

Town & Country Planning Act 1990 (as amended)
Planning (Listed Building & Conservation Area) Act 1990 (as amended)

Approval of details reserved by condition

Applicant

Mr Richard Hyder
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Agent (if used)

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Part 1 – Particulars of the application/development

Proposal: Discharge of conditions 12 (Surface Water Drainage Design), 16 (Site Investigation and Remediation), 28 (Invasive Species) and 29 (Nesting Birds) attached to planning permission 129076/VO/2021
attached to planning permission ref: 129076/VO/2021

Location: Former Showcase Cinemas, Manchester, M12 5AL

Date of application: 2 June 2021

Application number: CDN/21/0421

Part 2 – Particulars of decision

Manchester City Council gives notice that the detail(s) referred to in Part 1 are **Approved** in accordance with the information set out below.

Condition 12 Surface Water Drainage

The drawings and information detailed below have been examined.

Belle Vue Coop Academy Civils Specification ref: 009433-BDP- XX-XX-SP- C-000001
rev.P01 dated 18th May 2021, prepared by BDP;
received 2nd June 2021;

CCTV survey of proposed point of outfall showing invert levels;

Drainage drawings x2

Calculations showing that the drainage has been designed for 1 in 100 year rainfall event with allowance for 40% climate change and that the building is protected from flooding;

Hydraulic calculations;

Correspondence from United Utilities outlining agreeing the strategy and discharge rate dated 22nd April 2021 and 29th March 2021;

Proposed construction details of flow controls and SuDS features;

Overland flow routes (drwg ref: 009433-BDP-01-ZZ-DR-C-520020);

Received 26th July 2021

Surface water manhole schedule sheet 1 of 2 (drwg ref: 009433-BDP-01-ZZ-DR-C-520030 C02);

Surface water manhole schedule sheet 2 of 2 (drwg ref: 009433-BDP-01-ZZ-DR-C-520031 C02);

Foul water manhole schedule sheet 1 of 1 (drwg ref: 009433-BDP-01-ZZ-DR-C-520032 C02);

Site Wide Drainage Strategy General Arrangement sheet 1 of 3 (dwg ref: 009433-BDP-01-ZZ-DR-C- 520001 C02);

Site Wide Drainage Strategy General Arrangement sheet 2 of 3 (dwg ref: 009433-BDP-01-ZZ-DR-C- 520002 C02) ;

Site Wide Drainage Strategy General Arrangement sheet 3 of 3 (dwg ref: 009433-BDP-01-ZZ-DR-C- 520003 C02);

Section185 Diversion works General Arrangement 1 of 3 (drwg ref: 009433-BDP-01-AA-DR-C-520011);

Section185 Diversion works General Arrangement 2 of 3 (dwg ref: 009433-BDP-01-AA-DR-C-520012);

Typical Drainage Details sheet 1 of 3 (dwg ref: 009433-BDP-01-ZZ-DR-C-520301 rev. C02);

Typical Drainage Details sheet 2 of 3 (dwg ref: 009433-BDP-01-ZZ-DR-C-520302 C02);

Typical Drainage Details sheet 3 of 3 (dwg ref: 009433-BDP-01-ZZ-DR-C-520303 C02);

Construction Build Ups (drwg ref: 009433-BDP-01-XX--DR-C-520303)

Belle Vue Coop Academy STR Specification ref: rev.P01 dated 06-08- 2021, prepared by BDP

received 18th August 2021;

Section 185 Diversion works General Arrangement 3 of 3 (dwg ref: 009433-BDP-01-AA-DR-C-520013) received 19th August 2021;

Content of planning agent email to Flood Risk Management officers date 25th August 2021.

On the basis that the development in implemented infill accordance to the plan and document detailed above I can confirm that condition no.12 is discharged .

Condition 16a Site Investigation

The submitted Ground Investigation dated 30th April 2021 (ref: ref: 18170-HYD-XX-XX-RP-GE-0001) prepared by Hydrock, Ground Investigation dated 7th June 2021 (ref: ref: 18170-HYD-XX-XX-RP-GE-0001) prepared by Hydrock, and remediation strategy and verification plan dated 11th June 2021 (ref: 18170-HYD-XX-XX-RP-GE-0002) prepared by Hydrock, which sets out the desk top study which was undertaken, as well as details of the site investigations and remediation and mitigation measures has been examined, together with gas calibration certification and the content of a letter from Hydrrock dated 25th August 2021, and are considered to be acceptable.

On the basis that the development is implemented in full accordance with documentation specified above I can confirm that condition no.16a can be discharged.

Condition 28 Invasive Species

The submitted Excavation process and methodology for working within areas of Japanese Knotweed document ref: QR22 V16 JKC dated 21st April 2021 has been examined and is considered to be satisfactory . On the basis that the development is implemented in accordance with the measures in the submitted Excavation process and methodology for working within areas of Japanese Knotweed document ref: QR22 V16 JKC dated 21st April 2021, condition no.28 is discharged.

Condition 29 Nesting Birds

The letter from Britannia Ecological Solutions, which sets out a series of findings and recommendations following an on site survey in regard to nesting birds which was conducted on 24th May 2021 is noted , in particular that tree refs : 3 , 21, 26 and 36 and Group 8 had nesting birds present at the time of the survey.

Furthermore, the content of the mail from planning agent dated 9th September 2021 confirming that further to the submitted nesting bird survey, the trees identified with evidence of nesting birds have been retained in situ until the end of the bird nesting season, (up until the end of August), and are to be removed within 2 months of the conclusion of the bird nesting season, therefore before the end of October have been noted .

On the basis that the bird nesting season has now finished and the receipt of confirmation that the trees would be removed before the end of October 2021, I can confirm that condition no.29 is discharged.

Date: 10 September 2021

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 (as amended) or Planning (Listed Building & Conservation Area) Act 1990 (as amended) does not include any consent or approval under any other enactment, byelaw, order or regulation.

2 If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 or sections 20 and 21 of the Planning (Listed Building & Conservation Area) Act 1990 within six months of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.