

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132733/JO/2022

Date registered valid: 17 February 2022

Proposal: Variation of condition 2 (specified plans) from planning approval reference 131387/FO/2021 to allow amendments to the approved proposals for the demolition of existing car wash and installation of new substation, EV canopy together with 6no. EV chargers with 1no. new jet wash bays

Address: 10 Wilmslow Road, Manchester, M14 5TQ

Ward(s): Moss Side Ward

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

Agent (if any): MBH Design Studio, Rosemount House, Rosemount Avenue, West Byfleet, KT14 6LB

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 10.08.2022

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Other

Standard consultations:

Printed: 21 February 2022 Expired: 14 March 2022

Neighbour notifications

Printed: 21 February 2022 Expired: 14 March 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/area

The business is situated on Wilmslow Road in Rusholme District Centre.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Variation of condition 2 (specified plans) from planning approval reference 131387/FO/2021 to allow amendments to the approved proposals for the demolition of existing car wash and installation of new substation, EV canopy together with 6no. EV chargers with 1no. new jet wash bays

Consultations & Notification Responses

Environmental Health – Recommend conditions relating to hours of working (not commensurate to development proposed), deliveries (currently no control over deliveries for historic use), acoustic treatment, refuse and hours of opening.

Highway Services – In principle, Highways have no objection to the variation of the above mentioned condition. The proposed condition variation is likely to reduce the number of associated vehicles by limiting the jet wash bay to 1 instead of 3. This is welcomed from a Highways perspective as it is likely to generate lesser demands on the Highway in the surrounding area. All previous comments in relation to the original application (reference number 131387/FO/2021) remain relevant for the development in terms of the highway, cycling parking, construction management and servicing requirements.

Neighbourhood Team Leader (Arboriculture) – No objection

Policy

There are no site-specific policies relating to the application site. However the following policies are relevant to this proposal:

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

Policy DM 1 - Development Management

Policy SP1 - Spatial Principles

Saved Policy DC26 of the Unitary Development Plan for the City of Manchester.

The National Planning Policy Framework (NPPF)

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

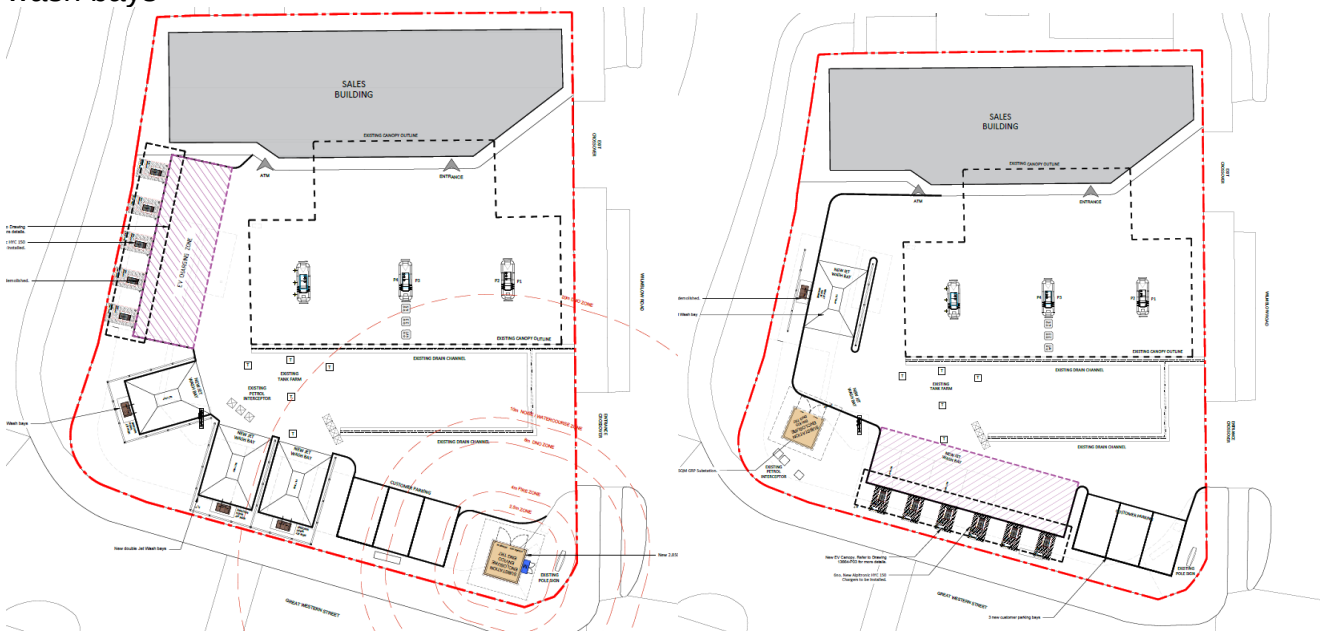
Issues

The principle of this development has been established by the previous application reference 131287/FO/2021. The issue for consideration is the variation of the specified plans condition to allow a change from:

Demolition of existing car wash and installation of new substation, EV canopy and 5no EV chargers with 3no. New jet wash bays

To

Variation of condition 2 (specified plans) from planning approval reference 131387/FO/2021 to allow amendments to the approved proposals for the demolition of existing car wash and installation of new substation, EV canopy together with 6no. EV chargers with 1no. new jet wash bays



Siting and Residential Amenity

The position of the elements of development have altered on the site, however, it is not considered that those alterations will alter the impact of the proposals on the character of the

site / area or impact on residential amenity. Conditions appended to the previous approval are attached.

Trees

Two trees site immediately adjacent to the site, with one being against the proposed development. Two more trees site within the site. These are category C and Category U trees. Tree were to be retained as part of the previous application.

One of the trees is now to be lost to allow for the EV Charging bays and canopy installation. The arboricultural section have no objection to the loss of the tree. Whilst the loss of a tree is regrettable, it has limited contribution and there is no scope for replacement within the site.



Human Rights Act 1998 considerations

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

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

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Condition(s) to be attached to decision for approval

1) The development must be begun not later than the 22 November 2024.

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-P02-408	SITE LAYOUT
13664-P03-408	EV CANOPY & CHARGER DETAIL
13664-P04-408	SUBSTATION ELEVATIONS
13664-P05-408	JET WASH BAYS
13664-P01-408	SITE LAYOUT
Location Plan	13664-LP-408
Block Plan	13664-BP-408 A

Received by the City Council as Local Planning Authority on 20 January 2022.

Received by the City Council as Local Planning Authority on 17 February 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, DM1 and EN3 of the Core Strategy.

3) The materials to be used on the external surfaces of the structures hereby permitted be as stated on the approved drawings.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) 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. 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 approved scheme shall be completed before the premises is occupied. Upon completion 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 acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.

Reason - To minimise the impact of the development and to prevent a general increase in pre-existing background noise levels around the site pursuant to policy DM1 of the Core Strategy and saved UDP policy DC26.

4) The jet wash shall not be open outside the following hours:

08.00 to 19.00 hours Monday to Friday

09.00 to 19.00 hours on Saturday, Sunday and Bank Holidays

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policies SP1 and DM1 of the Core Strategy and saved Policy DC26 of the City of Manchester Unitary Development Plan.

5) Prior to the commencement of above ground works 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. 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 - In the interests of amenity and public health, pursuant to policy DM1 of the Core Strategy for the City of Manchester.

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

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

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Highway Services
Neighbourhood Team Leader (Arboriculture)

List of properties notified on Uniform

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH

