

Section 73 Application to
140875/FO/2024

Castlefield Viaduct

2025006

Planning Statement

January 2026



Intentionally Blank

Report:	Section 73 Report	Job no.	2025006
Client:	National Trust		
Date:	January 2026		
Document version	Prepared by	Checked by	Approved by
V1	MZ	TC	-
V2	MZ	TC	TC

Intentionally Blank

TABLE OF CONTENTS

1.0	Introduction	7
1.1	Application overview	7
1.2	New condition and variation to Condition 32	9
1.3	Variation to Condition 18	11
1.4	Variation to Condition 3	14
1.5	Conclusion	14

Intentionally Blank

1.0 INTRODUCTION

1.1 Application overview

- 1.1.1 This application is made by RJP town planners ('RJP') on behalf of our client, the National Trust ('the NT') with regard to the approved planning application 140875/FO/2024 for:

Use of Castlefield Viaduct Phases 1 and 2 as an urban park (Use Class F2(c)), including installation of stair and lift access to Egerton Street

- 1.1.2 Permission is sought under Section 73 of the Town and Country Planning Act 1990 ('the Act') to add an additional condition to the decision for 140875/FO/2024 in order to regularise the use of concrete as part of the repair works to the viaduct's span.
- 1.1.3 In pre-application discussions with the Council, it was confirmed that the introduction of concrete arising from detailed design development constituted a material change to the approved development. It was deemed this could not be dealt with under the discharge of condition process and so a Section 73 variation application is required.
- 1.1.4 As Castlefield Viaduct is a Grade II listed structure, listed building consent was also granted for the development (reference: 140876/LO/2024). The proposed use of concrete requires a concurrent application for a Section 19 variation made under the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 1.1.5 This application also seeks to vary Conditions 18 (Biodiversity Net Gain) and 32 (Viaduct remedial works) of 140875/FO/2024. The intent is to amend them from "pre-

commencement” and “prior to” conditions, to “compliance” conditions to take account of the information now available and submitted with this application.

1.1.6 Finally, this application also seeks to vary Condition 3 (approved plans) to reflect updated plan references.

1.1.7 This application is accompanied by the following documents:

- Truss End Support Boxes – Remedial Options Appraisal, prepared by Purcell and Arup, reference: CVI-ARUP-ZZ-ZZ-RP-S-000003, dated 1st October 2025.
- Drawing – Remedials: Transverse Beams Bearing Stiffeners, prepared by Arup, reference: CVI-ARUP-ZZ-ZZ-DR-S-4001, Rev T4, dated 22nd May 2025.
- Drawing – Remedials: Truss End Supports Concrete Infill Remedial, prepared by Arup, reference: CVI-ARUP-ZZ-ZZ-DR-S-4019, Rev T1, dated 19th September 2025.
- A biodiversity gain plan, prepared by Urban Green and approved by National Trust, dated 19th November 2025
- A final Habitat Management and Monitoring Plan, prepared by Urban Green, dated November 2025, Issue 01

1.1.8 Please also refer to the biodiversity net gain design stage assessment, prepared by Urban Green, dated January 2025, Rev 02 and the statutory biodiversity metric calculation tool, both submitted with original applications and held on the Council’s system.

1.2 New condition and variation to Condition 32

1.2.1 Condition 32 requires the applicant to provide the following:

“Notwithstanding the details shown on the approved drawings, prior to any repairs to the viaduct, full and final details shall be submitted to and approved in writing by the City Council, as Local Planning Authority. This shall include the exact location of repairs, detailed design, product specifications and samples. The approved details shall be implemented in accordance with these details.”

1.2.2 During the development of “full and final details”, defects in the truss end support boxes were identified during surveys as part of the post-consent principal inspection and assessment undertaken between April and July 2025. They were in poor condition due to recurrent water exposure. To address this, five remedial options were explored, and these are set out in the accompanying Remedial Options Appraisal. They are as follows:

- Option 1 – Conventional Over-plating
- Option 2 – Internal Steel Frame
- Option 3 – External Concrete Block
- Option 4 – ‘Tea trays’
- Option 5 – Concrete Infill

1.2.3 Each option is accompanied by an assessment of advantages and disadvantages, along with a commentary on the potential heritage impact contributed by Purcell.

- 1.2.4 Section 8 of the Remedial Options Appraisal outlines that Option 5 (concrete infill) is the preferred remedial method. This is because it is the most buildable, the most structurally straightforward, likely to be the most cost effective, and is the easiest to maintain.
- 1.2.5 From a heritage perspective, the assessment finds the concrete infill to be minimally intrusive with no discernible impact on the architectural interest of the viaduct, and there is precedent in the local area from the adjacent viaduct. However, the long-term interaction between concrete poured on the historic steelwork is difficult to determine, and the works would not be easily reversible.
- 1.2.6 NPPF paragraph 215 directs decision-makers to weigh less than substantial harm against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The concrete infill would prevent further deterioration of the viaduct, enabling its ongoing use as an urban park to great public benefit.
- 1.2.7 It is proposed that:
- a) A new condition is added to 140875/FO/2024 to enable the use of concrete infill, with the exact wording to be agreed between the applicant and the Council prior to a decision being made. Draft wording as a baseline is provided below:

Repairs to the viaduct which include concrete infill shall be carried out in accordance with plan CVI-ARUP-ZZ-ZZ-DR-S-4019, Rev T1, dated 19th September 2025.

- b) That Condition 32 is altered to a “compliance” condition, on the basis that Remedial Options Appraisal and revised drawing CVI-ARUP-ZZ-ZZ-DR-S-4001, Rev T4 and new drawing CVI-ARUP-ZZ-ZZ-DR-S-4019, Rev T1 satisfy “full and final details” of the proposed remedial works.

1.3 Variation to Condition 18

- 1.3.1 Condition 18 relates to the submission of a Biodiversity Gain Plan and a final Habitat Management and Monitoring Plan for both phases of the park, prior to commencement of the development. The relevant extract of the condition is as follows:

18) Prior to the commencement of Phase 2 and alterations within Phase 1 hereby approved, a Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Metric Report Ref: [sic] received 15 January 2025 and prepared by Urban Green.

Notwithstanding the draft Habitat Management and Monitoring Plan (the HMMP), received on 15th January, the development shall not commence until a final HMMP has been submitted to and approved in writing by the LPA. It shall be prepared in accordance with the approved Biodiversity Gain Plan and including:

(a) a non-technical summary;

(b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];

(c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan ;and

(d) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

1.3.2 The remainder of the condition (bullets (e) to (h)) is to provide notice once the Habitat Management and Monitoring Plan has been implemented and works completed, and a completion report has been submitted and approved in writing by the Local Planning Authority. These are not pre-commencement aspects, and this application does not seek to alter them.

1.3.3 Section 1.1.6 lists the documents accompanying this submission for Condition 18. The Habitat Management and Monitoring Plan delivers the requirements of Condition 18(a)-(d) in the following ways:

- a) A non-technical summary is provided in Sections 1 and 2 (pages 9-13); it provides an overview of the site, a summary of the desk-based environmental data obtained, the findings of the preliminary ecological appraisal submitted with the main application, as well as the BNG calculation and ecological survey findings.
- b) The roles and responsibilities are provided prior to main content of the report. This includes a list of key responsibilities and a statement of competency for the

landowner, the management organisation and the local planning authority (for reviewing the HMMP).

- c) Sections 3.3 and 3.4 specifically deal with retained and created habitats. In this case, all habitats along the Phase 1 section of the viaduct will be retained in their current condition (category: *Grassland - Other Neutral Grassland*). The existing “Poor” *Sparsely Vegetated Land – Ruderal/Ephemeral* in Phase 2 will be protected via protection meshes and fencing.

A new habitat will be created in Phase 2: *Sparsely Vegetated Land – Ruderal/Ephemeral* of “good” condition with a five-year target timeframe.

Section 3.5 also contains general measures to adhere to during habitat creation, such as planting to follow the relevant British Standard or Horticultural Trades Association documents and carried out by a competent person, and for planting to be true to name and free of disease. Section 3.6 provides the specific details of the habitat creation, including preparation, planting and establishment phases.

- d) Section 4 provides the monitoring schedule. It recommends monitoring is carried out yearly in the first five years, then every five years until year 30. Monitoring should be carried out within the optimal botanical survey period (May to October) by a suitably qualified ecologist. For any habitats which are not achieving their proposed condition within the target time period, reasons for failure and proposed remediation measures should be recorded.

- 1.3.4 Condition 18 (a)-(d) should be altered to become a “compliance” condition required adherence to the submitted Biodiversity Gain Plan and final Habitat Management and Monitoring Plan. The pre-commencement element of the condition has been satisfied.

1.4 Variation to Condition 3

- 1.4.1 Pursuant to section 1.1 of this report, Condition 3 should be revised to reflect the updated version of drawing CVI-ARUP-ZZ-ZZ-DR-S-4001, Rev T4 and new drawing CVI-ARUP-ZZ-ZZ-DR-S-4019, Rev T1.

1.5 Conclusion

- 1.5.1 In summary, this application seeks to:
- Add a new condition to words to the effect of those set out in paragraph 1.2.7 of this report in order to formalise the use of concrete infill in remedial works.
 - Alter Condition 32 to become a ‘compliance’ condition rather than a ‘prior to commencement’ condition as the information submitted constitutes “full and final details” of the remedial works.
 - Alter Condition 18(a)-(d) to become a ‘compliance’ condition rather than a ‘prior to commencement’ condition as the information required has been satisfied. It is noted sub-conditions (e)-(h) still require discharging at a later date.
 - Update Condition 3 to include the updated version of plan CVI-ARUP-ZZ-ZZ-DR-S-4001 and the new CVI-ARUP-ZZ-ZZ-DR-S-4019.
- 1.5.2 Please can any condition wording be reviewed and agreed by the applicant prior to a decision being made.