MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	128089/JO/2020
Date registered valid:	23 September 2020
Proposal:	Variation of condition no. 2 (specified plans) ,no. 3 (materials), no.9 (cycle parking) and no.10 (electric vehicle charging points) to enable alterations to elevations (including revisions to the type and design of roller shutters) approved as part of planning permission ref:126080/FO/2020,
Address:	35 Garratt Way, Manchester, M18 8HE
Ward(s):	Gorton & Abbey Hey Ward
Applicant:	Chris Lowe Ford Retail Limited 2 Charter Court, Colchester, CO4 9YA
Agent (if any):	Tom Robinson JLL One Piccadilly Gardens , Manchester, M1 1RG
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	21 October 2020

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Industry

Date of site visit:

Standard consultations:
Printed: 29 September 2020 Expired: 20 October 2020

Neighbour notifications
Printed: 29 September 2020 Expired: 20 October 2020

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
The proposed development relates to a detached single storey commercial building with a low pitched roof set behind a low parapet. The building is located between Hyde Road and Garratt Way, with access from Garratt Way. The premises have recently been used as a Class A1 shop (large scale butchers described as a factory shop). There is a grassed buffer with three trees and low kick rail boundary to the Garratt Way frontage . The grassed buffer with trees to Hyde Road lies outside the boundary of the site. There are existing 1m black bollards close the building on the eastern and southern elevation , and there is existing floodlighting to the parking area. All entrances have existing grey roller shutters , the majority of which have recessed shutter boxes.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area
The property lies within Gorton District Centre, with a petrol filling station and hand car wash facility directly to the west, with an supermarket beyond the petrol filling station. The south is an landscaped buffer between the site and Hyde Road , with retail and commercial premises to the south of Hyde Road. To the east of the site is a drive through KFC , and a police station. To the north of the site are dwellinghouses, with a day nursery to the north west.

Planning history

054186/FO/CENTL2/98 - Construction of a single storey conveyor car wash building with ancillary valeting bays and associated landscaping.
Land adjacent to Kentucky Fried Chicken, Garratt Way/Hyde Road, Approved 07.10.1998

060589/FO/NORTH2/00 -Erection of a single storey non food retail unit with attendant car parking and landscaping
Land at Hyde Road/Garratt Way, Gorton. Approved 01.02.2001

126080/FO/2020 - Change of use from retail (Class A1) to a flexible use of tyre and auto centre (Class B2) and retail (Class A1) together with external alterations and amendments to car park. 35 Garratt Way Manchester. Approved 20.05.2020

Previously approved development

The proposal involved the change of use from retail (Class A1) to a flexible use of tyre and auto centre (Class B2) and retail (Class A1) together with external alterations and amendments to car park (Quick Lane Centre). The workshop area included three vehicle bays, an MOT station with associated office, welfare facilities and storage areas .
The proposal sought a flexible use which would allow a future tenant to use the building as a shop (use class A1) without the need to seek further planning permission to revert back to use class A1 if required.
The revisions to the existing car park layout were designed to enable the provision of 2 disabled users parking bays, and an electric charging point adjacent to the eastern elevation of the building. Sheltered cycle storage was also proposed close the entrance to the building.

The proposal included the replacement of a double door entrance on the eastern elevations with a vehicular access , and the creation of a further two vehicular access points in this elevation ,together with a pedestrian access and area of glazing to the proposed office /waiting area. The existing roller shutters were to be replaced with light grey shutters set within recessed boxes. Furthermore, the glazed areas to the Hyde Road frontage were be infilled with brickwork and two further vehicular access doors created on this frontage. The existing palisade fencing on the site was to be removed.

The proposed hours of opening were Mondays to Saturdays: 7am to 8pm, and Sundays and Public Holidays 8am to 5pm.

Five full time and two part time jobs were to be created .

Description of development
Permission is sought to vary condition no. 2 (specified plans) ,no. 3 (materials), no.9 (cycle parking) and no.10 (electric vehicle charging points) to enable alterations to elevations (including revisions to the type and design of roller shutters)

The applicant has identified an operational issue with the proposed roller shutter doors as approved in the original submission, as they are no longer considered workable, as the internal roof height combined with the area required for the doors to fold away to when the doors are open, means that there would be insufficient height to operate a car lift; which is a key component of in a vehicle maintenance unit such as this. As such, replacement doors are proposed which require less volume when open, allowing the site to function as intended. Vision panels are retained in the alternative doors to remain constant with the approved plans.

In addition the incoming gas supply to the building is located adjacent to the customer personnel door. Introduction of limited additional brickwork is proposed to hide this fixture to present a better appearance in the street scene.

A sample of the proposed brickwork has been submitted for consideration to address the requirements of condition no.3.

Consultations & Notification Responses

Local residents and local businesses – No comments received.

Highways Services - The original proposals include an electric charge point connection from the building's front (eastern) elevation for staff vehicles. In addition, 2no. Sheffield cycle stands (providing secure parking for four cycles) were provided along with 2no. accessible parking spaces.
It is understood that the proposed variation of conditions will not affect the number of cycle stands or EV points and therefore Highways have no objections in principle to these amendments.

Environmental Health - Have reviewed the information submitted and we have no additional comments to those on the original application.

Design for Security - Previously advised that the success of the proposed development will be dependent upon the effective management and maintenance of the site and the applicant should be required to provide a security management plan which includes measures to deal with the following:
o Frequent inspection and prompt repair of security features (e.g. lighting CCTV, signage, barriers, locks, fencing and rails).
o Regular litter and graffiti removal (if applicable)
o Vegetation management
o Installation & Monitoring of CCTV and procedures for response to any incident /recording of images.
Dusk till dawn lighting should be installed to all external doors.
Area should be illuminated at night to prevent anti-social behaviour
Any new external fittings (i.e. shutters, windows or doors) should be certified to Secured by Design
standards.
In summary, the application was supported subject to further consideration of the above matters

No comments have been received in connection with this application.

Issues

Issues

POLICIES

The National Planning Policy Framework (February 2019)

The revised NPPF was adopted in July 2018 and re-issued in February 2019. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7).

In order to achieve sustainable development, the NPPF states that the planning system has three overarching objectives - economic, social and environmental (paragraph 8).

Section 6 'Building a strong and competitive economy' states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (paragraph 80).

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this' (paragraph 124).

Planning decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The NPPF is clear that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). (paragraph 130).

In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings (paragraph 131).

Section 14 'Meeting the challenge of climate change, flooding and coastal change' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 148).

Paragraph 170 advises that the planning system should contribute to and enhance the environment by (among other things) preventing development from contributing to , being put at risk from , or being adversely affected by unacceptable levels of noise pollution.
Paragraph 180 goes on to state that:
- Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- Identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Paragraph 182 states that planning policies and decisions should ensure that:

New development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline 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.

National Planning Policy Guidance (NPPG)

The relevant sections of the NPPG are as follows:
Noise : states that '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

Travel Plans, Transport Assessments in decision taking states that applications can positively contribute to:
- encouraging sustainable travel;
- lessening traffic generation and its detrimental impacts;
- reducing carbon emissions and climate impacts;
- creating accessible, connected, inclusive communities;
- improving health outcomes and quality of life;
- improving road safety; and
- reducing the need for new development to increase existing road capacity or provide new roads.

These largely relate to detailed aspects of a planning submission, which are addressed in the following section of the report; the conclusions of the necessary assessments is that the proposal accords with the general principles of the NPPG.

Supplementary Guidance
The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).
The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance was formally adopted in April 2007 and is relevant in this case. This guidance aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by the Design Council as being those urban design characteristics which create successful places, that is character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. The Guide to Development in Manchester acknowledges that different parts of the City have distinct or individual characters, which are a product of their design of their buildings, the nature of the streets, the quality of the landscape or nature of their activities. Such positive characteristics should be recognised and enhanced by new development, and each new development should be designed having full regard to its context. In this instance it is considered that the proposed development would broadly accord with this guidance, as set out further in the report.

Manchester Core Strategy
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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

Strategic Spatial Objectives
The Core Strategy contains a number of Strategic Spatial Objectives that form the basis of the policies contained therein, as follows:

SO2. Economy The scheme would provide enable vacant existing business premises to be reoccupied, which would help to safeguard employment within the local area. The safeguarded employment opportunities would support the City's economic performance, reduce economic, environmental and social disparities, and help to create inclusive sustainable communities.

Policy EN1 -The proposal would include elevational alterations comprising the replacement of a double door entrance on the eastern elevation with a vehicular access , and the creation of a further two vehicular access points in this elevation together with a pedestrian access and area of glazing to the proposed office /waiting area. The existing roller shutters would be replaced with light grey shutters set within recessed boxes. Furthermore, the glazed areas to the Hyde Road frontage would be infilled with brickwork and two further vehicular access doors created on this frontage. It is considered that the design is would be in keeping with the character of the area which comprises a district centre, which is predominantly commercial in nature

Policy EC 1- Land for Employment and Economic Development - The proposal would contribute the safeguarding of existing jobs in a location for employment growth. It would help to spread the benefits of growth across the City and thereby help to reduce economic, environmental and social disparities and help to create an inclusive sustainable community. The site is well connected to transport infrastructure.

Policy EC2 Existing Employment Space - The scheme would retain and enhance existing employment space and sites.

Policy C2 District Centres - States that development in District Centres should prioritise delivery of key 'visitor' services, including retail, public and commercial services and food and drink. The Council will ensure that retail remains the principal use in Primary Shopping Areas, but also ensure that provision is made in District Centres for commercial and service uses, leisure and community facilities and other uses which make a positive contribution to vitality and viability of centres. Subject to impact on overall character and local amenity, the Council will support development which extends the time during which District Centres are active.

The proposed development contribute to a more diverse range of uses in the District Centre , but would enable the premises to be re-utilised for retail purposes in the future. Recent development in Gorton has responded to local retail needs, but there is potential for other commercial and public uses.

Policy EC5 - East Manchester 80-85ha of employment land will be located within East Manchester with the majority of provision within the Regional Centre. Whilst the proposal under consideration lies outside of the Regional Centre , the proposal relates to the reuse of vacant retail floorspace within Gorton District Centre for an employment use.

The district centres of Newton Heath, Eastlands, Gorton and Openshaw offer opportunities for small scale mixed use local employment opportunities. Larger scale proposals will be considered if good transport links exist to the City Centre/Regional Centre.
The Council will promote development which:
-ensures major employment opportunities are connected via non-car modes to residential neighbourhoods within East Manchester and North Manchester, these include the City Centre, Central Park, Eastlands and railway stations in the City Centre;
-takes advantage of key transport infrastructure such as the arterial roads (Oldham Road, Ashton New Road, Ashton Old Road and Hyde Road) and public transport networks, such as bus routes and the proposed extension to Metrolink including two new lines and new stops;'

Policy EN14 -Flood Risk This site lies within Flood zone 1 and is therefore at a low risk of flooding and would not increase the risk of flooding to adjacent areas.

Policy EN16 - Air Quality . The site is in close proximity to Hyde Road which is an route identified as having air quality issues . This matter is addressed in detail elsewhere in this report.

Policy EN18 Contaminated Land and Ground Stability - States that any proposal for development of contaminated land must be accompanied by a health risk assessment. This site is not within a 250 m landfill site.

Policy EN19 Waste - Requires consideration of the submitted details relating to the applicant's proposals for the provision of a waste management plan to demonstrate waste will stored on site and recycled wherever possible

Policy DM1 Development Management - This sets out the requirements for developments and outlines a range of general issues that all development should have regard to. Of these, the following issues are or relevance to this proposal:

- Appropriate layout, form, materials and detail;
- Impact on the surrounding areas in terms of the design, and appearance of the proposed development;
- That development should have regard to the character of the surrounding area;
- Effects on amenity, including noise, air quality and road safety and traffic generation;
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Vehicular access and car parking.
- Refuse storage and collection

These issues are considered full, later in this report.

The following saved policies from the Unitary Development Plan are also considered to be relevant:

Policy GO6 'Industrial and Commercial Uses' states that 'sites on the Hyde Road frontage, as shown on the Proposals Map, are allocated for industrial, commercial or retail development'. The reasoned justification provided for Policy GO6 states that the policy is intended 'to increase the number and range of job opportunities and training available for local people. Subject to suitable safeguards for residential amenity, these sites are capable of accommodating increased commercial activity and extensions to the Gorton District Centre'
The application site lies within the area covered by saved policy GO6, and would broadly accord with this policy due to the proposed use of the site as a Tyre and Auto Centre Use , but with the flexibility to be used for Class A1 retail purposes.

Policy DC14.3 and 14.4 - These policies are related to the design and construction of security grilles or shutters, which will not normally be permitted if they are of solid construction and should be affixed to minimise their visual impact.

Policy DC26.1 - Has been related to the proposals contribution to the local noise environment and the impact of the development has been assessed, particularly in relation to the residential properties to the north of Garratt Way.

Policy DC26.3 - States that developments likely to result in unacceptably high levels of noises will not be permitted:

a) in residential areas;
b) near schools, hospitals, nursing homes and similar institutions;
c) near open land used frequently for recreational purposes.

Policy DC26.5 - Has been related to the assessment of the development, in terms of measures to control noise, including the provision of noise insulation.

Policy S1.2 - Advises that the Council in partnership with the private sector will encourage, where appropriate, the improvement and re-development of existing District Centres in order to ensure that they remain the focus for both shopping and a full range of community facilities. These centres comprise Cheetham Hill, Chorlton, Didsbury, the district centre in Sportcity, Fallowfield, Gorton, Harpurhey, Levenshulme, Longsight, Newton Heath, Northenden, Openshaw, Rusholme, Withington and Wythenshawe.
Particular emphasis will be given to improving safety and enhancing environmental quality, tackling traffic problems and increasing economic viability. Priority will be given to following centres: Cheetham Hill, the district centre in Sportcity, Gorton, Harpurhey, Levenshulme, Longsight, Newton Heath, Openshaw, Wythenshawe.

Issues in connection with the saved UDP polices outlined above are addressed in detail elsewhere in this report.

ISSUES

Principle
The principle of the use has been established by the earlier planning approval in May 2020 to use the site for class B2 Tyre and Auto Centre for MOT/car servicing and maintenance as described above for Quick Lane. The approved proposal also sought a flexible use which would allow a future tenant to use the building as a shop (use class A1) without the need to seek further planning permission to revert back to use class A1 if required. The proposed development facilitated the re-use of floorspace within Gorton District Centre which had been vacant since 2018, and contributed to the local economy by creating employment.. The development related to an established district centre and would positively contribute towards its future viability. On this basis it was considered that the development responds positively to Core Strategy policy EC1, EC5 and C2, and saved UDP policy GO6. The proposed variation of conditions does not affect the proposed use of the site.

Noise
The previously approved application was accompanied by a noise impact assessment . The proposal related to a flexible use of tyre and auto centre (Class B2) and retail (Class A1) . The workshop area included three vehicle bays , an MOT station with associated office , welfare facilities and storage areas. The main workshop area was to be accessed from three roller shutters doors on the eastern elevation. The assessment had been undertaken on the basis that the hours of operation proposed which were Mondays to Saturdays: 7am to 8pm, and Sundays and Public Holidays 8am to 5pm. Noise limits for the proposed development were established for the most sensitive Sunday daytime period when the proposed business would be in operation , and the predictions indicated the development would have a low impact . It was noted that for the most part the business operation would be carried out behind closed doors, but that during period of hot weather, the doors may occasionally need to be opened for short periods to prevent overheating. Given the observations of Environmental Health officers it was therefore proposed to condition the hours of operation to those applied for , but also to attached a further condition to require that all doors are close on Sunday mornings before 10am to safeguard the amenity of local residents. Whilst the internal floor layout has been revised ,this does not relate to the workshop element of the scheme, but to the parts store , office and staff room facilities in the northern section of the building . The location of vehicular access and pedestrian access points to the building would be as originally approved, and the hours of operation would also be as previously approved. It is therefore considered that the proposed internal layout change would not give rise to noise issues with potential impacts over and above

those previously considered as part of the original approval.

Servicing hours
It was proposed to attached a condition to restrict servicing hours : 07:30 to 20:00, Monday to Saturday and 10:00 to 17:00 Sundays/Bank Holidays to safeguard the amenity of residents living on the north side of Garratt Way, as part of the earlier planning approval. No changes are proposed to this aspect of the scheme.

Residential Amenity
The building would be retained as existing in terms of its siting, with 30m between the northern elevation of the property and the nearest residential units, which are to the north of Garratt Way. The previously approved proposal included tree planting (including evergreen species) which would contribute to screening the northern elevation of the premises in the future. There are no existing windows on the northern elevation of the premises and none are proposed, so no overlooking would occur. No changes are proposed to the height of the building (currently single storey) so there would no changes to any overshadowing from the property. The development would relate to its location within the district centre. Subject to conditions outlined above in relation to hours of operation and servicing, it was considered that the development can be appropriately controlled to ensure that the proposed use as a Quick Lane Tyre and Auto Centre would not give rise to significant levels of residential disamenity to local residents in the vicinity. The development would therefore accord with Core Strategy policies SP1 and DM1. No changes are proposed to this aspect of the scheme.

Design and appearance
The previously approved design was reflective of the corporate design of Quick Lane Tyre and Auto Centres. The proposal included the replacement of a double door entrance on the eastern elevations with a vehicular access , and the creation of a further two vehicular access points in this elevation together with a pedestrian access and area of glazing to the proposed office /waiting area. The existing roller shutters were to be replaced with light grey shutters set within recessed boxes. Furthermore, the glazed areas to the Hyde Road frontage were to be infilled with brickwork and two further vehicular access doors created on this frontage. The existing palisade fencing on the site was to be removed. It was proposed to attach a materials condition to ensure that in regard to the brickwork would match the existing.

The applicant has identified an operational issue with the proposed roller shutter doors as approved in the original submission, as they are no longer considered workable, as the internal roof height combined with the area required for the doors to fold away to when the doors are open, means that there would be insufficient height to operate a car lift; which is a key requirement of the proposed business. As such, replacement doors are proposed which require less volume when open, allowing the site to function as intended. Vison panels are retained in the alternative doors to remain constant with the approved plans, together with the use of recessed shutter boxes, and coloured shutters.

In addition the incoming gas supply to the building is located adjacent to the customer personnel door. Introduction of limited additional brickwork is proposed to hide this fixture to present a better appearance in the street scene.

A sample of the proposed brickwork has been submitted for consideration to address the requirements of condition no.3.

The proposed changes to the approved elevational designs are considered to be acceptable.

Waste Management

The previously approved scheme was accompanied by a waste management strategy , and waste storage areas were included on the site plan and floorplan for the site ('Oil Bund Tanks'). Waste bins are mobile for use throughout the workshop. It was previously proposed to attach a condition to ensure that the measures which have been specified are fully implemented at the site.

As this building forms part of a wider site, if in the future, additional waste storage were to be required , waste storage could be readily accommodated within the site. On this basis, it was considered that the development will continue to operate in accordance with Core Strategy policy EN19. No changes are proposed to this aspect of the scheme.

Security

This is an existing building, which has security lighting to the car park , and an alarm system on the building . The observations by Design for Security officers were referred to the planning agent as part of the earlier planning approval. Confirmation was received that Quick Lane always install CCTV, 24h monitoring and activation zones with audio speaker system at their sites. Furthermore, that the shutters were designed to appropriate standards and would have ram bars in front to prevent unnecessary access, and that all locks would be to standards etc.

In relation to the installation & Monitoring of CCTV and procedures for response to any incident /recording of images the agent confirmed that the business utilise a national provider that complies with all standards and monitoring protocols, and that Dusk till dawn lighting would be installed to all external doors. It was proposed to condition the measures which the company have specified would be incorporated in the development. No changes are proposed to the security aspects of the scheme.

Air Quality

This is an existing retail premises with a floorspace of 328 sq.m, which has previously attracted significant levels of vehicle movements. No additional floorspace would be created as part of the proposed development.

The submitted Transport Note which accompanied the original application did not indicate that the proposed change of use would result in significant vehicle movements to and from the premises.

An electric vehicle charging point was proposed to one of the proposed parking bays adjacent to the building, with 2 sheltered cycle hoops also proposed close to the visitor entrance. The scheme also included additional tree planting which included species which have been selected in regard to the capacity to improve air quality. It was considered that the proposed measures are commensurate with the proposed development and were acceptable. No changes are proposed to these aspects of the scheme.

Landscaping / Trees

The previously approved proposal involved the loss of two trees to the Garratt Way frontage , but the submitted landscaping scheme included the planting of nine new tees, together with herbaceous planting , and returning an enclosed compound to north of the property to an area comprising soft landscaping.

In regard to the tree species mix - all the trees were native species with the exception of Ginko which had been selected for its air quality properties and its suitability in the area it was

proposed i.e. tucked between the building and the boundary planting on Garratt Way. The increase in the number of trees had been proposed to improve air quality in the local area.

As part of the earlier application , the applicant originally proposed to provide monies by way of a unilateral undertaking to spend on tree planting/landscaping as a positive air quality improvement measure along Hyde Road. In April 2020 the planning agent advised that in regard to the Unilateral Undertaking they had originally proposed, that their client's solicitors advised that a section106 would make more appropriate in this situation.
Their client suggested that as part of a section 106 legal agreement the Council would covenant:
o to use the monies as a contribution to securing positive air quality improvement measures along Hyde Road via tree planting/landscaping within parts of the existing adopted public highway along Hyde Road;
o not to carry out/permit any tree planting/landscaping within a defined area outside of the Property, including within part of the Hyde Road adopted highway; and
o to return any unspent part of the contribution within 5 years of it being paid.

Hyde Road forms a main radial route, with the potential for significant services being located beneath footways. It was also noted that the applicant was seeking to ensure that planting was not located within a defined area outside their property. Further advice was sought in relation to this approach. Following further advice the applicant was asked to consider the use of a Grampian condition, which could provide an alternative way forward in respect of the proposed tree planting to be undertaken. The planning agent subsequently advised that his client would have issues with the use of Grampian condition and it might adversely impact upon the property transaction in a way that either a s106 or planting within the site edged red would not. It was therefore suggested that a way forward could be to include additional tree planting within the site using species in regard to their capacity to improve air quality. This option was pursued. The scheme would introduce 9 new trees of appropriate species to improve air quality on Hyde Road. On the basis that this aspect of the scheme was conditioned , this was considered to be an acceptable approach, and the on- going maintenance would be the developers responsibility. No changes are proposed to this aspect of the scheme.

Car parking
There are currently 20 parking spaces within the vicinity of the site, but some are also available for the adjacent KFC drive through restaurant. There are 13 spaces which are located within the site area associated with this application, none of which are designed for use by disabled drivers. As a result of the previously approved reconfiguration of part of the parking area, a total of 14 spaces would be available for use , with two of the three spaces located along the eastern facade of the building adjacent to the entrance, being allocated bays for disabled users . Furthermore, an electric charging point was also proposed in the vicinity of the entrance on the eastern elevation of the premises.
It was considered that the reconfiguration of the car park was acceptable, and a condition was recommended to ensure that the disabled spaces, and electric charging point are available for use within 3 months of the auto centre/ tyre centre being operational. There are no changes to this aspect of the scheme.

Cycle Storage
It was proposed to site 2 cycle hoops (storage for 4 cycles) under a shelter close to the visitor entrance to the building .It was recommended that this aspect of the scheme is conditioned. There are no changes to this aspect of the scheme.

Highways Issues raised as part of the original application
Some reconfiguration of the car park is required to create two holding areas fronting the proposed openings for vehicles to enter and leave the building.

Further to the queries raised by Highway Services, the planning agent has confirmed the following:

-The majority of customers book in in advance to save disappointment and to fit in with other commitments - work days/weekend arrangements etc. Tyres and urgent repairs are more ad hoc as a reaction to punctures or faults
- Number of services - the operator targets 90 pieces of work per week (13 per day) which could be a short job such as a single tyre change or a longer job such as an MOT or full service
- Has confirmed that customers generally stay within the site or run local errands whilst vehicles waiting to be repaired . They have advised that vehicles waiting for collection would be accommodated within the site boundary.
- In relation to Fleet MOT's, they have confirmed there are no commercial fleet contracts, but occasionally privately owned vans or sole trader vehicles are serviced
- HGV MOTs are not provided by Quick Lane and technicians aren't trained to carry these out.
- Oil & Tyres - as set out in the waste details oil and waste tyres are securely stored separately and collected by specialist contractors for recycling or safe disposal. Waste oil is stored in bunded tanks and all waste is stored internally.

On the basis of the above details the proposed development was considered to be acceptable in relation to highways matters. It was however, proposed attach a condition to require that signage is used within the car park in order to clearly identify which spaces are for use of the Tyre and Auto Centre. There are no changes to this aspect of the scheme.

Disabled Access
The proposed pedestrian and vehicular accesses are level. Two parking spaces for disabled uses are proposed , and a toilet facility for disabled users is also provided within the building. There are no changes to this aspect of the scheme.

Drainage/ Waste Oils
In regard to drainage/pollution, no works would be carried out outside the building, so the risk in the car park in relation to pollution form waste oils would be no greater than for the previous uses. The planning agent has confirmed as part of the original approval, that internally, the floor would be treated with a sealant which will ensure that fresh and waste oil will sit on top of the sealant rather than risking seeping through the concrete floor. Furthermore, that all new and waste oil would be stored in bunded containers and disposed of safely by an appropriate waste contractor, and that there would be no floor drains inside the building. On this basis it was not considered that oil interceptors would be required. There are no changes to this aspect of the scheme.

Restriction of use
It was proposed no part of the premises shall be used for any purposes other than a Tyre and Auto Centre (Class B2) and Class A1, as the other uses in Class B2 are unlikely to complement

the wider regeneration objectives of the area and the role of the District Centre in this part of Manchester, pursuant to policy C2, of the Core Strategy for Manchester and the National Planning Policy Framework as part of the previously approved scheme. There are no changes to this aspect of the scheme.

Conclusion
It is considered that the development would positively contribute to the on-going operation of the site without introducing any new circumstances that may adversely affect residential amenity. Any impact of the development is capable of being addressed by condition thereby securing compliance with Core Strategy policies SP1, DM1, EN16 and EN19.

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

Recommendation: Approve

Article 35 Declaration

Policy Framework as well as the development plan, national planning policy and other material considerations and recommends approval the application for the reasons outlined in this report. Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The original submission raised initial concerns regarding colouration of the roller shutters. Officers worked in a positive and proactive manner with the applicant to agree appropriate measures in this regard. The scheme is considered to be in accordance with the guidance contained within policies SP1 and DM1 of the Core Strategy and saved UDP policy DC26.

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

1) The development must be begun not later than the expiration of 2 years 7 months 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:
Plan ref: 9-0062/SK03 rev.B (proposed Quick Lane site plan);19-0062/SK04 (existing elevations); 19-0062/SK05 (existing location plan);19-0062/SK06 (existing site plan);GBS/1737/001(existing layout) ; Design and Access Statement; Planning Statement ; Transport Note; stamped as received 3rd February 2020

Planning Noise Impact Assessment (ref: RK2941/20067/Rev.0); waste management strategy date stamped received 5th March 2020;

Email from planning agent 5th March 2020 in relation to hours of operation
Email from planning agent 6th March 2020 in relation to waste storage
Email from planning agent 22nd April 2020 in relation to operational matters and highways impacts.
Email from planning agent 28th April 2020 in relation to security measures.
Email from planning agent 30th April 2020 in relation to waste oils.
Email from planning agent 15th May 2020 in relation to removal of palisade fencing, and confirmed of recessed shutter boxes

Plan ref: 3649 101(Landscape layout); 3649 201(Planting Plan)received by email on 14th May 2020.

Plan refs: QLG-001 rev.C (Proposed Quick Lane layout) QLG 002 rev.C (Proposed Quick Lane elevations) received on 23rd September 2020.

Emails (x2) from planning agent 01.20.2020 confirming roller shutter colouration , and brick type.

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) The brick used for the infilled wall areas shall be Ibstock 65mm Stratford Red Dragfaced bricks , and the insulated roller shutters shall have a RAL 9006 factory paint finish.

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 of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) The development herby approved shall be implemented in accordance with the submitted waste management strategy and contents of the email dated 6th March 2020 from the planning agent in relation to waste storage, and shall remain in situ whilst the use or development is in operation.

Reason -To protect the amenity and public health of the occupiers, once the development hereby approved is occupied, pursuant to policies SP1 and DM1 of the Core Strategy for Manchester

5) The premises shall not be open outside the following hours:-

Mondays to Saturdays: 7am to 8pm,
Sundays and Public Holidays 8am to 5pm.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

6) All operational work associated the uses hereby approved, taking place between the hours of 8am to 10am on Sundays , shall be undertaken with the vehicular and pedestrian access doors closed.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

7) No loading or unloading to the Class B2 and A1 development (including waste collections) , outside the following hours: 07:30 to 20:00, Mondays to Saturdays, and 10:00 to 17:00 Sundays/Bank Holidays.

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

8) The reconfigured parking spaces shall be surfaced, demarcated and made available for use scheme prior to the first occupation of the development, in accordance with approved plan ref: 19-0062/SK03 rev.B. The car parking spaces shall then be available at all times whilst the building is occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the buildings are occupied, pursuant to saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for Manchester.

9) Bicycle parking shall be implemented in accordance with the details on have been provided in accordance with details on plan ref: 19-0062/SK03 rev.B; QLG-001 rev.C (Proposed Quick Lane layout) and QLG 002 rev.C (Proposed Quick Lane elevations) prior to the first occupation of the development. These facilities shall then be permanently retained and reserved for bicycle parking whilst the building is occupied.

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

10) The Electric charging point in the location shown on plan ref: 19-0062/SK03 rev.B; QLG-001 rev.C (Proposed Quick Lane layout) and QLG 002 rev.C (Proposed Quick Lane elevations) shall be implemented prior to the first occupation of the development. This facility shall then be permanently retained whilst the building is occupied.

Reason - In the interest of the residential amenity of nearby residents , due to the air quality surrounding the development, and to secure a reduction in air pollution from traffic or other sources in order to safeguard the amenity of nearby residents from air pollution, pursuant policies SP1, EN16 and DM1 of the Core Strategy for Manchester.

11) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on Landscaping Plan ref: 3649 101(Landscape layout); 3649 201(Planting

Plan), shall be implemented not later than 12 months from the date of commencement of works. 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.

12) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), no part of the premises shall be used for any purposes other than a Tyre and Auto Centre in Class B2, and Class A1 Retail use.

Reason - The other uses in Class B2 are unlikely to complement the wider regeneration objectives of the area and the role of the District Centre in this part of Manchester, pursuant to policies EC2 and C2, of the Core Strategy for Manchester and the National Planning Policy Framework.

13) The development shall be carried out in accordance with the security measure detailed in emailed dated 28th April 2020. The development shall only be carried out in accordance with these approved details.

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

14) No vehicle testing, vehicle repairs or servicing of vehicles shall take place outside the building.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation once the development is completed, pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

15) No materials, parts, equipment, tools or waste shall be stored outside the building.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation once the development is completed, pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policy E3.3 of the Unitary Development Plan for the City of Manchester.

16) Prior to the occupation of the building details of non- illuminated signage to be erected within the car park in order to clearly identify which spaces are for use of the Tyre and Auto Centre shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved design .

Reason - To ensure that there is adequate car parking for the development proposed when the buildings are occupied, pursuant to saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

3 Chatsworth Road, Manchester, M18 7AF
22 Kettlewell Walk, Manchester, M18 8JW
546A Hyde Road, Manchester, M18 7AA
546B Hyde Road, Manchester, M18 7AA
546D Hyde Road, Manchester, M18 7AA
4 Heptonstall Walk, Manchester, M18 8LF
Aldi, Garratt Way, Manchester, M18 8HE
Flat 4, 536 - 538 Hyde Road, Manchester, M18 7AA
Flat 1, 536 - 538 Hyde Road, Manchester, M18 7AA
558B Hyde Road, Manchester, M18 7EE
Flat 3, 536 - 538 Hyde Road, Manchester, M18 7AA
548A Hyde Road, Manchester, M18 7AA
Flat 2, 536 - 538 Hyde Road, Manchester, M18 7AA
Royal Bank Of Scotland, 554 Hyde Road, Manchester, M18 7AA
118 Hampden Crescent, Manchester, M18 8JH
112 Hampden Crescent, Manchester, M18 8JH
520 Hyde Road, Manchester, M18 7AA
4 Sunny Brow Road, Manchester, M18 7AE
2 Sunny Brow Road, Manchester, M18 7AE
Flat 2, 558B Hyde Road, Manchester, M18 7EE
Flat 1, 558B Hyde Road, Manchester, M18 7EE
Flat 3, 558B Hyde Road, Manchester, M18 7EE
548 Hyde Road, Manchester, M18 7AA
First Floor, 556 Hyde Road, Manchester, M18 7AA
Electronic Alarms (UK) Ltd, 522 Hyde Road, Manchester, M18 7AA
Car Wash Gorton Service Station, Thornbury Way, Manchester, M18 8HE
Flat 1, 542 Hyde Road, Manchester, M18 7AA
544 Hyde Road, Manchester, M18 7AA
540 Hyde Road, Manchester, M18 7AA
35 Garratt Way, Manchester, M18 8HE
Whitegoods Ltd, Knutsford Road, Manchester, M18 7AL
Flat 1, 544 - 546 Hyde Road, Manchester, M18 7AA
Flat 4, 544 - 546 Hyde Road, Manchester, M18 7AA
Flat At 526, Hyde Road, Manchester, M18 7AA
Flat 2, 544 - 546 Hyde Road, Manchester, M18 7AA
Flat 3, 544 - 546 Hyde Road, Manchester, M18 7AA
556 Hyde Road, Manchester, M18 7AA
524A Hyde Road, Manchester, M18 7AA
22 Heptonstall Walk, Manchester, M18 8LF
14 Heptonstall Walk, Manchester, M18 8LF
120 Hampden Crescent, Manchester, M18 8JH
110 Hampden Crescent, Manchester, M18 8JH
16 Heptonstall Walk, Manchester, M18 8LF
12 Heptonstall Walk, Manchester, M18 8LF
10 Heptonstall Walk, Manchester, M18 8LF
550 Hyde Road, Manchester, M18 7AA
114 Hampden Crescent, Manchester, M18 8JH
202 Garratt Way, Manchester, M18 8HD

524 Hyde Road, Manchester, M18 7AA
552 Hyde Road, Manchester, M18 7AA
116 Hampden Crescent, Manchester, M18 8JH
6 Heptonstall Walk, Manchester, M18 8LF
18 Heptonstall Walk, Manchester, M18 8LF
558 Hyde Road, Manchester, M18 7EE
534 Hyde Road, Manchester, M18 7AA
The Pineapple, Garratt Way, Manchester, M18 8HE
24 Kettlewell Walk, Manchester, M18 8JW
8 Heptonstall Walk, Manchester, M18 8LF
1 Chatsworth Road, Manchester, M18 7AF
528 Hyde Road, Manchester, M18 7AA
26 Kettlewell Walk, Manchester, M18 8JW
20 Heptonstall Walk, Manchester, M18 8LF
526 Hyde Road, Manchester, M18 7AA
2 Heptonstall Walk, Manchester, M18 8LF
108 Hampden Crescent, Manchester, M18 8JH
206 Garratt Way, Manchester, M18 8HD
560 - 562 Hyde Road, Manchester, M18 7EE
208 Garratt Way, Manchester, M18 8HD
204 Garratt Way, Manchester, M18 8HD
Flat 1, 522 Hyde Road, Manchester, M18 7AA
Roots Restaurant, 518 Hyde Road, Manchester, M18 7AA
Gorton Service Station, Thornbury Way, Manchester, M18 8HE
Gorton Police Sub Station, Garratt Way, Manchester, M18 8HE
Flat 2, 522 Hyde Road, Manchester, M18 7AA
Flat 2, 542 Hyde Road, Manchester, M18 7AA
542 Hyde Road, Manchester, M18 7AA
536 - 538 Hyde Road, Manchester, M18 7AA
Flat 2, 540 Hyde Road, Manchester, M18 7AA
KFC Ltd, Garratt Way, Manchester, M18 8HE
546C Hyde Road, Manchester, M18 7AA
Flat 1, 540 Hyde Road, Manchester, M18 7AA
546 Hyde Road, Manchester, M18 7AA
Flat 5, 536 - 538 Hyde Road, Manchester, M18 7AA
2 Chatsworth Road, Manchester, M18 7AF

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2