

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137637/NMC/2023

Date registered valid: 21 July 2023

Proposal: Non material amendment to planning permission 131345/VO/2021 to amend Condition 2 to alter the end of the handrail of the bridge.

Address: Ashton Canal Towpath, Manchester, M4 6DH

Ward(s):

Applicant: MCC Major Projects

Agent (if any): Mr Michael Percival Deloitte LLP

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

Recommendation: Approve

Date of recommendation: 26 July 2023

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

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 is located on Ashton Canal in New Islington in Manchester, 200m to the north east of Great Ancoats Street, 75m west of Pollard Street and close to the New Islington Tram Stop. The new bridge proposes to sit alongside the existing Grade II Listed canal lock (Lock No. 3), where existing pedestrian access is currently provided.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site is located in New Islington which is a neighbourhood of the City Centre. The site is also located in the Regional Centre where the strategy is to improve connectivity around the area and links to the city centre. The area is dominated by high density mixed-use residential neighbourhoods extend east along the canal corridors within the Alan Turing Way intermediate ring road, acting as a natural extension of the city centre and supporting a greater range of households and neighbourhood uses. The General Projects 'Pollard Street' Development, approved at Planning Committee on 17 December 2020, will occupy what is currently an open space immediately adjacent to the canal, known as new Islington Green. This will be an office-led mixed-use scheme, and work on this is expected to start in early 2022.

Description of development

Non material amendment to planning permission 131345/VO/2021 to amend Condition 2 to alter the end of the handrail of the bridge

Consultations & Notification Responses

N/A

Issues

The applications seek amendments to the wording of Condition 2 to planning permission to make amendments to the proposal. Site investigations have revealed the foundation position of the building adjacent to the proposed bridge would conflict with the lower section of the handrail.

Although it is considered that this interface is unlikely to cause any issue for the identified foundations, the design team has proposed an alternative solution to avoid this conflict whilst maintaining the original design intent of the bridge.

The solution involves altering the ramp of the bridge, so it joins with the existing floor slab and shortening the handrail to align with this revision.

The proposed amendment is considered to be acceptable and non material in nature.

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 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

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

- 1) The proposed seeks to amend Condition 2 to alter the end of the handrail of the bridge.
- 2) The development hereby approved shall be carried out in accordance with the following additional drawings:

Site Location Plan - ICB-HBA-ZZ-XX-DR-A-PL20-0001; General Arrangement Plan -Sections - ICB-HBA-00-00-DR-A-24-0400 REV P3; Step Wall Section - Existing Northern Step Wall - ICB-HBA-00-00-DR-A-24-0401 REV P3; Step Wall Section - Existing Southern Step Wall - ICB-HBA-00-00-DR-A-24-0402 REV P3; Ramp Section - Northeast Ramp - ICB-HBA-00-00-DR-A-24-0403 REV P3; Bridge Section - Section -ICB-HBA-00-00-DR-A-24-0404 REV P3; Balustrade types allocation plan ICB-HBA-00-00-DR-A-34-0100 REV P5; Handrail Detail 01 featuring balustrade typical Handrail Section and Lighting - ICB-HBA-00-00-DR-A-34-0400 REV P2; Handrail Detail 02 - Fixing to Concrete Ramp wall - ICB-HBA-00-00-DR-A-34-0401 REV P3; Handrail Detail - Feature Balustrade junction with guardrail to docking area steps - ICB-HBA-00-00-DR-A-34-0402 REV P3; Handrail Detail - Feature Balustrade handrail ends on NW ramp - ICB-HBA-00-00-DR-A-34-0403 REV P4; Handrail Detail - Feature Balustrade handrail ends on SE - ICB-HBA-00-00-DR-A-34-0404 REV P2; Handrail Detail - Feature Balustrade to existing lock wall - ICB-HBA-00-00-DR-A-34-0405 REV P3; Railing Detail - Rimini Fences to South Abutment -ICB-HBA-00-00-DR-A-34-0406 REV P1; Railing Detail - Rimini Fences to Existing Bridge - ICB-HBA-00-00-DR-A-34-0407 REV P1; Balustrade Detail 01a - Cross section of proposed feature balustrade design to lock wall - ICB-HBA-00-00-DR-A-34-0409 REV P1; Balustrade Detail 01a - Cross section of proposed feature balustrade design to typical ramp - ICB-HBA-00-00-DR-A-34-0410 REV P3; Balustrade Detail 01b - Cross section of proposed Feature balustrade design to bridge - ICB-HBA-00-00-DR-A-34-0411 REV P4; Cross section of proposed docking landing guarding - ICBHBA-00-00-DR-A-34-0412 REV P4; Balustrade Detail 02b - Cross section of proposed docking stair - ICBHBA-00-00-DR-A-34-0413 REV P3; Feature Balustrade BAL 01 to Ramped areas Typical details - ICB-HBA00-00-DR-A-34-0414 REV P3; Feature balustrade BAL 01B to Bridge areas Typical details - ICB-HBA-00-00-DR-A-34-0415 REV P5; Balustrade BAL 02 Mooring Area Steps Typical details - ICB-HBA-00-00-DR-A-34-0416 REV P3; Balustrade BAL 02 to stair landing areas Typical details - ICB-HBA-00-00-DR-A-34-0417 REV P2; General Arrangement - Stair to mooring area - ICB-HBA-00-00-DR-A-34-0418 REV P4; Plan Detail of typical wired balustrade arrangement through baseplate - ICB-HBA-00-00-DR-A-34-0419 REV P1; Bridge & ramp concrete relief - extent & scope - ICB-HBA-00-00-DR-A-42-0100 REV P5; Bridge and Ramp concrete relief detail - ICB-HBA-00-00-DR-A-42-0400 REV P2; North abutment closure flashings-ICB-HBA-00-00-DRA-42-0401 REV P2; South abutment closure flashing - ICB-HBA-00-00-DR-A-42-0402 REV P2; Landscape GA - Finishes at Bridge & ramp - ICB-HBA-00-00-DR-A-43-0100 REV P5; Landscape GA - Finishes at Canal Towpath Level - ICB-HBA-00-00-DR-A-43-0101 REV P6; Landscape GA - proposed Northeast Planter detail -ICB-HBA-00-00-DR-A-43-0103 REV P3; Landscape GA - Proposed Southeast Planter detail - ICB-HBA-00-00-DR-A-43-0103 REV P3; Typical landscape finishes type - ICB-HBA-00-00-DR-A-43-0104 REV P1; Deck Detail 01 - Proposed surface finish to RC ramp inc. interface with balustrade and drain - ICB-HBA-00-00-DR-A-43-0400 REV P2; Deck Detail 02 Proposed surface finish to steel bridge inc. interface with balustrade and drain- ICB-HBA-00-00-DR-A-43-0401 REV P4; ICB-HBA-Material Sample Tracker; Ramp Section - Chips building elevation; ICB-HBA-XX-XX-DR-A-24-0405 Rev P2; Design and access statement, Bat Survey Report,

received by the City Council, as Local Planning Authority, on the 21 July 2023

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.

2) Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will not result in any significant material alterations to the planning approval.

Appendix 1 – List of consultees & neighbours notified

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

Site of Biological Interest - Name: Ashton Canal (West)

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: CENTRAL