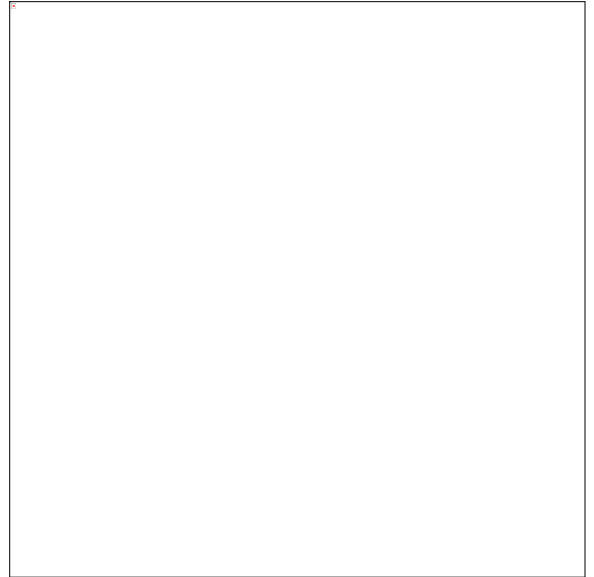




Planning

Growth & Development

Delegated officer report for planning application

Application no. 131622/LO/2021

Date registered valid: 9 September 2021

Proposal: Listed Building Consent for works associated with temporary change of use to urban park for a period of 20 months.

Address: Castlefield Viaduct , Manchester,

Ward(s): Deansgate Ward

Applicant: Jennifer Ingham National Trust Heelis, Kemble Drive, Rodbourne, Swindon, SN2 2NA

Agent (if any):

Case officer: Lucy Harrison
Tel: 0161 234 5795
Email: lucy.harrison@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23 November 2021

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 7 October 2021

Standard consultations:

Printed: 29 September 2021

Expired: 20 October 2021

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 1 October 2021

Expired: 22 October 2021

Press advert

Published: 5 October 2021

Expired: 26 October 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Castlefield Conservation Area 1979

Tree Preservation Order:

Description of area

The site is section of the Grade II listed 1892 Castlefield Viaduct that starts at the car park of Deansate Metrolink Station in the east and runs alongside the Metrolink line towards Cornbrook. The site is 330m long and straddles Castlefield Basin with its canal structures and rail viaducts below. The viaduct is supported on a series of cast iron columns that both sit within the canal and around it. The area has a variety of uses, including offices, residential and leisure.

Description of development

National Trust propose to use the viaduct as a free-to-access park. They propose to operate an initial pilot project between June 2022 and July 2023 (that forms part of this application), with a view to a permanent scheme (subject to a further planning application) if the pilot is a success. The scheme would include the creation of a welcome area, a section of the viaduct as existing, a section with gardens created by planters and an event space building with a glass window giving views of the rest of the viaduct beyond. Two compostable toilets, a welcome kiosk, seating and planters would be installed in the welcome area. Geo-cell gravel with bound gravel on top would be laid to provide a walkway through the centre of the site, with look-out areas along the viaduct. Guarding rails and information boards would be installed along the viaduct. All the additions would be removable.

Consultations & Notification Responses

Publicity – the application has been advertised and site notices displayed. No representations have been received.

Historic England (North West) - No objection. Recommends conditions to control the details of interventions such as signage.

Issues

The main issues to consider in assessing this application are the impact the proposal would have on the character and appearance of the listed structure. The application should be considered against the following policies: section 16 (Conserving and Enhancing the Historic Environment of the National Planning Policy Framework (NPPF); Core Strategy Policies SP1 (Spatial Principles), CC9 (Design and Heritage), EN3 (Heritage), and DM1 (Development Management); and saved Unitary Development Plan (UDP) policy DC19.1 Listed Buildings.

Heritage

The viaduct is a well known land mark within the City Centre and is highly visible both from the ground and from the Metrolink line that runs alongside it. It has been out of use since 1969 and its condition has deteriorated, although it is regularly inspected and repairs carried out where necessary. It is considered that its use as a park would be suitable to the structure and would be beneficial in bring the structure back into use, as well as allowing the public access to a listed structure.

The railway viaduct has high significance as a structure of national and international historic value, high aesthetic interest due to its design, wider group value and public value. The proposed scheme would introduce some temporary buildings onto the viaduct. These would not project above the viaduct and would be minimal to reduce visual intrusion. The proposed planters would not be fixed to the structure, would be in keeping with the industrial nature of the viaduct and would be confined to certain areas. The event space structure has been designed to sit below the viaduct beams with a flat roof, so as not to detract from the overhead structure of the viaduct. The proposed edge protection would cause some disruption to views from and into the structure and is of a temporary design. A large part of the viaduct would remain as it is.

The proposed works would have a minor adverse impact in terms of creating some disruption of views along the length of the viaduct, although the largely glazed front and rear elevations of the events structure would help to reduce the impact. The proposed works are temporary and removable, as this is a pilot scheme, and it is expected that the structures would be removed at the end of the temporary period should a permanent scheme not come forward.

Given the above, it is considered that the changes proposed to the listed building would have some minor instances of harm, which would be less than substantial, and the new additions would be temporary and reversible. The proposal would have a negligible impact on the character and appearance of Castlefield Conservation Area. In line with the NPPF, it is considered that any harm would be outweighed through the economic, social and cultural, and environmental public benefits of the scheme, which would include:

- Bringing a heritage asset that is neglected back into use;
- Allowing public access to a heritage asset and creation of a better understanding of the structure's significance to the public;
- Improvement to Manchester's green infrastructure; and
- Contributing to economic growth through the attraction of visitors to the City Centre.

These public benefits would mitigate against any instances of harm and would sustain the heritage values of the heritage assets affected. It is considered therefore that, notwithstanding the considerable weight that must be given to preserving the setting of the listed buildings and the conservation area as required by virtue of S66 and S72 of the Listed Buildings Act, the harm caused would be less than substantial and would be outweighed by the public benefits of the scheme, thereby meeting the requirements set out in the NPPF.

Conclusion

The proposal would bring part of the listed viaduct back into use after many years and would result in less than substantial harm to the building. Any harm would be outweighed by the public benefits that the proposal would bring and the works are reversible. It is considered that the proposal would be in accordance with national and local policy and should be approved.

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

- 0) In assessing the merits of an application for listed building consent officers shall work with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the application. Officers worked with the applicant at pre-application stage and during the listed building consent application to ensure an acceptable outcome.

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Drawing numbers:

(PL) 001 Rev A
(PL) 100 Rev D
(PL) 300 Rev C
(PL) 301 Rev C
(PL) 302 Rev C
(PL) 303 Rev C
(PL) 400 Rev B
(PL) 700 Rev D
(DIA)004 Rev A

Design & Access Statement Planning Revision A by Twelve Architects dated 19 November 2021;

Statement of Heritage Significance Parts 1 and 2 Issue 01 by Purcell dated June 2021;

Heritage Impact Assessment Issue 02 by Purcell dated September 2021;

Planning Supporting Statement by National Trust dated September 2021;

Castlefield Viaduct ARUP Report by ARUP dated 3rd September 2021;

Operational Overview September 2021 by National Trust;

Record of Structural Review Form REP/282210/C001 Draft 1 by Arup dated 27 July 2021;

Structural Survey for Highways England by Balfour Beatty dated 7 September 2020;

Stage 3 Fire Strategy by Arup dated 7 September 2021;

Construction Management Plan Framework and Principles by National Trust;

Noise Survey Report reference: PC2387-ZZ-XX-RP-Z-0010 dated 3 September 2021 by Royal HaskoningDHV;

Bat Survey Report dated September 2021 by Urban Green;

Preliminary Ecological Appraisal dated April 2021 by Urban Green;

Drainage Assessment reference: PC2387-RHD-ZZ-XX-RP-Z-0004 dated 7 May 2021 by Royal HaskoningDHV;

Initial Flood Risk Appraisal reference: PC2387-RHD-ZZ-XX-RP-Z-003 dated 26 April 2021 by Royal HaskoningDHV;

Summary Feasibility Report reference: PC2387-RHD-ZZ-XX-RP-Z-0005 dated 11 May 2021 by Royal HaskoningDHV;

Full Utility drawing 0421-RH-14204;

Land Quality Desk Study and Preliminary Risk Assessment Report reference: PC2387-RHD-ZZ-XX-RP-Z-0002 dated 10 May 2021 by Royal HaskoningDHV;

Land Quality Interpretative Ground Investigation and Generic Quantitative Risk Assessment Report reference: PC2387-RHD-ZZ-XX-RP-Z-0009 dated 13 August 2021 by Royal HaskoningDHV;

Environmental Standards Statement by National Trust;

Castlefield Viaduct: Operational Overview by National Trust;

Crime Impact Statement version A: 7th September 2021 URN: 2021/0347/CIS/01 by Greater Manchester Police;

Travel Plan as amended by the Cvia Planning Feedback document received by the City Council on 3 November 2021;

Transport Statement VN211993 dated September 2021 by Vectos.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, CC9, EN3 and DM1 of the Core Strategy, and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

3) Notwithstanding the details shown in the approved drawings and documents, as set out in condition 2 above, before development commences final details (including where appropriate specification and method statement) of the following shall be submitted to and approved in writing by the City Council as local planning authority:

- (a) The detailed design of the MHVR;
- (b) The detailed design of the high level guarding;
- (c) Locations and details (including any fixtures and fittings) of any external lighting, CCTV and LV power supply, as well as any other fixtures or fittings required to implement the recommendations of the Crime Impact Assessment referred to in condition 2;
- (d) Locations and details of any new drainage equipment including any 'event style' attenuation, which should accord with paragraph 174 of the National Planning Policy Framework (NPPF);
- (e) The detailed design of any graphic panels (including appearance, materials, dimensions and locations).
- (f) Measures/features that are beneficial to wildlife, such as roosting opportunities for bats or the installation of bird nest boxes;
- (g) Fencing/guarding and boundary treatment;
- (h) Signage.

The approved details shall be implemented in full before the use of the building hereby approved commences.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building and to ensure consistency in accordance with policies CC9 and EN3 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Urban Design & Conservation
Historic England (North West)

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Castlefield Conservation Area 1979
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: CITY1