

**APPLICATION No:** 20/75811/FUL

**APPLICANT:** Wellington Pub Company

**LOCATION:** The Unicorn, 539 Liverpool Road, Eccles, M30 7BY

**PROPOSAL:** Demolition of The Unicorn and erection of 16 new dwellings with modification to existing accesses.

**WARD:** Barton and Winton

**Description of Site and Surrounding Area**

The proposal relates to a public house known as The Unicorn and associated car park situated on Liverpool Road. The Unicorn is an Edwardian Tudor Revival style building, with two octagonal turrets on the corners facing Peel Green Road. There are two projecting full height gables with bargeboards fronting Liverpool Road and another faces south towards Harrison Street. The building has two storeys with the ground floor largely constructed from brickwork. The roof is pitched, hipped, topped with tiles and edged by shaped eaves cornices. There are various extensions to the side and rear, primarily on the southern elevation. The interior of the building does not contain any historic features.

The site is accessed via the north-eastern corner of the car park. The surrounded area is characterized by a mix of residential/commercial properties; with various uses fronting Liverpool Road. As indicated by the aerial photograph (Image 1), the immediate area is characterized by terraced properties plus the odd apartment block.



Image 1: Aerial Photograph

## Description of Proposal

The development concerns the erection of 16, two storey, mixed tenure dwellings with bay window details, pitched roofs and projecting gables in some cases (as indicated by Image 2). The dwellings would each have defensible space / gardens to the front and rear private gardens with bin and cycle storage.

Dedicated parking within a parking courtyard, which is accessed off Liverpool Road via a modified existing access, is provided for plots 5 – 8 and plot 12. The existing access off Harrison Street would be modified to serve a parking area for plots 1 – 4, 15 and 16. Undercroft parking spaces would be provided within the curtilage of plots 13 and 14. Plots 9, 10 and 11 would each have in curtilage parking by way of private drives, sufficient for two parking spaces per unit.

The proposed development would alter the existing layby-type access at the junction between Peel Green Road and Liverpool Road. The alignment of the existing road would not be altered, but the access at the Peel Green Road / Liverpool Road corner would be closed and a new footpath would run around the corner to link the existing footpaths (refer to Image 1).

The proposed development would include the use of zero carbon hydro fusion technology. This technology enables the dwellings to exceed the existing carbon and energy targets required for this development type, by using a fabric first approach backed up with a highly innovative approach to heating and hot water. Each dwelling would have a Hydro-Zero Hydrogen Source Heat Generation Unit installed, a zero emission piece of technology that can be seamlessly integrated with other zero carbon technologies.



Image 2: Site Plan

## Publicity

**Site Notice:** Non HH Article 15  
**Reason:** Wider Publicity

Date Displayed: 8 September 2020

**Press Advert:** Manchester Weekly News Salford Edition  
**Reason:** Article 15 Standard Press Notice

Date Published: 10 September 2020

### Neighbour Notification

46 neighbouring occupiers have been notified of the application.

### Representations

26 letters of representation have been received in response to the application publicity; 20 representations of objection; 2 of comment; and, 4 in support. Please note the following summary:

#### Objection

	C – comment received	R – officer response
C	This is a beautiful building dating back to 1900 - demolition of this stunning structure will be an utter disgrace. The building should be re-developed. A residential aspect could be added to the car park that would not introduce harm to amenity and highway safety.	
R	The Local planning Authority is required to assess the application that is before them on its merits.	
C	The demolition this beautiful building should not go ahead and should be listed for reason of historic interest and famous landmark within the Peel Green area. Many pubs have already been lost on this road.	
R	Heritage England have declined to list the property.	
C	The loss of this community facility will be of detriment to social cohesion. There are virtually few areas to socialise in Peel Green. The provision of additional housing should not be to the detriment of the local community.	
R	The applicant has demonstrated that there are 13 other public houses within 2km of the site.	
C	Access should not be permitted from Harrison Street as it is currently used as a rat run.	
R	The development provides off street parking so any existing rat running should not conflict with the proposal causing a safety hazard.	
C	There is a high demand currently for on-street parking on Harrison Street, which would be increased by the development. The accesses on Harrison Street will remove available on-street parking and those leaving the development may have reduced visibility from other residents parking on street.	
R	Harrison Street is part of the public highway network; parking on the adopted highway is not a right of adjacent homeowners. The development would provide off street parking so should not add to the demand for on-street parking. The matter of visibility is discussed within the highway safety section of the appraisal.	
C	The development would result in an increase of traffic to the detriment of highway safety and congestion.	
R	Please note the highway safety section of the appraisal.	
C	The development would lead to the loss of a view and introduce overlooking.	
R	Homeowners do not have a right to a view. The matter of overlooking is addressed within the residential amenity section of the appraisal.	
C	The development would lead to a loss of light from the properties on Harrison Street given its proximity.	
R	The matter of loss of light is addressed within the residential amenity section of the appraisal.	
C	The construction of the development would result in harm to amenity due to noise. Furthermore, 16 additional properties would provide noise nuisance due to their proximity to residents on Harrison Street.	
R	A condition concerning a construction management plan is recommended, which should assist within minimising noise disturbance through the construction process. Noise nuisance from occupied residential property is controlled under separate legislation.	
C	Erection of 16 new dwellings is over-development of the site.	

R	The development is not considered to introduce harm in terms of design, amenity or highway safety. The development is not considered to be over-development of the site.
C	Houses are being built without the necessary facilities needed to accompany them – the area cannot support more families. The Unicorn should be developed as something more beneficial to the community.
R	The occupiers of the development will contribute to the local area in terms of tax, which should go towards providing the necessary provision for them. Furthermore, as discussed above, the Local planning Authority have to determine the application before them on its merits.
C	There is significant public desire to save the local pub that has stood for 100 years and has a lot of history in the community. An Asset of Community Value (ACV) application has been submitted – the law states that the planning application submitted cannot be determined until we have the outcome on the ACV application.
R	The ACV application has been resolved.

### Comments

	C – comment received	R – officer response
C	Very limited information has been submitted with the application. If this development is given permission there should be a requirement that contractor parking is not allowed on Harrison Street.	
R		The submitted application was made in accordance with the validation criteria. A construction management plan would be the subject of a condition on any grant of consent, which would control contractor parking.
C	The site does require improvement as it is an eyesore and providing houses is commendable. However, this must not impact neighbouring amenity and highway safety. Access off Harrison Street is a concern due to current on-street parking and the speed in which traffic cuts through.	
R		Please note the residential amenity and highway safety sections of the appraisal.

### Support

	C – comment received	R – officer response
C	Firstly, additional housing is a positive – nostalgia is all well and good, but it has never put a roof above someone's head. Secondly, the re-development of this unattractive site would enhance the local area. Thirdly, I find it improbable that a brewery or restaurant chain would take on a pub in an area with little passing footfall, in an area that's got other pubs for competition. Perhaps the developers could rescue a piece of the pub - maybe the bar? - and donate it to Salford Museum, to preserve the memory for the future. But I think calls to save the pub are hugely short-sighted.	
R		N/A
C	There is no merit in this property being retained and is a potential target for vandals. The proposed development appears to be well thought out. Any Section 106 monies should be directed to the nearby Tindall street allotments due to the lack of funding from grant organisations and the City Council.	
R		Any open space contributions would be directed to appropriate schemes within the area.
C	As long as it is private housing and not social housing. It would be good for the area.	
R		The development comprises of private housing.

### Petition

A petition calling for The Unicorn pub to be saved has been submitted with 172 electronic signatures attached.

### *Save Britain's Heritage*

SAVE objects to this application on the basis that the complete loss of a Non Designated Heritage Asset will cause substantial harm and the failure of the applicant to provide sufficient assessment of the asset's historic significance. Furthermore, SAVE considers the existing building to be suitable for retention as part of the wider

residential development of the site, as it continues to enhance the historic character of the local area. For these reasons we recommend the Local Planning Authority refuse the application.

### **Relevant Site History**

20/76193/ACV

Assets of community value for Unicorn Public House Nomination Declined – 21 December 2020.

### **Consultations**

#### **Air Quality, Noise, Contaminated Land**

The Air Quality assessment confirms the highest concentration of NO<sup>2</sup> predicted at the façade is 29.63µg/m<sup>3</sup> which is significantly below the UK limit value. Therefore, no objection is raised.

The proposed development is located adjacent to the busy A57 and subject to high levels of road traffic noise. The noise report recommends a mitigation package, which is considered acceptable.

The desk study report submitted with the application concerning land contamination has assessed the potential for a pollution linkage between any identified source and a receptor. The assessment considers there is a low risk from potential contaminants or ground gasses. The presence of asbestos in soils cannot be discounted. A site investigation is recommended to confirm the findings of the desktop assessment and inform foundation design.

#### **Design for Security**

Concern has been raised regarding the security of the proposed parking arrangements, vulnerability of boundaries and gable ends of plots 1 & 16 being exposed leaving them vulnerable to antisocial behaviour. These matters have been addressed by the applicant and are discussed within detail within the appraisal section.

#### **Environment Agency**

No comments received to date

#### **Greater Manchester Ecological Unit**

Bat Survey Report - the building inspection found no evidence of recent or historic usage of bats nor observed bats emerging or re-entering the property. The Preliminary Ecological Appraisal indicates that there was no evidence of historic bird breeding within the building, but there may be some vegetation clearance to accommodate the proposal.

#### **Highways**

No objection, subject to the recommended conditions and informative being attached to any grant of consent.

#### **Senior Drainage Engineer**

No objection subject to conditions and informative.

#### **United Utilities Water Ltd**

No objections - UU requested that the location of their infrastructure is determined and that the applicant determines that the necessary easements can be achieved, which has been done.

### **Planning Policy**

#### **GMSF**

Following the decision of Stockport Council in December 2020, the Revised Draft Greater Manchester Spatial Framework ('GMSF') is no longer being progressed. The replacement joint development plan for the remaining nine boroughs, Places for Everyone, is in the earliest stages of preparation and no weight can be afforded to the emerging plan at this time.

## **Local Plan**

The Publication Salford Local Plan: Development Management Policies and Designations ('Local Plan') was published on 27 January 2020 and the Addendum (Proposed Modifications) was published on 5 February 2021. However, in accordance with paragraph 48 of the National Planning Policy Framework the weight that can be given to the Local Plan overall is currently limited. The City Council is in the process of considering the comments made to determine the extent to which there are unresolved objections to the policies in the Plan. Those policies with less significant (or no) objections will be capable of carrying more weight than those with significant unresolved objections.

## **City of Salford Unitary Development Plan**

Following the publication of the National Planning Policy Framework (NPPF) it is necessary to consider the weight which can be afforded to the policies of the Council's adopted Unitary Development Plan (paragraph 213 NPPF February 2019). In terms of this application it is considered that the relevant policies of the UDP can be afforded due weight for the purposes of decision making as the relevant criteria within the UDP policies applicable to the proposed development are consistent with the policies contained in the NPPF.

### Development Plan Policy

- Unitary Development Plan ST1 - Sustainable Urban Neighbourhoods
- Unitary Development Plan DES1 - Respecting Context
- Unitary Development Plan DES2 - Circulation and Movement
- Unitary Development Plan DES7 - Amenity of Users and Neighbours
- Unitary Development Plan DES9 - Landscaping
- Unitary Development Plan DES10 - Design and Crime
- Unitary Development Plan H1 - Provision of New Housing Development
- Unitary Development Plan A2 - Cyclists, Pedestrians and the Disabled
- Unitary Development Plan A8 - Impact of Development on Highway Network
- Unitary Development Plan A10 - Provision of Car, Cycle, Motorcycle Park
- Unitary Development Plan EHC4 - Reuse of Existing Health and Community Facilities
- Unitary Development Plan EN17 - Pollution Control
- Unitary Development Plan EN19 - Flood Risk and Surface Water
- Unitary Development Plan DEV5 - Planning Conditions and Obligations

### Supplementary Planning Policy

- Supplementary Planning Document - Design and Crime
- Supplementary Planning Document - Sustainable Design and Construction
- Supplementary Planning Document - Planning Obligations
- Supplementary Planning Guidance - Housing

## **National Planning Policy**

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

## **Appraisal**

### **Principle**

At the heart of the National Planning Policy Framework 2019 (NPPF) is a presumption in favour of sustainable development (para 10). The NPPF outlines that sustainable development consists of three interdependent objectives (economic, social and environmental) that should be engaged in mutually supportive ways (para 8). Paragraph 8 and chapter 11 of the NPPF outlines that decision making should secure an effective use of land to

meet the 'need for homes and other uses, while safeguarding and improving the environment...' (paragraph 117, NPPF).

As previously outlined, the development concerns a public house and associated land/car park. Annex 2 of the NPPF defines previously developed land as land that 'is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes... land in built-up areas such as residential gardens... and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.' Given the development does not fall under the listed exceptions, the development is previously developed land as defined by the NPPF.

### Sustainable Development

Development should contribute to mitigating and adapting to climate change, including moving to a low carbon economy and by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations (para 8, NPPF). The applicant has outlined within the Design and Access Statement that energy conservation and low carbon is at its heart. As discussed above, each dwelling would have a Hydro-Zero Hydrogen Source Heat Generation Unit, a zero-emission technology. This is complemented by plasma gel heat emitters (radiators) that reduce water content of conventional heating systems by over 85% and provide a higher thermal output on less wall space. This increases the operational energy savings in combination with the efficiency of the Hydro-Zero.

The Council has firm aspirations to see improvements in the energy efficiency of future schemes coming forward in the city. The publication version of the emerging local plan sets out all new residential development should "exceed the fabric energy efficiency required under Part L of the Building Regulations 2013 by 19%". Whilst the hydro fusion boilers are a new technology, evidence set out by the applicant is encouraging in terms of the energy efficiency credentials. Given that new homes should achieve 75-80% less CO<sup>2</sup> by 2025, it is important to support the use of new technology to assist with meeting this goal and the aspirations of the NPPF.

### Loss of Community Use

Paragraph 92 of the NPPF sets out planning decisions should (a) plan positively for the provision and use of community facilities (such as public houses) and (c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

Saved UDP Policy EHC4 states planning permission for the reuse or redevelopment of existing or former health or community facilities will be granted where there is a clear lack of demand for the existing use, or appropriate alternative provision is made.

The applicant has submitted an assessment of the alternative pub facilities in the area; prepared by Thomas E Teague (licensed property surveyors). Their assessment outlines that there are at least 13 pubs within 2km distance from the existing facility, most of which have similar trade profiles to the Unicorn when it was open. This demonstrates that there is adequate provision and the loss of the site would not introduce harm to local provision.

The Unicorn closed in July 2019 following a 3 year tenancy. According to the applicant, the tenant vacated on expiry of their tenancy because the business was not sustainable and continued viability was a problem. One of the reasons for this was the difficulty attracting customers due to the oversupply of pubs in the Eccles area. The tenant had to sublet parts of the site (e.g. to a car showroom, takeaway operators) in order to try to support the business due to its ongoing poor performance and declining patronage.

Furthermore, the property was 'squatted' on 30th July 2019, shortly after the property closed. Court proceedings took place resulting in eviction on 7th October 2019. The property has needed 24hr security ever since due to the number of break-in attempts. The squatters left the property in a condition that rendered it unlettable, which the applicant states has added to the costs of refurbishing and repairing the existing property.

It is the applicant's understanding that the closure of the Unicorn did not displace any community groups. A darts team named 'the Unicorn' did exist; however, they ceased playing in 2013/2014. They have not featured in any of the darts league material since their presence in the 2013/2014 league. The 'Save & Reopen! The Unicorn Pub' group have outlined within their Asset of Community Value nomination that sports groups did use the facility

for post-match meet ups. However, the nomination does not name the groups or indicate on what days they met etc.

In conclusion, The Unicorn at the time of its closure suffered from a lack of demand. The applicant has also established that there is appropriate provision with the area to meet any need and the closure of the public house has not displace any known community groups/teams. Therefore, the former customers of the Unicorn would be adequately catered for by the other pubs in the area, and there remains a wide range of choice, such that the loss of The Unicorn does not appear to contravene saved policy EHC4.

### Asset of Community Value

An asset of community value (ACV) is land or property of importance to a local community that has been placed on the register of asset of community value with the Local Authority and a charge is placed with the Land Registry. Voluntary and community organisations can nominate an asset under the Localism Act 2011. As outlined previously, The 'Save & Reopen! The Unicorn Pub' group had placed a nomination with the Local Authority concerning The Unicorn, which has been declined.

A nomination can be made against a property currently in operation or vacant. The appropriate test, which has two limbs, was subsequently applied: i) would the property further social wellbeing or social interests?; and ii) whether the asset has a potential future? If the two limbs of the test are met and the asset is placed on the register, the implication is that the owner of an ACV must inform the local authority if they wish to sell the asset.

If a qualifying community group wants to buy the asset, they can trigger a moratorium for six months, to give them a chance to raise the money to purchase the asset. The owner does not have to sell to a community group. The ACV listing only improves the chances of community groups being able to purchase by providing more time to raise funds. It does not require the owner to sell to a community group, or sell at a discount.

With regards to social wellbeing or social interest, a pub providing a place for the "community" to meet and socialise has been held sufficient previously (Collins v Derbyshire Dales DC CR/2016/0005 & Pullan v Leeds City Council CR/2015/0011) to consider that the first limb of the test has been met. The Wellington Pub Company have stated that 'as a result of this lack of regular custom ... the Unicorn became unviable.'. However, it is not unreasonable to assume that there was an element of regular trade/community use regardless of whether this brought about sufficient profit to sustain the use. Given that the mere ability/opportunity for people to interact and socialise with one another in the pub provides 'social wellbeing', this limb of the test is met.

It should be noted that the test of 'social wellbeing' does not factor demand into the assessment of a community asset. Saved UDP policy EHC4, as indicated previously, steers how community facilities should be redeveloped from a development management perspective in Salford. This policy does take account of demand, which is why the conclusion drawn (above) is different from that made with regards to ACV application.

In relation to future use, section 88 (2)(b) of the Localism Act requires Local Authorities to consider whether it is realistic to think that there is a time in the next five years when there could be a non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community. Case law has established that the landowner's intentions for a site (Patel v Hackney BC CR/2013/005) is an important factor when weighing whether future community uses are unrealistic. The landowner confirmed that their intention is not to dispose of the site (even after developing it for housing); instead they would develop and manage the properties themselves as they have done elsewhere. Given this, community use was considered unrealistic and so the nomination failed the second limb of the test.

### Housing Mix

The NPPF outlines that 'the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve' (para 124, NPPF). Saved UDP policy H1 supports this objective by advocating that development should contribute to a suitable mix, tenure, affordability and density of dwellings.

The proposal is for 16 two storey houses, as follows:

- 6 x 2 bed dwellings (70.4sqm)
- 6 x 3 bed dwellings (86.3sqm)
- 2 x 3 bed dwellings (86.9sqm)

- 2 x 3 bed dwellings (94.3sqm)

The Housing Planning Guidance has been designed to support the implementation of policy H1. Policy HOU1 of the housing planning guidance states that within the part of the city where the proposed development is located (classed as West Salford for the purposes of applying this policy), the large majority of dwellings within new developments should be in the form of houses rather than apartments. The reasoned justification to the policy considers that normally this will mean at least 80- 90% of dwellings on individual sites being in the form of houses rather than apartments. The proposed development is 100% houses and therefore complies with this policy.

Policy HOU2 of the housing planning guidance requires that most new houses should have at least three bedrooms. In this case, 62.5% of the houses would have three bedrooms or more and therefore the development would comply with this policy. In addition, the size of the dwellings proposed are in line with the nationally prescribed space standards (70sqm for 2bed/3 person dwellings, 84sqm for 3 bed/4 person dwellings and 93sqm for 3bed/5 person dwellings).

### Principle Conclusion

The proposal would provide a balanced mix of homes on a brownfield site constructed with sustainable heat generation technology providing a range of homes to meet the needs of present and future generations. With regards to the host property providing a community facility, there are 13 public houses within 2km of the site so there is sufficient provision within the local area to meet need. The closure of the public house did not displace any specific community groups/teams. Considering these factors, the loss of The Unicorn as a community facility does not outweigh bringing back a vacant site into use to provide housing within a sustainable location. Therefore, the principle of development is considered acceptable subject to compliance with other relevant policies in the UDP.

### **Heritage**

The fact that a building has been considered unsuitable for national listing by Historic England does not mean that it does not have any value as a heritage asset and should not be included on a local list or be considered as a non-designated heritage asset.

Non-designated heritage assets are defined as “buildings, monuments, sites, places, area or landscapes identified as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets” (Para 039 PPG). Local listing is a means for a local community to decide what it is in their area that makes a contribution to its character and historical legacy and as such what they would like recognised as a 'local heritage asset'. The city council's local list was adopted in 2013.

The property was not included on the local list when it was originally adopted. However, at that time a set of 8 criteria were established for future items to be considered for inclusion on the local list, relating to architectural interest, historical interest, age, aesthetic value, local interest, group value, landmark value and social or communal value. A property does not have to comply with all 8 criteria to be included on the list.

The Unicorn would be considered worthy of inclusion on the local list, particularly when assessed against criteria relating to age, architectural interest, landmark value and social or communal value in particular (although consultation would also need to be undertaken with local residents and ward members prior to its final inclusion on the list). The property marks the extent of development in this part of the city at the end of the 19th century/start of the 20th century and is in the Tudor revival style with pitched gable roofs and octagonal corner turrets with conical roofs above and includes half timbering detail and also elaborate masonry chimneys. There have been some alterations including painting of brickwork and changes to the window on the gable elevation and there have also been some more modern additions to the rear elevation to Harrison Street, although it is considered that the original construction and purpose of the building is able to be appreciated and understood. Therefore, the building has both some architectural and aesthetic interest; especially on the main frontages to Liverpool Road and Peel Green Road. It is also considered to have some landmark value at this location at the junction of Liverpool Road and Peel Green Road.

Considering the above, the property does constitute a non-designated heritage asset. The fact that a building or site is on a local list or is considered to be a non-designated heritage asset means that its conservation as a heritage asset, which is an objective of the NPPF, is a material consideration when determining the outcome of a planning application.

The NPPF states that “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 affect 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” (Para 197, NPPF 2019). Similar guidance is provided in Saved UDP Policy CH8. The significance of a heritage asset relates to the value of the asset because of its heritage interest which may be archaeological, architectural, artistic or historic (Annex 2: Glossary, NPPF 2019).

A distinction between substantial harm and less than substantial harm is not made by paragraph 197 of the NPPF nor does it create a presumption in favour of preservation. For the purposes of paragraph 197 demolition amounts to ‘harm’. It is important to note that when applying this policy, it applies to The Unicorn only not the local character, as the surrounding area is not a conservation area nor does the host have a group value with surrounding property. It merely means that the developing the site needs to be weighed against the demolition of The Unicorn.

Evidence provided by the applicant (within the Heritage Impact Assessment) indicates that The Unicorn was not built in 1895 as indicated by SAVE. In 1895 the site was known as the Unicorn Inn, which is confirmed by historic mapping. By 1908 the site had been completely remodeled and was known as the Unicorn Hotel, which denotes a change in character. Newspaper evidence and an article published in The Journey in 1975 indicate that the original Unicorn Inn was demolished in 1900. There is no evidence that any fabric earlier than 1900 exists on the site or was ‘remodeled into the new build. ‘SAVE’ also suggest that there is a connection between the host site and the founding of the Rochdale and Manor Brewery company, however, there is no substantive evidence of this.

As described above, the proposal would result in the demolition of The Unicorn. The alternative would be to convert the pub into residential accommodation. The interior is not of any historic or architectural merit so remodeling would not harm the heritage interest, and the single storey extension could be removed without harm.

According to a Feasibility Study undertaken by the applicant, it is understood that conversion would have a negative impact upon the viability of developing the site. This assumption has been supported through the submission of a Heritage Financial Viability Assessment, which has been reviewed by an SCC surveyor. The surveyor has concluded that the scheme presented would not be viable.

The number of internal solid walls that could be retained would be minimal and the external walls would require repairs with upgrading to provide thermal insulation (Supplementary Statement, Caldecotte Group, February 2021). Converting The Unicorn would have an impact upon the efficiency of redeveloping the site as a whole due to the need to provide a curtilage around the property; the resulting need to reposition the access; and the care needed to be taken with positioning other units in relation to the retained building (Heritage Impact Assessment).

While examining the feasibility of conversion, it has become apparent that due to positioning of windows, and the need for habitable rooms to have suitable access to light and ventilation, the potential development would offer one bedroom flats that would be oversized (Supplementary Statement, Caldecotte Group, February 2021). From an amenity perspective large habitable rooms are advantageous but could prove difficult to sell and retain viability. Furthermore, this proposal would not provide a mix of dwellings sizes in terms of bedroom numbers that is advocated by HOU2.

There are several other examples of public houses that have been statutory listed or are on the local list within the area. Historic England notes that The Grapes, which is a grade II listed building 300m to the east of the host, is a better contemporary example compared with The Unicorn. Slightly further east from the host and The Grapes are the Stanley Arms and Royal Oak (34 Barton Lane), which are both grade II listed buildings. On the local list are The Rock House (40 Peel Green Road) and The Kings Head (535 Barton Lane), which are further examples of public houses that have been recognised for their historic value.

In the event of total demolition, the only mitigation available would be the preservation of the building by record (as set out by paragraph 199 of the NPPF). This could be achieved by applying a building recording condition to be executed according to a written scheme of investigation by the relevant monitors.

## Heritage Conclusion

On balance, the level of harm brought about through the demolition of The Unicorn is limited given the heritage asset has nominal architectural and aesthetic interest and landmark value. The Unicorn is not associated with anyone of note nor a specific way of life. The conversion of the property would result in an inefficient and unviable development in the context of the wider plot. Whilst the building has marginal heritage interest, this is not considered to outweigh the benefits of the proposal efficiently and sustainably providing new housing.

## **Character and Appearance**

Paragraph 124 of the NPPF outlines that the 'creation of high quality buildings and places is fundamental to what the planning and development process should achieve.' Good design is indivisible from good planning. More specifically, development should function well and add to the overall quality of the area; be visually attractive as a result of good architecture and layout; sympathetic to local character; establish or maintain a strong sense of place; and, create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users (para 127, NPPF 2019).

Saved UDP Policy DES1 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. The policy advises that in assessing the extent to which any development complies with this policy, regard will be had to a number of factors, including the relationship to existing buildings and landscape, the character, scale and pattern of streets and building plots, and the quality and appropriateness of proposed materials.

## Detailed Design

With regards to the development's relationship with existing buildings on Liverpool Road and Harrison Street, the proposal would follow the existing building line. This allows for the provision of defensible space to the front of the properties and continues the rhythms of the streetscene maintaining character of place. The development would include parking courts, which is uncharacteristic of the area; however, the site itself is in part a car park so the proposal would not be detrimental to the character and appearance of the area.

The immediate area is predominately characterised by two storey terraces. The development would consist of a mix of two-storey semi-detached (linked) and terraced properties. As such, the density of the development would not appear out of character. The scale and massing of the houses are also very similar to those that already exist in the area (as indicated by Image 3). In addition, materials of quality and durability that are appropriate to both the location and the type of development are required, which can be secured by way of condition on any grant of consent. [Saved UDP policy DES1]

The proposed properties would have pitched roofs with bay windows, heads and cills, porches and pitched roofs constructed from red brick. Given these features are consistent with the local vernacular, the development would contribute to local identity and compliment the character and appearance of the immediate area. The quality of the building materials are very important as this contributes significantly to the quality of the finish so this matter would be controlled through condition on any grant of consent.

Appropriate hard and soft landscaping provision is expected within all new development. Landscaping must be of a high-quality in terms of design and materials; reflect and enhance the character of the area and the design of the development; respect adjacent land uses, buildings and other structures; and, wherever possible make provision for the creation of new wildlife habitats (Saved UDP policy DES9).

Given the scale of the development, the proposed hard and soft landscaping arrangement is modest but appropriate for the residential setting. The proposal would include semi-private front gardens enclosed by fencing and hedging with private rear gardens. The presence of fencing within the streetscene has been reduced to a minimum and softened with hedging, which would also provide an extra barrier to access. In addition, the existing walling has been utilized where possible to provide a barrier between public and private areas. Landscaping has also been used to soften the parking areas.

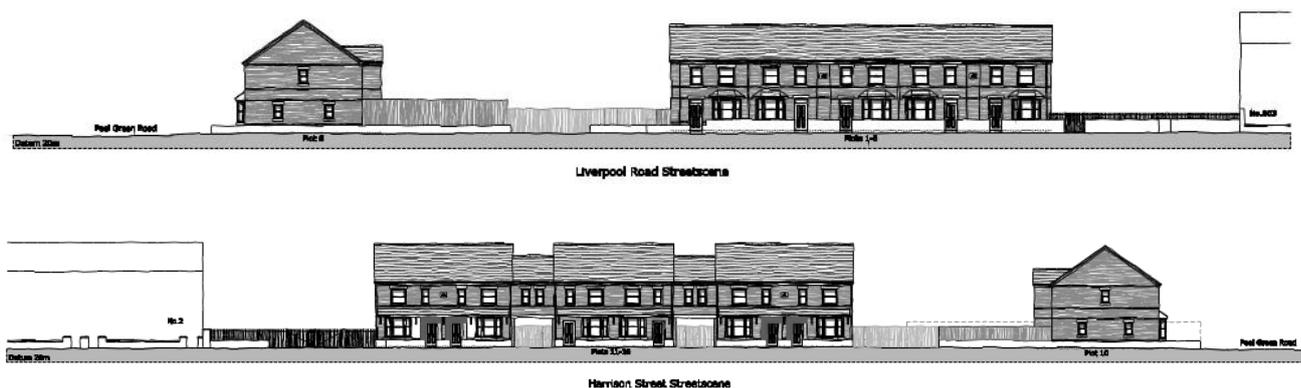


Image 3: Streetscenes

### Design out Crime

Saved UDP policy DES10 requires that development is designed to discourage crime, anti-social behaviour and the fear of crime. In response to this, the applicant has commissioned a Crime Impact Statement (CIS), which has been produced by a Secured by Design Licensed Consultant. The Greater Manchester Police Crime Prevention Team have reviewed the proposal and CIS and have made the following comments:

1. The proposed parking arrangements are problematic. The majority of dwellings are served by unsecured parking courts which cannot be easily observed by residents, leaving vehicles vulnerable to criminal behaviour.
2. The location of the parking courts leaves a number of rear garden boundaries accessible, potentially leaving these dwellings vulnerable.
3. The gable ends of plots 1 & 16 are exposed, leaving them vulnerable to antisocial behaviour such as congregation and ball-games to the detriments of residents.
4. There is no mention of lighting to the proposed parking areas or associated footpaths.

The applicant was advised of the above comments and has amended the proposals as follows:

- Planting strips along Plots 1 and 16 to prevent ball games, in addition to gable-end windows at ground and first floors in these two units;
- Gate added to pedestrian access from Liverpool Road to car parking area;
- Gate added to vehicular and pedestrian access from Harrison Street;
- 1500mm railings added to Harrison Street parking area entrance and 500mm railings to top existing 1m high wall on Liverpool Road side to increase security into the parking area;
- The footway and gate to plot 5 has been brought forward to avoid creating a concealed unauthorised access; and
- A window has been made larger within the gable end of plot 5 to enhance natural surveillance (notwithstanding the passive surveillance that exists from the rear windows in plots 6, 7, 11 and 12);

The matter of lighting can be controlled through any grant of consent. With the above amendments in place and a condition requiring details of the boundary treatments to ensure a robust approach, the proposal is unlikely to be vulnerable to crime. Therefore, the development accords with DES10.

### Character and Appearance Conclusion

Considering the existing context, the proposed layout, scale and massing of the development would relate positively to the surrounding buildings. The form, detail and materials proposed would contribute to local identity. The design of the development is such that the proposal would benefit from natural surveillance and the visual impact of car parking would be reduced. Considering these factors, the proposal is compliant with the aforementioned policy.

## **Residential Amenity**

In accordance with paragraph 127 of the NPPF (2018) development should provide a high standard of amenity for existing and future users. Development will not be permitted where it would have an unacceptable impact on the amenity of the occupiers or users of other developments (in accordance with saved UDP Policy DES7). The House Extensions Supplementary Planning Document is used as a guide to determine what distances are likely to be acceptable between principal windows and blank gables/sides to avoid the introduction of dominance or overlooking. A distance of 10.5m should be achieved between a principal window and a boundary or 21m between windows. With regards to the relationship between a gable and a principal window, a distance of 13m should ideally be achieved.

The proposed terraces fronting Liverpool Road are approximately 20.5m from the neighbouring dwellings opposite and the relationship between the development and properties on Peel Green Road are a distance of roughly 20.2m, both of which are considered to be acceptable. The linked semi-detached properties are approximately 15m from the existing properties on Harrison Street, which is below the recommended allowance. However, this relationship is in-line with the urban grain within the area and as such there are no objections.

Plots 10, 16 and 11 have windows within the side elevation that may interact with windows located within the gable ends of neighbouring properties. However, the proposed windows located at first-floor level relate to a bathrooms in the main, which are not habitable rooms, and views from the ground floor windows would be partially obscured by boundary treatment. Plot 16, would have two bedroom windows within the gable to provide enhanced security for the parking court to the west. The (secondary) master bedroom window would be sufficiently staggered from the neighbouring window to avoid direct overlooking. To ensure bedroom 2 of plot 16 does not introduce overlooking, a condition concerning obscure glazing is recommended. Considering these factors, the proposed windows are unlikely to introduce harm to neighbouring amenity.

All gable ends meet the guidance with regards to their relationship with neighbouring properties, so the development is unlikely to introduce harm with regards to dominance. The orientation of the sun in relation to the development is such that the proposal would not introduce harm from an overshadowing perspective. The applicant has submitted a Daylight, Sunlight and Overshadowing Assessment, which confirms the officer's conclusions regarding overshadowing of neighbouring property. Furthermore, the development would not result in the loss of daylight or sunlight within neighbouring property identified within the study.

The relationship between properties within the development itself would not meet the guidance outlined above. However, the proposed rear to rear relationships are not dissimilar to those that are already present within the area. Considering this and that the proposed distances do vary across the site, providing variety for potential buyers, the proposal is considered acceptable in this regard.

The Daylight, Sunlight and Overshadowing Assessment indicated 10 proposed window locations did not meet the BRE criterion. However, the locations were considered to have alternative access to natural light or were a non-sensitive room type. As such, the impacts of the development would be considered insignificant.

A desk-top study within the Daylight, Sunlight and Overshadowing Assessment indicated that 84.24% of the development's amenity areas would achieve at least 2 hours of sunlight, in line with the BRE guidance. There is therefore low potential for overshadowing of usable outdoor space.

### Residential Amenity Conclusion

The development would not introduce harm to neighbouring residents in terms of space, sunlight, daylight, privacy, aspect, and layout. Therefore, the development would not have an unacceptable impact upon the amenity of the occupiers or users of other developments.

## **Highway Safety**

Saved UDP policies A2 and A10 seek to ensure the provision for safe and convenient pedestrian access and that enough car, cycle and motorcycle parking is provided for new developments. Saved UDP policy A8 sets out that development should not have a negative impact upon the safe and free flow of the highway.

The nearest bus stops are situated adjacent to the site on the A57. There are 9 buses per hour in each direction during the day providing coverage of local areas, key destinations in Salford and Manchester city centre. Patricroft railway station is approximately 1.1 kilometres to the north east of the site, accessible via A57 and B5211, taking approximately 14 minutes by foot. Whilst this station may be seen to be above the rail catchment threshold, multi-modal linked journeys with all of the above bus services promotes the use of this rail station, which generally offers 60-minute rail frequency to onward destinations such as Crewe, Newton Le Willows, Liverpool Lime Street, Manchester Airport and Manchester Piccadilly. In addition, the development is well connected to the local highway network providing convenient access from the surrounding residential areas and local amenities. Considering these factors, the site is set within a sustainable location from an access perspective.

Table 1 within the Highway Technical Note indicates that the development is expected to generate 12 and 9 two-way trips in the AM and PM peaks, respectively during the week. This equates to less than one vehicular trip every 5 and 6.7 minutes during the morning and evening peak hours (respectively). Within recent times, the application site was used for vehicle sales that would have generated more vehicular trips. Therefore, the Local highway Authority (LHA) considers the proposal will not result in a significant material impact on the local highway network (in accordance with the NPPF).

The proposal includes modifying the existing access off Liverpool Road. Modification includes narrowing down the access point from 13m to 4.8m wide with 3.0m kerb radii and adding dropped kerbs and tactile block pavers on either side. The modified access would serve the parking area for 8 parking spaces associated with plots 5,6,7,8 and 12. This modification is considered acceptable subject to the existing no waiting at any time restriction being amended to protect the bell mouth of junction.

The proposal includes closing up the existing formal priority T-junction (i.e. access) off Peel Green Road and introducing a part continuous footway with a 3.5m wide vehicular crossover point with concrete transition kerb either side to serve plot 9 (please note Image 1 and 2). The implications for on-site infrastructure is that the existing no right turn road sign may need to be relocated and additional street lighting maybe required, which can be dealt with during the detailed design process.

TfGM confirmed that the existing bus stop (NF0238) located to the south of plot 9 access point will regain a bus service from 25th October; therefore it is to be retained. TfGM have raised no concerns with the proposed vehicular crossover point but suggest that the footway should be raised with a 160mm high kerb face as part of the proposal to improve public transport infrastructure. This improvement can be secured by way of condition on any grant of consent.

The development would also involve closing up part of the existing vehicular crossover point on Harrison Street and introducing a part continuous footway with a 4.8m wide formal T-junction (i.e. access) with 3.0m kerb radii, dropped kerb and tactile block pavers on either side. The proposal also includes 4 x 3.5m wide vehicular access points off Harrison Street for plots 10 to 14, assessed via crossover points. Plots 10 and 11 share a 7m wide crossover point with concrete transition kerb either side. To ensure visibility is maintained, a no waiting at any time restriction should be required via condition on any grant of consent.

As part of public realm improvements, the footway surrounding the development on Liverpool Road, Peel Green Road and on Harrison Street must be re-kerbed and resurfaced with bituminous material to create a desirable pedestrian environment. The applicant intends to close up the disused access point on Peel Green Road, introduce a footway and a pedestrian crossing point approximately 6.75m south of the 'Give Way' line. All of these matters can be secured by way of condition on any grant of consent.

Waste collection can be undertaken from kerb-side at Peel Green Road and at Harrison Street, but should not be permitted to be undertaken from along Liverpool Road. The implication of this is that the occupants of plots 1-5 will have to wheel their bins down to Harrison Street – a temporary holding point has been provided for this purpose.

#### Highway Safety Conclusion

Given the nature of the development, with the suggested conditions in place, the proposal would be acceptable with regards to layout and service arrangements. Considering these factors, the proposal would not introduce harm to highway safety and so would be compliant with aforementioned policy.

## **Flood Risk and Surface Water Drainage**

UDP Policy EN19 states that development 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. In addition, UDP Policy EN18 seeks to ensure that development would not have an unacceptable impact on surface or ground water.

The application site is situated within Flood Risk Zone 2 which means the site has a medium probability of flooding and requires a flood risk assessment. The NPPF identifies that a sequential approach should be taken to development within Flood Zone 2; to steer new development to areas with the lowest probability of flooding. The Sequential Test is a decision-making tool designed to ensure that sites at little or no risk of flooding are developed in preference to areas at higher risk.

The applicable area for the Sequential Test has been taken to include sites within the wards of Barton and Winton. Given the site is within the Salford West regeneration framework and that the framework notes there are neighbourhoods experiencing severe deprivation, it would be appropriate to limit the site search in this case to ensure positive re-development is focused within these wards.

There is a total of 10 sites within this area. Of these, 6 were excluded due to the site size not being appropriate or the site being within Flood Zone 2. The remaining 4 were dismissed for reasons of residential amenity, ecology/arboricultural constraints, ground conditions, access restrictions, policy constraints and public right of way restrictions. Considering this, there are no other suitable available alternative sites at lower flood risk that would meet the same aims; therefore, the Sequential Test is considered to have been satisfied.

Flood resilience measures are required up to the level of the 1 in 1000 year flood event on this site, which can be secured by way of condition on any forthcoming planning permission. In order to discharge the recommended condition, the applicant would be required to submit a schedule or drawing of the flood resilience measures to be implemented in the development.

The applicant has provided a drainage strategy with accompanying plans and calculations, which indicate that infiltration SuDS are suitable for this site. The drainage strategy is considered acceptable. However, further information is required in the maintenance plans such as who will maintain the feature and frequency of tasks relating to maintenance. This additional information can be secured by way of condition of any grant of consent.

### Flood Risk and Surface Water Drainage Conclusion

The sequential test has concluded that the site is the only one available that would meet the aims and objectives of the development. Therefore, the development being located within Flood Zone 2 is acceptable.

With conditions in place requiring further information concerning the management/maintenance of the SuDS features and suitable flood resilience measures being provided, the development is unlikely to introduce significant harm with regards to increasing the risk of flooding or having an unacceptable impact upon ground or surface water. Therefore, the development accords with the aforementioned policy.

## **Environmental Protection**

UDP Policy EN17 seeks to ensure that development does not cause or contribute towards a significant increase in pollution to the air (including dust pollution), water or soil, or by reason of noise.

### Air Quality

The proposed development is located within the Greater Manchester Air Quality Management Area as such it is relevant to consider the suitability of locating new residential development on the site. There is also potential for fugitive dust emissions during construction.

In the UK, air quality limit values have been set for a number of pollutants based on their health impact. Where concentrations fall below the limit values it is considered there is no health impact (in the 'ordinary' population). The exception to this is for particulate matter (PM10 and PM2.5), where research has shown there is no "safe threshold". The limit values are only of concern where there are relevant receptors (i.e. where someone is likely

to be exposed to the pollution for the relevant period of time). For nitrogen dioxide (NO<sub>2</sub>) and particulates (the main pollutants from road traffic) the limit value is 40 µg/m<sup>3</sup> (annual mean).

An air quality assessment has been submitted in support of the application. The assessment includes the results of an atmospheric dispersion model, verified against local monitoring data to predict the concentrations of pollutants at the façade of the proposed development. The model uses inputs including traffic volumes and speeds, meteorological data and emissions data to calculate concentrations of pollutants. The model input parameters have been reviewed and they are considered to be realistic.

The assessment confirms the highest concentration of NO<sub>2</sub> predicted at the building façades is 29.63µg/m<sup>3</sup> which is significantly below the UK limit value. The construction phase has also been assessed and, with appropriate mitigation (in the form of best practice dust control measures), the impact on neighbours will be minimised.

The conclusions of the report are accepted. However, in line with the Greater Manchester Air Quality Action Plan, and with consideration of the cumulative impact of development within the City region, a condition concerning electric vehicle charging infrastructure is recommended to deliver baseline mitigation measures in line with the Principles of Good Practice from the EPUK / IAQM Guidance (Land-Use Planning and Development Control: Planning for Air Quality).

### Noise

The proposed development is located adjacent to the busy A57 so would be subject to high levels of road traffic noise. Without adequate mitigation, future occupants would be subject to high levels of noise internally and within private garden areas.

An acoustic assessment has been undertaken, which uses the results from a noise survey to inform an acoustic model to determine appropriate mitigation in accordance with BS8233:2014+A1:2019 "Guidance on Sound Insulation and Noise Reduction for Buildings". BS8233 sets out noise limits for internal habitable rooms (living rooms, dining rooms and bedrooms) together with private external garden areas.

The report outlines a mitigation package including acoustically upgraded glazing and a boundary treatment for the garden areas. The specification of the glazing (and ventilation) has been zoned, depending on the proximity of the dwelling to the noise source. The acoustic performance of windows relies on them being closed. Guidance from the Association of Noise Consultants "Acoustics, Ventilation and Overheating" (AVO) outlines design guides to reduce reliance on openable windows. Depending on the external noise climate AVO specifies different types of ventilation. For this development acoustically insulated trickle vents are recommended.

A condition requiring that the noise mitigation measures suggested within the acoustic assessment are implemented is recommended. This requirement is supported by a validation condition that requires a report confirming that the mitigation measures have been implemented is also recommended.

### Land Contamination

The site is shown on historic mapping as The Unicorn Inn from 1849 and a bowling green existed from 1876 to 1954. Such uses have the potential to leave legacy pollutants within soils or underlying groundwater. Where a pathway exists between a pollutant and a receptor (human health or the wider environment) a pollutant linkage may be created.

The proposed end use is for residential properties with private gardens, which are considered a sensitive end use with respect to land contamination risk. The desk study report submitted with the application has assessed the potential for a pollution linkage between any identified source, and a receptor. The assessment considers there is a low risk from potential contaminants or ground gasses. The presence of asbestos in soils cannot be discounted, so a site investigation is required (via condition) to confirm the findings of the desktop assessment and inform foundation design.

### Environmental Protection Condition

With the recommended conditions in place the development would not cause or contribute towards a significant increase in pollution to the air (including dust pollution), water or soil, or by reason of noise. Therefore, the development is considered compliant with the aforementioned policy.

## **Ecology**

The Preliminary Ecological Appraisal (PEA) appears to have used reasonable effort to assess the habitats on site and their suitability to support protected/species of principal importance (Section 41, NERC 2006 [Natural Environment & Rural Communities Act]). This PEA identified the only biodiversity constraint being the potential for the building to support bats. Subsequently a Bat Survey Report was commissioned.

The Bat Survey Report appears to have used reasonable effort to inspect the structure both internally and externally for the presence of bats and assessed the likelihood that bats would use the structure at other times for roosting. The building inspection found no evidence of recent or historic usage of bats. It was concluded that the structure has low potential to support bats at other times and consequently a further activity survey was required.

The activity survey was undertaken at an appropriate time of year, in suitable weather conditions and an adequate number of surveyors were present. It appears that reasonable effort was undertaken. No bats were observed emerging or re-entering the property. There is currently no known reason to contradict the findings of the survey.

Best practice (Collins et al 2016) indicates that bat surveys are time limited for 1 – 2 years as the condition of buildings can change over time. If demolition works have not commenced by March 2022 an updated survey should be required via condition. An assessment of change and any new mitigation and/or licensing that may be required as a result of new evidence should be included within the condition parameters.

The Report indicates that there was no evidence of historic bird breeding within the building, but there may be some vegetation clearance to accommodate the proposal. All nesting birds are protected (Wildlife & Countryside Act 1981). An informative should be used to draw the applicant's attention to the protected status of birds and that vegetation clearance including shrubs and undergrowth (eg bramble) should be avoided during the breeding season March – August inclusive, unless it can be demonstrated that no bird nesting activity was present.

Section 170 of the NPPF 2019 states that the planning system should contribute to and enhance the natural and local environment. It is suggested within the Bat Survey Report (5.3) that bat boxes could be used to enhance the site's ecological contribution. The details of specification and location of 4 bat boxes should be the subject of a condition on any grant of consent. The PEA recommends (7.3.2.2) that 8 bird boxes are mounted within the site, which shall also be supported through a recommended condition.

### Ecology Conclusion

With the recommended condition in place, the development would provide biodiversity enhancement. Therefore, the development is considered compliant with the aforementioned policy

## **Planning Obligations**

Saved UDP Policy DEV5 states that development that would have an adverse impact on any interests of acknowledged importance, or would result in a material increase in the need or demand for infrastructure, services, facilities and/or maintenance, will only be granted planning permission subject to planning conditions or planning obligations that would ensure adequate mitigation measures are put in place. The Refreshed Planning Obligations Supplementary Planning Document (SPD) 2019 expands on policy DEV5 and outlines the appropriate thresholds for requesting contributions.

The proposal would introduce a number of people/families to the immediate area. Therefore, it would be appropriate for the development to contribute towards open space improvements and education facilities (Pupil Planning Area 7 (Eccles South)) with a monitoring fee to management the obligations. The open space contribution could be directed towards Patricroft Recreation Ground and/or Port Salford Greenway.

The applicant, whilst in agreement to provide a financial contribution, has advised that for reasons of scheme viability the development cannot support the level of contribution considered by the City Council as appropriate to mitigate its impacts, in accordance with the Refreshed Planning Obligations SPD. The applicant has submitted a viability appraisal in support of their position.

A review of the applicant's viability appraisal undertaken by the City Council's surveyor has concluded that the applicant's assertions that the scheme cannot support the full level of contributions sought is sound. However, the City Council's surveyor has indicated that the development could sustain a contribution of £73,698. The applicant has agreed to pay this contribution. The remaining amount of monies owed would be the subject of a clawback mechanism, secured through the s106 agreement.

## **Conclusion**

The development would result in the loss of a non-designated heritage asset, however The Unicorn has limited significance in terms of its architectural / aesthetic interest and landmark value. Therefore, the value of the heritage asset to this and future generations because of its heritage interest is nominal.

Whilst the loss of the heritage asset would provide limited harm, this would be readily outweighed by the benefits associated with the comprehensive redevelopment of a brownfield site. The design of the development is such that the proposal would sit well within the local context contributing to local identity. The proposal would also be constructed with sustainable heat generation technology providing a mix of homes to meet the needs of present and future generations. Therefore, the proposal is recommended for approval as the limited harm identified does not outweigh the advantages of the scheme.

## **Recommendation**

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

- I. The City Solicitor be authorised to enter into a legal obligation under Section 106 of the Town and Country Planning Act 1990 to secure the following heads of terms:
  - A contribution of £73, 698 would be directed towards open space (Patricroft Recreation Ground and/or Port Salford Greenway) and education facilities; and,
  - A clawback mechanism with any recovered monies being directed towards the previously identified projects (open space and education facilities).
- II. That the applicant be informed that the Council is minded to grant planning permission, subject to the conditions stated below, on completion of such legal obligation;
- III. That authority be given for the decision notice relating to the application be issued, (subject to the conditions and reasons stated below) on completion of the above-mentioned legal obligation.

## **Conditions:**

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:

Location Plan 6015 00 E  
Proposed Block Plan 6015 20 K  
Proposed Site Layout 6015 21 F  
Proposed House Type A 6015 22 A  
Proposed House Type B 6015 23 A  
Proposed House Type C 6015 24  
Proposed House Type D 6015 25  
Proposed Elevations 1 Plots 1-15 6015 26 A  
Proposed Elevations 1 Plots 6-10 6015 27 A  
Proposed Elevations 2 Plots 6-10 6015 28 A  
Proposed Elevations 1 Plots 11-16 6015 29 A  
Proposed Elevations 2 Plots 11-16 6015 30 A  
Liverpool Road Streetscene 6015 31 B  
Peel Green Road Streetscene 6015 32  
Harrison Street Streetscene 6015 33 B

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

3. Notwithstanding any description of materials in the application no above ground construction works shall take place until drawings of the window details at a scale of 1:20, fenestration specification and full details (including samples where relevant) of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority.

A sample panel of the materials, the size of which shall first be agreed in writing by the local planning authority, shall be erected on site prior to any discharge application relating to this condition being submitted and shall be available for inspection by the local planning authority. The sample panel shall include full details of the colour, type, texture and design of jointing/coursing materials.

The development shall be constructed in accordance with the approved materials.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy DES1 of the City of Salford Unitary Development Plan and the requirements of the National Planning Policy Framework.

4. 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 and ecological enhancements across the whole site have been submitted to and approved in writing by the Local Planning Authority. The details shall include, but not be limited to, the following:

- (i) formation of any banks, terraces or other earthworks;
- (ii) hard surfaced areas and materials;
- (iii) finished levels;
- (iv) balustrade /boundary treatments (including the provision of defensible space to the frontages) and street furniture;
- (v) external lighting and CCTV;
- (vi) planting plans, specifications and schedules (including planting size, species and numbers/densities);
- (vii) existing plants / trees to be retained;
- (viii) ecological enhancements (including 4 bat boxes and 8 bird boxes to be mounted within the site);
- (ix) how the rain gardens tie into the drainage system;
- (x) refuse storage; and,
- (xi) a scheme for the timing / phasing of implementation works.

(b) The landscaping works and ecological enhancements 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.

Reason: To ensure that the site is satisfactorily landscaped and provides ecological enhancement having regard to its location and the nature of the proposed development and in accordance with Policies DES1, DES9 and DES10 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

5. If demolition works have not begun prior to 1st March 2022, an updated bat survey (including an assessment of change and any new mitigation) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with GMEU, prior to the commencement of any demolition work. Any mitigation works within the agreed survey shall be implemented in accordance with the timeframes contained therein.

Reason: To ensure that demolition of the development does not disturb, harm or kill any bats that might be present within the existing building, given that the results of the original survey (March 2020) are considered to be valid for two years only; having regard to Policy DES9 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

6. The vehicle parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made available for use prior to the development being brought into use (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter for their intended purpose.

Reason: In the interest of highway safety and the free flow of traffic and in accordance with policies A2, A8 and A10 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

7. No development shall take place (excluded demolition and enabling works) until a scheme for surface water drainage for the site using sustainable drainage methods, as indicated within document 'Report No. 9354G/FRA/02 July 2020', has been submitted to and approved in writing by the Local Planning Authority.

The drainage strategy shall include a SuDS maintenance Strategy, including details such as ownership of SuDS features, nominated Management Company, maintenance tasks to be undertaken and frequency with which these tasks will be undertaken.

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;

- o NPPF,
- o Water Framework Directive and the NW River Basin Management Plan
- o The national Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015)
- o Manchester, Salford, Trafford Strategic Flood Risk Assessment (SFRA) (2011) and associated technical guidance
- o Environment Agency Pollution Prevention Guidelines (now withdrawn)
- o 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.

8. No development shall take place (excluded demolition and enabling works) until a scheme concerning flood resilient construction, up to the flood level predicted for the 1:1,000 year flood event, 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) and retained as such thereafter.

Reason: To ensure flood resilient accommodation and to reduce the risk of flooding elsewhere in accordance with policy EN19 of the City of Salford Unitary Development Plan and National Planning Policy Framework.

9. Prior to the first occupation of the development hereby approved, a scheme for the provision of electric vehicle charging infrastructure shall be submitted to and agreed in writing with the Local Planning Authority. The infrastructure shall as a minimum include provision for "fast" charging (7kV) of electric vehicles. The infrastructure shall be implemented prior to first occupation and retained thereafter.

Reason: To encourage the uptake of ultra-low emission vehicles and ensure the development is sustainable to safeguard residential amenity, public health and quality of life, in accordance with paragraph 105, 110, 170 and 181 of the National Planning Policy Framework.

10. The development hereby approved shall be undertaken in strict accordance with the noise mitigation measures specified in the submitted and agreed Noise Assessment, May 2020, Ref: P4127/R1a/RDC, AEC, including garden boundary treatment.

Reason: In the interests of the amenity of neighbours in accordance with policies DES7 and EN17 of the Salford Unitary Development Plan and the NPPF.

11. Prior to first occupation of the residential units hereby approved, a site completion report confirming that all necessary noise attenuation measures as identified in conditions 10 have been installed shall be submitted to and approved in writing by the local planning authority. The noise attenuation measures shall be retained thereafter.

Reason: In the interests of the amenity of neighbours in accordance with policies DES7 and EN17 of the Salford Unitary Development Plan and the NPPF.

12. Prior to development commencing (except for demolition and enabling works) the applicant shall submit and agree with the Local Planning Authority in writing a contaminated land remediation strategy. The development shall thereafter be carried out in full accordance with the duly approved remediation strategy or such varied remediation strategy as may be agreed in writing with the Local Planning Authority.

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.

Reason for pre-commencement condition: Any works on site could affect any contamination which may be present and hinder the effective remediation of any contamination causing a risk to the health of future occupiers and harm to the environment, hence the initial investigation must be carried out before works commence.

13. Pursuant to condition 12, and prior to first use or occupation, a verification report, which validates that all remedial works undertaken on site were completed in accordance with those agreed with the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

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.

- 14.
- i) No excavation, demolition or enabling works shall be undertaken until a Construction Method Statement concerning these aspects has been submitted to, and approved in writing, by the local planning authority.
  - ii) Prior to above ground works being undertaken another Construction Method Statement concerning the remaining development hereby approved shall be submitted to, and approved in writing, by the local planning authority.

The approved Statement shall be adhered to throughout the activity period they refer to. Both Statements shall include:

- a. the times of construction activities on site which, unless agreed otherwise as part of the approved Statement, shall be limited to between 8am-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;
- b. the spaces for and management of the parking of site operatives and visitors vehicles;
- c. the storage and management of plant and materials (including loading and unloading activities);
- d. the erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate;
- e. measures to prevent the deposition of dirt on the public highway;

- f. measures to control the emission of dust and dirt during demolition/construction;
- g. a scheme for recycling/disposing of waste resulting from demolition/construction works;
- h. measures to minimise disturbance to any neighbouring occupiers from noise and vibration, including from any piling activity;
- i. measures to prevent the pollution of watercourses;
- j. a community engagement strategy which explains how local neighbours will be kept updated on the construction process, 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 statement 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 a planning authority upon request; and
- k. an intended date for the commencement of development and, following commencement, evidence of the material start on site.

Reason: In the interests of the amenity of neighbours in accordance with policies DES7 and EN17 of the Salford Unitary Development Plan and the NPPF.

Reason for pre-commencement condition: Any works on site could harm the amenity of neighbouring occupiers if not properly managed so details of the matters set out above must be submitted and agreed in advance of works starting.

15. Notwithstanding the details shown on the approved plans, prior to first occupation of the development, full details of the following matters, including full construction details shown on plan and a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority:
- a) Details of the various access points on Liverpool Road, Peel Green Road and Harrison Street and where needed pedestrian crossing points in the form of dropped kerb with tactile block pavers;
  - b) Detail all the redundant access points surrounding the development that are to be closed up and made good as continuous footway with correct kerb heights;
  - c) Indicate and show details of the re-kerbing, re-surfacing and (where needed) alterations to the drainage system on the existing footway and carriageway surrounding the development on Liverpool Road, Peel Green Road and Harrison Street; and,
  - d) Indicate where existing Traffic Signs (impacted by the development) are being relocated to.

The approved scheme(s)/plan(s) shall be implemented in accordance with the agreed timetable and retained thereafter.

The pedestrian crossing located on Peel Green Road and the alterations to the Peel Green Road / Liverpool Road junction/corner shall be implemented in accordance with plan 2020-008 Appendix 8 Rev A (labelled: Proposed Crossing Location on Peel Green Road).

Reason: In the interest of highway safety, connectivity and the free flow of traffic and in accordance with policies A2, A8 and A10 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

16. Prior to the first occupation of the development, a scheme concerning the improvement of the existing bus stop (NF0238) located on Peel Green shall be submitted to and approved in writing by the Local planning Authority. The scheme shall include a raised footway and a 160mm high kerb face. The approved scheme shall be implemented prior to first occupation of the development.

Reason: To ensure the free and safe use of the highway in accordance with policy A8 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

17. No development shall take place until a programme of record (including an annotated photographic record) has been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the programme of record has been completed in accordance with that approved.

Reason: In the interest of preservation of the building by record in accordance with Policy CH8 of the city of Salford Unitary Development Plan and the National Planning Policy Framework.

Reason for pre-commencement condition: Any work on the site has the potential to damage the assets and so the programme of works is required before any development commences.

18. The gable window of bedroom 2 of plot 16 (as labelled on plan referenced Proposed House Type B 6015 23 A) shall be fitted with, and permanently glazed, in textured glass whose obscuration level is at least 3 on the Pilkington scale of 1-5 (where 1 is clear and 5 is completely obscure).

Reason: In the interest of the amenity of residents in accordance with policy DES7 of the City of Salford Unitary Development Plan and the National Planning Policy Framework.

## Notes to Applicant

1. All species of bats found in the UK receive a high level of legal protection under the terms of the Wildlife & Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010. Bats roost in a variety of places and will use cracks, crevices and holes in trees. They are mobile in their habits and can turn up in the most unlikely places at any time of year. Precautions should be taken throughout works, at any time of year, with the possible presence of bats borne in mind. If bats are found at any time during works, then work should cease immediately and advice sought from Natural England or a suitably qualified bat worker.
2. The Wildlife and Countryside Act 1981 (as amended) makes it an offence (with certain limited exceptions and in the absence of a licence) to intentionally to kill, injure or take any wild bird, or intentionally to damage, take or destroy its nest whilst it is being built or is in use, or to take or destroy its eggs. Further, the Act affords additional protection to specific species of birds listed in Schedule 1 of the Act. In respect of these species it is unlawful to intentionally or recklessly to disturb such a bird whilst it is nest-building or is at or near a nest with eggs or young; or to disturb their dependent young. You are therefore advised to seek the advice of a suitably qualified ecologist before commencing works on site.
3. No vegetation clearance required by the scheme should take place in the optimum period for bird nesting (July to August inclusive) unless nesting birds have been shown to be absent by a suitably qualified person.
4. In relation to condition 9 the applicants attention is drawn to paragraph 5.10 of the 'Land-Use Planning & Development Control: Planning for Air Quality' document, bullet point 1 under the heading 'Operational Phase' which states 'The provision of at least 1 Electric Vehicle (EV) "rapid charge" point per 10 residential dwellings and/or 1000m<sup>2</sup> of commercial floor space. Where on-site parking is provided for residential dwellings, EV charging points for each parking space should be made.'

For the avoidance of doubt the reference to '1 point per 10 residential dwellings' is in relation to apartment type development and the reference to 'where on-site parking is provided for residential dwellings, EV charging points for each parking space should be made' is in relation to dwelling houses.

5. 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 2019 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.
6. Regarding the adopted carriageway and footways, any amendments to the carriageway need to be re-instated using similar materials or a material that is recommended by the council engineers.

The applicant must ensure existing utilities (ie BT floor box and adopted street lighting) are protected and have permission from all statutory undertakers' prior to undertaking any work within the vicinity of the utilities and within the footway and protection to the construction of the existing carriageway.

Prior to ANY works commencing on site, the developer shall contact the Local Highway Authority to arrange a full dilapidation/Condition Survey of all adopted highways surrounding the site. For the full duration of the construction, the developer will be responsible for 'Wear & Tear' / accelerated deterioration' of all existing highways, either adjacent to the site or highways used as access and egress to the site. Any necessary remedial works will be carried out under licence and at the developer's expense.

7. The applicant should enter into a S278 / S38 agreement to facilitate associated highway works for the following:
  - a) Prior to the S278 agreement being signed, the works on the adopted highway will be delivered by an S171 agreement and Greater Manchester Roads Activities Permit Scheme (GMRAPS).
  - b) Drainage, street lighting, street name signage, traffic regulatory signage and utilities floor box that is affected by the development should be diverted or protected.
  - c) For the creation of a new vehicular / pedestrian access points, street lighting and pedestrian infrastructure that is approved by the Local Highways Authority.
  - d) Any redundant access points associated to the formal development to be appropriately reinstated as continuous footway and the renewal of footway surrounding the development on Liverpool Road, Peel Green Road and on Harrison Street must be re-kerbed and resurfaced with bituminous material to create a desirable pedestrian environment.
  - e) The existing bus stop (NF0238) located to south of access point on Peel Green Road is to be raised with a 160mm high kerb face as part of the proposal to improve public transport infrastructure.
  - f) With reference to drawing 2020-008 / Proposed Pedestrian Crossing location on Peel Green Road, as part of the proposal on the left corner of Peel Green Road / Liverpool Road junction, the applicant intends to close up the disused access point and introduce a footway with 14m kerb radii and a pedestrian crossing point approximately 6.75m south of the give way line and improve the footway on the right to current specification.
  - g) To deliver a suitable traffic management scheme in form of double yellow line on either side of old and new junctions to ensure the visibility splay is not compromised by on-street parking.
  
8. Dilapidation Survey:
  - o Prior to ANY works commencing on site the developer should contact John Horrocks/Pam Docksey to arrange a full dilapidation/Condition Survey of all adopted highways surrounding the site. Tel: 0161 603 4046/4006

Highway Permits/Licensing:

  - o Applications for all forms of highway permits/licenses should 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 prior to first seeking the relevant permits/licenses from the Local Highway Authority Tel: 0161 603 4046/4006

S278 / S38 Works:

  - o The Developer should contact Neil Ashmall to arrange for the S278 / S38 element of the development. Neil Ashmall 0161 779 4883.

Traffic Regulation Order and Traffic Management:

  - o The Developer should contact Rob Owen to arrange for the TRO element of the development. Rob Owen 0161 779 4848.
  - o The Developer should contact Rob Smith to arrange for the Temporary TRO and On-site Traffic Management element of the development. Rob Smith 0161 779 6165.
  
9. In relation to condition 9, 5 charging points (for plots 9 – 14) and appropriate infrastructure being provided to the courtyards for future provision would be an acceptable approach.
  
10. In relation to condition 17, the Local Planning Authority would expect the programme of record to include both the interior and exterior of The Unicorn unless a persuasive argument is made for an alternative approach.