

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 138633/PS/2023  
**Date registered valid:** 22 November 2023  
**Proposal:** Prior Approval for alterations to the footbridge  
**Address:** Ardwick Station Footbridge, Manchester  
**Ward(s):** Ardwick Ward

**Applicant:** Katherine Borton, Network Rail  
**Agent (if any):**  
**Case officer:** Steven McCoombe  
Tel: 0161 234 4607  
Email: [steven.mccoombe@manchester.gov.uk](mailto:steven.mccoombe@manchester.gov.uk)

**Recommendation:** No objection  
**Date of recommendation:** 8 December 2023

## Application details

**Type of application:** Prior Approval (Other)

**Development type:** Notifications

**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 and surroundings**

The application site relates to an existing railway footbridge over an operational railway line at Ardwick Station



The bridge is located approximately one mile southeast of Manchester Piccadilly station. The bridge lies in close proximity to a water treatment facility, rail sidings, industrial units and offices.

**Listed building:** Not applicable

**Conservation area:** No

**Tree Preservation Order:** No

## **Description of development**

Prior Approval is sought for the removal and replacement of footbridge and associated works at Ardwick Station.

The principal works comprise: -

The addition of two steps on either side of the footbridge span to increase the clearance between the footbridge and the railway lines to enable Overhead Line Equipment (OLE) to be supported beneath the bridge;

The addition of a span cage; and

The addition of high sided mesh panels on the elevations adjacent to the railway line.

The application is made pursuant to Part 18, Class A of the General Permitted Development Order 2015 and represents a revised scheme to that recently approved (Ref: 137571/PS/2023).

The works are deemed necessary as the OLE is currently cantilevered to the side of the footbridge which creates a safety concern, identified following approval of the previously approved design, as the cantilevered bracket could provide a standing surface for a member of the public to climb on to. By increasing the span by two steps and creating a humpback approach, the OLE can be installed beneath the footbridge span and the bracket can be removed. By adding a further two steps to the footbridge, there is a consequent requirement to add handrails to the span of the footbridge. These handrails could however be used as a climbing aid to climb over the parapet which creates a risk to the public. Therefore, a span cage would be used to remove the risk. Additionally, during the review of the anti-trespass and safety measures in response to the first two measures, it was identified that additional protection was required for members of the public in locations adjacent to the railway line. Therefore, the high-sided mesh panels are also proposed in these locations.

## **Consultations & Notification Responses**

Local Residents/Occupiers – No representations received.

## **Policy**

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

- Policies DM1 and SP1 of the Core Strategy.
- National Planning Policy Framework (NPPF).

## **Planning History**

### **137571/PS/2023**

Prior Approval for removal and replacement of footbridge and associated works. *Approved 21 August 2023.*

051505/FO/CENTL2/97.

Erection of a rail fed coated asphalt plant and aggregate distribution depot. *Approved 18 February 1998.*

## **Issues**

### **Principle**

The proposed works are permitted development under Part 18, Class A (Miscellaneous development - development under local or private Acts or Order) of the Town and County Planning (General Permitted Development) Order 2015. Works are permitted but not limited to the construction of the railway, but including 'all other acts necessary for making, maintaining, altering or repairing and using the railway'.

Prior approval should only be considered on the basis of the design and siting of the proposed works.

Under Condition A2, prior approval cannot be refused unless the Council is satisfied that the development ought to be and could reasonably be carried out elsewhere on the land, or the design or external appearance would injure the amenity of the neighbourhood and is reasonable capable of modification so as to avoid such injury.

The proposed development will facilitate railway works and will allow a railway bridge that is no longer effective, having come to the end of its natural life. The works form part of an overall programme of railway improvement works.

### **Visual Amenity and Siting**

Due to the existing utilitarian backdrop formed by existing railway infrastructure, including that of the existing bridge, the lack of visibility from the public domain (other than railway users), it is not considered that there would be any significant or harmful impact to visual amenity or the appearance of the street-scene.

The proposed design is typical of railway bridge and would upgrade the appearance of the existing installation.

It makes logical sense that the siting of the replacement bridge is in the same location as the existing bridge and would not introduce a structure into new surroundings. The impact is therefore considered neutral. On this basis, the design and siting of the bridge is considered satisfactory.

## **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:** No objection

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

1) The City Council is satisfied that this development has been sited and designed to minimise any impact to the amenity of the neighbourhood or the operation of the highway. Accordingly, the proposal complies with policies SP1 and DM1 of the Core Strategy. The application is hereby granted in accordance with the submitted information and details shown on drawings referenced 0308662-1, 0308662-2 and (G)-01/C received by the City Council as Local Planning Authority on 22 November 2023.

## **Appendix 1 – List of consultees & neighbours notified**

## **Appendix 2 – Planning constraints**

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3

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

Area Team Boundary - Name: NORTH AREA