

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0004

Date registered valid: 17 January 2022

Proposal: Discharge of condition nos. 4 (Materials); 11 (Electric Vehicle charging points); 17 (Piling); 20 part A (Air Quality); 30 (trees with low potential for bat roosts to be felled using Reasonable Avoidance Measures); 31 (bat survey to T16 T19 and G8); 36(Accessibility and route widths); 37(Gate and barrier design); and 38 (Boundary treatment) attached to planning permission ref: 129076/VO/2021.

Address: Site Of Former Showcase Cinema , Hyde Road, Manchester, M12 5AL

Ward(s): Longsight Ward

Applicant: Sir Robert McAlpine Ltd C/o Agent, ,

Agent (if any): Mr Sam Beresford Tetra Tech Quay West, Media City, Trafford Wharf Road, Manchester, M17 1HH

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 14 April 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 18 January 2022 Expired: 8 February 2022

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Greater Manchester Ecology Unit - have confirmed that both Condition 30 and Condition 31 can be discharged.

Arboricultural Officer - Have advised that the condition would need to be signed off by the ecology section.

Environment Agency - As detailed with the covering letter noted above, submitted by the applicant / agent in support of CDN/22/0004, confirmation has been provided the applicant's contractor that construction of the proposed development will not require the use of piling and/or penetrative foundations techniques.

In virtue of the above, we have no objection to the discharge of condition 17 attached to planning permission 129076/VO/2021.

Environmental Health - have advised that the submitted information is sufficient to discharge conditions nos.11 and 20 part a.

Highways Services - 16.02.2022 Have made the following observations:

- 11 (Electric Vehicle charging points) - the information provided is considered sufficient to discharge the condition.
 - 36 (Accessibility and route widths) - acceptable in principle to MCC Highways
 - 37(Gate and barrier design) - the applicant should confirm the distance from edge of carriageway to the barrier is sufficient for the largest expected vehicle (11.5m?) to wait for access and not obstruct through traffic on Hyde Road.
 - 38 (Boundary treatment) - the boundary treatments appear acceptable in principle. It should be confirmed that at locations where the boundary treatment crosses roads/access routes and there could be pedestrians crossing then the boundary treatment should be visually permeable from 600mm upwards.
- Also clarity is sought regarding the pedestrian route from Kirkmanshulme Lane into the site as the footway appears to discontinue.

Updated comments 11.04.2022

For condition 37, they are satisfied that vehicles waiting to access the development will not block traffic on Hyde Road and they can now support the discharge of this condition.

For condition 38, the fencing proposals provide acceptable visual permeability, and they can therefore support the discharge of this condition.

In relation to pedestrian/cyclist access from Kirkmanshulme Lane, it has been clarified that it is only to be used by motor vehicles for occasional maintenance requirements and for emergency access, and on that basis they can support the measures.

Issues

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

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

4) The use of Wienerberger Arizona Yellow brick for the main brickwork with the contrast in Timafaya Blue brick and the use of Ash and Lacy drag face grey D802C brick , together with Ash and Lacy cladding system dark grey (RAL 7016) and yellow (RAL 1018) smooth metal cladding in the locations shown on plan ref 01-XX-DR-A-020002 rev.P03 (Elevational Treatment) received 6th January 2022 is considered to be acceptable. On the basis that the development is implemented in fully accordance with the specified materials above, I can confirm condition no.4 is discharged.

11) The Parking plan ref: 01-XX-DR-L-910014 rev.P04 ; Electrical Services External Services Combined M& E layout plan ref: 009433-IUL- 00-XX-DR-J- 96001 rev.P01 and Technical Submittal Sheet prepared by Integral ref: 009433-IUL-XX-ZZ-SP-E-TS1 - EV Car Charging Points rev.S2 received 6th January 2022 has been examined, together with the content of the letter from the planning agent dated 6th January 2022 ref: 784-B118318 which confirms a further 10% of the remaining parking spaces will be future-proofed to allow for additional electric vehicle charging points to be installed if and when the demand arises, and that low voltage duct routing is to be installed within the car park to allow for this, as shown on the supporting Electrical Services plan.

On the basis that the development is implemented in accordance with the plans and technical information referred to above and the content of the email from the planning agent dated 6th January 2022 in regard to the measures to enable the future provision of electric charging points , I can confirm condition no.11 is discharged.

17) On the basis of the content of the letter from the planning agent dated 6th January 2022 ref: 784-B118318 , which states that the applicant's contractor has confirmed that the construction of the proposed development will not require the use of piling and/or penetrative foundations techniques , I can confirm that no further action is required in regard to the discharge of condition no.17.

20) The letter from the planning agent dated 6th January 2022 ref: 784-B118318 details the measures proposed to be incorporated into the design, including :

- A cycle hub with capacity for 120 bicycles to be provided on site as shown on the submitted Parking Plan;
- 10 electric vehicle charging points would be provided initially and additional spaces would be future-proofed to increase the provision should the need arise;
- confirmation that the classrooms along the Hyde Road elevation would utilise non-opening windows with mechanical vents, to provide protection against any fumes and air quality impacts associated with vehicles along Hyde Road for school users;
- Inclusion of low temperature hot water heating systems and energy efficient boilers (Technical Submittal sheet ;ref: 009433-IUL-XX-ZZ-SB-M-TS4 - Gas Fired Boilers S4 and Mechanical Services - Scoping document re: LPHW Heating System)

On the basis that the development is implemented in accordance with the measures detailed above I can confirm that no.20 part A is discharged.

30) The submitted Method Statement - Trees In Relation to Bats (Britannia Ecological Solutions Ltd), has been examined and the reasonable avoidance measures are considered to be satisfactory. On the basis that the development is implemented in relation to the measures in the report specified above I can confirm that condition no.30 is discharged .

31) The submitted Bat Activity Survey by Britannia Ecological Solutions (19 September 2021) ref: BES-2021-503 has been examined. It is noted that necessary bat inspection and activity surveys have been undertaken of the tree refs: T16 and T19, and trees within Group 8 as listed in the approved arboricultural assessment, and that no evidence of bats or bat roosts at the identified trees were observed. On the basis of the content of the Bat Activity Survey by Britannia Ecological Solutions (September 2021) I can confirm that condition no.31 is discharged .

36) The information detailed on the submitted Access conditions plan ref: 01-XX-DR-L-910022 rev.P01 received 6th January 2022 has been examined and is considered to be acceptable. On the basis that the development is implemented in accordance with the details shown on plan ref: 01-XX-DR-L-910022 rev.P01 , condition no.36 is discharged.

37) The submitted Fencing and security plan 01-XX-DR-L-910004 rev.P04 ; Sliding Gate Handling Form ; Specification sheet for 5000-21 STD Barrier Specification sheet for 9000 Sliding Gates received 6th January 2022; and Gate Type plan ref. 01-XX-DR-L-910016 Rev P06 received 17th March 2022, together with the content of the email from planning agent dated 17th March 2022 has been examined and is considered to be acceptable. On the basis that the development is implemented in accordance with the details on the plans (gates and fencing to be black in colouration) and manufacturers specifications detailed above, condition no.37 is discharged.

38) The boundary treatment details on plan ref: Fencing and security plan 01-XX-DR-L-910004 rev.P04 received 6th January 2022;

- Featherboard Panel - Flat Top manufacturers specification; HSF Ballcourt manufacturers fencing specification; and 2.4m x 1.8m D/L gate Gate T2 plan ref: HAD 2360 received 17th January 2022;

- Email from agent dated 17th March 2022;

- Gate Type plan ref: 01-XX-DR-L-910016 Rev P06 received 17th March 2022

- Euroguard Regular weldmesh fencing specification received 17th March 2022

- Landscaping setting out sheet 1 of 4 01-XX-DR-L-910018 rev. P02; Landscaping setting out sheet 2 of 4 01-XX-DR-L-910019 rev. P02; Landscaping setting out sheet 3 of 4 01-XX-DR-L-910020 rev. P02; Landscaping setting out sheet 4 of 4 01-XX-DR-L-910021 rev. P02 received 6th January 2022;

- Landscape Outline Specification 16th March 2021 ref: 009433-SPA-01-XX-SP-L-0001 rev.P01 received 17th January 2022;

have been examined . It is also acknowledged that since the approval of the planning application, minor changes are proposed to the exact siting of the boundary treatment as a response to the site's characteristics, including alterations to avoid a small section of woodlands and also amending the location of the gate on the access road to Kirkmanshulme Lane to a more appropriate location, and this is fully detailed on the submitted Landscape setting out sheets 1-4.

On the basis that the development is implemented in accordance with the details on the plans and manufacturers specifications detailed above, condition no.38 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Police
Environment Agency
Greater Manchester Ecology Unit

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH2