

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/23/0002

Date registered valid: 4 January 2023

Proposal: Discharge of condition 13 (Secured by Design), 15b (Ground Investigations Validation), 19b (Air Quality) and 26 (lighting verification) attached to planning permission referenced 135066/JO/2022

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

Ward(s): Longsight Ward

Applicant: Sir Robert McAlpine

Agent (if any): Mr Sam Beresford Tetra Tech

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

Recommendation: Approve

Date of recommendation: 1 March 2023

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 17 January 2023 Expired: 7 February 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

Environmental Health – 08.02.2023 - Conditions 19b and 26 can be discharged.
The validation report for 15b is lacking photographs of the gas membrane in situ. These are preferable and so if the applicant has those then please could they be forwarded on for consideration.

Updated comments following additional information 28.02.2023

The photographs are sufficient.

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:

Article 35 Declaration

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

Condition no. 13 - Secured by Design

The submitted Secure by Design Gold Award Certificate has been noted . On the basis of the submitted Secure by Design Certificate I can confirm that condition no.13 is discharged.

Condition 15b - Ground Investigations Validation

The information in the :

-Hyde Road Belle Vue Validation Report Ref: 3345-21-R03-V2 dated December 2022 (GeoEnvironmental)

Received 4th January 2023

-Gas Membrane Validation – Sports Block, Belle Vue Coop Academy dated 13th May 2022 Ref: 211108.L.003- Roberts Environmental;

-Gas Membrane Validation – Final Report, Belle Vue Coop Academy Academy dated 13th May 2022 Ref: 211108.L.FR- Roberts Environmental;

-Gas Membrane Validation – Gas Membrane Validation – Teaching Block, Belle Vue Coop Academy dated 11th February 2022 Ref: 211108.L.001- Roberts Environmental;

-Gas Membrane Validation – Gas Membrane Validation – Drama Block, Belle Vue Coop Academy dated 24th March 2022 Ref: 211108.L.002- Roberts Environmental;
Received 14th February 2023

Has been has been examined, and is considered to be acceptable . I can confirm that condition 15b is discharged on the basis of the information specified above.

Condition 19b - Air Quality

The Evidence of Condition 19b Discharge - Photomontage Demonstrating Air Quality Mitigation Measures (SRM) report dated 30th November 2022 , received 4th January 2023 has been examined and is considered to be satisfactory . I can confirm that condition 19b is discharged on the basis of the information specified above.

Condition no.26 Lighting verification

The details within the documentation and plans referred to below has been examined and is considered to be acceptable.

-Electrical Services External Lighting Layout plan ref: 009433-IUL-00-XX-DR-E-630001 rev. C01

- External lighting layout plan ref: 235598-DWG- EX-00001 rev. 00

- External lighting Statement by Whitecroft Lighting dated 10th March 2021

- External lighting Statement by Integral dated 6th December 2022

Received 4th January 2023

I can confirm that condition 26 is discharged on the basis of the information specified above.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

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

Area Team Boundary - Name: NORTH AREA