



Salford City Council
Supplementary Planning Document
Planning Obligations
May 2006

Equalities Preface

This document can be provided in large print, audio, electronic and Braille formats. Please contact Spatial Planning 0161 793 3782.

إذا احتجت للمساعدة في فهم هذه النشرة , برجاء الاتصال بفريق المساواة في مجلس سالفورد ,
هاتف رقم 0161 793 3536

এই পুস্তিকাটি বোঝার জন্য যদি আপনার সাহায্যের প্রয়োজন হয় তাহলে সেলফোর্টে কাউন্সিলের ইকুয়ালিটি টিমের সঙ্গে যোগাযোগ করুন টেলিফোন নম্বর 0161 793 3536

如果您有關於本宣傳頁的任何問題,請聯繫 Salford 理事會的 Equalities 團隊,電話號碼為 0161 793 3536

ਜੇ ਆ ਡੀਫ਼ਲੈਟ ਸਮਝਾਵਾ ਮੋਟ ਤਮਨੇ ਮਦਦਨੀ ਜ਼ਰੂਰਤ ਭੋਯ, ਕ੍ਰਪੋ ਕਰੀ ਓਕਵਾਲਿਟੀਜ਼ ਟੀਮ ਸਲਫੋਰਡ ਕਾਉਂਸਿਲਨੋਂ ਟੈਲਿਫ਼ੋਨ ਨੰਬਰ 0161 793 3536 ਪਰ ਸੰਪਰਕ ਕਰੋ.

ਜੇ ਤੁਹਾਨੂੰ ਇਸ ਲੀਫਲੈਟ ਨੂੰ ਸਮਝਣ ਵਿਚ ਸਹਾਇਤਾ ਦੀ ਜ਼ਰੂਰਤ ਹੈ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਸਾਲਫੋਰਡ ਕੌਂਸਲ (Salford council) ਵਿਚ ਇਕੁਅਲਿਟੀ ਟੀਮ (Equalities Team) ਨਾਲ ਫੋਨ ਨੰਬਰ 0161 793 3536 'ਤੇ ਸੰਪਰਕ ਕਰੋ।

اگر آپ کو اس لیف لیٹ کے سمجھنے میں مدد کی ضرورت ہو تو براہ کرم اکویٹیٹی ٹیم کو سالفورڈ کونسل سے اس ٹیلی فون نمبر 0161 793 3536 پر رابطہ قائم کر سکتے ہیں۔

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1 Introduction

1.1 Salford City Council intends adopting a Supplementary Planning Document (SPD) to ensure that new development is acceptable and to deliver sustainable development.

1.2 This document is prepared in draft and will be subject to a formal six-week period of public consultation, from Friday 19th May to Thursday 29th June 2006. Comments on this draft SPD can be made via the City Council's website at <http://www.salford.gov.uk/planobligationspd>, or can be sent by post to:

Planning Obligations Consultation
Development Control Section
Urban Vision Partnership Ltd
Emerson House
Eccles
Salford
M30 OTE

1.3 This SPD sets out the City Council's approach to planning obligations when considering planning applications for development in Salford, expanding on the policies of the City's Draft Replacement Unitary Development Plan (UDP)⁽ⁱ⁾ which is due to be adopted in June 2006. The SPD does not have the same status as the development plan but, once adopted, will be a material consideration in the determination of planning applications.

1.4 The objective of the SPD is to provide clarity to developers, development control officers, stakeholders and local residents regarding the basis on which planning obligations will be sought. It will assist in securing both local and national objectives in respect of the provision of sustainable development across the City.

1.5 The SPD provides advice for all those involved in the submission and determination of those planning applications where planning obligations may be required. It also details the type of obligations that may be sought, and sets out formulae and thresholds where appropriate.

1.6 This document is intended to complement, rather than duplicate, other planning documents. Details of all of the planning documents currently in force within the city, and a timetable for the adoption of new documents, are set out in the Council's adopted Local Development Scheme ⁽ⁱⁱ⁾

1.7 Once the Draft Replacement UDP has been adopted, the SPD will be adopted by the City Council to supplement the following policies of that Replacement UDP:

- ST3 Employment Supply
- ST5 Transport Networks
- ST14 Global Environment
- DES3 Design of Public Space
- H4 Affordable Housing
- A1 Transport Assessments and Travel Plans

i Salford Unitary Development Plan, revised deposit draft, Salford City Council, 2003. [www.salford.gov.uk/udpproposed]

ii Salford City Council, Local Development Scheme, 2005/6-2007/8 [www.Salford.gov.uk/localdevscheme].

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- A8 Impact of Development on the Highway Network
- EN7A Nature Conservation Sites of International Importance
- EN7B Nature Conservation Sites of National Importance
- EN7C Nature Conservation Sites of Local Importance
- EN7D Wildlife Corridors
- EN7E Protection of Species
- EN16 Flood Risk and Surface Water
- EN16A River Irwell Flood Control
- DEV5 Planning Conditions and Obligations
- H8 Open Space Provision Associated with New Housing Development
- R2 Provision of Recreation Land and Facilities

1.8 The provisions of this SPD will be implemented primarily through the development control process and the determination of planning applications.

2 Process for Producing this Document

Overview

- 2.1** This SPD has been produced in accordance with the advice contained in PPS12: Local Development Frameworks ⁽ⁱ⁾, and the requirements of the Town and Country Planning (Local Development) (England) Regulations 2004 ⁽ⁱⁱ⁾

Sustainability Appraisal

- 2.2** The document has been subject to a Sustainability Appraisal ⁽ⁱⁱⁱ⁾ (SA) at all stages. The SA considers the implications of the SPD from social, economic and environmental perspectives by assessing options and the draft SPD against available baseline data and sustainability objectives.
- 2.3** A copy of the SA is available on the Council's website (<http://www.salford.gov.uk/planobligationspd>)

Consultations and Public Involvement

- 2.4** A Consultation Statement ^(iv) which sets out who has been consulted in the preparation of this SPD, how they were consulted, a summary of the main issues raised, and how those issues have been addressed.
- 2.5** All of the consultation activity has provided a significant amount of information that has fed into the production of this SPD.
- 2.6** The formal public consultation on this draft SPD takes place between 19th May and 29th June 2006. The City Council will have regard to all comments received during this consultation period when it produces the final version of the SPD. The adopted version will be accompanied by a schedule of comments received during the consultation period, and how they have been responded to.

i PPS12: Local Development Frameworks. HMSO, 2005. [www.odpm.gov.uk]
ii Town and Country Planning (Local Development) (England) Regulations 2004. [www.odpm.gov.uk].
iii Planning Obligations SPD: Sustainability Appraisal [www.salford.gov.uk/planobligationspd]
iv Planning Obligations SPD: Consultation Statement. [www.salford.gov.uk/planobligationspd] is available on the Council's website (<http://www.salford.gov.uk/planobligationspd>)

3 Planning Obligations and the Need for this Document

INTRODUCTION

- 3.1** New development often creates a need for additional or improved physical infrastructure, services and facilities, without which there could be a detrimental impact on local amenity and the quality of the local environment. Planning obligations are the mechanism by which contributions are secured to enhance the quality of both the development and the wider environment to ensure that development is acceptable. This SPD will help to ensure that development makes a positive contribution to sustainable development providing social, economic and environmental benefits to the community.
- 3.2** The SPD comprises two parts. Part One sets out the Council's overall approach to planning obligations; and Part Two details the policy justification, thresholds and where relevant, the formulae used to calculate the appropriate level of obligation for the various areas where the Council may wish to seek obligations.

WHAT IS A PLANNING OBLIGATION?

- 3.3** A planning obligation is a legally binding agreement between a prospective developer and the Council under Section 106 of the Town and Country Planning Act 1990, as amended by Section 12 of the 1991 Planning and Compensation Act. A planning obligation may:
- a. **Prescribe** the nature of development (e.g. by requiring that a given proportion of housing is affordable);
 - b. Secure a contribution from a developer to **compensate** for loss or damage created by a development (e.g. loss of open space); or
 - c. **Mitigate** a development's impact (e.g. through increased public transport provision).

NATIONAL POLICY CONTEXT

- 3.4 Planning Policy Statement 1: Delivering Sustainable Development** requires Planning Authorities to ensure that social inclusion, economic development, environmental protection and the prudent use of resources are at the centre of policy making and implementation. In addition, specific guidance on the use of planning obligations is contained in other national policy documents including PPG3: Housing, PPG13: Transport, and PPG25: Development and Floodrisk.
- 3.5 Circular 05/2005: Planning Obligations** provides detailed advice on the use of planning obligations. It explains that planning obligations can be secured either by means of unilateral undertaking by a developer or through negotiation between a developer and the Council. It sets out five tests that planning obligations should satisfy. A planning obligation should be:
- i. relevant to planning;
 - ii. necessary to make the proposed development acceptable in planning terms;
 - iii. directly related to the proposed development;
 - iv. fairly and reasonably related in scale and kind to the proposed development; and
 - v. reasonable in all other aspects.

3.6 Unilateral undertakings or planning obligations which do not meet the tests are not necessarily unlawful, but where they are offered by a developer they should be given very limited weight when determining a planning application. This is based on the principle set out in Circular 05/2005 that “planning permission must not be bought or sold”.

LOCAL POLICY CONTEXT

3.7 All of the Council’s activities are guided by, and should be consistent with, the Seven Aims of the Salford Revised Deposit Draft UDP, the Seven Community Plan Themes, and the Council’s Seven Pledges. These Aims, Themes and Pledges provide a long-term framework for the works of the Council, and planning obligations are set within the context of their delivery.

1. The seven aims of the Salford Revised Deposit Draft UDP are:
2. To Meet the City’s Housing Needs.
3. To Maximise Employment Opportunities for Local People.
4. To Minimise the Need to Travel and Develop a Sustainable and Integrated Transport Network.
5. To Improve Environmental Quality and Community Safety.
6. To Provide a Comprehensive Range of Accessible Local Facilities.
7. To Protect and Enhance Natural and Historic Environmental Assets.
8. To Secure Sustainable Resource Management.

SEVEN PLEDGES	COMMUNITY PLAN	Aim 1	Aim 2	Aim 3	Aim 4	Aim 5	Aim 6	Aim 7
Pledge 1: Improving Health in Salford	Theme 1: A Healthy City	X		X	X	X	X	X
Pledge 2: Reducing Crime in Salford	Theme 2: A Safe City			X	X			X
Pledge 3: Encouraging learning, leisure and creativity in Salford	Theme 3: A Learning and Creative City					X		
Pledge 4: Investing in young people in Salford	Theme 4: A City Where Children and Young People are Valued		X			X		
Pledge 5: Promoting Inclusion in Salford	Theme 5: An Inclusive City With Stronger Communities	X	X	X	X	X	X	X

SEVEN PLEDGES	COMMUNITY PLAN	Aim 1	Aim 2	Aim 3	Aim 4	Aim 5	Aim 6	Aim 7
Pledge 6: Creating prosperity in Salford	Theme 6: An Economically Prosperous City	X	X	X	X	X	X	X
Pledge 7: Enhancing life in Salford	Theme 7: A City That's Good to Live In	X	X	X	X	X	X	X

Table 3.1 sets out how the Aims, Pledges and Themes are linked.

3.8 The principle policy within the Revised Deposit Draft UDP that this SPD supplements is **DEV5 - Planning Conditions and Obligations** which states that:

3.9 **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.**

Reasoned Justification

3.10 *Planning conditions and obligations will be used, where required, to ensure that land is used in the most appropriate and effective manner, to reduce the negative impacts of developments, and to ensure that developments are integrated and coordinated with their surroundings, contributing to the overall health of the area within which they are situated. In addition, the City Council will negotiate with developers to secure additional community and environmental benefits, where appropriate. The use of conditions and obligations will be consistent with the tests set out in national guidance.*

The potential scope of planning obligations is very wide and may include:

- *Improvements to transport facilities, infrastructure and services;*
- *Improvements to environmental quality, including maintenance and management;*
- *Provision, improvement and management of wildlife habitats and landscape features;*
- *Improvement, restoration and recording of archaeological and historic sites and features;*
- *Provision, improvement and management of recreation facilities;*
- *Improvements to security and community safety;*
- *Provision of affordable accommodation, and methods to ensure that it remains affordable;*
- *Provision and improvement of social, community and other local facilities;*
- *Provision of waste recycling facilities; and*
- *Anything else related to the development.*

- 3.11** *These obligations may either be provided directly by the developer, or a financial sum may be paid to the City Council or another agency or organisation to fund their provision. Area Action Plans and other Local Development Documents will provide more detail on what may be required for particular types of development and in particular locations.*

NEIGHBOURHOOD PRIORITIES

- 3.12** The city council will seek to negotiate planning obligations based on the scope of this SPD. Where neighbourhood priorities are identified through Local Development Documents that have been adopted by the Council, then they will be given significant weight, as key policy documents, in informing the projects that could be supported from the obligations required from development proposals within their areas. In addition, it is considered reasonable to reflect less formal expressions of neighbourhood concern and aspirations, for example from Community Action Plans, in informing planning obligation negotiations. It is encouraged, therefore, that Community Committees develop lists of priority projects within their Community Actions Plans which relate to the areas of this SPD. These can be used to inform negotiations with developers. Reaching agreement with developers, through a planning obligation, on a specific project that their contributions will be going towards will ensure transparency as they will be clear as to the benefits delivered from their contribution.

REGENERATION IN SALFORD

- 3.13** Throughout Salford significant change is taking place and a number of regeneration initiatives is helping to drive this change. As a result, the aspirations of the City, which focus on securing quality housing and cultural excellence, are very high. Within Salford, two distinct areas can be identified: Central Salford and Salford West.
- 3.14** Central Salford includes a considerable part of the Regional Centre, which forms the main focus for economic development and social activity in the Greater Manchester conurbation, and offers a wide range of brownfield development opportunities. With the formation of Central Salford Urban Regeneration Company (URC), for which Government approval was given on February 1st 2005, and the existence of the Manchester Salford Housing Market Renewal Programme, it is envisaged that Central Salford will become one of the most popular and attractive places to live within the inner areas of Greater Manchester, mixing easy access to the facilities and opportunities of the Regional Centre, with high quality housing, and attractive environment, and a myriad of recreation and leisure opportunities.
- 3.15** Salford West contains some of Greater Manchester's most popular and successful residential neighbourhoods, as well as large areas of attractive countryside. However, there are also significant pockets of deprivation, with key problems being poor housing stock conditions and environmental quality. The emphasis in this area is to continue to develop attractive and thriving neighbourhoods that offer easy access to the Regional Centre, but in a suburban location on the edge of the countryside.

4 Management of Planning Obligations

CODE OF BEST PRACTICE FOR NEGOTIATING PLANNING OBLIGATIONS

4.1 The Council's performance in the speed of determining major applications is closely scrutinised. The Government has set a national target of 60% of major applications to be determined within 13 weeks and expects all Councils to achieve this standard by March 2007 (National Best Value Performance Indicator 109a). As a result, the Council has developed a code of best practice for negotiating and monitoring planning obligations, which is outlined below.

a) Pre-application discussions

4.2 In addition to this document, pre-application discussions with a developer will identify any likely need for the developer to make contributions or to enter into any obligations. The exact type and range of works or contributions likely to be considered for an individual site will depend upon the particular development proposed, and its impact upon local services and facilities. Although developers will not be required to rectify existing shortfalls of provision or resolve existing problems, obligations will be sought where an existing constraint is materially exacerbated by a proposal.

4.3 During pre-application discussions the Council will have an opportunity to set out whether any supporting information is required as part of the planning application submission so that a full assessment can be made. Where it is considered that an obligation is necessary, the requirements for supporting information will include draft Heads of Terms.

4.4 Please note, if the necessary information set out by the Council is not received, your application may be refused on grounds of insufficient information.

b) Submission and consideration of planning application.

4.5 Following validation of the planning application, the case officer will instruct the Council's solicitor at the earliest opportunity, to ensure that there are no unnecessary delays in the planning application process. The Council's Legal Services Team has standard wording to cover financial contributions, and other contributions such as highway infrastructure works, which should enable standard agreements to be concluded quickly in many cases. Public consultation will be carried out at the appropriate stages in the planning application process and the response to these consultations will be included in the final report to the Planning and Transportation Regulatory Panel. The final report will also include the Heads of Terms of the planning obligation. Please note that all planning applications with an associated s.106 legal agreement must be determined by the Planning and Transportation Regulatory Panel.

4.6 The recommendation to grant planning permission would be subject to the completion of a satisfactory legal agreement. This would normally be secured through the use of an appropriate condition.

c) Monitoring of planning obligations

- 4.7** Monitoring of obligations will be undertaken by the City Council's Planning Obligations Project Manager to ensure that all obligations entered into are complied with on the part of both the developer and the Council.
- 4.8** Planning Obligation Monitoring Reports will be produced and presented to various groups on a biannual basis and will detail information about the number and type of obligations entered into, the financial contributions received, and the completion of schemes funded from the contributions. The groups that these reports will be presented to will include:
- The Planning and Transportation Regulatory Panel;
 - The Political Executives; and
 - The Cabinet.
- 4.9** The Council will include within the legal agreement an appropriate project management cost not exceeding 5% of the cost of the value of the contributions (or the equivalent costs of works required by the S106 agreement). 40% of the project management cost would contribute towards compliance and monitoring, and 60% would contribute towards project management and implementation works.
- 4.10** This cost will be applied in addition to any standard fees incurred in implementing any projects specified within the planning obligation that the City Council assume responsibility for implementation, for example, legal, design and supervision costs. These costs will only be reduced or waived in exceptional circumstances if it can be shown that the monitoring and implementation costs are likely to be significantly less.

FINANCIAL CONTRIBUTIONS

- 4.11** All financial contributions contained in planning obligations will be index linked (using the Retail Prices Index – all items) to the date of the Planning and Transportation Regulatory Panel.
- 4.12** Trigger dates for the payment of financial contributions will be included in the planning obligation, as will any time period by which the contribution is to be spent.
- 4.13** Following receipt by the City Council, financial contributions will be held in interest bearing accounts and will be individually identifiable by the planning application reference. Contributions remaining unspent at the end of a time period specified in the planning obligation will be returned to the payee along with any interest accrued.

THRESHOLDS

- 4.14** Certain types of obligation (e.g. affordable housing) will normally only be sought by the Council where specific thresholds are exceeded. To prevent development sites being sub-divided or developed in phases to create separate development schemes which fall below such thresholds, regard will be had to the totality of development, even if applications are not submitted at the same time.

Management of Planning Obligations

- 4.15** Where several developments are proposed in close proximity to each other and their cumulative impact would result in the requirement for new infrastructure, the Council may pool contributions from each of the developments, in order to fund the necessary infrastructure in an equitable way.

BALANCING PRIORITIES

- 4.16** The Council recognises that the impacts of a development that may need to be accompanied by a planning obligation must be weighed together with all other material considerations, including any positive benefits of the development, in determining whether planning permission should be granted. Therefore, in exceptional circumstances, the Council may consider that the benefits from a development outweigh the need for mitigation and may waive or reduce contributions. However, it will be for the developer to provide robust evidence to support their case.

5 Summary of Developer Contributions

Policy PO 1

Planning Obligations will be secured on the basis of the table below.

LOCATION OF DEVELOPMENT	FINANCIAL CONTRIBUTION (£)	
	Residential	Non-Residential
Policy MX1/1 area: Chapel Street East (as defined by the Replacement City of Salford Unitary Development Plan)		
Provision of Open Space and Recreation Space Associated with New Residential Development	£540 per bedspace	n/a
Transportation and Travel	Dependent on results of any Transport Assessment	
Local Employment Supply: Construction Industry	£150 per dwelling	£150 per 100m ² of floorspace (or part thereof)
Public Realm, Infrastructure and Heritage	£1,500 per dwelling	n/a
Climate Change	£205 per dwelling	n/a
Affordable Housing (on sites greater than 1 hectare or developments of 25 dwellings or more)	See Housing SPD	n/a
Regional Centre (as defined by the Replacement City of Salford Unitary Development Plan, but excluding the area defined by Policy MX1/1: Chapel Street East)		
Provision of Open Space and Recreation Space Associated with New Residential Development	£540 per bedspace	n/a
Transportation and Travel	Dependent on results of any Transport Assessment	
Local Employment Supply: Construction Industry	£150 per dwelling	£150 per 100m ² of floorspace (or part thereof)
Public Realm, Infrastructure and Heritage	£1,250 per dwelling	n/a
Climate Change	£205 per dwelling	n/a
Affordable Housing (on sites greater than 1 hectare or developments of 25 dwellings or more)	See Housing SPD	n/a

Summary of Developer Contributions

LOCATION OF DEVELOPMENT	FINANCIAL CONTRIBUTION (£)	
	Residential	Non-Residential
City Wide (excluding those areas identified above)		
Provision of Open Space and Recreation Space Associated with New Residential Development	£540 per dwelling	n/a
Transportation and Travel	Dependent on results of any Transport Assessment	
Local Employment Supply: Construction Industry	£150 per dwelling	£150 per 100m ² of floorspace (or part thereof)
Public Realm, Infrastructure and Heritage	£750 per dwelling	n/a
Climate Change	£205 per dwelling	n/a
Affordable Housing (on sites greater than 1 hectare or developments of 25 dwellings or more)	See Housing SPD	n/a

Summary of Developer Contributions

Reasoned Justification

- 5.1** In accordance with the guidance of this SPD, planning obligations will be sought to reduce the negative impacts of developments, and to ensure that developments are integrated and coordinated with their surroundings, contributing to the overall health of the area within which they are situated. They will also be sought to secure community and environmental benefits.
- 5.2** Part 2 details the policy justification, thresholds and where relevant, the formulae used to calculate the appropriate level of obligation for the various areas where the Council may wish to seek obligations. Table 2 above summarises the key financial contributions for different development types in various locations across the City. A map of Chapel Street East and the rest of the Regional Centre, which have more significant requirements in relation to public realm contributions than the rest of the city, is also provided in the policy above. Where development triggers contributions for more than one policy area, the total contribution will be the sum of all the individual contributions.
- 5.3** Please note that these **standard contributions will only be sought from major developments** of 10 dwellings or more, or 1,000m² or more of non-residential floorspace (e.g. commercial, leisure). Contributions may also be sought, where appropriate, from smaller developments and/or for other policy areas.

i. Provision of Open Space and Recreation Space Associated with New Residential Development.

Policy Background

- 5.4** The justification for requiring obligations in respect of open space and recreation space associated with new residential developments is set out in Circular 05/2005: Planning Obligations (Para B15), PPG17: Planning for open space, sport and recreation, and Policies R2 and H8 of the Replacement City of Salford UDP.
- 5.5** The City Council is currently preparing a Greenspace Strategy SPD, which will provide detailed guidance on the distribution of green space provision within the city. It will identify deficiencies within the city, and will set out standards of provision together with details of how these standards will be met. It will enable obligations required for recreational facilities to be directed to appropriate locations and facilities. Salford's Greenspace Strategy SPD is due to be adopted in August 2006.

Thresholds

- 5.6** Major developments of 10 dwellings or more will be required to contribute towards the provision or improvement, and maintenance of open space and recreation facilities.

Financial Contribution

- 5.7** Policy H8 requires adequate and appropriate provision for formal and informal open space and its maintenance over a twenty-year period, to meet the identified need deriving from new housing developments.
- 5.8** The open space requirement will be based on the provision of open space to meet the requirements set out in Policy R2 across the city. The recreation standards set in Policy R2 relate to the provision of Equipped Children's Play Space; Parks; Sports Pitches; Youth and Adult facilities; and amenity open space suitable for casual children's play space. The contribution required by Policy H8, therefore has been based on the provision and maintenance of:
- 0.73ha of high quality managed sports pitches per 1000 population
 - 0.25ha of equipped children's playspace per 1000 population
 - 0.4ha of amenity space and informal open space provision per 1000 population
- 5.9** The size, type and location of the development, along with the intended population type for the development, and the existing needs and aspirations in the local community, will form the basis of consideration for the types of open space improvements and facilities to be provided, to ensure sufficient open space is provided. The presumption will be for on-site provision unless there are clear reasons why this is inappropriate, impractical or off-site provision would be more beneficial. The Greenspace Strategy SPD, and the priorities of local communities, will inform where off site open space improvements are sought or commuted sums are spent.

Summary of Developer Contributions

- 5.10** The contribution will be calculated on the assumption that 1 bedspace equals 1 person. The number of bedspaces in each dwelling will be calculated as equaling the number of bedrooms plus one.

Maintenance

- 5.11** Where the Council are to take responsibility for carrying out the future management and maintenance of the open space provision, whether on-site or off-site, this will require adequate financial contribution to cover its maintenance over a twenty year period, in accordance with Policy H8.
- 5.12** Where on-site provision is agreed, the long-term maintenance can be provided in the form of a management company or trust responsible for the upkeep of the open space, in perpetuity, to the satisfaction of the City Council. In these circumstances a covenant is required to ensure that the area is available as public open space, together with an agreed specification for maintenance and management to ensure that the open space is properly maintained.

Sports Pitch Provision

- 5.13** The cost of providing 0.96ha sports pitch ⁽ⁱⁱⁱ⁾ would be £65,000 (£6.80 per 1m²). To pro rata this figure to provide a cost based on the requirement of 0.73ha per 1000 population, would result in a per bedspace capital cost of £50.
- 5.14** The maintenance for the same provision of sports pitch ⁽ⁱⁱⁱ⁾ would be £10 per 1m², and would result in a per bedspace maintenance cost of £73.

Equipped Children's Play Space & Youth and Adult Facilities

- 5.15** The requirement for equipped children's play facilities is based on the provision of formal traditional playground areas and recreation facilities for young children, as well as the types of facilities which cater for older children (such as skate parks, multi use games areas [MUGAs], tennis courts, basket ball courts, or youth shelters, etc.). The financial contribution for meeting the requirement of providing 0.25ha of equipped children's play space has therefore been calculated based on the actual cost of providing specific facilities.
- 5.16** The cost, for the City Council, of providing a 0.1ha children's equipped play area ⁽ⁱⁱⁱ⁾ would be £144,900 (this provision includes toddler and junior swings, springers, seesaw, multi-action units, slide, and roundabout, along with fencing, surfacing, seats, picnic tables, litter bins and footpath link).
- 5.17** In addition to this the cost of providing 0.134ha of youth and adult facilities in the form of a multi-sports area ^(iv) would be £82,038.

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- i Cost set out in Policy GS13 (reasoned justification) of the Consultation Draft Greenspace Strategy SPD
 - ii Cost provided by Landscape Design Group
 - iii Cost provided by Landscape Design Group
 - iv Cost provided by Salford City Council Environmental Maintenance

- 5.18** The total cost of providing 0.234ha of children's equipped provision, therefore, would be £226,938. To fully meet the requirements of the policy the contribution cost is provided as pro-rata of this figure – which results in an overall cost equal to 0.25ha of equipped recreation provision of £242,455. The provision of 0.25ha per 1000 population based on these figures would result in a per bedspace cost of £242.
- 5.19** The maintenance for the same provision of play space/ games area ^(vi) would be £123 per bedspace (£65,420 for the maintenance of 0.1ha equipped play space and £50,000 for the maintenance of 0.134ha of multi-sports area; and pro-rata to cover the maintenance for 0.25ha of equipped recreation facilities).

Amenity Space and Parks

- 5.20** Amenity space should be provided to a standard reasonably related in scale and kind to the development it serves and sufficient to meet the needs of children's play space.
- 5.21** The National Playing Fields Association recommends a national minimum standard of 0.4ha-0.5ha of informal children's playspace per 1000 population. The 1995 Salford Council UDP translated this into a requirement for 0.4ha per 1000 population (the total requirement was for 0.6ha of open space per 1000 bedspace: two-thirds of which to consist of casual or informal open space). It is considered this continues to be an appropriate level of amenity space to be required from new housing developments for the purposes of Policy R2 of the Draft Replacement UDP.
- 5.22** In most cases this should be in the form of on-site provision as an integral good design of the development, at least in part. However, if a financial contribution is to be provided this should be at a standard of 0.4ha per 1000 population, to be directed towards non-equipped areas of formal parks, small local areas of open space for sitting and quiet contemplation, and strategic and local semi-natural greenspaces as defined by the Greenspace Strategy. The capital cost per bedspace of providing this level of amenity space ^(vii) would be £31 (£31,000 per 1000 population).
- 5.23** The maintenance for the same provision of amenity space ^(viii) would be £20 per bedspace (£20,000 per 1000 population).

Total Open Space Financial Contribution

Capital

Sports Pitch Provision	£ 50
Equipped Play Space/Youth & Adult Provision	£243
Amenity Space	£ 31
Total Capital Financial Contribution	£324

v Cost provided by Landscape Design Group

vi Cost set out in previously adopted Supplementary Planning Document: Provision of Open Space and Recreation Space Associated with New Residential Development, Appendix C

vii Cost set out in previously adopted Supplementary Planning Document: Provision of Open Space and Recreation Space Associated with New Residential Development, Appendix C

Summary of Developer Contributions

Maintenance

Sports Provision	£ 73
Equipped Play Space/Youth & Adult Provision	£123
Amenity Space	£ 20
Total Maintenance Financial Contribution	£216

- 5.24** The total open space contribution required per bedspace for every housing development will be £540.
- 5.25** This contribution will be required in full unless part of the requirements is being made within the development site, or where material considerations indicate otherwise. The financial contribution is calculated as above to ensure consistency and certainty in the planning system. However, where and how the contribution is spent will be a matter of agreement.
- 5.26** The type of housing development proposed will influence the type of open space improvements or provision required. For example for traditional family accommodation provision towards children's equipped play areas along with sports pitches and provision for other youth and adult facilities may be appropriate. For sheltered accommodation however, on-site amenity space and/or off-site recreational facilities attractive for older people would be more appropriate – in this circumstance, the amount of open space provision will be determined based on the overall requirements set out above (0.98ha formal recreation provision and 0.4ha informal amenity space per 1000 population), or to the same financial value as would be required if it were mainstream accommodation.
- 5.27** Where contributions from small developments are not able to be directed to a project immediately, the financial contribution will be placed in an open space fund until such time as they can be amalgamated with other contributions to allow agreed open space priorities in the area to be achieved. The time limit for spending the contributions will be in accordance with Paragraph 4.4 above.

Further Information

- 5.28** Further information can be obtained from the Council's Environment & Countryside Group who can be contacted on 0161 793 3659.

ii. Transportation and Travel

Policy Background

5.29 The justification for requiring obligations in respect of transport and Travel improvements is set out in Circular 05/2005: Planning Obligations (Para B15), PPG13: Transport, and Policies ST5, A1 and A8 of the Replacement City of Salford UDP.

Thresholds

5.30 With regard to transportation and travel improvements, planning obligations will be required where there is a requirement to improve existing or develop new facilities in order to mitigate the impact of new development on the system. Consequently there is no trigger below which such improvements are required as the necessity for them will be dependent on the individual characteristics of the site and development proposal.

5.31 In accordance with Policy A1 of the Replacement City of Salford UDP, where a development is likely to have significant transport implications, a Transport Assessment (TA) should be submitted with any planning application. The TA should identify what impact the development would have on the transport network. Contributions will normally be focused on improving connectivity throughout the City, particularly with regard to access to the Regional Centre.

5.32 Where a TA identifies that cumulative developments in an area would require improvements to local infrastructure, then contributions may be pooled. This is to ensure that early developments do not take up all of the capacity in the infrastructure, and also that the costs of providing the infrastructure is appropriately shared between all developments.

Arrangements for Fulfilling Obligations for Highway Improvements

5.33 For Section 38 Agreements and, where appropriate for Section 278 Agreements (Highways Act 1980), the requirement will be for the developer to implement the approved highway infrastructure works, which will then be adopted by the Council once they are in an adoptable condition.

- A **Section 38 (S.38) Agreement** applies for new highway infrastructure works.
- A **Section 278 (S. 278) Agreement** is for highway works adjacent to or on existing highway(s).

5.34 Development is not to commence until:

1. The developer has entered into a bond with an approved surety for an amount, based on the estimated cost of the adoptable highway infrastructure works, to ensure the Council's position is protected should the developer default in any way with regard to the works.
2. The developer has received written approval of the submitted detailed engineering drawings, setting out the highway infrastructure works.
3. The developer has paid a fee to cover the Council's costs incurred in designing the works (S.278 only), approving the drawings, supervising the

Summary of Developer Contributions

adoptable highway infrastructure works and administration of the Agreement.

- 5.35** The development is not to be occupied until the adoptable highway infrastructure works are implemented by the developer and completed to the point that the engineer can issue a S.38 Part 1 Certificate (Certificate of Substantial Completion). However, where developments are phased, they may be occupied in accordance with the phasing subject to the necessary highway works for each phase being completed.
- 5.36** The adoptable highway infrastructure works will be maintained by the developer, at their expense, for a minimum period of 12 months following the issue of the S38 Part 2 Certificate and/or S278 Certificate of Completion.
- 5.37** After this period and subject to (a) any defects being remedied to the satisfaction of the Council and (b) sewers beneath the adoptable highway infrastructure works being adopted by United Utilities PLC, the S38 Final Certificate and/or the S278 Maintenance Certificate will be issued and the Council will adopt the highway infrastructure works as maintainable at public expense.
- 5.38** The total fee for drawing approval, inspection of the works and administration of the Agreement will be calculated as a proportion of the value of cost of the adoptable highway infrastructure works. Currently these are:

Section 38 Agreements

- 5.39** For developments with an estimated cost of adoptable highway infrastructure works up to £25,000 the minimum standard supervision fee is £1,500. For developments with an estimated cost of adoptable works over £25,000 the standard supervision fee will be calculated at 6% of the estimated cost of adoptable highway infrastructure works.

Section 278 Agreements

- 5.40** On an individual basis and dependant on the works involved, the Council, as the Highway Authority, has the right to design and construct the works on behalf of the developer (as the works are on or adjacent to the adopted highway).
- 5.41** **Please note:** Planning Approval does not imply that the highway layout is suitable for adoption by the Council.

Traffic Signals Commuted Maintenance Payments

- 5.42** If the highway infrastructure works include the provision of new traffic signals, a commuted maintenance payment will be required, which will be payable upon the issue of Certificate 1 (Certificate of Substantial Completion).
- 5.43** Where existing traffic signals are to be upgraded the commuted maintenance payment will not apply.
- 5.44** The maintenance payment will be as follows:

- For a pedestrian crossing with no central reservation £23,000
- For all other signalised crossings/junctions: £47,000

5.45 This payment covers for 15yrs maintenance after which the signals will be maintained at the City Council's expense.

Traffic Regulation Order (TRO) Fee

5.46 A Traffic Regulation Order is a legal order, which allows the Highways Authority to regulate the speed, movement and parking of vehicles and regulate pedestrian movement, which are enforceable by law.

5.47 If the highway infrastructure works result in the introduction of new, or the amendment of existing TRO's, a fee of £2000 will be required to cover the Council's costs in introducing or amending the TRO.

Further Information

5.48 Further information can be obtained from the Council's Highway's Group who can be contacted on 0161 779 4894. In addition, further information relating to road adoption can be found on our website:

<http://www.salford.gov.uk/living/streets/roadenquiries/roadadoption.htm>

Summary of Developer Contributions

iii. Local Employment Supply: Construction Industry

Policy Background

5.49 The justification for requiring obligations in respect of securing a local employment supply is set out in Circular 05/2005: Planning Obligations (Para B15), Aim 2 and Policy ST3 of the Replacement City of Salford UDP.

Introduction

5.50 The construction industry is heavily reliant upon the availability of a highly trained and specialised workforce where a variety of skills are required. If those skills are not available in the local labour market, then developers may need to compete with one another for them or will need to bring them in from outside sources. This would result in long distance commuting contrary to the principles of sustainable travel. Therefore, to prevent these negative impacts, it is important for training to be available to ensure that additional people within the local area are able to access such jobs, thereby reducing the shortfall in skills and long distance commuting.

5.51 The CITB estimate that 2600 new recruits will be required each year in the construction industry in Greater Manchester. This translates to around 300 new recruits per annum for Salford. In May 2003, the University of Salford undertook a gap analysis of construction skills and training in Salford. The analysis supported the development of a strategy for addressing recognised construction skills shortages.

5.52 The **Salford Construction Partnership** (SCP) has been formed with the aim of meeting the growing challenge and opportunity presented through the increased level of inward investment and development in the city to maximise training opportunities for local people. It will provide an integrated approach to broker appropriate employer led accredited pre-employment training and support to meet the aspirations of local residents and the needs of employers within the construction industry.

Thresholds

5.53 Major developments are particularly reliant on a range of construction labour skills. Therefore, contributions to the Salford Construction Partnership will be sought for residential developments of 10 dwellings or more, and commercial developments of 1000m² or more. These approximately equate to development proposals with a development cost greater than £1million.

Financial Contribution

5.54 The financial contributions for the Salford Construction Partnership are:

Development Type	Contribution
Residential	£150 per dwelling
Non-Residential	£150 per 100m ² floorspace or part thereof

5.55 These contributions are based on the following calculation:

Number of trainee construction workers required to complete the development ^a . <hr/> 4 ^b	X	£2,000 ^c
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- a. Based on the study '*Local labour in construction: tackling social exclusion and skill shortages*' carried out by the Joseph Rowntree Foundation, one of the largest social policy research and development charities in the UK, 3 trainee construction workers are required per £1million of development cost. Therefore, the erection of 10 dwellings or 1000m² of commercial floorspace equates to 3 trainee construction workers.
- b. In accordance with the Salford City Council employability targets, 25% of jobs should be filled from the local labour market.
- c. The total cost of supporting each person on the SCP scheme is £10,000. However, to encourage new development to take place, it is considered appropriate that the City Council covers the majority of these costs. Therefore, only 20% of the final cost is to be borne by the developer.

5.56 Where developers already provide or contribute to accredited training programs for construction workers, it may be appropriate to reduce or waive contributions. In such cases it will be for the developer to provide clear and robust evidence for consideration.

Further information

5.57 Further information can be obtained from the Council's Economic Development Team who can be contacted on 0161 745 7844.

Summary of Developer Contributions

iv. Public Realm, Infrastructure and Heritage

Policy Background

5.58 The justification for requiring obligations in respect of public realm improvements and public art is set out in Circular 05/2005: Planning Obligations (Paras B15 and B16), and policy DES3 of the Replacement City of Salford UDP.

Introduction

5.59 The creation of attractive and safe environments which support local heritage will be of benefit to all users. New development can result in a material increase in the need or demand for a quality public realm and/or infrastructure. Whilst the City Council does not expect the full costs of such improvements to be met from developer contributions, it is considered that an appropriate level of contribution should be sought from development within the city. The areas where the Council may seek contributions or require the developer to provide facilities will include:

- Environmental enhancement;
- Footpath or footway improvements;
- Tree planting and landscaping;
- Pedestrian crossing facilities;
- Signing;
- Street light upgrading;
- Public Art; and
- Improvements to the character and appearance of the street scene and public realm through pedestrian prioritising, and new street furniture.

5.60 Where neighbourhood priorities are identified through policies or strategies that have been adopted by the Council, then they will be given significant weight in informing the obligations required from development proposals. For example, within the City's Conservation Areas, regard will be had to any Conservation Area Management Plans that have been adopted. Similarly, where area specific Supplementary Planning Documents have been adopted, they will be used to inform contributions. Where appropriate, contributions will be directed towards town or local centres, as these provide a focus for local communities.

Regional Centre

5.61 Forming part of Central Salford is the Regional Centre, which is a dynamic and vibrant area of European-wide importance, and forms an important focus for investment and economic development. The Regional Centre incorporates the Central Salford areas of Salford Quays, Chapel Street, the University of Salford, and the Ordsall Lane Riverside Corridor, and is centred on Manchester city Centre, which includes that part of Salford within the Inner Relief Road. Developments within the Regional Centre will be expected to contribute at a higher level than those outside to ensure that a public environment can be created that is suitably matched to the area's role.

Chapel Street East

5.62 This area is represented by Policy MX1/1 of the Draft Replacement City of Salford UDP, and forms an integral part of Manchester City Centre. There are strong commercial opportunities across the area, particularly around Salford Central Station, linking to the Spinningfields development in Manchester. Also, it is expected that in the region of 2000 dwellings will come forward in this area over the Replacement UDP period. A number of key public realm improvements will need to be made to support this concentration of development as set out in the draft Vision and Regeneration Framework and to secure the quality surroundings required by new developments at the heart of the city centre.

Thresholds

5.63 All major residential development of 10 dwellings or more will be expected to contribute towards public realm, infrastructure and heritage improvements where it is deemed necessary. Table 2 below summarises the level of contribution that will be required in different locations across the City.

Location	Contribution
Policy MX1/1 area: Chapel Street East (as identified in the Replacement City of Salford Unitary Development Plan)	£1,500 per dwelling
Regional Centre (as identified in the City of Salford Unitary Development Plan, but excluding the area defined by Policy MX1/1: Chapel Street East)	£1,250 per dwelling
Citywide (excluding those areas identified above)	£750 per dwelling

Further information

5.64 Further information can be obtained from the Council's Spatial Planning Team who can be contacted on 0161 793 3772.

Summary of Developer Contributions

v. Climate Change

Policy Background

5.65 The justification for requiring obligations in respect of climate change is set out in Circular 05/2005: Planning Obligations (Para B15), Planning Policy Statement 1: Delivering Sustainable Development (Para 21-22), Planning Policy Statement 22: Renewable Energy, policy ER13 of the Regional Spatial Strategy for the North-West and policy ST14 of the Replacement City of Salford UDP.

Introduction

5.66 Human activities are increasing the amount of carbon dioxide and other so-called greenhouse gases that are entering the atmosphere. This is leading to a warming of the planet and resulting in changes to the climate. Homes contribute around a third of the UK's CO₂ emissions and all buildings contribute a half of emissions.

5.67 There are currently a large number of benchmarks and checklists that can help ensure buildings are energy efficient and contribute towards a reduction in the emission of greenhouse gases. These include the Millenium Communities Standard, Building for Life, the Association for Environment Concious Building (AECB) energy standards, EST Energy Efficiency Best Practice in Housing, BREEAM/Ecohomes and the Government's forthcoming Code for Sustainable Homes. Methods of reducing the use of carbon fuels include:

- Improved wall, roof, floor and door insulation;
- Airtight construction and natural ventilation;
- Locating large areas of glazing on the south facing side of the building;
- The use of ground source heat pumps (GSHP);
- Installation of small scale wind turbines, photovoltaic panels, solar thermal hot water systems, and biomass heating systems; and
- Where opportunities exist, micro-hydro schemes.

5.68 Additional, guidance will be provided in the Sustainable Design and Construction SPD that is currently being produced.

5.69 Irrespective of the ability to reduce fuel consumption by energy efficient design and management, there will still be a considerable net gain in CO₂ emissions from new development.

Carbon Impact of New Development

5.70 Various organisations have developed 'Carbon calculators' that calculate CO₂ emissions from household consumption. Such calculations are based on the DEFRA document "*Guideline for Company Reporting on Greenhouse Gas Emissions*" (2001) and are therefore consistent. The Carbon Neutral Company has used this data to calculate the number of trees that would need to be planted to offset those CO₂ emissions:

Electricity consumed (KWh per year)	CO ₂ emitted (t per year)	No.s of trees needed to offset emissions
6,600 per dwelling	2.8	4

Thresholds

5.71 Where major development of 10 dwellings or more is proposed, then the carbon impact will need to be offset through contributions to tree planting schemes.

Contribution

5.72 The cost of planting trees to offset the carbon emissions is £205 per tree. This is based on the following costs:

Heavy standard tree	£80
Stakes / Guards	£30
Planting	£50
Maintenance (3 years)	£45

5.73 Therefore, on the basis that 4 trees are required to offset the impact of one dwelling, the cost of offsetting the carbon emissions for one dwelling would be £820. However, in order to ensure that the overall impact of planning obligations does not compromise the viability of developments, it is considered appropriate to require residential developments to contribute to 25% of that offsetting, which would equate to **£205 per dwelling**.

Red Rose Forest

5.74 The Red Rose Community Forest was launched in 1992 as part of the national programme of community forests spear headed by Countryside Commission and Forestry Commission in partnership with six local authorities (Bolton, Bury, Manchester, Salford, Trafford and Wigan).

5.75 The Red Rose Forest Plan, a non-statutory document, was published in 1994. The Mission for Red Rose Forest is "to develop well wooded multipurpose landscapes that will improve the quality of life for those living and working within the forest boundaries, create better environments into which businesses can invest and that people will use, cherish and enjoy."

5.76 Financial contributions under Climate Change will be used by the Council to implement community forest projects in conformity with strategic objectives that will secure landscape, wildlife and amenity benefits from new development.

5.77 The location of new tree planting will, where possible, be within reasonable proximity of the associated development to ensure that the development benefits from the new planting in terms of amenity/recreation as well as through minimising its contribution to climate change.

5.78 Where robust evidence can be provided to show that the energy consumption of a development is significantly less than the levels shown above, then it may be possible to reduce the level of contribution sought. For example, the potential carbon dioxide emissions of a development may be reduced through the incorporation of renewable energy micro generation within it.

Summary of Developer Contributions

5.79 Furthermore, where residential development achieves the 'VERY GOOD' standard of the BREEAM (Building Research Establishment Environmental Assessment Method) rating, then it will not be considered necessary to make further contributions.

For more information on the BREEAM rating please visit

<http://www.breeam.org/>

Further Information

5.80 Further information can be obtained from the Council's Environment & Countryside Group who can be contacted on 0161 793 3659.

vi. Affordable Housing

Policy Background

- 5.81** The justification for requiring obligations in respect of affordable housing is set out in Circular 05/2005: Planning Obligations (Para B12-14), Circular 6/98: Planning and Affordable Housing, PPG3: Housing, and Policy H4 of the Replacement City of Salford UDP.
- 5.82** Further guidance relating to affordable housing is set out in the Draft Housing SPD, which is due to be adopted in November 2006.

Thresholds

- 5.83** Policy H4 of the draft Replacement UDP states that where there is a demonstrable lack of affordable housing to meet local needs, developers will be required by negotiation with the city council to provide affordable housing on sites over 1 hectare, irrespective of the number of dwellings, or in housing developments of 25 or more dwellings. In assessing whether a need exists in relation to any proposal, the Council will have regard to up-to-date information deriving from a housing needs assessment.

Contributions to Affordable Housing

- 5.84** Using the ODPM needs model in the Housing Market Assessments Draft Practice Guidance (December 2005) the city council have calculated that there is an annual shortfall of 603 affordable dwellings per annum at a city-wide level.
- 5.85** Analysis of average house prices to average household incomes exceed a 3 to 1 ratio in all wards of the city; it is therefore considered that there is a need for affordable housing on all sites in the city that are above the thresholds set out in Policy H4.
- 5.86** The Housing SPD sets out in more detail the proportion of dwellings as part of any scheme that the city council will require to be affordable. It also sets out a guide to the developer's contribution towards provision of affordable housing, as well as how commuted sum payments will be calculated where provision is not made on site.

Further Information

- 5.87** Further information can be obtained from the Council's Plans Group who can be contacted on 0161 793 3666.

6 Implementation, Monitoring and Review

IMPLEMENTATION

- 6.1** The development control process will be the primary way in which the SPD is implemented. It will inform all major development proposals within the city. The SPD does not have the status of the development plan (for the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004), but will be an important material consideration in determining planning applications.
- 6.2** Developers are advised to discuss possible schemes with Urban Vision (which provides Salford's development control service on behalf of the city council), and the city council's Spatial Planning and Housing Strategy sections at the earliest opportunity, and wherever possible prior to any planning application being submitted. This will help to ensure that the requirements of this SPD are fully understood and are taken into account.

MONITORING

- 6.3** The effectiveness of the SPD will be assessed each year in Salford's Annual Monitoring Report. This will identify whether there have been any problems in implementing the SPD, and assess whether it is having its intended effect. The key indicators will relate to the levels of contribution that are secured for each area.

REVIEW

- 6.4** The assessment of SPD performance in the Annual Monitoring Report will help to identify if there is a need for the SPD to be reviewed. If a need for the review of the SPD is identified, then a timetable for this process will be included in Salford's Local Development Scheme as resources permit.

7 Further Help and Advice

Should you require any further assistance or clarification please contact the Planning Obligations Officer in the first instance, as detailed below:

Planning Obligations Officer
Spatial Planning Team
Housing and Planning
Civic Centre
Chorley Road
Swinton
M27 5BW

Tel: 0161 793 3782

Other contact details that may be of assistance are as follows:

Environment & Countryside Group:	0161 793 3659
Highway's Group:	0161 779 4894
Economic Development Team:	0161 745 7844
Spatial Planning Team:	0161 793 3782
Plans Group:	0161 793 3666
Development Control (Urban Vision):	0161 793 2492

Salford City Council

Spatial Planning

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