

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135190/VO/2022

Date registered valid: 26 October 2022

Proposal: City Council Development for utility and services connections and diversions to Dantzic Street, Dalton Street and Collyhurst Road associated with the delivery of future residential-led development at the Red Bank Neighbourhood, Victoria North

Address: Parts Of Dantzic Street, Collyhurst Road And Dalton Street Highways, Manchester

Ward(s): Piccadilly Ward

Applicant: Manchester City Council C/o Agent

Agent (if any): Mr Ed Harvey Avison Young Norfolk House, 7 Norfolk Street, Manchester, M2 1DW

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

Recommendation: Approve

Date of recommendation:

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 31 October 2022 Expired: 21 November 2022

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: Expired:

Press advert

Published: 8 November 2022 Expired: 8 December 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The works are proposed by MCC in association with the wider proposed redevelopment of the Red Bank Neighbourhood at Victoria North, which is planned to accommodate a new residential-led neighbourhood.

The site benefits from Homes Infrastructure Funding (HIF) from Government, and planning permission (ref: 133143/VO/2022) has already been obtained by MCC for the main infrastructure works at the site including (among others) the creation of development platforms, including remediation and earthworks, the construction of a new road and priority junction from Red Bank, new drainage infrastructure, and creation of new and improved green infrastructure including creation of part of a City River Park.

This current application clearly relates to a much more focussed site area, but the works are nonetheless intended to help facilitate future residential development at Red Bank. It is recognised that utilities works within the adopted highway would not typically require planning permission. However, as the area of the proposed works was previously assessed as part of a prior Environmental Impact Assessment (EIA) for the wider Red Bank site, permitted development rights no longer apply. As such planning permission is required.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

Description of development

The proposed utilities works are limited to part of Dantzic Street, and the western-most lengths of Dalton Street and Collyhurst Road, within and/ or immediately adjacent to the public highway.

The works principally are as follows:

- HV ducting including along Dantzic Street;
- Minor diversions to facilitate future U-Tubes for utilities; and
- Communications cabling installations

Consultations & Notification Responses

Publicity The application has been publicised in the local paper and site notices have been displayed at the site. Notification letters have been sent out to local residents and businesses.

Highway Services advise that they have no comments on the proposal subject to traffic management which needs to form part of the construction management plan.

Environmental Health advise that a informative needs to be imposed on the planning permission in respect of ground conditions.

Flood Risk Management advise that no conditions are required but recommend an informative in respect of asset agreements needing to be put in place.

Greater Manchester Archaeology Advisory Service (GMAAS) advise that there are no below archaeology which would be affected by the proposal.

Network Rail advise that a BAPA (Basic Asset Protection Agreement) must be in place.

Environment Agency advise they have no objections. The FRA addresses the concerns previously raised.

Issues

The proposed works are considered to be acceptable. The works are all below ground and would ordinarily be permitted development by a statutory undertaker. As the works are linked to an EIA development, these permitted development rights are removed. There would be no longer standing visual impact on the area and all pavements etc would be made good.

The infrastructure delivered would help support the new homes in the area.

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. Pre application advice has been sought in respect of this matter. The application has been determined in a timely manner.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings

VNIF-ARP-00-YYY-DR-CU-5001_P01.01 – Dantzic Street Utilities Proposed General Arrangement; VNIF-ARP-00-YYY-DR-CU-2001_P03 – Proposed HIF Utilities Typical Details Sheet 1 of 2; and VNIF-ARP-00-YYY-DR-CU-2002_P03 – Proposed HIF Utilities Typical Details Sheet 2 of 2 received by the City Council, as Local Planning Authority, on the 13 October 2022

Supporting Letter and EIA Letter of Compliance received by the City Council, as Local Planning Authority, on the 13 October 2022

Flood Risk Assessment received by the City Council, as Local Planning Authority, on the 3 November 2022

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.

3) Prior to the commencement of the development, a detailed construction management plan outlining working practices during construction have be submitted for approval in writing by the Local Planning Authority, which should include;

- Display of an emergency contact number;
- Details of Wheel Washing;
- Dust suppression measures;
- Compound locations where relevant;
- Consultation with local residents/local businesses;
- Location, removal and recycling of waste;

- Routing strategy and swept path analysis;
- Parking of construction vehicles and staff; and
- Sheeting over of construction vehicles.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

The development shall be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (July 2012).

Informative

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the work is completed, the developer is advised to cease works and call Contact Manchester on 0161234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

The applicant is advised that before the proposal progresses (should it be approved) they will be required to submit the development form to Network Rail's Asset Protection team and agree the BAPA before any works commence on site.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Environment Agency
Greater Manchester Archaeological Advisory Service
Greater Manchester Ecology Unit
Network Rail

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: CENTRAL