

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0574

Date registered valid: 29 July 2021

Proposal: Discharge of condition 9 (off-site highway works) attached to planning permission ref:129076/VO/2021

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

Ward(s): Longsight Ward

Applicant: Sir Robert McAlpine Ltd C/o Agent

Agent (if any): Mr Chris Bradshaw 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: Appr5ove

Date of recommendation: 22 June 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 5 August 2021 Expired: 26 August 2021

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-

01.09.2021 - advise that the highway improvement measures indicated on the Kirkmanshulme Lane(southern entrance) plans submitted for this condition discharge are not considered adequate therefore they do not support the discharge of condition 9 until this is resolved.

10.09.2021- advised that highways officers had met with the Engineer dealing with the section 278 scheme and had agreed that the proposed refuge shown on Kirkmanshulme Lane was not adequate for a crossing point outside a school. They has discussed with the applicant at the pre-application stage that a raised zebra facility would be considered appropriate at this location.

Any agreed scheme will be subject to detailed design and road safety audits which may result in changes to the design. Furthermore, they understood that the residential scheme at the former greyhound stadium was underway and as the highways works for that development also includes traffic calming etc. on Kirkmanshulme Lane there was a requirement for there to be

additional flexibility in the designs of both schemes to ensure a cohesive scheme would be delivered for Kirkmanshulme Lane.

In addition to the crossing the Plan should illustrate additional details including any Traffic Regulation Orders, school entrance markings on Kirkmanshulme Lane; guard railing at pedestrian entrances and to guide pedestrians to safe crossing points; dropped kerbs and tactile paving across the proposed Kirkmanshulme entrance; and traffic calming to Kirkmanshulme Lane (which may be necessary to include, a pedestrian crossing, speed cushions/buildouts, drop-off and pick-up bay, TROs, cycle facilities, electronic speed warning signs and footway resurfacing).

22.06.2022 - the submitted highway work proposals (12.05.2022) are sufficient to allow them to recommend the discharge of this condition from a highway perspective.

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

9) The detailed highway works shown on plan ref: TfGM UTC Hyde Road / Belle Vue Street drawing ref: A3/3/1091/2. and Belle Vue Academy section 278 works plan ref: 100.21012 – ACE-00-XX-DR-C-02205 rev.P5 received 12th May 2022 has been examined and are considered to be acceptable. Therefore, on the basis that the development is implemented in accordance with details shown on plan refs: TfGM UTC Hyde Road / Belle Vue Street drawing ref: A3/3/1091/2, and Belle Vue Academy section 278 works plan ref: 100.21012 – ACE-00-XX-DR-C-02205 rev.P5, prior to the school accommodation being brought into use, I can confirm condition no.9 is discharged.

Appendix 1 – List of consultees & neighbours notified

Highway Services

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