

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136270/FO/2023

Date registered valid: 17 March 2023

Proposal: Retention of cycle stands

Address: Various Locations At Peter Street And Oxford Street, Manchester

Ward(s): Deansgate 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: 18/04/2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 20 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: 20 March 2023 Expired: 10 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: George Street Conservation Area 1985 St Peters Square Conservation Area 1973

Tree Preservation Order:

Description of area

The sites are located on and around St Peter's Square, a central landmark of Manchester's city centre. The character of the area comprises several different uses, including governmental, municipal, office, hotel, dining and drinking. There are a number of listed buildings, including the Grade-II* listed Central Library, Town Hall Extension and Midland Hotel.

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. No representations were received as a result of this publicity.

Highways - the submitted proposals for retention of cycle stands are acceptable to Highways

Issues

Policy

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 DC18.1 (Conservation Areas), DC19.1 (Listed Buildings) and DC22.1 (Footpath Protection) of the Unitary Development Plan (1995) and Section 9 (Promoting sustainable transport) of the NPPF.

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

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

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 proposed for retention under this application are sufficiently distant from any residential buildings that it is considered that there will be no negative impacts on residential amenity.

Impact on the George Street Conservation Area

The sites fall within the George Street Conservation Area. The significance of the conservation area is derived from the regular grid street pattern set out in the Georgian period and the many

iconic listed buildings, including the Grade-I listed City Art Gallery, one of only 12 in the city. Due to their location on St Peter's Square, the stands are also in the setting of several Grade-II* buildings, including the Central Library, Town Hall Extension and Midland Hotel. The stands are considered a modest addition within this context and would clearly be read as modern infrastructure within this context. The colour of the stands would make them more obvious but they would not have a unduly harmful impact on the significance of the conservation area and listed building as a whole.

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

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 M060 - Manchester Central Library
- Drawing - Site Plan BLOCK PLAN OF THE SITE M173 - St Peter's Square
- Drawing - Site Plan BLOCK PLAN OF THE SITE M320 - Landmark St Peter Square
- Design & Access Statement - Bee Network Cycle Hire Design Access Statement

All 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

Article 4 Direction - City Centre PD Restriction - Class B1(a) 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

Conservation Area - George Street Conservation Area 1985

Conservation Area - St Peters Square Conservation Area 1973

Area Team Boundary - Name: CENTRAL