

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141532/FO/2024
Date registered valid: 18 November 2024
Proposal: Provision of Electric Vehicle Charging Bays and Associated Works
Address: Old Market Street, Manchester, M9 8DG
Ward(s): Harpurhey Ward

Applicant: Swarco Smart Charging Ltd
Agent (if any): Mr Tom Leigh, JMS Planning & Development Ltd
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 13 January 2025

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 11 December 2024

Standard consultations:

Printed: 25 November 2024

Expired: 16 December 2024

Neighbour notifications

Printed: 25 November 2024

Expired: 16 December 2024

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The application site relates to Old Market Street within the north Manchester ward of Harpurhey. The application site relates to a car park for the residential and commercial properties located on the southern side of Old Market Street, including the commercial properties of Nisa Local and Blackley Pharmacy (see planning reference: 084312/MO/2007/N1). The existing parking area consists of 11no. standard parking bays and 1no. accessible parking bay to the edge of the site. A bin store is sited to the south of the site, and an InPost locker system and bike shed is sited to the north of the site.

Description of area

The surrounding area is largely residential with some commercial uses, including those at the applicant site, and some industrial uses surrounding Mill Brow and Crumpsall Vale.

Description of development

The submitted application seeks planning permission for the Provision of Electric Vehicle Charging Bays and Associated Works.

This would involve the creation of 2no. ultra rapid EV charging bays to the south west of the site, resulting in the loss of 1no. space from the existing circumstance. Each space would have dimensions of approximately 4.8 metres length x 2.4 metres width.

As a result of the proposal, the existing bin store to the south of the site would be relocated to the north of the site and the cycle store would be relocated further north.

The charging units would be an iCharging blueberry touch unit (1no). The proposal would also involve the location of 1no. feeder pillar and 1no. power unit.

The proposal would also involve the insertion of supporting signage, including bollards and totem signage.

Negotiations during the Course of the Application

During the course of the application, comments and information requests from colleagues in Highway Services were sent to the agent for review.

The agent provided further information on the proposed EV charging product for review.

Whilst information was supplied to overcome Highway comments, these were received one working day prior to the determination date, leaving an inadequate amount of time for Highway Services to review the information.

Planning History

084312/MO/2007/N1-Former Avecia Chemical Works Land Adjacent To No. 95 Old Market Street-RESERVED MATTERS APPLICATION Erection of six commercial units (total 1000sqm floorspace) comprising Class A1 (retail), Class A2 (office uses) and Class A3 (cafe/restaurant use) at ground floor level with five, two bedroomed apartments above.
Approved 21 December 2007.

075914/OO/2005/N1-Land South Of Old Market Street- OUTLINE APPLICATION - Erection of 200 dwellings, and 1,000sqm of commercial floorspace comprising Class A1 (retail), Class A2 (office uses) and Class A3 (cafe/restaurant use) and open space, following demolition of existing buildings.
Approved 21 September 2006.

Consultations & Notification Responses

Local Residents

One objection was received from a local resident during the course of the application. The resident raised concerns that the existing car park is extremely busy, giving rise to parking issues for the commercial units and surrounding residential uses.

Highway Services

Highway Services were consulted and provided the following comments:

The proposal includes the installation of 2no. ultra rapid electric vehicle charging bay within the existing car park accessed via Old Market Street.

It would be useful to understand the charging unit associated with the EV charger.

It is noted that the access/egress arrangement will remain unchanged.

To the south-west of the car park there are existing 4no. standard parking bays. The provision of 2no. EV charging bay will result in the overall loss of 1no. standard car parking bay. Highways has no concerns with regard to the loss of 1no. standard parking bay.

Regarding the dimension of these spaces, these should all accord with MCC's standard minimum requirement. It is recommended that standard parking bay dimensions be a minimum of 2.4m x 4.8m. The car parking spaces should be demarcated.

The proposal includes the retention of the existing 8no. standard parking bay and 1no. accessible bay.

The associated EV equipment (including the EV charger, power unit and feeder pillar) will be situated within an area of hardstanding and appears to not impact on surrounding vehicle or pedestrian movement.

Indicated by the Proposed Plan, there will be 2no. new bollards and 4no. new signages installed. The proposed bollards will be located to northwest and northeast of the charging unit and to the east and north of the power unit and feeder pillar. It appears that the bollards will not impact on surrounding vehicle or pedestrian movement.

Plans indicate that proposed signage with bollards will be erected. Clarification is sought on the location of the proposed signage with bollards and should be shown in an update plan.

There is an existing sheltered cycle store within the site containing cycle racks and is to be relocated as part of the proposal.

The new cycle racks will be located further to the north of the retained existing accessible car parking bay. Confirmation is required that the existing number of cycle racks will be retained and will be in a sheltered and secure cycle store.

It is noted that the existing bin store is to be relocated.

The new bin store will be located to the north of the existing accessible car parking bay on the grass verge. It is assumed that the refuse servicing arrangement will remain as existing. Confirmation is required from the applicant.

Environmental Health

Environmental Health were consulted on the application and recommended the following informative for the application:

Informative - CLAND Watching Brief

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site during its development, the developer is advised to cease works and call Contact

Manchester on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Issues

POLICY

The National Planning Policy Framework (NPPF) (December 2024)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): a) an economic objective, b) a social, and c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8. Promoting healthy and safe communities

Chapter 9. Promoting sustainable transport

Chapter 12. Achieving well-designed places.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012, updated March 2024 following Adoption of Places for Everyone Joint Development Plan.

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management)

Policy SP1 (Spatial Principles)

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development)

Policy EN5 (Strategic Areas for low and zero carbon decentralised energy infrastructure)

Policy EN6 (Target Framework for CO2 reductions from low or zero carbon energy supplies)

Policy EN7 (Energy Infrastructure opportunities low and zero carbon decentralised energy schemes)

Policy EN8 (Adaptation to Climate Change)

Policy EN16 (Air Quality)

Policy EN18 (Contaminated Land and Ground Stability)

Policy EN19 (Waste)

Policy T1 (Sustainable Transport).

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant:

JP- S1- Sustainable development

JP- S2- Carbon and energy

JP- C1- An integrated network

JP- S6- Clean Air

ISSUES

Principle of Development

The submitted application seeks planning permission for the provision of Electric Vehicle Charging Bays and Associated Works. The proposal would allow the car parking area utilised by the immediate commercial units to the east an opportunity to offer electric vehicle charging points to customers, and in turn would help contribute to Manchester's target of becoming carbon neutral by 2038. As such, the principle of development is considered acceptable. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on any neighbouring properties' residential amenity, in addition to highway and environmental considerations.

Visual/ Residential Amenity

The proposal would involve the creation of 2no. ultra rapid EV charging bays to the south west of the site, resulting in the loss of 1no. space from the existing circumstance. Each space would have dimensions of approximately 4.8 metres length x 2.4 metres width. As a result of the proposal, the existing bin store to the south of the site would be relocated to the north of the site and the cycle store would be relocated further north.

Harm would be primarily felt from a visual sense in terms of amenity, due to the nature of the proposal. The proposed EV charging units and associated works would be limited in scale, to the 2no. charging bays created and would be read in conjunction with the 2no. parking bays. Visitors to the surrounding commercial units would read the proposed infrastructure in connection with the spaces and would read as a commensurate addition to the car park. The structures would be appropriate in scale, with a maximum height of 3 metres for the charging unit, and so would not dwarf the existing parking area and so would not give rise to any amenity implications.

It is noted that the flats above the commercial units to the east and surrounding properties from Hexagon Close have a view onto the car park area as existing. However, as the changes and introduction of supporting equipment would be contained in nature, any opportunity to see the proposal would be limited and would not be considered overbearing, again viewed with the commercial nature of the applicant site. The relocation of the existing bin store from the south of the site to the north of the site and the relocation of the cycle store relocated further north is not considered to give rise to any adverse harm given they would still sit within the area of the car park and be read as facilities to support the commercial units.

As the proposal would encompass only two of the parking spaces within the site, ample space in the car park would still remain for customers who do not have electric vehicles.

As such, it is considered the proposed development is acceptable in terms of amenity and is pursuant to the National Planning Policy Framework (NPPF), Manchester's Core Strategy, including policies DM1, EN4, EN5, EN6, EN7 and EN8, and saved Unitary Development Plan policy DC26.

Design and Appearance

The 2no. ultra rapid EV charging bays and associated equipment are considered utilitarian in appearance and would have a similar appearance to other EV charging units that have been implemented across the city.

The proposal would not appear incongruous within its setting and would be viewed in connection with the use of the car park. The benefits associated with the 2 no. rapid electric vehicle charging stations and associated equipment cannot be achieved without the structure and it is sited in a suitable location within the site. Therefore, the design and appearance is considered pursuant to Policy DM1 of the Core Strategy.

Information has been provided during the course of the application in relation to the specification of the unit and examples of the equipment in different locations, received 9 January 2025. However, the product specification appears to reference another product and the elevational details shown in the product specification have differences when viewed against the proposed elevations and the proposed colouration, plus are different to the examples provided from the agent. As the agent has agreed to the pre-commencement condition for materials information to be reviewed, the standard pre-commencement condition would be attached to any approval granted to clarify such matters.

The plan SI24-SD-13-05 has been submitted to detail the proposed signage and bollards to be erected in association with the EV chargers. However, the site plan does not seem to show the position of all the signage presented within the plan SI24-SD-13-05. Whilst the proposed signage does not give rise to any significant issues, the location of such signage is unclear. This was also raised as a query from colleagues in Highway Services. To overcome this, a condition requesting further information and the specific siting of the signage would be attached to any approval granted. Further information was submitted to overcome this on 10 January 2025, however as the information was submitted very close to the determination date, there was no time for Highways to review the information and a condition requesting the information would be attached to any approval granted.

Sustainability and Carbon Emission Reduction

Pursuant to policies EN4, EN5, EN6, EN7 and EN8, rapid electric vehicle charging stations would allow customers of the commercial units to the east of the site to charge electric cars whilst visiting the businesses, offering another local location in the immediate area to do so. This would benefit customers and allow the commercial units to help reach their targets in terms of carbon neutrality.

Highways Considerations

Highway Services were consulted as part of the application.

Highways requested sight of the proposed charging unit associated with the equipment. As stated above, a condition to this effect would be placed within the decision notice of any approval granted to understand the product, colouration and appearance, as well as its function.

During the course of the application, one neighbour expressed concern that the existing car park is extremely busy, giving rise to parking issues for the commercial units and surrounding residential uses. Highway Services noted that the proposal would result in the overall loss of 1no. standard car parking space. However, Highways has no concerns with regard to the loss of 1no. standard parking bay based on parking demand and therefore the loss of 1no. space can be supported by colleagues in Highway Services.

Highway Services requested the dimension of these spaces should all accord with MCC's standard minimum requirement. It is recommended that standard parking bay dimensions be a minimum of 2.4m x 4.8m. The car parking spaces should be demarcated. The spaces proposed can be measured as 2.4 x 4.8 metres and so match these requirements.

The associated EV equipment (including the EV charger, power unit and feeder pillar) will be situated within an area of hardstanding and appears to not impact on surrounding vehicle or pedestrian movement.

Indicated by the Proposed Plan, there will be 2no. new bollards and 4no. new signages installed. The proposed bollards will be located to northwest and northeast of the charging unit and to the east and north of the power unit and feeder pillar. It appears that the bollards will not impact on surrounding vehicle or pedestrian movement. Plans indicate that proposed signage with bollards will be erected. Clarification is sought on the location of the proposed signage with bollards and should be shown in an updated plan. As discussed above, this information would be requested within the decision notice of any approval granted.

There is an existing sheltered cycle store within the site containing cycle racks and is to be relocated as part of the proposal. The new cycle racks will be located further to the north of the retained existing accessible car parking bay. Confirmation is required that the existing number of cycle racks will be retained and will be in a sheltered and secure cycle store. Further information was submitted to overcome this matter on 10 January 2025, however as the information was submitted very close to the determination date, there was no time for Highways to review the information and a condition requesting the information would be attached to any approval granted.

It is noted that the existing bin store is to be relocated. The new bin store will be located to the north of the existing accessible car parking bay on the grass verge. It is assumed that the refuse servicing arrangement will remain as existing. Confirmation is required from the applicant. As the bin store appears to increase in size, further information is required on the appearance of the new bin store to be positioned to the north. Further information was submitted to overcome this matter on 10 January 2025, however as the information was submitted very close to the determination date, there was no time for Highways to review the information and a condition requesting the information would be attached to any approval granted.

Environmental Considerations

During the course of the application, Environmental Health requested a CLAND watching brief informative be attached to any approval granted. This advisory note would be reflected within the decision notice of any approval granted.

InPost Lockers

InPost lockers seem to be installed within the applicant site boundary sometime after June 2023 according to Google Maps. No planning history could be found for this development, and whilst there are permitted development rights that could be of use, Part 7 Class C- click and collect facilities, this must be within the curtilage of a shop and prior approval from the LPA sought. No prior approval application could be found for this site. The agent was advised to check the planning status for the piece of works and an informative to this effect would be attached to any approval granted.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. Officers have worked with the applicant/agent in a positive and proactive manner. Further clarity is required for the proposed materials/ appearance of the development and a condition to this effect has been attached to any approval granted. Information to overcome Highways requests has not been received in a timely manner to ensure the information can be reviewed by the relevant consultees, and so appropriate conditions have been placed on the approval granted.

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 three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

-Application Form, stamped as received by the City Council as Local Planning Authority on 18 November 2024.

-Drawing- Proposed- Plans and Elevations, numbered SI24-SD-11-01, stamped as received by the City Council as Local Planning Authority on 18 November 2024.

-Drawing- Proposed- Plans and Elevations, numbered SI24-SD-12-01, stamped as received by the City Council as Local Planning Authority on 18 November 2024.

-Drawing- Site Plan- Proposed Site Plan, numbered SI24-213-48-P-02, stamped as received by the City Council as Local Planning Authority on 18 November 2024.

-Drawing- Proposed- Plans and Elevations, numbered SI24-SD-12-03 REV C, stamped as received by the City Council as Local Planning Authority on 9 January 2025.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to saved policies DC26 of the Manchester City Councils Unitary Development Plan and policy DM1 & SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

3) Notwithstanding the details approved within condition 2, no development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

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) Notwithstanding the details shown on the approved plan 'Drawing- Site Plan- Proposed Site Plan, numbered SI24-213-48-P-02', prior to first use, details of the type, siting, design and appearance for the proposed signage and bollards shall be submitted to and approved in writing by the City Council as Local Planning Authority.

The approved signage shall be in accordance with the approved details and be in place prior to first use. The signage thereafter shall be retained.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies SP1 and DM1 of the Core Strategy and the requirements of the National Planning Policy Framework.

5) Notwithstanding the details shown on the approved plans 'Drawing- Site Plan- Proposed Site Plan, numbered SI24-213-48-P-02', prior to first use, details of the specifications, elevations, siting and appearance of the secured cycle storage shall be submitted to and approved in writing by the City Council as local planning authority. The agreed details shall be fully implemented prior to the first use of development, retained and maintained thereafter.

Reason - In the interest of residential amenity and to promote sustainable transportation modes pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester.

6) Prior to first use of the development hereby approved, details of the refuse servicing arrangement for the site shall be submitted to the City Council as local planning authority for prior approval in writing. This shall include elevations of the proposed bin store to be relocated further north of the site. The refuse servicing arrangement shall be implemented in accordance with the approved scheme and be in place prior to the first use of the development and shall be so maintained and retained at all times thereafter.

Reason - In the interests of amenity and public health, pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

Informatives

- 1) This decision notice does not confer planning consent for the InPost Lockers to the north of the site.
- 2) CLAND Watching Brief- In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site during its development, the developer is advised to cease works and call Contact Manchester on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

29 Hexagon Close, Manchester, M9 8RN
93 Old Market Street, Manchester, M9 8DX
97 Old Market Street, Manchester, M9 8DX
41 Hexagon Close, Manchester, M9 8RN
37 Hexagon Close, Manchester, M9 8RN
35 Hexagon Close, Manchester, M9 8RN
33 Hexagon Close, Manchester, M9 8RN
31 Hexagon Close, Manchester, M9 8RN
39 Hexagon Close, Manchester, M9 8RN
Flat 5, 73 Old Market Street, Manchester, M9 8DX
Flat 4, 73 Old Market Street, Manchester, M9 8DX
Flat 3, 73 Old Market Street, Manchester, M9 8DX
Flat 2, 73 Old Market Street, Manchester, M9 8DX
Flat 1, 73 Old Market Street, Manchester, M9 8DX
Unit 6, 73 Old Market Street, Manchester, M9 8DX
Unit 5, 73 Old Market Street, Manchester, M9 8DX
Unit 4, 73 Old Market Street, Manchester, M9 8DX
Unit 3, 73 Old Market Street, Manchester, M9 8DX
Unit 2, 73 Old Market Street, Manchester, M9 8DX
Unit 1, 73 Old Market Street, Manchester, M9 8DX
95 Old Market Street, Manchester, M9 8DX

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA