Application Number	Date of Appln	Committee Date	Ward
139751/FO/2024	8th May 2024	25th July 2024	Rusholme Ward

Proposal Erection of a new foodstore (Use Class E) and 1no. retail unit (Use Class E) and 1no. hot food delivery unit (sui generis) with associated car parking and landscaping.

Location Fallowfield Shopping Centre, Birchfields Road, Manchester, M14 6FS

Applicant Lidl Great Britain Limited

Agent Mr Joshua Ambrus, Rapleys

Executive Summary

Planning permission was granted in May 2022 for a new foodstore, following the demolition of existing retail units on this site.

The current application also proposes the erection of a new foodstore (Use Class E) to be operated by Lidl, with associated car parking and 2no. new sub-let units, within Fallowfield Shopping Centre.

The main changes between the two applications relates to an increase to the proposed building footprint, alterations to the car parking arrangement, the addition of a further sub-let retail unit and the loss of the existing medical centre.

Following notification of the application, one representation has been received, objecting to the proposal, on the grounds undue operational and construction.

Key Issues

-*Regeneration and sustainable location within an established shopping centre*. The application site relates to accessible, brownfield land and would offer favourable regeneration to provide appropriately scaled economic development which would create a range of local employment opportunities.

-*Loss of the existing medical centre*. The site currently accommodates a medical centre to be demolished and not re-provided. This issue is covered in detail in the body of the report.

-*Environmental.* The proposed redevelopment has the potential to bring about significant environmental and visual improvements, offering the redevelopment of an underutilised brownfield site to deliver a modern foodstore development. Such development would improve the appearance of a prominent site adjacent to a key arterial route.

-*Impact to residential amenity*. Given the context of the proposal within an out-of-town retail park, the levels of activity would not be untypical.

-*Impact to the operation of the highway*. The application has been considered by both TfGM and Highways Services. Subject to necessary off-site highway works to be secured by an attached planning condition, no significant issues are raised.

Background

As noted, an application for the demolition of existing units 4, 5, 6, 7, 8, and 10 and erection of a single storey building to form a new retail foodstore (Use Class E) and separate hot food delivery unit (sui generis) with associated car parking and landscaping was approved on 12 May 2022 (Ref: 130189/FO/2021). This application is extant and still capable of being implemented. The approved layout under this consent shows the retention of the medical centre but does not include any requirement for the medical centre to continue operating or to be retained in the future.

Subsequent to this, in January 2024 a 'prior approval' application (Ref: 138593/DEM/2023) was granted consent for the demolition of the medical centre (Unit 9). The only matter which can be assessed for such applications is the method of demolition. Automatic approval is granting following the expiration of 56 days. Unfortunately, it is the case that the loss of the existing use is not a matter which could have been taken into account in the decision to allow demolition. This is recognised as a significant issue within the local area and is regrettable.

The current proposal relates to a revised scheme, involving the erection of a new foodstore (Use Class E) and 1no. retail unit (Use Class E) and 1no. hot food delivery unit (sui generis) with associated car parking and landscaping (Ref: 139751/FO/2024).

The application now shows the demolition of the medical centre, to facilitate an enlarged foodstore and further car parking.

The principal changes relate to the demolition of the medical centre, alterations to building footprint, the layout of the car park, increased parking provision and the addition of two smaller sub-let units, involving a small retail unit and a hot food delivery unit (both 95 sqm).

Compared to the extant, approved scheme (130189/FO/2021), the planning application proposes a larger floor area to provide Lidl with additional flexibility to bring forward a scheme at the site which aligns with the standard operating model and in line with their new specification requirements.

This would result in a modest uplift in floorspace when set against the previously consented scheme. The changes follow a review by Lidl of their store operating model and bring the proposed store on the site in line with their current specification**.** Overall, the proposal represents a floorspace uplift of 806 sqm (gross) when compared to the units being demolished, and 192 sqm (net -sales area) above the previous proposal which benefits from planning permission.

Fallback Position

It is acknowledged that the site already benefits from an extant planning permission for a similar development (Ref: 130189/FO/2021).

Separate to this, prior approval has also been granted for the demolition of the existing medical centre (Ref: 138593/DEM/2023).

Given the recent planning history, the site is still capable of being developed for a similar development, albeit of a slightly smaller footprint and alternative layout.

These factors are key and have to be taken in account in the determination of the current application.

Description

The application site forms part of Fallowfield Retail Park, an out of centre retail park comprising a number of single storey units and one unit which is presently used as the medical centre. A number of units, including a unit previously situated towards the front of the retail park have recently been demolished to make way for the development. To the west, the retail park is supported by a large, surface level, communal car park.

The host retail park is bounded by Birchfields Road to the west, Birchfields Primary school to the north, Moseley Road to the south and functioning railway lines to the east. Opposite the site on the other side of Birchfields Road are two storey, residential dwellinghouses.

The site is enclosed by a timber rail and soft landscaping, with vehicular access gained via a signalised junction off Birchfields Road.

The northern part of a site currently used for wider car parking provision and was previously earmarked for a HS2 ventilation shaft. This area is still subject to a safeguarding direction.

View of the site looking north with existing medical centre in the foreground

View of the site looking south with the medical centre in the background

View of the site and existing parking area to the right-hand side

The site is not located within or adjacent to a Conservation Area and is not located within close proximity of any listed buildings.

The immediate area surrounding the site consists of a mixture of residential and educational institutions to the west and north; commercial units to the south; and railway lines to the east. Opposite the site to the west, the area is predominantly residential in character.

Vehicular access to the site is gained off Birchfields Road to the western boundary of the site.

Consultations

Local Residents/Occupiers – 2 representations have been received, including 1 objection and 1 neutral response. Concerns are raised in relation to the proposed opening hours, noise during operation and construction and the future of Hawthorne Medical Centre. It also questioned whether the adjacent roundabout would include a new pedestrian crossing.

Flood Risk Management

The application has been considered by the City Council's Flood Risk Management section who advise that conditions should be included to ensure the submission and approval of a surface water drainage scheme and its subsequent maintenance.

United Utilities

Conditions are requested in relation to surface water drainage to be incorporated and a scheme for its subsequent maintenance.

Electricity Northwest

The development is shown to be adjacent to or affect operational land or electricity distribution assets. Advice is provided in relation development being located adjacent to operational land and the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements.

Environmental Health

No objection. Conditions are advised with respect to ground conditions, hours of use, external equipment, waste management and adherence to the submitted external lighting scheme.

Greater Manchester Police (Design for Security)

The application is supported subject to the layout issues within Section 3.3 being addressed and the physical security measures within Section 4 of the Crime Impact Statement being complied with.

Greater Manchester Ecology Unit (GMEU)

An Ecological Impact Assessment including an assessment of the buildings on the site, has been undertaken and submitted as part of the application.

The buildings on site were assessed to have a negligible/low potential to support roosting bats and no evidence of roosting bats was identified. The trees on the site were identified as having negligible potential to support bats. Mitigation measures are suggested to address the low roost potential of the buildings, in the form of a method statement for the demolition of the building and given the nature of the features, this approach is considered reasonable.

Any external lighting of the site must be designed to minimise the impact on biodiversity, in line with best practice guidelines, and is especially relevant in this application, to ensure no lighting of the vegetated corridor along the railway line, directly adjacent to the site.

A precautionary informative is recommended to make the applicant aware of the laws which are in place to protect wildlife, such as roosting bats.

Buildings and trees/vegetation have the potential to support nesting birds, and the nests of all wild birds are protected by the Wildlife and Countryside Act, 1981 (as amended). An informative should be used so that the applicant is aware of the legal protection that all active bird nests receive. Work (including building demolition and any vegetation and site clearance) should be timed to avoid the main bird nesting season (March - August inclusive) unless it can otherwise be demonstrated that no active bird nests are present.

The submitted Biodiversity Net Gain Metric demonstrates that there is scope on the site to deliver a 10% net gain for biodiversity. Given the low biodiversity value of the site (being predominantly hardstanding) no further information is required in relation

to BNG at this stage of the application. The statutory BNG condition will apply to this application, but in addition to this, would recommend that the LPA uses a condition to secure an appropriate Habitat Management and Monitoring Plan.

Network Rail

An interface with Network Rail is required. The applicant is advised that Network Rail will need to agree and supervise this proposal and that no works are to take place until agreed with Network Rail.

The applicant will be required to enter into a Basis Asset Protection Agreement (BAPA) with Network Rail. An appropriate condition is advised.

HS2

The site falls partially within land currently safeguarded for construction and/or operation of HS2 Phase 2 (Crewe to Manchester and Birmingham to Leeds).

Although the previous Government have announced the cancellation of HS2 Phase 2, Safeguarding Directions are still in place. However, in line with the commitments made in the Network North Command Paper safeguarding is to be amended for HS2 Phase 2 by summer 2024 to allow for any safeguarding needed for Northern Powerhouse Rail (NPR). At this time, it is not fully understood what land will be retained for NPR schemes.

Given the context in order to address interfaces between the development and the adjacent HS2 safeguarded areas standard foundation design planning conditions. If the Local Planning Authority is minded to grant permission for the development, it is again requested that same compliance style planning conditions attached to the previously approved scheme are reapplied in order to safeguard HS2 assets and infrastructure.

Highway Services

It is noted that adopted highway extends to the back of footway around the site. The site is suitably accessible by public transport via buses along Birchfields Road and Kingsway. In summary, the following comments have been made:

Trip Generation

It is accepted that updated trip generation or operational assessments are not necessary over and above those already undertaken and accepted as part of the site's previous approval, given the modest increase in floorspace.

It is requested that all previously condition mitigation measures/improvements are taken forward with any approval of the current scheme.

Car Park

The proposal includes parking for 102no. cars at the southern portion of the retail park site for the new foodstore and sub-let units. This provision would include 6no. accessible bays, 9no. parent & child bays and 2no. EV charging bays.

A car parking accumulation assessment has been provided which demonstrates that the proposed level of provision would satisfactorily cater for the proposal. It is also noted that there will be a level of linked trips across the retail site therefore reducing overall parking demand associated with the foodstore.

EV Charging

The level of EV charging spaces is considered to be acceptable.

Car Park Management

It is recommended that a Car Park Management Strategy is conditioned as part of any approval.

Cycle Parking

Cycle parking would be provided on site in the form of 5no. 'Sheffield' cycle stands which would provide space for up to 10no. bicycles. This level of customer provision is considered acceptable.

The Transport Statement states that allocated bicycle parking space for staff would be provided within the warehouse. It is recommended that a cycle parking condition is included as part of any planning approval.

Servicing

A service yard will be provided to the northern side of the building to accommodate Lidl delivery vehicles and a swept path has been provided for the largest Lidl delivery vehicle.

The tracking shows that the delivery vehicle will need to enter land to the rear of the retained retail units on the northern side of the retail park site (to the rear of Barnardo's - just outside of the red-line boundary).

A Servicing Management Plan is requested by way of a planning condition.

Pedestrians

It is proposed that pedestrian crossing points will be provided within the Lidl car park.

It is also suggested that a dedicated pedestrian and cycle access point to the south of the main retail park access will be provided to enable pedestrians and cyclists to access the store directly from Birchfields Road to the west.

There are 2 pedestrian routes to the north of the site, to encourage walking to the site it is recommended that the applicant funds the resurfacing of these routes and additional lighting as required.

Additional pedestrian facilities should be provided across the side road arm and an all-red stage introduced to facilitate safe pedestrian access to the site. The work required to achieve this will be at the applicant's cost.

Also, pedestrian access from the south of the site is very poor - being very difficult to cross at and between the roundabouts. It is recommended that the applicant funds a new crossing in the vicinity of the two roundabouts to encourage more walking to the site.

Travel Plan

A draft travel plan is provided. The development, submission, implementation and monitoring of a full Travel Plan should be included in the conditions of any planning permission.

Construction Management

A Demolition Method Statement has been submitted. Whilst this is acceptable in principle, further details should be provided within a Construction (and Demolition) Management Plan.

Cadent

Cadent own and operate the gas infrastructure within the area of the development. An ‘informative’ is requested in relation to the protection of their assets and infrastructure.

Other Consultation & Publicity

The proposal, by virtue of the proposed floorspace has been classified as a small-scale major development. As such, the proposal has been advertised in the local press (Manchester Evening News) as a major development. A site notice has also been displayed at the application site, posted on 31 May 2024.

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

The following policies within the Core Strategy are considered relevant:

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy EC1 (Employment and Economic Growth in Manchester) looks to ensure priorities for economic growth, the Council will support significant contributors to economic growth and productivity including health, education, retailing, cultural and tourism facilities, and other employment generating uses.

Policy EC3 (Regional Centre) – states that within the Regional Centre development for employment generating uses including offices and other commercial development will be encouraged.

Policy C6 (South Manchester District Centres) - states that across the area there is capacity for both further convenience and comparison retailing floorspace. In total, approximately 8,000 square metres of convenience and 4,500 square metres of comparison retail floorspace will be promoted up to 2027.

Policy C9 (Out of Centre Development) - Development of town centre uses in locations which are outside a centre identified in policy C1 or a strategic location identified for such uses will be inappropriate unless it can meet the following criteria:

-There are no sequentially preferable sites, or allocated sites, within the area the development is intended to serve that are available, suitable and viable;

-The proposal would not have unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and having regard to any allocations for town centre uses, on the vitality and viability of the City Centre and designated; district and local centres. An assessment of impacts will be required for retail developments of more than local significance; and

-The proposal is appropriate in terms of its scale and function to its location.

Development that improves the environment of an existing out-of-centre facility or its relationship with surrounding uses will be supported, providing that it also meets the other criteria in this policy.

Policy T2 (Accessible Areas of Opportunity and Need) states that the Council will actively manage the pattern of development to ensure that new development: is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections. Is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. Particular priority will be given to providing all residents access to strategic employment sites.

Within the City Centre, development should provide a level of car parking which reflects the highly accessible nature of the location, as well as the realistic requirements of the users of the development. Elsewhere, all new development should provide appropriate car parking facilities.

Policy EN1 (Design Principle and Strategic Character Areas) relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the city should be fully realised, particularly on major radial and orbital road and rail routes.

Policy EN4 (Reducing CO_2 Emissions by Enabling Low and Zero Carbon Development) concerns reducing CO_2 emissions and states that where possible, new development and retrofit projects must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies. The use of building materials with low embodies carbon in new development and refurbishment schemes is also sought.

Policy EN6 ('Target framework for CO_2 reductions from low or zero carbon energy supplies) states that developments over 1000 sqm will be expected to meet targets shown with the policy unless this can be shown not to be viable.

Policy EN8 (Adaptation to Climate Change) - All new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. In achieving developments which are adaptable to climate change developers should have regard to the following, although this is not an exhaustive list:

Minimisation of flood risk by appropriate siting, drainage, and treatment of surface areas to ensure rainwater permeability;

Reduction in urban heat island effect through the use of Green Infrastructure such as green roofs, green walls, increased tree cover and waterways;

The need to control overheating of buildings through passive design;

The opportunity to provide linked and diverse green space to enhance natural habitats which will assist species adaptation;

Developers will be permitted to use green infrastructure elements such as green roofs, green walls, street trees and waterways to contribute to compliance with CO2 mitigation under Policy EN6, subject to sufficient evidence to quantify their contribution to compliance.

Policy EN9 (Green Infrastructure) - New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

Policy EN14 (Flood Risk) – refers to flood risk and amongst other issues stat that all new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of green infrastructure.

Policy EN16 (Air Quality) – states that the Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself.

Policy EN17 (Water Quality) states that developments should minimise surface water run-off and minimise ground contamination into the watercourse construction.

Policy EN19 (Waste) states that the Council will require all developers to demonstrate the proposals consistency with the principles of the waste hierarchy (prevention, reduction, re-use, recycling, energy recovery, and disposal). Developers will be required to submit a waste management plan to demonstrate how construction and demolition waste will be minimised and recycled.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policy of the Unitary Development Plan is also considered relevant:

Policy DC26 (Development and Noise) states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise.

In addition, the below guidance and documents are also considered to be important material considerations:

Places for Everyone Greater Manchester Joint Development Plan (March 2024)

Places for Everyone Joint Development Plan was published in March 2024 and has been produced by Greater Manchester Combined Authority to provide a long-term plan for jobs, new homes, and sustainable growth for nine of Greater Manchester's districts.

The Plan forms part of the Development Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs.

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

The Manchester Green and Blue Infrastructure Strategy (G&BIS)

The G&BIS sets out objectives for environmental improvements within the city in relation to key objectives for growth and development. Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is: By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

National Planning Policy Framework

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

The Framework underlines a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.
Sections 4, 6, 7, 11 and 12 are considered relevant to the consideration of this application.

National Planning Policy Guidance (March 2014)

The Government produced a suite of documents to act as a live resource which set out advice and best practice on a wide range of planning issues following a detailed review of planning policy guidance as a way of streamlining policy.

The relevant sections of the NPPG in this case are as follows:

Town centres and retail - Paragraph 91 states that it may not be possible to accommodate all forecast needs for main town centre uses in a town centre: there may be physical or other constraints which make it inappropriate to do so. In those circumstances, planning authorities should plan positively to identify the most appropriate alternative strategy for meeting the identified need for these main town centre uses, having regard to the sequential and impact tests. This should ensure that any proposed main town centre uses which are not in an existing town centre are in the best locations to support the vitality and vibrancy of town centres, and that no likely significant adverse impacts on existing town centres arise.

Paragraph 9 states that the sequential test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of centre locations (with preference for accessible sites which are

well connected to the town centre). It supports the viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision-taking.

Paragraph 15 states impact test only applies to proposals exceeding 2,500 square metres gross of floorspace unless a different locally appropriate threshold is set by the local planning authority. In setting a locally appropriate threshold it will be important to consider the:

• Scale of proposals relative to town centres;
• The existing viability and vitality of town centres;
• Cumulative effects of recent developments;
• whether local town centres are vulnerable;
• Likely effects of development on any town centre strategy; and
• Impact on any other planned investment.

Paragraph 17 states that the impact test will need to be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible. Ideally, applicants and local planning authorities should seek to agree the scope, key impacts for assessment, and level of detail required in advance of applications being submitted.

Noise - Local planning authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose-built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design states that where appropriate the following should be considered:

- layout – the way in which buildings and spaces relate to each other;
- form – the shape of buildings;
- scale – the size of buildings;

- detailing – the important smaller elements of building and spaces;
- materials – what a building is made from.

Air Quality – Guidance states that when air quality is considered relevant to a planning application, which includes when proposals:

- Give rise to potentially significant impact (such as dust) during construction for nearby sensitive locations;
- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield; or
- Expose people to existing sources of air pollutants. This could be by building new homes, workplaces or other development in places with poor quality.

Issues

Principle

Given the nature of the existing retail park and recognising the extant permission, the principle of the development is considered acceptable. The proposed scheme would make efficient use of a previously developed site, to provide increased shopping choice for the local community, whilst contributing to the local economy through the creation of jobs.

The existing retail park currently looks partially dilapidated, tired and has been subject to transient occupancy, lack of investment and periods of vacancy over recent years.

It is considered that the proposed retail store would offer an uplift to the appearance of the retail park and regenerate an under used facility.

The proposed store represents an opportunity to introduce an anchor development which would stimulate linked trips for other occupiers of the park, with the potential to generate further investment within the retail park and the local area.

Whilst the proposed store is out-of-centre in planning policy terms, the applicant has demonstrated that there are no sequentially preferable sites, or allocated sites, within the area that are available, suitable and viable and that there would be no harmful retail impact.

The proposal would not have any unacceptable impacts, either individually or cumulatively with recently completed and approved schemes and the proposal is appropriate in terms of its scale and function to its location. The proposed development is also considered to improve the environment of an existing out-of-centre facility and would result in significant economic benefits.

The applicant has provided a Planning and Retail Statement which seeks to address the tests within policy C9 of the Core Strategy and to justify the proposals in terms of sequential and impact tests set out within the National Planning Policy Framework.

The application proposals provide less than 2,500 sqm of retail floorspace, so a full Retail Impact Assessment is not required by either policy C9 or guidance contained with the NPPF. The submitted Retail Statement is considered to be proportionate to the scale of the proposals, acceptable in scope and underlines that there is sufficient qualitative and quantitative need for the proposed store in this area.

On this basis, the proposed development is considered to accord with relevant Development Plan policy and national planning guidance. There are no material considerations of sufficient weight to indicate otherwise.

An appraisal of the more specific planning issues and the impact of the proposal upon its surroundings is outlined further below.

Loss of the Medical Centre

The demolition of the existing medical centre building has already been the subject of prior approval for its demolition.

Prior approval applications only require consideration of the means of demolition. The loss of the medical centre is clearly regrettable and concerns surrounding its loss are fully realised. Under the circumstances, the Local Planning Authority has no control over its loss or long-term future and is not a matter that can be given weight in the determination of this application.

It is understood that the NHS who operate the existing medical centre are presently exploring options for its relocation nearby. This would off-set longer term concerns surrounding its loss and would come forward for consideration as part of a future planning application.

Redevelopment of the Site and Contribution to Regeneration

The existing retail park is showing to be in a state of decline, although it is acknowledged that this has in part been facilitated by the recent demolition of retail units and ‘drive thru’ restaurant. The previous and remaining units however been subject to transient occupancy and periods of vacancy over recent years, with an overall lack of investment in the retail park.

It is considered that the proposed retail store would significantly uplift the appearance of the park and regenerate an under used shopping facility which would be otherwise left to deteriorate.

It represents an opportunity to introduce an anchor development to deliver significant social, environmental and economic improvements within a sustainable location, which will stimulate linked trips for other occupiers of the park, with the potential to generate further investment within the retail park and the local area.

Employment and Contribution to the Local Economy

The proposed Lidl store would add to the diversity of shopping choice and create increased retail competition in the area to provide a food store serving the local community, beneficial to nearby residents.

Aside from creating employment during construction and through supply chains, a typical Lidl foodstore is anticipated to provide around 40 full time equivalent jobs, delivering a significant boost to the local economy. These positions range from managers, administrative roles to store assistants and cashiers.

In order to ensure these benefits are delivered, a condition has been included which requires that the applicant enters into a local labour agreement to target local residents for employment and training opportunities generated by the development. On this basis, it is considered that the proposed development would add positively to the local and wider economy.

Retail Impact

Due to the site's out-of-centre location, the application has been accompanied by a proportionate assessment of the retail impact, as a consequence of the proposed store and this has been assessed as being acceptable.

The current proposal represents an net uplift in floor area of only 808 sqm (gross internal area) when compared to the units demolished and 192 sqm above the previously consented Lidl foodstore.

As part of the submitted assessment, the key issues are noted below.

Catchment Area

Due to its limited offer, Lidl stores generally serve a relatively compact catchment area and are intended to provide a local shopping facility equating to around 0-5 minute drive-time.

Sequential Site Assessment

Due to the out-of-centre location of the proposed store, a sequential site assessment has been undertaken by the applicant which accords an agreed catchment area.

The catchment area includes an assessment of nearb centres, as well as standalone retail units and small local centres within the area:

In assessing the suitability, viability and availability of site, the applicant has adopted parameters which reflect the development proposed, having regard to the scale, nature and range of goods typically:

Following a review of the sequential assessment, it is considered that it has been satisfactorily demonstrated there are no sequentially preferable sites within or on the

edge of the identified retail centres, which are superior to the proposed site from a sequential perspective.

Retail Impact Assessment

The NPPF states that retail proposals not located within an existing centre should be assessed according to their impact (if any) on existing centres. Impact assessments should be provided for all proposals over 2,500 sqm when the proposal is not located within an existing centre and not in accordance with an up-to-date Development Plan.

Core Strategy Policy C9 states that the level of detail within impact assessments for proposals of less than 2,500 sqm gross floorspace should be proportionate to the scale and nature of the development proposed.

The impacts of out-of-centre development will vary across the City and will need to be considered on a case-by-case basis, although the Council considers that development of less than 650 square metres gross would generally be of local significance only.

In this case, the proposal only results in a net increase of new retail floorspace of just 806 sqm (GIA) when set against the units recently demolished and 192 sqm above the extant permission. It is considered therefore that a full assessment of impact is not required for this development and as such, a proportionate impact test has been provided which takes account of the 5-minute drive time catchment area, taking account of Lidl being a neighbourhood shopping facility with a limited retail offer.

On balance, it is considered that the proposed store would not give rise to any significant adverse impacts on nearby centres.

In terms of trade draw, the applicant has undertaken quantitative analysis by way of a comparison of available convenience and comparison goods expenditure with the agreed catchment area, against the benchmark turnover of the proposed store. The previously approved store is used as benchmark as it has already been assessed as being in acceptable in retail impact terms.

The assessment demonstrates that the proposed development represents approximately 11% uplift in total turnover above the permitted development, with the turnover of the proposed store raising by £1.27m (2024) from £12.04m to £13.31m. For 2029, this increase would equate to £1.29m in additional turnover.

For the two sub-let units, reasonable assumptions are made on the end users and the amount of floorspace given over to sales. Predicted trade would see an increase from £0.49m to £0.93m in 2024, raising from £0.54-£1.04 by 2029.

The assessment demonstrates slight increases in monetary and market share percentages between the permitted and proposed foodstores. Overall, it is predicted that the proposed floorspace would add an additional £2.09m (2024) in turnover, equating to 0.81% of the existing available expenditure within the store’s catchment area.

Due to pass by trade, it should be noted that the proposed store would not draw 100% of its trade from within the identified catchment area alone, as inflow from outside the catchment would also make up a proportion of its turnover.

The analysis highlights that in the event that all of the store's trade did come from within the catchment area, it could be supported with £259.32m (2024) from the catchment area still going elsewhere in terms of overall spend. The overall turnover of the proposed store only represents approximately 8% of the overall spend within the catchment area.

In interpreting the analysis, it is considered that a robust approach has been adopted of the proposed expenditure, turnover and likely trade draw. It is considered that there is sufficient capacity for the store and the proposal is not anticipated to have a significant adverse impact on the vitality and viability of any of the assessed centres or stores within the agreed catchment area.

Disaggregation

The applicant has provided sufficient justification as to why the business operation of the proposed store cannot be disaggregated. A single level retail operation is essential to the Lidl business model and consequently disaggregation cannot be achieved without the benefits of the discount format being lost.

Conclusion

It is considered that the applicant has undertaken a satisfactory and proportionate robust impact assessment which demonstrates that there are no sequentially preferable sites and that the proposed store can be satisfactorily accommodated in this location without any significant effects upon existing retail operations within identified catchment area. The store would not have a significant harmful impact upon the health of nearby centres and there is sufficient financial capacity within the system so not to affect the viability of other operators.

The proposal would deliver a foodstore which cannot be readily accommodated within or at the edge of a nearby centre and cannot be accommodated within a sequentially preferable location. The submitted retail impact assessment also demonstrates that the development would not result in significant harmful effects upon defined retail centres in terms of trade loss.

The existing site can already legitimately be used as a foodstore and the current proposal would only result in a modest uplift of floorspace. In this case, the proposed operator (Lidl) does not provide the full retail offer. It provides a limited range of convenience and comparison goods and does not offer the range of services provided by the mainstream food retailers or smaller independent stores. As such, the impact is different than if a mainstream retail operator was to occupy the store and can be satisfactorily sustained within this sustainable out of town location within an established retail park.

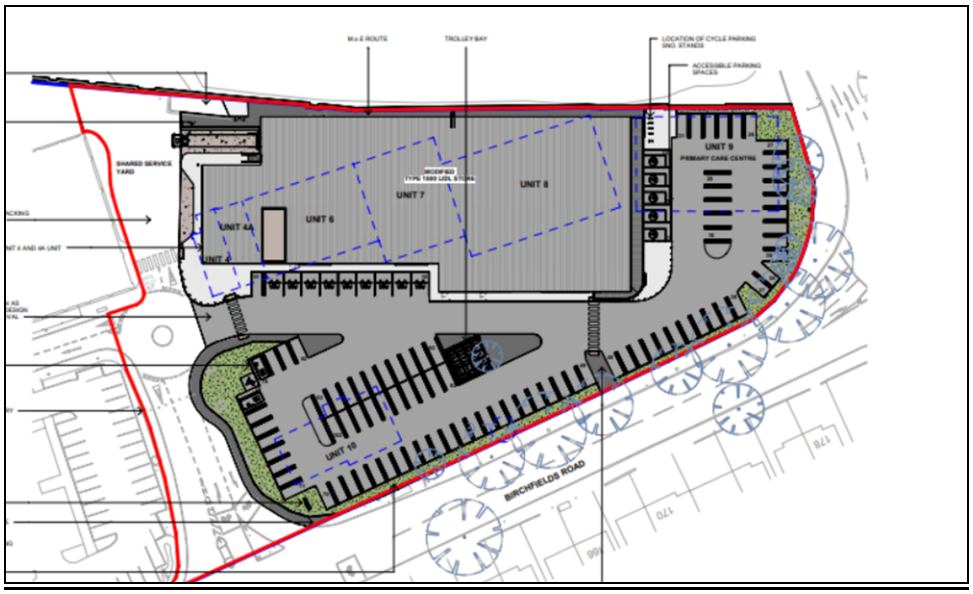
It is believed that the proposed store is appropriately located and that the addition of a discount retailer would add to consumer choice and the quality of shopping provision in the local area.

HS2

The application site falls partially within land currently safeguarded for construction and/or operation of HS2 Phase 2 (Crewe to Manchester and Birmingham to Leeds). Although the previous Government have announced the cancellation of HS2 Phase 2, Safeguarding Directions are still in place. In that context, in order to address interfaces between the proposed development and the adjacent HS2 safeguarded areas, it is requested that the standard foundation design planning conditions requested during the previous applied are reapplied. The relevant conditions have therefore been included.

Site Layout

The proposed store and adjacent sub-let units would replace existing units 4-9 located to the east of the site, including the existing medical centre.



Proposed site layout

The proposed store would be located to the eastern section of the site, with the two, smaller sub-let units adjoining the proposed store to the north, together with a shared service yard to the north.

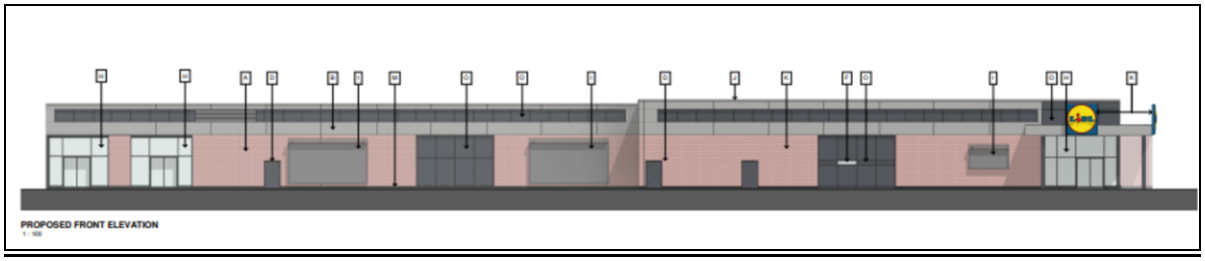
As is presently the case, the proposed building is set back from Birchfields Road, with surface parking to the front (west), wrapping around the proposed building to the south. The site would accommodate 102 parking spaces, including 5 dedicated accessible spaces, 9 parent and child spaces, and 2 electric vehicle charging spaces.

Vehicular access to the store is proposed from an existing access off Birchfields Road via upgraded signalised junction. The entrance to the Lidl store would be on the western elevation.

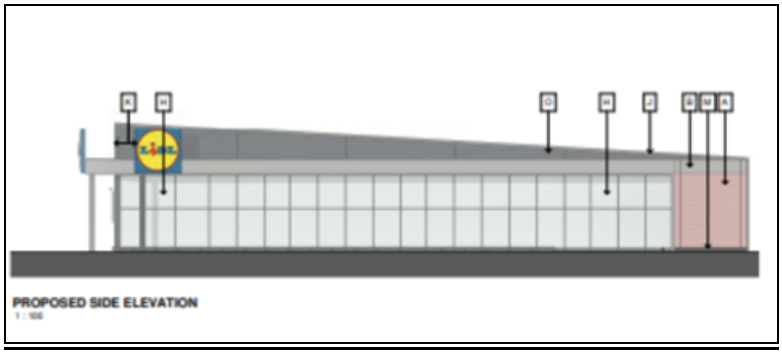
Design, Scale and Appearance

The proposed building is single storey and of contemporary design, largely representative of Lidl's standard format adopted across the UK.

The proposed building features a single height glazed elevation to the entrance, single height glazed curtain walling in grey and full height red facing brick with insulated metal wall cladding panels in grey, interspersed with poster signage zones. The roof of the store incudes a slight pitch, sloping from west to east, comprising metal composite insulated roof panels with steel coping flashing along the permitted in silver. The adjoining sub-let units feature full height curtain wall glazing to the front, western facing elevations.



Proposed front elevation



Proposed side elevation when viewed from Moseley Road

The position, scale, height and bulk of the building is comparable to the units which the building seeks to replace and given its position, set-back away from the Birchfields Road frontage, there is highly unlikely to be any issues surrounding over-dominance or intrusiveness in the street-scene.

The proposed store is situated within an established retail park where such buildings are typical. It is considered that the building can be readily assimilated into the street-scene and local context without any significant, undue impacts to visual amenity.

Impact to the Highway

A Transport Statement accompanies the application which assesses trip generation, parking demand and highway safety, whilst acknowledging the highly sustainable location of the application site and how the site is accessibly located within close proximity to a range of transport modes.

Parking

In terms of off-road parking provision, the proposed development includes parking for 102 cars within the southern portion of the retail park, including 5 accessible spaces, 9 parent and child spaces and 2 electric vehicle charging spaces. There would be an uplift of 30 spaces above the current situation and 8 additional spaces when compared to the previous permission.

Based on the submitted parking accumulation survey which uses forecasted trip generation and likely number of linked trips, the provision of 102 parking spaces is considered adequate to cover the estimated car parking demand with some spare capacity to help mitigate parking demand during busier seasonal periods or allow for increased average length of stay due to multi-visitation with other units on the retail park. The car parking spaces provided in the northern section of the retail park would also be available to Lidl customers, should they be required.

Trip Generation

Based upon the forecast trip generation during the peak traffic times for a weekday and weekend, the impact of the proposed store can be sustained.

The results of the junction modelling show that the proposed redevelopment of the retail park is forecast to have a negligible impact on the operation of the surrounding highway network and the retail park access onto Birchfields Road operates well within capacity, with all arms remaining under 90% of saturation.

Junction Modelling

The junction modelling allows for a crossing of the full width of Birchfields Road because there is already a full width crossing of Birchfields Road at the site access.

The junction already operates with an effective two-lane approach northbound and is accepted by TfGM has the appropriate way to model the junction.

In terms of the Moseley Road roundabout junction with Birchfield Road, this already considered to experience capacity problems during peak periods. However, it is not considered that the proposed development would exacerbate existing highway conditions to such an extent that would be significantly problematic.

Access

In terms of vehicular access, vehicles accessing the development would utilise the existing A34 Birchfields Road signalised junction and then access the southern section of the car park by an existing mini-roundabout which is to be improved. The carriageway would be widened and there will be more open space for pedestrians in the area around the hot food delivery unit.

Within the retail park itself, proposals include safe pedestrian linkages through the car park to the store from the adopted highway network. The site layout plan shows safe pedestrian routes from Birchfields Road through the car park on the desire line

to the Lidl store entrance. The route is enhanced with a zebra crossing within the site.

It is proposed that the pedestrian facility across the site access arm on Birchfield Road would be upgraded at the pedestrian crossing to increase pedestrian safety. Improvements to the existing signalised crossing in order to provide a full pedestrian crossing facility across both the site access and main road, would form part of the S.278 off site highway works also controlled by way of an attached planning condition.

The applicant has agreed to fund the resurfacing of the pedestrian routes serving the development to the north and east of the site, including the path along the boundary between the retail park and the neighbouring school, the route that leads to the halls of residence (Unsworth Park), as well as the uncontrolled crossing at Kingsway/Moseley Road roundabout to the south-east.

Proposed works are to also include the provision of full signal-controlled pedestrian facilities at the Birchfields Road access junction and the provision of seats to the nearest bus stops to the site.

Cycle Parking

Cycle parking is proposed in the form of 5 Sheffield cycle stands which would provide space for up to 10 bicycles. These cycle stands would be covered by the store canopy that extends over the store entrance and will serve customers of the food store. There is also allocated bicycle parking space for staff within the warehouse.

Car Park Management

A condition is suggested requiring the submission and agreement of a car park management plan to ensure the satisfactory operation of the car park and to management traffic flow at peak times.

Travel Plan

The application also includes a Travel Plan to encourage travel by non-car modes. This is conditioned as part of the planning permission to ensure ongoing compliance.

Servicing

Swept path analysis demonstrate that Lidl's standard delivery vehicle can safely enter and exit the site in a forward gear. The submitted drawings show a maximum legal length articulated vehicle (16.5m) entering the site, servicing the store at the designated loading bay and exiting the site in a forward gear, with sufficient forward visibility to the proposed service yard immediately to the north of the store, just off the internal mini-roundabout. Servicing vehicles would also have sufficient visibility when exiting the service yard should any conflict arise.

Notwithstanding the general acceptability of the proposed servicing arrangements, a condition has been included which would require more specific Servicing Management Plan to be submitted and agreed.

Residential Amenity

The proposed development is situated within an established retail park that lies adjacent to a main north/south radial route and functioning railway line.

Whilst the surrounding area is largely residential in character, including properties on the opposite side of Birchfields Road, the immediate area is already subject to a relatively high degree of activity, vehicle movements and background noise levels, as a consequence of existing operations and which until recently, included a 'drive thru' Burger King restaurant situated to the front of the site, immediately adjacent to Birchfields Road.

The proposed store is situated to the eastern side of the retail park in a similar position to the recently demolished units and the existing medical centre, separated from the nearest residential properties by the existing car park, site boundary and landscaping. In this respect, the layout is comparable to the existing situation and would limit any impact upon amenity as a result of levels of activity.

The proposed store is likely to result in an uplift to vehicle movements, albeit not significant. the existing road is already very busy with passing traffic and also traffic utilising the signalised junction. In this regard, the uplift in traffic is not considered to result in any significant uplift in noise and disturbance.

In terms of any physical impact as a result of the proposed building, the proposed store is comparable in terms of its scale and position to the units to which the store seeks to replace.

The building is sited sufficiently far enough from the nearest residential properties and given its position and single storey nature, the proposed store is not considered likely to negatively impinge on residential occupiers in terms of any over-dominance, loss of daylight/sunlight or loss of privacy.

The application has been accompanied by a noise assessment to assess the impact of the proposed development and associated operations, including servicing and external plant equipment.

The assessment includes noise modelling to predict the noise levels at the closest sensitive receptors. The assessment concludes that the impact of fixed plant and deliveries would be low. On this basis and provided the criteria and noise mitigation measures detailed within the submitted Noise Assessment are adhered to, the impact is likely to be satisfactory.

An appropriate condition has been included to ensure the noise criteria is met. A further condition has been included which requires the submission and agreement of a Noise Management Plan to ensure controls are in place to prevent any negative noise effects. Notably, activities that typically take place in the service yard. It is

believed with this safeguard coupled with a restriction of opening/serving hours, the impact on the local noise environment and existing background noise levels would be satisfactory.

Fumes/Odours

To ensure the proposed hot food delivery unit does not result in any undue fumes or odours, an appropriate condition has been included which requires the submission and agreement of a scheme for the extraction of any fumes, vapours and odours from the premises. Provided satisfactory details are agreed, the impact because of any fumes or odours is anticipated to be negligible.

Waste Management

The proposed development incorporates a service yard to the rear of the north-eastern corner of the building and it is anticipated that bins for both units will be stored there. Further information is required as to the capacity and type of waste receptables, collection and frequency arrangements. An appropriate condition has been included.

Construction Management

To make sure construction and demolition is effectively controlled and to prevent any disruption to existing occupiers in the area, or along key routes throughout this part the city, appropriate conditions are included which require the submitted demolition method statement to be adhered to and for the submission and approval of a construction management plan to detail amongst other matters, working practices, working hours, dust suppression, the parking of construction vehicles and the removal of waste.

Drainage and Flood Risk

The application site is located in flood zone 1 '*low probability of flooding'*

The submitted Flood Risk Assessment has reviewed all sources of flood risk to both the proposed development and to existing adjacent developments. The report concludes that discharge by infiltration has been identified as not possible and discharge straight into a watercourse via a new outfall has been discounted, therefore the option identified is to utilise the existing drainage infrastructure and outfall. The proposed site surface water discharge flow rate is forecast to remain as existing.

This statement has been considered by the City Council's Flood Risk Management Team who advise that notwithstanding the submitted information, further details are required in terms of surface water drainage and its subsequent maintenance. Suitable conditions have been included which require further agreement of such details. If these measures are successfully implemented, the drainage strategy is considered acceptable.

Crime and Security

The proposed development has been designed in such a way to minimise anti-social behaviour and crime.

A Crime Impact Statement accompanies the application, which in consultation with Greater Manchester Police (Design for Security), includes recommendation for physical measures to be incorporated into the design.

It is considered that provided the recommendations of the Crime Impact Statement are implemented, the impact to crime and security is satisfactory. An appropriate condition has been included in this regard.

Ground Conditions

The application is accompanied by a Phase1 Preliminary Assessment and Phase 2 Ground Investigation and Remediation report.

On the basis of the submitted reports, the ground conditions at the site are not considered prohibitive to the development proposed being delivered. A condition has been included to ensure compliance with the submitted mitigation and remediation measures identified and for a verification report to be submitted and agreed by the City Council post completion.

Ecology

As part of the application submission, the applicant has produced an Ecological Assessment to check for any key ecological features that could be affected by the proposed development.

The assessment concludes that no significant residual impact is expected which would prevent the proposed development.

Greater Manchester Ecology Unit (GMEU) have reviewed the assessment and concur with the findings that the site and its buildings have a negligible-low potential to support roosting bats and that there is no evidence of bat roosting identified.

Measures are suggested to protect nesting birds during the bird nesting season and steps to be taken should bats be encountered during works. ‘Informatives’ have been included in this regard.

The submitted assessment proposes a number of measures to promote biodiversity, including a landscaped planting scheme to incorporate a range of native species and the siting of bird nesting and bat roosting boxes to provide enhancement opportunities for nesting birds and roosting bats.

In line with legislative requirements and guidance contained within the NPPF, new development should also seek a net gain to biodiversity.

GMEU consider that the submitted Biodiversity Net Gain Metric demonstrates that there is scope on the site to deliver a 10% net gain for biodiversity. Given the low

biodiversity value of the site (being predominantly hardstanding) no further information is required in relation to BNG at this stage of the application. The statutory BNG condition therefore applies and it is recommended that a condition is also included to secure an appropriate Habitat Management and Monitoring Plan.

On this basis and subject to the inclusion of appropriate conditions, the impact to ecology is considered satisfactory.

Trees and Landscaping

The site contains a number of trees. The retail park is not situated within a conservation area and none of the trees are subject to Tree Preservation Orders. As such, none of the trees are statutorily protected.

The application is supported by an Arboricultural Impact Assessment which provides an assessment of their value.

A total of 24 trees and 1 group of trees were surveyed.

Of the surveyed trees, 6 low value trees with limited life expectancy are proposed to be removed as they are within the footprint of the proposed car parking area and their retention would not be viable.

The trees proposed to be removed are all category C and U trees with low amenity value and which include Apple, Rowan, Hawthorn trees.

The submitted survey has been assessed by the Council's Arboriculturalist. The findings of the survey are generally accepted, and their retention is not sought. No objection is raised in relation to their removal, subject to suitable mitigation planting to offset the loss of each tree that is proposed to be removed.

Mitigation is provided in the form of 7 trees (16-18cm girth), including 5 adjacent to the internal roundabout and 2 along the western perimeter next to Birchfields Road.

In addition, as indicated on the submitted landscaping scheme, extensive ornamental shrub planting is proposed to the site boundary. It is considered that on balance, the proposed landscaping, combined with the replacement tree planting would represent an enhancement to amenity and bio-diversity above existing conditions across the site. The Council's Arboriculturist has confirmed that the replacement tree specimens are acceptable.

Whilst it is considered that any tree loss is regrettable, the removal of the trees is considered necessary to facilitate redevelopment and can be suitably mitigated by the proposed new tree planting, as well as the extensive shrub planting.

On this basis and subject to the implementation of the agreed landscaping and tree planting strategy, the tree loss can be sustained in this instance and should not form a barrier to development.

To ensure the landscaping scheme is satisfactorily implemented, an appropriate planning condition is included.

Climate Change

City Council policy requires that developers focus on achieving low carbon and energy efficient developments and therefore development should be expected to demonstrate its contribution to these objectives.

The site is situated within a highly sustainable location with excellent access to a range of amenities, transport services and a residential neighbourhood to which the proposed use is largely intended to serve and therefore reducing the distance needed to travel.

It is situated within an existing residential neighbourhood, where existing infrastructure and services can be utilised. It is believed that the proposal therefore harnesses the objectives of sustainable development as advocated by the National Planning Policy Framework (NPPF), which seeks to provide development in sustainable locations, which will support strong, vibrant and healthy communities and contribute to building a strong, responsive and competitive economy.

In terms of the environmental credentials of the proposed development, the applicant proposes to implement a variety of measures to minimise the environmental impact of its stores and to contribute toward sustainability objectives. These include, limiting deliveries to around two per day, 80% of waste to be recycled, the use of highly efficient condensing boilers, heating regulated by sensors and the use of a 'Building Management System' incorporating movement sensors, Lux meters and thermostatic controls, LED lighting and water flow control devices and water meters.

Lidl would also implement Travel Plan to promote sustainable transport choices and propose to incorporate 2 electric vehicle car charging spaces to the car park.

A condition has been included which will require confirmation and agreement as to what environmental standards can be achieved.

External Lighting

The application has been accompanied by an external lighting scheme encompassing the specification (including illuminance details / mounting heights etc.) and full light spillage analysis.

The details have been assessed by Environmental Health and considered to be satisfactory and unlikely to have any adverse impact to the nearest, sensitive residential occupiers.

As a safeguard, a condition has been included which seeks the elimination of any glare or light spillage if is any encountered and assessed by the Local Planning Authority as being a nuisance.

Air Quality

An Air Quality Assessment has been submitted as part of the application to determine baseline conditions and assesses whether changes to air quality due to the construction and operation of the proposed development could significantly alter air quality.

The assessment considers the potential effects during the construction phase, including dust fugitive dust emissions and the impact during the operational phase, taking into account exhaust emissions from road traffic generated by the proposal.

An assessment of dust soiling and human health impacts during the construction phase has also been undertaken. Whilst it is noted that here is a risk of dust generation during construction, it is maintained that with the implementation of mitigation measures outline within the assessment, the dust impacts from the construction phase are considered to be not significant.

The report provides a review of existing air quality in proximity to the proposed development site. The potential local air quality impacts associated with traffic generated by the development are assessed at existing residential receptors on roads subject to increased vehicle generation using the detailed dispersion model ADMS-Roads. The suitability of the site for commercial use in terms of air quality is also considered.

The AQA concludes that the impact of emissions from traffic associated with the proposed development on local air quality at relevant receptor close to the road network surrounding the site is negligible and there is no reason for air quality impact to form a barrier to development.

Conclusion

The application site already benefits from an extant permission for a new retail store. This current application proposes an increase in floorspace which would be facilitated by the demolition of a unit used as a medical centre. The loss of the medical centre in itself is acknowledged and is set out in the report.

The proposed development would make efficient use of a previously developed site, to provide increased shopping choice for the local community, whilst contributing to the local economy through the creation of jobs.

The applicant has also demonstrated that given the out of centre location of the site, there are no sequentially preferable sites, or allocated sites, within the area that are available, suitable and viable. The proposal would not have any unacceptable impacts, either individually or cumulatively with completed or approved schemes and the proposal is appropriate in terms of its scale and function to its location. It is further considered that the proposal would uplift the appearance of the site.

On this basis, the proposal is considered to accord with the aforementioned planning policy and guidance and there are no material considerations to indicate otherwise.

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 the right to a fair hearing and to this end the Committee 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 polices 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 approval of the application is proportionate to the wider benefits of approval 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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter. The proposal is considered to be acceptable and therefore determined within a timely manner.

Conditions to be attached to the decision

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings received by the City Council as Local Planning Authority on 9 April 2024:

-Site Location Plan (7397-SMR-00-XX-DR-A-2001-A3-C3);
-Proposed Site Plan (7397-SMR-00-XX-DR-A-2003-A3-C6);
-External Works Plan (7397-SMR-00-DR-DR-A-2004-A3-C6);
-Proposed Floor and Roof Plan (7397-SMR-00-ZZ-DR-A-2005-A3-C5)
-Proposed Elevations (7397-SMR-00-ZZ-DR-A-2006-A3-C6);
-Site Sections (7397-SMR-00-ZZ-DR-A-2010-A3-C5); and
-Landscaping Details (R/2472/1C).

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) With the exception of demolition, no above ground development that is hereby approved shall commence unless and until samples and specifications of all other materials to be used on all external elevations of the development, have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed materials.

Reason - To ensure that the appearance of the development is acceptable to the City Council as Local Planning authority, in the interests of the visual amenity, pursuant to policies SP1, EN3 and DM1 of the Core Strategy.

4) Notwithstanding details submitted, prior to the commencement of development (excluding demolition), a construction management outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority, which for the avoidance of doubt should include:

- Measures to control noise and vibrations;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

The development shall only be carried out in accordance with the approved construction management/demolition management plan.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy

5) The development hereby approved shall only be implemented in accordance with the measures detailed within the submitted Demolition Method Statement, received by the City Council as Local Planning Authority on 8 May 2024.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy

6) (a) Prior to occupation of the proposed retail store (Class E), details of a local labour agreement in order to demonstrate commitment to recruit local labour for the operational element of the development shall be submitted for approval in writing by the City Council, as Local Planning Authority.

(b) The approved document shall be implemented as part of the occupation of the development. Within six months of the first occupation of the development details of the results of the scheme shall be submitted for consideration.

Reason - To ensure the applicant has demonstrated a commitment to recruiting local labour, pursuant to policies SP1, EC1 and DM1 of the Manchester Core Strategy (2012).

7) The development hereby approved shall be implemented in accordance with the submitted Phase 1 Site Investigation and Preliminary Risk Assessment (Ref: 806.01.01) and Phase 2 Ground Investigation Report (Ref: 806.-02.01), produced by Remada and received by the City Council as Local Planning Authority on 9 April 2024.

Prior to occupation of the units hereby approved, details of a watching brief, an analysis of any imported soils and any waste transfer notes, shall be submitted for approval in writing by the City Council as Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

8) When the development commences, the development shall be carried out in accordance with the previously agreed Phase 2 Ground Investigation (Ref: 806.02.01, received by the City Council as Local Planning Authority on 9 April 2024. Following completion of the development, a verification report shall be submitted to confirm no contamination was found. This shall be submitted to and approved in writing by the City Council as Local Planning Authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

9) The retail units (Class E) hereby approved shall not be open outside the following hours:-

07:00 to 23.00 hrs Monday to Sunday;
10.00 to 17.00 hrs Sundays and Bank Holidays;

Reason - To safeguard residential amenity, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

10) The hot food delivery unit (sui generis) hereby approved shall not be open outside the following hours:

11.30 to 00.00 hrs daily.

Reason - To safeguard residential amenity, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

11) Deliveries, servicing and collections, including waste collections shall not take place outside of the following hours:

07.30 to 20.00 hrs Monday to Saturday;
No deliveries/waste collections on Sundays and Bank Holidays.

Reason - To safeguard the amenities of nearby occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

12) The development hereby approved shall only be implemented in accordance with the physical security specifications outlined within sections 3.3 and section 4 of the submitted Crime Impact Statement (Ref: 2020/0499/CIS/02 - version A) dated 16 January 2024, received by the City Council as Local Planning Authority on 9 April 2024.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

13) Notwithstanding details submitted, none of the units hereby approved shall be occupied until space and facilities for staff and visitor bicycle parking have been provided in accordance with details to be submitted to and approved in writing by the City Council as Local Planning authority. The bicycle parking shall be secure and weatherproofed and shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy.

14) The landscaping scheme incorporating replacement tree planting shown on Landscape Plan (R/2472/1C) received by the City Council as Local Planning Authority on 9 April 2024 shall be implemented in full prior to the first occupation of the units hereby approved. 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.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

15) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shown on the approved drawings shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)
(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy.

16) Prior to first occupation of the commercial units hereby approved, the bio-diversity enhancement measures detailed within Section 5 of the submitted Ecological Impact Assessment (Ref: MAN.1230.027.EC.R.001) produced by Enzygo, received by the City Council as Local Planning Authority on 9 April shall be implemented in full and retained and maintained thereafter.

Reason -To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework.

17) Prior to the commencement of above ground development, a Biodiversity Gain plan and an accompanying Habitat Management shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall be implemented and maintained in accordance with the agreed details and shall be retained thereafter.

Reason - In the interests of biodiversity net gain being achieved on site pursuant to Policy EN15 of the Manchester Core Strategy, Policies JP-G8 of Places for Everyone, National Planning Policy Framework (NPPF) and Schedule 7A of the Town and Country Planning Act 1990 (as amended).

18) The development hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of any new boundary treatment/gates to be erected. The development shall only be carried out in accordance with the approved details and shall thereafter be retained.

Reason - In the interests of security and to ensure that the appearance of the development is acceptable to the City Council as Local Planning Authority in the interests of the visual amenity of the area within which the site is located, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

19) Prior to the first occupation of the units hereby approved, a Car Park Management Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The Car Park Management plan shall include details of car park information/directional signage, staff parking, space allocation between competing uses, marshalling arrangements at busy times and any time limitations on parking. The agreed Car Park Management plan shall be implemented as part of the development and remain in use so long as the approved uses are operational.

Reason - To mitigate harm to the operation of the highway and the amenity of noise sensitive occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy

20) Notwithstanding details submitted, prior to the first occupation of the foodstore (Class E) hereby approved, a Servicing Strategy shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The strategy shall include details of the number and frequency of deliveries/collections, vehicle sizes, delivery times, noise management, access and safety arrangements. The agreed Strategy shall be implemented as part of the development and remain in use so long as the approved use is operational.

Reason - To mitigate harm to the operation of the highway and the amenity of noise sensitive occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

21) The electric vehicle charging points shown on drawing referenced 7397-SMR-00-XX-DR-A-2003-A3-C6, received by the City Council as Local Planning Authority on 9 April 2024, shall be installed and operational prior to the commercial units hereby approved being occupied and be retained thereafter.

Reason - In the interest of air quality, pursuant to policies DM1 and EN16 of the Manchester Core Strategy.

22) The accessible parking spaces shown on drawing referenced 7397-SMR-00-XX-DR-A-2003-A3-C6, received by the City Council as Local Planning Authority on 9 April 2024, shall be implemented prior to the commercial units hereby approved being occupied and be retained thereafter.

Reason - To ensures sufficient accessible car parking provision, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

23) Prior to the commencement of development, A BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. Confirmation of the agreement and the agreed measures shall be submitted to approved in writing by the City Council as Local Planning Authority prior to works commencing on site. The development shall only be implemented in accordance with the measures agreed by Network Rail.

Reason - To safeguard adjoining railway land and in the interest of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

24) Notwithstanding details submitted, none of the commercial units hereby approved shall be occupied until separate schemes for the storage (including segregated waste recycling) and disposal of refuse for both units, has been submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of public health and residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

25) Before the hot food delivery unit use commences, a scheme for the extraction of any fumes, vapours and odours from the premises hereby approved shall be submitted to and approved in writing by, the City Council as local planning authority. The approved scheme shall be implemented prior to occupancy and shall remain operational thereafter.

Reason - In the interests of the amenities of the occupiers nearby properties in order to comply with saved policy DC10 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

26) The development hereby approved shall be implemented in accordance with the measures contained within the submitted Energy Usage and Sustainability Statements, received by the City Council, as Local Planning Authority on 9 April 2024.. The development shall only be implemented in accordance with the agreed measures.

Reason - In order to minimise the environmental impact of the development, pursuant to policies DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework.

27) Notwithstanding details submitted, no above ground development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the City Council as Local Planning Authority.

In order to avoid/discharge the above drainage condition the following additional information should be provided:

-Clarification on the proposed discharge rates into Fallowfield Brook culvert;

-Maximised integration of green SuDS components if practicable, to compensate for the proposed loss of bioretentive features on-site. An appraisal of green SuDS components demonstrating maximised integration should be submitted;

-Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment, i.e. at least a 50% reduction in runoff rate compared to the existing rates, as the site is located within Levenshulme Fallowfield Critical Drainage Area. Please note that all new connections to the watercourses shall comply with reduction of flows to Greenfield runoff rates;

- An existing and proposed impermeable areas drawing to accompany all discharge rate calculations;

- Runoff volume in the 1 in 100 year, 6 hours rainfall shall be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event, but never to exceed the runoff volume from the development site prior to redevelopment;

- Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 40% climate change in any part of a building;

-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;

- Results of ground investigation carried out under Building Research Establishment Digest 365. Site investigations should be undertaken in locations and at proposed depths of the proposed infiltration devices. Proposal of the attenuation that is achieving half emptying time within 24 hours. If no ground investigations are possible

or infiltration is not feasible on site, evidence of alternative surface water disposal routes (as follows) is required;

-Where surface water is connected to the ordinary watercourse, agreement in principle from Manchester City Council as Lead Local Flood Authority is required. Please note that all new connections to the watercourses shall comply with reduction of flows to Greenfield runoff
rates. An email of acceptance of proposed flows and/or new connection will suffice.

-Where surface water is connected to ordinary watercourse, any works within or adjacent to the watercourse that would affect it would require consent from Manchester City Council as Lead Local Flood Authority;

-Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or
new connection will suffice;

-For sites where proposed development would cause unusual pollution risk to surface water (large car park areas (>50 parking spaces) or industrial estates), evidence of pollution control measures (preferably through SuDS) is required.

- Hydraulic calculation of the proposed drainage system;

- Construction details of flow control and SuDS elements.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8 and EN14 of the Manchester Core Strategy.

28) The development hereby approved shall not be occupied until details of the implementation, maintenance and management of a sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
- A verification report providing photographic evidence of construction as per design drawings;
-As built construction drawings if different from design construction drawings;
-Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system, pursuant to policy EN17 of the Manchester Core Strategy.

29) a) Any externally mounted ancillary plant, equipment and servicing to be installed shall be selected and/or acoustically treated in accordance with a scheme designed

so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to its installation, the scheme shall be submitted to and approved in writing by the City Council as Local Planning Authority in order to secure a reduction in the level of noise emanating from the site.

b) Prior to any externally mounted ancillary plant, equipment and servicing to be installed becoming operational, an approved verification report shall be submitted to and approved in writing by the City Council as Local Planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non - conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

30) The development hereby approved shall be implemented in accordance with the criteria and noise mitigation measures detailed within the submitted Noise Assessment (Ref: 102452_V6), produced by Miller Goodall, dated 27 March 2024 and received by the City Council as Local Planning Authority on 9 April 2024.

Reason - To safeguard the amenity of nearby properties, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

31) Prior to commercial units hereby approved becoming operational, a Noise Management Plan (NMP) shall be submitted to and approved in writing by the City Council. The NMP shall include an assessment of noise from all activities associated within loading bays and service yards. Where applicable, the noise assessment should take account of multiple noise sources operating simultaneously and report the cumulative impact. The noise impact of the development should be controlled to the criteria set out in the City Council's Planning and Noise Technical Guidance.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

32) The development hereby approved shall only be implemented in accordance with the agreed lighting details shown on drawings referenced 00 (design notes and luminaire schedule) and 01 (lighting layout), received by the City Council as Local Planning Authority on 9 April 2024 and shall remain in operation for so long as the development is occupied.

Reason - In the interests of amenity, crime reduction and the personal safety of those using the proposed development pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

33) If any lighting at the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby residential properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as Local Planning Authority and once approved shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

34) No signage of any type, including internal window vinyls shall be installed to any areas of glazing or curtain walling. Building advertisements shall be restricted solely to the billboard locations, as shown on drawing referenced 7397-SMR-00-ZZ-DR-A-2006-A3-C6 received by the City Council as Local Planning Authority on 9 April 2024.

Reason - To prevent the proliferation of advertisement and to safeguard visual amenity, pursuant to saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies DM1, EN1 and SP1 of the Manchester Core Strategy.

35) Prior to occupation of the commercial units hereby approved, full details of all necessary off-site highway works shall be submitted to and approved in writing by the City Council as Local Planning Authority and be implemented in accordance with a timescale to be agreed by the City Council as Local Planning Authority. Such works shall include:

-The upgrade of pedestrian facilities at the Birchfield Road access junction to provide signalised pedestrian facilities across all arms of the junction and to run with a full pedestrian stage. This requires the removal of the existing triangular island.

-Bus stop improvements to the nearest bus stops to the site. Namely, seat provision;

-Improvements to pedestrian routes serving the development the north and east of the site, including the path along the boundary between the retail park and the neighbouring school, the route that leads to the halls of residence (Unsworth Park), the uncontrolled crossing at Kingsway/Moseley Road roundabout. The improvements shall entail new dropped kerbs and tactile pavement to crossing points and the resurfacing of the central crossing section across the central reserve adjacent to the Kingsway/Moseley Road roundabout.

The development shall not be occupied until all the necessary off-site highway works have an agreed timescale for implementation.

Reason - To encourage walking to the site and in the interests of highway safety, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

36) No development shall commence until detailed design and method statements for all of the ground-floor structures and for any structures below ground level, including piling (temporary and permanent) have been submitted to, and approved by the City Council as Local Planning Authority in liaison with HS2 Ltd which:

- accommodate the proposed location of the HS2 underground and other structures, including any temporary works;
- accommodate ground movements arising from the construction thereof;
- mitigate the effects of sound and vibration arising from the operation of the HS2 railway or alternative scheme within the HS2 underground and other structures;
- mitigate the effects on HS2 infrastructure of ground movements arising from the proposed development; and
- mitigate the impacts of electromagnetic transmissions arising during operation of the HS2 railway or alternative railway scheme.

Reasons - to safeguard the HS2 programme or alternative railway scheme and to protect HS2 assets, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

37) The method statements to be submitted shall include arrangements to secure that, during any period when concurrent construction is taking place of both the development hereby permitted and of the proposed HS2 infrastructure in or adjacent to the site of that development, the construction of the HS2 infrastructure or alternative railway scheme is not impeded. The development shall be carried out in all respects in accordance with the approved designs and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraph 1 of this condition shall be completed, in their entirety, before any part of the proposed development building(s) hereby permitted is/are occupied.

Reason - to safeguard the HS2 programme or alternative railway scheme and to protect HS2 assets, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

38) No works below ground level comprised within the proposed development hereby permitted shall be carried out at any time when the HS2 underground construction or any alternative railway scheme, is in progress within 100 metres of the land on which the development hereby permitted is situated.

Reasons - to safeguard the HS2 programme and to protect HS2 assets, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

39) The development hereby approved shall only be carried out in accordance with mitigation measures detailed within the submitted Air Quality Assessment produced by Miller Goodall (Ref: 102451-2 V2) dated 18 March 2024 received by the City Council, as Local Planning Authority on 9 April 2024.

Reason - To minimise the impact upon air quality and in order to minimise the environmental impact of the development, pursuant to policy EN16 of the Manchester

Core Strategy, National Planning Guidance and National Planning Policy Framework (NPPF).

40) Notwithstanding details submitted, a detailed Travel Plan shall be submitted to and agreed in writing by the City Council as Local Planning Authority prior to first occupancy of the units hereby approved. In this condition a Travel Plan means a document which includes:

(1) The measures proposed to be taken to reduce dependency on the private car by those attending or employed in the development;
(2) A commitment to surveying the travel patterns of staff and customers during the first three months of the development and thereafter from time to time;
(3) Mechanisms for the implementation of the measures to reduce dependency on the private car; and
(4) Measures for the delivery of specified travel plan services; and measures to monitor and review the effectiveness of the Travel Plan in achieving the objective of reducing dependency on the private car.

Within six months of the first use of the development, a revised Travel Plan which takes into account the information about travel patterns gathered pursuant to item (2) above shall be submitted to the City Council as local planning authority for approval. Any Travel Plan which has been approved by the City Council as local planning authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To reduce dependency on the car travel and to promote alternative means of transport, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 139751/FO/2024 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

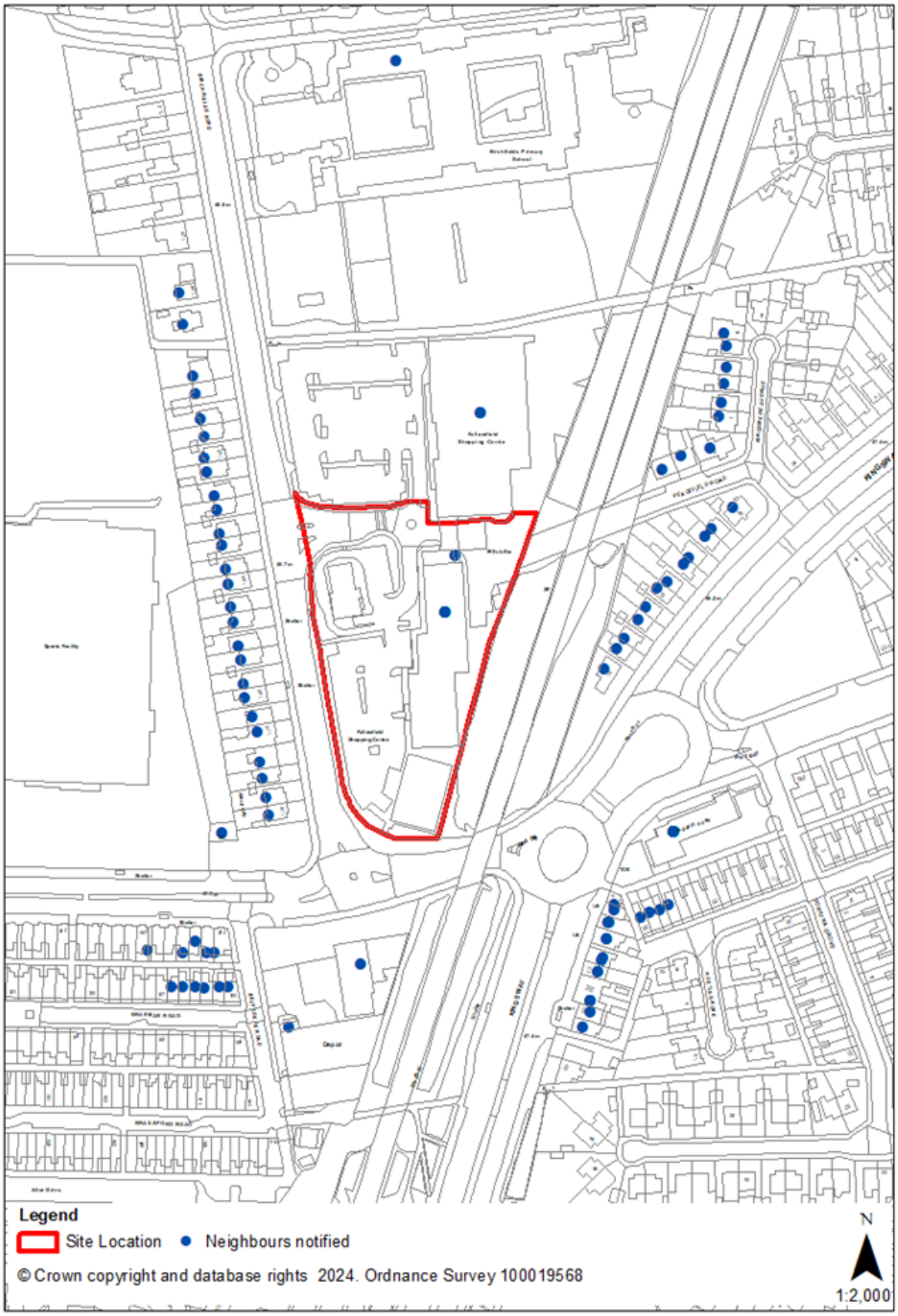
The following residents, businesses and other third parties in the area were consulted/notified on the application:

High Speed Two (HS2) Limited
Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

Greater Manchester Ecology Unit
Electricity Northwest
Network Rail

A map showing the neighbours notified of the application is attached at the end of the report.

Relevant Contact Officer : Steven McCoombe
Telephone number : 0161 234 4607
Email : steven.mccoombe@manchester.gov.uk


Legend
Site Location
Neighbours notified
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