

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134786/FO/2022

Date registered valid: 12 September 2022

Proposal: Formation of charging zone involving the installation of of EV charging points, erection of associated canopies, three jet wash bays, sub-station enclosure, and associated forecourt works.

Address: Texaco Service Station, 55 St Marys Road, Manchester, M40 3AR

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Motor Fuel Group, Gladstone Place, 36-38 Upper Marlborough Road, St Albans, AL1 3UU

Agent (if any): Miss Rahma Dwimunali, CarneySweeney, Brunel House, 2 Fitzalan Road, Cardiff, CF24 0EB

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18 November 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 17/10/2022

Standard consultations:

Printed: 13 September 2022 Expired: 4 October 2022

Neighbour notifications

Printed: 13 September 2022 Expired: 4 October 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

Description of Site/Area

The application site relates to an existing petrol filling station at 55 St. Marys Road located in the Newton Heath area of North Manchester. Immediately to the south and west of the application site is a train maintenance depot and there are no residential uses within the immediate surroundings. There are no dwellings or other buildings directly adjacent to the application site.

Description of Development

The submitted application seeks planning permission for the installation of 6 no. vehicle charging points and associated canopies and electrical infrastructure. The EV charging points would be covered by a single storey canopy structure which would be a powder coated steel structure with a glazed canopy roof. The proposal includes three jet wash bays, sub-station enclosure, and associated forecourt works.

Planning History

128069/FO/2020 Installation of 6 no. vehicle charging points and associated canopies and electrical infrastructure. Approved
085495/FO/2008/N1 Installation of new ATM and associated detached enclosure at side of existing petrol filling station Withdrawn

Consultations & Notification Responses

Local residents were notified however no responses were received.

Environmental Health - recommend a noise, hours of the jet wash operation, contaminated land condition be attached to the consent and recommended construction hours be limited in the form of an informative.

The Highways Team - raised no objection to the proposal as the potential for an increased number of vehicle trips, we consider that these can be accommodated on the existing highway network. Existing waste management arrangements will be acceptable to Highways. The vehicle tracking and layout is acceptable from a highway perspective as are the canopy proposals. For the electric vehicle charging units highways recommend that these are a minimum of 50 kW, and the applicant has confirmed this is the case. Highways requested no conditions be attached to the consent.

The Flood Team - requested drainage conditions.

Transport for Greater Manchester were consulted, and no representations were received.

United Utilities - recommended a drainage condition to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution which has been added to the consent.

Greater Manchester Fire Service were consulted and raised no objection to the proposal.

Cadent - information on plant protection during works were forwarded to applicant on the request of Cadent.

Issues

Policies

Manchester Core Strategy

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key Development Plan Document in the Local Development Framework (LDF). The Core Strategy is to be used as the framework that planning applications will be assessed against.

There are a number of relevant policies within the adopted Core Strategy relevant to the consideration of the current application in summary these are set out below with reference where applicable to why they are relevant in this instance.

Policy SP1 (Spatial Principles) - This policy sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. All development should

have regard to the character, issues and strategy for each regeneration area as described in the North, East, Central and South Manchester and Wythenshawe Strategic Regeneration Frameworks and the Manchester City Centre Strategic Plan.

It also sets out the core development principles, including:

- Make a positive contribution to neighbourhoods of choice.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy T1 Sustainable Development - To deliver a sustainable, high quality, integrated transport system to encourage modal shift

away from car travel to public transport, cycling and walking, to support the needs of residents and businesses and to prepare for carbon free modes of transport, the Council will support proposals that amongst other things Facilitate modes of transport that reduce carbon emissions e.g. by incorporating charging points for electric vehicles, subject to their appropriate design and location.

Policy DM1 (Development Management) this policy states all development should have regard to the following specific issues: -

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

Policy EN4 states that The Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices which includes where possible new development and retrofit projects.

As set out within the issues section of this report below, the application proposals are considered to be in general accordance with policy DM1 of the Core Strategy.

Unitary Development Plan (1995)

The majority of the previous UDP policies have been replaced by the Core Strategy, however there are still saved policies that remain extant. The relevant policies for this application are set out below.

DC23.1 In determining planning applications for developments involving petrol filling stations, the Council will have regard to:

- a. the general location of the proposed development.

- b. the effect on the amenities of neighbouring occupiers.
- c. the need for safe and convenient arrangements for access, circulation, and egress.
- d. road safety and the safety of pedestrians.
- e. the adequacy of the local traffic circulation system and prevailing local traffic conditions.
- f. ease of use for all, including disabled people.
- g. the need to achieve a design which results in a satisfactory relationship with the streetscene;
- h. quality of materials, including hard and soft landscaping, and the amount and prominence of advertisements and signs.

DC23.2 The Council will normally accept the principle of developments of this kind in:

- a. industrial and commercial areas.
- b. in residential areas as part of a larger redevelopment scheme;
- c. along major traffic routes.

Policy DC26.1 indicates that the Council will use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider the implications of new development being exposed to existing noise sources which are effectively outside planning control.

The National Planning Policy Framework

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- An economic role, contributing to building 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 coordinating 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 communities needs and support 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 The NPPF states that where proposed development accords with an up-to-date Local Plan it should be approved.

Issues

Principle - There is no objection to the principle of commercial use on this existing commercial site. Notwithstanding this, consideration must be given to the proposed developments siting, design, appearance, scale and massing, and to the proposal's impact upon existing levels of residential amenity.

Visual amenity

The proposed 6 charging points and associated canopy are to be located directly adjacent to the existing sales building towards the back of the stations. The 3-jet wash are positioned east of the site and also set back from the road. The associated infrastructure including the electric substation would be sited to the rear of these in a timber casing. The proposal site is an existing petrol filling station and the surrounding area is industrial in character and otherwise open, It is not therefore considered that the proposal would give rise to any unacceptable impacts on the visual amenity of the area.

Residential amenity

The proposals are located away from residential properties; the existing service station would generate comings and goings associated with its general activity. This level of activity is not considered to greatly increase as a result of the proposal to give rise to significant changes in the amount or level of associated activity. A condition is proposed to ensure that externally mounted equipment does not give rise to any unacceptable noise impacts pursuant to saved UDP policy DC26. Furthermore, the hours of operation of the jet wash equipment would be controlled by the means of a dischargeable condition.

Highways

The implementation of the proposal would not significantly increase the number of vehicle trips, and the impact of the proposal can be accommodated on the existing highway network. Existing waste management arrangements will be applicable which is acceptable to Highways. The vehicle tracking and layout is acceptable from a highway perspective as are the canopy proposals. For the electric vehicle charging units highways recommend that these are a minimum of 50 kW, and the applicant has confirmed this is the case. Highways requested no conditions be attached to the consent. Therefore, in highways terms the proposal is acceptable.

Conclusion

The provision of the jet wash equipment, vehicular charging points and substation within an existing service station is considered acceptable. The proposal will facilitate the use of electric vehicles in the city, the proposal is therefore in accordance with Core Strategy Policy EN4 which seeks to mitigate the impacts of climate change by reducing Co2 emissions.

Human Rights Act 1998 considerations

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

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

Recommendation: Approve

Article 35 Declaration

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. Officers have worked with the

agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the application, appropriate conditions to the approval have been attached.

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:

13664-P19-080, stamped as received on the 9 September 2022,
13664-P12-080,
13664-LP-1-080 Rev A,
13664-P15-080,
13554-P16-080,
13664-P17-080- Rev A,
H14707-01 Rev A,
PO4,
134664-BP-01-080 Rev A, stamped as received on the 25 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) The materials to be used in the construction of the development shall match those as set out within the approved drawings and submitted application forms.

Reason - In the interests of the visual amenity of the area in which the site is located pursuant to policy DM1 of the Core Strategy.

4) Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage schemes the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

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 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.

5) a) Externally mounted ancillary plant, equipment and servicing 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 and saved UDP Policy DC26

6) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, 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 DM1 and EN18 of the Core Strategy. Plan for the City of Manchester.

7) Prior to the first implementation of the jet wash equipment the hours of operation for the jet wash facility are to be submitted for approval in writing by the City Council, as Local Planning Authority. The approved hours shall be the agreed hours for the duration of the development.

Reason- In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

8) Development shall not begin until the surface water drainage layout for the site is updated with components, connectivity, levels and outfall to demonstrate that the system is fit to manage surface water runoff and water quality from the proposed development. This shall be submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details and details provided 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

9) Due to the close proximity of a culverted main river (indicated to be approximately onsite), development shall not begin until evidence is presented that the proposal has been informed by consultation with the Environment Agency.

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

Informatives

1) Construction 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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Transport For Greater Manchester
United Utilities Water PLC
GM Fire Rescue Service

28 Williams Road, Moston, Manchester, M40 0AP
26 Williams Road, Moston, Manchester, M40 0AP
Talbot House Support Centre, 1 High Peak Street, Manchester, M40 3AT
Moston Grange Nursing Home, 29 High Peak Street, Manchester, M40 3AT
30 Williams Road, Moston, Manchester, M40 0AP
24 Williams Road, Moston, Manchester, M40 0AP
Railway Hotel, 82 Dean Lane, Manchester, M40 3AE

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
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA