

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133754/LO/2022

Date registered valid: 12 May 2022

Proposal: Listed Building Consent for the alteration of the top/head and bottom/tail lock gates together with the replacement of the metal balance beams with oak balance beams and the hydraulic gearing will be replaced with manual gearing. , The lock ladders will be extended.

Address: Lock 2, Ashton Canal, Manchester,

Ward(s): Ancoats & Beswick Ward

Applicant: Ms Judy Jones Canal & River Trust Fearn's Wharf , Neptune Street, Leeds, LS9 8PB

Agent (if any):

Case officer: Emily Booth
Tel: 0161 234 4193
Email: emily.booth@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23 June 2022

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 24 May 2022

Standard consultations:

Printed: 24 May 2022 Expired: 14 June 2022

Neighbour notifications

Printed: 24 May 2022 Expired: 14 June 2022

Site notice

Posted: 24 May 2022 Expired: 14 June 2022

Press advert

Published: 31 May 2022 Expired: 21 June 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II Listed

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

Lock 2 is the 2nd lock on the Ashton Canal. It is located to the south end of Vesta Street, off Old Mill Street and is close to the New Islington Metrolink Stop within the Central Core of the City of Manchester. The surrounding area is a mixture of residential dwelling houses, purpose-built apartment blocks and commercial developments. The New Islington Marina is close to the site and is undergoing redevelopment work in the form of the new waterpark area and upgrading of the canal.

The Ashton Canal was created in 1796 to carry coal from the mines of Ashton and Oldham to Manchester.

The locks along the Ashton Canal have a simple character, being formed of brickwork and squared dressed sandstone block chambers. The locks have evolved a great deal over time but retain much original fabric and historic character. Lock 2 would benefit from refurbishment and repair. Lock 2 has group value with the former lock cottage and bridge over the canal arm.

Description of development

Listed Building Consent is sought for the following works to Lock 2:

- The extension to the two existing lock ladders and their lock chamber recesses.

- Replacement head and tail gates to include new oak balance beams to replace the existing steel variation with hydraulic gearing to the tails replaced with manual gearing.

The following 'like for like' works are also proposed:

- The repair and re-pointing of the lock chamber brickwork.
- The repair of the offside lock tail quadrant.

Consultations & Notification Responses

Publicity - The application was advertised in the local press as affecting a listed building, a site notice was displayed on site and letters were sent to surrounding occupiers. No replies were received.

MCC Flood Risk Management - Recommend the following informative:

In the interests of flood risk management and asset safety, the applicant should ensure that the proposal (construction and operational phases) has been granted internal approval by a CRT works engineer.

Transport For Greater Manchester - Have confirmed that they have no comments in respect of this application.

Greater Manchester Archaeological Advisory Service - Commented as follows:

The application is supported by a Design & Access Statement prepared by the Canal & River Trust. This affords due consideration to the significance of the Grade II listed structure that is the focus of the application, in line with the guidance of Paragraph 194 of the NPPF. The Design & Access Statement concludes that the proposed replacement of the steel balance beams with oak beams, and the installation of manual gearing, constitute enhancement of the designated structure. Whilst the Urban Design & Conservation Team at Manchester City Council may express a view on the impact of the proposals on the historic fabric of the listed structure, and whether any mitigation strategy needs to be implemented, GMAAS considers the conclusions drawn in the Design & Access Statement to be entirely reasonable and is not seeking any archaeological mitigation. Indeed, the replacement of steel balance beams with oak beams is, in our opinion, most welcome.

National Amenity Societies - No comments.

Issues

Issues and Policy

The Adopted Core Strategy for the City of Manchester

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

Policy SP1 (Spatial Principles) advises that development in all parts of the City should protect and enhance the built environment.

Policy DM1 (Development Management) advises that all development should be appropriately sited, scaled, formed, massed and detailed with appropriate layout and materials and should have regard to the character of the surrounding area and effects on built heritage.

The Unitary Development Plan for the City of Manchester

Saved Policy DC14 (Shopfronts and Related Signs) confirms acceptable shop front works.

Saved Policy DC18.1 (Conservation Areas) states that the Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering issues including the effect of signs and advertisements.

Saved Policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. The City Council will:

- Not permit any external or internal alteration or addition to a listed building where in its opinion, there would be an adverse effect on its architectural or historic character;

National Policy

Sections 16, 66 and 74 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas. Development decisions should, therefore, accord with the requirements of the NPPF and to section 16 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development". In order to meet this key planning objective, in this instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

Paragraph 197 states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 194 advises that local planning authorities should require an applicant to submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 200 advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 201 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Section 12 (Achieving Well Designed Places) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Under these criteria the effect of the proposal on the affected heritage assets has been considered:

The replacement of the non-original steel balance beams with oak beams, and the installation of manual gearing, constitute beneficial impact on the significance of the Grade II Listed lock. These alterations would remove late 20thC alterations which are neither historically correct nor aesthetically pleasing to the special character of the lock.

The replacement of the timber gates with more historically appropriate gates with timber balance beams is understood to be required to remove failing timber and ensure the gates seal against leakage when closed and ensure that they are sufficiently easy for customers to operate. Lock gates are replaced on a 25 year or so cycle to ensure this. The gates would be manufactured by Canal & River Trust's own workshop.

Both the head a tail gates at Lock 2 are understood to require replacement and their replacement would be like for like other than the replacement balance beams.

The extension of the non-original lock ladder would require cutting into the original fabric of the canal wall to create a recess to match the existing. The ladders would be extended in metal to match the existing design. The chamber wall would require cutting to create a recess to match the existing. This work would be finished by hand and all joints would be repointed in a suitable lime mortar with a recessed finish.

This work would cause 'less than significant harm' to the significance of the lock however, this would be justified as the existing ladders at Lock 2 fail to comply with Canal & River Trust best practice and adopted national safety standards, which require that the bottom rung should be at least 900mm below the lowest water level; so that someone in the water can gain a foot hold to assist their escape. The existing ladders at Lock 2 would both be extended to reach 900mm below water level and improve water safety measures at the lock.

The works to the tail quadrants would correct poor past repairs and would be carried out in 'like for like' materials and the works to the lock chamber would repair past damage. These repair works would have a beneficial impact on the significance of the lock.

It is considered that the above-described benefits of the proposal would outweigh the 'less substantial harm' caused to the affected heritage asset and are consistent with paragraphs 200 and 201 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement.

The works are therefore considered to be in accordance with the above identified policies.

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 an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included ongoing advice about the information required to be submitted to support the application.

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

The location plans received by the City Council as local planning authority on 12 May 2022

The report prepared by the Canal and River Trust dated May 2022 and entitled 'Alteration to lock chamber ladders and replacement of steel balance beams with oak , with manual gearing.' received by the City Council as local planning authority on 12 May 2022

The drawing referenced B22/AN-011-003/02 Rev C received by the City Council as local planning authority on 12 May 2022

The drawing dated 28/06/10 showing the 'BEM Master Template' received by the City Council as local planning authority on 12 May 2022

The drawing dated 28/03/08 showing the 'Timber Beam Master Template' received by the City Council as local planning authority on 12 May 2022

The email from Judy Jones dated 10 June 2022

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN3, CC9, EN1, SP1 and DM1 of the Core Strategy and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

3) The materials to be used for the extended lock ladder shall match those of existing in terms colour, size and texture, the lime mix for the mortar to the lock chamber brickwork shall match the existing original/historic lime mortar and the materials to quadrant shall be stone setts as outlined in the design and access statement stamped as received by the City Council, as Local Planning Authority, on the 12 May 2022.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, pursuant to policies EN3, SP1 and DM1 of the Core Strategy and saved Unitary Development Plan policy DC19.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management
Transport For Greater Manchester
Greater Manchester Archaeological Advisory Service
National Amenity Societies

5 Canal Cottages, Vesta Street, Manchester, M4 6DS

Canal Cottages, Vesta Street, Manchester, M4 6DS

Flat 155, 1 Vesta Street, Manchester, M4 6LU

Flat 150, 1 Vesta Street, Manchester, M4 6LU

Flat 148, 1 Vesta Street, Manchester, M4 6LU

Flat 147, 1 Vesta Street, Manchester, M4 6LU

Flat 126, 1 Vesta Street, Manchester, M4 6LU

Flat 124, 1 Vesta Street, Manchester, M4 6LU

Flat 120, 1 Vesta Street, Manchester, M4 6LU

Flat 119, 1 Vesta Street, Manchester, M4 6LU

Flat 118, 1 Vesta Street, Manchester, M4 6LU

Flat 106, 1 Vesta Street, Manchester, M4 6LU

Flat 101, 1 Vesta Street, Manchester, M4 6LU

Flat 95, 1 Vesta Street, Manchester, M4 6LU

Flat 91, 1 Vesta Street, Manchester, M4 6LU

Flat 51, 1 Vesta Street, Manchester, M4 6LT

Flat 43, 1 Vesta Street, Manchester, M4 6LT

Flat 38, 1 Vesta Street, Manchester, M4 6LT

Flat 6, 1 Vesta Street, Manchester, M4 6LT

Flat 2, 1 Vesta Street, Manchester, M4 6LT

14 Vesta Street, Manchester, M4 6EQ

Flat 158, 1 Vesta Street, Manchester, M4 6LU

Flat 157, 1 Vesta Street, Manchester, M4 6LU

Flat 151, 1 Vesta Street, Manchester, M4 6LU

Flat 122, 1 Vesta Street, Manchester, M4 6LU

Flat 113, 1 Vesta Street, Manchester, M4 6LU

Flat 110, 1 Vesta Street, Manchester, M4 6LU

Flat 107, 1 Vesta Street, Manchester, M4 6LU

Flat 102, 1 Vesta Street, Manchester, M4 6LU

Flat 100, 1 Vesta Street, Manchester, M4 6LU

Flat 99, 1 Vesta Street, Manchester, M4 6LU

Flat 82, 1 Vesta Street, Manchester, M4 6LU

Flat 76, 1 Vesta Street, Manchester, M4 6LT

Flat 67, 1 Vesta Street, Manchester, M4 6LT

Flat 56, 1 Vesta Street, Manchester, M4 6LT

Flat 53, 1 Vesta Street, Manchester, M4 6LT

Flat 41, 1 Vesta Street, Manchester, M4 6LT

Flat 37, 1 Vesta Street, Manchester, M4 6LT

Flat 35, 1 Vesta Street, Manchester, M4 6LT

Flat 27, 1 Vesta Street, Manchester, M4 6LT

Flat 26, 1 Vesta Street, Manchester, M4 6LT

Flat 22, 1 Vesta Street, Manchester, M4 6LT

Flat 14, 1 Vesta Street, Manchester, M4 6LT

Flat 13, 1 Vesta Street, Manchester, M4 6LT

Flat 7, 1 Vesta Street, Manchester, M4 6LT

Flat 4, 1 Vesta Street, Manchester, M4 6LT

Flat 3, 1 Vesta Street, Manchester, M4 6LT

Flat 168, 1 Vesta Street, Manchester, M4 6LU
Flat 166, 1 Vesta Street, Manchester, M4 6LU
Flat 154, 1 Vesta Street, Manchester, M4 6LU
Flat 149, 1 Vesta Street, Manchester, M4 6LU
Flat 143, 1 Vesta Street, Manchester, M4 6LU
Flat 140, 1 Vesta Street, Manchester, M4 6LU
Flat 139, 1 Vesta Street, Manchester, M4 6LU
Flat 135, 1 Vesta Street, Manchester, M4 6LU
Flat 134, 1 Vesta Street, Manchester, M4 6LU
Flat 116, 1 Vesta Street, Manchester, M4 6LU
Flat 114, 1 Vesta Street, Manchester, M4 6LU
Flat 111, 1 Vesta Street, Manchester, M4 6LU
Flat 103, 1 Vesta Street, Manchester, M4 6LU
Flat 97, 1 Vesta Street, Manchester, M4 6LU
Flat 92, 1 Vesta Street, Manchester, M4 6LU
Flat 90, 1 Vesta Street, Manchester, M4 6LU
Flat 86, 1 Vesta Street, Manchester, M4 6LU
Flat 77, 1 Vesta Street, Manchester, M4 6LT
Flat 63, 1 Vesta Street, Manchester, M4 6LT
Flat 61, 1 Vesta Street, Manchester, M4 6LT
Flat 57, 1 Vesta Street, Manchester, M4 6LT
Flat 55, 1 Vesta Street, Manchester, M4 6LT
Flat 45, 1 Vesta Street, Manchester, M4 6LT
Flat 30, 1 Vesta Street, Manchester, M4 6LT
Flat 25, 1 Vesta Street, Manchester, M4 6LT
Flat 24, 1 Vesta Street, Manchester, M4 6LT
Flat 21, 1 Vesta Street, Manchester, M4 6LT
Flat 11, 1 Vesta Street, Manchester, M4 6LT
3 Vesta Street, Manchester, M4 6LU
Flat 131, 1 Vesta Street, Manchester, M4 6LU
Flat 117, 1 Vesta Street, Manchester, M4 6LU
Flat 104, 1 Vesta Street, Manchester, M4 6LU
Flat 84, 1 Vesta Street, Manchester, M4 6LU
Flat 83, 1 Vesta Street, Manchester, M4 6LU
Flat 78, 1 Vesta Street, Manchester, M4 6LT
Flat 68, 1 Vesta Street, Manchester, M4 6LT
Flat 65, 1 Vesta Street, Manchester, M4 6LT
Flat 48, 1 Vesta Street, Manchester, M4 6LT
Flat 44, 1 Vesta Street, Manchester, M4 6LT
Flat 28, 1 Vesta Street, Manchester, M4 6LT
Flat 20, 1 Vesta Street, Manchester, M4 6LT
Flat 9, 1 Vesta Street, Manchester, M4 6LT
Flat 5, 1 Vesta Street, Manchester, M4 6LT
Flat 169, 1 Vesta Street, Manchester, M4 6LU
Flat 165, 1 Vesta Street, Manchester, M4 6LU
Flat 164, 1 Vesta Street, Manchester, M4 6LU
Flat 162, 1 Vesta Street, Manchester, M4 6LU
Flat 161, 1 Vesta Street, Manchester, M4 6LU
Flat 156, 1 Vesta Street, Manchester, M4 6LU
Flat 130, 1 Vesta Street, Manchester, M4 6LU
Flat 125, 1 Vesta Street, Manchester, M4 6LU
Flat 109, 1 Vesta Street, Manchester, M4 6LU
Flat 96, 1 Vesta Street, Manchester, M4 6LU
Flat 87, 1 Vesta Street, Manchester, M4 6LU

Flat 69, 1 Vesta Street, Manchester, M4 6LT
Flat 64, 1 Vesta Street, Manchester, M4 6LT
Flat 62, 1 Vesta Street, Manchester, M4 6LT
Flat 52, 1 Vesta Street, Manchester, M4 6LT
Flat 50, 1 Vesta Street, Manchester, M4 6LT
Flat 39, 1 Vesta Street, Manchester, M4 6LT
Flat 36, 1 Vesta Street, Manchester, M4 6LT
Flat 31, 1 Vesta Street, Manchester, M4 6LT
Flat 23, 1 Vesta Street, Manchester, M4 6LT
Flat 19, 1 Vesta Street, Manchester, M4 6LT
Flat 17, 1 Vesta Street, Manchester, M4 6LT
Flat 12, 1 Vesta Street, Manchester, M4 6LT
Flat 10, 1 Vesta Street, Manchester, M4 6LT
34 Spindle Mews, Manchester, M4 6DB
Flat 132, 1 Vesta Street, Manchester, M4 6LU
Flat 152, 1 Vesta Street, Manchester, M4 6LU
Flat 141, 1 Vesta Street, Manchester, M4 6LU
Flat 133, 1 Vesta Street, Manchester, M4 6LU
Flat 121, 1 Vesta Street, Manchester, M4 6LU
Flat 115, 1 Vesta Street, Manchester, M4 6LU
Flat 112, 1 Vesta Street, Manchester, M4 6LU
Flat 108, 1 Vesta Street, Manchester, M4 6LU
Flat 105, 1 Vesta Street, Manchester, M4 6LU
Flat 94, 1 Vesta Street, Manchester, M4 6LU
Flat 93, 1 Vesta Street, Manchester, M4 6LU
Flat 85, 1 Vesta Street, Manchester, M4 6LU
Flat 71, 1 Vesta Street, Manchester, M4 6LT
Flat 70, 1 Vesta Street, Manchester, M4 6LT
Flat 54, 1 Vesta Street, Manchester, M4 6LT
Flat 29, 1 Vesta Street, Manchester, M4 6LT
Flat 8, 1 Vesta Street, Manchester, M4 6LT
28 Spindle Mews, Manchester, M4 6DB
Flat 167, 1 Vesta Street, Manchester, M4 6LU
Flat 159, 1 Vesta Street, Manchester, M4 6LU
Flat 153, 1 Vesta Street, Manchester, M4 6LU
Flat 146, 1 Vesta Street, Manchester, M4 6LU
Flat 145, 1 Vesta Street, Manchester, M4 6LU
Flat 144, 1 Vesta Street, Manchester, M4 6LU
Flat 142, 1 Vesta Street, Manchester, M4 6LU
Flat 138, 1 Vesta Street, Manchester, M4 6LU
Flat 137, 1 Vesta Street, Manchester, M4 6LU
Flat 136, 1 Vesta Street, Manchester, M4 6LU
Flat 129, 1 Vesta Street, Manchester, M4 6LU
Flat 128, 1 Vesta Street, Manchester, M4 6LU
Flat 127, 1 Vesta Street, Manchester, M4 6LU
Flat 88, 1 Vesta Street, Manchester, M4 6LU
Flat 75, 1 Vesta Street, Manchester, M4 6LT
Flat 74, 1 Vesta Street, Manchester, M4 6LT
Flat 73, 1 Vesta Street, Manchester, M4 6LT
Flat 72, 1 Vesta Street, Manchester, M4 6LT
Flat 58, 1 Vesta Street, Manchester, M4 6LT
Flat 47, 1 Vesta Street, Manchester, M4 6LT
Flat 46, 1 Vesta Street, Manchester, M4 6LT
Flat 42, 1 Vesta Street, Manchester, M4 6LT

Flat 40, 1 Vesta Street, Manchester, M4 6LT
Flat 1, 1 Vesta Street, Manchester, M4 6LT
5 Vesta Street, Manchester, M4 6LU
Flat 123, 1 Vesta Street, Manchester, M4 6LU
32 Spindle Mews, Manchester, M4 6DB
Flat 163, 1 Vesta Street, Manchester, M4 6LU
Flat 160, 1 Vesta Street, Manchester, M4 6LU
Flat 98, 1 Vesta Street, Manchester, M4 6LU
Flat 89, 1 Vesta Street, Manchester, M4 6LU
Flat 81, 1 Vesta Street, Manchester, M4 6LU
Flat 80, 1 Vesta Street, Manchester, M4 6LU
Flat 66, 1 Vesta Street, Manchester, M4 6LT
Flat 60, 1 Vesta Street, Manchester, M4 6LT
Flat 59, 1 Vesta Street, Manchester, M4 6LT
Flat 79, 1 Vesta Street, Manchester, M4 6LU
Flat 49, 1 Vesta Street, Manchester, M4 6LT
Flat 34, 1 Vesta Street, Manchester, M4 6LT
Flat 33, 1 Vesta Street, Manchester, M4 6LT
Flat 32, 1 Vesta Street, Manchester, M4 6LT
Flat 18, 1 Vesta Street, Manchester, M4 6LT
Flat 16, 1 Vesta Street, Manchester, M4 6LT
Flat 15, 1 Vesta Street, Manchester, M4 6LT
7 Vesta Street, Manchester, M4 6LU
30 Spindle Mews, Manchester, M4 6DB

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 Zone - All Exceeding 90M
Site of Biological Interest - Name: Ashton Canal (West)
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRL