

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/23/0390

Date registered valid: 14 June 2023

Proposal: Discharge of conditions 6 (BREEAM), 10 (travel plan), 17 (CCTV), 26 (surface water drainage) and 36 (community use agreement) attached to planning permission referenced 128966/JO/2020.

Address: Manchester College Of Arts And Technology , Ashton Old Road, Manchester, M11 2WH

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Niall Wright LTE Group

Agent (if any): Planning Ellis Williams Architects

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

Recommendation: Split decision

Date of recommendation: 9th February 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 4 July 2023 Expired: 25 July 2023

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

Manchester Active – 29.07.2023 advised that in principle the draft Community Use Agreement was acceptable and in line with other agreements previously signed off. However, a number of revisions were recommended in regard to sections 3, 4/6 ,7,8 , and Schedules 1 and 2 .

08.12.2023 – Advised that the further Community Use Agreement was the same they had commented on in July 2023, and that given no changes have been made they did not consider this condition could be discharged.

31.01.2024 – Have reviewed the amended Community Use Agreement, Subject to the applicant accepting the minor amendments track changes in the attached document Manchester Active consider condition 36 can be discharged.

08.02.2024 - Subject to the applicant accepting the track changes in the document attached to your email to me, I am satisfied condition 36 can be discharged.

LLFA -08.08.2023 . The submission under CDN/23/0390 is to address Condition 26 for Phase 3 of the development.

They have advised that the following further information is required:

1. Please present overland flow layout. Assessment of overland flow routes for extreme events that is diverted away from buildings (including basements). Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. A layout with overland flow routes needs to be presented with appreciation of these overland flow routes with regards to the properties on site and adjacent properties off site.
2. Please demonstrate how system provides adequate pollution control measures. Please use the CIRIA SuDS Manual C753: Land Use and Mitigation Indices to demonstrate this.
3. Land Drainage Consent is required for the connection to the culverted ordinary watercourse 'Clayton Brook'. Please submit an application to Manchester City Council LLFA. include relevant supporting documents including proposed connection construction detail, method statement etc. Application link: <https://manchester.civicapayforms.co.uk/Sales/LaunchInternet.aspx?saleform=drainage>

Highways Services - The submitted Travel Plan is considered sufficient to discharge the associated condition.

Design for Security - Having looked at the documents they advise they have no reason why these conditions can't be discharged.

Issues

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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: Split decision Approve/ Refuse

Article 35 Declaration

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

Condition no. 6 (BREEAM)

6) The submitted BREEAM Certificate ref: BREEAM-0078-1021 Issue 01 which demonstrates the achievement of a 'Very Good' rating has been acknowledged. On the basis of the BREEAM Certificate ref: BREEAM-0078-1021 Issue 01 condition no.6 is discharged.

Condition no. 10 (travel plan)

10) The Openshaw Campus Manchester College Travel Plan by SK Transport Planning Ltd ref: 230323-SK222109-TP01 (-01) has been reviewed and is considered to be satisfactory. On the basis that the measures in Travel Plan referenced above are implemented in full at all times when the development is in use, condition no.10 is discharged.

Condition no. 17 (CCTV)

17) The information shown on the plans and data sheets specified below has been examined and is considered to be acceptable.

- Electrical Services - Proposed Electrical External Services plan ref: 4129-0-E301-T2
- Electrical Services - Proposed Electrical External Services plan ref: 4129-0-E302-T2
- Car Parking lighting aiming plan ref: HLS 2948
- BEI Lighting Tubular Columns Group A and B- Datasheet
- UPCA Range sizes Column Clamp Details plan ref: WEC UPCA/R rev.00
- AcuSense 4MP IR Fixed Bullet Network Camera - DS 2CD2T46G2 2I/4I Datasheet
- 4MP AcuSense Powered by Darkfighter Fixed Turret Network Camera - DS 2CD2346G2 I(U) Datasheet. Received 14th June 2023

On the basis that the development implemented in accordance with the details in the plans and documentation referenced above condition no.17 is discharged.

Condition no. 26 (Surface water drainage)

26) The Drainage Strategy for the proposed pitch and car park report doc ref:EPG-9705-DS-01 dated 23.03.22 rev.01 , Openshaw College Surface Water Drainage Design as constructed record document plan ref:9705-EPG-XX-XX-DR-Y-0001 REV AB1, and Openshaw College Exceedance Routing plan ref: 705-EPG-XX-XX-DR-Y-0002 REV AB1 received 14th June 2023, have been reviewed in conjunction with :

- Discharge of phase 1 & 2 drainage under CDN/21/0384
- Phasing plan OS-RHA-XX-00-DR-A-PL -002 rev.D (uploaded to 124268/FO/2019)
- Reference to Land Drainage Consent requirement in drainage strategy of CDN/21/0384

A request was made for further information including layout with the present overland flow routes, together with an assessment of overland flow routes for extreme events that is diverted

away from buildings (including basements). Advise was provided that overland flow routes needed to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity including inlet structures. Furthermore, a request for a demonstration in regard to how system provides adequate pollution control measures also made.

In addition to the above matters advise was provided that Land Drainage Consent was required for the connection to the culverted ordinary watercourse 'Clayton Brook', and an application needed to be submitted to Manchester City Council LLFA. include relevant supporting documents including proposed connection construction detail, method statement etc.

At this time no further drainage information has been provided in regard to the matters raised to relating to overland flows and how system provides adequate pollution control measures. On this basis condition no.26 cannot be discharged at this time.

Condition no. 36 (Community use agreement)

36) The content of the email dated 8th February 2024 accepting Manchester Active's tracked changes to the Community Access Agreement from the Manchester College, together with the Community Use Agreement (ref: 14613783 V3) received 8th February 2024 has been considered in conjunction with plan refs: Drawings. Level 00 Community Use Agreement plan OC-EWA-ZZ-01GA-A-69732 rev.P1 and Level 01 Community Use Agreement plan OC-EWA-ZZ-01GA-A-69731 rev.P1 received 18.01.2024.

On the basis that the development is implemented in accordance the Community Use Agreement received on 8th February 2024(in which the Manchester College had accepted the tracked changes),and the plans referenced above, condition no.36 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
MCC Flood Risk Management
Greater Manchester Police
Sport England
MCR Active

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Flood Zones Type 2 (low to medium risk) -

Area Team Boundary - Name: NORTH AREA