

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/22/0632

Date registered valid: 6 September 2022

Proposal: Discharge of conditions 5 (landscaping) 6 (car parking), 7 (cycle storage), 8 (travel plan), 21 (school hours), 26 (external lighting), 32 (bio diversity), 40 (community use) and 41 (CCTV) attached to planning permission referenced 129076/VO/2021

Address: Site Of Former Showcase Cinemas, 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 Planning Quay West @ MediaCity:UK, 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: **8th December 2022**

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 12 September 2022

Expired: 3 October 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

Environmental Health – 03.10.2022 Have advised in regard to condition no.26 that they have reviewed the information submitted to discharge the above and would ask that the applicant provide more information regarding the suitability of the proposed lighting for the area and confirmation that there will be no glare or overspill into nearby properties.

The proposed hours for the school are fine based on the information contained in the document 'school/site operating hours' dated September 22 which was submitted with the discharge application.

Updated comments for condition no.26 08.12.2022

The submitted information is fine to address the lighting condition.

Design for Security - Have examined the supporting documents, and advised they would be satisfied with the information provided, and therefore support the discharge of conditions 5,6,7,36 and 41.

Highway Services - For condition 6, the submitted car parking proposals are sufficient to allow them to recommend the discharge of this condition from a highway perspective.

For condition 7, the submitted cycle parking proposals are sufficient to allow them to recommend the discharge of this condition from a highway perspective.

For condition 8, the submitted travel plan is sufficient to allow them to recommend the discharge of this condition from a highway perspective.

For condition 26, the submitted external lighting proposals are sufficient to allow them to recommend the discharge of this condition from a highway perspective.

Manchester Active -28.10.2022- Subject to clarification of points and some minor amendments to the submitted Community Access Agreement, made as comments in the attached, they consider there is sufficient information to discharge condition 40 of planning permission referenced 129076/VO/2021.

Updated comments 07.12.2022 - All comments previously made have been addressed, and they consider the content of the CUA is sufficient to discharge condition 40.

Sport England – Have advised that they would have no issue with respect to the submission of the community use agreement as required by condition 40 apart from one amendment to section 7 Management - Paragraph 7.2 management committee membership. Sport England would not wish to be part of the Management Committee they would be content with representatives from community and user groups along with Manchester Active who they understand would act on behalf of Manchester City Council.

The Community use agreement when approved shall be implemented upon the start of the use of the development.

Updated comments 08.12.2022

Have confirmed that the Community Use Agreement, as revised, addresses the concern raised in their initial response and Sport England would have no issue with the discharge of condition 40 in this regard.

The Community use agreement when approved shall be implemented upon the start of the use of the development.

GMEU - note the submission of the soft landscape, which supports a number of native species varieties alongside horticultural specimens which will provide value for wildlife in this densely urban setting. This is appropriate.

There is a supporting note submitted which details that bat and bird boxes will be provided. It is noted that this will be addressed as part of a separate condition relating to the provision of bird and bat boxes (Condition no.33) which forms part of another application ref: CDN/22/0770 under consideration.

They advise that Condition 32 can be discharged.

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

5) The content of the Landscape Outline specification document Version 04 dated 11 April 2022, and details on the plans referenced below have been examined
-Soft Landscaping Plan ref: 01-XX-DR-L-910012 rev.P03 (as updated by Soft Landscaping – Playing Fields West ref: 01-XX-DR-L-910032 rev.P02);
-Soft Landscaping – Site ref: 01-XX-DR-L-910029 rev.P02
-Soft Landscaping – Entrance Plaza ref: 01-XX-DR-L-910030 rev.P02
- Soft Landscaping – Car Park ref: 01-XX-DR-L-910031 rev.P02
-Soft Landscaping – Playing Fields West ref: 01-XX-DR-L-910032 rev.P02
-Soft Landscaping – Playing Fields East ref: 01-XX-DR-L-910033 rev.P02

On the basis that the development is implemented in accordance with the document and plans detailed above ; that the approved scheme is implemented not later than 12 months from the date the buildings are first occupied; and if within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, condition no. 5 is discharged.

6) The confirmation in the letter from the planning agent dated 2nd September 2022 (ref: 784-B118318) , that the car park will be completed and implemented in full, in accordance with the approved plans, in advance of first use of the school, and that as a result there is no requirement for a phased completion of the car park noted .
Furthermore , that this would be achieved through the removal of the construction compound prior to the first use of the school, and the car park will be implemented at the outset in accordance with the originally approved plans is also noted .

Therefore, on the basis that the car parking provision is implemented in full and available at all times whilst the building is occupied, and that the implemented parking spaces are not to be

used for any other purpose than the parking of vehicles associated with the use of the building, and the all weather sports pitch, condition no.6 is discharged.

7) The details shown on plan refs:

- CuvaBrella Cycle shelter
- CuvaBrella Cycle shelter - 10 Spaces plan ref: BSS-P-21471-90-001 rev.A;
- CuvaBrella Cycle shelter - 60 Spaces plan ref: BSS-P-21471-90-002 rev.A
- Cycle Storage Solutions plan ref: BSS-P-21471-90-003 rev.A

and in the photograph showing stand specification, (Southgrove); and photograph showing stand specification, (Southgrove (2)), are considered to be satisfactory. Therefore, on the basis that the development is implemented in accordance with the details on the plans and images referred to above, in the locations shown on plan ref: 009433 01-XX-DR-L-910004 rev.P04 (Fencing and security plan), and 009433 01-XX-DR-L-910007 rev.P02 (Pedestrian and vehicular access), prior to the development hereby approved being occupied or used , and the facilities are then retained and permanently reserved for bicycle parking, condition no.7 is discharged .

8)The contents of the Coop Academy Belle Vue Travel Plan Final Issue 1 dated August 2022 has been examined , and the measures are considered to be acceptable. On the basis that the measures within the Travel Plan specified above are fully implemented, I can confirm condition no.8 is discharged.

21) The details in the School/ Site Opening hours - Coop Academy Belle Vue Opening Hours report dated September 22 version 2 have been considered. On the basis that the school/site operates in accordance with the hours of operation as set out in paragraphs 2.1 and 3.1 of the document detailed above, condition no.21 is discharged

26) The information shown on plan refs:

- External Lighting Integral ref: 009433-IUL-XX-ZZ-SP-E-TS12 document date 02.12.2021, including specifications for Spectre WX , Sirocco Park, ACL Industry, Selise Maxi ;
- Electrical Services External Lighting Layout; ref: 009433-IUL-00-XX-DR-E-630001 rev.C01;
Received 6th September 2022;
- External Lighting Statement by Integral dated 6th December 2022 ;
- External Lighting report ref: C4C23598 dated 10.03.2022;
- External Lighting Plan (including Lux levels) ref: 23598-DRG-EX- 00001 rev.00

Received 7th December 2022;

has been examined and is considered to be acceptable. On the basis that the development is implemented in full accordance with the documents and plans specified above , condition no.26 is discharged.

32) The content of the Bio-diversity Encouragement Scheme document has been examined . On the basis that the biodiversity measures are implemented in accordance with approved scheme prior to the occupation of the school and are maintained in situ thereafter, condition no.32 is discharged.

40) The content of the Community Use Agreement received on 7th December 2022

has been examined . On the basis that the measures are implemented in accordance content of the Community Use Agreement received on 7th December 2022 , condition no.40 is discharged.

41) The information shown on plan refs:

Technical Submittal Sheet – CCTV System ref: 009433-IUL-XX-ZZ-SP-E-TS20 ;
Level 00 Security Systems Layout 1 of 2 009433-IUL-01-00-DR-E-680001 rev.C03 ; and
Level 00 Security Systems Layout 2 of 2 009433-IUL-01-00-DR-E-680002 rev.C03

is considered to be satisfactory. Therefore, on the basis that the development is implemented in accordance with the details on the plans and Technical Submittal Sheet specified above, condition no.41 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
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: NORTH AREA