

Application Number	Date of Appln	Committee Date	Ward
135647/FO/2022	2nd Dec 2022	16th Feb 2023	Chorlton Park Ward

Proposal Erection of a new Lidl foodstore (Use Class E) with associated car parking and landscaping

Location 550 Mauldeth Road West, Manchester, M21 7AA

Applicant Lidl Great Britain Limited

Agent Mr Joshua Ambrus, Rapleys

Executive Summary

The proposal is for the erection of a retail foodstore (Class E) with new access arrangements, following demolition of existing structures. It is proposed that the store is operated by Lidl.

In response to the application as submitted, 180 representations have been received. 76 in support, 9 neutral and 95 of which object to the proposal.

One of the letters titled Community Letter of Objection was received with 122 signatories.

Key Issues

- Since a change in the use classes order introduced by Central Government the use as an office building is now in the same use class as retail and therefore the existing building could be used for retail without the need for an application for planning permission.
- 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.
- The proposed redevelopment has the potential to bring about significant economic, environmental and visual improvements by replacing what is currently underutilised brownfield land with a modern foodstore development. Such development would improve the appearance of a prominent site adjacent to a key arterial route.
- The development would be located to the south of a Grade II* Listed Heritage asset which has been taken into account in the Scale, Mass, Layout, Design and material selection of the submitted scheme.
- The application has been considered by both TfGM and Highways Services. Subject to necessary off-site highway works, no significant issues are raised.

Description

The application site measuring 0.69 hectares is currently occupied by a building known as Lowry House, it is the former Carillion office block and associated car park that was utilised more recently as temporary accommodation during the

establishment of Chorlton High School South further to the east along Mauldeth Road South. The four storey office 1970's block would be demolished to make way for the development.

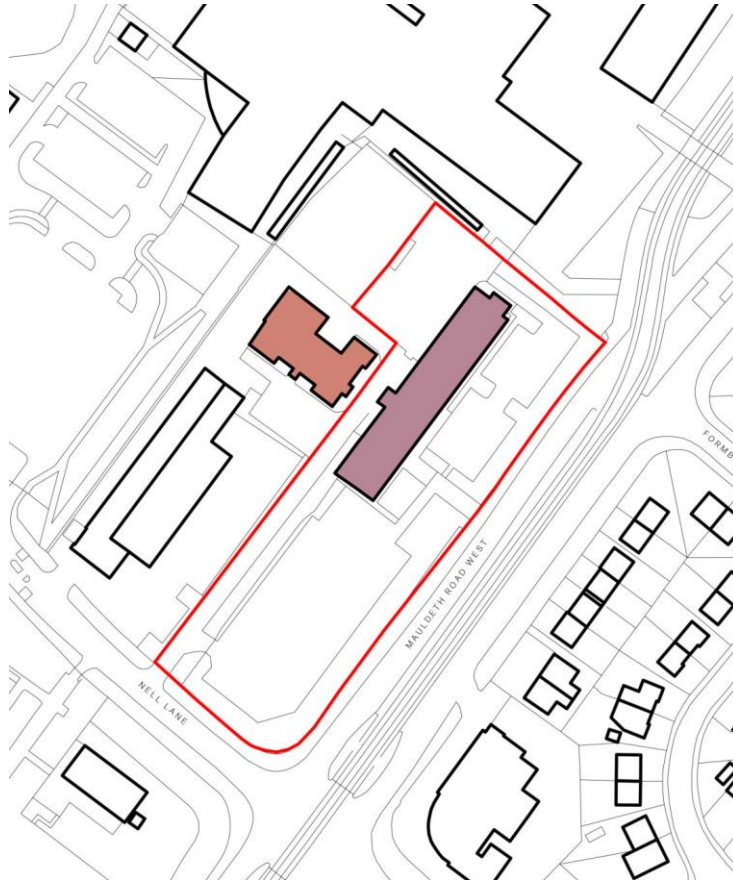


To the north west, on the other side of an unadopted service road, lies the former Mauldeth House, which was utilised as an office building and the Grade II* Listed Hough End Hall, a 16th century manor house, which is now utilised as a mosque and educational centre. To the north and east lies Chorlton High School. To the south lies Mauldeth Road West with a former public house known as The Southern and housing beyond and to the west lies Nell Lane with Chorlton Park beyond. The wider area is characterised as predominately residential with shopping parades.

The site is enclosed by green weld mesh fencing, with a wall for a small section defining the entrance to the former Carillion/CHS South building. Vehicular access is taken off Nell Lane near to the signalised junction with the Mauldeth Road West. This access also provides a route to parking associated with Mauldeth House and Hough End Hall. Metrolink is street running at the junction of Nell Lane and Mauldeth Road West in front of the site, protected in a central reservation for the rest of the length of the application site before it swings off road in front of Chorlton High School.

The site lies within Flood Zone 1 (low risk of flooding).

The site is not located within or adjacent to a Conservation Area.

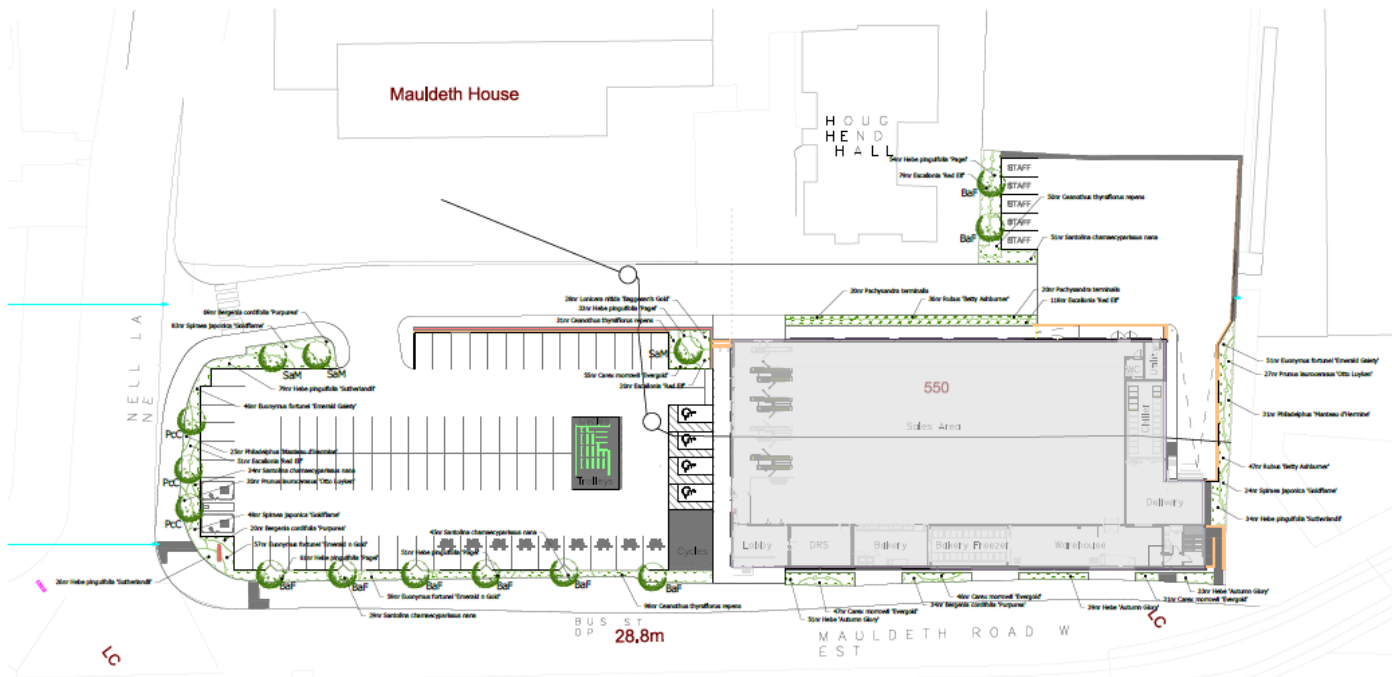


Proposal

Planning permission is sought for the erection of a new retail food store (Use Class E) to be operated by Lidl.

The proposed development comprises 1988 sqm gross internal area (GIA), with a net sales area of 1360 sqm together with associated servicing area, parking and landscaping. There would be 85 car parking spaces (including 4 disabled, 9 parent & child spaces, 2 electric vehicle charging (Electric Vehicle Charging) spaces. The store would be open from 07.00 to 23.00 Monday to Saturday and 10.00 to 18.00 Sundays and Bank Holidays.

The proposed development would be accessed via a widened existing access off Nell Lane with deliveries taking place from the north of the site.



Environmental Impact Assessment Screening

The application proposals were subject to the issuing of a formal screening opinion by the Council as local planning authority. This concluded that this development would have some impact on the surrounding area. However, it was judged that these would not be significant to warrant a formal Environmental Impact Assessment and that the formal opinion of the City Council, is that an Environmental Impact Assessment is not required to accompany this application in this instance.

Publicity

The proposal due to the scale of development has been classified as a major development. As such it has been advertised in the local press (Manchester Evening News) as a major development. A site notice was displayed at the application site. In addition, statutory consultees have been consulted and notification letters were sent an extensive area.

A Statement of Community Involvement is submitted with the application that sets out that the applicant undertook pre-application engagement with the local planning authority, local councillors and local residents (leaflet drop, web page, public exhibition and phone number provided).

Consultation responses

Following the neighbour notification and advertisement of the proposals, 180 responses were received from residents and businesses 95 of these were objecting to the proposals, 76 responses made supportive comments. 9 neutral comments were received.

One of the letters titled Community Letter of Objection was received with 122 signatories including the Head Teacher of Loretto High School.

One of the letters of objection is from the Head Teacher of Chorlton High School

Objections received state that:

- Committee should visit the site during peak school hours to appreciate the unsuitability of this location including the long-standing road safety, congestion, and the pollution issues on this busy multi-school corridor.
- This site is not suitable for a large supermarket development because it is close to three large high schools, a large primary school, a foodbank, and family support charity centre. The site is not in a town centre location.
- The proposal to build a large supermarket car-centric development on this site is not consistent with Manchester City Councils Active Travel strategy and other related policies and priorities of Manchester City Council and the Greater Manchester Combined Authority. The alterations to the highway will be detrimental to pedestrians and cyclists experience Other authorities have refused similar development.
- The application has missing information (an additional highways technical note), unrealistic assumptions (about travel distances), and failure to properly consider the impact this development will have on the surrounding school communities demonstrates a lack of ethical consideration and conscious omission of information throughout the proposed development.
- This supermarket will create more traffic (from further afield) with large amount of arrivals and departures, leaving the local residents subject to more air pollution; There is too much car parking and servicing contrary to Manchester's commitment to reducing CO2.

- There is not enough parking as people will not travel on foot, by bicycle or use public transport (buses are quite a long walk away), Mauldeth House should be demolished to provide parking with a one way system.
- The increase in traffic near schools and a park will increase air pollution on roads that are already congested to the detriment of users of sports facilities and playgrounds causing harm to public health. Reference being made to the Clear Air (Human Rights) Bill and the Environmental Protection Act 1990. A query was made about how the Air Quality Assessment and how it assesses the existing baseline and a suggestion was made that the site is established as an extension to Chorlton Park.
- Construction traffic will disturb the learning of children at neighbouring schools.
- There is a need for speed bumps on Nell Lane and Mauldeth Road West to slow traffic, children have been hit by cars on Mauldeth Road West. St Werburghs Road/ Nell Lane has been indicated as an 'active travel route' on the maps used in the ongoing Manchester active travel consultation.
- Local schools are concerned that the store will serve as a magnet for children from local schools. They also believe that it will discourage students from cycling to the schools due to the impacts on road conditions undermining efforts by the schools to encourage active travel. This location is important as an active and safe school travel corridor.
- The Transport Assessment's consideration of accidents is misleading as it only counts some accidents within a narrow radius of the site.
- The increase in traffic might affect the operation of Metrolink and Southern Cemetery.
- The existing building should be reutilised rather than be demolished. This goes against the Council's carbon neutral objectives. It should be repurposed for affordable housing for key workers.
- The site should be utilised to bring forward a multi storey mixed use development that brings forward affordable housing which is much needed; and or a hotel / office use.
- There were criticisms of the submitted Travel Plan, SUDS, lack of photovoltaics and that the development did not meet the 10% biodiversity net gain target. The need for trees to compensate for road pollution and to block views of the supermarket from the main road were referenced.
- The area is already served by supermarkets and shops and this additional store would affect the vitality of independent retailers in Chorlton.
- The design of the scheme (including advertising posters) would disrespect the heritage of the listed building at Hough End Hall. One resident stated that the design should be akin to the Hall and school design.

- Concerns about the impact of the proposals on the Beech tree to the front of Hough End Hall.
- Concern about the possible impact on the operation of the Mosque/academy
- Littering associated with the use on site and within the neighbouring park
- Loss of the fencing around the site might allow children to access the car park.
- Criticism of pre-application engagement and the timing of the submission of the application at Christmas.
- Very few people who support the development and that there were more suitable sites.

Expressions of support for this proposal relate to:

- The offer of an improvement to the overall retail offer in the area, in terms of a reasonably priced grocery shopping offer in time of a cost of living crisis.
- Having a facility such as this would be of significant benefit to the community as it will be accessible on foot, by bicycle and by public transport (with linked trips during pick up/drop off to schools) and will result in a reduction of car and taxi journeys which people currently have to make from this area to do their weekly shop.
- The proposal will solve the problem of the current site being an eyesore and will remove an existing ugly building which dwarves the historic Hough End Hall.
- The car park may take the pressure off Nell Lane during drop off / pick up periods where parents park inconsiderately.
- The scheme would cause no further traffic than there was when the building operated for Carillion or for the temporary accommodation for Chorton High School South. People will visit throughout the day rather than at peaks as with previous occupants.
- The increase in traffic will be a worthy sacrifice.

Neutral comments suggested that the store should open after school drop off time. – Comments were made that residents were promised a Low Traffic Neighbourhood to be established on Sandy Lane with a cycle lane, this is a U-turn. One comment suggested access from Mauldeth Road West as an alternative. One comment states that there is a need for a wider footpath and a segregated cycle access with a cyclops junction to Nell Lane and Mauldeth Road West and speed bumps to St. Werburghs Road.

Objections and expressions of support asked for an increase in the amount of cycle parking, suggest the introduction of cargo bikes and request a cycle link to Barlow Moor Road and a cycle lane on Nell Lane.

Chorlton Voice

The proposed location, by a busy crossroad and close to four schools, is an inappropriate location for a new foodstore. The additional traffic and turning movements generated would be a hazard to pedestrian safety in the area. The proposed site layout is dominated by car parking, with little meaningful soft landscaping.

Given that the submitted Transport Assessment forecasts peak parking demand to be 67 spaces, the proposed 85 spaces is clearly excessive. The number of spaces provided could be significantly reduced, allowing space for meaningful site landscaping, including Sustainable Urban Drainage.

Ward Councillors

Comments received from the three Chorlton Park councillors

General

Were surprised to learn of Lidl's interest in this site as it was expected to come forward for homes. Disappointed that this site is to be developed on its own as believe that for our area it would be beneficial for it to be developed alongside the Mauldeth House site, so that a development could be created which fully supports Hough End Hall and supports aims for the city, to make Manchester a world leading city, reducing inequality and becoming a zero carbon city by 2038.

That said, Ward Members have long had real concerns that so many of the ward's residents live in a food desert, that is, over a mile from the nearest supermarket. This primarily affects those parts of the ward furthest from tram stops and that have endured cut after cut to bus services year on year. Those areas are also where people are less likely to have access to a private car. Many people currently travel considerable distances to a reasonably priced supermarket. So we are very aware that for many residents this is an extremely welcome development that will bring real opportunities for reasonably priced food, including those whose households have been hit extremely hard by the cost-of-living crisis.

Also welcome and appreciate the considered approach to building design in keeping with Hough End Hall. Welcome the one-delivery and out-of-hours approach to servicing.

Should the application be approved however, there are serious concern. These are covered below but the main one is road safety and the safety of school students. Want to see those concerns addressed either by Lidl directly or by the imposition of planning conditions. Think that to allow the application to proceed without much more serious consideration of this on site would be seriously detrimental to the safety of our local young people.

Impact on road safety especially for school children

Noted with surprise that the original assessment was a desk-based exercise at a site that all those with local knowledge know is problematic.

There are four large schools within half a kilometre of the proposed supermarket site. Chorlton High, immediately north on Nell Lane, has 1500 students. Chorlton Park Primary 400 metres away on Mauldeth Road West has 800 + children from nursery age, Loreto High School, 400 metres to the south, has 764 students), and finally Chorlton High South, 1500 students and 400 metres to the East off Mauldeth Road West. The presence of two of these schools is not acknowledged in the Lidl planning application. This is a major oversight on the part of the applicants.

But in total this makes 4,500 school students from the age of 2 to the age of 16 in the very near vicinity twice per day. Believe this means that there is a heightened responsibility to ensure that the local walking and cycling environment for children, already far from ideal, must not become more hostile. Concerned that neither the Transport Assessment nor the Stage One Road Safety Audit specifically referred to the great sensitivity at this site for the safety of children. This is a key concern.

As local councillors have worked continuously and closely for many years with all our schools, and the Council, to improve safety in the vicinity for our children. In Summer 2022, MCC Highways department invested significantly in new infrastructure to improve safety in front of Chorlton High School, Loreto, and Chorlton Park Primary schools including the provision of bollards on pavements. This work was undertaken specifically to discourage parents from driving to school, and parking. As things stand the provision of this space significantly undermines that work.

Both Loreto and Chorlton High have historically benefited from an investment programme from Tfgm, to improve local walking and cycling infrastructure including Bikeability training.

It is not possible for that number of children to arrive safely in school unless most of them walk or cycle. Therefore it is essential that the addition of a supermarket does not make a more hostile walking and cycling environment for those children by creating more points of conflict. We will discuss this further when considering the size and accessibility of the car parking below.

The junction of Nell Lane and Mauldeth Road West

The Nell Lane / Mauldeth Road junction has been a particular problem for us for years.

In May 2021 two students from Chorlton High were involved in hit and run collisions, one on Nell Lane. One student was very seriously hurt.

As a result, councillors held a special meeting with all local Head Teachers to discuss the safety of the home to school journey.

Heads said that worries about the safety of the junction between Nell Lane and Mauldeth Road West was of particular concern in keeping young people safe on their journey to school. We have real anxieties about additional pressure on the junction. Do not think that adding a right turning lane to on the north bound carriageway of Nell Lane is acceptable, given the hundreds of children that use this junction on foot or bike every morning and afternoon. Two 3-metre lanes will tempt

queueing drivers to mount the pavement and undertake, illegal but regularly observed. An additional lane would mean that pedestrians have an additional lane to negotiate, and prioritises the movement of people in cars over those on foot inverting road hierarchy priorities. We would prefer the following interventions at this junction:

- a full review of time given for pedestrian and cyclist crossings on the signalised junction and pedestrian and cyclists to receive a higher priority than at present;
- the junction to have cameras so that red light running drivers are caught and penalised;
- funding for an additional traffic control person for one year initially to assure safe crossing at the junction
- Banning UTurns at the junction (along Mauldeth Road West)

Not adding an additional right turn lane will inevitably mean longer vehicle queues at the junction, but that has to be set against adding road capacity increasing car journeys and discouraging modal shift or worse, encouraging modal shift into the car. Queues along Nell Lane at school drop off and pick up times, both north and southbound, are already long and stationary in front of both these secondary schools increasing the level of traffic fumes that our children are exposed to. This is an additional concern.

Additional measures we are asking for:

- delivery vehicle being obliged by planning condition to deliver well outside peak hours (preferably before 7 am or after 7 pm)
- A raised entry treatment at the Nell Lane entrance with clear pedestrian priority. The pavement to continue at the same level either side.
- Car park measures in place; such as charging and ANPR cameras for any non-customer stays - to absolutely ensure that parents cannot use the car park as a drop off zone. Additional vehicle movements create conflict risk between vehicles and children walking and cycling. This is unacceptable so close to so many schools.

All changes to the public realm as a result of the application should be designed using guidance LTN 1/20 and the subsequent Design Guide adopted by GMCA in March 2021, which significantly develops the infrastructure guidance in relation to pedestrians and is published on the GMCA website.

In January 2022 one of us, Cllr Shilton Godwin, wrote to GMCA concerning the status of this guidance for Highways development that was not specifically Active Travel. The following response was received:

‘any active travel infrastructure being built, regardless of funding source, should comply to the standards. This is the case even if it is only part of a wider project which is about more than just active travel – so, for example, a new access road to a new development etc’

The site sits on the Bee Network so we would therefore want assurance on this matter before any application was approved. It is the habits that children and young people, establish during these formative years that will affect their future travel choices and we need them to be confident independent travellers. For that, their parents need to be confident that their journeys are safe.

Concern about traffic generation across a wider area

Manchester's Active Travel Strategy has been published and is likely to be approved at Council on 4 March. This strategy will shape how our streets will change so that people feel safe and comfortable walking, wheeling or cycling within a fifteen-minute neighbourhood, and how this needs to be embedded within our entire transport system.

Chorlton cycleway is being constructed and will terminate at Mauldeth Road West just next to Chorlton Park Primary School. Nell Lane and Mauldeth Road West are both designated Bee Network routes and therefore changes to local infrastructure must take account of that. It is therefore essential that we do not allow a situation to develop here that works against the city's necessary long-term requirements when we have the safety of so many young people to consider.

The Active Travel strategy is part of the city's key ambition to reduce the city's carbon emissions to zero by 2038, having declared a climate emergency in July 2019.

In Manchester the most intractable source of carbon emissions is transport, particularly cars which account for almost 30% of carbon emissions. Traffic levels currently are high and increasing – the number of vehicles registered in the city has risen 28% in the last decade.

We are concerned that the application has significant potential to increase traffic along the already highly congested minor roads nearby. This will make them less safe for the walking and cycling journeys that citizens need to switch to, to reduce carbon emissions.

More generally many residents have expressed to us their real concern that the development will attract additional traffic along Nell Lane and other minor roads, the known problem of inducing traffic demand. The impact of the proposals on Chorlton's many smaller roads does not feature in the application, but in Chorlton minor roads are already saturated and creating real difficulties for residents on foot and by bike. There is considerable anxiety about additional impact.

Chorlton has the second highest propensity to cycle in Manchester with a significant number of cyclists using Nell Lane. Nell Lane has been designated part of the Bee Network. Steps must be agreed as part of the application to ensure a safe walking and cycling environment for everyone along the road and through the junction

There are significant speeding issues on Nell Lane, St Werburghs Road and Mauldeth Road West.

We would like to see S106 money from this proposal spent on significant traffic calming, along Nell Lane and St Werburghs Rd in addition to whatever S278 requirements are set.

Over-provision of parking space

The planning application rightly refers to the significant number of people within walking distance and anticipates the maximum space occupancy in the car park as 67. We would therefore like to see the number of parking spaces reduced to certainly no more than 65, and ideally fewer. 85 spaces is a significant overprovision which should not be permitted. We also want to see the number of bike stands at least quadrupled. Currently only five are planned. Additional dedicated space for cargo bikes should be provided (at least five spaces and probably more). Steps should be taken in the management of the car park to ensure that it is only used for customers, not to enable parents to drop and go. So, we do not ask for fewer parking spaces, just for those spaces to be reallocated from cars to bikes and cargo bikes

Biodiversity

The biodiversity assessment has omitted a number of local sites of interest which contain significant wildlife

- Southern Cemetery is a Victorian cemetery, the largest in the UK. It is located within probably 250 metres of the site. It houses a range of wildlife including tawny owls, nuthatch, a significant population of bats and far, far more.
- Kingfishers are regularly seen along Chorlton Brook
- The site is also within a very short distance of Fallowfield Loop (just the other side of Chorlton Brook and the tram stop) and there is an almost uninterrupted route to Hough End Clough. Both of those locations support a diverse range of wildlife.

More consideration needs to be given to the ecological enhancement of the site. There is no mention of Biodiversity Net Gain of 10%. We want to ensure that this is met. We noted and were disappointed by the felling of half a dozen mature trees by Lidl as soon as the site was purchased. We wish to see adequate replacement of those in addition to whatever other requirements are included. With thoughtful planting the site could significantly enhance the biodiversity corridor which already links those sites with Chorlton Park itself and primarily, Chorlton Brook and Hough End Clough.

They suggest that this is in the form of

- More native trees to screen the car park from view;
- Careful protection of the old hazel tree sited in front of Hough End Hall (we are currently investigating whether this is or should be subject to a Tree Protection Order). It is extremely close to the site and must be at risk during the construction phase

- More native shrubs and flow planting likely to support insect life and water retention
- Many more bird boxes including swift boxes on the building
- A 'sponge' park (as in Gorton Park,)

Water management

In January 2020 parts of Chorlton as well as Didsbury came close to flooding from the Mersey. This included very high levels of water in the tributary Chorlton Brook close to the site. Chorlton Brook has overtopped a number of times in recent years causing flooding in the park and on the allotments.

The application proposes an attenuation tank and connection to the combined sewer. We are aware that United Utilities are forecasting that annual rainfall will increase by 59% by 2050 in North West England; creating a volume of additional water volume equivalent to 35 Beetham Towers to be managed annually in Greater Manchester. The city also has the highest proportion of combined sewers (mixed rainwater and foul waste-water disposal) in the country (55%) meaning that at times of high rainfall the chances of flooding with sewage is much higher here.

There is currently a tarmacked car park where the car park is proposed. Along with the reduction in car park size we would like to see a significant reduction in the area covered by tarmac. We would like to see this space used to create a sponge park to support biodiversity and improve on site rainfall management. Independent evaluation by the University of Manchester has established that the sponge park planted at Gorton Park reduced rainfall into drains by over 97%.

Surplus Food Waste

Food production and distribution is one of the most carbon intensive human activities and in the UK over 30% of our food is wasted. In Chorlton Park, as previously mentioned, there are of necessity a number of foodbanks and food pantries, and two are extremely close; Emmeline's Pantry and Quids In, both of which are based in the park, opposite. We would like to see a commitment to a partnership with our local food banks to ensuring that there is minimal food waste and that it is redistributed locally.

Energy

They note that the building specification is to adopt a materials first approach and to observe the energy hierarchy and that it is proposed to heat the building primarily using ASHP together with MVHR but we also note that it is anticipated that annual CO2 emissions are forecast at 42,600 kg which is the equivalent to a car being stuck in a five- mile traffic queue every day for a year. We recognise that these measures are an improvement on that legally required but we still feel that they are not adequate to the climate emergency and would request that to reduce further solar panels are added to reduce further the energy input requirement and therefore the calculated CO2 emissions.

Conclusion

This application sits at the centre of the two biggest concerns of our city, social justice and the climate crisis and we need to find a solution which supports both objectives. On the one hand a new store will bring improved access to well-priced food within far better reach of many of our residents. On the other, the store will attract increased traffic along already saturated minor roads.

They want to see all residents in our ward have better access to well-priced food, However, we are all aware of the increasing urgency of the climate crisis and experiencing its impact so we want to see the store built with absolutely minimal deleterious climate impact. This main issue here then is the increase in traffic so close to nearby schools, so we want to see the walking and cycling environment improved; enhancing the opportunity for biodiversity, and recognising and acting on the need to retain rainfall on the site as much as possible. The climate crisis is of huge concern in our community and we urge Lidl to respect this by ensuring that the new store is built in alignment with our real lived context. We would suggest that should they do that then they will reap the benefits, as they may attract customers from amongst our residents who currently feel extremely anxious about the implications that the new store will have for our environment.

They urge Lidl to work positively with us to make these changes to their application whether or not they can be made the subject of a condition, so that this store makes only a positive contribution to our community and neighbourhood.

Highway Services - Can be summarised as follows: -

The site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities including bus and tram.

In terms of traffic impact on the adjacent highway network, TfGM have provided comments which are summarised as follows:

- o TfGM HFAS suggest that a sensitivity test is undertaken with 50% new trips applied during all scenarios: weekday and Saturday.
- o It is unclear why the percentage of pass-by and diverted trips has been split 50% each way along Mauldeth Road at its junction with Nell Lane. The turning proportion for counted flows are not close to 50% at these locations.
- o Queries arise in relation to the LINSIG models provided.

Vehicle access is provided from Nell Lane where three-metre wide shared cycle/footways are retained on both sides, with a widened carriageway (9m) to accommodate a right-turn pocket and where the northern kerbline is built out to improve vehicle/pedestrian intervisibility. Keep clear markings are also to be provided at the junction.

For the internal raised pedestrian crossing, they would suggest that it is centralised between Nell Lane and the car park access so that any vehicles entering the site and stopping at the crossing will not potentially cause an overhang issue on Nell Lane.

TfGM recommend that a direct pedestrian access should be provided onto Mauldeth Road West to serve the site (ideally near the existing bus stop).

In relation to the above, and in particular the proposed highway layout on Nell Lane, require a stage 1 road safety audit is submitted for consideration.

The parking proposals comprise of 85 spaces of which four are DDA compliant, two have rapid electric charging, nine are for parent and child and five are staff spaces. Bay and aisle sizes are compliant. Separate HGV parking is provided in the rear courtyard area with space for the vehicle to turn and exit in forward gear. Whilst this quantum of parking is acceptable, we require that 20% of the car parking bays (17no) are provisioned with cable routes to allow for future EV conversion.

Secure and sheltered cycle storage (for 10 bikes) is provided for customers under the building canopy. Separate staff cycle parking is provided in the warehouse. This arrangement is acceptable from a highway perspective

With regard to waste management, further information is required in relation to storage and collection.

The proposed boundary treatment plan suggests that the existing mesh fence will not be retained and in this regard clarification is sought. The internal walling details (railing type 2) is acceptable from a highway perspective.

Should the planning application be approved then alterations to the highway will be required and are to be undertaken through S278 agreement between the developer and MCC which would include any required technical approval.

An independent 'Stage 2' Road Safety Audit will be required; this may necessitate design changes.

For any projects that require a S278 and/or S38 highway agreement a Stage 1 Road Safety Audit (RSA 1) is requested to inform the preliminary design at the pre-planning stage - prior to planning approval being granted. This ensures that any underlying highway safety issues have been identified and mitigation is proposed accordingly. The scope and study area of the RSA1 will be agreed on a site by site basis however, as a minimum, it is expected to include the following:

- o 5 years of accident history
- o Audit of key pedestrian routes (crossing points, footway widths, condition etc.)
- o Audit of key cycling routes (ASLs, cycle lanes etc.)
- o Highway layout including, but not limited to (visibility assessments, speed limits, TROs, traffic calming etc.)

The submitted travel plan is acceptable to Highways.

Should the planning application be approved it is required that a Demolition and Construction Management Plan be conditioned.

FURTHER HIGHWAYS RESPONSE 02/02/2023: - Following the submission of additional requested information the following comments have been received

- o It has been clarified that a separate direct pedestrian access is also to be provided from Mauldeth Road West.

- o In relation to traffic impact/trip distribution the further information provided has been submitted to TfGM and in this regard we await their further comments.

- o With regard to waste management, the storage and collection proposals have been clarified and are acceptable.

- o A stage 1 road safety audit has been undertaken and raised queries related to vehicle tracking, existing site level differences and visibility issues to pedestrian crossings, which have been addressed as follows:

- In relation to vehicle tracking, the submissions confirm that the necessary vehicle manoeuvres can be made safely.

- It has been confirmed that the existing site level differences are to be adjusted as part of the development.

- The internal raised pedestrian crossing and access crossings have been

repositioned and vegetation removed to satisfy visibility requirements. MCC Highways consider that the matters identified within the safety audit have been addressed by the developer.

Highways section of Transport for Greater Manchester

TfGM Highways Forecasting Analytical Services and Urban Traffic Control are satisfied with the Highway Consultants response to TfGM's previous comments. TfGM UTC are currently checking the LINSIG models (software which allows traffic engineers to model traffic signals and their effect on traffic capacities and queuing) but it is anticipated that the models will be substantially correct.

In terms of the impact of the development at the junction of Mauldeth Road West / Nell Lane, this will be set up to run under MOVA control (microprocessor optimised vehicle actuation) through a TfGM funded project. Therefore, as the impact due to the LIDL traffic is not significant, it is considered that the additional traffic generated is likely to be mitigated by the MOVA operation. There is a pedestrian access to the store from Mauldeth Road West.

FURTHER HIGHWAYS RESPONSE -

In relation to traffic impact, TfGM have reviewed the modelling in detail and have indicated that any additional traffic generated can be accommodated on the highway network. Nell Lane will be widened to accommodate a right turn pocket which will allow passing traffic to progress unhindered towards the district centre. With regard to the signalised junction at Mauldeth Road West/Nell Lane, this will be set up to run under MOVA control which will mitigate the impact of any additional traffic.

Pedestrian access to the development is being provided from Nell Lane and Mauldeth Road West, and, in conjunction with existing pedestrian and cycle infrastructure, they are satisfied that the access arrangements are fit for purpose.

With regard to road safety, an independent stage 1 road safety audit has been undertaken for the development, and they are satisfied that all matters raised have been addressed within the proposed design.

In relation to accident analysis undertaken in the vicinity of the site, whilst a data discrepancy has been raised by the objectors at the junction of Mauldeth Road West/Nell Lane, highways are satisfied that this is not material.

In relation to public transport connectivity, they consider that the site is adequately served by both bus and tram.

Environmental Health - Conditions are advised with respect to fumes, construction management, hours of delivery, external lighting, acoustic insulation, external equipment, waste management, air quality and ground conditions.

Neighbourhood Team Leader (Arboriculture) – There are currently no trees on the site of any value as it would appear that the applicant felled the trees on this site prior to submitting an application. There are no objections to the proposed development as the proposed planting species and numbers are sufficient for this site. If any alterations are proposed for the road heading into the site we would need

to see an arboricultural impact assessment for the Beech tree to the front of Hough End Hall.

MCC Flood Risk Management - Advise that conditions should be included to ensure the submission and approval of a surface water drainage scheme and its subsequent maintenance.

Parks & Events – Any comments received will be reported to committee.

Greater Manchester Police – Any comments received will be reported to committee. The application is accompanied by a Crime Impact Statement in which Greater Manchester Police state their support so long as the recommendations within the Crime Impact Statement are followed, a condition to this effect is recommended.

Transport For Greater Manchester – Metrolink have no objection to this application and whilst the development proposals are unlikely to affect Metrolink operations the site does adjoin the Highway in which Metrolink operates and therefore would like the applicant to be advised that the details of working safely near Metrolink. Additionally, if abnormal loads are required to access the site would draw the Applicant's attention to the electrical overhead lines that run along Mauldeth Road West and would also ask that any condition with regards to mitigating against the spread of detritus onto the highway also includes for the same onto Metrolink tracks.

Greater Manchester Ecology Unit – State that an assessment for bats found negligible value for bats, however, recommend the imposition of an informative so that the applicant is aware that they must seek and implement ecological advice should they find or suspect that the proposals will impact on protected species. Work that will impact on habitats where nesting birds may be present (for example demolition of a building or works to trees and other vegetation including undergrowth like bramble), should not be undertaken in the main bird nesting season (March – August) unless suitable checks for active bird nests have been undertaken. Planning policy (NPPF – July 2021 para 174d), 179b) and 180d)) encourages enhancements and net gains for biodiversity to be delivered through the planning system. Wherever possible measures to enhance the site for biodiversity should be secured as part of this planning application. Table 4 gives suggestions of what may be appropriate. A condition requiring the details of a biodiversity enhancement plan should be applied to any permission if granted.

Historic England – Stated that they could give an opinion if consulted, however, there is not statutory duty to do so.

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 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 EN3 (Heritage). Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development) concerns reducing CO2 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 embodied 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 policies of the Unitary Development Plan are also considered relevant:

Policy DC19 (Listed Buildings) states that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest,

the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting.

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:

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, 12 and 16 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 (Reference ID:2b-017-20190722) 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.

Other legislative requirements

Principle

The principle of the development is considered acceptable and would make efficient use of a previously developed site, to provide increased shopping choice for the local population, whilst contributing to the local economy through the creation of jobs.

The existing site is currently unoccupied. The site is in a highly sustainable location served by bus services and Metrolink. It is considered that the demolition of the existing building and erection of the proposed retail store would uplift the appearance of the site, improve views towards the adjacent Grade II* listed building and regenerate an under-utilised site in a prominent location.

Comments have been made in objection that the site should be utilised to bring forward a mixed use development that will bring forward affordable housing, however, the local planning authority must assess this application on its individual merits.

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. The proposal would not have any significant 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 surrounding environs.

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

The application proposal provides less than 2,500 sqm of retail floorspace so a full Retail Impact Assessment is not required by either policy C9 of the Core Strategy or the NPPF. The submitted Retail Statement is considered to be proportionate to the scale of the proposals and 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 as set out earlier in this report. 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.

Demolition of the Existing Building

The principle of the demolition of the existing building on site has been approved by a prior notification for demolition through application reference 134169/DEM/2022.

The present structure is considered to be of minimal architectural merit and the loss of the existing structure would offer significant public benefits by leading to environmental, social and economic improvements to the local area and an improvement for the setting of the Grade II* listed heritage asset that is Hough End Hall. A construction management plan is required by condition which would include the above requirements as well as management during the overall construction programme.

Redevelopment of the Site and Contribution to Regeneration

The existing building is showing signs of decline. The existing building has been subject to transient occupancy and periods of vacancy over recent years. It is considered that the proposed retail store would uplift the appearance of and regenerate an under-utilised site. The proposed store represents an opportunity to introduce a high quality development within a sustainable location.

Employment and Contribution to the Local Economy

The proposed Lidl store would add to the diversity of shopping choice and increased competition in the area and provide a discount food store serving the local population. This will be 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 will 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 an assessment of the retail impact, as a consequence of the proposed store.

Policy and guidance underlines that the scale and scope of retail assessments should be proportionate to the scale of development proposed and this is applied in this instance. Policy is also permissive of retail development outside of designated centres if the sequential and impact tests are satisfactorily addressed. As set out below, it is believed that the relevant policy tests have been met.

Sequential Site Assessment

The NPPF and Policy C9 of the Core Strategy require that the sequential approach to site selection should be applied to all development proposals for main town centre uses that are not in an identified centre and not in accordance with an up-to-date development plan. Applications for main town centre uses should be located within a town centre, then in edge-of-centre locations, and only if suitable sites are not available should out of centre sites be considered. The NPPF further requires that applicants and Local Planning Authorities should demonstrate flexibility on issues such as format and scale.

In this case, the nearest centres are

- Chorlton District Centre;
- Didsbury District Centre;
- Withington District Centre;

- Fallowfield District Centre;
- Barlow Moor Rd/Mauldeth Rd West (Chorlton Park) Local Centre;
- Beech Rd/Stockton Rd/Chorlton Green (Chorlton) Local Centre;
- Merseybank Local Centre;
- West Didsbury/Burton Road Local Centre;
- Stretford Mall; and
- Fallowfield Triangle Local Centre.

Due to the out-of-centre location of the proposed site, a sequential site assessment has been undertaken by the applicant which accords with an agreed catchment area based on a 5 minute drivetime. The drivetime is considered a realistic geographic area from which a foodstore will draw the vast majority of trade.

The assessment takes account of alternative sites that are located within or on the edge of existing centres which serve an equivalent catchment and which could accommodate the scale and form of the proposed development. It is therefore necessary to define any alternative sites that could accommodate the specific trading characteristics of a discount foodstore of the floorspace proposed and with an appropriate level of associated parking within a defined catchment area. The assessment should also make reference to Planning Practice Guidance which indicates that the application of the sequential test should be proportionate and appropriate for the given proposal.

An assessment of site appropriateness has been undertaken in both of these areas and based on the scale, form and characteristics of the proposed store format, there are no other sites that are suitable, viable or available. It therefore stands that following a robust assessment of nearby sites, there are no sequentially preferable sites within or on the edge of the identified centres which could realistically accommodate the proposed store.

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 and its likely effects on designated centres. For all proposals of 2,500 square metres gross floorspace and over, a full assessment will be required.

Supporting policy text goes on to states that 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 will generally be of local significance only.

In light of the above, as the proposal is less than 2,500 sqm a full, quantitative impact assessment is not required and the proposed store at 1988sqm is significantly

below the relevant threshold.

Nevertheless, based on the supporting justification to Policy C9, account has been taken as to the qualitative impact of the proposed store.

In assessing the trading impacts of the proposed discount foodstore regard has been had to the approach advocated within Planning Practice Guidance when examining the diversion of trade. This uses a 'like affects like' principle with the reasonable assumption that a new discount foodstore would divert the majority of trade from equivalent surrounding food shopping destinations.

The applicant has provided an assessment of trading impact to surrounding mainstream foodstores and centres, taking account of both convenience and comparison retail goods expenditure

The analysis concludes that the proposed store is highly unlikely to result in a significant impact to the long-term trading performance of surrounding mainstream foodstores and with only limited trade diversion from existing centres and smaller shops and services.

The assessment includes a health check analysis of these areas in order to determine vacancy rates, environmental conditions and the current vitality and viability of any of the identified, defined centres and shops will remain largely unaffected. There is no evidence to suggest that the role and function of these centres will abate following the introduction of the proposed foodstore and would therefore comply with the relevant policy and guidance.

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

Conclusion

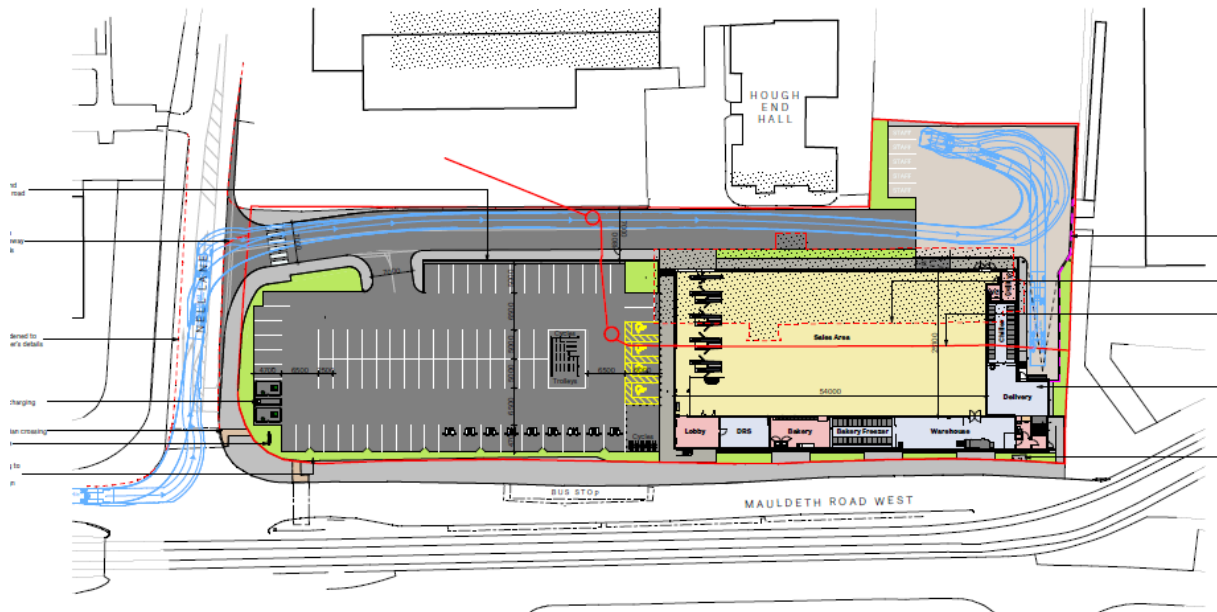
It is considered that the applicant has undertaken a robust and proportionate impact assessment and that there are no sequentially preferable sites, the proposed store can be satisfactorily accommodated without any significant effects upon existing retail operations within the identified catchment area, the store will not have a significant harmful impact upon the health of nearby centres and that there is sufficient capacity within the system so not to affect the viability of other operators. It should also be noted that the existing building on site could already be used legitimately for unrestricted retail use, albeit that the structure would not lend itself easily to conversion.

Moreover, in this case the proposed operator (Lidl) does not provide the full retail offer. It provides a limited range of convenience and an ever-changing range of 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.

It is believed on balance the proposed store is located within a sustainable location and that the addition of a discount retailer will add to consumer choice and quality of shopping provision in the area in which the site is located. On this basis, the retail

impact is satisfactory.

Design and Layout



The proposed store would replace Lowry House which is situated to the front of the application site fronting Mauldeth Road West.

The proposed store would be located to the east of the site towards the boundary with Chorlton High School, with the delivery bay, servicing and staff parking to the north separating the building from Hough End Hall. Parking is incorporated adjacent to the west, with cycle parking and trolley parking. Vehicular access being taken from the widened access road off Nell Lane.

The site will accommodate 85 car parking spaces (including 4 disabled, 9 parent & child spaces, 2 electric vehicle charging (Electric Vehicle Charging) spaces (with further infrastructure to be conditioned)).

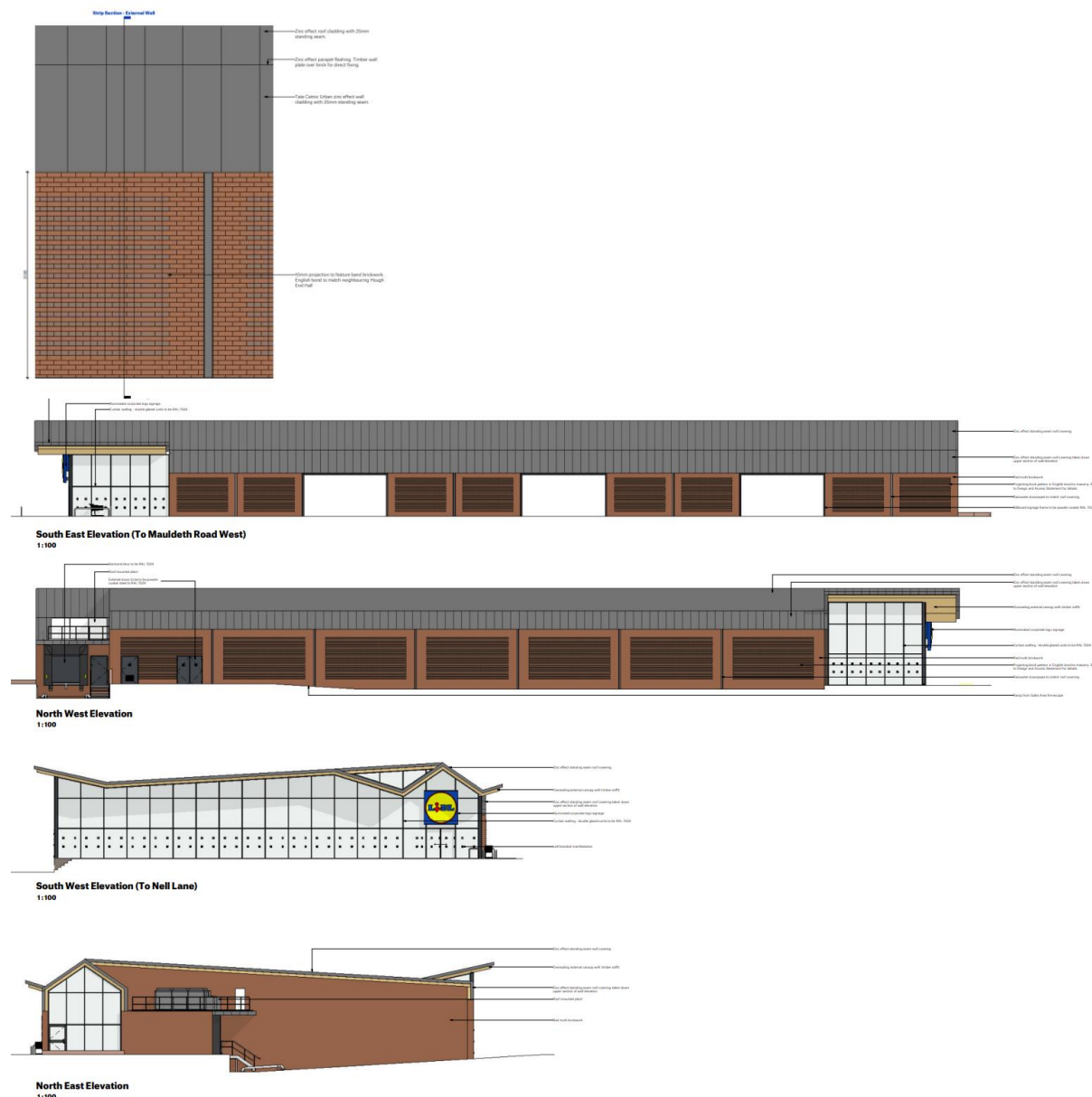
The entrance to the Lidl store would be on the western elevation with a pedestrian access from Mauldeth Road West.

The proposed retail store which would be two storey in height would be of a high quality design of an appropriate scale that responds to the context and would be constructed utilising materials that have been selected to compliment the materials of the neighbouring Grade II* Listed Hough End Hall.

This includes the use of glazing to the elevations, allowing views through to the adjoining listed building framed by Zinc coloured roofing material which is variegated to provide articulation that is a contemporary interpretation of the roofspace to the neighbouring building.

The red brick to be utilised would include a protruding brick detail with English bonding to provide visual interest and reference the influence of Hough End Hall. Advertisement panels along the side elevation facing Mauldeth Road West provide

defined areas that are appropriate for the display of advertisements with these advertisement panels being located on the opposite side of the building to the Listed Building. These panels would also visually break up the elevation to Mauldeth Road. The display of advertisements elsewhere on the building would be controlled by the imposition of an appropriate condition. Conservation paving in the form of York stone utilised within the hard landscaping. The inclusion of conservation paving is considered to be an appropriate response to the presence of the neighbouring heritage asset.



The position, scale, height and bulk of the building are considered to be appropriate in the street scene having regard the high quality design of the proposal, the existing building on site to be demolished, the nature of the surrounding property and having regards to the relationship to the neighbouring heritage asset. The structure would not be over dominant or intrusive in the street scene and 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.

Heritage

The application site sits to the south of the Grade II* Listed Hough End Hall. The property which was built in 1596 was listed in 1952.

A Heritage Impact Statement has been submitted to accompany the planning application which sets out the significance of the heritage asset including any contribution made by its setting.

Currently there are very limited views of the Hall from Mauldeth Road West due to its set back location and development that has occurred historically in close proximity to the Hall. The statement sets out that the setting of the Hall has been severely compromised, in addition to the height and scale of surrounding buildings, the concrete surface treatments for car parking have degraded the setting of the asset. It is considered that the mature tree to the frontage of the Hall whilst partially obscuring views of the Hall, contributes positively to the setting of the site.

The applicant has stated that the development proposals have been informed and guided by the neighbouring Grade II* Listed Building. The scale of the proposed retail store is greatly reduced from the current four storey office block and the architectural devices employed and materiality selected pay heed and take architectural cues from the neighbouring property.

Hough End Hall is one of Greater Manchester's oldest surviving buildings and despite external and internal alterations the building remains a fine example of Elizabethan architecture. The buildings, car parking and infrastructure surrounding have degraded the significance of the asset.

Section 199 of the National Planning Policy Framework sets out that when considering the impacts of the proposed development on the significance of a designated heritage asset great weight should be given to the assets conservation and the more important the asset the greater weight should be, this is irrespective of when it whether any potential harm amounts of substantial harm total loss or less than substantial harm to its significance.

Lowry House is of no significance and is detrimental to the setting of the Hall therefore there would be no harm from the demolition and loss of the building. The proposed replacement structure would be on a similar footprint to the existing Lowry House but would be considerably lower in height and massing. The proposed building is also set slightly further away from Hough End Hall.

The building proposed will remain in the setting of Hough End Hall as an intrusive feature despite having a reduced height and massing. This reduction in height and slight set back would afford slightly better views of the building from the access road and from Mauldeth Road West.

The car parking would take the place on an existing area used for car parking and this element in the wider landscape would result in no impact on the significance of the site. Although the proposal would sit negatively within the setting of a highly listed asset it is considered that the harm caused is at the lower end of the less than

substantial harm test and it is considered that the proposal would offer public benefits in the form of a retail offer serving the local community, employment opportunities together with landscaping and tree planting that will outweigh that less than substantial harm. The development is therefore considered to be in accordance with the National Planning Policy Framework, Policy EN3 of the Manchester Core strategy and saved policy DC19 of the Unitary Development Plan for the City of Manchester.

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

85 parking spaces are proposed for the proposed foodstore. Of these 4 will be accessible, with 9 parent and child spaces. 2 of the parking spaces will be for electric vehicle charging (EVC), with below ground infrastructure required for more spaces, to be secured by condition. This is considered to be acceptable.

Based on the survey work, involving a car park accumulation assessment, it is considered that based on the floorspace proposed the amount of parking provision is sufficient to cater for anticipated demand, including seasonal variations without the displacement of parking onto the local highway network. Highway Services are satisfied at the level of provision would accord with policy standards.

Concerns have been raised in relation to the car park being used for drop off and pick up of children attending nearby schools and it is considered that this is a matter that may interfere with the safe operation of the car park and conflict with users of the proposed store. On that basis a condition is recommended requiring the submission of a car park management plan with specific reference to measures to be implemented in order to prevent short stay parking for drop off and pick up of school children and to prevent school children using the car park as a short cut to Mauldeth Road West.

Trip Generation

The proposed development is to replace an existing building. As part of the applicant's trip generation forecast, the trips associated with the uses of the existing building is estimated and deducted. The net increase is then assessed at the junction using LinSig modelling and based upon the forecast trip generation during the peak traffic times for a weekday and weekend.

Fewer than 30 additional vehicles per hour are forecast to be added to the junction of Nell Lane with Mauldeth Road West in the weekday AM peak period. This rises to around 60vph additional forecast turning movements in the weekday PM peak and circa 80 new vehicles per hour on a Saturday during the midday peak.

The transport report submitted shows that the proposed site access arrangement onto Nell Lane would work well within capacity in all scenarios with no queuing occurring. At the junction of Nell Lane and Mauldeth Road West the proposal will have a minimal impact. This has been assessed as acceptable by Highways and Transport for Greater Manchester. There will also be additional controls at the junction through the introduction of the MOVA control.

Servicing

There would be one or two deliveries per day. During deliveries the vehicle engine would be switched off to reduce noise and disturbance. A graded ramp would be utilised in the delivery bay negating the need for noisy scissor or tail lifts.

Lidl routinely schedule deliveries for those periods outside peak-trading hours deliveries arriving over night or during the early hours of the morning.

Highway Safety

Personal injury accident data suggests that there is no particular trend or pattern of road accidents in the vicinity of the site resulting from any deficiencies in the local road network, or the operation of the site. Highways have not expressed any concerns resulting from the development proposed in this regard.

Off-site highway Works

The proposed development would require a number of off-site highway works. These measures include works to widen the service road carriageway to accommodate a right turn pocket and where the northern kerbline is built out to improve vehicle/pedestrian intervisibility. Keep clear markings are also to be provided to this junction. These measures have been provisionally agreed with TfGM and Highway Services.

The installation and commuted costs are to be funded wholly by the applicant. An appropriate condition detailing the required measures is included. It is also considered necessary that this condition also requires any necessary further measures to be introduced at the entrance to Nell Lane in order to ensure that pedestrian safety is protected.

Members raise issues relating to the introduction of further highway works through a Section 106 legal agreement. However, it is considered that all necessary mitigation relating to the impacts of the proposed development are addressed through the recommended conditions and further works would not be commensurate to the scale of the development proposed and the fact that the existing building could be brought back into economic use with no controls available to the Local Planning Authority.

Cycle Parking

The site layout has been designed in a cycle friendly way to allow suitable permeability for pedestrians and cyclists. There is secure and sheltered cycle storage for 10 bikes provided for customers under the building canopy. Separate cycle parking is proposed within the warehouse for any member of staff who would

require this facility. The level and type of provision is considered acceptable by the applicant. However, in order to ensure that there is sufficient space provided a condition is recommended to agree an enhanced provision for customer cycle parking.

Travel Plan

A Framework Travel Plan accompanies the application and includes sustainability measures such as on-site infrastructure, connecting with the existing off-site infrastructure, sustainable travel initiatives and monitoring and targets. A condition has been included to ensure a more detailed Travel Plan to be agreed and ongoing compliance. During the monitoring of the Travel Plan there can be exploration of an extension of the Beryl Bike hire scheme.

Active Routes To School

The application site is in close proximity to nearby schools and concerns have been raised in relation to the potential impact of the proposed use on the surrounding network. The proposal has been assessed in detail by both the Local Highway Authority and by TfGM and necessary mitigation measures are identified and required through appropriate conditions or measures provided as part of the development proposed. It must also be noted that the application property could be brought into use as an office, or indeed, as a retail use without any controls by the Local Planning Authority.

Conclusion

The Transport Assessment demonstrates that the proposal is not anticipated to have an adverse impact upon the safe and efficient operation of the existing local highway network both now and in the future. This is based on operational capacity assessments of various surrounding junctions. A Road Safety Audit was also carried out following comments received by TFGM.

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 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 there is a risk of dust generation during construction, it is maintained that with the implementation of mitigation measures outlined within the assessment, the dust impacts from the construction phase are considered to be not significant.

The report sets out that the air quality changes to existing sensitive receptors are predicted to be negligible and not significant. Concentrations of harmful particles are likely to be below their respective long and short-term objectives at existing sensitive receptors and at the proposed development site which is therefore considered to be suitable for commercial use with regards to air quality.

The proposed development is not expected to have a significant impact on local air quality.

The following mitigation would be included at the proposed development:

- Two electric charging points are to be provided, with further infrastructure to be conditioned.
- A Travel Plan would be developed for the development to reduce reliance on the private car.
- A number of measures during demolition, earthworks, construction and trackout.
- Cycle parking
- Tree planting and landscaping

On balance the impact to air quality is not considered to be significant. Conditions have been included to ensure the mitigation measures detailed within the assessment, during and post construction are adhered to and for a separate construction/demolition management plan to be submitted and agreed.

Energy Performance

The submitted Energy and Sustainability Statement shows that the design of the building achieves a 16.94% carbon dioxide reduction and 23.56% energy reduction, when assessed against Part L2A of the 2013 Building Regulations.

Passive design strategies include natural daylighting reducing dependency on electric lighting and enhanced fabric efficiencies and thermal mass to help reduce temperature fluctuations by reducing heat gains and / or losses.

Active design strategies include heat recovery ventilation, sub-metering of energy consumption, low level lighting and a building energy management system.

Zero carbon technology to be included includes air source heat pumps. A condition to secure the performance of the building as set out in the submitted Energy and Sustainability Statement is recommended.

Additional Sustainability measures and Waste Management

The applicant has also set out that during the operation of the use Lidl:

- Charge for carrier bags rather than hiding the cost through higher prices; this provides the customer with a clear financial incentive to re-use their bags;
- Limit deliveries to a maximum of two per day. Delivery vehicles are also used to remove waste from the store on their return journey to the RDC where the waste/recyclable material is sorted and managed centrally. This also helps to reduce vehicle trips and emissions;

- Lidl recycling all paper/cardboard and plastic waste produced by the store. This means that over 80% of all waste produced in store is recycled;
- Lidl stores use a manual dock leveller for deliveries, reducing noise emissions and energy use;
- Water consumption is carefully monitored, and flow control devices and water meters are fitted in all stores; and
- Car park lighting is designed in accordance with Lidl's 'Dark Sky' policy with light fittings carefully specified in order to keep light spill beyond the site boundary to a minimum, with Lux and timer controls fitted.

A waste management condition is appended to retain the waste management operation which is considered to be appropriate.

Trees and Landscaping

There is no conflict shown on the plans or the arboricultural survey submitted in association with the application for the retention of the tree to the front of Hough End Hall. The tree is beyond the site edged red and would be unaffected.

Trees were removed from the Mauldeth Road West frontage prior to the submission of a planning application, however, the applicants were informed that the trees lost would be taken into account with regards to the need for replacement planting.

The scheme submitted shows 14, 4.5-6.25m, high extra heavy standard 16-18 girth trees (8 birches, 3 pear trees and 3 Whitebeam). 302 herbaceous shrubs and 1699 other shrubs. It is considered that this level of planting offsets the loss of previous tree cover to the site frontage, the applicant is requested to enhance the landscaping offer by satisfying the requirements of Greater Manchester Ecology Unit as set out below.

Ecology

The Ecological Impact Assessment submitted has been assessed by Greater Manchester Ecological Unit. The report finds that the site has negligible value for bats, however a precautionary informative is suggested to remind the developer of their obligations with regards to the Wildlife Act. The Greater Manchester Ecology Unit also suggest a condition relating to the protection of Breeding Birds, which has been attached.

There is also a requirement in an appropriately worded landscaping condition recommended for biodiversity enhancement over and above the measures already set out in the ecological impact assessment which require the installation of bird boxes, bat boxes and landscaping to create habitats.

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 which the proposed use is largely intended to serve and therefore reducing the distance need to travel.

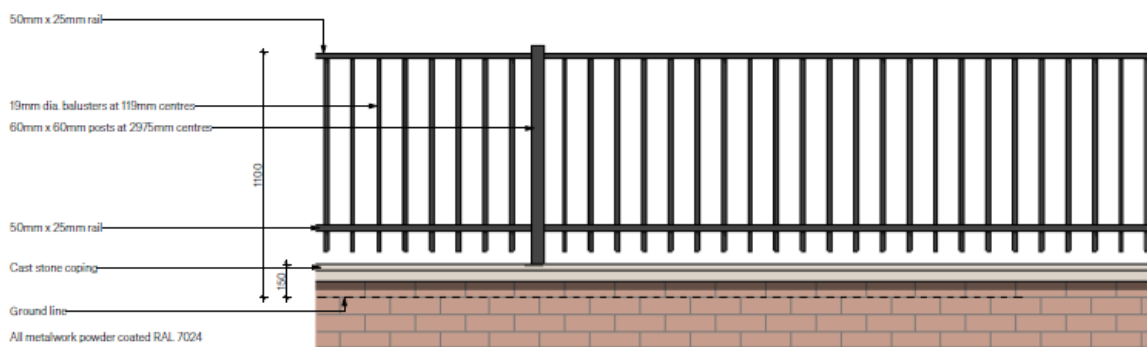
The site is situated within an existing residential neighbourhood, where existing infrastructure and services can be utilised. It is believed that the proposal therefore harnesses the objectives of sustainable development as advocated by the National Planning Policy Framework (NPPF), which seeks to provide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

Boundary Treatment

It is proposed to erect a metal rail fence above a brick retaining wall around some of the site frontages, however, the site requires further boundary treatment to this effect to prevent pedestrians from cutting through the site as a short cut and this is also requested by Greater Manchester Police and referenced in comments made. Metal paladin fencing is to be retained to the service area to the rear. A condition requiring further boundary treatment details to be agreed is appended. The appropriate boundary treatment to be expanded upon is shown below.

Boundary Treatment Plan

1: 500



Crime and Security

The proposed development has been designed with crime prevention and safety fully in mind with measures to be incorporated which would reduce opportunities for crime.

The application is accompanied by Crime Impact Statement which has been reviewed by Greater Manchester Policy (Design for Security). It is considered that provided the physical security measures detailed within the statement are implemented, the proposed development is acceptable from a crime and security perspective. In order to ensure the appropriate design measures are introduced an appropriate condition has been included amendment have also been requested to boundary treatment.

Residential Amenity

The plant area and servicing area is located to the north of the site some distance from the Mauldeth Road West and Nell Lane frontages. The noise report submitted requires a 2.5m timber acoustic fence to the eastern boundary of the servicing area to mitigate any noise disturbance to the pupils studying at the neighbouring Chorlton High School.

The proposed use is separated from other sensitive receptors by intervening uses and infrastructure and is not considered to provide any undue detrimental impacts with regards to loss of light, overlooking or loss of privacy or noise disturbance associated with comings and goings associated with the proposed hours of opening or delivery. Regard is also had to the possibilities that exist for the use of the existing Class E building and the associated impact on residential amenity that these uses could have.

To ensure the proposed 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 as a consequence of any fumes or odours is anticipated to be negligible.

Subject to the imposition of the required mitigation and conditions, the development would therefore accord with policy DM1 of the Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

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, a condition is included which requires the submission and approval of a construction management plan.

Ground Conditions

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.

Drainage and Flood Risk

The application site is located in flood zone 1 'low probability of flooding'. The submitted Flood Risk Assessment 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. Tree planting and landscaping would break up areas of existing hard standing at the application site.

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. No concerns have been raised by Environmental Health with regards to having any adverse impact to the nearest sensitive occupiers. As a safeguard, a condition has been included which seeks the elimination of any glare or light spillage if any encountered and assessed by the Local Planning Authority as being a nuisance.

Accessibility

Customers will enter the south west entrance through the glazed automatic doors, which are suitable for disabled access and fire exit. Then leading to the single level main sales floor - looping back to the tills and exit through glazed automatic doors. This entrance/exit are both close proximity to the disabled (4 spaces) and child and parent bays (9 spaces) at the front of the store.

Conclusion

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

The applicant has 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 unduly 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.

The existing building on the application site could be brought back into use as an office with no controls from a planning point on the intensity of use, hours of operation or any requirement for landscaping, cycle storage or other sustainability issues such as renewable energy sources. Similarly, the existing building could be brought into use as a retail offer without the need for an application for planning permission with no controls available through planning legislation.

It is considered that the proposal would uplift the appearance of the site and is unlikely to lead to any negative impacts to residential amenity and the operation of the local highway. It has been concluded that the proposal would cause less than substantial harm to the neighbouring Grade II* Listed Hough End Hall and the limited harm caused would be outweighed by the public benefits of the scheme. 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 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 of the application is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

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 and documents:

Submitted Application Forms
R/2626/1B LANDSCAPING DETAILS

XX-XX-DR-A-90003 P02 BOUNDARY TREATMENT PLAN
ZZ-00-DR-A-01001 P04 GF PLAN
ZZ-01-DR-A-00 P03 1F PLAN
ZZ-RF-DR-A-00001 P03 ROOF PLAN
ZZ-XX-DR-A-02001 P05 ELEVATIONS
ZZ-XX-DR-A-02002 P02 EXTERNAL WALL MASONRY
XX-XX-DR-A-90001 LOCATION PLAN
XX-XX-DR-A-90002 P01 EXISTING SITE PLAN
XX-XX-DR-A-91002 P10 PROPOSED SITE PLAN

Visuals

DESIGN AND ACCESS STATEMENT

Environmental Statement

EIA SCREENING

AIR QUALITY ASSESSMENT

CRIME IMPACT STATEMENT

PLANNING AND RETAIL

STATEMENT OF COMMUNITY INVOLVEMENT

NOISE IMPACT ASSESSMENT

ECOLOGICAL IMPACT ASSESSMENT

FLOOD RISK ASSESSMENT

DR-C-0100 P3 DRAINAGE STRATEGY

PHASE II GEO-ENVIRONMENTAL ASSESSMENT

TRANSPORT ASSESSMENT

TRAVEL PLAN

Received 02 December 2022

PROPOSED LIGHTING LAYOUT

HERITAGE IMPACT ASSESSMENT

Received 14 December 2022

ENERGY & SUSTAINABILITY STATEMENT

TRANSPORT ASSESSMENT

Received 16 January 2023

TECHNICAL NOTES RESPONDING TO HIGHWAYS COMMENTS

Received 31 January 2023

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the 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) No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period.

The plan/statement shall provide for:

- o A construction programme including phasing of works;
- o 24 hour emergency contact number;
- o Expected number and type of vehicles accessing the site;
- o Deliveries, waste, cranes, equipment, plant, works, visitors;
- o Size of construction vehicles;
- o The use of a consolidation operation or scheme for the delivery of materials and goods;
- o Phasing of works;
- o Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction): Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
- o Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- o Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- o Locations for storage of plant/waste/construction materials;
- o Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- o Any necessary temporary traffic management measures;
- o Measures to protect vulnerable road users (cyclists and pedestrians);
- o Arrangements for temporary facilities for any bus stops or routes;
- o Method of preventing mud being carried onto the highway;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

- o Full details of the impact of the demolition of the property upon the neighbouring designated heritage asset.
- o An amended Demolition Method Statement for the building on site that has controls over demolition vehicle access during school drop off and pick up hours, and;
- o A further updated existing asbestos Type 2 survey in relation to that building.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

- 5) The retail unit (Class E) hereby approved shall not be open outside the following hours:-
07:00 to 23.00 hrs Monday to Saturday
10.00 to 18.00 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 Core Strategy.

- 6) 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.

- 7) The development is to be undertaken in accordance with the submitted waste management strategy. The strategy shall be implemented in full prior to the first occupation of the authorised development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

- 8) Before the 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.

- 9) 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.

10) 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.

11) a) The premises shall be acoustically insulated and treated to limit the break out of noise in accordance with a noise study of the premises and a scheme of acoustic treatment that has been submitted to and approved in writing by the City Council as local planning authority. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to occupation of the development a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that acceptable 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 safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy.

12) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written

opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority. The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and prior to occupation a Completion/Verification Report 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 in each phase 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 Core Strategy.

13) The car parking as indicated on the approved plans shall be surfaced, laid out and demarcated prior to the first occupation of the development hereby approved. The car park shall then be available at all times whilst the site is operational.

Prior to the occupation of the development hereby approved a car park management plan shall be submitted which shall include measures to be implemented in order to prevent short stay parking for drop off and pick up of school children and should also include measures to prevent the use of the car park as a pedestrian through route to Mauldeth Road West.

Reason - To ensure that there is adequate parking for the development proposed when the building is occupied in order to comply with policy DM1 of the Core strategy.

14) Notwithstanding the submitted details for cycle parking provision further plans shall be submitted to increase cycle parking provision. The arrangement shown on plans submitted shall be installed prior to the first occupation of the development and be retained thereafter for use by people residing, visiting and working at the development.

Reason - To ensure that there is adequate cycle parking for the development in order to comply with policies T1,T2 and DM1 of the Core strategy.

15) The accessible parking spaces shown on the drawings submitted shall be implemented prior to the commercial unit hereby approved being occupied and be retained thereafter.

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

16) Notwithstanding the electric vehicle charging points shown on the drawings submitted further details of provision for electrical charging shall be submitted for the approval of the local planning authority. The agreed electric charging provision shall be installed and operational prior to the commercial unit 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.

17) The development hereby approved shall be carried out in accordance with the Travel Plan (SCP/220102/TP/00) stamped as received by the City Council, as Local Planning Authority, on the 02 December 2022.

In this condition a Travel Plan means a document which includes:

- i) the measures proposed to be taken to reduce dependency on the private car by those living at the development;
- ii) a commitment to surveying the travel patterns of residents during the first three months of the first use of the development and thereafter from time to time
- iii) mechanisms for the implementation of the measures to reduce dependency on the private car
- iv) measures for the delivery of specified travel plan services
- v) 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 occupation of the development, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. 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 assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

18) Prior to the commencement of above ground works, full details of all necessary off-site highway works, to be implemented via a S.278 agreement, 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 should include:

- Works to widen the carriageway to accommodate a right turn pocket and where the northern kerbline is built out to improve vehicle/pedestrian intervisibility.
- Keep clear markings are also to be provided to this junction.
- Any necessary further measures to be introduced at the entrance to Nell Lane in order to ensure that pedestrian safety is protected.

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.

19) a) The development hereby approved shall be implemented in accordance with the measures as set out within the approved Energy Usage and Sustainability Statement prepared by Space Architects.

b) Within 3 months of the completion of the construction of the authorised development a verification statement prepared by a suitably qualified expert 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 Statement. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the recommendations and requirements within the approved report.

Reason - In order to minimise the environmental impact of the development pursuant to policies SP1, T1-T3, EN4-EN7 and DM1 of the Core Strategy for the City of Manchester and the principles contained within The Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

20) 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 dated 7 July 2022 received by the City Council, as Local Planning Authority on 2 December 2022.

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

21) No development shall take place until the full details of a surface water drainage scheme has been submitted to and approved in writing by the City Council as local planning authority.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

22) No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the 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;
- b. As built construction drawings if different from design construction drawings;
- c. 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 promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

23) The development hereby approved shall only be implemented in accordance with the physical security specifications outlined the submitted Crime Impact Statement (Ref: 2002/1427/CIS/02 - version A) dated 13 August 2022, received by the City Council as Local Planning Authority on 02 December 2022.

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.

24) Notwithstanding the details of landscaping as set out within the approved drawing references: R/2626/1B received 02 December 2022, a further plan indicating biodiversity enhancement to be made shall be submitted within one month of the grant of consent. Landscaping and biodiversity enhancements shall be implemented not later than 12 months from the date the buildings are first occupied. 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, EN9 and DM1 of the Core Strategy.

25) Notwithstanding the boundary treatment plan submitted, the unit 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.

26) No demolition of the building on site or removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended and to comply with policy EN15 of the Core Strategy.

27) (a) Prior to the commencement of above ground works, details of a local labour agreement in order to demonstrate commitment to recruit local labour for 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).

28) 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 the submitted drawings.

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.

Informative to be attached to the decision

Whilst the buildings to be demolished have been assessed as negligible risks for bats, the applicant is reminded that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

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: 135647/FO/2022 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:

**Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Parks & Events
Greater Manchester Police
Transport For Greater Manchester
Greater Manchester Ecology Unit**

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

Relevant Contact Officer :	Jennifer Connor
Telephone number :	0161 234 4545
Email :	jennifer.connor@manchester.gov.uk

