APPLICATION No: 18/72805/FUL
APPLICANT: Lowry Mill
LOCATION: Lowry Mill, Lees Street, Swinton, M27 6DB
PROPOSAL: Conversion of existing mill pond into a car park.
WARD: Swinton North

Description of Site and Surrounding Area

Lowry Mill (previously known as Newtown Mill) is a refurbished mixed use office and storage space located along Lees Street in Swinton. The building is locally listed (ref: HE_LLSN05) for its industrial heritage, landmark importance and communal value within the local area and comprises two separate buildings, the main being five storeys in height with engaged tower onto Lee Street, whilst the adjoining, later addition to the west is three storeys in height and used primarily for storage. The architectural integrity of the building is derived from inherent use as a former mill which was constructed in 1883 in red brick with regimented arched windows and stone sills to the fenestration.

Within the peripheries of the site lies a small car park and outside storage area accessed off Lees Street to the rear and two connecting sloping mill ponds which collect and drain excess surface water into the main sewer network. The mill ponds are maintained by Lowry Mill and fished recreationally by the Crescent Angling Club. At the present time the lower mill pond (adjacent to Lees Street) has been drained for restoration purposes and wildlife temporarily transferred to the upper mill pond in accordance with an Environmental Permit granted by the Environment Agency.
Beside the small car parking area to the rear of the main building, Lowry Mill is served by a multi-storey car park to the north, beyond Lees Street. The multi-storey car park was permitted in 2012 under 12/61634/FUL and provides 255 car parking spaces with associated cycle parking facilities.

The application site is located within a predominantly residential area and bound to the north (along Mossfield Road), east (along Station Road) and south (along Torkington Avenue and Norbury Grove) by a mixture of terraced properties and apartment buildings. Those properties located along the southern boundary face onto the application site and are positioned at a lower elevation (approximately 400mm) with a 2m high brick wall and established shrubbery. The western boundary lies adjacent to an embankment which leads to a grouping of narrow allotments separated from the playing fields relating to Mossfield primary School further west by a public footpath (Swinton and Pendlebury Definitive Footpath 52).

**Background to Mill Ponds**

The Design and Access Statement submitted in support of this application explains that the upper pond is used as a collection point for surface water drainage from the rear service yard/car park and part of the roof area to Lowry Mill. Historically, the water would have been recycled for the steam generated boilers with the weir outfall controlled by a gate valve which allowed the contents of the two ponds to be balanced and managed to suit the operations of the complex. Any excess overflow from the lower pond drains directly into public sewer along Lees Street.

**Description of Proposal**

Permission is sought for the infilling of the upper mill pond to provide a car parking facility for 100 cars with associated landscaping and vehicle access via the existing entrance onto Lees Street.
The car park will extend over 2400sqm with the pond infilled with a granular material (crushed natural stone or recycled material) and the arched access routes surfaced in bituminous macadam. The parking bays will be surfaced with a permeable material (such as Bodpave) underlined by a 300mm sub-base which creates a porous plastic paving grid system for surface water infiltration from the arched access routes. It is also intended to retain all existing landscape features and boundary treatments (fencing and walling) along common boundaries and provide additional landscaping to the car park with seated areas for employees adjacent to the western boundary with the allotments.

Due to the level differences between the existing car park/storage area and the mill pond a 12m wide 1:12 gradient slope will be created to connect the two areas together.

The applicant intends to install low level LED lighting within the car park however no further details have been submitted for consideration other than the intended operational hours of between 06:00 to 20:30 Monday to Friday.

In order to facilitate development the applicant has detailed how the upper pond will be discharged:

Stage 1  Drain the upper pond weir level by allowing water to flow into the lower pond
Stage 2 In conjunction with United Utilities and with the aid of a silt separation device (e.g. Siltbuster) the water would be pumped from the upper to the lower pond at a rate equal to the natural overflow rate from the lower pond into the public sewer along Lees Street.

Stage 3 As the water level is slowly lowered the Crescent Angling Club, who have exclusive use of the ponds, will be invited to supervise the sensitive stage of water reduction to the collect and transfer the fish to alternative accommodation.

Stage 4 Once the fish have been safely removed and transferred, sampling and testing of the any material to be removed and taken off site will be undertaken to ascertain levels of contamination.

As part of a package of mitigation for biodiversity enhancements the lower mill pond is currently being restored and landscaping around the pond retained and supplemented through additional planting. The emergent vegetation from the upper pond will also be relocated to the lower pond to allow for aquatic invertebrates to recolonize the pond.

**Relevant Site History**

15/66760/DISCON - Request for confirmation of compliance of conditions 2 (colour treatment), 3 (details of guard rail), 5 (car parking management strategy), 6 (car parking layout), attached to planning permission 12/61634/FUL. Discharged 10th February 2016

14/65339/ADV - Display of 2 non-illuminated logo signs. Approved 22nd October 2014

12/61634/FUL - Construction of a raised car park over the existing car parking. Approved 10th August 2012

10/58464/FUL - Erection of 2.4m high palisade fencing on 0.45m dwarf wall to the front boundary. Approved 22nd April 2010

10/59011/FUL - Retrospective planning application for cladding to part of the north-west and south west elevations. Approved 2nd February 2011

09/58173/ADV - Retention of two externally illuminated advertisements. Approved 30th November 2009

09/57551/ADV - Display of two internally illuminated individual letter signs. Approved 8th October 2010

09/58100/FUL - Demolition of existing security lodge and erection of a new security lodge, canopy and fencing. Alterations to roof of fire escape stairs to rear elevation and creation of a new access along Lees Street. Approved 23rd November 2009.

09/57799/ADV - Retention of 3 no. externally illuminated fascia signs to front and side of tower. Approved 25th August 2009


**Publicity**

**Site Notice:** Four Non HH Article 15 site notices were erected on the 21st February 2019 on:

- Torkington Avenue;
- Dudley Road;
- Lees Road; and
- Mossfield Road.

**Reason:** Wider Publicity

**Press Advert:** Not applicable.

**Reason:** Not applicable.
**Neighbour Notification**

6 neighbouring properties were notified of the application on the 31st January 2019. The same 6 neighbouring properties were re-notified on the 14th March 2019 due to concerns raised by those occupants that the original notification letter had not been received.

**Representations**

In total, 18 letters of representation have been received from 15 separate addresses. This amounts to:
- 10 letters of objection;
- 7 letters of support; and
- 1 letter neither supporting nor objecting to the application.

**Objection**

**Loss of leisure facility**
- Loss of leisure facilities and green space. The ponds have provided leisure facilities for years and therefore is there a local accessible alternative as the remaining pond is much smaller;
- Acknowledgment of weekday parking issues however a loss of green space should not be the answer; and
- Too many green spaces have been lost.

**Loss of wildlife**
- Loss of wildlife habitat – swallows, kestrels, toads, newts, finches and herons;
- Hugely detrimental on local wildlife and to replace it, with all things, another car park which can only damage the environment, just beggars belief; and
- Allotments are maintained on the adjoining land and many fellow plot holders have successfully created tiny mini-nature reserves for wildlife but nothing compares to the species of insects, wildlife and flora from a large, well established mill pond.

**Drainage**
- How will the water be disposed of? Will it end up in the drains? Is it contaminated?; and
- Will the hard surfacing of the pond affect the drainage on the adjacent allotments which is already prone to water logging?

**Amenity to neighbouring properties**
- Car park will create a lot of noise pollution with cars coming and going;
- The fumes from cars will be awful, especially with a number of young children living along Torkington Avenue;
- Views of the pond from properties along Torkington Avenue will be ruined by the construction of the car park;
- Presume some type of lighting will have to be fitted which again will affect amenities of neighbours through light pollution;
- Increased noise pollution;
- Loss of amenity through overlooking from the car park into the gardens and windows of neighbouring residential properties;
- The smell of fumes will restrict the opening of windows and stop children from being able to play in the gardens; and
- Properties have not been notified of this application and the date for the submission of objections has passed.

**Crime and Security**
The mill has been targeted numerous times people breaking in the caravans and now with extra cars this will be worse and the potential of the criminals using our property or neighbouring properties as an escape route leaving residents feeling unsafe;

- The car park is not secure; and
- The current pond offers security from burglars etc. but the car park will open the avenue up to access from such people;

Miscellaneous

- The Mill is taking over the whole area.
- The car park will devalue properties; and
- The fact that someone underestimated the parking that would be needed does not mean you look elsewhere. The existing car park should be updated.

Support

- Many companies within Lowry Mill rely on street parking for staff which is causing huge issues;
- Countless staff have been threatened/accosted by neighbours due to parking outside properties;
- Residents are unhappy and have even deliberately boxed off cars so employees cannot leave;
- Lowry Mill is not the most accessible location and the majority of employees drive, particularly if living in the Whitefield or Bury area;
- Cars are targeted by vandals when parked on neighbouring roads and the car park will remove the ability of vandals to target cars;
- Employees are afraid to walk the streets on an evening given the issues with neighbours and vandals. The violence against property and individuals appears to be increasing and may escalate further;
- Living on Mossfield Road is already a nightmare for parking given the proximity of the school and Lowry Mill. The construction of another car park would be a great help.
- Neighbouring streets are overloaded with parked cars – on pavements, bends and junctions. This is causing an obstruction for large vehicles (even ambulances) and therefore the construction of an additional car park would help relieve this problem;
- The need for extra parking is paramount and this will certainly reduce the angst felt by staff members & residents who bear the brunt of daily street parking;
- During working hours the roads can become congested and often dangerous with double parking.
- The new car park proposal is a sensible solution;
- Mossfield Primary School strongly support this application and welcome the attempt to create more parking and address the parking issues in the area:
  - There are severe traffic problems, especially around school drop off time (9am) and school collection time (3:15pm);
  - There have been a large number of concerns from parents and local residents due to the traffic issues with the school unable to offer a school crossing patrol or pedestrian crossing;
  - The increased parking has reduced sign lines down to almost zero and given the lack of defined, safe places to cross, it is only a matter of time before a child runs between parked cars and is struck by a vehicle;
  - Cars now routinely double park along much of the length of the road with passing places filled; and
  - Moving cars are unable to pass each other when going in opposite directions, which has led to ‘road rage’ incidents witnessed by pupils.

Neither objection nor supporting

Although the loss of one pond is disappointing Lowry Mill is providing funds and support of a much improved facility for Crescent Angling Club. This includes major improvement in all ecological aspects from water quality, water circulation, generation of floating islands, improved fishing with platform and aquatic plants.

All fish movements and transfers have been in association with the Environment Agency through an Environmental Permit.

Although there will be reduced fish capacity the retention of one pond will provide a much improved facility for fisherman, fish and wildlife.
Consultations

Highways – No objection subject to the agreement to contribute towards a Traffic Management Scheme to mitigate the dependency on car journeys.

Air Quality, Noise, Contaminated Land - No objection subject to the noise generative construction works being restricted to certain hours and prior to development commencing the applicant shall submit and agree with the LPA a suitable chemical testing methodology for all materials intended to be imported to the site for the infilling of the pond.

Senior Drainage Engineer - No objection subject to the attachment of conditions requesting the submission of a surface water drainage scheme and evidence that the disposal of surface water from the site will not exacerbate existing flooding.

United Utilities Water Ltd - No response received.

Greater Manchester Ecological Unit – No objection

Design For Security – No objection subject to the recommendation that the surfacing/signage should be legible at up to date at all times, lighting should be in accordance with BS5489 and the submission of a security management plan.

Planning Policy

Development Plan Policy

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

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

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

Unitary Development Plan DES3 - Design of Public Space
This policy states that development should include the provision of public space; designed to have a clear role and purpose which responds to local needs; reflects and enhances the character and identify of the area; is an integral part of and provide appropriate setting and an appropriate scale for the surrounding development; be attractive and safe; connect to establish pedestrian routes and public spaces and minimise and make provision for maintenance requirements.
Unitary Development Plan DES4 - Relationship Development to Public Space
This policy states that developments that adjoin a public space shall be designed to have a strong and positive relationship with that space by creating clearly defining public and private spaces, promoting natural surveillance and reduce the visual impact of car parking.

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

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

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

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

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

Unitary Development Plan 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 CH8 – Local List Buildings, Structures and Features of Architectural, Archeological or Historic Interest
The impact of development on any building, structure or feature that is identified on the council’s local list of buildings, structures and features of architectural, archaeological or historic interest will be a material planning consideration.

Other Material Planning Considerations

National Planning Policy

Local Planning Policy

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

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

**Supplementary Planning Document - Design and Crime**
This policy document contains a number policies used to assess and determine planning applications and is intended as a guide in designing out crime.

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

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

The Greater Manchester Spatial Framework Draft 2019 (“GMSF”) and the Revised Draft Local Plan 2019 are subject to public consultation until 18th March and 22nd March 2019 respectively. Following that, they will go through a number of further stages, including examination at a public inquiry, before they are adopted. Adoption is expected to take place towards the end of 2020 or early 2021.

Now the GMSF and Local Plan are published documents decisions, including those by the Council and ultimately by inspectors on appeal, are able to start to afford them some weight as emerging policies. However, as the weight given depends on the stage of the plan; unresolved objections; and consistency with the Government’s policies, the weight currently to be attached to the GMSF and Local Plan is only limited. The weight moving forward will be reviewed and is likely to depend on the extent to which there are unresolved objections emerging from the consultation process.

**Appraisal**

Paragraph 47 of the NPPF states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance it is considered that the relevant policies of the Unitary Development Plan can be afforded due weight for the purposes of decision making as the policies applicable to the proposed development are consistent with the overarching principles contained within the NPPF.

The main considerations in the determination of this application include:
- Principle of Development;
- Siting, Scale and Design;
- Crime and Security;
- Impact upon the Highway Network;
- Residential Amenity;
- Flood Risk and Drainage;
- Contaminated Land; and
- Ecology.

**Principle of Development**

The NPPF expresses a clear presumption in favour of sustainable development which comprises three main dimensions; economic, social and environmental. In order to achieve sustainable development the objectives are interdependent and need to be pursued in mutually supportive ways (paragraph 7).

As reiterated through paragraph 80 of the NPPF planning decisions should help in creating conditions in which businesses can invest, expand and adapt whereby significant weight should be placed on the need to support economic growth and productivity for local business needs.

In respect to the utilisation of land the NPPF requires that planning decisions promote an effective use of land in meeting the needs of alternative uses whilst safeguarding and improving the environment and ensuring safe and healthy living conditions (paragraph 117).
Whilst acknowledging the need to promote sustainable modes of transport through the reduction in car related journeys the applicant has provided justification in support of the proposal whereby it is believed that the proposal represents a responsible, consolidated approach to manage the continuing increases in vehicle numbers and moderate the dependency for roadside parking in adjacent residential streets, the majority of which have no parking restrictions. It is also recognised that the existing car parking facilities are now fully utilised and can no longer sustain the intensification of the business use within Lowry Mill which still remains partially unoccupied.

In assessing alternative options the applicant has considered:

1. **Doing nothing**

   This was not considered sustainable given that this would significantly impact upon the commercial viability of the Lowry Mill’s redevelopment which is reliant upon a reasonable allocation of site parking. Additionally, it would have the potential to further increase the reliance of surrounding residential streets and cause continuing issues for local residents and the nearby school.

2. **Extending the existing car park**

   In order to create an additional 100 car parking spaces the existing car park would need to be extended upwards which was not considered viable given the:
   - Excessive capital cost;
   - The existing car park would need to be decommissioned with no temporary car parking within the local area to accommodate 250 users; and
   - From an aesthetics perspective the resulting built form would be unattractive, out of context with its immediate surroundings and significantly harm the amenities of neighbouring residential properties.

3. **Demolish part of the existing building to create additional car parking provision**

   In response to this option with the exception of the Lowry Mill’s 4th floor, all the remaining floor-space within the site is let and therefore not possible, especially in the short to medium term.

4. **Construct a parking deck in the rear service yard**

   This was not considered viable as:
   - The additional deck would need to be set at a height of approximately 5m in height to allow for commercial vehicles to access the storage areas.
   - The structural columns required to support the deck would become a significant impediment to the manouevrability of vehicles and affect the operational requirements of the storage facility; and
   - The proposal would detrimentally harm the amenities of neighbouring residential properties and the significance of the locally listed mill.

5. **Infilling the existing mill ponds**

   In response to the issues currently experienced at Lowry Mill this option was considered the most appropriate. Whilst the loss of one mill pond would be regrettable from an operational and visual perspective the upper mill pond is ideally positioned to facilitate improved car parking provision. In this regard the upper pond area adjoins the existing service yard which maintains a wide entrance point from Lees Road and provides a secure access route for cars and pedestrians within the confines of the buildings curtilage.

   In addition, the applicant argues that the area to which this application relates is:
   - Largely screened from public vantage points with limited site lines from surrounding roads;
   - Set down to reduce visibility from neighbouring residential properties;
   - Provides the opportunity to create biodiversity improvements to the lower mill pond;
   - Creates improved landscaping with the addition of a small seating area for staff members; and
The proposal represents less than substantial harm to the significance of the non-designated heritage asset whereby the public benefits outweigh the residual harm.

In accordance with paragraphs 80 and 117 of the NPPF it is considered that the proposal would aid in improving the operational requirements of businesses based within Lowry Mill and therefore subject to the compliance of the proposal to other material considerations detailed in the subsequent sections, the principle of the development is accepted.

Siting, Scale and Design

Annex 2 of the NPPF defines a heritage asset to be “a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”

Paragraph 189 sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected [by development], including any contribution made by their setting.

Paragraph 192 confirms that in determining applications, local planning authorities should take account of:

a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 197 states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affecting non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

At a localized level, saved UDP Policy CH8 sets out “the impact of development on any building, structure or feature that is identified on the council’s local list of buildings, structures and features of architectural, archaeological or historic interest will be a material consideration”.

This is supported by saved UDP Policy DES1 which 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 to contribute towards the local distinctiveness of the area. This policy is further accompanied by Policy DES8 which states that planning permission will only be granted for alterations which respect the general scale, character, rhythm, proportions, details and materials of the original structure and complement the general character of the surrounding area.

A heritage assessment accompanies the planning application given Lowry Mill’s designation as a locally listed building (ref: HE_LLSN05). In this regard the heritage assessment outlines the significance of the Mill as an inherent part of Swinton’s industrial past whereby the existence of the ponds are important in understanding how the Mill originally functioned.

The ponds themselves are an example of water being used to power steam engines rather than water wheels, although it is understood that none of the original fittings associated with the use of steam power have been retained beyond the sluice gates between the ponds. As a consequence the heritage assessment considers the ponds to represent some historic value associated to their previous function. Aesthetically, the ponds are largely obscured from public vantage points and poorly maintained with the principle aesthetic value of the site now lying with the refurbished mill building. In terms of communal value, the ponds no longer serve their original function and are now utilised solely by Crescent Angling Club as a place of leisure.

As outlined within the heritage assessment the principal significance of the site now lies within the main mill building with the existence of the ponds to the northwest being of interest in understanding the function of
building and how it was originally powered, however no longer having an active or useful link with mill buildings themselves. It is also recognised that whilst the upper pond would be partially infilled the retention of the accompanying embankments provide an indication of the site's former use with the preservation and enhancement of the lower pond reinforcing this visual relationship.

In conclusion, whilst the scheme could be considered to represent less than substantial harm to the significance of the non-designated heritage asset the proposal demonstrates that a viable alternative use of the pond is achievable without significantly harming the preservation of the Mill, any features of intrinsic value, or any contributions it makes upon the local distinctiveness of the area.

In design terms, the parking area would not be visible from public vantage points due, in part, by the existence of the embankments which would make the car parking area indistinguishable from neighbouring roads and the adjacent public footpath along the western boundary. The obscurity of the proposal is also heightened by the existence of established boundary treatments; most notably a 2.5m high brick wall across the entirety of Lees Road, the formation of 2m high palisade fencing with shrubbery and the presence of the allotment with associated domesticated paraphernalia. To this end whilst the increase in hardstanding would neither preserve nor enhance the character and appearance of the area the concealed positioning of the car park, in addition to the retention and enhancement of the natural boundary treatments, sufficiently balances any harm attributed by this development upon the surrounding area.

The proposed site plan accompanying this application indicates that landscaping will be incorporated into the scheme to provide visual interest and an outside seating area for employees which is supported. However, no further details have been submitted signifying whether these areas would be grassed or landscaped with other forms of planting. It is therefore considered reasonable to attach a condition to any grant of approval requesting the submission of a detailed landscaping scheme to encourage the inclusion of shrubbery in an effort to further enhance the aesthetics of the car parking area and biodiversity credentials attributed to this development.

Overall, the application would provide an alternative viable use of a contaminated mill pond and the wider benefits of creating biodiversity enhancements to the retained lower pond. Whilst the harm attributed to the loss of the pond creates less than substantial harm upon the significance of the non-designated heritage asset the positive contribution made to its overall preservation, in addition to clear public benefits arising from securing additional car parking provision, the proposal is considered to outweigh the relatively low scale of harm and therefore is considered to comply with the policies of the UDP and main objectives of Section 16 of the NPPF (2019).

**Crime and Security**

UDP policy DES10 states that development will not be permitted unless it is designed to discourage crime, anti-social behaviour and the fear of crime. This approach is fully supported in accordance with paragraph 91 of the NPPF which indicate that planning decisions should aim to ensure that developments ‘create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Further policy guidance is outlined in the Council’s SPD on Design and Crime.

A Crime Impact Statement, produced and assessed by Design for Security (Greater Manchester Police), has been submitted for consideration. The Statement outlines that for the most part, the proposal makes a positive contribution to the prevention of crime and fear of crime with the following points identified which would further enhance the proposals acceptability:

- The surfacing should be checked on a regular basis to ensure it remains uniform in coverage and well consolidated. Appropriate signage must be legible and up to date.

  **Response:** This recommendation lies outside the realms of planning however the applicant will be reminded of this request through the attachment of an informative to any grant of planning approval.

- Lighting to parking areas should be in accordance with BS 5489, and display an average lux of 20 (urban areas) with a uniformity level of no less than 25%. These figures should be evidenced by a lighting layout/lux plan.
Response: In ensuring the amenities of neighbouring residential properties are appropriately mitigate it is recommended that a condition be attached to any grant of approval requesting the submission and agreement of a lighting plan prior to first use of the car park.

- The success of the proposed development will be dependent upon the effective management and maintenance of the site and the applicant should be required to provide a security management plan which includes measures to deal with the following:
  - Frequent inspection and prompt repair of security features (e.g. lighting, CCTV, signage, barriers, locks, fencing and rails).
  - Regular litter and graffiti removal (if applicable)
  - Maintenance of car parking surface
  - Vegetation management
  - Installation & Monitoring of CCTV and procedures for response to any incident / recording of images.

Response: In line with the representations made by the Greater Manchester Police, in addition to the concerns raised by neighbouring residents in respect to security, the applicant has submitted a Rear Car Park Management Plan. The Management Plan details the following measures in order to discourage crime:
  - Prohibiting car entry into the car park between the hours of 18:00 and 0600 Monday- Friday;
  - The erection of a 2m high Armco fence and automated entry/exit barrier between the existing operation yard and the proposed car park;
  - Installation of a camera number plate recognition operating system;
  - Reassurance that the site exit gates will be closed between the hours of 20:00 and 05:00 which are controlled manually by the guard office;
  - Confirmation of the guard arrangements;
  - Installation of five additional CCTV cameras to extend coverage to the new car park;
  - Installation of LED lighting in accordance with BS 5489;
  - General housekeeping arrangements for the waste bins and maintenance of car parking areas;
  - Updating and servicing of software and other operational equipment; and
  - Other actions in respect to any accidents and incidents reported.

In assessing the Crime Impact Statement alongside the Rear Car Park Management Plan the applicant is clear in their intentions to create a safe and accessible environment where crime and disorder, and the fear of crime, do not undermine the operations of the business, the employees or neighbouring residents through the incorporation of suitable mitigation measures to provide a positive contribution to the prevention of crime in accordance with Policy DES10 of the UDP and paragraph 91 of the NPPF.

Impact upon the Highway Network

Policy A8 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. Policy A10 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.

As confirmed through paragraph 109 of the NPPF, “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

The application seeks the creation of an additional 100 car parking spaces to accommodate a noticeable increase in the dependency of on-street car parking on local unrestricted roads given the existing car parking facilities are now fully utilized and by the applicant's own admission, a recent survey confirmed that approximately 80% of those working at Lowry Mill commuting by car. As a result the intensification of use has now created an undesirable situation for local residents, the adjoining Mossfield Primary School and those occupants within Lowry Mill.
In terms of policy compliance it is understood that Lowry Mill provides approximately 14,000sqm of usable accommodation with a provision of 250 allocated car parking spaces within the existing multi-storey car park accessed off Lees Road. The proposal seeks to increase the car parking provision to 350 spaces. In accordance with the stipulations of Table C.1 of Appendix C of the City of Salford UDP (saved policy) a maximum of 1 parking space per 35sq.m of floorspace should be provided (i.e.400 spaces). Therefore, the resultant parking level would still be below that maximum and would remain policy compliant.

As a result of the proposed development the level of vehicle related movements along Lees Road would evidently increase and therefore to mitigate any harm the increased vehicular movements may have upon the usability of the highway network the applicant has agreed to enter into a Traffic Management Scheme. The specifics of this scheme are still ongoing however for the purposes of this application a condition requesting a Scheme to be submitted and agreed by the Local Planning Authority prior to first use of the car park is considered sufficient to progress with a recommendation of approval.

Having due regard to disabled car parking the Council’s standards require 6 spaces plus 2% of the overall provision. In this case that translates to 13 spaces. There are already 15 spaces provided for the site on the parking deck which has level access (13) and at the entrance to the mill (2 spaces). It is considered that there is no need for additional disabled spaces on this car park extension which is more remote than the existing spaces. It is, however, recognized that the 1:12 gradient attributed to a small proportion proposed car park meets Part M of the Building Regulations (2004) for disabled access for wheelchair use should access be required.

With respect to cycle storage a secure cycle store providing 10 Sheffield stands for 20 bicycles is located within the basement level of the multi-storey car park however during a site visit the Council’s Highways Officer observed this to be empty, potentially due to the dependency of car bourne journeys for employees or the possibility of the bicycle stores positioning away from the main building.

It is understood from the applicant’s submission that a cross-tenant Travel Plan has been recently introduced to help facilitate a reduction in the number of car dependent commuters. This is considered a positive step in encouraging more sustainable modes of transportation for those who do not require the use of a car given Lowry Mill’s relatively sustainable location to public transport networks.

Overall, it is clear that the proposal represents a betterment argument to the existing issues surrounding the insufficient level of car parking provision at Lowry Mill which is greatly impacting upon the local highway network, in addition to straining the relationship between Lowry Mill and local residents through the dependency of on-street car parking along unrestricted road links.

It is also recognized that the applicant is willing to condition a Rear Car Park Management Plan to maintain the operational requirements of the car park and functionality of the businesses within the facility.

Whilst it is appreciated that the proposed development would not eliminate the requirement for on-street car parking, it would certainly improve the existing car parking situation for the benefit of the local community and remains compliant with the provisions of Policies A8 and A10 of the UDP and paragraph 109 of the NPPF.

Residential Amenity

DES7 of the UDP 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. This policy is supported by EN17 which states that in areas whereby existing levels of pollution exceed local or national standards, planning permission will only be granted where the development incorporates adequate measure to ensure there is no unacceptable risk or nuisance to occupiers.

Torkington Avenue

Due to the developments position to the south-western peripheries of the Lowry Mill complex the application site lies immediately adjacent to the common boundaries of Nos.18, 20, 25 and 27 Torkington Avenue, a terrace of four two storey residential properties with rear facing views towards the upper mill pond. The properties lie at a
distance of approximately 17.5m to the common boundary which is delineated by a 2.1m high brick wall and established hedgerow within the curtilage of Lowry Mill.

As part of this application the existing landscaping along the intervening boundary will be retained with the finished ground level of the car park 2m below the ridge of the wall. This would appear 2.1m from the rear curtilages of the neighbouring properties given the topographical differences.

As evidenced on the sectional diagram below, the car parking area would remain obscured at ground floor level from the adjacent residential properties due to the existing brick walling and level differences. Equally, there would be no views from the car park into the private amenity areas of those properties with a distance of 21m maintained between the car park and any first floor habitable room windows. This is considered to represent suitable aspect distance to ensure the amenities of neighbouring occupants are maintained.

Whilst it is appreciated that views from the first floor elevations would change, issues relating to outlook are not material considerations in the determination of planning applications and therefore do not form part of this assessment. Nonetheless, it is recognized that any outlook from first floor vantage points would be at long range and filtered by established boundary treatments which soften the solidarity of the car parking area from these properties.

Having due regard to the issues surrounding noise and light pollution it is evident that such an encroachment would occur however the applicant has reassured the Council that the intended operational hours of the car park will be between 06:00 to 20:30 Monday to Friday which, as explained by the Council's Environmental Consultant, lies within sociable hours and therefore local residents are unlikely to significantly impacted by excessive noise generation. Equally, in respect to glare from cars, the boundary treatments will offer a suitable barrier to prevent light spillage into the habitable areas at first floor level. It is considered reasonably necessary, however, to request the submission of a lighting scheme to ensure the LUX levels associated with the development are within acceptable parameters. This can be requested through the attachment of a suitably worded condition to any grant of permission.
In respect to the concerns raised regarding air pollution and the inability for adjacent properties to utilize their
garden spaces, the Council’s Environmental Consultant has reviewed the planning application and notes that
given the site is not located within an Air Quality Management Area the impact of development upon the health
of neighbouring occupants is unlikely to be significant and therefore no objection is made on air quality grounds.

It is not considered that the properties along Norbury Grove would be considerably impacted by this
development given the dwellings already lie adjacent to an established car parking and storage area whereby
the operational requirements of the facility create a level of disruption upon the amenities of the occupants.

During the construction period, the Council’s Environmental Consultant has requested the attachment of a
condition to restrict noise generative construction activities to the following hours which are considered
appropriate given the site’s location within a predominately residential area;

- Monday – Friday: 08:00 – 18:00
- Saturday: 09:00 – 14:00
- Sunday and Public Holidays: No noise generative working / deliveries

**Flood Risk and Drainage**

The NPPF provides policy guidance relating to flood risk. Paragraph 163 provides specific advice with respect to
the determination of planning applications stating that local planning authorities, when determining planning
applications, should ensure flood risk is not increased elsewhere.

Policy EN19 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.

The site is located within Flood Zone 1 and classed as Less Vulnerable owning to its commercial use. The Environment Agency’s national dataset on Areas Susceptible to Groundwater Flooding (ASigGWF) indicates that the risk class for this area is greater than 25% however less than 50% for the superficial deposits groundwater flooding. In this regard it is understood that groundwater flooding is being experienced within existing gardens to the south of the application site (along Torkington Avenue) which is alleged to be associated with water leaching from the pond and exacerbating the existing ground water conditions.

Whilst the proposal does not represent major development, it does however include the removal of an existing
SuDS feature which accommodates existing roof and highway run-off and therefore in acknowledging the
proposed drainage information submitted in support of this application, it is appropriate to insist that the site
continues to be drained in the most sustainable method possible. In this regard the applicant has not provided a
drainage strategy whereby pollution prevention measures owing to the creation of an additional 100No spaces
are required.

In order for the Council’s Drainage Engineer to support the scheme in its entirety it has been requested that a
sustainable drainage strategy is submitted through condition prior to the implementation of the permission in
order to understand how the site drains, what type of collection system is proposed, how the water level within
the retained pond will be regulated and what occurs in the event of exceedance. Additionally, pollution
prevention measures are required to regulate the discharge of pollution into the retained pond alongside further
details of the BODPave system and whether this would be utilized as an appropriate SuDS feature to aid in the
drainage of the site.

It is considered that subject to incorporation of conditions relating to the surface water drainage scheme and a
demonstration that the disposal of surface water from the site will not exacerbate existing flooding, the proposal
complies with policy EN19 of the UDP and relevant Policy FRD11 of the Flood Risk and Development SPD.

**Contaminated Land**

NPPF paragraph 178 states that planning decisions should ensure that the proposed site is suitable for its new
use taking account of ground conditions, including pollution arising from previous uses and any proposals for
mitigation including land remediation or impacts on the natural environment arising from that remediation.
The Council’s Environmental Consultant has reviewed the proposed development and raises no objection subject to the attachment of a condition to any grant of permission requesting the submission of a suitable chemical testing methodology for all materials intended to be important to the site for the infilling of the pond to ensure that the material used is free from chemical contamination at levels likely to impact human health.

The application has also been reviewed by the Environment Agency who make objection subject to the applicant ensuring that any site operations are undertaken with a registered waste carrier with the applicant having a duty of care to ensure all materials removed go to an appropriate permitted facility and all relevant documentation is competed and complied with in line with regulations. Additionally, if any waste is to be used onsite the applicant may be required to obtain the appropriate waste exemption or permit from the Environment Agency with all accompanying contact details forming an informative to any grant of permission.

Subject to the submission of the testing methodology the proposed development is considered to comply with paragraph 178 of the NPPF.

Ecology

The NPPF incorporates measures to conserve and enhance the natural and local environment, including 'Biodiversity and Geological Conservation' with Paragraph 175 requiring that in determining planning applications the following principles are applied to conserve and enhance biodiversity:-

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

In accordance with the Council’s validation checklist an Extended Phase 1 Habitat Survey (dated November 2018) with accompanying Phase Habitat Survey (dated March 2019) has been submitted.

The surveys identified that the mill pond had a steep sloping bank with limited aquatic vegetation principally comprising soft rush and bulrush with water horsetail, water forget-me-not and yellow flag iris with small patches of white water-lily and pieces of Canadian pondweed. As a result the emergent aquatic vegetation was considered to cover less than 5% of the pond surface area.

The surveys identified that the upper pond was densely stocked with various coarse fish including carp, roach, perch, chub and tench and in respect to amphibians, none were found during the surveys with local fisherman explaining that none had been sited whilst fishing over the years. Having regard to invertebrates, eleven families of aquatic invertebrate were recorded within the pond and those identified were largely contained within areas of emergent vegetation.

In utilizing the PondNet Invertebrate Family Survey List the biological monitoring working party (BMWP) score for measuring water quality using families of macroinvertebrates as biological indicators was 50. This is considered to be a relatively low score and indicates that the pond as being of only 'moderate' water quality. Additionally, it is understood that through the passage of time contaminates have entered the system and therefore the upper mill pond is considered to be of relatively low conservation value with limited aquatic vegetation and a deficit of diverse aquatic invertebrate assemblage.

In response the Greater Manchester Ecological Unit (GMEU) has reiterated paragraph 175 of the NPPF which requires the planning system to contribute towards the enhancement of the natural environment whereby any loss of habitat should be mitigated, or at the very least compensated for with a site visit undertaken by the GMEU demonstrating that the owners are committed to enhancing the lower mill pond for wildlife and angling, with works already underway to remove contaminated silt, reduce fish numbers to a more sustainable level and the objective of introducing native aquatic and marginal plants once the water levels are restored. The GMEU is also in agreement with continued use as an angling facility which whilst preventing the mill pond reaching optimal ecological value, it nonetheless guarantees the pond’s future maintenance and security.

As a result the GMEU considers that whilst the retained and enhanced mill pond is smaller and therefore the improvement of a pond in poor condition to possibly one that provides only moderate value would not fully compensate for the overall loss of the upper mill pond, the harm is likely to be minor and given the guaranteed
medium to long term management and investment envisaged by the applicant and the Crescent Angling Club
the GMEU raises no objection to the proposed development.

As an informative, it is requested that the applicant is reminded that, under the Wildlife and Countryside Act
1981 as amended, it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use
or being built.

Miscellaneous

A number of local residents have raised concerns with the proposed development in respect to its impact upon
property prices. In this regard the value of local properties is not a material consideration in the determination of
planning applications and therefore cannot be taken into account in assessing the appropriateness of a
development.

Recommendation
Approve

1. The development must 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:

   Proposed Plan and Site Location Plan 2018-254-001 Rev B
   Proposed Sections 2018-254-002 Rev A
   Proposed Details 2018-254-003

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

4. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall
not be used 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.

   (d) The Landscaping Plan shall be designed, wherever possible, in accordance with the
recommendations and mitigation section of the Ornithological Summary (Breeding Birds) by Brooks
Ecological dated August 2018.

   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.

5. No development shall take place until a strategy of 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 strategy 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.

The applicant should also demonstrate that the disposal of surface water from the site will not exacerbate existing flooding.

The car park requires an oil separator and/or equivalent SuDS.

**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)

**Reason for pre-commencement condition:** The solution for surface water disposal must be understood prior to works commencing on site as it could affect how underground works are planned and carried out.

6. Noise generative construction activities (works likely to generate noise beyond the site boundary) shall be restricted to the following hours;
   a. Monday – Friday: 08:00 – 18:00
   b. Saturday: 09:00 – 14:00
   c. Sunday and Public Holidays: No noise generative working / deliveries

**Reason:** To safeguard the amenities of neighbouring residential properties in accordance with Policy EN17 of the City of Salford Unitary Development Plan.

7. Prior to first use of the car park hereby permitted a lighting scheme shall be submitted to and approved by the Local Planning Authority. The measures in the approved scheme shall be implemented in full and continue to be implemented as long as the car park is in use.

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

8. The Rear Traffic Management Plan shall be implemented in full and continue to be implemented as long as the car park is in use.

**Reason:** To safeguard the amenity of the neighbouring residents in accordance with Policies EN17 and DES10 and of the City of Salford Unitary Development Plan.

9. Prior to any materials being imported onto the site the applicant shall submit and agree with the Local Planning authority a suitable chemical testing methodology for all materials intended to be imported to the site for infilling the pond. The development shall be undertaken in accordance with the agreed chemical sampling regime.

**Reason:** To prevent pollution of the water environment and to ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy EN17 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.
10. Prior to first use of the car park hereby approved the applicant shall enter into a Traffic Management Scheme to be agreed by the Local Planning Authority and implemented in accordance with the approved details.

**Reason:** To safeguard highway safety in accordance with Policy A8 of the City of Salford Unitary Development Plan.

**Informative**

1. Highways: The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2018 and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

2. Coal Authority - The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:

   www.gov.uk/government/organisations/the-coal-authority

   This Standing Advice is valid from 1st January 2019 until 31st December 2020

3. Secure by Design - The applicant is recommended to incorporate the design specifications into the scheme in accordance with the

4. Greater Manchester Ecological Unit - Building works should not take place during the optimum times of year for bird nesting (March to July inclusive)

5. Environmental Health - If any controlled waste is to be removed off site, then the site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably permitted facility.

   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.

   If any waste is to be used onsite, the applicant may be required to obtain the appropriate waste exemption or permit from us. We are unable to specify what exactly would be required if anything, due to the limited amount of information provided.

   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: https://www.gov.uk/managing-your-waste-an-overview

   The applicant is advised to contact the appropriate Environment Management team on 03708 506 506 or refer to guidance on our website https://www.gov.uk/topic/environmental-management/waste

   You may need an abstraction license if you wish to abstract more than 20m$^3$ of water a day. Further information is available on our website at https://www.gov.uk/guidance/water-management-abstract-or-impound-water

   Prior to commencing construction works on the site, ensure the construction method statement has identified potential risks and appropriate control measures to ensure that all staff are aware of the pollution prevention requirements including appropriate silt runoff precautions. This is to ensure no
pollution is caused by the works. Please refer to our pollution prevention guidance pages at: https://www.gov.uk/guidance/pollution-prevention-for-businesses

6. Land contamination - Pursuant to condition X above an example verification matrix is presented below;

<table>
<thead>
<tr>
<th>Type</th>
<th>No. Samples</th>
<th>Testing Schedule</th>
<th>Assessment Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virgin Quarried Material</td>
<td>1 or 2 depending on the type of stone utilised to confirm the inert nature of the material</td>
<td>Standard metals / metalloids</td>
<td></td>
</tr>
<tr>
<td>Crushed hardcore, stone, brick</td>
<td>Minimum 1 per 1000m³</td>
<td>Standard metals / metalloids</td>
<td>PAH (speciated)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Asbestos</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Leachate analysis</td>
<td></td>
</tr>
<tr>
<td>Greenfield soils</td>
<td>Minimum 3 or 1 per 250m³ (whichever is greater)</td>
<td>Standard metals / metalloids</td>
<td>PAH (speciated)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Asbestos</td>
</tr>
<tr>
<td>Brownfield soils</td>
<td>Minimum 6 or 1 per 100m³ (whichever is greater)</td>
<td>Standard metals / metalloids</td>
<td>PAH (speciated)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>TPH (speciated)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Asbestos</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Any additional analysis dependant on the history of the donor site</td>
</tr>
</tbody>
</table>

Table 1: Soil verification Matrix, reproduced from Verification Requirements for Cover Systems, (2010), Yorkshire and Humberside Pollution Advisory Council.

The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2018 and the current Building Control Regulations with regards to contaminated land. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.