

Application Number	Date of Appln	Committee Date	Ward
131344/FO/2021	26 Nov 2021	31 May 2022	Levenshulme Ward

Proposal Installation of 7 x electric vehicle charging points, and 2 jet wash bays , together with related canopies, electricity sub station and associated infrastructure

Location Shell Uk Ltd , 1081 Stockport Road, Manchester, M19 2RE

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

Agent MBH Design Studio Ltd, Rosemount House, Rosemount Avenue, West Byfleet, KT14 6LB

Executive Summary

Permission is sought for the installation of 7 x electric vehicle charging points, and 2 jet wash bays, together with related canopies, electricity sub station and associated infrastructure, following revisions to the originally submitted proposal to enable the retention of a significant proportion of the existing grassed area and existing trees to the Cringle Road and Stockport Road frontages. A full report is attached for Members' consideration.

Description

The proposed development relates to an existing operational petrol filling station with an ancillary shop unit. The filling station site fronts the eastern side of Stockport Road (which is a major radial route out of the City Centre running north to south), close to the junction with Cringle Road, having been in situ and operational for in excess of 35 years. The site is situated in a mixed use area, with offices, retail, gym, hot food shops and residential uses, in the vicinity. There are terraces of houses, flats and detached houses to the west, north and east of the property

The site is accessed from Stockport Road, with 2 no. separate entry/egress points. The existing petrol filling station comprises a large canopy, pumps and sales building, and ancillary facilities associated with filling stations. Access and egress from the site would remain as existing.



The originally submitted application has been revised so that it includes removal of the existing Liquid Petroleum Gas compound, reduces the number of electric vehicle chargers and associated canopies to 7; removes the proposed power packs serving the electric vehicle chargers (due to a change in the type of proposed charger) and the removal of a jet wash and plant room.

The scheme under consideration would comprise the installation of 7no. electric charging points and associated canopies, with a row of four located at right angles to Stockport Road, in proximity to the existing access to the site. A further row of 3no. electric charging points with associated canopies, and two jet washers (with associated canopies and screens) would be located to the rear of the site, with associated infrastructure including a substation and a 'Low Voltage Panel'. The existing trees to the Cringle Road and Stockport Road frontage would be retained, but three trees (two in proximity to Cringle Road frontage) and a group of birch trees at the rear of the site would need to be removed to enable the installation of the charging points and jet washer facilities. The landscaping scheme includes additional tree planting to the retained grass area to offset the loss of trees.

Planning History

125753/FO/2019 - Installation of new jet wash to forecourt.
Shell UK Ltd, 1081 Stockport Road, Levenshulme.
Approved subject to conditions 12.06.2020

Consultations

Community Group comments – observations have been received from the Bee Sanctuary Movement (a Local Community Charity based in Levenshulme) in relation to the originally submitted plans. They advise that they are working with the Neighbourhoods Officer and local councillors to restore Nature to Levenshulme and creating more Bee Sanctuaries.

They advise they have been discussing the proposed triangle of green space at the Stockport Road/Cringle Road junction, for its potential as a biodiverse wild green area with wildflowers welcoming people into the City. Whilst they welcome and support the provision of electric car charging points, they request further consideration be given to the layout to reduce the loss of the greenspace and sought the removal of the originally proposed 3 no jet washes from the scheme.

Local residents and local businesses – 5 emails were received objecting to the originally submitted plans on the following grounds:

- Objections in relation to the proposed jet washes close to residential properties and communal areas on the grounds of noise, dirt, and environmental costs.
- The removal of green space and established mature trees in favour of an extended forecourt. is not an acceptable approach to development in this current global ecological emergency. The wider ecological impact of tree removal is not only arrogant, but very depressing and upsetting. The Council has a duty of care to local people and to the environment.
- Residents believe the green space is Council owned and question why are the Council selling off land to allow development such as this to happen? They state that if the Council are committed to the Clean Air Act, then cutting down trees and removing green space is not the way to demonstrate commitment.
- The soft landscape plan submitted fails to remediate for the loss of such established trees including a semi-mature oak tree. There is lack of biodiversity in the planting such as using a single species for the hedge which is shown in short sections.
The grass area was left to grow long last year with some mown paths through as agreed with the Council maintenance team (initiated by local residents) and, as a consequence was full of insects and some wildflower species took hold and it looked beautiful. All this will be gone if this application is approved.
- The existing petrol filling station operator is a major contributor to noise and litter on the streets and in the alley ways between the houses and the shop. Complain that whilst the business picks up litter within their site, they take no responsibility for litter deposited outside their site. The Council has not used the business rates to clear litter associated with the business.
- The existing garage generates high noise levels already due to 24hour opening, and when a jet of water hits a car it will be noisy and cause a disturbance to local residents. Furthermore, the sound of the equipment will add to the levels of noise.
- Concerns are expressed that the noise pollution survey was conducted in lockdown, which also suggests that the sound of the road will mask the sound of the proposed additions. There are other factors to consider such as extra people on the forecourt and the playing of music from cars...something that already affects residents throughout the night. It is however, stated that any complaints made to the garage have been dealt with and they have always been cooperative, but they hope the applicant can come up with a greener scheme.
- State that residents have developed the outdoor spaces behind their houses, having cleared up years of mess, and developing the land around the sub-station to enable community use. They are of the view that if the development

is implemented dirt from vehicles being washed will become airborne, and adversely impact this site and associated noise levels will render this space unusable, together with their gardens behind the development.

- The petrol filling station previously had a jet wash which led to local residents washing being sprayed with water, and the associated noise led to children not being able to sleep.
- The noise and dirt will deter use of this area by local wildlife.
- There are numerous and established carwash businesses just within a short walking distance of this petrol station, the jet washes are not needed, particularly as water is at a premium.
- Have no objection to installation of the proposed electric charging points, but queries the need for the provision of eight. They query whether this provision could be phased as demand increases over time and then replace some of the petrol pumps. They further advise that the petrol station had one installed a few years ago which has since been removed due to lack of use.
- The existing petrol filling station is a hub for anti-social behaviour and operates on a 24 hour basis. The proposed charging points should be incorporated into the existing footprint or at least not encroach too much onto the grass verge and offset with some new trees/wildflower meadow.
- The proposed development would be detrimental to health.
- The forecourt is closed during the night and this affects the safety of the area of Levenshulme, as there is no one to guard the area

A further email has been received from a resident who made comments on the originally submitted plans, advising that some of the amendments on the interim revision were welcome including the retention of more trees and the removal of the jet wash bays. However, they state the objection in respect of the loss of the mature oak tree together with the lack of mitigation for the reduction of green space and the removal of many other native screening trees. They further advised that whilst a move away from petrol to electric cars was very welcome they felt that this should not be at the cost of felling mature, native trees. They sought the retention of the oak tree and other trees on site and asked that this be given weight in terms of visual, amenity and environmental impact not only for their immediate area, but as part of the bigger and more urgent global problem being faced.

In addition, concerns were raised in regard to the use of at a 2.4m high grey timber hit and miss fence around the substation and LV Panel, and associated visual impacts, and suggested the use of hedging or planting.

Following the submission of a further revised layout, the following objections were received from 21 local residents, some of whom also commented on the originally submitted plans;

- Very disappointed that two jet washes form part of the revised scheme and reiterate concerns in relation to water spray and noise adversely affecting local residents, and that the petrol station already generates a lot of noise from cars revving their loud engines and blaring music. Furthermore, that litter is generated from the current operation, and the business has a 24hr alcohol licence.

- Whilst retaining trees is welcomed, trees behind Cringle Road are being removed for bin space.
- The addition of extra traffic, and noise generated by jet wash, is not appropriate or considerate at any time of day, but especially not in a 24 hour garage.
- Extra traffic brings in extra exhaust fumes and pollution from vehicles. However, when people are washing cars - especially by jet wash - dirt is thrown into the atmosphere to settle elsewhere - people's gardens, windows, cars and lungs. Litter that can be directly attributed to the garage settles in neighbouring gardens every day, such as the exact type of glove that the garage use at their pumps.
- The customers and owners of this garage are responsible for an enormous amount of rubbish, litter and antisocial behaviour. This includes shopping and dropping litter all over the local area; shopping for snacks and having with drugs behind the garage, which local residents have to pick up each day. The business never pick any up outside of their property or even provide suitable bins.
- Oak trees and others are planned to be removed.
- There are already many car washes in the area and there is no need for another one.
- Appreciate the ongoing amendments being made in order to protect as many of the trees on site as possible (especially the oak) and to maximise the green space, but slightly disappointed to see that two jet wash bays have crept back into this proposal for some reason, especially when the previous revision had removed them completely, as the residents wanted.
- With regards the proposed seven EV bays. This is a much better arrangement compared to the previous two schemes. However, the three EV bays currently shown next to the jet wash bays, look like they might sit within the rootzone of the oak tree. It would be much better to lose the jet wash bays completely and slide the three EV bays along the back fence to avoid conflict with the root zones of the oak tree.
- Four trees across the site are being lost, two of which are significant screening trees (the tall silver birches within the forecourt). Residents ask how these losses will be mitigated. Clarification is also sought if any trees behind the shop unit are proposed for removal or just the ones covered in the tree survey.
- Any green space needs to be protected. Glad to see that the original terrible design has been altered to a more efficient design that takes less away from the green space, .However, they strongly object to the proposed jet washes being part of this scheme.
- Support the installation of electric charging points, but feel that a petrol forecourt is not the most practical location for them.
- There is an electric charging point at Levenshulme train station car park which seems a better location. You could have electric charging points there without destroying nature.
- It would be better to remove the garage altogether, and reinstate the grass and trees that were there in the first place.
- Pleased to see requests to replant some small trees and landscaping with nectar producing plants.

Ward Councillors – Correspondence has been received from Councillor Noor supporting local residents concerns about the originally submitted scheme, in particular the removal of trees, and the provision of three jet wash bays. Councillor Noor further advised that there were already problems locally with road traffic accidents with vehicles turning right onto Stockport Road.

Fire Service (Petroleum officer) - The proposal is within the boundary of the existing Petrol Filling Station, and they have no objections to this planning application. They advise that they are consulting with the operator to ensure the installation is completed safely and fully complies with the relevant guidance taken from Design, construction, modification, maintenance and decommissioning of filling stations.

Highways Services -Note the loss of three car parking spaces across the site, and sought clarification regarding current levels of usage to ensure there is sufficient provision.

Highways note that disabled provision has not been provided and therefore request that this is accommodated.

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

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

Swept path drawings have been provided that confirm that all vehicles accessing the site can access/egress whilst remaining in a forward gear, as well as use the facilities unobstructed.

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

Flood Risk Management Team – recommend any approval has a condition attached relating to a surface water drainage scheme for the site, based on sustainable drainage principles.

United Utilities – Request drainage conditions relating to the submission of a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions; that foul and surface water be drained on separate systems; and before the occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be and Agreed. They further advise that a public 450mm combined sewer crosses this site and they will not permit building over it, and will require an access strip.

GMEU - Have advised that the area of land comprises amenity grassland, ornamental shrubs and trees, which have the potential to support nesting birds. They, therefore recommend that all tree works and shrub clearance should not be undertaken in the main bird breeding season (March-August inclusive), unless

nesting birds have found to be absent, by a suitably qualified person, and recommend that a condition to this effect be placed on any permission.

They would expect any such scheme to include measures to enhance biodiversity at the site and to provide a net gain for biodiversity and recommend that opportunities for biodiversity enhancement be incorporated into the new landscaping. These should include:

- Native tree planting
- Nectar rich native shrubs

In conclusion, satisfied that the application can be forwarded for determination and that any permission if granted is supported by the condition above and are satisfied that the revised layout and details are appropriate given the location of the proposal in a highly urban location. The trees are either native or horticultural varieties of native species. The ground cover and shrubs provide for nectar sources, flowers and berries for invertebrate and birds.

Environmental Health - Due to potentially contaminative historic and current site uses recommend a watching brief condition that if the presence of 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), are submitted to and approved by the City Council as local planning authority.

The updated EEC noise report, Dated 5 April 2022, specifically excludes any modelled assessment of the proposed canopy above the charging stations, although it does state that this will provide some additional screening from activity noise. Notwithstanding this point, they accept the report's conclusion that on the basis that the jet wash bays will be closed, as stated in the report, between 2200-0700 hrs, there should be no disamenity impacts from site activities on nearby residents. They would however recommend reduced jet wash operating hours on a precautionary basis.

They therefore recommend that conditions relating to verification of acoustic mitigation measures, Jet Wash hours and Jet Wash noise management plan attached to approval 125753/FO/2019 to a jet wash previously approved at this site in a similar location, are also imposed for any permission granted for this current application, with appropriate re-wordings to reflect the updated approved noise report.

Electricity North West - Have advised that the development could have an impact on their infrastructure. The development is shown to be adjacent to or affect Electricity North West's operational land or electricity distribution assets.

Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements.

The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity.

Design for Security - it is recommended that the cabinets are of robust construction and that lighting is provided to illuminate the location during the night as existing street lighting is likely to be insufficient and that CCTV is included to monitor or record any criminal behaviour.

They recommend that any existing CCTV coverage is reviewed to ensure that proposed new canopy at the entrance does not impede the view of CCTV around the front of the building.

Furthermore, that lighting to parking areas should be in accordance with British Standards.

The success of the proposed development will be dependent upon the effective management and maintenance of the site and the applicant should be required to provide a security management plan which includes measures to deal with the following:

- o Frequent inspection and prompt repair of security features (e.g. lighting CCTV, signage, barriers, locks, fencing and rails).
- o Regular litter and graffiti removal (if applicable)
- o Maintenance of car parking surface
- o Vegetation management
- o Installation & Monitoring of CCTV and procedures for response to any incident /recording of images.

Issues

Policy Context

The following local and national policies and documents are considered relevant in the determination of the application proposals.

National Planning Policy Framework (July 2021)

The revised NPPF was adopted in July 2018 , re-issued in February 2019, and again July 2021. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7).

In order to achieve sustainable development, the NPPF states that the planning system has three overarching objectives - economic, social and environmental (paragraph 8).

Section 6 'Building a strong and competitive economy' states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (paragraph 81).

Section 8 'Promoting Healthy and Safe Communities' states that planning policies and decisions should aim to achieve healthy, inclusive and safe places (paragraph 92).

Section 9 'Promoting Sustainable Transport' states that 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health' (paragraph 105).

In relation to setting local parking standards for residential and non residential development, the NPPF states that policies should take account of the need to ensure adequate provision of spaces for charging plug in and other ultra-low emission vehicles (paragraph 107(e)). Furthermore, in paragraph 112 the NPPF recommends that applications for development be designed to enable charging plug in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Developments should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 111).

All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (paragraph 113).

Section 11 'Making effective use of land' states that 'planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions' (paragraph 117).

Paragraph 125 (c) states that Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to

communities. Being clear about design expectations, and how these will be tested, is essential for achieving this' (paragraph 126).

Planning decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The NPPF is clear that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). (paragraph 134).

In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings (paragraph 134).

Section 14 'Meeting the challenge of climate change, flooding and coastal change' states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 152).

Section 16 Conserving and enhancing the historic environment - Paragraph 194 advises that in determining applications, the significance of any heritage assets affected, should be described by the applicant, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 195 advises local planning authorities should identify and assess the particular significance of any heritage asset that may be affected (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this account when considering the impact of a proposal on a heritage asset.

Section 66(i) of the Planning (Listed Building and Conservation Areas) Act 1990 imposes a duty to pay special regard to the desirability of preserving or enhancing the area's character or appearance.

The effect of NPPF is to impose, by policy, a duty regarding the setting of a listed building that is materially identical to the statutory duty pursuant to s.66(1) regarding the setting of a listed building.

If harm would be caused, then the case must be made for permitting the development in question, and the sequential test in paragraphs 199-208 sets out how that is to be done. If that is done with clarity, then approval following paragraph 202 is justified. No further step or process of justification is necessary. The National Planning Policy Framework (NPPF) provides guidance on the Government's approach to heritage assets, which is expanded upon in the National Planning Policy Guidance (NPPG) stating that Heritage Assets should be, "*...conserved in a manner appropriate to their significance.*" (paragraph 189).

It also states that in determining planning applications Local Planning Authorities (LPA) should require an applicant to consider the significance of any heritage assets affected, noting that,

"...the level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance." (paragraph 194). The NPPF sets out criteria in Chapter 16 to guide assessment of both heritage assets and the impact of proposed development on them, stating at paragraph 199 *"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)."*

The test of whether a development is acceptable is set out in paragraphs 201 to 204, based on whether substantial or less than substantial harm is identified arising from the development.

Where there is substantial harm identified the NPPF states, *local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss...* where less than substantial harm is identified the public benefits of the development should be weighed against the harm it might cause to the heritage asset involved.

National Planning Policy Guidance (NPPG)

The relevant sections of the NPPG are as follows:

Noise: states that 'Local planning authorities' should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In general, for noise making developments, there are four broad types of mitigation:

- engineering: reducing the noise generated at source and/or containing the noise generated;
- layout: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose-built barriers, or other buildings;
- using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise levels differentiating as appropriate between different times of day, such as evenings and late at night, and;
- mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.

Design states that where appropriate the following should be considered:

- layout - the way in which buildings and spaces relate to each other
- form - the shape of buildings
- scale - the size of buildings
- detailing - the important smaller elements of building and spaces
- materials - what a building is made from

These largely relate to detailed aspects of a planning submission, which are addressed in the following section of the report; the conclusions of the necessary assessments is that the proposal accords with the general principles of the NPPG.

Core Strategy

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Appendix C of the Core Strategy has a list of superseded policies and their replacements.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

The following specific policies are considered to be particularly relevant to the proposed development:

Strategic Spatial Objectives

The Core Strategy contains a number of Strategic Spatial Objectives that form the basis of the policies contained therein, as follows:

Policy SO2. Economy - The scheme would provide an additional facility for use by the patrons of the existing filling station and in a highly accessible location, supporting the economic performance of the business.

Policy S05. Transport -The development would be highly accessible.

Policy EC1 - Land for Employment and Economic Development - The proposal would contribute to economic performance of an existing business in a highly accessible location, thereby supporting economic growth.

Policy EC9 - South Manchester -Advises that South Manchester is not expected to make a significant contribution to employment provision within the City

Policy CC8 Change and Renewal - The proposed development would create temporary employment during construction.

Policy EN3 – Heritage - The existing petrol filling station is located opposite to the former Church of St. Andrew which is Grade II listed building which has been subsequently converted into residential accommodation. There are no significant views of the Church other than short distance when travelling along Stockport Road in either direction until it appears in view.

The proposed development would not for the most part obstruct views of the listed building, other than some views from Cringle Road looking south, which would have single storey structures within the view of the Church from this point at the ground level.

It is considered that any impacts to the setting to of the listed building, would give rise to less than substantial harm.

Policy EN14 -Flood Risk - The proposed development is accompanied by a drainage plan. This issue is dealt with in greater detail elsewhere in this report.

Policy EN 16 - Air Quality

The proposal includes the provision of 7 no. electric charging points which will assist in the minimisation of emissions from traffic in the local area.

Policy EN 18 Contaminated Land and Ground Stability

The proposed development would involve the installation of electric charging points and jet washers with associated canopies, a substation and LV GRP panel structure. Any breaking of ground would therefore be limited. This issue is dealt with in greater detail elsewhere in this report.

Policy T1 Sustainable Transport - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. The proposed development will assist in supporting the move to carbon free modes of transport. Policy T1 would therefore be responded to.

Policy DM1 Development Management - This sets out the requirements for developments in terms of BREEAM and outlines a range of general issues that all development should have regard to. Of these, the following issues are or relevance to this proposal:

- o Appropriate siting, layout, scale, form, massing, materials and detail;
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- o That development should have regard to the character of the surrounding area;
- o Effects on amenity, including noise, and road safety and traffic generation;
- o Impact on landscaping/trees, flood risk and drainage.

These issues are considered full, later in this report.

Saved UDP Policies

The following saved UDP policies need to be considered in relation to the application.

Saved policy DC19 - Listed Buildings - In determining applications for planning applications for development having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. In giving effect to this policy, the Council will seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features.

The proposed development would for the reasons outlined in more detail below, result in less than substantial harm to the listed building's (former Church of St. Andrew) architectural or historical character.

Saved policy DC23.1 – Petrol Filling Station – In determining applications for developments involving petrol filling stations, the Council will have regard to the general location of the development; the effect on the amenities of the neighbouring occupiers; the need for safe and convenient arrangements for access; road safety and the safety of pedestrians; adequacy of the local traffic circulation; ease of access for all; the need to achieve a design which results in a satisfactory relationship to the streetscene; and the quality of materials.

The application relates to an existing petrol filling station. It is considered that the proposed development would be a proportionate addition to the existing facilities provided.

Saved policies DC26.1 and DC26.5 Development and Noise - The application is supported by an initial and subsequent noise impact assessment. It is considered that provided the proposal is implemented in accordance with the measures detailed in the assessment, the jet wash facilities would not have a detrimental impact on the amenity of surrounding occupiers through noise. This is discussed in more detail later on in this report.

Saved policy E3.3 states that the Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest

quality; and ensuring that landscape schemes are designed to minimise litter problems. Stockport Road significant radial route into the City. This proposal would be set back from the highway, but would be clearly visible in the streetscene, but due to the scale, massing and open nature of the canopies to the electric vehicle charging points, it is not considered that the scheme would give rise to significant adverse visual impacts.

Legislative requirements

S17 Crime and Disorder Act 1998 provides that in the exercise of its planning functions the Council shall have regard to the need to do all that it reasonably can to prevent crime and disorder.

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development that affects a listed building or its setting the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

ISSUES

Principle of development

The site is an existing operational petrol filling station on a main road network. The proposed scheme would enable the provision of additional facilities, which include the provision of 7no. electric vehicle charging points designed to support the changeover in vehicles from running on fossil fuels to electricity to contribute to meeting climate change challenges.

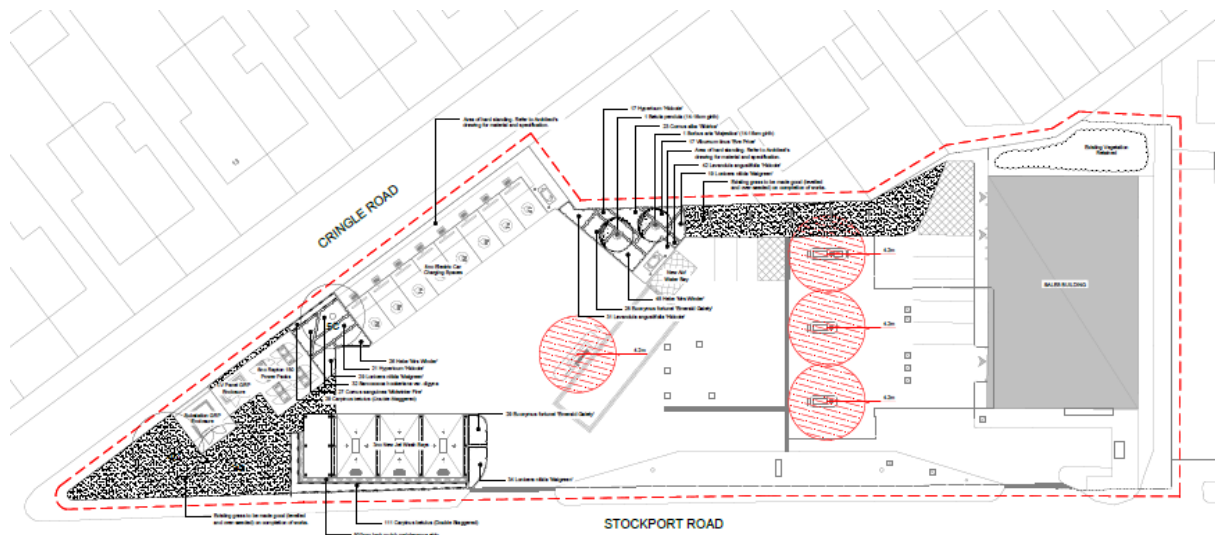
It is considered that the provision of electric charging points and two jet washers would be commensurate with the existing use of the site as a petrol filling station, and are acceptable in principle.

Land ownership

The City Council has a land interest in the site. Members are reminded that in considering this matter they are discharging their responsibility as Local Planning Authority and must disregard the City Council's land interest.

Site Layout

The originally submitted scheme is shown below.



The originally submitted application has been revised so that it includes removal of the existing LPG compound, reduces the number of electric vehicle chargers and associated canopies to 7; removes the proposed power packs serving the electric vehicle chargers due to a change in the type of proposed charger and the removal of a jet wash and plant room. This revision allows a substantial area of the existing green space and associated trees to be retained.

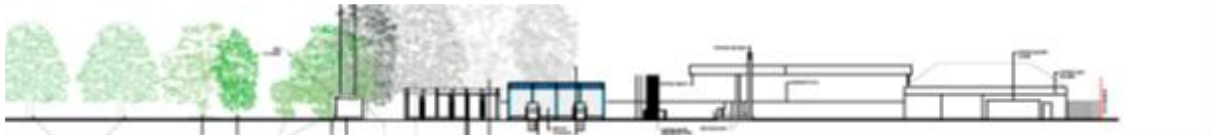
Discussions regarding the siting of the proposed equipment to reduce any impacts to the existing green space have identified that there is a restriction on the location of EV Chargers, LV panel and substation due to hazardous zones on the forecourt of an operational petrol station, which therefore means that the electric charging points cannot be brought further forward due to hazard zones, and due to high power electrical zones that there are on chargers being a risk.

The revision of the layout enables the retention of a significant portion of the grassed area, with the majority of existing trees also remaining in situ (11 in number), but three trees (2 in proximity to Cringle Road frontage) and a group of silver birch trees at the rear of the site, being lost to the rear of the site. In order to compensate for the loss of these trees, replacement trees of an appropriate species are proposed to be planted in the retained area of soft landscaping.

The revised layout is shown below:

access into the site or to the rear of the site in proximity to the existing operational forecourt of the petrol filling station, and as such would be viewed in the context of the existing facility at the site. The installation of open framed canopies to the electric charging points would allow views through the structures and reduce the potential for significant visual intrusion in the streetscene.

It is therefore considered that proposed development would have no significant impact upon visual amenity, and proposed structures would be read in the context of the existing the Petrol Filling Station with associated structures and equipment.



Design and Appearance

The agent has confirmed that the proposed steel frame for the electric charging points and jet wash canopies would be blue in colouration (RAL 5015), and the canopies and glazed panels forming the jet wash enclosures would be clear. It is therefore proposed that this aspect of the scheme is conditioned. It is considered that the external design and appearance of the development would give rise to no significant impact upon visual amenity or upon the character of the existing petrol filling station or local area.

Highways Impacts

The petrol filling station is located on the main radial route to and from the City Centre. The site provides 2 no. two-way vehicular entry and exit access points. No changes are proposed to the existing forecourt and canopy associated with the existing petrol filling station, and the agent has confirmed that the existing tanker movements would not be affected. Swept paths have been provide in order to demonstrate that tanker movements can be accommodated. This is considered to be acceptable.

In relation to the need for construction activity to be accommodated without detriment to the safe operation of the forecourt area and of the adjacent highway, it is proposed that a condition to require the submission of a construction management plan prior to commencement of works is attached to any approval.

In respect of trip generation, electric charging points and jet washers are customer facilities that are available at many petrol stations and it is intended to complement site facilities, but not to the detriment of the primary use of the petrol sales forecourt.

On the basis that the development is implemented in accordance with the revised site layout it is considered that the proposed electric charging points, and jet wash facilities with associated substation and 'Low voltage Panel' would not give rise to significant impacts to traffic movements within the site, or in relation to adverse impacts to the local highway network.

Residential Amenity

The application is supported by an initial and subsequent noise impact assessment.

The report confirms that the only noise generating element associated with the proposed charging bays would be the substation, and that the proposed Low Voltage panel does not generate any noise. The report assesses the proposed development on the potential daytime operation of the Electric charging points and jet washers between 0700 -2200 on Mondays to Sundays, and noise from the substation during the night time hours

The assessments have shown that during the respective daytime and night time operation of all services noise will be of low impact at all the nearest receptors on the basis that during the night time the jet wash bays will be closed, and only the EV charging bays would be available for use.

The assessments identify that the main contribution to noise was from traffic noise on Stockport Road, with the report dated January 2020 making reference to measures to minimise noise, including that idling of vehicles should be kept to a minimum, engines, should be turned off when stationary and car radios should be turned off during the use of the jet wash.

The observations received in relation to the extant permission for the installation of a jet washer in a similar location at the rear of this site have also been noted. It is proposed that these aspects form part of a condition to reduce the potential impacts to residents in proximity to the development.

It is considered that provided the proposal is implemented in accordance with the measures detailed in the assessments, the proposed electric charging points and jet wash facilities would not have a detrimental impact on the amenity of surrounding occupiers through noise

The eastern boundary of the existing petrol filling station, which forms the boundary with the closest residential properties comprises high concrete post and panel fencing, which would be retained.

As such any approval would be conditioned so that the Jet Wash facility shall not be in operation outside:-

Monday to Saturdays	08:00 - 20.00
Sunday & Bank Holidays	10.00 - 18.00

With a further condition detailing restrictions in relation to use of any tannoy system , use of car radios , and that engines being turned off when the vehicle is stationary, also being attached to any approval, in order to protect and safeguard the amenities of the occupiers of nearby residential accommodation. This would be the subject of a condition requiring a management plan for the operation of the facilities.

It is considered that the attachment of the conditions outlined above, would reduce any impacts from noise directly associated with the proposed jet-wash. Concerns raised in relation to the use of loud speakers to talk to the public would be controlled in respect of the jet-wash, so that only emergency use would be permitted. Any issues of existing antisocial behaviour at the site would be a matter for the operator of the petrol filling station and the police.

In relation to concerns expressed in relation to water over spraying to the east of the site, as advised earlier in the report, the jet wash bays would incorporate 3.1m glazed screens to three sides of each of the bays, set in a frame. The proposed screens and canopies would significantly reduce the potential for water spray to the rear of the site and wider forecourt area .

Trees

The revised layout would enable the retention of 11 existing trees, including the semi mature oak tree to the Cringle Road frontage which has been referred to in emailed observations received from local residents. The revised scheme, however, would lead to the loss of three trees (two goat willows , a wild cherry) and a small group of silver birch, but the updated landscaping scheme would include the planting of four additional native trees within the area of grassland (2 no . silver birch and 2 no. cherry). Any loss of the grassed area would be limited to the southern edge of the existing soft landscaped area. A condition shall be applied to the approval relating to the protection of the retained trees, and a landscaping condition to ensure the planting of new trees to off set those being lost.

The Arboricultural report states that in regard to the trees to be removed, the Wild Cherry is classified as a category 'U' tree having basal decay caused by fungus, and the other trees have a category 'C' classification ,(trees of low quality) with the Goat Willow having heavy lean to the Petrol Filling Station hard standing, and having a limited safe useful life. The trees to be removed are located at the rear of the site, in proximity to the eastern boundary of the site. The proposed new trees planting would involve the planting of 4 trees of native species, in highly visible locations within the retained green space. This would enable them to contribute to the streetscene, be of better quality than those to be removed and be located in an area with less constraints to future growth.

Ecology

The application is accompanied by an Ecological Assessment Report. This describes the soft landscaped area of the site as comprising trees set in mown amenity grassland. None of the habitats within the site were identified as being of any particular botanical interest, and no non-native invasive species was found at the site.

The report acknowledges the trees and shrubbery at the site could support nesting birds during the breeding bird season. The trees were assessed as to their suitability to support roosting bats, however, none of the trees were found to support any suitable bat roosting features, and it is therefore considered that any potential for bats to be roosting at the site would be very unlikely.

The report indicates that the habitats at the site have limited biodiversity value, but that the trees would offer foraging habitats to local wildlife including invertebrates and birds.

It is considered very unlikely that the site supports any other protected species. It is however, considered that there are opportunities to improve biodiversity at the site in relation to planting to provide for nectar sources, flowers and berries for invertebrates and birds. It is therefore proposed to attach a condition to require the

submission of further measures to improve biodiversity at the site prior to the proposed development being brought into use.

Drainage

The proposed development would utilise the drainage principles associated with the previous permission for a jet washing facility on site. Separate silt traps are shown on the application drawings to control and separate fluids, with surface water from the new hard surfacing being funnelled towards the existing main drains.

As further information is required in relation to discharge points, proposed attenuation and proposed overland flow routes for extreme events, together with hydraulic calculations to support the drainage proposal, and details of how the scheme shall be maintained and managed after completion, it is therefore proposed to attach a condition to require the submission of a surface water drainage scheme for the site based on sustainable drainage systems which address the matters detailed above.

Air Quality

A resident has raised concerns that the jet washers would lead to air borne dirt - polluting the air quality and dirtying the local area. In this instance the jet washers are bounded on three sides by 3.1m high screens which would reduce the potential for any air borne spray to be spread beyond the proposed facility, with any water hitting the proposed screens, and then flow down to the drainage for the facility.

In regard to the proposed electric charging points, these have the potential to assist in the minimisation of carbon emissions from traffic in the local area, by supporting the wider use of hybrid and electric vehicles. There would be some impacts on air quality during the construction phase but these can be mitigated through an appropriate condition and any impacts would be short term.

Parking

The existing petrol filling station has facilities to accommodate 10 vehicles parked off street within the wider site. The proposed development would involve the loss of three spaces, but this loss would be offset by the provision of 7 no. electric vehicle parking spaces.

Accessible Electric Charging point

The layout has been revised to increase the size of the electric charging point bay at the rear of the site next to the proposed jet wash bays, to enable use by disabled users.

Waste Storage

The existing reduce storage arrangements would be retained.

Security

This is an existing petrol filling station with associated external lighting and CCTV. As such the design for security officers observations have been appended an informative.

Conclusion

The proposed development would support the delivery of measures to contribute to achieving carbon neutrality by 2038 in Manchester , in a sustainable location on a main radial route into Manchester.

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 the right to a fair hearing and to this end the Committee 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 of the application 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

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. In this instance officers have worked with the agent in a positive and proactive manner by requesting further information relating to layout , tree retention and replacement planting within the scheme, an EV bay of an appropriate size for disabled users, and appropriate conditions to the approval have also been attached.

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-LP-304 -Location plan; 13664 -P01 -304 Existing site layout; 13664 -P03 -304 Existing site elevations ; 13664-P06 Substation elevations; received 13th August 2021;

EV charge installation Manual - Raption 150 Series and Planning Design and Heritage Statement ref: 784-B031753 Dated September 2021; Planning, Design and

Heritage Statement (notwithstanding any reference to the originally submitted layout or any installation of hit and miss fencing enclosure to the substation and LV panel due to subsequent revisions); Ecology Assessment Report dated 5th November 2021 Statement (notwithstanding any reference to the originally submitted layout) received 26th November 2021;

Hypercharger Operational Instructions and Installation Guide specification ; received 18th February 2022

13664- BP-304 rev.A Block plan ; 13664 – P04 304 rev.D Proposed site elevations; 13664 – P05 304 rev.B EV Canopy Detail; 13664 -P07 304 rev. A Jet Wash Bay elevations; 13664 – P08 304 rev.A LV enclosure elevations; 13664- P10 rev.A Waste Management plan elevations received 3rd March 2022

Noise Impact Assessment of the proposed jet wash bay ref: P19-719-R01v1 January 2020 in association with Noise Impact assessment report by EEC dated 5th April 2022; and Tree Survey /Arboricultural Impact Assessment Version 2 03/04/2022 received 7th April 2022

Soft landscaping proposals plan ref: J210704-GC-L-DR-3-001 rev.A received on 11th May 2022.

13664- P02 304 rev.D Proposed site layout ; 13664- P011 -304 Vehicle Tracking Plan; 13664- P012 -304 Vehicle Tracking Plan 2; received on 16th May 2022.

Agent email confirming that no timber hit and miss fencing is proposed to enclose the LV panel and Substation dated 19th May 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3.Prior to the commencement of the development hereby approved, a detailed construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which should include;

- o The routing of construction traffic;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site for all construction traffic, staff vehicles and Heavy Goods Vehicles;
- o Identify measures to control dust (based on British Standard 5228) and mud including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- o Specify the working hours for the site;
- o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location on the site from the commencement of development until construction works are complete;
- o Identify advisory routes to and from the site for staff and HGVs.

Reason - To safeguard the amenities of nearby residents and highway safety, pursuant to policies SP1, EN9, EN19 and DM1 of the Manchester Core Strategy (2012).

4. 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.

The scheme shall also include:

- Surface water drainage layout including discharge points, proposed attenuation and proposed overland flow routes for extreme events (up to a 1 in 100 year including 40% climate change allowance).
- Details of surface water attenuation that offers a reduction in surface water runoff rate in line with the Manchester Trafford and Salford Strategic Flood Risk Assessment. Discharge rates should be restricted to greenfield discharge rates and should not exceed the existing rates, as the site is located within Conurbation Core Critical Drainage Area.
- Where surface water is connected to the public sewer, agreement in principle from United Utilities is required that there is adequate spare capacity in the existing system taking future development requirements into account. An email of acceptance of proposed flows and/or 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 Manchester Core Strategy (2012).

5. No removal of or works to any trees or shrubs shall take place during the main bird breeding season of March to August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - In order to provide protection to nesting birds, pursuant to Policy EN15 of the Manchester Core Strategy (2012).

6. The development hereby approved shall be implemented in accordance with the soft landscaping details shown on plan ref: J210704-GC-L-DR-3-001 rev.A received on 11th May 2022 (solely in regard to soft planting) 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(2012)

7. In this condition "retained tree" means an existing tree, or shrub or hedge on plan ref: 1 J210704-GC-L-DR-3-001 rev.A received on 11th May 2022 ,and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy (2012).

8. Before the electric charging points and jet washers hereby approved are brought into use , a scheme to encourage bio-diversity within the application site shall be submitted to and approve in writing by the City Council as local planning authority, including the provision measures to encourage habitats for native bird and bat species. The development shall be implemented in accordance with approved scheme prior to the electric charging points and jet washers being operational shall be maintained in situ thereafter.

interests of public safety, pursuant to policy EN18 of the Manchester Core Strategy (2012).

13a) The acoustic mitigation measures included in the submitted Noise Impact Assessment of the proposed jet wash bay ref: P19-719-R01v1 January 2020 in association with Noise Impact assessment report by EEC dated 5th April 2022; hereby approved by the City Council as local planning authority, shall be completed before the jet washers and electric charging points bays are brought into use.

b) 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 saved policies DC26 and policies DM1 & SP1 of the Core Strategy for Manchester (2012).

14) The steel framework to the jet wash and the electric charging points bays and canopies hereby approved shall be blue (RAL 5015) in colouration .

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 Manchester Core Strategy (2012).

Informatives

1. The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email -highwaylicenses@manchester.gov.uk

2. Any existing CCTV coverage is reviewed to ensure that proposed new canopy at the entrance does not impede the view of CCTV around the front of the building. Lighting to parking areas should be in accordance with BS 5489, and display an average lux of 20 (urban areas) with a uniformity level of no less than 25%. These figures should be evidenced by a lighting layout/lux plan.

The success of the proposed development will be dependent upon the effective management and maintenance of the site, including measures to deal with the following:

- o Frequent inspection and prompt repair of security features (e.g. lighting CCTV, signage, barriers, locks, fencing and rails).
- o Regular litter and graffiti removal (if applicable)

- o Maintenance of car parking surface
- o Vegetation management
- o Installation & Monitoring of CCTV and procedures for response to any incident /recording of images.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 131344/FO/2021 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

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

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Relevant Contact Officer :	Sue Wills
Telephone number :	0161 234 4524
Email :	sue.wills@manchester.gov.uk



