

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136276/FO/2023

Date registered valid: 15 February 2023

Proposal: Retention of cycle stands.

Address: Footway At Junction Of Freeman Square/Boundary Lane, Bonsall Street/Boundary Lane, Burlington Street/Pencroft Way And Higher Cambridge Street , Manchester

Ward(s): Hulme Ward

Applicant: Mr Tom White Beryl

Agent (if any):

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13 September 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 14 March 2023

Standard consultations:

Printed: 15 March 2023 Expired: 5 April 2023

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 14 March 2023 Expired: 4 April 2023

Press advert

Published: 21 March 2023 Expired: 11 April 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application relates to the retention of 4no. bicycle hire stands nearby to the universities on the west side of Oxford Road, just outside Manchester's city centre. The area is characterised by the presence of multiple university buildings and halls of residence.

Description of development

The application proposals relate to the retention of infrastructure to support a GM cycle hire scheme being introduced within the city and wider area. The infrastructure is in the form of stands used for the parking of hire bikes located predominantly in locations with existing footway.

Consultations & Notification Responses

Publicity - Site notices were posted adjacent the proposed locations of the stands. One representation has been received as a result of this publicity, summarised as follows:

- Bikes often left in park nearby, causing tripping hazard
- Increase in noise as used by students
- Students congregate to use bicycles
- Stand have exacerbated anti-social behaviour

Highways – no objections.

TFGM - no comment received.

Pedestrian Society - no comment received.

GMP – no comment received.

Issues

Manchester Core Strategy

The main policies relating to this application are policies SP1 (Spatial Principles), DM12 (Development Management), T1 (Sustainable Transport) and EN3 (Heritage) of the Manchester Core Strategy (2012), saved policy DC22.1 (Footpath Protection) of the Unitary Development Plan (1995) and Section 9 (Promoting sustainable transport) of the NPPF.

Issues

Principle

The principle of the installation of infrastructure to support a growth in the use of sustainable modes of transport within the city is acceptable and would assist in meeting climate change commitments and assist in improving the air quality particularly along busy roads.

In this instance further consideration of the implications of the proposals on the visual amenity of the area and pedestrian safety amongst other things is required.

Visual Amenity

The stands add to the amount of infrastructure within the pedestrian environment. The stands are relatively unobtrusive by themselves, although when occupied by bikes they are a more visible element within the street furniture. Hence they are considered to have a moderate impact in the street scene. This impact is considered acceptable given the public benefit derived from the provision of sustainable, zero-emission transport method. On balance the proposals are not considered to give rise to such harmful visual impacts as to warrant refusal.

Pedestrian safety

Highways Services are accepting of the proposal to retain the stands and it is not considered that the stands will give rise to any pedestrian safety issues.

Access

Several applications for stands were approved in 2021, for example app. ref. 132005/FO/2021. At the time, these applications were discussed at the Councils Highways Access Group. Some recommendations were made as follows:

- All sites along a kerb will be 450mm away from the kerb line.
- All sites have been chosen to leave at least 2m of footway around for other users of the space.
- All sites have been chosen to avoid anti-social behaviour and vandalism, as visible as possible and well lit.

Site visits and a review of the design and access statement confirm compliance with these recommendations.

Crime and Safety

The applicant has provided information relating to the robustness of the installations and the way sites for the parking facilities have been chosen. There is also in place mechanism for replacing and removing installations where particular problems arise. No comments have been received from GMP but the information submitted is considered to set out a reasonable approach to dealing with theft and anti-social behaviour that may arise from misuse of the facilities.

Residential amenity

The stands and use of them are not considered to give rise to unacceptable impacts on residential amenity.

M344 - University Dental Hospital of Manchester is on Higher Cambridge Street, a noisy and busy road, and hence there is a significant amount of background noise at this location. There are also no residential buildings in the immediate vicinity, with university buildings above and a school across the road. Therefore, the docking and use of bicycles at this location is unlikely to generate noise that would have an unacceptable impact on residential amenity.

M138 - Bonsall Street is in a residential area with apartment buildings surrounding it. One representation was received by a local resident, who stated that they have increased noise at the location caused by drunk students late at night and foot traffic from students congregating to use the bicycles. The immediate area around the site has several large halls of residence and very nearby to both UoM and MMU and it therefore seems likely that students would be likely to use the bicycles. The resident also stated that the problems with student-associated noise were a long-standing issue. It is considered that the bike stands are peripheral to the issue of noise caused by students and a wider issue is not subject of this application. No other representations have been received and so it is not considered that the stands will lead to an unacceptable level of disamenity.

M283 - Pencroft Way is located on the boundary of the Manchester Science Park. There are residences across the road. No representations have been received from local residents and so it is not considered that they will give rise to an unacceptable level of disamenity.

M284 - Freeman Square is surrounded by apartment buildings. No representations have been received from local residents and so it is not considered that they will give rise to an unacceptable level of disamenity.

Therefore, it is considered that there will not be an unacceptable level of harm to residential amenity caused by the bike stands that would warrant a refusal.

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: Approve

Article 35 Declaration

In assessing the merits of a planning application, officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the 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:

- Drawing - Site Plan BLOCK PLAN OF THE SITE M138 - Bonsall Street
- Drawing - Site Plan BLOCK PLAN OF THE SITE M283 - Pencroft Way
- Drawing - Site Plan BLOCK PLAN OF THE SITE M284 - Freeman Square
- Drawing - Site Plan BLOCK PLAN OF THE SITE M344 - University Dental Hospital of Manchester
- Design & Access Statement - Bee Network Cycle Hire Design Access Statement

Both received by the City Council, as local planning authority, on 15/02/2023.

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.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Police
Transport For Greater Manchester
Greater Manchester Pedestrians Society

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
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 (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL
Area Team Boundary - Name: SOUTH AREA