

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135724/FO/2022
Date registered valid: 12 December 2022
Proposal: Installation of InPost parcel locker
Address: Co-Op, 135 - 141 Withington Road, Manchester, M16 8EE
Ward(s): Whalley Range Ward

Applicant: InPost UK
Agent (if any): Mr Neil Jones NL Jones Planning
Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 28 April 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 13th January 2023

Standard consultations:

Printed: 3 January 2023 Expired: 24 January 2023

Neighbour notifications

Printed: 3 January 2023 Expired: 24 January 2023

Site notice

Posted: 13 January 2023 Expired: 3 February 2023

Press advert

Published: 10 January 2023 Expired: 31 January 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: Not applicable

The property that is the subject of this application is a double height red and buff brick commercial unit. It is currently in use as the Co-operative food store. It is identified as 135-141 Withington Road. It is located at the junction of Withington Road and Mayfield Road in the Whalley Range ward of the City. The associated car park is to the rear of the building with the service yard to the north side of the building. There is a forecourt to the front of the property which is at its narrowest point at the service yard end of the building and the widest point at the entrance point to the store. There are double yellow lines that run the full length of the frontage, culminating in zig zag lines and a pedestrian crossing in front of the entrance.

Description of area

The area comprises of commercial on the frontages together with residential properties, and the side roads are primarily residential in nature. It sits within the Whalley Range conservation area designated in 1992.

Description of development

The proposal is for the installation of an InPost locker. This is a unit that houses parcels for drop off and pick up by customers. The unit would project from the front elevation of the building by 0.9 m with an additional canopy over the collection area would be 2.011 m wide and 2.424 m high. The canopy would project from the front of the building by 1.657 m. The unit would comprise of a white canopy with built in security camera. The face would be a wrapped grey coloured drawers, metal cladding colour white and LED downlighter lighting grey.

Consultations & Notification Responses

Local residents were informed, and a site notice was displayed within the vicinity of the site- no representations were received as a result of either method of publicity.

Whalley Range Forum were informed- no representations have been received.

Whalley Range Conservation Area Group were informed- no representations have been received.

Highways- The site is adjacent to the adopted highway Withington Road in the ward of Whalley Range. The site is surrounded by traffic restrictions including no waiting at any time and no Loading Mon-Fri 8am-9.30am and 4pm-6pm. This location is within close proximity to the pedestrian crossing. The proposed locker will sit adjacent to the Co-op building on the Withington Road elevation.

MCC Highways have safety concerns over the location of the locker, and that the location of the locker would cause significant disruption to Withington Road by vehicles associated with the locker.

Issues

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance:

- Saved policy DC14 - Shop fronts and related signs

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles
- Policy EN1 - Design Principles and Strategic Character Areas
- Policy DC18- Conservation Areas

The National Planning Policy Framework (NPPF, 2019):

- Chapter 12 - Achieving well-designed places

For reasons to be outlined below, it is considered the proposal conflicts with the principles of these policy documents.

Principle - The installation of a parcel locker within the curtilage of a commercial unit is acceptable in principle, and often accords with Permitted Development, however consideration must be given to the siting, scale and design of the locker as well as any potential impacts upon residential or visual amenity, and the impacts upon the Whalley Range Conservation area within which the proposal site is located.

Siting and scale. - The locker is sited at the left-hand side of the forecourt, against the frontage and adjacent to the access point to the service yard for the CO-OP. The unit would project from the front elevation of the building by 0.9 m with an additional canopy over the collection area, would be 2.011 m wide and 2.424 m high. The canopy would project from the front of the building by 1.657 m. Under Permitted Development click and collect facilities can be installed within shop curtilages. The proposal does not accord with these regulations though, as it is sited within 2m of a boundary and any part of the development would be between a shop front and a highway where the distance between the shop front and the boundary of the curtilage of the premises is less than 5 metres.

Due to the scale, siting and appearance of the proposal, it is considered to form an obtrusive feature within the street scene, to the detriment of the surrounding properties and is considered

to have a detrimental impact when viewed within the context of the Whalley Range conservation area.

An alternative location was suggested of locating the unit on the rear facade within the car park of the property where it would be much less visible when viewed from within the street scene, but the applicant determined that this was not a feasible location for their operation. It therefore conflicts with policies DM1 and SP1 of the Core Strategy and saved policy DC18.

Design and appearance - The locker is constructed of white stainless steel panels, with a galvanised steel door sat atop a concrete base. It features branded decals surrounding a touch screen on the elevation facing into the forecourt and a projecting element on the top which holds CCTV cameras. It is not evident from the plans submitted however many of the InPost lockers have concrete bollards proposed to the front of the unit to avoid ram raiding. If that was to be the case in this instance, this would further add to the visual clutter over and above that created by the unit itself on what is currently an open clear area.

Due to the colour and materials, the locker stands in stark contrast to the unit it sits in front of, which is simplistic in its pallet comprising of red brick and buff pillars. There is very limited signage being primarily over the entrance. It visually interrupts the clean lines of the building introducing yet another physical dimension and colourway. It is considered to cause harm to the visual amenity of the site and the conservation area within which it is located, contrary to policies DM1 and SP1 of the Core Strategy, saved policy DC18 and Chapter 12 of the National Planning Policy Framework.

Visual Amenity- The property is in an area where there is little clutter currently along the frontages, with physical structures being limited to street lights and planters / tree planting. These all benefit the area in a positive manner. The introduction of the unit would have a detrimental impact upon the visual amenity and the character of the wider conservation area bringing with it no positive contribution.

Residential Amenity- The unit would be accessible 24 hours a day, whereas the business it would be located at has a closing time of 10:00 pm Monday to Saturday and 4:00 pm on Sundays. Thereby it would be introducing an additional use at the property which would be accessible 24 hours a day including unsociable hours when the primary use is closed. This has the potential to have a detrimental impact upon the residential amenity of local residents due to the associated comings and goings. Consideration would also have to be given to any proposed new locations with regards to the proximity of the locker to neighbouring residential properties.

Parking- Whilst there is parking to the rear of the premises, this is quite a distance from the proposed locker. It is therefore highly unlikely that users of the unit would park within the rear car park and then walk down Mayfield Road and along Withington Road to the unit at the far end of the building. Given that it is suggested that it only takes a short while to collect a parcel, they are more likely to park on the frontage particularly if using late at night or in bad weather. Highways have concerns that this operation would lead to detrimental impacts upon the current level of pedestrian and highway safety within the vicinity of the site. It was suggested that the unit be located within the rear car park area of the building which would therefore provide a more relatable operation of the locker being located and parking being available all within the same area.

It has not been possible to determine if there would be sufficient parking within the car park to sustain both the retail offer and the customers to the locker as no figures for the potential number of users visiting the locker have been provided, however the agent has suggested that some of these will be dual purpose visits for both retail and collection of parcels.

Conclusion - Although in principle parcel lockers are sustainable, enabling couriers to reduce the number of delivery trips and therefore reduce their emissions, the siting of this locker is not

appropriate as it harms the character and visual amenity of the building and the Whalley Range conservation area. It therefore conflicts with development control policies DM1, SP1 and saved policy DC18 of the Core Strategy and chapter 12 of the National Planning Policy Framework. The agent was informed of the decision but has confirmed that the suggested location was not agreeable to the applicant and as such no amendments or conditions would have rendered the scheme acceptable, revised plans were not requested.

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: Refuse

Article 35 Declaration

The proposal would not improve the social and environmental conditions of the area, nor does it comply with the development plan and therefore does not comprise sustainable development. Whilst alternative locations were suggested to the applicant following consideration, they determined that no alternative location was feasible for their operation. There are no conditions which could reasonably have been imposed, which would have made the development acceptable, and it is therefore not possible to approve the application.

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

1) The proposal would, by reason of its siting, scale design and materials, form an incongruous and obtrusive feature within the street scene to the detriment of the visual amenities of neighbouring occupiers and businesses. The development would thereby be harmful to the character and visual amenity of the Whalley Range Conservation area and be contrary to

policies SP1, EN1, DM1 and saved policy DC18 of the Core Strategy for the City of Manchester, and the National Planning Policy Framework.

2) The proposed development fails to provide sufficient arrangements for parking of vehicles to facilitate the servicing of the InPost unit or for customer collection and drop off. The unit is proposed remotely at the furthest most point from the CO-OP car park on a section of the building that has no parking at any time restrictions and is immediately adjacent to additional restricted markings serving the pedestrian crossing. The additional parking demand to be generated, in an area that suffers a high demand for parking, would exacerbate on-street parking difficulties and localised traffic congestion, to the detriment of both pedestrian and highway safety within the vicinity of the site. As such, the proposal is contrary to policies DM1, T2 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Whalley Range Forum
Whalley Range Conservation Area Group

134A Withington Road, Manchester, M16 8FB
Second Floor, The Madina Hall, 122 Withington Road, Manchester, M16 8FB
First Floor, The Madina Hall, 122 Withington Road, Manchester, M16 8FB
Top Flat, 128 Withington Road, Manchester, M16 8FB
132A Withington Road, Manchester, M16 8FB
141 Withington Road, Manchester, M16 8ED
The Madina Hall, 122 Withington Road, Manchester, M16 8FB
130 Withington Road, Manchester, M16 8FB
Whalley Range Dental Practice, 132 Withington Road, Manchester, M16 8FB
128 Withington Road, Manchester, M16 8FB
126 Withington Road, Manchester, M16 8FB
134 Withington Road, Manchester, M16 8FB

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
Conservation Area - Whalley Range Conservation Area 1992
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA