
REPORT OF THE STRATEGIC DIRECTOR PLACE

TO THE PLANNING AND TRANSPORTATION REGULATORY PANEL
ON
19TH SEPTEMBER 2019

TITLE: Planning Appeals

RECOMMENDATION: That the report be noted

EXECUTIVE SUMMARY: To set out details of appeals received and determined

BACKGROUND DOCUMENTS: (Available for public inspection)

Details of the applications are available on the Council's Public Access Website

<http://publicaccess.salford.gov.uk/publicaccess/default.aspx>

If you would like to access this information in an alternative format, please contact the planning office on 0161-779 6195 or e-mail planning.contact@salford.gov.uk

KEY DECISION: NO

DETAILS: See attached schedule

KEY COUNCIL POLICIES: Performance Management

EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS:N/A

ASSESSMENT OF RISK:N/A

SOURCE OF FUNDING: N/A

LEGAL IMPLICATIONS Supplied by N/A

FINANCIAL IMPLICATIONS Supplied by N/A

OTHER DIRECTORATES CONSULTED:N/A

CONTACT OFFICER: Liz Taylor 0161 779 4803

WARD(S) TO WHICH REPORT RELATE(S): As indicated in the attached schedule.

PLANNING AND TRANSPORTATION REGULATORY PANEL
REPORT ON PLANNING AND ENFORCEMENT APPEALS DECIDED

APPLICATION No: **18/72372/FUL**

APPELLANT: **Mr Stuart Parks**

APPEAL SITE: **ALDI 51 Swinton Hall Road Pendlebury Swinton M27 4BL**

PROPOSAL: **Extension to existing foodstore car park to create an additional 26 car parking spaces**

WARD: **Swinton South**

OFFICER
RECOMMENDATION: **Refuse**

APPEAL DECISION: **Appeal withdrawn**

DECIDED ON: **1 August 2019**

The appeal was withdrawn as an amended scheme was approved for the extension to existing car park to provide 23 additional car parking spaces Re-Submission of 18/72372/FUL. It was approved on the 19.07.2019.

PLANNING AND TRANSPORTATION REGULATORY PANEL
REPORT OF NEW PLANNING AND ENFORCEMENT APPEALS RECEIVED

APPLICATION No: **16/69169/LBC**

APPLICATION
DECISION LEVEL: **Delegated to Officer**

OFFICER
RECOMMENDATION: **Approve**

APPEAL SITE: **463 - 465 Bury New Road Salford M7 3NE**

PROPOSAL: **Listed building consent for the refurbishment and alteration of 14 flats in Grade II listed building to create 20 flats.**

WARD: **Kersal**

APPELLANT: **Mr John Wallis**

DATE RECEIVED: **21 August 2019**

Appeal against conditions attached to planning permission;

Conditions attached are as follows;

1. *The works must be begun not later than the expiration of three years beginning with the date of this consent.*

Reason: To comply with the requirements of section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

- *06-BNR 2016, Existing and Proposed roof plans Rev B*
- *09-BNR 2016, Proposed site plan Rev J*
- *10-BNR 2016 Proposed floor plans I Rev D*
- *11-BNR 2016 Proposed floor plans II Rev A*
- *12-BNR 2016 Proposed elevations Rev B*
- *22-BNR 2016 Proposed waste bin and cycle storage Rev A - only in so far as it relates to bin storage*
- *24-BNR 2016, Proposed sections E-E rev D*
- *23-BNR 2016, Proposed sections C-C and D-D Rev D*

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

3. *No development shall take place until the applicant or their agents or successors in title have secured the implementation of a historic building survey. The survey will be undertaken in accordance with a Written Scheme of Investigation (WSI) submitted to and approved in writing by Salford Planning Authority. The WSI shall cover the following:*

1. *A phased programme and methodology of investigation and recording to include:*

- *an initial survey of the listed buildings*
- *production of a schedule of features of architectural interest*
- *a watching brief to record historic fabric and features during refurbishment works*
- *details of any items of heritage value*

- recommendations for removal or repair/re-use of heritage items including proposed repair and finish works and provision for safe storage for any items to be reinstated

- details of repair and finish works to areas where features are to be removed

- details of any materials to be used in association with any repair/removal works

2. A programme for post investigation assessment to include:

- analysis of the site investigation records and finds

- production of a final report on the significance of the architectural, archaeological and historical interest represented.

3. Provision for dissemination of the investigation results.

4. Provision for archive deposition of the report and records of the site investigation.

5. Nomination of a competent person or persons/organisation to undertake the works set out within the approved WSI.

Reason: In accordance with NPPF Paragraph 199 - To record and advance understanding of heritage assets impacted on by the development and to make information about the heritage interest publicly accessible.

Reason for pre-commencement condition: Any works on the site have the potential to impact upon the special architectural or historic interest of this heritage asset and so the historic building survey is required prior to commencement of each phase of the development.

4. *Notwithstanding the submitted plans, prior to the commencement of any repair works to windows, a 1:20 window repairs plan shall be submitted for the written approval of the Local Planning Authority. The plan shall identify the existing condition of each of the windows and all proposed repair works together with a timetable for the proposed works and where necessary samples of replacement materials shall be provided for the written approval of the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained as such thereafter.*

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and to ensure that the special architectural or historic interest of this heritage asset is safeguarded in accordance with policy CH1 of the City of Salford Unitary Development Plan and the requirements of the National Planning Policy Framework.

5. *Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and full details of materials to be used externally on the building(s), including rainwater goods and mortar, and where required, details of where how new materials will be incorporated into the existing elevations 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 ensure that the special architectural or historic interest of this heritage asset is safeguarded in accordance with policies DES1 and CH1 of the City of Salford Unitary Development Plan and the requirements of the National Planning Policy Framework.

6. *Prior to commencement of works a method statement for the dismantling, recording and rebuild of the Vine Street elevation house shall be submitted to and approved in writing by the Local Planning Authority. Where there is any shortfall in salvaged materials for re-use, full details and samples of materials proposed to make up the shortfall including how they will be integrated across the buildings shall be submitted for the written approval of the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and retained as such thereafter.*

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity and to ensure that the special architectural or historic interest of this heritage asset is safeguarded in accordance with policies DES1 and CH1 of the City of Salford Unitary Development Plan and the requirements of the National Planning Policy Framework.

Reason for pre-commencement condition: Any works on the site have the potential to impact upon the special architectural or historic interest of this heritage asset and so the method statement is required before any development commences.

The appellants grounds for the appeal are that some of the conditions attached to the Listed Building Consent are not achievable from a practical perspective given the present condition of the building. They are seeking the amendment of condition 2 (approved plans) to alter the approved line of demolition so that only the front façade of the building would remain. They are also seeking the amendment of the wording of condition 3 (historic building survey) as they consider the current wording is unnecessary onerous of this type of building and are incapable of being achieved from a practical perspective given the fragile condition of the building.

APPLICATION No: **19/73005/FUL**

APPLICATION
DECISION LEVEL: **Delegated to Officer**

OFFICER
RECOMMEND'N: **Refuse**

APPEAL SITE: **202 Liverpool Road Irlam M44 6FE**

PROPOSAL: **Conversion from Shop (Class A1) to 2 no.self contained flats (Class C3) at ground floor level to include demolition of external store room and alterations to elevations and installation of 1.5m high fence/gate**

WARD: **Irlam**

APPELLANT: **Mrs B. Marshall**

DATE RECEIVED: **12 August 2019**

Appeal against refusal of planning permission.

Reasons for refusal;

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

The applicant has failed to demonstrate through circumstantial evidence or marketing information that there is no demand for the Class A1 retail premises, nor has the applicant sufficiently justified why an alternative use would be more appropriate within this setting. As such, the proposal is contrary to Policy S3 of the City of Salford Unitary Development Plan.

The amenity afforded to future occupants of the proposed development would be inadequate. The distance maintained between the habitable room windows of Flat 1 and 2 and the common boundary of No.204, alongside the adjacent property itself, are insufficient and would provide future occupants with an unacceptable outlook and poor levels of daylight and sunlight due to the height and resulting overbearing effect the boundary fence and built form of No.204 would have upon those residents of the proposed development. As such, the proposal is contrary to Policy DES7 of the City of Salford Unitary Development Plan and Paragraph 127 of the NPPF (2018)
