

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134515/VO/2022

Date registered valid: 27 July 2022

Proposal: City Council Development for the installation of a 2.4 metre high fence for a temporary period of 3 years following removal of existing fence

Address: Union Bridge , Dantzic Street, Manchester, M4 4JW

Ward(s): Cheetham Ward

Applicant: Mr Paul Gee Manchester City Council 5th Floor Town Hall Extension, Manchester, M2 5DB

Agent (if any): Mr Michael Williams Wilde Consultants Ltd 20 Chapel Street, Liverpool, L3 9AG

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

Recommendation: Approve

Date of recommendation: 19 September 2022

Application details

Type of application: Regulation 3 Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 2 August 2022 Expired: 23 August 2022

Neighbour notifications

Printed: 2 August 2022 Expired: 23 August 2022

Site notice

Posted: Expired:

Press advert

Published: 9 August 2022 Expired: 30 August 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to the Union Bridge, a Grade II listed structure across the river Irk. The bridge is considered to be in a poor state of repair and works have been scheduled to take place to stabilise the structure including repointing and re building or collapsed sections of the bridge.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site forms part of 'Victoria North' an area of regeneration where new homes and infrastructure is to be progressed over the next 20 years. The are surface level car parks and industrial developments in the area alongside new developments being built along Dantzic Street including the Victoria Riverside development.

Description of development

City Council Development for the installation of a 2.4 metre high fence for a temporary period of 3 years following removal of existing fence

Consultations & Notification Responses

Publicity The application has been publicised by way of site and press notice to advertise that this would constitute works which would affect the setting of a listed building. Letters have also been sent out locally. No comments have been received

Highway Services advise they have no objections to the proposal.

Greater Manchester Ecology Unit advise that a condition is required to agree a method statement of the works to ensure that bats are not affected and the adjacent watercourse. The works should also not be undertaken in bird nesting season.

Environment Agency advise that any replacement fencing should be of comparable openness to the existing fencing and a condition should be imposed to agree this.

Design for Security at Greater Manchester Police advise they have no objections to the proposal.

Policy

Manchester Core Strategy (2012) Relevant policies SP1, EN1, EN3, EN14, EN15 and DM1

Unitary Development Plan for the City of Manchester (1995) – saved policy DC19.

Northern Gateway Strategic Regeneration Framework

Issues

Principle

The bridge is in a poor state of repair and there is currently no public access to the bridge. Unauthorised fencing currently exists at the site to prevent public access. It is not clear when this fencing was installed.

Urgent repair works are scheduled to the bridge which have been agreed as repair works to the listed structure.

Wider works are also required to the river Irk as part of flood alleviation measures. This work requires planning permission but this has not yet been submitted to the City Council for consideration.

As part of the repair works to the bridge, additional boundary treatment is required to prevent future access. This is considered to be acceptable in principle provided that this is only installed on a temporary basis and removed once final works to the River Irk are agreed which would then allow the reopening of the bridge. The fence is permitted on a temporary basis for a period of 3 years after which it should be removed as the plans for the wider area should be in place

Visual amenity

The fencing installed in and around the site is palisade which is poor quality and unauthorised. The proposed fencing would be of a weldmesh nature which would be an improvement on the current situation. The final details of the fencing should be agreed prior to installation. The fencing would not have a long term impact on the listed building or wider area given it is temporary in nature.

Impact on the heritage asset

The installation of the fencing, albeit temporary, would cause harm to the setting of the listed structure. This harm would amount of less than substantial harm. The works would allow the bridge to be repaired and would also help with managing safety around the structure during this time. The works would also be temporary and the fencing removed from the site therefore removing the harm. This would amount to public benefits which would outweigh the harm caused.

Impact on ecology

Greater Manchester Ecology Unit require method statements to be agreed to ensure that bats are not affected but also to protect the River Irk. These should form part of the conditions of the planning approval.

Impact on flood risk

The Environment Agency have raised no objection to the proposal on the basis that a condition is imposed on the approval which demonstrates that the openness of the fencing is acceptable and would not increase flood risk.

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: Temporary Approval

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. The proposal has been subject to pre application advice. The proposal is considered to be acceptable and in accordance with the development plan and therefore determined in a timely manner

Condition(s) to be attached to decision for approval

1)The permission hereby granted is for a limited period only, expiring 30 September 2025.

Reason - The use hereby granted is for a temporary period only to aid the repair of the bridge and safety and security of the area pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

2) The development hereby permitted shall be discontinued no later than the 30 September 2025 and the works comprising the development are required to be removed no later than one month from the development ceasing.

Reason - The development is required to cease within a specified timescale in order to allow reinstatement of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3) Prior to the expiration of the temporary period, a scheme to restore the land shall be submitted for approved in writing by the City Council, as Local Planning Authority. The scheme shall be implemented within one month of the use ceasing and thereafter retained and maintained in accordance with this scheme.

Reason - To ensure that the land and listed building is reinstated to an appropriate standard in the interest of visual amenity of the site pursuant to policies SP1, EN1, EN3 and DM1 of the Manchester Core Strategy (2012).

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

651-276-010 REV P1 received by the City Council, as Local Planning Authority, on the 27 July 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.

5) Notwithstanding drawing 651-276-010 REV P1 received by the City Council, as Local Planning Authority, on the 27 July 2022, prior to the installation of the fencing hereby approved, details of the siting, scale and appearance/design of the fencing shall be submitted for approval in writing by the City Council, as Local Planning Authority. This shall demonstrate the development will have no adverse impact upon flood risk. The approved scheme shall be implemented and retained for the duration of the temporary period as outlined in condition 1.

Reason – In the interest of visual amenity and to ensure that there are no detrimental impacts to flood storage or flood flow routes and to reduce the risk of flooding from blockage of the existing bridge structure pursuant to policies EN14 and DM1 of the Manchester Core Strategy (2012).

6) No works shall take place during the optimum period for bird nesting (March - September inclusive) unless nesting birds have been shown to be absent, or, a method statement for the clearance including for the protection of any nesting birds is agreed in writing by the City Council, Local Planning Authority. Any method statement shall then be implemented for the duration of the demolition works.

Reason - In order to protect wildlife from works that may impact on their habitats pursuant to policy EN15 of the Manchester Core Strategy (2012).

7) Prior to the installation of the fencing hereby approved, a method statement in relation to species such as roosting bats, including that the works would be supervised by a ecologist, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of the works.

Reason – In order to minimise disruption to bats pursuant to policy EN15 of the Manchester Core Strategy (2012).

8) Prior to the installation of the fencing hereby approved, a method statement in relation to protecting the river Irk during the installation of the fencing, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall be implemented as part of the works.

Reason – In order to minimise the impact on the River Irk pursuant to policies EN14 and EN15 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Police
Environment Agency
Greater Manchester Ecology Unit

Mixamate Ltd, Hargreaves Street, Manchester, M4 4EJ
121A Dantzic Street, Manchester, M4 4DW
Unit 1 To 2, Millgate, Dantzic Street, Manchester, M4 4DW
Unit 4, Millgate, Dantzic Street, Manchester, M4 4JW
Millgate, Dantzic Street, Manchester, M4 4DW
121 Dantzic Street, Manchester, M4 4DW

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) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: CENTRAL