

Planning

Growth & Development

Delegated officer report for planning application

Application no.	CDN/22/0687
Date registered valid:	30 September 2022
Proposal:	Discharge of condition numbers 12 (Cycle Parking), 18 (Car Park Management) and 30 (noise management plan) from Planning Permission 130189/FO/2021
Address:	Fallowfield Shopping Centre, Birchfields Road, Manchester, M14 6FS
Ward(s):	Rusholme Ward
Applicant:	Lidl Great Britain Limited C/o Agent
Agent (if any):	Mr Joshua Ambrus, Rapleys, York House, York Street, Manchester, M2 3BB
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	25 October 2022

Application details

Type of application: Approval of condition application

Development type: Notifications

Standard consultations:

Printed: 3 October 2022 Expired: 24 October 2022

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Issues

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights

conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

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

1) The cycle parking details shown on drawing referenced SMR-00-ZZ-DR-A-2014-A3-P1, received by the City Council as Local Planning Authority on 26 September 2022 is satisfactory. Subject to implementation of the agreed details, condition 12 can be discharged.

2) The details contained within the Car Park Management Strategy (Ref: RC/200272/CPMS/00) produced by SCP, received by the City Council as Local Planning Authority on 26 September 2022, is satisfactory. Subject to implementation of the agreed details, condition 18 can be discharged.

3) The details contained within the Noise Management Plan (Ref: 102452-3) produced by Miller Goodall, dated 24 August 2022 and received by the City Council as Local Planning Authority on 26 September 2022 is acceptable. Subject to implementation of the agreed Plan, condition 30 can be discharged.

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited
Highway Services
Environmental Health

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA