

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/22/0770
Date registered valid:	26 October 2022
Proposal:	Discharge of conditions 10 (car park management), 13 (drainage maintenance), 18 (fume extraction) 19 (noise verification), 25 (sports pitch noise), 33 (bird and bat boxes) and 39 (sport pitch details) attached to planning permission referenced 129076/VO/2021
Address:	Site Of Former Showcase Cinema, Hyde Road, Manchester, M12 5AL
Ward(s):	Longsight Ward
Applicant:	Manchester City Council, Town Hall, Albert Square, Manchester, M60 2LA
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:	3 January 2023

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:

Printed: 7 November 2022 Expired: 28 November 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

Highways Services - For condition 10, the submitted car park management proposals are sufficient to allow them to recommend the discharge of this condition from a highway perspective.

Environmental Health -30.11.2022 advise that conditions 18 and 19 can be discharged. With regard to condition 25 they require a written statement (or modelling diagram) from the acoustician which confirms that the proposals set out in the submitted noise management plan document will ensure that the noise levels from the outdoor pitches comply with the levels set out in the original acoustic report.

The agent subsequently responded in regard to condition no.25, advising noise impact assessment submitted with the original planning application was limited to a cumulative assessment during the daytime period. The night time period would typically be taken as between the hours of 10pm-7am, during which hours none of the sports facilities would be in use (as controlled by condition 22).

No floodlighting is being provided at the site. This will naturally limit the extent of use of the outdoor facilities in the evenings. During the winter/autumn months, realistically use beyond 6pm would not be viable due to light conditions. During summer months, athletics markings would be in place, being out of season for team sports (where the greatest potential for noise would occur).

Furthermore, the acoustic report which accompanied the original planning application indicated that the most sensitive pitch in terms of any potential for noise disturbance to residential dwelling would be the pitch in the northwest corner of the site. This is an informal grass 5v5 pitch which has relatively limited potential to be booked or used in the evenings outside school hours. Any football competitive matches played after school would naturally use the full marked out pitches which are cited further away from neighbouring residential properties.

As indicated in the Noise Management Plan submitted to discharge condition 25, it is highly unlikely that all outdoor pitches on site would be in use simultaneously, including outside of school hours. Demand for community use of the outdoor grass pitches would be expected to be largely during weekends such as by local football teams, rather than in the evenings, given the lack of floodlighting. The Academy would follow appropriate management practices should any noise concerns arise in connection with the use of the outdoor facilities, although this is not expected to be an issue.

09.12.2022 - would need to see the written statement/modelling diagram from the acoustician.

GMEU – 21.11.2022 initially advised :-

CDN/22/0770 – Condition 33 Bat and bird boxes

The submitted detail for the bats is acceptable.

Note – that ash trees should not be used for locating bat or bird boxes. Ash in Greater Manchester is subject to high levels of Chalara infection (Ash die-back) and these trees are likely to succumb in the short term (5 –10 years).

As they cannot locate any detail for the provision of bird boxes, they recommend that condition no.33 is not discharged until the additional detail is submitted.

Updated comments received 30.11.2022 following receipt of additional information on 29th November 2022. GMEU are satisfied that condition no.33 can be discharged .

Sport England – 21.11.2022 Have the following observations.

Condition 10 (car park management) – No comments to make.

Condition 13 (drainage) – No issues to raise.

Condition 18 (fumes) - No comments to make.

Condition 19 (noise verification) – No comments make.

Condition 25 (sports pitch noise) – Does the noise impact assessment take account of full pitch and other sport facility use outside school hours?

Condition 33 (bat boxes) - No comments to make

Condition 39 (sport pitch details) – No issues to raise with the submission of information regarding ground assessment and future maintenance. However, apart from a reference to the pitch design in the Noise Impact Assessment, they have been unable to find information with respect to condition 39ii. In particular they are concerned that there is an imbalance between the stated specification in the noise assessment of 3 to 6 hours per week of pitch use and condition 22 (original and as varied) with regard to hours of potential pitch use for both school and community use. Has the pitch drainage been designed to meet a specific performance standard for the level, player age and hours of use expected?

Given the above Sport England has no issues to raise with the details to discharge conditions 10,13,18,19 and 33. However further information is required in relation to condition 25 and 39(ii).

The agent subsequently responded in regard to condition no.25 , advising noise impact assessment submitted with the original planning application was limited to a cumulative assessment during the daytime period. The night time period would typically be taken as between the hours of 10pm-7am, during which hours none of the sports facilities would be in use (as controlled by condition 22).

No floodlighting is being provided at the site. This will naturally limit the extent of use of the outdoor facilities in the evenings. During the winter/autumn months, realistically use beyond 6pm would not be viable due to light conditions. During summer months, athletics markings would be in place, being out of season for team sports (where the greatest potential for noise would occur).

Furthermore, the acoustic report which accompanied the original planning application indicated that the most sensitive pitch in terms of any potential for noise disturbance to residential dwelling would be the pitch in the northwest corner of the site. This is an informal grass 5v5 pitch which has relatively limited potential to be booked or used in the evenings outside school hours. Any football competitive matches played after school would naturally use the full marked out pitches which are cited further away from neighbouring residential properties.

As indicated in the Noise Management Plan submitted to discharge condition 25, it is highly unlikely that all outdoor pitches on site would be in use simultaneously, including outside of school hours. Demand for community use of the outdoor grass pitches would be expected to be largely during weekends such as by local football teams, rather than in the evenings, given the lack of floodlighting. The Academy would follow appropriate management practices should any noise concerns arise in connection with the use of the outdoor facilities, although this is not expected to be an issue.

In relation to condition no.39 the agent responded forwarding a Design Note: Sports Pitch Drainage – BDP , Typical Drainage Details Sheet 2 of 2 – Dwg.no 009433-BDP-01-XX-DR-C-520302 Rev P02 and a drainage layout drawings for site. Furthermore in regard to any concerns around an imbalance of usage, stating it should be noted that condition 22 is a condition advised by MCC's Environmental Health team for amenity purposes. Condition 22 specifies the times when use will be permitted – it does not imply that the grass pitches will be used continually or intensively during these hours.

The pitches and their drainage infrastructure have been designed to meet the requirements of the Academy and the DfE standards, as well as following Sports England's standards, as indicated in the Design Note submitted as authored by BDP. The drainage infrastructure has been designed to reflect the conditions on the site, with account taken for the level of use required and its users.

Reference made in the Noise Management Plan to use of 3-6 hours per week was simply made as a point of reference from Sport England's own guidance for natural turf, as a means to demonstrate that grass pitches by their nature cannot be used around the clock. As with all grass surfaces pitches, their use will need to be managed to ensure that they are not overused or degraded. This will be managed on an on-going basis.

The sports hall and MUGA facilities on site would be able to accommodate more intensive use.

Updated comments on 12.12.2022 following the additional information.

Condition 25 – Thank you for the explanation provided by the applicant's agent no further issues to raise.

Condition 39 – Thank you for the additional information provided by the applicant's agent in this regard. The information required by condition 39ii is covered and confirms that the pitches have been designed to meet the requirements of the Academy and DfE standards. Sport England is therefore content with regard to the explanation with regard to community use of the pitches. This will clearly need to be balanced with pitch use requirements for the school as a priority.

Flood Risk Management – 23.11.2022 made the following comments

Condition 13:

CDN/21/0421 approved a scheme at C02 version, please see Decision Notice of approved documents. This CDN/22/0770 now presents a design at C14 to 15. Changes in the design from the approved scheme include notable down-sizing of the storage components.

Information is required to demonstrate how the design meets the same standards approved under CDN/21/0421.

The following information is required:

- Hydraulic simulations of the 1:1, 1:30, and 1:100+CC events to demonstrate the as-built design meets the same standards approved under CDN/21/0421. This shall include manhole schedules which are cross-referenceable to the as-built layouts.
- Verification report providing photographic evidence of construction as per design drawings: Please submit photographic evidence of flow controls.
- As built construction drawings if different from design construction drawings: the following note appears on the submitted drawings. The applicant needs to provide as-built drawings which confirm the construction.

Condition 39:

The following information is required:

Demonstration of how the sports pitches have been incorporated in the updated hydraulic simulations (which are required under Condition 13).

Updated comments 03.01 .2023

Advise they have no further comments and recommend Condition 13 can be discharged.

Condition 13:

- *Hydraulic simulations of the 1:1, 1:30, and 1:100+CC events to demonstrate the as-built design meets the same standards approved under CDN/21/0421. This shall include manhole schedules which are cross-referenceable to the as-built layouts.* Minor 0.2m3 flooded volume in 100+CC. Considered minor & no need to represent overland flow routes, on this basis discharged.
- *Verification report providing photographic evidence of construction as per design drawings: Please submit photographic evidence of flow controls.* On the basis of 2 provided, discharged.
- *As built construction drawings if different from design construction drawings: the following note appears on the submitted drawings. The applicant needs to provide as-built drawings which confirm the construction.* On the basis of amendment to indicate submission is asbuilt, discharged.

Condition 39:

Demonstration of how the sports pitches have been incorporated in the updated hydraulic simulations (which are required under Condition 13).

On the basis that the submission of amended calcs accounting for the sports pitches, we have no further comment. *LPA please note that Condition 39 was not imposed by LLFA, please consider if comments from the originator are required.*

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:

Article 35 Declaration

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

Condition no. 10 (car park management)

The Vehicle movement plan and CO-OP Academy Belle Vue Carpark Agreement dated 13.09.2022 received 26th October 2022 have been examined. On the basis that the development is implemented in accordance the Vehicle movement plan and CO-OP Academy Belle Vue Carpark Agreement dated 13.09.2022 received 26th October 2022 whilst the building is in use, condition no.10 is discharged.

Condition 13 (drainage maintenance)

The plans and documents specified below have been examined and the contents considered.

Drainage Maintenance Schedule report dated August 2022 doc ref: HRS-BDP-RPT-C-002 rev.A;

Civils Specification report doc ref: 009433-BDP-XX-XX-SP-C-000001 rev.P01 dated 18.05.2021;

Typical drainage details sheet 2 of 2 ref: 009433-BDP-01-XX-DR-C-520302 rev.P02;

Sustainable Drainage report by Sir Robert Mc Alpine;

Attenuation Storage Tank Layout using Eco-Cells module (Attenuation Tank Details) PCST-2.0 rev. R0;

Attenuation Storage Tank Layout using Eco-Cells module (Attenuation Tank 2 layout) ECST-2.1 rev. R0 ;

Attenuation Storage Tank Layout using Pluvial cube module units (Attenuation Tank Details) PCST-3.0 rev. R1;

Attenuation Storage Tank Layout using Pluvial cube module units (Attenuation Tank 1 layout) PCST-3.1 rev. R1;

Attenuation Storage Tank Layout using Pluvial cube module units (Attenuation Tank 2 layout) PCST-3.2 rev. R1;

Received 26th October 2022

Site Wide Drainage Strategy General Arrangement Sheet 1 of 3 – 009433-BDP-01-ZZ-DR-C-520001 rev.C14;

Site Wide Drainage Strategy General Arrangement Sheet 2 of 3 – 009433-BDP-01-ZZ-DR-C-520002 rev.C15;

Site Wide Drainage Strategy General Arrangement Sheet 3 of 3 – 009433-BDP-01-ZZ-DR-C-520003 rev. C15;

Typical Drainage details sheet 1 of 3 plan ref:009433-BDP-01-ZZ-DR-C-520301 rev.C03

Typical Drainage details sheet 2 of 3 plan ref:009433-BDP-01-ZZ-DR-C-520302 rev.C05

Typical Drainage details sheet 3 of 3 plan ref:009433-BDP-01-ZZ-DR-C-520303 rev.C06

Construction Build up plan ref:009433-BDP-01-ZZ-DR-C-520304 rev.C07

Agent email dated 14th December 2022

Hydraulic Calculations and Sports Pitch Drainage rev.02 dated 12.12.2022;

Sustainable Drainage Addendum – Verification of flow control .

Received 14th December 2022.

On the basis that the development has been implemented in accordance with, and maintained in perpetuity with the details and measures in the plans and documents specified above, condition no.13 is discharged.

Condition no.18 (fume extraction)

The plans and documents specified below have been examined and the contents considered.

Level 00 Ventilation Layout 1 of 2 plan ref: 009433-IUL-01-00-DR-M-570001 rev.C06;

Level 00 Ventilation Layout 2 of 2 plan ref: 009433-IUL-01-00-DR-M-570002 rev.C04;

Level 01 Ventilation Layout 1 of 2 plan ref: 009433-IUL-01-01-DR-M-570001 rev.C05;

Level 01 Ventilation Layout 2 of 2 plan ref: 009433-IUL-01-01-DR-M-570002 rev.C06;

Level 02 Ventilation Layout 1 of 2 plan ref: 009433-IUL-01-02-DR-M-570001 rev.C04;

Level 02 Ventilation Layout 2 of 2 plan ref: 009433-IUL-01-02-DR-M-570002 rev.C04;

Level 03 Ventilation Layout 1 of 2 plan ref: 009433-IUL-01-03-DR-M-570001 rev.C04;

Level 03 Ventilation Layout 2 of 2 plan ref: 009433-IUL-01-03-DR-M-570002 rev.C04;

Mechanical Services Specification doc ref: 009433-IUL-XX-ZZ-SP-M-570000

Issue 01 – January 2022

Belle Vue Academy – Planning Condition 18 (B) Statement (Integral);

Airguard Type 2 Baffle Filter Specifications;

Technical Submittal Document 1 – 009433-IUL-XX-ZZ-SB-M-TS1 rev.C01 – Mondraught Natural Ventilation Units;

Technical Submittal Sheet – 009433-IUL-XX-ZZ-SB-M-TS2 rev.C01 – Air Handling Units

Technical Submittal Sheet ref: 009433-IUL-XX-ZZ-SB-M-TS3 rev. C02 – Fans and HRU's

Plan ref: 22166 – 001 – Belle Vue Academy Flue Design;

Schedule No.07 – Heat Recovery Units Mechanical Services – Technical Schedule

Schedule No.07 - Air Handling Unit Mechanical Services – Technical Schedule

Schedule No.09 – Extract Fans Mechanical Services – Technical Schedule

Schedule No.11 – Hybrid Ventilation Units Mechanical Services – Technical Schedule

Schedule no. 12 – Roof Mounted Ventilation Units Mechanical Services – Technical Schedule
Schedule No. 13 – Duct Mounted Attenuators Mechanical Services – Technical Schedule
Air Handling Unit - 009433-IUL-XX-ZZ-SP-M-57001 SCH 07 AHUs;

Letter dated 17th October 2021 from Integral (the scheme's installer) confirming the installation has taken place in accordance with the submitted details, as itemised above.

Received 26th October 2022

On the basis that the development has been implemented in accordance with, and maintained in perpetuity with the details and measures in the plans and documents specified above, condition no.18 is discharged.

Condition no. 19 (noise verification external plant)

The plans and documents specified below have been examined and the contents considered.
Building Services Noise Commissioning Measurements ref: OPP-068103-AC-2v1 (Stroma)
Building Services Noise Impact Assessment (Stroma) ref: OPP-068103 NC1v2 Belle Vue Co-op Academy

Received 26th October 2022

On the basis of the reports and plans referenced above condition no.19 is discharged.

Condition no. 25 (sports pitch noise)

The content of the Outdoor Sports Facilities - Noise Management Plan dated 12.10.2022 has been considered in conjunction with the content of agent email dated 24th November 2022. On the basis of the Outdoor Sports Facilities - Noise Management Plan dated 12.10.2022 and agent email dated 24th November 2022 condition no.25 is discharged .

Condition no. 33 (bird and bat boxes)

The plan and documents specified below have been examined and the contents considered.

Biodiversity Enhancement at Belle Vue – Bats report by Sir Robert McAlpine received 26th October 2022;

Agent email dated 29th November confirming installation of the bird boxes.

Bat and Bird box Review plan ref: 01-XX-DR-L-910036 rev.P02, and Installed bird box specification (Woodcrete by Schwegler 32mm nest box) received 29th November 2022.

On the basis that the development is implemented in accordance with the measures in the reports and plan referenced above condition no.33 is discharged.

Condition no.39 (sport pitch details)

The plan and documents specified below have been examined and the contents considered.

Proposed Levels Strategy sheet 1 of 2 plan ref: 009433-BDP-ZZ-00-DR-C-15_10-1000 rev.C04;
Proposed Levels Strategy sheet 2 of 2 plan ref: 009433-BDP-ZZ-00-DR-C-15_10-1001 rev.C03;
Design Note - Sports Pitch Drainage (BDP, 06.10.2022);
Typical Drainage Details Sheet 2 of 2 - 009422-BDP-01-XX-DR-C-520302 rev.P02 ;
Civils Specification document – 009433-BDP-XX-XX-SP-C-000001;
Ground Investigations (Hydrock), 7 June 2021, Ref. 18170-HYD-XX-XX-RP-GE-001 Rev P02
Maintenance Details – J. Mallinson O& M Manual Football Pitches
Manufacturers specifications Aqua Cell Systems

Received 26th October 2022

Content of agent email dated 24th November 2022;
Sports Pitch Drainage Design Note ref: P3001502 dated 06.10.2022 ; Typical Drainage details sheet 2 of 3 ref: 009433-BDP-01-XX-DR-C-520302 rev.P02 received 24th November 2022

Site Wide Drainage Strategy General Arrangement Sheet 1 of 3 – 009433-BDP-01-ZZ-DR-C-520001 rev.C14;

Site Wide Drainage Strategy General Arrangement Sheet 2 of 3 – 009433-BDP-01-ZZ-DR-C-520002 rev.C15;

Site Wide Drainage Strategy General Arrangement Sheet 3 of 3 – 009433-BDP-01-ZZ-DR-C-520003 rev. C15;

Typical Drainage details sheet 1 of 3 plan ref:009433-BDP-01-ZZ-DR-C-520301 rev.C03

Typical Drainage details sheet 2 of 3 plan ref:009433-BDP-01-ZZ-DR-C-520302 rev.C05

Typical Drainage details sheet 3 of 3 plan ref:009433-BDP-01-ZZ-DR-C-520303 rev.C06

Construction Build up plan ref:009433-BDP-01-ZZ-DR-C-520304 rev.C07

Agent email 14th December 2022 Hydraulic Calculations and Sports Pitch Drainage rev.02 dated 12.12.2022;

Sustainable Drainage Addendum – Verification of flow control;

Received 14th December 2022

On the basis that the development is implemented in accordance with the measures in the reports and plans referenced above condition no.39 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Sport England

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: NORTH AREA