MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140333/FO/2024
Date registered valid:	21 June 2024
Proposal:	Retention of a pedestrian entry gate.
Address:	Land Between Phase A (Building C4 The Blade) And Phase C (Building C3 Crown Street School) Of Crown Street Phase 2, Manchester, M15 4AX
Ward(s):	Deansgate Ward
Applicant:	Renaker Build Ltd
Agent (if any):	Mr John Cooper Deloitte LLP
Case officer:	Lucy Harrison Tel: 0161 234 5795 Email: lucy.harrison@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	7.8.24

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:
Printed: 5 July 2024 Expired: 26 July 2024

Neighbour notifications
No neighbour notifications have been printed and sent.

Site notice
Posted: Expired:

Press advert
Published: 9 July 2024 Expired: 23 July 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: N/A

Tree Preservation Order: N/A

Description of area

The application relates to an area of land in between the Blade residential tower and the Crown Street Primary School at Crown Street Phase 2, which forms a route through from the public realm area at the front of the buildings to the service area to the rear of the buildings. The site is also occupied by the Early Years external play area, which runs down the side of the school.

Description of development

The proposal is to retain double gates with fence panels either side that are fixed to the school playground fencing on one side and the Blade building on the other side. The gates and fencing are 2.47m high and 3.2m wide overall and have laser cut holes to give 50% porosity, with a metallic bronze finish.

Consultations & Notification Responses

Publicity – A site notice was displayed and a copy of the site notice was emailed to residents of the Blade by the management company. No representations have been received.

Highways – No objections as the gate would not have an impact on the highway or the vehicle and servicing arrangements.

Issues

The main issues to consider are the visual amenity of the gates and access and highway safety. The proposal should be considered against the following policies:

Core Strategy

Policies SP1 (Spatial Principles), CC10 (A Place for Everyone) and DM1 (Development Management) of the Adopted Core Strategy for the City of Manchester are relevant to this application.

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, which provides a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. It was adopted on 21 March 2024 and forms part of Manchester's development plan.

Policy JP-P 1 (Sustainable Places) aims to create one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places, each having the following key attributes that all development, wherever appropriate, should be distinctive, with a clear identity, visually stimulating, socially inclusive, resilient, adaptable, durable, resource efficient,

safe, supported by critical infrastructure, functional and convenient, incorporating accessibility, legible easy to move around, well connected, comfortable and inviting, incorporating high quality and well managed green infrastructure and public realm, well served by local shops, services and amenities.

National Planning Policy Framework (NPPF)

The NPPF sets out Government planning policies for England and how these are expected to apply. The NPPF seeks to achieve sustainable development and states that sustainable development has an economic, social and environmental role (paragraphs 7 & 8). Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan (para 11). Paragraphs 11 and 12 state that:

"For decision-taking this means: approving proposals that accord with an up-to-date development plan without delay" and "where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed".

The following sections of the NPPF are relevant to the consideration of this application: Section 12 (Achieving Well-Designed places).

Visual Amenity

The gates have a high quality bespoke design which matches the adjacent gates and fence approved for the school, giving them an appearance that is consistent with the rest of the approved Crown Street Phase 2 scheme. The gates are set back from the front of the adjacent buildings. It is considered therefore that they have an acceptable impact on visual amenity.

Access and Highway Safety

The gate would restrict access between the public realm/park area at the front of the buildings and the service road at the back of the buildings. The area has the school playground running down one side and the bin store doors to the Blade on the other side. It is primarily used for waste management and there is no reason for members of the public to use this area. The gate has restricted access to management staff only and has been put in place as an additional safeguarding measure to prevent members of the public overlooking the school playground, as well as preventing children using the adjacent drop off area from running freely towards the service area.

The gate would not have an impact on highway safety being on private pedestrianised land.

Given the above it is considered that the restriction of access that the gate results in is acceptable and it would not have a detrimental impact on the permeability and accessibility of the area or on highway safety.

Conclusion

It is considered that the gate has an acceptable impact on visual amenity, accessibility and highway safety and it is in accordance with the above local and national planning policies. The application should therefore be approved.

Other Legislative Requirements
Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 polices 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 work with applicants in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with planning applications. No problems arose in the processing of this planning application.

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

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

C3-AKL-G200-PL-GRD-0030 Site Location Plan
C3-AKL-G200-PL-GRD-0025-X01 Gate Location Plan;
C3-AKL-G200-EL-XX-0026-X02 Gate Elevation;
C3-AKL-L390-DE-00-1804 C01 External Fencing & Gate Details (Sheet 2);
PR-TPM-G710-PL-GRD-3442 101 C2 General Arrangement for School Area;
PR-TPM-G710-PL-GRD-3442 117 P1 C4 and School Area/Gate Context; and

Design and Access Statement Addendum: Fence Gate C3-AKL-Z100-RP-XX-0002-X01 dated March 2024 by Arkilab.

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

Highway Services
Greater Manchester Pedestrians Society

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: CENTRAL