

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129895/FO/2021

Date registered valid: 30 March 2021

Proposal: Erection of 1.8m high fence, incorporating a pair of gates, following removal of existing bollards

Address: Arches 1, 2, 3 And Land Off Evan Street , 704 Oldham Road, Manchester, M40 5AA

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Andrew Latham Rapleys LLP The Arch Company, 3rd floor, 140 London Wall, London, EC2Y 5DN

Agent (if any): Mr Andrew Latham 55 Spring Gardens, Manchester, M2 2BY

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13 May 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 13 May 2021

Standard consultations:

Printed: 13 April 2021 Expired: 4 May 2021

Neighbour notifications

Printed: 13 April 2021 Expired: 4 May 2021

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to an irregular shaped area of land site relating to 3 railway arches accessed from Evans Street, fronting onto Oldham Road. The site is bounded by railway to either side, with surrounding occupiers including a car dealership and a variety of light industrial occupiers.

The site is presently in a poor condition and contains spoils of debris. The Oldham road is lined by a series of concrete bollards and two large advertisement billboards to either side.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The site lies within an industrial area, adjacent to the main arterial route of Oldham Road which links the city centre with the M60 motorway. The wider area is mixed use in character.

Description of development

Planning permission is sought for the removal of the existing low level/open barriers, 9 bollards and metal posts, to allow for the installation of 1.8 metre high, weld mesh boundary fencing and gates to secure the railway arch units to which the site relates. The fence is to be coloured black.

The application as originally submitted, proposed the use of Palisade fencing to match perimeter fencing of the neighbouring site and elsewhere in the immediate area. However, due

to the concerns of GMP surrounding the robustness of the security offered and the Council's concerns surrounding visual amenity, the proposed fencing was changed to weld mesh, Paladin fencing. Revised plans were submitted accordingly.

The application relates to a wider programme of renewal and improvement works to circa 900 railway arches, with the applicant having acquired Network Rail's former commercial estate business. The aim is to bring vacant railway arches back into beneficial use and to seek operational improvements.

Planning History

F04898

Continuance of use of warehouse for the storage and purchase of non-ferrous metals. Approved 9 July 1976.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Highway Services - The proposed fencing and gating arrangements are acceptable from a highway perspective.

GMP (Design for Security) – It is recommended that the proposed fencing is replaced with weld mesh fencing.

Network Rail – clarification is sought in relation access controls and access for Network Rail to the railway bridge.

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Saved policy E3.3 of the UDP;
- Policies DM1, EN1 and SP1 of the Core Strategy;
- The Guide to Development in Manchester (SPD);
- National Planning Policy Framework (NPPF).

Issues

Visual Amenity

The site is presently in a poor condition and subject to fly tipping, demonstrated by the spoil heap at the time of the site visit.

The proposed fencing will secure the site frontage to prevent unauthorised access and along with clearance of the site and associated refurbishment of the arches, will return the arch units to a tenable condition for reletting.

The revised weld mesh design of the fencing as opposed to the originally proposed Palisade fencing offers a superior solution visually and given the industrial context of the site location and its situation adjacent to a main arterial route, will effectively blend to the streetscape with minimal impact to visual amenity of the appearance of the street-scene.

A condition has been included to ensure compliance with the specified fencing, detailed on the submitted drawings.

Security

Initial concerns were raised by GMP (Design for Security) surrounding the use of Palisade fencing.

Revised plans were subsequently received highlighting a weld mesh design as suggested by GMP to deter scaling, cutting and tampering.

Together with the enclosure of the site to prevent unauthorised access and anti-social behaviour and the transparent nature of the fencing to allow natural surveillance from Oldham Road, the impact to security is considered a substantial improvement.

Impact to the Highway

Vehicular access is proposed onto Oldham Road via set of secure gates. Highway Services raise no objection to this. Given the likely use and infrequent movements anticipated, the impact to the highway is considered acceptable.

Access

Network Rail sought clarification regard access controls the site. This is a civil legal matter between the site owner and Network Rail. The applicant's agent has however confirmed that the owner has purchased a long lease from Network Rail. Access and access will be granted for Network Rail to undertake arch examinations as stipulated in the head lease. Further arrangements will be made with Network Rail.

Climate Change

The proposal development poses a neutral impact to climate change, as a consequence of the proposed fencing.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings referenced ZMP05201-010, ZMP05201-009 and ZMP05201-002/B received by the City Council as Local Planning Authority on 30 March 2021 and 5 May 2021 respectively.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Network Rail
Highway Services
Greater Manchester Police
Highway Services
Greater Manchester Police
Network Rail

34 Irlam Street, Manchester, M40 2AB
501 Oldham Road, Manchester, M40 5AA
Unit 3A, Beckford Street, Manchester, M40 5AE
706 Oldham Road, Manchester, M40 2AA
Unit 3, Beckford Street, Manchester, M40 5AE
Unit 16, Beckford Street, Manchester, M40 5AE
Boiler House Supplies, New Street, Manchester, M40 8AW
Cohens Furniture Auctions Ltd, New Street, Manchester, M40 8AW
Warehouse, Beckford Street, Manchester, M40 5AJ
Ground Floor, Unit 1, Beckford Street, Manchester, M40 5AE
Ian Michael Auctioneers, New Street, Manchester, M40 8AW
Hillbit Ltd, New Street, Manchester, M40 8AW
497 Oldham Road, Manchester, M40 5AA
495 Oldham Road, Manchester, M40 5AA
Manchester Cold Storage, Hillbit House, New Street, Manchester, M40 8AW
1A Beckford Street, Manchester, M40 5AE
Ground Floor Unit 1 Snack Bar, 1 Beckford Street, Manchester, M40 5AE
First Floor Unit 1, 1 Beckford Street, Manchester, M40 5AE
Unit 1, Beckford Street, Manchester, M40 5AE
1 Beckford Street, Manchester, M40 5AE
Hillbit House, New Street, Manchester, M40 8AW
Unit 6, Beckford Street, Manchester, M40 5AE
Unit 5, Beckford Street, Manchester, M40 5AE

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH1