

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135173/FO/2022

Date registered valid: 19 April 2023

Proposal: Creation of charging zone, EV charging points, erection of canopy, three jet wash bays, sub-station enclosure, low voltage (lv) panel and associated forecourt works.

Address: 571 Oldham Road, Manchester, M40 5AF

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Motor Fuel Group

Agent (if any): Miss Rahma Dwimunali, Carney Sweeney

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 6 June 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 5 May 2023

Standard consultations:

Printed: 20 April 2023 Expired: 11 May 2023

Neighbour notifications

Printed: 20 April 2023 Expired: 11 May 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 an existing petrol filling station operated by Shell, situated on the northern side of the main east/west, main arterial route located at Oldham Road (A62).

The existing service station includes a small retail kiosk occupied by Londis to the eastern side of the site, a pump area with raise canopy to the central area of the site and an automated car wash and electric vehicular charging point to the western side of the site



View of existing site when viewed from Oldham Road

The site includes two vehicular access point to aid circulation – both of which are located to either side of the pump area with access to Oldham Road.

The site is partially enclosed by a combination of A low brick wall and concrete post/timber fencing.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The immediate area is predominantly commercial/light industrial in context. Warehouse buildings flank the adjoining boundaries with tree planting separating the site from an industrial estate. Beyond the industrial estate to the north is an operational railway line.

To the south, on the opposite side of Oldham Road are further warehouse buildings, forming part of an industrial estate. A tree-lined, grass verge provides intervening screening to Oldham Road.

The site lies adjacent to the busy east/west, arterial route of Oldham Road which links the city centre with east Manchester and the M60 motorway.

Background

The UK Government has committed to reducing greenhouse gas emissions by 28% by 2035 and moving to Net Zero by 2050. As part of the Net Zero strategy (October 2021), the UK Government have placed a new emphasis on electric vehicle charging infrastructure in the UK.

Motor Fuel Group is the UK's largest independent forecourt operator with over 900 sites offering a dual-fuel strategy, convenient retail and 'food to go'. Motor Fuel Group are looking to roll-out an extensive supply of EV charging facilities at existing and new service stations across the UK to diversity their existing offer, with the aspiration to make it as easy to charge vehicles as re-fuelling with petrol or diesel.

Description of development

Planning permission is sought for the creation of charging zone involving 6 x EV charging points, the erection of an associated canopy, 3 x jet wash bays, sub-station enclosure, low voltage (lv) panel and associated forecourt works following demolition of the existing automated car wash.

The proposed installation is situated on an 'L' shaped area of forecourt presently occupied by a single storey structure in use as an automated car wash and a small area already used for electric vehicular charging.

The proposed involves a row of 6 charging points to the south-western side of the site, next to the existing totem sign. The bays are to be demarcated and covered by a linear canopy with mono-pitched roof.

To the northern boundary is a row of 3 jet wash bays within glazed enclosures in lieu of the automated car wash to be demolished.

To the south-western/northern corner of the site is a sub-station and lv panel.

The existing vehicular access and egress points to Oldham Road are to be retained and for use by all operations at the host site.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Highway Services - The proposed development is to take place within the red line boundary of the site and will not impinge onto the adopted highway.

Vehicular entrance and exit from A62 Oldham Road will continue as existing.

The swept path assessment, to demonstrate that all vehicles, including a large rigid HGV, can access the site and its facilities unobstructed, is acceptable.

There should be no internal obstruction of the forecourt access area, to prevent any associated queuing back onto the adjacent highway.

No boundary treatments are noted in the application. The applicant should be advised that all boundary treatments with frontage to the adopted highway should retain appropriate visibility from a height of 600mm upwards in order to protect sight lines. All gating which is accessed from the highway must be ensured to be inwardly opening, in order to prevent obstruction to passing footway users.

Appropriate signage within the site will be required in order to prevent vehicles from parking in areas associated with other uses.

Given maintained operation and constraints associated with the existing wider site, the applicant is advised that a Construction Management Plan should be provided prior to the commencement of any works.

Environmental Health – No objection. Conditions are requested in relation to acoustic insulation, air quality, contaminated land and construction management.

Flood Risk Management - Based on the provided evidence no surface water drainage condition for this application is recommended. The application references the below ground drainage system to be surface water. However, as the network will be taking car washing facilities, United Utilities and Building Control will need to review the foul drainage strategy prior to construction. Additionally, approval from United Utilities will be required for the point of connection onto the existing combined sewer.

An informative is advised relating to drainage.

Planning History

114062/FO/2016

Retrospective application for the installation of an ATM. *Approved 18 November 2016.*

114063/AO/2016

Retrospective application for the installation of internally illuminated signage to ATM. *Approved 16 November 2016.*

035448

Relocation of existing petrol filling station. *Approved 29 December 1989.*

029862

Relocation of existing petrol filling station. *Approved 29 October 1987.*

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Saved policies DC26 and E3.3 of the Unitary Development Plan for the City of Manchester'
- Policies DM1, EC2, EC5, EN8, EN15, EN16, EN19 of the Manchester Core Strategy'
- National Planning Policy Framework (NPPF_

Issues

Principle

The proposed development would form an ancillary element of an existing, operational petrol filling station and would contribute to a dual-fuel strategy, with convenience retailing, aimed at passing motorists as part of the applicant's strategy to roll-out an extensive supply of EV charging facilities across the UK, with the main aim to make it as easy to charge vehicles for both electric vehicles and petrol/diesel vehicles.

The provision of further electric vehicle charging points would meet with the Government's agenda and overarching planning policy and guidance which seeks to enable low emission travel.

Paragraph 112 of the NPPF states that:

'New development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations'.

The development would meet with this objective and would contribute positively to the existing EV charging network, to the benefit of those highway. The proposals would also enhance the existing offer at the service station, to the benefit of an existing employment location and given the existing site context of an existing service station within a busy, commercial area, adjacent to a major thoroughfare, no significant impact is envisaged to residential or visual amenity or the operation of the highway. On this basis, the proposal is believed to accord with the aforementioned policy and guidance.

Specific issues, including the impact of the jet wash bays, is considered further below.

Residential Amenity

Given the busy, commercial location of site, adjacent to a major arterial route and in the bounds of an existing service station, the introduction of the proposed use is highly unlikely to have any detrimental impact to the nearest residential occupiers, either 705 metres to the north along Pitsford Road and Emmett Street East, to the opposite side of railway line or approximately 929

metres south-east to Douro Street due to existing background noise levels, the degree of existing levels of activity and separation distance involved.

A condition has been included relation to noise level for any external equipment.

Visual Amenity

Given the commercial nature of the immediate surroundings and the existing backdrop formed by the existing petrol filling station, coupled with the low-key nature and scale of the proposed development, it is considered that the impact to visual amenity would be negligible.

Impact to the Highway

Highway Services raise no objection to the proposed development.

The proposal retains existing access points. Swept path analysis demonstrates that all vehicles, including large rigid HGV's, can access the site and its facilities unobstructed.

Given the circulation space and as the proposed facility is likely to be used as either as part of existing linked trips or an alternative to existing refuelling, the proposal is not likely to result in any significant increase in vehicular trips. On this basis, the impact upon the operation of the highway and highway safety is considered satisfactory.

Waste Management

The submitted waste management arrangement, coupled with the vehicular tracking drawing, which demonstrates that a refuse collection vehicle can still satisfactorily enter and egress the site as a consequence of the proposed works, is considered acceptable.

Air Quality

A submitted Air Quality Assessment demonstrates that there would be no significant or harmful impact to air quality.

The provision of a facility to encourage electric vehicle charging is considered a positive impact in terms of air quality and given the proposed works forms part of an existing, operational service station and would be used as part of a linked trips, adjacent to a busy, arterial route, the proposal would not result in any significant emissions once operational.

Any impact during construction would be limited and temporary in duration. Mitigation measures would be implemented to reduce dust emissions and through the use of good practice control measures via the implementation of a Demolition/Construction Management Plan, air quality factors are not considered a constraint to development of the site. A condition has been included to ensure the mitigation measures detailed within the assessment, during and post construction are adhered to, as well the need to implement a Construction Management Plan.

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

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

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:

Drawings referenced WPS-MFG-STD-EV-01-6-A, WPS-MFG-STD-EV-02 and WPS-MFG-STD-JW-02-3, received by the City Council as Local Planning Authority on 10 October 2022;

WPS-MFG-534-P-02 received by the City Council as Local Planning Authority on 10 March 2023;

Drawings referenced WPS-MFG-573-P-01-B received by the City Council as Local Planning Authority on 19 April 2023;

WPS-MFG-573-P-04-B received by the City Council as Local Planning Authority on 10 May 2023;

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is operational, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the 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 agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this.

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 EN18 and DM1 of the Manchester Core Strategy.

4) Prior to the commencement of development, a construction management plan outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning Authority, which for the avoidance of doubt should include:

- Measures to control noise and vibrations;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

The development shall only be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

5) The development hereby approved shall only be carried out in accordance with mitigation measures detailed within the submitted Air Quality Assessment (Ref: 410.064908.00001-V.10) produced by SLR, received by the City Council as Local Planning Authority on 4 April 2023.

Reason - To minimise the impact upon air quality and in order to minimise the environmental impact of the development, pursuant to policy EN16 of the Manchester Core Strategy, National Planning Guidance and National Planning Policy Framework (NPPF).

6) a) Any externally mounted ancillary plant, equipment and servicing to be installed shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location. Prior to its installation, the scheme, including any necessary mitigation, shall be submitted to and approved in writing by the City Council as Local Planning Authority in order to secure a reduction in the level of noise emanating from the site.

b) Prior to any externally mounted ancillary plant, equipment and servicing to be installed becoming operational, an approved verification report shall be submitted to and approved in writing by the City Council as Local Planning authority to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria have been met. Any instances of non - conformity with the recommendations

in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

7) The development hereby approved shall be implemented in accordance with the details contained within the submitted waste management pro forma and refuse collection plan referenced WPS-MFG-573-P-04-B, received by the City Council as Local Planning Authority on 4 April 2023 and 10 May 2023 respectively.

Reason - To ensure satisfactory waste management arrangements are in place, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

8) The jet wash bays hereby approved shall not be operational outside the following hours:-

07:00 to 22.00 hrs daily

Reason - To safeguard amenity and protect the area from undue noise and disturbance, pursuant to saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

9) No above ground development that is hereby approved shall commence unless and until samples and specifications of all other 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. The development shall only be implemented in accordance with the agreed materials.

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, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

Informative

- 1) Please note, any new signage may require separate advertisement consent. The developer is advised to contact the Local Planning Authority prior to the installation of new signage or advertisements.
- 2) The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system.

City Council records highlight that the underground culverted watercourse (Shooters Brook) is located within close proximity to the site (approximately 77m to the east of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all City Council underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and the City Council should be contacted immediately.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
United Utilities Water PLC
Greater Manchester Police

Bestway Cash And Carry, Monsall Road, Manchester, M40 8WT
1 Beckford Street, Manchester, M40 5AE
Unit 6, Beckford Street, Manchester, M40 5AE
Unit 5, Beckford Street, Manchester, M40 5AE
800 Oldham Road, Manchester, M40 2AB

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA