Appeal Decision

Site visit made on 12 May 2009

by Mark Dakeyne BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

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Decision date:
28 May 2009

Appeal Ref: APP/B4215/A/09/2098375
Britannia Airport Hotel, Palatine Road, Northenden, Manchester M22 4FH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Britannia Hotels Ltd against the decision of Manchester City Council.
- The application Ref 086469/FO/2008/S2, dated 17 April 2008, was refused by notice dated 21 August 2008.
- The development proposed is described as "resurfacing of existing car park with tarmacadam and white line demarcation (previously unmarked car park with base course finish)".

Decision

1. I allow the appeal, and grant planning permission for the creation of a car park to front of hotel comprising 38 spaces at Britannia Airport Hotel, Palatine Road, Northenden, Manchester M22 4FH in accordance with the terms of the application, Ref 086469/FO/2008/S2, dated 17 April 2008, and the plan submitted with it (as supplemented by Drawing No. P076-02), subject to the following conditions:

    1) Within one month of the date of this permission, details of a scheme of boundary enclosure for the appeal site, in the form of secure fencing to the western and southern boundaries and access control to the eastern boundary, shall be submitted in writing to the local planning authority for approval. The scheme shall be implemented within three months of written approval being given by the local planning authority.

    2) The CCTV and lighting relating to the appeal site shall be operational in accordance with the manufacturer's specification at all times that the car park hereby permitted is in use.

Procedural Matter

2. In the absence of any evidence that planning permission exists for a car park in this location, I have adapted the description of the development from that used by the Council in the decision notice and determined the appeal on that basis. The car park has already been constructed.

3. It would appear that the Security Camera Plan (Drawing No. P076-02) was submitted after the original application but prior to its determination. No material change to the scheme arises from this revision and no party would be prejudiced. Therefore, my decision is based on this plan in addition to the site plan originally submitted.

Reasons

4. I consider that the main issue is whether the proposal would increase the risk of crime at the appeal site.

5. The boundaries of the car park with Palatine Road and a footway which runs parallel to the slip road off the A5103 are formed by low metal fencing and shrubbery. The entrance to the car park from the main access into the hotel is open.

6. The car park has been subject to incidences of crime involving theft from motor vehicles (TFMV). Information from the police indicates that the hotel is the second highest location for such crimes in the Northenden Ward. In my view this is a reflection of the vulnerability of cars owned by hotel clientele; the limited nature of the crime prevention measures which have been in place historically at the site; and the ability of thieves to make a quick getaway via a vehicle onto the road network, including motorways, or on foot by the largely hidden footway which links through to a public park and onwards to the north.

7. So far as crime prevention is concerned, which is the factor which can be most influenced by positive measures, the appellants indicate that incidences of theft have been on the decrease due to the upgrading of the CCTV system and the installation of 2 No additional cameras, security patrols and more proactive guidance for staff and guests. I saw two locations within the hotel for the active monitoring of CCTV, including moving images. I also noted that the site benefits from illumination from both within the site and from the overspill of streetlights on the road frontage. There is also a degree of natural surveillance from pedestrians and motorists on Palatine Road and from the main hotel entrance.

8. The evidence that the existing preventive measures, including those recently adopted, have been effective is, in my view, not conclusive. However, I find that the additional mitigation proposed by the appellants in the form of higher fencing to the front and side boundaries, added to existing measures, would reduce the likelihood of TFMV occurring both at the appeal site and over the hotel complex as a whole. I also consider that some form of access control to the car park would be important to deter opportunist criminals from entering via the main hotel entrance. In this respect I am not convinced by the appellants' assertion that such a measure would impractical.

9. So far as the need to fund an off-site CCTV camera linked to the public system is concerned, I regard this as desirable rather than essential. I do not consider that it would be necessary to make the proposal acceptable in planning terms and would not be fairly and reasonably related in scale and kind to the development. As such the Council's requirement would not, in my opinion, meet the tests for a planning obligation as set out within Circular 05/2005. In this regard I note that there is no development plan policy or planning guidance requirement that applicants make provision for public CCTV. In the circumstances of the case I consider that privately monitored CCTV is sufficient in conjunction with the other measures indicated.

10. I conclude that the proposal would not increase the risk of crime at the appeal site, subject to improved boundary security. I find compliance with Policy DP2 of the *North West of England Plan Regional Spatial Strategy to 2021* and Policy

E3.5 of *The Manchester Plan* (UDP) as the measures would lead to a safer environment. I consider that the proposal would follow the guidance within the Council's *Guide to Development in Manchester Supplementary Planning Document and Planning Guidance* and in particular Section 8 on Community Safety and Crime Prevention. I regard the proposal as fitting in with the objectives of the crime and community safety strategy of the *Wythenshawe Strategic Regeneration Framework.*

11. In my view the tarmac car park has an acceptable appearance in the context of the adjacent roads, flyover and large modern hotel building. Although it appears that trees and shrubs have been removed from the site I do not regard this as significantly detrimental to the street scene. The trees and shrubs that remain to the western and southern boundaries assist in softening the impact of the development. In my opinion suitably designed security fencing could be integrated into the boundary treatment without an adverse visual impact. I find that the proposal complies with Policy EW1 of the UDP.

12. There are differences between the parties on the longevity of use of the land as a car park. I have given little weight to this issue as the planning status of the site is not a matter for me to determine in the context of an appeal made under S78 of the above Act.

13. In allowing the appeal and granting planning permission I will impose a condition requiring details of boundary treatment and access control, as suggested by the Council (paragraph 8 refers). As, to my mind, the on-site CCTV and lighting are integral to combating crime I consider it necessary to impose a condition requiring that they are operational at all times when the car park is in use. A condition referring to the submitted details is not needed as my decision is specific to the application plans.

14. For the reasons given above I conclude that the appeal should be allowed.

Mark Dakeyne

INSPECTOR