

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136267/FO/2023

Date registered valid: 17 March 2023

Proposal: Retention of 7no. cycle stands and installation of 1no. cycle stands

Address: Various Footways At Piccadilly, Church Street, Store Street, Lena Street, Aytoun Street, Manchester

Ward(s): Piccadilly 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: 11 May 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 22 March 2023

Standard consultations:

Printed: 21 March 2023 Expired: 11 April 2023

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 22 March 2023 Expired: 12 April 2023

Press advert

Published: 28 March 2023 Expired: 18 April 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Smithfield Conservation Area 1987

Tree Preservation Order:

Description of area

The area relates to Piccadilly Gardens, one of Manchester's central and most well known areas of public realm. The character of the area comprises several different uses, including dining, drinking, retail, hotel and office.

Description of development

The development relates to the installation of several bicycle hire stands on and around the northern side of Piccadilly Gardens.

Consultations & Notification Responses

Publicity - Site notices were posted adjacent the proposed locations of the stands. No representations were received as a result of this publicity.

Highways - the submitted proposal is acceptable to Highways

TfGM (Metrolink) – no objections

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.

A number of the sites are in the Smithfield Conservation Area. Sites M273 and M123 on Piccadilly Gardens are in the setting of a number of listed heritage assets, including the Grade II listed Queen Victoria Statue. M154 is in the setting of Grade II listed buildings at number 70 and number 75 Dale Street. However, it is considered that they have a negligible impact on the significance of the heritage assets which would be outweighed by the aforementioned public benefit.

On balance the proposals are not considered to give rise to such harmful visual impacts as to warrant refusal.

Pedestrian safety

The application has been considered by Highway Services who raise no objections in relation to pedestrian and highway safety arising from the retention or installation of these stands.

During discussions with the applicant, they stated that the 1no bike stand for installation (M122 - Piccadilly Gardens Metrolink) was not yet installed due to concerns from Metrolink about the proximity to the tram stop. TfGM/Metrolink confirmed via email, when contacted by the officer, that they have no objection to the installation at this location.

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. Of the stands for retention, no objections from local occupiers have been received related to bike stand in the period since they were installed. Stand M122 - Piccadilly Gardens Metrolink is in a location with a very high level of background noise from the tram and passing foot traffic. Therefore, it is not expected that the docking of bicycles will lead to an unacceptable increase in noise pollution. Therefore, it is considered that there is a negligible impact on residential amenity caused by the bike stands.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking 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 M118 - Tib Street Car Park
- Drawing - Site Plan BLOCK PLAN OF THE SITE M122 - Piccadilly Gardens Metrolink
- Drawing - Site Plan BLOCK PLAN OF THE SITE M123 - Piccadilly Gardens I
- Drawing - Site Plan BLOCK PLAN OF THE SITE M124 - Manchester Crown Court
- Drawing - Site Plan BLOCK PLAN OF THE SITE M154 - Dale Street
- Drawing - Site Plan BLOCK PLAN OF THE SITE M259 - Store Street
- Drawing - Site Plan BLOCK PLAN OF THE SITE M273 - Piccadilly Gardens II
- Drawing - Site Plan BLOCK PLAN OF THE SITE M275 - Church Street/Red Lion Street
- 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

Appendix 2 – Planning constraints

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Conservation Area - Smithfield Conservation Area 1987