Application Number	Date of Appln	Committee Date	Ward
086920/FO/2008/S2	13th Jun 2008	11th Sep 2008	Didsbury West Ward

Proposal Part Retrospective Temporary Planning Application for the use of site for car wash including erection of canopy, 2 metre high dark green paladin fencing and installation of portable cabin building

Location 570/572 Wilmslow Road, Didsbury, Manchester, M20 3DB,

Applicant Mr Diyare Askander Didsbury Car Wash, 10 Marquis Drive, Heald Green, Stockport, Cheshire, SK8 3HS,

Agent Falvia Services Ltd Falvia House, 5 Carrwood Road, Bramhall, Stockport, Cheshire, SK7 3EL,

Description

At the meeting of 21st August 2008 Members resolved to ask the Head of Planning to consult GMPTE and Greater Manchester Police in relation to the proposed use with its existing access onto Wilmslow Road and the relationship with adjacent bus stop.

The Committee decided to defer the application to consult GMPTE and GMP following Members concerns that the proposal would lead to conflict between pedestrian users and users of the adjacent bus stop. It was also questioned whether or not the proposal would be considered to be appropriate for a permanent use, if a future application was submitted.

Issues

This application is for the redevelopment of the site that measures 0.07 hectares. This application seeks temporary planning permission until December 2010 for the use of the site as a car wash. The site fronts onto Wilmslow Road near the corner of Oak Road. The site is currently vacant following the demolition of the two storey building that occupied the site due to an arson attack.

Members were concerned that the re-development of this site could cause conflict with pedestrians and users of the bus stop. Concerns were also raised by Members that the use and its close proximity to the bus stop could result in anti-social behaviour leading to loss of residential amenity to the occupiers of neighbouring properties.

Conclusion

No additional concerns or objections have been raised by either Greater Manchester Police (Crime Reduction Officer or the Area Policing Team) or GMPTE. The Head of Planning does not consider that the proposal is appropriate for a permanent consent in this location as it will potentially impact on the implementation of the mixed use scheme that Members were minded to approve and would therefore detract from the aims and objectives for the regeneration of the immediate and surrounding areas. Therefore, the Head of

Planning's recommendation remains unchanged i.e. to Approve (subject to condition).

Description

The application site, of approximately 0.07 hectares, fronts onto Wilmslow Road near the corner of Oak Road. The site is currently vacant following a recent arson attack which resulted in the previous two storey building being badly damaged resulting in its demolition. The building had a car accessories shop on the ground floor, 'Transound' and vacant accommodation above. The prominent location of the site means it is highly visible from the road.

The application site is considered to be in a highly sustainable location with Wilmslow Road providing excellent public transport links to the City Centre and beyond. The site forms part of an existing retail parade which offers a range of retail and comparison goods and 'Alpiono Cars' a car dealership firm. Furthermore, Withington District Centre is a short walk away which also provide shops, post office, banks and a library. Christie Hospital is close by.

The Planning and Highways Committee was recently presented within an application to redevelopment the site for a mixed-use scheme comprising apartments and a retail unit (Ref: 085508/FO/2008/S2). The Committee were 'Minded to Approve' planning permission subject to the signing of a Section 106 relating to the provision of key worker accommodation. Negotiations are still ongoing in respect of this matter and thus planning permission has not been granted.

This application seeks temporary planning permission until December 2010 for the use of the site as a car wash. It is anticipated that once the temporary period has expired, and should planning permission have be granted for the mixed-use scheme, the site will be redeveloped.

During the course of the planning application process it came to the attention of the City Council that development had already commenced at the site. The applicant was instructed to stop and work has now ceased. However, in the interim period the ground was re-surfaced and cabin and steel work installed.

Consultations

Local Residents/ Businesses - 7 letters of objection has been received for this application. The comments can be summarised as follows:

Visual Amenity

1. The proposal, even temporary, is not in keeping with the rest of the adjacent properties (shops and second hand car dealership);
2. Clarification needed regarding the colour scheme to be used;
3. The development is not suitable for the continued regeneration of South Manchester;
4. The portable cabin building, canopy frame and surfacing have already been completed/installed;
5. Portacabins in a residential area is not acceptable for two years;

Road Safety/ Highway Concerns

6. Wilmslow Road is a major road and busy bus route. There is a bus stop located between the proposed entry and exist points of the site which may cause issues if cars are waiting on the highway or existing the premises;
7. There will be danger to pedestrians and cyclists if the footpath is blocked by waiting cars;
8. Has a transport assessment been carried out?
9. A car wash on Wilmslow Road near to Christie Hospital will add to the growing traffic problems around the area and will lead to more parked cars;
10. The proposal is contrary to the Councils intentions to reducing greenhouse gases and introducing congestion charging;
11. Up to 30 vehicles per day is impossible to monitor or control and is a gross under estimate particularly during rush hour periods;
12. The proposed entry and exist straddling a very busy public bus stop used by children is extremely dangerous. Pedestrian, cars and buses will all be in conflict with each other;

Residential Amenity

13. The operation of the car wash will cause unnecessary noise and disturbance in the area;
14. Two Years cannot be constituted as 'temporary' and should therefore be considered to be overdevelopment;

Head of Engineering -

1. Generated traffic for a car wash will be greater than for the residential application which was previously considered. However, the proposal would be unlikely to cause major local congestion problems - busiest times are likely to be Saturdays;
2. The layout of the site differs fundamentally from other car washes offering similar services, which generally operate from petrol filling stations. Vehicles need to run into the site at 90 degrees to the road and storage capacity within the site appears to be adequate. This will mean that cars are less likely to queue back onto the highway than other car washes;
3. The access is less attractive for vehicles to "roll in" off the highway as a definite manoeuvre has to be made to access the site and storage capacity is adequate;
4. Although Wilmslow Road is a major radial route it is less busy than the A5103 especially in this location well before the Palatine Road junction therefore the turnover of vehicles is likely to be less frantic;
5. It is recommend that a strong management strategy is produced to ensure vehicles during busy periods (especially weekends) do not create problems on the highway;
6. The internal layout needs amending in terms of access to the bins store - there needs to be a clear route for the collection team;
7. Pedestrian visibility should be sufficient, due to the nature of the security fencing;
8. The existing drop kerbs correspond to the proposed entry/exist points which is fine.

Head of Environmental Health - Conditions relating to opening hours and deliveries should be applied to any approval.

Greater Manchester Police Architectural Liaison Officer - I do not consider there to be any security implications with this development.

Greater Manchester Police Crime Reduction Officer – No objections, as other operations of this nature elsewhere in the city in similar locations do not generate crime or anti-social behaviour.

Greater Manchester Police Area Policing Team – No objections, as the site or immediate area are not prone to crime or anti social behaviour at present and it is envisaged that the use will not attract such crime or anti-social behaviour to the area in the future.

GMPTE – The adjacent bus stop has recently upgraded to include a bus stop platform with raised kerb, new bus stop pole, plate and information display case. It is proposed that the shelter will be positioned with the screen to the back of the footway and will not include any side panels. The positioning and design of the shelter is such that it should have no impact on visibility splays for vehicular entrance and exit to and from the site. GMPTE does not envisage any conflict with the operation of the bus stop and therefore has no objection to the development.

Withington Civic Society -

- The views of neighbours must be carefully considered;
- The potential for noise and disturbance should be carefully considered;
- Highways and United Utilities must be consulted regarding the implications for both public and private drains;
- The proximity of the Wilmslow Rd / Oak Rd junction should be looked with regards to road safety; If the granting of consent for a temporary car wash could in any way be used to justify a permanent permission for the same then we oppose this application.

Didsbury Civic Society - No comments at the time of writing this report. Any comments will be reported to the committee.

Issues

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The application site is unallocated within the UDP. However, when dealing with applications of this nature, regard is given to policies H2.1, H2.2 and T3.1 contained within part one of the UDP. In addition, Development Control Policy Number 22 "Footpath Protection" within part two of the UDP is also applicable.

Policies contained in Part 1 of the UDP, which are applicable to new housing developments, are as follows:

Policy H2.1 states that the Council will encourage environmental improvements to make residential areas safer and more attractive.

Policy H2.2 is also relevant and states that the City Council will not allow development that will have an unacceptable impact on residential areas. The matters which the Council will take into consideration include the scale and appearance of the development and its impact in terms of noise, vibration traffic generation, road safety and air pollution.

In terms of road safety, policy T3.1 states that the Council will ensure that the particular needs of both pedestrians and cyclists are catered for in the design of new developments.

Policies contained in part 2 which are applicable are as follows:

DC22 states that in considering development proposals, the Council will have regard to the effect on existing pedestrian routes and will not normally allow development which would result in unacceptable inconvenience to local pedestrian movement.

The North West Plan (draft Regional Spatial Strategy) - Publicised in January 2006 - provides the future planning framework for the physical development of the North West Region over the next 15 to 20 years.

Policy DP1 'Regional Development Principles' states that proposals and schemes should be located so as to make effective use of land, buildings and infrastructure and a sequential approach to development should be adopted to meet development needs.

Principle - The site is currently a vacant piece of land that has become derelict. 'Transound', a motor accessories centre, occupied the previous building on site with vacant accommodation on the upper floors.

Given the vacant nature of the site, on a major road, and the previous use on the site being a motor accessories shop, where cars could park up and have equipment installed, the temporary use of the site for a car wash is considered to be appropriate.

Consideration should, however, be given as to whether layout, appearance and visual amenity of the proposal in the context of the street scene is acceptable, whether there are any highways safety implications as a result of the proposal and whether there is any impact on surrounding residential amenity as a result of the proposal.

Layout - There are existing drop kerbs which will form the entrance and exit points to the development site. As the cars enter the site there will be a canopy, in the centre of the site, which will provide a covered area for car valeting and washing. Situated towards the rear, a single storey cabin has been installed which will provide the staff quarters and office accommodation coupled with a small bin storage area.

It is considered that this layout is acceptable and provides the optimum space for cars to manoeuvre around the site. There is sufficient space for parked cars as well as those waiting for the car wash services.

Appearance - At the front of the site it is proposed that 2-metre high fencing will be installed. This will be made of metal and proposed to be painted blue. The canopy will be 3.5 metres in height with the cabin building 2.4 metres and will be finished in a similar colour scheme to the fencing.

The main visual impact to Wilmslow Road will be the fencing. However, the overall height will not have a domineering impact on the front of the site. The cabin is set back which means its impact will be minimise and to a certain extent will be screened by the canopy.

Clarification is required in terms of the colour scheme proposed. The applicants have applied for light blue, evidence of which can be seen from some of the steel work which has already been installed at the site. It is considered that this colour is quite obtrusive and should be toned down. Should planning permission be granted, it is considered that the approval should contain a condition which agrees the colour scheme for the site.

Objectors have raised concern that the proposal doe not fit with the agenda for regenerating south Manchester. Whilst it is agreed that the use is not the most attractive development in such a prominent location, it is of a temporary nature whilst plans are agreed for the redevelopment of the site. In addition, the proposal provides a use for the site rather than being left vacant and subject to crime and anti-social behaviour.

Other objectors have raised concern about such a proposal in a residential area. Whilst it is accepted that there are residential properties close by i.e. on Oak Road and on the opposite side of Wilmslow Road, the parade which the application sits contains a variety of retail and commercial uses, namely 'Alpino Cars, a car dealership firm. As such, the proposal is dissimilar from this uses and the character of this part of the street scene.

Highway Safety - A number of the objections received in respect of this planning application relate to highway safety concerns as a result of the proposal. These primarily relate to the straddling of the footpath by the cars and then backing up onto the highway blocking the bus stop in front of the site.

The Head of Engineering recognises the concerns of the objectors but states that the layout of the site is beneficial than car washes that occupy petrol filling stations which are more prone to cars backing up onto the highway. Cars entering the site, as previously mentioned, will enter and exit using the existing dropped kerbs. As such, the Head of Engineering considers that this layout will mean cars will have to turn at 90 degrees resulting in less queuing onto the highway as a definite manoeuvre has to be made to access. In addition, there is sufficient space and storage capacity for a number of cars within the site.

In addition, whilst Wilmslow Road is a major radial route it is less busy than other parts resulting in the turnover of vehicles being less frantic and will easily be able to cope with the turnover of cars anticipated at the development (30 per day) but most likely to be at its busiest on Saturdays.

One objector has requested a traffic impact assessment be undertaken. A document of this nature is not necessary for this type of development and is only applicable on major schemes.

The Head of Engineering has, however, suggested that a management strategy be produced which will ensure that vehicles are marshalled off the highway in the event that there is a problem with the number of vehicles visiting the site and to ensure that waste is moved to an appropriate position for collection.

It is therefore considered that the proposal accords with policy T3.1 of the UDP as it will not cause any undue pressure on the highway network nor cause an road or pedestrian safety implications.

Residential amenity - An objection has been received in respect of the noise and disturbance which will be caused by the development. Whilst it is accepted that the proposal will result in an increase car generation than the previous motor accessories business, the number of properties that will be directly affected by the proposal is limited. The residential properties on the opposite side of Wilmslow Road are separated by the development by a public road which generates its own level of noise and disturbance.

The flats above the commercial units in the parade will already suffer to a certain degree of disturbance front the retail/commercial units and as such, this particular development will not add to the current situation.

The proposal will also only be in used during the hours of 09:00 to 19:00 Monday to Saturday and 10:00 to 18:00 on Sundays and Bank Holidays. As such, there will be no impact after dusk.

Conclusion - The Head of Planning considers that the proposal will occupy a vacant site for a temporary period whilst the future redevelopment proposals for the site a resolved. The proposal will be a relatively open development with minimal obtrusive buildings and structures. There will be no highways implications as a result of the proposal and a management strategy will be put in place to ensure that the car wash operates properly. In addition, residential amenity impacts will be minimised with the operations limited to the day time.

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 Unitary Development Plan, the Head of Planning 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. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and country Planning Acts.

Recommendation APPROVE

The application site is a vacant piece of land of the edge of Withington District Centre. The proposal will see the site temporary used for a car wash up until December 2010. It is considered that the proposal will have minimal impact on the street scene and will not cause any undue highway or pedestrian safety issues. The proposal is therefore in accordance with polices H2.1, H2.2, T3.1 and DC22 of the Unitary Development Plan for the City of Manchester (Adopted 1995), the Guide to Development in Manchester Supplementary Planning Document (Adopted 2007).

Conditions and/or Reasons

1) The permission hereby granted is for a limited period only, expiring on 31st December 2010.; and the buildings, works and use comprising the development for which permission is hereby granted are required to be respectively removed and discontinued. The land shall be reinstated within 2 Months; in accordance with a scheme previously approved, which shall include a timetable of implementation to be submitted to and approved in writing by the City Council local planning authority before this permission expires.

Reason - In the interest of residential amenity, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester (Adopted 1995).

2) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority:

Drawings: 769/1A, 769/2A, 769/4, 769/5 stamped as received by the City Council, as Local Planning Authority, on the 23rd June 2008.
Design and Access Statement: Stamped as received by the City Council, as Local Planning Authority, on the 13th June 2008.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2; of the Manchester Unitary Development Plan.

3) No development that is hereby approved shall commence unless and until samples and specifications of all materials (including the colour scheme) to be used on all external elevations and fencing of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

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 policy H2.2; of the Unitary Development Plan for the City of Manchester.

4) The car washing/vacuuming facilities shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:-

Monday to Saturday 09:00 to 19:00
Sundays and Bank Holidays 10:00 to 18:00

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with Policies H2.2 and DC26 and the Unitary Development Plan for the City of Manchester.

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

Monday to Saturday 07:30 to 20:00

No deliveries/waste collections on Sundays and Bank Holidays

Reason: To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester (Adopted 1995).

6) Prior to the first use of the car wash, a management strategy shall be submitted and approved in writing by the City Council, as Local Planning Authority. Such a strategy shall include the details of the operations of the facility, particularly marshalling of vehicles to and from the highway safely. The approved scheme shall then be implemented for the perpetuity of the development.

Reason: In the interest of public and highway safety, pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester (Adopted 1995).

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: 086920/FO/2008/S2 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:

Engineering Services
Environmental Health
Greater Manchester Police
Steve Hobson, Crime Reduction Officer
Withington Civic Society
Withington Civic Society
12 to 36 Oak Road, Manchester, M20 3DA
570 to 586 Wilmslow Road, Manchester, M20 3DB
1 & 2 Wensley Drive, Manchester, M20 3DD
3 to 23 Wensley Drive, Manchester, M20 3DD

1 to11 (odd) Wolseley Place, Manchester, M20 3LR
563 to 565 Wilmslow Road, Manchester, M20 3QH
573 to 581 Wilmslow Road, Manchester, M20 3QH
Wensley House, Wilmslow Road, Manchester, M20 3DE
Flat 1, to Flat 10, Rutland Court, Oak Road, Manchester, M20 3BA
1 to10 Gordon Place, Manchester, M20 3LD
3 to 13 (odd) Circular Road, Manchester, M20 3LE
Flat 1 to Flat 12, Clifford House 567a, Wilmslow Road, Manchester, M20 3QH
Boundary Veterinary, 567 Wilmslow Road, Manchester, M20 3QH
Flat 1 to Flat 12, 569 Wilmslow Road, Manchester, M20 3QH
Christie Hospital Nhs Trust, 550 Wilmslow Road, Manchester, M20 4BX
2 to 8 Rathen Road, Manchester, M20 4GH
1 to 13 (odd) Lynway Drive, Manchester, M20 4TS
33 to 47 (odd) Parkville Road, Manchester, M20 4TX
148 to 156 (even) Parkville Road, Manchester, M20 4TY
1 to 6 Ferndene Gardens, Manchester, M20 4TQ
Indoor Cricket Club, Ferndene Gardens, Manchester, M20 4TQ
Flat 1, to Flat 18, 559-561, Wilmslow Road, Manchester, M20 4GJ
Flat 1-6, 567 Wilmslow Road, Manchester, M20 3QH

Representations were received from the following third parties:

Personal details withheld at the request of individual
MARTIN AUSTIN CEng MICE, 21 WENSLEY DRIVE, MANCHESTER
Personal details withheld at the request of individual
Andreas Petrou, 39 Parkville Road , Didsbury, Manchester , M20 4TX
Mr Neil Waller, 586 Wilmslow Road , Manchester , M20 3DE
Personal details withheld at the request of individual
Ms Susan Healey, 580 Wilmslow Road , Manchester , M20 3DB

Relevant Contact Officer : Jennifer Atkinson
Telephone number : 0161 234 4517
Email : j.atkinson@manchester.gov.uk