proposed building accords with the approved development parameters. In addition to this, the scale/form of the building reflects that of the recently constructed surrounding buildings (in particular 1 New Bailey immediately to the south and 2 New Bailey currently under construction a short distance to the south-west).

Whilst ideally fewer car parking spaces would be provided on site and better use made of the railway arches, these parking spaces are required for operational reasons. It is understood that this includes the surveillance and servicing activities of the end user. Given this, there is a need to secure the railway arches and immediately adjacent land and this has necessitated the provision of visually impervious fencing and gates. Whilst again this is not an ideal outcome, it is necessary.

To mitigate the adverse effects of this, it is recommended that all fencing be finished in manner which ensures a welcoming pedestrian environment. Ideally this would include vegetation (green walls) though it is accepted that this may not thrive in a built-up environment such as this.

The provision of a new pedestrian walkway extending through the railway arches and linking the site to Gore Street will further assist in improving the pedestrian environment. This walkway will provide pedestrians with an alternate (and decidedly more pleasant and safe) route to Salford Central Railway Station. This route would extend past the subject site and along New Bailey Street to the station entry. This is preferred on the basis that the site frontage onto Gore Street will be used largely as a vehicle entry point and as such be relatively inactive.
Importantly, the gates that will be installed across the archway openings onto Gore Street will be high-quality and this will provide a degree of visual interest. It is noted that the adjacent development currently being constructed on the northern side of Gore Street will also introduce some activity along this street.

On the basis that the proposed development is consistent with that envisaged by 09/57950/EIAHYB and appropriately aids in the regeneration of Salford Central, it is recommended that the Planning Panel resolve to grant planning permission.

Recommendation

Approve, subject to the following conditions:

1. The development hereby permitted shall be begun not later than three years beginning with the date of this permission.
   
   Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
   
   • Dwg. No. P1NB-MAK-PA0300, Revision No. 00 entitled ‘Site plan’ prepared by Make Architects and dated 9 May 2018;
   • Dwg. No. P1NB-MAK-XX-00-PL-A-PA2000, Revision No. 00 entitled ‘Ground floor proposed’ prepared by Make Architects and dated 9 May 2018;
   • Dwg. No. P1NB-MAK-XX-01-PL-A-PA2001, Revision No. 00 entitled ‘1st floor proposed’ prepared by Make Architects and dated 9 May 2018;
   • Dwg. No. P1NB-MAK-XX-02-PL-A-PA2002, Revision No. 00 entitled ‘Typical floor plan level 02-06’ prepared by Make Architects and dated 9 May 2018;
   • Dwg. No. P1NB-MAK-XX-07-PL-A-PA2010, Revision No. 00 entitled ‘Roof plan’ prepared by Make Architects and dated 9 May 2018;
   • Dwg. No. P1NB-MAK-XX-NE-EL-A-PA2201, Revision No. 00 entitled ‘Proposed north-east elevation’ prepared by Make Architects and dated 9 May 2018;
   • Dwg. No. P1NB-MAK-XX-NW-EL-A-PA2200, Revision No. 01 entitled ‘Proposed north-west elevation’ prepared by Make Architects and dated 11 June 2018;
   • Dwg. No. P1NB-MAK-XX-SE-EL-A-PA2202, Revision No. 00 entitled ‘Proposed south-east elevation’ prepared by Make Architects and dated 9 May 2018;
   • Dwg. No. P1NB-MAK-XX-SW-EL-A-PA2203, Revision No. 00 entitled ‘Proposed south-west elevation’ prepared by Make Architects and dated 9 May 2018;
   • Dwg. No. P1NB-MAK-XX-SE-EL-A-PA2121 Revision No. 00 entitled ‘Existing and proposed Gore Street arches elevation’ prepared by Make Architects and dated 9 May 2018;
   • Dwg. No. P1NB-MAK-XX-NE-SE-A-PA2300, Revision No. 00 entitled ‘Proposed Section AA’ prepared by Make Architects and dated 9 May 2018;
   • Dwg. No. P1NB-MAK-XX-NW-SE-A-PA2301, Revision No. 00 entitled ‘Proposed Section BB’ prepared by Make Architects and dated 9 May 2018;
   • Dwg. No. P1NB-MAK-XX-00-DR-A-PA2120, Revision No. 00 entitled ‘Arches section and plan’ prepared by Make Architects and dated 9 May 2018;
   • Dwg. No. HED.1319.102, entitled ‘Illustrative landscape masterplan’ prepared by HED Landscape Architects and Urban Designers and dated 5 March 2018;
   • Dwg. No. HED.1319.202, entitled ‘Planting strategy’ prepared by HED Landscape Architects and Urban Designers and dated 5 March 2018;
   • Dwg. No. HED.1319.204, entitled ‘Edgers and boundary’ prepared by HED Landscape Architects and Urban Designers and dated 5 March 2018; and
   
   Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the first occupation of the development hereby permitted, the applicant shall provide two electric vehicle charging points on site. These charging points shall be capable of Type 2 “Fast” charging and wired to a dedicated 30A spur to provide 7KV charging capacity.
Reason: To safeguard general amenity, public health and quality of life and to encourage the uptake of ultra-low emission vehicles in accordance with Paragraphs 35 and 124 of the National Planning Policy framework (NPPF).

4. Any externally mounted plant and equipment (with the exception of plant required for emergency situations such as standby generators, smoke extract equipment etc.) associated with the development shall be designed so as not to exceed the following noise levels assessed in accordance with British Standard 4142: 2014;

- 07:00 - 23:00 - 40 dB L<sub>A</sub>EQ 1-hour
- 23:00 - 07:00 - 35 dB L<sub>A</sub>EQ 15-Minute

Reason: To safeguard the amenity of nearby residents in accordance with the provisions of Retained Policies DES7 and EN17 of the Salford Unitary Development Plan and the National Planning Policy Framework.

5. No development shall take place, including any works of excavation, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority in conjunction with Network Rail. The approved Statement shall be adhered to throughout the construction period. The Statement shall include:

(i) the times of construction activities on site which, unless agreed otherwise as part of the approved Statement, shall be limited to between 9am-6pm Monday to Friday and 9am-2pm Saturday only (no working on Sundays or Bank Holidays). Quieter activities which are carried out inside buildings such as electrical works, plumbing and plastering may take place outside of agreed working times so long as they do not result in significant disturbance to neighbouring occupiers;
(ii) details of all site access arrangements including the locations of all ‘Site entrance ahead’ signs. All access to the site shall be via New Bailey Street only;
(iii) the spaces for and management of the parking of site operatives and visitors vehicles. No vehicles may be parked on any arterial routes, specifically New Bailey Street;
(iv) the storage and management of plant and materials (including loading and unloading activities);
(v) details of how services will be brought into the site. This should not require the closure of New Bailey Street at any time or affect the flow of traffic along this roadway;
(vi) the erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate;
(vii) measures to prevent the deposition of dirt on the public highway. If vehicles could potentially deposit mud/debris on the public highway, measures should be put in place to ensure that street cleansing vehicles are deployed immediately and not just at the end of shifts. If a wheel wash is not installed on site, every effort should be made to clean mud/debris from vehicles before they leave the site;
(viii) confirmation that signs will be available and deployed immediately in the event of mud/debris being deposited on roadways. These signs should advise that roads may be slippery and have ‘Mud on road’ sub plates;
(ix) measures to control the emission of dust and dirt during excavation and construction;
(x) a scheme for recycling/disposing of waste resulting from demolition/construction works;
(xi) measures to minimise disturbance to any neighbouring occupiers from noise and vibration, including from any piling activity;
(xii) measures to prevent the pollution of watercourses; and
(xiii) a community engagement strategy which explains how local neighbours will be kept updated on the construction process and key milestones and how they can report to the site manager or other appropriate representative of the developer, instances of unneighbourly behaviour from construction operatives. The strategy shall also detail the steps that will be taken when unneighbourly behaviour has been reported. A log of all reported instances shall be kept on record and made available for inspection by the Local Planning Authority upon request.
(xiv) Measures to reduce the risk of glint and glare impacting on train operations.
Reason: In the interests of the amenity of neighbours and to prevent any construction works from impacting on the operation of the railway in accordance with Retained Policies DES7, EN17 and ST5 of the Salford Unitary Development Plan and the National Planning Policy Framework.

6. During construction, should contamination be found on site that has not previously been identified, no further works shall be undertaken in the affected area(s). Prior to further works being carried out in the affected area(s) and within a maximum of five working days from the discovery of the contamination, the Local Planning Authority shall be notified. A further contaminated land assessment shall then be carried out and appropriate mitigation identified and agreed in writing by the Local Planning Authority. The development shall then be carried out in complete accordance with the agreed mitigation scheme.

Reason: In the interests of public safety and in accordance with Retained Policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

7. Any soil or soil forming materials brought to the site for use in garden areas shall be tested for contamination and suitability for use prior to importation. Prior to the first occupation of the development hereby permitted, evidence and verification information (laboratory certificates for example) demonstrating that the soil is suitable for use shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of public safety and in accordance with Retained Policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

8. Pursuant to Condition 6 and prior to first use or occupation of the development hereby permitted, a verification report validating that no contamination was found during construction, or confirms that any remedial works undertaken on site were completed as agreed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of public safety and in accordance with Retained Policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

9. Notwithstanding the provisions of Condition 2 of this permission and prior to the first occupation of the development hereby permitted, the applicant shall submit to and have approved in writing by the Local Planning Authority the following:

1. Details of the security fencing enclosing the rear car park. This fencing should be high quality, create added visual interest and ideally incorporate landscape elements;
2. Details of the vehicle access/exit arrangements onto Gore Street. This shall include the provision of crossovers adjacent to each entry/exit as opposed to formalised junctions. The detailed design of the crossings and associated dropped kerbs and tactile paving shall be agreed in writing by the Local Highways Authority;
3. Details of the access arrangements to bicycle stores. All doors leading into bicycle stores shall open inwards; and
4. Details of the bicycle racks to be installed.

The agreed details shall be implemented prior to the first occupation of the development hereby approved and maintained thereafter.

Reason: To ensure the appropriate layout and presentation of the site in accordance with the provisions of Retained Policies DES1 and A8 of the Salford Unitary Development Plan and the National Planning Policy Framework.

10. Notwithstanding the provisions of Condition 2 of this permission and prior to the first occupation of the development hereby permitted, the applicant shall submit to and have approved in writing by the Local Planning Authority, details of the sustainability initiatives incorporated into the development. These initiatives shall include, but not necessarily be limited to:

- The provision of enhanced insulation systems, including high performance windows;
- The provision of reduced air permeability devices/systems;
- The use of highly efficient lighting, presence and detection, heating and cooling systems; and
- Waste heat recovery systems.

The agreed measures shall be implemented prior to the first occupation of the development hereby approved and maintained thereafter.

Reason: To ensure an energy efficient development in accordance with the provisions of Retained Policy EN21 of the Salford Unitary Development Plan and the Council’s Sustainable Design and Construction Supplementary Planning Document.

11. All flood mitigation measures noted in the report entitled ‘New Bailey, Plot 1, Flood Risk Assessment’ (reference 1016177-RPT-CL-0001) prepared by Cundall and submitted in support of the application shall be incorporated into the development hereby approved.

Reason: To secure proper drainage and to manage the risk of flooding and pollution in accordance with Retained Policy EN19 of the Salford Unitary Development Plan and the National Planning Policy Framework.

12. No development shall take place until a scheme for surface water drainage for the site using sustainable drainage methods and which includes details of how water quality will be improved, and how existing surface water discharge rates reduced, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation or use of the development hereby approved unless alternative timescales have been agreed in writing as part of the strategy.

Reason: To ensure a satisfactory method of surface water disposal to reduce the risk of flooding elsewhere in accordance with policy EN19 of the City of Salford Unitary Development Plan and seeks to provide betterment in terms of water quality and surface water discharge rates and meets requirements set out in the following documents:
- NPPF,
- Water Framework Directive and the NW River Basin Management Plan
- The national Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015)
- Manchester, Salford, Trafford Strategic Flood Risk Assessment (SFRA) (2011) and associated technical guidance
- Environment Agency Pollution Prevention Guidelines (now withdrawn)
- Flood Risk Assessment/SuDS Requirements for new developments (Salford's SuDS Checklist)

13. Prior to the first occupation of the development hereby approved, the applicant shall submit to and have approved in writing by the Local Planning Authority, details of an oil separator or equivalent Sustainable Urban Drainage System (SUDS) servicing the on-site car park. The agreed details shall be implemented prior to the first occupation of the development hereby approved and maintained thereafter.

Reason: To reduce the risk of flooding in accordance with the provisions of Retained Policy EN19 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

14. The surface water discharge rate shall not exceed 50% of the existing discharge rate or to greenfield equivalent, whichever is the greater.

Reason: To reduce the risk of flooding in accordance with the provisions of Retained Policy EN19 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

15. Prior to the first occupation of the development hereby approved (or alternative timeframe which has been agreed in writing by the Local Planning Authority), a Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority. This agreed Plan shall be implemented and reviewed in accordance with the timetable embodied therein and shall include as a minimum:
- Details of the budget and resources for the implementation and day-to-day management of Plan measures;
- Details of the management structure of the Plan and details on an in-house contact;
- A timeframe for the delivery of Plan mechanisms;
- Targets and monitoring arrangements;
- Site specific measures which address specific barriers or take advantage of the opportunities presented by the site;
- Details of the measures to encourage walking and cycling to/from the site;
- A site specific travel pack provided to employees upon occupation. This pack should highlight all transport options available to the site; and
- Details of what site specific incentives are being used to encourage sustainable travel to/from the site.

Reason: To ensure that the increased movements to/from the site as a result of the development do not impact upon the local highway network in accordance with Retained Policy A8 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

16. Prior to the first occupation of the development hereby permitted, the applicant shall submit to and have approved in writing by the Local Planning Authority, a Refuse Management Plan. This plan shall detail:

(i) How bins will be moved from the bin stores to the highway;
(ii) Where bins will be temporarily located on the highway (the ‘holding area’) immediately prior to and post collection; and
(iii) Where refuse vehicles will park to collect bins from holding areas.

All bins must then be returned to bin stores as soon as practicable after collection.

Reason: To ensure appropriate mechanisms are in place to manage waste collections and ensure no resultant amenity impacts in accordance with the provisions of Retained Policy DES7 of the Salford Unitary Development Plan and the National Planning Policy Framework.

17. The development hereby approved shall be undertaken in accordance with the approved Written Scheme of Investigation (WSI) prepared by Salford Archaeology and dated 26 April 2018. No part of the site may be occupied until the WSI has been fully implemented to the satisfaction of the Local Planning Authority.

Reason: In accordance with Paragraph 141 of the National Planning Policy Framework to record and advance the understanding of heritage assets impacted by a development and to make information concerning the asset publically available.

18. Prior to the first occupation of the development hereby approved, a scheme to commemorate the sites history within the public realm shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall be implemented prior to the first occupation of the development and retained thereafter.

Reason: In accordance with Paragraph 141 of the National Planning Policy Framework to record and advance the understanding of heritage assets impacted by a development and to make information concerning the asset publically available.

19. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed piling activity is protective of controlled waters in line with paragraph 109 of the National Planning Policy Framework.

20. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples or full details of materials to be used externally on the building(s) have
been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and to prevent any impacts of glint or glare on the operation of the railway in accordance with policies DES1 and ST5 of the Unitary Development Plan the National Planning Policy Framework.

21. No development shall commence until a risk assessment and method statement (RAMS) for construction works close to the railway is submitted to and approved in writing by the Local Planning Authority in conjunction with Network Rail. The development shall be carried out in strict accordance with the approved details.

Reason – To prevent any construction works from impacting on the operation of the railway in accordance with Unitary Development Plan Policy ST5.

22. Prior to first use of the car parking area hereby permitted, a vehicle incursion risk assessment shall be undertaken in order to determine whether a vehicle incursion barrier is required within the secure car park area, to prevent vehicles colliding with the viaduct or colonnade shall be submitted and approved in writing by the Local Planning Authority. Should the assessment determine that an incursion barrier is required then full details of the proposed barrier shall be submitted for the written approval of the Local Planning Authority and once agreed shall be implemented in full prior to first use of the car park area and retained as such thereafter

Reason – To ensure the safe operation of the development alongside the railway in accordance with Unitary Development Plan Policy ST5.

23. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, boundary treatments, external lighting, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within 18 months of first occupation of the development hereby permitted, whichever is the later.

(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its consent in writing to any variation.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Policies DES1 and DES9 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

Notes to Applicants

1. The applicant is advised that all drainage works should be carried out in accordance with Building Regulations Approved Document H.

2. The applicant is advised that s/he has a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 and current Building Control Regulations with regards to contaminated land. Responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.
3. The developer should be aware of the matters noted in Sections 3.3 and 4 of the Crime Impact Statement submitted in support of the application (ref.: 2018/0251/CIS/01, Version A dated 14 May 2018). This includes, but is not limited to, the need to ensure that all building entries are appropriately managed, the need to secure the rear of the site, the need to ensure that the pedestrian walkway beneath the railway viaduct is well lit and managed and the need to ensure that landscaping (both soft and hard) does not reduce the effectiveness of lighting and CCTV.

4. A BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this development including any railway safety costs, possession costs, asset protection costs, site visits, review and agreement of documents and any buried services searches.

5. The applicant is to enter into a S278 legal agreement with the Local Highways Authority and provide the funding necessary to facilitate all required highway works. This includes for the on-going maintenance of the enhanced surfaces to be provided around the site. All detailed design works shall first be agreed by the Local Highways Authority. The agreement shall also include the relocation of any street lighting, drainage or other utility services affected by the development.

Useful contacts

Dilapidation Survey:
- The developer shall contact John Horrocks to arrange a full dilapidation/condition survey of all adopted highways surrounding the site prior to works commencing. Tel: 0161 603 4046.

Highway Permits/Licensing:
- Applications for all forms of highway permits/licenses shall be made in advance of any works being undertaken on the adopted highway. Note: NO boundary fencing shall be erected or positioned on any part of the adopted highway without first seeking the relevant permits/licenses from the Local Highway Authority. Tel: 0161 603 4046

General Highway Information:
- Requests for general Information regarding the adopted highway network shall be directed to the Local Highway Authority - John Horrocks - 0161 603 4046

S278 Works:
- The developer should contact Neil Ashmall on 0161 779 4883 to discuss all S278 arrangements.

Traffic Management:
- The Developer should contact Rob Owen on 0161 779 4848 to discuss all traffic management arrangements.
- The applicants are advised of the following comments from the Environment Agency:

Reuse of material on site

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:
- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites.
Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, we should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- The Environmental regulations page on GOV.UK.

**Waste to be taken off site**

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2017
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with relevant guidance and that the permitting status of any proposed treatment or disposal activity is clear.

6. **Network Rail**

The applicants are reminded that there are structural changes proposed to the arches that will need to be agreed with Network Rail.

Due to the close proximity of the development to the Network Rail owned viaduct and Salford Central Station, and the applicant’s proposal to make alterations to the Network Rail owned viaduct, the applicant will need to enter into an Engineering Assurance process with Network Rail to demonstrate that the construction and maintenance of the development will not impact on the structural integrity and safe operation of the railway and associated assets. The applicant has previously made contact with Network Rail to begin this process, however further liaison is still required before construction work can commence.

The easement between the Network Rail viaduct and the proposed permanent building, construction activities and collapse radii of any plant or machinery, must be agreed in advance with Network Rail for the following reasons:

- To allow for all construction works on site and any future maintenance to be carried out wholly within the applicant's own land, without endangering the safe operation of the railway.
- To provide maintenance access to the viaduct.
- To avoid the risk of plant or machinery collapsing onto Network Rail land or structures.
- To avoid the risk of damage to the structural integrity of the viaduct.

With regards to condition 21 (RAMS) the applicants attention is drawn to the comments from Network Rail in the email dated 10th July 2018 and in particular bullet points 4, 5, 6 and 9 , full details of which should be included within the RAMS statement.

In relation to condition 20 (materials) the applicants attention is drawn to the comments from Network Rail dated 8th July 2018 and in particular bullet point 2 which states 'The applicant should assess the risk of glint or glare impacting on train operations, both during construction and once the development is complete. Sunlight reflecting off reflective surfaces such as glass windows or metallic cladding and glare from artificial lighting, can cause severe vision problems for passing train drivers, which could lead to train delays or safety concerns.'

In relation to condition 12 (drainage) the applicants attention is drawn to the comments from Network Rail dated 8th July 2018 and in particular bullet point 10 which states 'Soakaways as a means of storm/surface water disposal must not be constructed at any point which could adversely affect the stability of Network Rail’s property or structures. Suitable drainage or other works must be provided and maintained by the
applicant to prevent drainage, surface water flows or run-off from entering Network Rail’s property. A drainage plan should be submitted to Network Rail for our records.

In relation to condition 5 (CEMP) the applicants attention is drawn to the comments from Network Rail dated 8th July and in particular bullet point 12 which states ‘Dust from construction activities can cause severe health problems and safety issues on the railway, with particularly significant impacts on train drivers’ visibility. The applicant must employ an appropriate dust control system to prevent wind-blown dust from reaching Network Rail’s property and the nearby operational railway.

The applicants are advised that landscaping of the site should be agreed in advance by Network Rail, in order to avoid an increased risk of leaf fall onto the railway and falling trees endangering the structural integrity of the viaduct. Deciduous trees shed their leaves which fall onto the rail track, passing trains can there lose their grip on the rails which can cause issues with trains being unable to break correctly for signals set at danger.