

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126055/FO/2020

Date registered valid: 30 January 2020

Proposal: Installation of 2 x 1.8 metre high perforated panels to either side of the Ashton Canal berm

Address: Land Bounded To The North And South Of The Ashton Canal Basin Berm , 90 Mill Street, Manchester, M4 6EQ

Ward(s): Ancoats & Beswick Ward

Applicant: Manchester Life Development Company C/o Agent

Agent (if any): Mr Akanimo Nkanang Chapman Taylor Architects 4 Castle Street, Castlefield, Manchester, M3 4LZ

Case officer: Jennifer Atkinson
Tel: 0161 234 4517
Email: j.atkinson@manchester.gov.uk

Recommendation:

Date of recommendation: 15 April 2020

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 31 January 2020 Expired: 21 February 2020

Neighbour notifications

Printed: 31 January 2020 Expired: 21 February 2020

Site notice

Posted: Expired:

Press advert

Published: 4 February 2020 Expired: 25 February 2020

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to two individual parcels of land located at either end of the berm of the northern (Old Mill Street) and southern (Lock 2) ends of the Ashton Canal Basin. The berm is slightly raised from the basin and forms a plateau between the basin and the immediately adjacent residential development along Vest Street.

The berm is in the ownership and maintenance of the City Council.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site is located in New Islington. The area has seen significant amount of change and development over recent years which has result in new residential and commercial development in the area. Old Mill Street is located to the north of the application site and is characterised by the Ancoats Primary Care Centre and large and small scale residential developments.

On the eastern side of the basin is the Chips building and the Lampwick development which is currently under construction. Both these schemes are residential in nature.

Description of development

Installation of 2 x 1.8 metre high perforated panels to either side of the Ashton Canal berm

Consultations & Notification Responses

Local residents/public opinion – The application was advertised by way of site notice on the grounds that the development was of public interest and affected the setting of a listed building. In addition, a notice was displayed in the local newspaper. Notification letters were also sent to affected residential properties and businesses.

Highway Services – No objections

Greater Manchester Police – The proposed boundary treatment is acceptable.

Greater Manchester Ecology Unit – There is a risk that during construction dust, debris and pollution will enter the canal. However, given the nature of the works appear minor. A full construction management plan is therefore not appropriate but an appropriately worded informative should be imposed.

Canal and River Trust – No objection. The amendments to the scheme are acceptable.

Policy

Manchester Core Strategy (2012) – Relevant policies SP1, EN1, EN3, EN15 and DM1

Unitary Development Plan for the City of Manchester (1995) – Relevant saved policy DC19

National Planning Policy Framework

Issues

Principle

The principle of the development is considered to be acceptable. The proposal has been identified as being required following a recent Secured by Design assessment of the Manchester Life Vesta Street development. Design for Security at Greater Manchester Police have requested further security measures to protect the berm from being misused and people gaining entry to the ground floor apartments.

Due to the screens being required to secure the nearby development, the time period for implementation has in this instance been reduced to 12 months in the interest of ensuring that the development is implemented in a timely manner to ensure the apartments overlooking the basin are secure.

Visual amenity

The proposal will involve the installation of two x 1.8 screens to either end of the berm. The screen to Old Mill Street will extend of the boundary treatment at the Vest Street development and slightly oversail the basin to prevent anybody from simply stepping around the screen.

At the southern end, and in response to comments raised from the Canal and River Trust, the screen dog legs again to prevent anybody from stepping off the footbridge and getting around the screen.

The siting of the screen are considered appropriate and will not only prevent the access to the berm but related visually to the surrounding residential development.

The scale of the screens will be 1.8 metres which is considered an appropriate height and will not result in obtrusive structures in the street scene. This is also the height of the adjacent boundary treatment to the Vesta scheme. The appearance will be powder coated perforated metal panel with a solid panel overlay in a pattern yet to be agreed. The pattern on the drawing is indicative at this stage. It is considered that the principle of the design approach is acceptable with the final pattern and material finish to be agreed by condition.

Residential amenity

The proposal would not give rise to any harmful impacts to residential amenity. Whilst the ground floor apartments (particularly the two closest to the structures at the ends of the berm) will readily have a view of the structures, they are not considered to be close enough to overbear or overshadow the apartments. Indeed, the structure provides the apartment at the northern end a degree of privacy and additional security.

Impact on the historic environment

The proposal sits immediately adjacent to the Grade II listed canal lock known as 'Lock 2'. There are a series of locks in close proximity to one another which are also listed and form a network of canal locks which were significant for the role the waterways played in the 19th Century.

The proposed boundary treatment will be visible in the backdrop to the lock when viewed from the southern side of the canal from Pollard Street. At 1.8 metres, and when viewed in the context of other visual clutter in the area (such as buildings and the swing bridge), it is not considered that there will be any material impact on the listed structure or its setting and its significance as a canal lock will remain understood and legible.

It is therefore not considered that any material harm will arise that would warrant consideration by this application.

Impact on the canal and local ecology

The siting, scale and appearance of the boundary treatment will not have any direct impact on the canal basin (which is a Site of Biological Importance) when in situ. There is the potential for dust and debris to fall into the canal during construction. In line with the recommendations of Greater Manchester Ecology Unit, an informative of the planning approval shall be that measures shall be put in place to prevent spillages into the canal.

Impact on crime and safety

The principle purpose of the boundary treatment is to prevent access onto the berm and into the balcony areas/apartments associated with the ground floor apartments on the eastern elevation of the Vesta Street development which overlook the canal. The new boundary treatment will have a tight mesh with a patterned sheet of metal over it. The panels will also be tight together with no gaps. As such, this would prevent the fence from being climbed.

Design for Security have raised no objection to the proposal.

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:

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre-application advice has been sought in respect of this matter which included discussion on the siting, scale and appearance. Further amendments have been sought during the course of the application to respond to consultation responses. The proposal is considered to be acceptable and the application determined in a timely manner.

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 12 months 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

CTL XX XX 21 601 P02, CTL XX 00 20 700 P03 and CTL XX XX 21 600 P04 stamped as received by the City Council, as Local Planning Authority, on the 8 April 2020

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.

3) Prior to any above ground works, and notwithstanding the drawing specified in condition 2, details of the final pattern and materials finish (including colour) shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of the scheme and thereafter retained and maintained in situ.

Reason - To ensure that the appearance of the development is acceptable pursuant to policies SP1 and DM1 of the Core Strategy.

Informative

- 1) The applicant is reminded that the proposed works are adjacent to the Ashton Canal Site of Biological Importance. Measures to prevent accidental spillages, dust and debris entering the canal should be put in place for the duration of the construction works.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Strategic Development Team
Greater Manchester Police
Canal & River Trust
Greater Manchester Ecology Unit

Mooring 5, New Islington Marina, 9 Old Mill Street, Manchester, M4 6EA
Flat 124, 1 Vesta Street, Manchester, M4 6LU
14 Vesta Street, Manchester, M4 6EQ
Flat 2, 12 Vesta Street, Manchester, M4 6EQ
Flat 1, 8 Vesta Street, Manchester, M4 6EQ
Urban Village Medical Practice, Ancoats Primary Care Centre, Old Mill Street, Manchester, M4 6EE
Flat 4, 12 Vesta Street, Manchester, M4 6EQ
Flat 3, 4 Vesta Street, Manchester, M4 6EQ
Flat 2, 4 Vesta Street, Manchester, M4 6EQ
Flat 13, 12 Old Mill Street, Manchester, M4 6DZ
Flat 7, 12 Old Mill Street, Manchester, M4 6DZ
Flat 1, 12 Old Mill Street, Manchester, M4 6DZ
Mooring 4, New Islington Marina, 9 Old Mill Street, Manchester, M4 6EA
Flat 12, 12 Old Mill Street, Manchester, M4 6DZ
Flat 2, 12 Old Mill Street, Manchester, M4 6DZ
K's Chemist, Ancoats Primary Care Centre, Old Mill Street, Manchester, M4 6EE
New Islington Medical Practice, Ancoats Primary Care Centre, Old Mill Street, Manchester, M4 6EE
Flat 2, 8 Vesta Street, Manchester, M4 6EQ
6 Vesta Street, Manchester, M4 6EQ
14 Old Mill Street, Manchester, M4 6DZ
Flat 8, 12 Old Mill Street, Manchester, M4 6DZ
Flat 4, 12 Old Mill Street, Manchester, M4 6DZ
34 Spindle Mews, Manchester, M4 6DB
10 Vesta Street, Manchester, M4 6EQ
Flat 10, 12 Old Mill Street, Manchester, M4 6DZ
Mooring 6, New Islington Marina, 9 Old Mill Street, Manchester, M4 6EA
Flat 3, 12 Vesta Street, Manchester, M4 6EQ
Flat 14, 12 Old Mill Street, Manchester, M4 6DZ
Flat 6, 12 Old Mill Street, Manchester, M4 6DZ
Flat 5, 12 Old Mill Street, Manchester, M4 6DZ
Ancoats Primary Care Centre, Old Mill Street, Manchester, M4 6EE
Flat 1, 12 Vesta Street, Manchester, M4 6EQ
Flat 4, 4 Vesta Street, Manchester, M4 6EQ
Flat 1, 4 Vesta Street, Manchester, M4 6EQ
Flat 11, 12 Old Mill Street, Manchester, M4 6DZ
Flat 9, 12 Old Mill Street, Manchester, M4 6DZ
Flat 3, 12 Old Mill Street, Manchester, M4 6DZ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH2