

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134484/FO/2022

Date registered valid: 25 August 2022

Proposal: Erection of new filling station with ancillary retail store (sui generis) with drive through cafe (Class E) following demolition of existing

Address: 332 Cheetham Hill Road, Manchester, M8 0PL

Ward(s): Cheetham Ward

Applicant: Nathan Tonge, Euro Garages Limited

Agent (if any): Emily Robinson, Atticus Planning Limited

Case officer: Janine Renshaw-Livesey
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Recommendation: APPROVE

Date of recommendation: 15 March 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 11 Aug 2022

Standard consultations:

Printed: 15 February 2023 Expired: 8 March 2023

Neighbour notifications

Printed: 2 September 2022 Expired: 23 September 2022

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 Proposal

The application seeks consent for the proposed redevelopment of the site into a petrol filling station and new drive through café.

The new petrol station occupies the same location as the existing, though the kiosk building is of a larger scale; the building is positioned within the south-eastern corner of the site, utilising areas of redundant space. 3 no. petrol pumps are proposed, which results in a slight reduction to the existing and will be covered by a smaller canopy. A new row of parking spaces are to be provided at the front of the kiosk building, including one disabled space.

The new drive through café is proposed within the northern part of the site, with parking to its frontage, which includes two disabled spaces and two electric charging points.

To facilitate the development a number of trees within the northern western part of the site require removal. To offset this, a number of new trees are proposed both along the site's frontage and within the site's south eastern corner, adjacent with the Shirley Road junction. The proposed layout also includes new areas of grass and ornamental planting.

Existing vehicular access points are to be retained but will undergo relevant improvement works. The layout incorporates new pedestrian paths which will connect the footpath along

Cheetham Hill Road to both the café building and petrol station kiosk, which the existing arrangement currently lacks. Cycle parking is also provided.

The proposal involves: petrol station would employ 4 full time and 12 part time staff whilst the drive through coffee shop would offer 5 full time and 15 part time positions. This equates to a total of 36 jobs.

The site extends to an area of 0.27 hectares and contains a 4-pump petrol filling station which has an ancillary retail store (SPAR) and operates on a 24 hour basis.

It is located on Cheetham Hill Road, which is one of the main arterial routes connecting North Manchester to the City Centre. It forms part of a vibrant and diverse inner-city area of Manchester.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and one objection was received. The objector raised concerns regarding lack of car parking spaces for people using the shop and the drive through and as a result would increase traffic in area. The issues the objector has raised will be dealt with in the body of the report.

Environmental Health- raised no objection to the proposal subject to the following conditions be attached to the proposal.

Fumes

Construction Management Plan of Operation

Hours of operation

External Lighting

External Equipment Noise

Waste

Air Quality

In addition to the conditions, environmental health requested informatives for the Construction Hours, Servicing Hours and Glare from signage.

The Highways Team- raised no objection to the proposal subject to the following conditions be attached:

Servicing Strategy for Bin Wagons

Travel Plan

Construction Management Plan

Informatives for off-site highways works and boundary treatments have been added to the consent.

Transport for Greater Manchester - HFAS have reviewed the updated information and concluded that from the information presented, the Ratio to Flow Capacity at the site access is unlikely to reach 0.85 and as such there should be sufficient capacity to accommodate the development.

Neighbourhood Trees- Raised no objection to the proposal and commented, the trees proposed for removal are low quality specimens with poor form and therefore have no objection to the proposals for the site and the mitigation planting is sufficient for this site.

The Flood Team-Raised no objection to the proposal subject to sustainable drainage principles being conditioned as part of the approval.

Greater Manchester Police-Raised no objection to the proposal and suggested security measure be incorporated into the proposal to ensure the scheme will be built by secure by design standard and an informative has been added to the consent.

United Utilities-Commented the development shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing P15633/500, Rev A- Dated 07/2022 which was prepared by Goodson Associates. The applicant has been sent a copy of the comments made by United Utilities making them aware of best practise guidance.

The Environment Agent-Raised no objection to the proposal subject to conditions being attached to the consent regarding the protection of controlled waters, for the management of pollution risks associated with operation of the fuel filling station and decommission of all existing fuel storage tank(s). Furthermore, the Environment Agency also requested a contaminated land condition which was constituent with the condition environmental health requested. The applicant has been sent a copy of the comments made by the Environment Agency making them aware of best practice guidance.

Greater Manchester Ecology Unit - Confirmed after further assessment has been carried out on the trees. No evidence of bats were found and all trees assessed as negligible bat roosting potential and no further information or measures are required.

Contributing to and Enhancing the Natural Environment

As requested, a biodiversity net gain assessment has been provided. This has confirmed a net loss as anticipated. The ecology unit confirmed onsite biodiversity net gain would be appropriate on this occasion by means if a planning condition.

Issues

National Planning Policy Framework - Sets out the Government's Planning Policies for England and how these are expected to be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that the planning system should perform:

An economic role - contributing to build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure.

A social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and supports its health, social and cultural well-being; and

An environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

Pursuing sustainable developments involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages;
- moving from a net loss of bio-diversity to achieving net gains for nature;
- replacing poor design with better design;
- improving the conditions in which people live, work, travel and take leisure, and
- widening the choice of high quality homes.

There should be a presumption in favour of sustainable development and plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

Core Strategy for Manchester 2012)

- o SP 1 Spatial Principles
- o DM1 Development Management
- o EC 1 Employment and Economic Growth in Manchester
- o CC 5 Transport
- o CC 9 Design and Heritage
- o CC 10 A Place for Everyone
- o EC4 North Manchester
- o C 1 Centre Hierarchy
- o C 9 Out-of-centre development
- o T 1 Sustainable Transport
- o T 2 Accessible areas of opportunity and need
- o EN 1 Design Principles and Strategic Character Areas
- o EN 8 Adaption to Climate Change
- o EN 9 Green Infrastructure
- o EN 16 Air Quality

Saved UDP Policies (2012)

Development Control Policies

- o DC10.1
- o DC23.1
- o DC26.4

Environmental Improvement and Protection

- o E3.3

Area 2 - Cheetham Hill and Crumpsall

- o CC4

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance was formally adopted in April 2007. This guidance aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places, that is character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability.

The guidance advises that high quality design is a vital attribute of successful neighbourhoods, the design of streets should promote neighbourliness and design should respect and be informed by location.

Point 2.8 states that in areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contributes to the creation of a positive identity. There should be a smooth transition between different development forms, and styles and integration will be a key factor in the determination of planning submissions

Principle of development

The principle of the proposal is considered to be acceptable as the proposal takes place on previously developed land, in a sustainable location bringing a social, economic and environmental benefit for the area, specifically an increase in job opportunities. The development has regard to the statutory determination obligation prescribed by Section 38(6) of the Planning and Compulsory Purchase Act 2004. However, the impact the development may have on the visual and residential amenity needs to be accessed within the body of the report.

Visual amenity

The proposal due to its height, scale and massing is considered to be acceptable in this location, as it does not detract visually from within the street scene. It is considered the replacement buildings contributes towards the Council's aim of enhancing the image and appearance of major road routes into Manchester, of which Cheetham Hill Road is a key one.

Currently, the canopy on site is bulky in appearance the replacement canopy is smaller and less obtrusive than the original. The petrol pump canopy is much smaller and streamlined whilst the new kiosk building incorporates locally distinctive materials and includes areas of glazing on its south western elevation, in order to achieve visual interest and an active frontage along Cheetham Hill Road.

The drive through café is of a similar built quality to the petrol station, designed from quality sustainable materials and has a modern appearance.

The layout includes tree planting along the site's frontage, a heavy standard tree within the site's south eastern corner and further soft planting within the site. These soft planting measures will improve the image of the area and contribute to improving the images of key arterial routes into the city.

Not only will the increase in soft landscaping along the site's periphery and the construction of quality, contemporary buildings result in environmental benefits, there will be social benefits too, through an increase in local civic pride for the area.

The layout includes new pedestrian paths linking the existing footpath along Cheetham Hill Road to the fronts of both buildings, for both customers and staff to use. This results in a improvement to pedestrian safety.

A dedicated timber bin store is proposed centrally within the site's north eastern boundary which is not highly visible from within the street scene.

Therefore, the visual appearance of the development is compliant with Core Strategy Policies SP1 and DM1, C9, C10, EN 1, EN 3, CC 4 and CC 5.

Residential amenity

The site currently has a 24-hour petrol station situated next to an highly commercialised area route and is considered to be predominantly commercial in nature.

A petrol station has been on site for a number of years and the replacement building in terms of the proposed hours of operation and anticipated activity level should have the same impact on amenity levels enjoyed by the occupiers of the surrounding properties in particular the residents on Shirley Road. The drive through hours restriction are as follows: 07:00 to 23:00 Monday to Saturday, 09:00 to 23:00 Sunday and Bank Holidays coupled with the distance away from the nearest noise sensitive location being approximately 20 metres along with a robust planting scheme providing a barrier between the residential and commercial activities. Environmental health have assessed the proposal and recommend a condition to be attached to the consent to noise attenuate any external plant and equipment on the building and raised no objection to the proposal. The proposal does bring built form closer to the residential developments. However, given the commercial nature of the surrounding area situated on a major road network. It is anticipated the proposal would have no adverse impact on current amenity levels within the area.

The proposal includes external lighting. The appearance and location of the lighting columns are considered to be acceptable. Environmental health has requested the external lighting shall be designed and installed in accordance with a scheme approved in writing by the City Council as local planning authority so as to control glare and overspill onto nearby residential properties. In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy and an appropriate condition has been attached to the consent.

The proposal includes extraction units and environmental health confirmed the applicant will need to consult with a suitably qualified ventilation engineer and submit a kitchen fume extract strategy report for approval. The strategy should include risk assessments for odour and noise and be based on appropriate guidance such as that published by EMAQ titled 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' dated September 2018. Details should also be provided in relation to replacement air. To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy and extant policy DC10 of the Unitary Development Plan for the City of Manchester.

Therefore, the overall residential impact of the development is compliant with Core Strategy Policies SP1 and DM1, C9, C10, EN 1, EN 3, CC 4 and CC 5.

Highways Issues

Highways recommended the following conditions be attached to the consent: Servicing Strategy for Bin Wagons; Travel Plan; Construction Management Plan and recommended in formatives for off-site highways works and boundary treatments have been added to the consent.

Furthermore, the application was referred to Transport for Greater Manchester to assess the proposal on the local network and HFAS have reviewed the updated information and concluded that from the information presented, the Ratio to Flow Capacity at the site access is unlikely to reach 0.85 and as such there should be sufficient capacity to accommodate the development. The proposals is considered to assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012) and is therefore acceptable. The findings within the transport statement dispute the issues raised by a local resident regarding concerns the proposal would have a detrimental impact on on-street car

parking in the area. Consideration has also been given to the uplift to onsite car parking provision relative to the anticipated increased activity at the site.

Waste Management

The applicant has provided a waste management strategy although this is considered to lack detail. Further details are required as the proforma states that 1 x 4000litre container will be provided. Containers will need to be provided for each of the waste streams (general, mixed, pulpable and food) and confirmation of the size and number of containers for each waste stream providing and details relating to whether the containers be shared for the retail and PFS use or will they have separate receptacles.

Furthermore, environmental health also requires collection frequency confirming and the drawings will need to be updated to reflect the above and identify the containers in the refuse store and confirm the size of the refuse store. Therefore, a waste condition has been added to the consent to ensure the proposal provides adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

Air Quality

Environmental health confirmed for this site the following criteria apply for the EV charge points. The traffic assessment advises that 12 space are to be provided for the PFS and 16 spaces for the retail unit:

Non-residential:

- o 11 or more parking spaces: minimum 20% EV chargepoints, and cable routes for all staff spaces.

- o Charging units dependent on end-use as follows:

- § Minimum 7kW*: offices, hotels, nursing homes, sheltered accommodation, industrial units, retail units.

- § Minimum 50kW*: service stations

Environmental health reviewed the Redmore Air Quality Assessment dated 31st August 2022 reference 5753r1 and accept most of the content.

Table 18 includes recommended measures to control fugitive dust emissions during the demolition and construction phases which we can accept. This measure will need to be directly included within the contractors CMP and complied with throughout the development.

The mitigation measures also recommend 4 x EV charge points of 50kW capacity, but this has been based on the provision of 16 car parking spaces. The submitted information would suggest that 28 spaces are to be provided so based on the above criteria, 6 EV charge spaces will be required. Additionally, cable routes will need to be provided for all staff spaces. Appropriate conditions have been to the consent to secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

Security -Greater Manchester Police, recommend the following security measures to be added to the proposed development should be designed and constructed to Secured by Design standards and the following measures should be incorporated into the development.

*A CCTV system should be included within these premises and should be capable of monitoring the following areas: external doorways, all internal spaces and all petrol/diesel pumps on the forecourt.

Signage should be displayed to indicate the areas of the premises that are restricted to staff only.

Any staff areas that are to be included within the proposal should be access controlled and restricted to members of staff only.

Dusk till dawn lighting should be installed above all external doors.

The building should be covered by a monitored intruder alarm with a panic alarm function for lone works/out of hours staff.

but access to the proposed stairway, and upper floor extension, is restricted by way of 2.2-metre-high fencing and gate. Also, the site operates on a 24 hour 7 day basis, so there is always somebody on site. It is not therefore considered that the proposal would have any adverse security implications.

Contaminated Land

Environmental health has reviewed the Geo2 Remediation Ltd Phase I and Phase II Environmental Site Assessment and I have the following comments:

1. Only the ground referred to as Area A (the PFS) has been investigated so far. The report will need to be updated once the ground referred to as Area B (retail building) is accessible and intrusive ground investigation of this area has been completed.
2. Further ground water sampling is to be undertaken to demonstrate that underlying contamination from fuel storage or distribution infrastructure hasn't migrated vertically or horizontally
3. Suitable PPE should be provided for all construction workers and standard health & safety procedures adhered to following risk assessments by employers in accordance with Construction Design Management (CDM) Regulations, 2015 and with reference to the environmental testing results presented within the report and within Appendix E. The contractors risk assessment should be submitted for review
4. We will need to see an asbestos management plan to demonstrate how asbestos impacted soils will be removed, stored and disposed of.
5. Ground gas monitoring and gas risk assessment will need to be provided
6. A remediation strategy will need to be supplied once the above points and additional investigation has been completed
7. A UK water supplier risk assessment will also need to be provided to confirm the details of the water supply pipe to be installed.

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. Additionally, that the current works shall not compromise the protection afforded by earlier remedial

measures the existing development has had installed as part of planning permission pursuant to policies DM1 and EN18 of the Core Strategy and an appropriate condition has been added to the consent.

Ecology

Further assessment has been carried out on the trees. No evidence of bats was found, and all trees assessed as negligible bat roosting potential. The ecology unit confirmed have no reason to doubt the findings of the report concluded no further information or measures are required.

Contributing to and Enhancing the Natural Environment

A biodiversity net gain assessment has been provided. This has confirmed a net loss is anticipated. The percentage loss is significant though the gross loss is small in terms of biodiversity units. Whilst the loss may be slightly larger given the reliance on urban trees for the post development scores and unreliable habitat in the current metric, no further baseline information is required.

The ecology unit prefer some form of off-site mitigation be provided for loss of vegetated habitats and nesting bird habitat mitigated on-site and address the net loss of biodiversity. However, in this instance the ecology unit agreed the biodiversity net gain can be achieved on site.

Retail Impact Assessment

The applicant has undertaken a sequential test as the proposed drive through café, being a main town centre use, is proposed outside of a defined centre. The test has been carried out in accordance with Paragraphs 87 and 88 of the National Planning Policy Framework (NPPF) (2021) and Policy C 9 'Out-of-centre development' of the Manchester Core Strategy (2012). Where an out-of-centre site is being put forward for a main town centre use, Policy C 9 of the Core Strategy requires applicants to undertake a sequential assessment of available sites which can accommodate the development within the area's designated centres, as per the Council's retail hierarchy set out at Policy C 1 'Centre Hierarchy', or within allocated retail sites.

In line with policy, as the proposed development includes a town centre use in an out-of-centre location, it is necessary to demonstrate that there are no available, suitable and viable sequentially preferable sites that could accommodate it.

Based on the above, it is therefore necessary to consider the proposed development as a whole for which full planning permission is sought, within which the main town centre use comprises the drive through café.

A search of potential alternative, sequentially preferable sites for sale within the District Centres of Cheetham Hill and Harpurhey and Local Centre of the Lansdowne Road / Crumpsall Lane has also been carried out. Cheetham Hill is by far the most obvious centre to focus upon, being only 250m from the site to the north west, but the other two centres have been covered for robustness. In addition, a search of property and land within the allocated retail site at Cheetham Hill Road / Queens Road / Elizabeth Street (as per Policy CC18 of the UDP) has also been undertaken.

There were no sites identified in a sequential search that are suitable, available and viable to accommodate the application proposal.

Based on the above, it is considered the proposal passes the sequential test and compliance with CS Policy C 9 can be achieved.

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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. No significant problems have arisen during the consideration of this 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:

1, 8, 9,10, 11, 12, 13, 14, The Planning Statement and Retail Impact Statement by Atticus Planning and The Tree Survey by DEP Landscape Architecture, The Flood Risk Assessment

501 Rev A and 500, and the Drainage Strategy Report, Ground Survey Plans by Envirocheck, The Environmental Site Assessment by GEO 2, Borehole Log by GEO 2, The Transport Assessment by EG Group Limited, stamped as received on the 25 July 2022, Drawing Number 7c, stamped as received on the 25 August 2022, and 01 rev C, 16 and 6b, stamped as received on the 1 November 2022, the Air Quality Assessment by Redmore Environmental, stamped as received on the 12 September 2022, The Site Access Model Junction 9 Report and The Site Egress Model Junction 9 Report by TRL and Base Flow Details by Dynamic Transport Planning, stamped as received on the 14 December 2022. The Noise Assessment By Dragonfly Consulting and the Ecology Report by Rachel Hacking Ecology, The Litter Management Plan by the EG Group and The Waste Proforma, stamped as received on the 15 August 2022.

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) No above ground works 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) a) Fumes, vapours and odours shall be extracted and discharged from the premises in accordance with a scheme to be submitted to and approved in writing by the City Council as local planning authority before the use commences.

Mixed use schemes shall ensure provision for internal ducting in risers that terminate at roof level. Schemes that are outside the scope of such developments shall ensure that flues terminate at least 1m above the eave level and/or any openable windows/ventilation intakes of nearby properties.

b) Prior to commencement of the use hereby approved confirmation shall be submitted for the approval of the City Council as local planning authority that the approved scheme has been implemented.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy and extant policy DC10 of the Unitary Development Plan for the City of Manchester.

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

Measures to control noise,
Dust suppression measures (measures recommended in table 18 of the Redmore AQ assessment dated 31st August 2022 reference 5753r1 which should be directly included within the contractors CMP)
Compound locations where relevant;
Details of an emergency contact telephone number;
A community consultation plan and;
Sheeting of construction vehicles.

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

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

6) The premises shall not be open outside the following hours unless otherwise agreed in writing by the City Council as local planning authority:-

Petrol Filling Station and Associated Retail Use : 24 hours as applied.

The Drive Through: 07:00 to 23:00 Monday to Saturday, 09:00 to 23:00 Sunday and Bank Holidays.

Reason - To safeguard the amenities of the occupiers of the building and occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester, saved policies DC10 and DC26 of the Unitary Development Plan.

7) a) Before the use hereby approved commences external lighting shall be designed and installed in accordance with a scheme approved in writing by the City Council as local planning authority so as to control glare and overspill onto nearby residential properties.

b) Prior to occupation of the development a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved light consultant's report. The report shall also undertake post completion testing to confirm that acceptable 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 criteria.

Reason - In order to minimise the impact of the illumination of the lights on the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

8) a) Externally mounted ancillary plant, equipment and servicing including any ancillary equipment associated with the petrol filling station 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 commencement of the use hereby approved the scheme 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. The scheme shall be implemented in full before the use commences or as otherwise agreed in writing by the City Council as local planning authority.

b) Prior to the operation of the scheme a 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 safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy.

9) a) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority.

New developments shall have refuse storage space for segregated waste collection and recycling. Internal and external storage areas are required.

b) The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

10) a) Prior to commencement of the development, mitigation measures to safeguard local air quality shall be submitted to and approved in writing by the City Council as local planning authority: A scheme for electric vehicle charging shall be submitted to and approved in writing by the City Council as local planning authority.

b) Prior to occupation of the development any agreed mitigation measures shall be implemented and verified as such in writing by the City Council as local planning authority and shall remain in situ whilst the use or development is in operation.

Reason: To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Core Strategy.

11) 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.

b) When the development within each phase commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and 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. Additionally, that the current works shall not compromise the protection afforded by earlier remedial measures the existing development has had installed as part of planning permission 134484FO/2022 Pursuant to policies DM1 and EN18 of the Core Strategy.

12) The cycle storage arrangements, shall be carried out in accordance with the drawing number 16, stamped as received by the City Council, as Local Planning Authority, on the 1 November 2022. The approved scheme shall be implemented prior to the first occupation of the building and shall remain in situ whilst the use or development is in operation.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

13) Notwithstanding the details of the Servicing Management Strategy contained within the Transport Assessment by EG Group Limited, stamped as received by the City Council, as Local Planning Authority on the 25 July 2022. Further details for the management of refuse vehicles servicing the site shall be provided for approval to the City Council, as Local Planning Authority prior to first occupation of the development and remain in place for as long as the development remains in use.

Reason - In the interest of highway and pedestrian safety pursuant to policies SP1, T2 and DM1 of the Manchester Core Strategy (2012).

14) The development hereby approved shall be carried out in accordance with the Transport Assessment by EG Group Limited, stamped as received by the City Council, as Local Planning Authority, on the 25 July 2022.

In this condition a Staff Travel Plan means a document which includes:

- o A travel plan budget and resources for the implementation and day to day management of travel plan measures;
- o Appropriate management structures;
- o Detailed time frames for the delivery;
- o Handover arrangements for the travel plan or its components when the developer's responsibility ceases; and
- o Targets and monitoring arrangements.

Ideally the full Travel Plan should include tailored measures to overcome specific barriers, or take advantage of opportunities, presented by the site.

In order to encourage sustainable journeys to mitigate the traffic impact of the development, through the Travel Plan, incentives should be offered to staff such as concessionary bus fares, discounted cycles, journey planning etc.

Within six months of the first use of the building, a Travel Plan which takes into account the information about travel patterns gathered pursuant to item (ii) above shall be submitted for approval in writing by the City Council as Local Planning Authority. Any Travel Plan which has been approved by the City Council as Local Planning Authority shall be implemented in full at all times when the development hereby approved is in use.

Reason - To assist promoting the use of sustainable forms of travel for residents, pursuant to policies T1, T2 and DM1 of the Manchester Core Strategy (2012).

15) A Construction Management Plan should be provided by the applicant prior to any construction works beginning. The Construction Management Plan should detail the phasing and quantification / classification of vehicular activity associated with planned construction. This should include commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway. The document should also consider ongoing construction works and contractor parking in the locality.

It is also requested the applicant provides a dilapidation survey as part of the Construction Management Plan document. The survey should include photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

Reason-To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy (2012).

16) The hard and soft landscaping scheme (including replacement tree planting) shown on drawing referenced 01C, received by the City Council as Local Planning Authority on 1 November 2022, shall be implemented not later than 12 months from the date of commencement of works. If within a period of 5 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 Manchester Core Strategy.

17) 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.

In order to avoid/dischage the above drainage condition the following additional information has to be provided:

Final surface water drainage layout including all components, levels, connectivity and proposed overland flow routes for extreme events.

Where pumped discharge is proposed, evidence that a gravity solution to drain the site is not feasible.

Evidence that the drainage system has been designed (unless an area is designated to hold and/or convey water as part of the design) so that flooding does not occur during a 1 in 100 year rainfall event with allowance for 45% climate change in any part of a building;

Updated agreement in principle from United Utilities on the proposed connection point. An email of acceptance of new connection will suffice.

Hydraulic calculations to support the drainage proposal.

Details of how the scheme shall be maintained and managed after completion.

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 Core Strategy.

18) The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing P15633/500, Rev A- Dated 07/2022 which was prepared by Goodson Associates. For the avoidance of doubt surface water must drain at the restricted rate of 7.5l/s. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding pursuant to policy EN17 of the Core Strategy.

19) No development approved by this planning permission shall commence until a scheme, with regards to protection of controlled waters, for the management of pollution risks associated with operation of the fuel filling station has been submitted to, and approved in writing by, the local planning authority. The scheme submitted shall include and address the following components:

- o A Feasibility Assessment that addresses the design and risks related to the storage of hydrocarbons in underground tanks within the extent of the proposed development site.
- o Full details of the fuel storage tank(s) design and associated infrastructure including fuel delivery pipework and containment.
- o Full details of any excavation work, if required, to facilitate the installation of fuel storage and associated infrastructure.
- o Full details of drainage infrastructure within the forecourt and tanker off-loading areas, including details of any contaminant entrainment/monitoring intended.
- o Information relating to the leak detection system, its monitoring and maintenance.

Any changes to components of the scheme shall require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason -To ensure that risks associated with the construction and subsequent operation of proposed development can be suitably managed and will not result in adverse impact to the water environment, in line with paragraph 174 of the National Planning Policy Framework and pursuant to policy EN17 of the Core Strategy.

20) No development approved by this planning permission shall commence until a report detailing the condition, history and, where relevant, scheme for decommission of all existing fuel storage tank(s) and associated infrastructure, has been submitted to, and approved in writing by, the local planning authority. The report/scheme submitted shall include:

- o Details of existing storage tank condition including evidence/results of integrity pressure testing undertaken.
- o Details of existing fuel storage infrastructure condition
- o Review of the storage tank history - wet stock records for existing tank(s)
- o Records of any historic contamination events (leakages) associated with the existing tanks(s) and associated infrastructure and, where known, adjacent, any down-gradient groundwater sampling undertaken to understand extent of event impact.
- o Where relevant, a detailed methodology for the decommissioning of fuel tanks and associated infrastructure.

Any changes to components of the report/scheme shall require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason- To ensure that the proposed petrol filling station does not harm the water environment in line with paragraph 174 of the National Planning Policy Framework and Position Statements D2 and D3 of the 'The Environment Agency's approach to groundwater protection', and pursuant to policy EN17 of the Core Strategy for Manchester.

21) Prior to occupation of the development hereby approved, a scheme for the enhancement of the biodiversity on site, shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason -To mitigate the loss of vegetation and to promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

22) Prior to above ground development commencing, an Environmental Standards Statement shall be submitted to, and approved in writing by, the City Council, as Local Planning Authority. The statement shall demonstrate measures to be incorporated into the development to achieve energy efficiency and approved measures shall be implemented in the construction of the approved development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies DM1 and SP1 of Manchester's Core Strategy and the National Planning Policy Framework.

Informatives

1) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

2) Lighting from illuminated signage shall be designed and installed so as to control glare and overspill onto nearby properties.

The signage will need to be selected and installed to ensure they are auto dimmable so to not exceed 300cd/m/2 during the hours of darkness

3) It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.

The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

4) The applicant will be required to enter into a Section 278/184 agreements for the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Cheetham Hill Road and will require a crossing licence/agreement. This will require

the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense.

Any redundant vehicle crossover / access points will need to be reinstated. This should be undertaken as part of a Section 278 agreement.

It is requested that the footway on Cheetham Hill road is resurfaced. This should be undertaken as part of a Section 278 agreement.

It is also requested that the existing TROs are assessed and where necessary a TRO refreshment undertaken.

5) The proposed development should be designed and constructed to Secured by Design standards including laminated glazing; security-certified windows and doors (please see www.designforsecurity.org/secured-by-design/ or www.securedbydesign.com for more information).

Developments that are built to this standard are less likely to be susceptible to crime.

A CCTV system should be included within these premises and should be capable of monitoring the following areas: external doorways, all internal spaces and all petrol/diesel pumps on the forecourt.

Signage should be displayed to indicate the areas of the premises that are restricted to staff only.

Any staff areas that are to be included within the proposal should be access controlled and restricted to members of staff only.

Dusk till dawn lighting should be installed above all external doors.

The building should be covered by a monitored intruder alarm with a panic alarm function for lone works/out of hours staff.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC
Environment Agency
Greater Manchester Ecology Unit
Neighbourhood Team Leader (Arboriculture)

Ground And First Floor, 439 - 441 Cheetham Hill Road, Manchester, M8 0PF
176 - 178 Heywood Street, Manchester, M8 0PD
Flat 7, 451 Cheetham Hill Road, Manchester, M8 9PA
457 Cheetham Hill Road, Manchester, M8 9PA
364 Cheetham Hill Road, Manchester, M8 9LS
180 - 182 Heywood Street, Manchester, M8 0PD
12 Shirley Road, Manchester, M8 0ND
15 Shirley Road, Manchester, M8 0WB
21 Shirley Road, Manchester, M8 0WB
Flat 5A, 451 Cheetham Hill Road, Manchester, M8 9PA
Flat 10A, 451 Cheetham Hill Road, Manchester, M8 9PA
Flat 8A, 451 Cheetham Hill Road, Manchester, M8 9PA
24 Shirley Road, Manchester, M8 0ND
16 Shirley Road, Manchester, M8 0ND
First Floor, 461 Cheetham Hill Road, Manchester, M8 9PA
Ground Floor, 360 Cheetham Hill Road, Manchester, M8 9LS
1 Shirley Road, Manchester, M8 0WB
237 Heywood Street, Manchester, M8 0PB
245 Heywood Street, Manchester, M8 0PB
239 Heywood Street, Manchester, M8 0PB
Flat Above, 360 Cheetham Hill Road, Manchester, M8 9LS
358 Cheetham Hill Road, Manchester, M8 9LS
2B Shirley Road, Manchester, M8 0ND
461A Cheetham Hill Road, Manchester, M8 9PA
461F Cheetham Hill Road, Manchester, M8 9PA
455 Cheetham Hill Road, Manchester, M8 9PA
19 Shirley Road, Manchester, M8 0WB
First Floor Offices 1 And 6 To 7, 435 Cheetham Hill Road, Manchester, M8 0PF
First Floor Office 5, 435 Cheetham Hill Road, Manchester, M8 0PF
Penthouse, 439 Cheetham Hill Road, Manchester, M8 0PF
6 Keane Court, Manchester, M8 0AS
Basement, 439 - 441 Cheetham Hill Road, Manchester, M8 0PF
Top Flat, 435 Cheetham Hill Road, Manchester, M8 0PF
441 Cheetham Hill Road, Manchester, M8 0PF
Penthouse, 441 Cheetham Hill Road, Manchester, M8 0PF
439 Cheetham Hill Road, Manchester, M8 0PF
461D Cheetham Hill Road, Manchester, M8 9PA
461B Cheetham Hill Road, Manchester, M8 9PA
461E Cheetham Hill Road, Manchester, M8 9PA
461C Cheetham Hill Road, Manchester, M8 9PA
Unit 1, 453A Cheetham Hill Road, Manchester, M8 9PA
453A Cheetham Hill Road, Manchester, M8 9PA
Unit 5, 453A Cheetham Hill Road, Manchester, M8 9PA

Unit 6, 453A Cheetham Hill Road, Manchester, M8 9PA
Unit 4, 453A Cheetham Hill Road, Manchester, M8 9PA
Unit 3, 453A Cheetham Hill Road, Manchester, M8 9PA
Flat Above, 368 Cheetham Hill Road, Manchester, M8 9LS
Flat 4, 2A Shirley Road, Manchester, M8 0ND
Flat 1, 2A Shirley Road, Manchester, M8 0ND
Shirley Service Station, 332 Cheetham Hill Road, Manchester, M8 0PL
439 - 441 Cheetham Hill Road, Manchester, M8 0PF
435 Cheetham Hill Road, Manchester, M8 0PF
Flat 1, 437 Cheetham Hill Road, Manchester, M8 0PF
445 Cheetham Hill Road, Manchester, M8 0PF
443 Cheetham Hill Road, Manchester, M8 0PF
Flat 8, 451 Cheetham Hill Road, Manchester, M8 9PA
Flat 9, 451 Cheetham Hill Road, Manchester, M8 9PA
Flat 1, 451 Cheetham Hill Road, Manchester, M8 9PA
Unit 7, 453A Cheetham Hill Road, Manchester, M8 9PA
Unit 2, 453A Cheetham Hill Road, Manchester, M8 9PA
453 Cheetham Hill Road, Manchester, M8 9PA
Flat 6, 451 Cheetham Hill Road, Manchester, M8 9PA
Flat 5, 451 Cheetham Hill Road, Manchester, M8 9PA
Flat 3, 451 Cheetham Hill Road, Manchester, M8 9PA
Flat 4, 451 Cheetham Hill Road, Manchester, M8 9PA
Flat 2, 451 Cheetham Hill Road, Manchester, M8 9PA
17 Shirley Road, Manchester, M8 0WB
8 Shirley Road, Manchester, M8 0ND
Ground Floor, 461 Cheetham Hill Road, Manchester, M8 9PA
459 Cheetham Hill Road, Manchester, M8 0PF
First Floor Office 2, 435 Cheetham Hill Road, Manchester, M8 0PF
17 Avondale Street, Manchester, M8 0NB
15 Avondale Street, Manchester, M8 0NB
21 Avondale Street, Manchester, M8 0NB
5 Avondale Street, Manchester, M8 0NB
4 Shirley Road, Manchester, M8 0ND
20 Shirley Road, Manchester, M8 0ND
366 Cheetham Hill Road, Manchester, M8 9LS
9 Shirley Road, Manchester, M8 0WB
5 Shirley Road, Manchester, M8 0WB
3 Shirley Road, Manchester, M8 0WB
7 Shirley Road, Manchester, M8 0WB
11 Shirley Road, Manchester, M8 0WB
13 Shirley Road, Manchester, M8 0WB
Ground Floor, 435 Cheetham Hill Road, Manchester, M8 0PF
First Floor Offices 3 And 4, 435 Cheetham Hill Road, Manchester, M8 0PF
Flat 8, 437 Cheetham Hill Road, Manchester, M8 0PF
Flat 7, 437 Cheetham Hill Road, Manchester, M8 0PF
11 Keane Court, Manchester, M8 0AS
16 Keane Court, Manchester, M8 0AS
9 Keane Court, Manchester, M8 0AS
7 Keane Court, Manchester, M8 0AS
10 Keane Court, Manchester, M8 0AS
14 Keane Court, Manchester, M8 0AS
17 Keane Court, Manchester, M8 0AS
15 Keane Court, Manchester, M8 0AS
12 Keane Court, Manchester, M8 0AS

2 Keane Court, Manchester, M8 0AS
5 Keane Court, Manchester, M8 0AS
Flat 3, 437 Cheetham Hill Road, Manchester, M8 0PF
Flat 6, 437 Cheetham Hill Road, Manchester, M8 0PF
453 - 455 Cheetham Hill Road, Manchester, M8 9PA
2A Shirley Road, Manchester, M8 0ND
Flat 2, 2A Shirley Road, Manchester, M8 0ND
Flat 3, 2A Shirley Road, Manchester, M8 0ND
Flat 5, 437 Cheetham Hill Road, Manchester, M8 0PF
368 Cheetham Hill Road, Manchester, M8 9LS
362 Cheetham Hill Road, Manchester, M8 9LS
8 Keane Court, Manchester, M8 0AS
Flat 4, 437 Cheetham Hill Road, Manchester, M8 0PF
22 Shirley Road, Manchester, M8 0ND
9 Avondale Street, Manchester, M8 0NB
1 Keane Court, Manchester, M8 0AS
243 Heywood Street, Manchester, M8 0PB
23 Avondale Street, Manchester, M8 0NB
7 Avondale Street, Manchester, M8 0NB
13 Avondale Street, Manchester, M8 0NB
247 Heywood Street, Manchester, M8 0PB
2 Shirley Road, Manchester, M8 0ND
3 Avondale Street, Manchester, M8 0NB
1 Avondale Street, Manchester, M8 0NB
360 Cheetham Hill Road, Manchester, M8 9LS
19 Avondale Street, Manchester, M8 0NB
Rear Of, 461 Cheetham Hill Road, Manchester, M8 9PA
First Floor, 459B Cheetham Hill Road, Manchester, M8 0PF
180 Heywood Street, Manchester, M8 0PD
3 Keane Court, Manchester, M8 0AS
4 Keane Court, Manchester, M8 0AS
461 Cheetham Hill Road, Manchester, M8 9PA
241 Heywood Street, Manchester, M8 0PB
18 Shirley Road, Manchester, M8 0ND
14 Shirley Road, Manchester, M8 0ND
10 Shirley Road, Manchester, M8 0ND
11 Avondale Street, Manchester, M8 0NB
6 Shirley Road, Manchester, M8 0ND
Flat 2, 437 Cheetham Hill Road, Manchester, M8 0PF

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA