

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136247/FO/2023
Date registered valid: 13 February 2023
Proposal: Erection of 2no, single storey commercial units for car related use
Address: 330 Brantingham Road, Manchester, M21 0GU
Ward(s): Chorlton Ward

Applicant: Mr Sufyan Akhtar Chorlton Car Sales Limited
Agent (if any): Mr V Alyas Architek
Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 24 November 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 29 March 2023

Standard consultations:

Printed: 7 March 2023 Expired: 28 March 2023

Neighbour notifications

Printed: 7 March 2023 Expired: 28 March 2023

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 application site relates to a former garage petrol station that now in use a garage for car sales. The property has one cabin and a forecourt canopy and surrounded by a approximately 2 metre high black Heras type fencing. The site is predominantly hard standing.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The garage is located within Chorlton District Centre which is serviced by buses and a nearby Metrolink stop. The immediate area contains a mixture of uses including a public house, a dentist, opticians and solicitors, with Chorlton Cross shopping centre. The surrounding streets (Albany and Keppel Road) to the rear of the parade contain mostly either large semi-detached or terraced residential dwellinghouses.

Description of development

The applicant is seeking planning permission to erect 2no, single storey commercial units for car related use.

Consultations & Notification Responses

Publicity – Notification letters were sent to nearby properties (see appendix 1 for the list of properties).

Local residents/public opinion – A total of 5 representations have been received objecting to the proposal, which will be outlined below.

- Residential area and development not desirable.
- Previously erected a structure without planning permission.
- Surrounding business cause issue with the highways with on street car parking, this makes it difficult for people who are wheel chair users;
- There are some inaccuracies with the drawings submitted that the area labelled car was drive thru is part of Chorlton Motors.
- Proposal will increase traffic problems, car pollution and noise;
- The proposal will intensify the use and make it more difficult for residents to park their vehicle.
- Existing car sales causes visual dis amenity, adding to it would make it worse.

United Utilities PLC – No objection, requested drainage condition to address surface water and foul water to be attached to any approved application.

Environmental Health – No objection, requested conditions relating to contaminated land, hours of use and servicing, acoustic insulation and construction hours.

Highway Services – No objection. Unclear from the proposal as to whether there would be an increase in productivity at the site and if this would generate additional vehicular trips.

Concerned that the development may displace vehicles to alternative locations within the site (affecting internal vehicular/pedestrian routes) or displace vehicles to unsafe locations on the adopted footway/highway.

Highways would not support an increase in on-street car parking given the proximity of the district centre and existing parking pressures in the vicinity of the site.

Boundary treatment is acceptable, no cycle parking is to be provided, there should be a minimum of two spaces for cycles. Further details regarding the refuse collection and location are sought.

Requested a condition for a construction management plan.

Planning History

There have been three planning applications at this site, of relevance to this application is the one relating to its existing use. Permission was granted in 1986 to allow the use of forecourt of former petrol filling station for the sales of cars and caravans under planning application reference: **026176**.

Issues

Policy

The following policy and guidance are considered relevant to the consideration of this application.

Core Strategy

The relevant Core Strategy Policies are SP1, C1 and DM1

National Planning Policy Framework

Principle – Policy C1 of the Core Strategy advises that District Centres should prioritise delivery of the key ‘visitor’ services, including retail, public and commercial services and food and drink and amongst other priorities promote the development of employment which provides opportunities for local people.

The principle of 2no, single storey commercial units for car related use is considered to be acceptable as it will aid in supporting an established car sales use within Chorlton District Centre.

However, consideration should be given to the proposals siting, design, and its impact upon visual amenity of the area and residential amenity of nearby occupants.

In addition consideration should be given to whether the proposal would result in intensification of the works on site and if there are any possible highway impacts.

Siting, design, and visual amenity - The two units are proposed to be located next to the existing cabin where there is currently an exposed beam structure. Each unit would have a width of 4450mm (8900mm for both units) and a length of 4200mm. The single storey cabins would have two different heights, the repair workshop is shown to be 3628mm and the washing & detailing is another metre taller at 4628mm. To give the heights some context both units would still be lower than the existing forecourt canopy. At this point it is worth noting that the “Car Wash Drive Thru” is outside of the site edge red and is not part of the application site, most representations raised this in their comments.

The applicant seeks to construct the units with Box Profile Steel Cladding in an Anthracite Grey with the steel roller shutters will be finished in a Metallic Silver. Both the scale and chosen materials would appear appropriate given the existing use of the site as a car sales.

A condition is required to agree and approve the materials to ensure that they are visually acceptable for the site and area, this is set out at the end of the report.

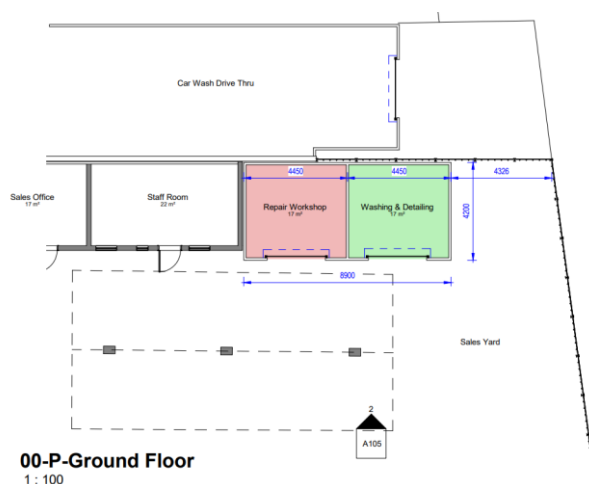


Image 1: Proposed ground floor plan



Photograph 1: Site Photograph showing proposed position.

Residential Amenity/Highways – The application form states that there would be no loss of car parking spaces and that proposed facilities (repair workshop and washing/detailing) would appear to be complimentary facilities and not new uses to the site that would result in an intensification of use to warrant the refusal of the application.

The representations received appear to raise that the existing use creates issues especially with car parking in the area and what are densely packed housing arranged in an iron gird arrangement

of streets. Highways also acknowledge that there are car parking pressures in the area, however there is no indication that the proposal would add to these issues.

However, it is acknowledged that landscaping around the site could be improved to help with visual amenity and therefore it has been agreed with the applicant that hard and soft landscaping scheme is provided before the works commence on site.

Conditions – A number of conditions have been attached to the report to address any surface water drainage and foul water drainage management and contaminated land.

In respect of hours as the use is existing it would be unreasonable to impose restrictions on them for what is a simply additional single storey units to support the existing use. Also, conditions requiring that the units be acoustic insulated are unnecessary and could be considered unreasonable to propose as the applicant could undertake washing or minor repair outside on the forecourt area without any controls. In a structure such as those proposed the building themselves would mitigate the impacts.

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 Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the

scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

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:

A103 P1 and A105 P1

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

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

4) b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and prior to occupation a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised

Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Core Strategy.

5) 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.

6) No development shall commence until a hard and soft landscaping treatment scheme (including boundary treatment) has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented before first occupation of the commercial units hereby approved. If within a period of 2 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.

7) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Chorlton Voice

Flat 5, 73 Albany Road, Manchester, M21 0BH
Flat 2, 73 Albany Road, Manchester, M21 0BH
341 Brantingham Road, Manchester, M21 0BJ
Flat 4, 77 - 79 Albany Road, Manchester, M21 0BN
Flat 9, 77 - 79 Albany Road, Manchester, M21 0BN
Flat 13, 77 - 79 Albany Road, Manchester, M21 0BN
Flat 9, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 28, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 29, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 38, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 3, 343 Brantingham Road, Manchester, M21 0BJ
Flat 18, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 8, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 21, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 19, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 5, 76 Keppel Road, Manchester, M21 0BW
Flat 4, 76 Keppel Road, Manchester, M21 0BW
Flat 6, 76 Keppel Road, Manchester, M21 0BW
Flat 3, 76 Keppel Road, Manchester, M21 0BW
Flat 6, 73 Albany Road, Manchester, M21 0BH
Flat 4, 73 Albany Road, Manchester, M21 0BH
Flat 1, 73 Albany Road, Manchester, M21 0BH
Flat 2, 76 Keppel Road, Manchester, M21 0BW
Flat 44, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 15, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 7, 77 - 79 Albany Road, Manchester, M21 0BN
Flat 12, 77 - 79 Albany Road, Manchester, M21 0BN
Flat 42, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 4, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 1, 343 Brantingham Road, Manchester, M21 0BJ
Flat 8, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 1, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 36, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 11, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 15, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 16, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 27, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 31, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 33, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 47, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 48, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 24, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 43, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 22, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Chorlton MOT And Service Limited, Brantingham Road, Manchester, M21 1BN
345 Brantingham Road, Manchester, M21 0BJ
Flat 5, 343 Brantingham Road, Manchester, M21 0BJ

New York New York Car Wash And Valeting, Brantingham Road, Manchester, M21 1BN
Flat 11, 77 - 79 Albany Road, Manchester, M21 0BN
Flat 10, 77 - 79 Albany Road, Manchester, M21 0BN
Flat 14, 77 - 79 Albany Road, Manchester, M21 0BN
Flat 41, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
77 - 79 Albany Road, Manchester, M21 0BN
Flat 2, 77 - 79 Albany Road, Manchester, M21 0BN
Flat 1, 77 - 79 Albany Road, Manchester, M21 0BN
Flat 39, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 3, 77 - 79 Albany Road, Manchester, M21 0BN
Flat 6, 77 - 79 Albany Road, Manchester, M21 0BN
Flat 5, 77 - 79 Albany Road, Manchester, M21 0BN
Flat 8, 77 - 79 Albany Road, Manchester, M21 0BN
Flat 45, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 46, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 3, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 2, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 10, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 37, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 40, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 25, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 26, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 21, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 23, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 19, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 6, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 24, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 35, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 25, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 3, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 9, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 6, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 4, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 34, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 14, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 13, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 7, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 17, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 30, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 5, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 14, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 20, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 16, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 10, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 7, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
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Flat 18, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 12, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 20, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 32, Cosgrove Hall Court, 8 Albany Road, Manchester, M21 0BA
Flat 7, 76 Keppel Road, Manchester, M21 0BW
Flat 23, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 22, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 5, The Quadrangle, 6 Albany Road, Manchester, M21 0AW

Flat 2, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 1, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 12, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 17, The Quadrangle, 6 Albany Road, Manchester, M21 0AW
Flat 8, 76 Keppel Road, Manchester, M21 0BW
Flat 1, 76 Keppel Road, Manchester, M21 0BW
Flat 3, 73 Albany Road, Manchester, M21 0BH

Appendix 2 – Planning constraints

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