

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130958/FO/2021

Date registered valid: 1 July 2021

Proposal: Erection of timber framed canopy and refreshment cabin

Address: 302 Barlow Moor Road, Manchester, M21 8AY

Ward(s): Chorlton Park Ward

Applicant: Super Quick Shine, 302 Barlow Moor Road, Manchester, M21 8AY

Agent (if any): Mr David Ormesher, Holborow & Ormesher, Station House, Adams Hill, Knutsford, WA16 6DN

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 10.08.2021

Application details

Type of application: Full Application Consent

Development type: Minor Retail

Date of site visit: 24.05.2021

Standard consultations:

Printed: 13 July 2021 Expired: 3 August 2021

Neighbour notifications

Printed: 13 July 2021 Expired: 3 August 2021

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

The application site is occupied by SQS car wash, with an MOT bay (Chorlton Service Station) to the rear. The site incorporates a hard surfaced forecourt covered by a large canopy for a former petrol filling station. Access/Egress to the left hand side of the frontage is shared with egress from the adjoining McDonald's restaurant. The property to the south is the Tesco Express.

The application site is located along a secondary frontage at the edge of Chorlton district centre. The immediate area is predominantly commercial in character containing a variety of small-scale retail and food/drink type uses, including a McDonald's restaurant which adjoins the site immediate to the north.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Erection of timber framed canopy and refreshment cabin

Consultations & Notification Responses

Chorlton Voice – Chorlton Voice object to this proposal, which would be an incongruous and obtrusive feature in the street scene. The design and materials of the timber frame canopy are of poor quality and the structure appears bulky, particularly when viewed from the east. The small reduction in size proposed in this latest application reduces the impact of the structure, but not sufficiently to overcome the substantive objection.

Both the cabin and canopy are prominently located, in advance of the building line of neighbouring properties.

Councillors –

As the local councillors we continue to object to this development. This is an entirely inappropriate development on one of the main roads into Chorlton next to our park, and it is detrimental to the street scene. It is unclear what standard of materials are proposed to be used. There is so little detail on the plans that we see no way of being confident that materials are safe and legal, that construction will be safe and compliant with safety and fire legislation or that waste will be properly disposed of.

Currently there is significant water run off across the pavement and into the street from the operation of this business and we cannot see how this, which is at the least, unpleasant and is potentially environmentally hazardous, is to be dealt with. We note that a septic tank has been included but it is positioned away from the run off. The application says that trade effluent does not need to be disposed of. We therefore think that there is a serious question about how water containing cleaning materials is disposed of so close to Chorlton Brook.

The signage on the kiosk – which is already in place alongside the pavement and possibly shown on the plans – advertises a food offer when the business is a car wash. It may be in any case that this contravenes the permitted number of take away food outlets in this area. It is unclear where the applicants intend to site this. We cannot see how this can be acceptable for health and hygiene reasons.

Highways –

CONTEXT - The application is for the erection of timber framed canopy and refreshment cabin at 302 Barlow Moor Road, Manchester, M21 8AY.

The site is located on an area of private forecourt adjacent to the adopted highway. No Waiting at Any Time and zig zag markings are in place adjacent to the development. A bus, taxi and cycle lane (Monday-Friday 7am-10am and 4pm-7pm) is in place on the west side of Barlow Moor Road.

The site received a planning refusal for a small café located at the front of the premises on 5th January 2021 ref 127658 and 26th May 2021 ref 129958.

HIGHWAYS RESPONSE:

TRIP GENERATION AND JUNCTION CAPACITY

It is acknowledged that the proposed café will predominantly target existing users of the car wash forming linked trips, however has the potential to generate additional vehicles accessing the site. Should this be the case, Highways accept that a marginal increase in trip numbers can be absorbed on the network with no significant impact.

ACCESS AND PARKING

Access to the site is taken from the existing vehicular crossing from Barlow Moor Road, which is acceptable to Highways.

There will be no additional on-site parking associated with the café. Further information is requested regarding the existing car wash car parking provision and how will this be managed in conjunction with the proposed café.

Barlow Moor Road is a highly trafficked route with no on-street parking available. As such, all vehicles associated with the site must be accommodated within the site boundary, with no requirement for vehicles to park on-street.

CYCLE PARKING

It is requested that secure sheltered cycle storage is made available for staff, in line with MCC Core Strategy for retail use.

CANOPY

The canopy will only be sited within the curtilage of the site and not impinge onto the

adopted highway, as such a projection license will not be required.

It is requested that a minimum headway clearance of 2.3m is in place for the canopy.

WASTE MANAGEMENT AND SERVICING

The existing waste management strategy will remain unchanged and bins will be stored at the rear of the property and manoeuvred to/from Barlow Moor Road on collection days.

For the avoidance of doubt, all servicing requirements, including both refuse collection and deliveries should be taken on-site in order to prevent disruption to traffic flows along Barlow Moor Road.

Highways also recommend that all servicing activity is undertaken outside of the peak hours on the highway network, and where possible, outside of car wash operational times.

CONSTRUCTION MANAGEMENT

The applicant should be advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Environmental Health – Recommend conditions relating to car wash facilities, premises opening hours and refuse.

Policy and issues

The following policies are considered relevant in the consideration of this application.

- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

- o Policy DM 1 - Development Management

- o Policy SP1 - Spatial Principles

- o Policy EN1 – Design Principles

- o Policy EN19 Waste

- o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered that the proposal does not accord with the principles of this policy document.

History

This application follows the refusal of planning application 129958/FO/2021 for the erection of a timber framed canopy and refreshment cabin. The application was refused for the following reason:

The proposals would by reason of their position, size, scale and design form incongruous and obtrusive features within the street scene. The prominent location of the proposed structures interferes with the building line of neighbouring properties by way of its location at the back of footpath along Barlow Moor Road. The developments are therefore contrary to the provisions of policies SP1, EN1 and DM1 of the Manchester Core Strategy, the Guide to Development in Manchester (2007) and the National Planning Policy Framework.

This application followed the refusal of planning application 127658/FO/2020 for the erection of a single storey building to form café (Use Class A3) on the 5th January 2021 for the following reason:

The proposal would by reason of its position, size, scale and design, form an incongruous and obtrusive feature within the street scene. The prominent location of the proposed structure interferes with the building line of neighbouring properties by way of its location at the back of footpath along Barlow Moor Road. The development is therefore contrary to the provisions of policies SP1, EN1 and DM1 of the Manchester Core Strategy, the Guide to Development in Manchester (2007) and the National Planning Policy Framework.

The previous scheme differed in that it was for a largescale canopy in association with current car wash use on site and for a separate refreshment cabin, which was intended to be utilised by a separate enterprise that wish to sell drinks and desserts.

This application sees the reduction in the size of the canopy proposed and alters the materials.

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policy EN1 sets out that opportunities for good design to enhance the overall image of the City should be fully realised. The policies are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

In this instance the principle of the proposal is considered unacceptable and it is believed that there are factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposal is deemed not to accord with policies DM1, SP1 or EN1 of the Manchester Core Strategy.

Visual Amenity

There are structures on site that have been built without the benefit of planning permission.

Concerns have been raised by Chorlton Voice with regards to the buildings providing an incongruous and obtrusive feature in the street scene. The design and materials proposed are aluminium clad posts and polycarbonate cladding to the canopy and timber cladding with felt to the trailer. Both the cabin and canopy are prominently located, in advance of the building line of neighbouring properties.

It is considered that the structures would be of poor quality with regards to their design and materiality and that both structures would be visually prominent to the detriment of the character of the area.

Food Trailer

The siting of the single storey detached building is considered to result in the loss of space to the front of the forecourt as you enter the site within an area to the back of footpath. The building comprises a food trailer measuring 3.213m² that is finished in timber with a lean-to roof.

It is considered that the prominent structure is incongruous and out of character with the area.

The proposed building is located at the back of footpath close to the edge of the forecourt along the Barlow Moor Road elevation. There are commercial properties opposite the site with residential properties north west of the site opposite and commercial either side comprising McDonald's and Tesco supermarket.

The general positions of buildings along this side of the road are setback considerably, this particular site offering open views from the within the street with no boundary screening although there is a canopy attached to the main building and projecting forward towards the road. The proposal has a detrimental impact on the visual amenity of neighbouring properties,

since the front of the site has open views and although there is a canopy to the front of the site, it is considered the introduction a solid structure within this location impacts on the current levels of visual amenity to the properties opposite and surrounding the site. Given the siting of the proposed building, it is considered that this leads to an unacceptable visual appearance within the street scene significantly affecting views from adjacent and surrounding properties.

In terms of visual amenity, it is considered that the development provides a negative impact upon the visual amenity of the adjoining occupiers and surrounding properties in the area and therefore is considered does not accord with Core Strategy Policies DM1, SP1 and EN1.

Large scale canopy

The large scale canopy that has been erected on site measuring c. 5.7m width and c. 26.7m depth is located at the back of pavement is constructed in timber with polycarbonate sheeting, the applicant now proposes to further clad this structure in aluminium cladding to match the existing building on site and reduce the size of the structure to c. 5.3m width and c. 20m depth.

The siting, scale, massing and design (materials) of the structure is wholly unacceptable within the street scene to the detriment of the visual amenities of the adjacent and surrounding properties and the character of the area contrary to policies DM1, SP1 and EN1 within the Development Plan and contrary to the aims of the National Planning Policy Framework in trying to achieve high quality design. The site lies within a prominent location and forms part of the Chorlton District Centre.

Other matters

There are no objections from a Highways or an Environmental Health perspective. Queries were raised in relation to waste management, however bin storage is said to be able to be accommodated on site and could be the subject of an appropriate condition if the development was considered to be acceptable in principle.

Conclusion

The development proposals have an unacceptable visual impact to the detriment of the amenity of surrounding properties causing harm to the character of the area. Regardless of the commercial context within which these buildings are set, the structures are incongruous, prominent, largescale and unacceptable in their appearance. The development therefore does not comply with policies DM1, SP1 and EN1 of the Manchester Core Strategy and the principles contained within the National Planning Policy Framework.

Human Rights Act 1998 considerations

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the

planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

Article 35 Declaration

The proposals would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

Reasons for recommendation to refuse

1) The proposals would by reason of their position, size, scale and design form incongruous and obtrusive features within the street scene. The prominent location of the proposed structures interferes with the building line of neighbouring properties by way of its location at the back of footpath along Barlow Moor Road. The developments are therefore contrary to the provisions of policies SP1, EN1 and DM1 of the Manchester Core Strategy, the Guide to Development in Manchester (2007) and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Chorlton Voice
Highway Services
Environmental Health

69 Claridge Road, Manchester, M21 9WQ
Flat, 300 Barlow Moor Road, Manchester, M21 8AY
441A Barlow Moor Road, Manchester, M21 8AU
Offices Rear Of 437, Barlow Moor Road, Manchester, M21 2AN
439A Barlow Moor Road, Manchester, M21 8AU
437A Barlow Moor Road, Manchester, M21 8AU
Mcdonalds, 312 - 316 Barlow Moor Road, Manchester, M21 8AY
Tesco Express, 300 Barlow Moor Road, Manchester, M21 8AY
443 Barlow Moor Road, Manchester, M21 8AU
441 Barlow Moor Road, Manchester, M21 8AU
439 Barlow Moor Road, Manchester, M21 8AU
437 Barlow Moor Road, Manchester, M21 8AU

Appendix 2 – Planning constraints

Article 4 Direction - Removal of PD Rights Change of Use from Class C3 to Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH