



Appeal Decision

Site visit made on 7 August 2023

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 15 September 2023

Appeal Ref: APP/B4215/W/23/3318297

2 Farm Yard, Manchester M19 3NL

- 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 Mr Riaz Ahmed against the decision of Manchester City Council.
 - The application Ref 134294/FO/22, dated 15 June 2022, was refused by notice dated 15 December 2022.
 - The development proposed is the erection of new build detached single storey building to be used as B8 general storage, erection of new build detached two storey Class E officer building
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on: the character and appearance of the surrounding area; and highway safety.

Reasons

Character and appearance

3. The site is a parcel of land behind a parade of commercial units on Stockport Road, accessed via Albert Road to the north and Farm Yard to the south. The proposal seeks to erect a single storey detached storage building ('Building 1') within the site and a two storey detached office building ('Building 2') along the southern boundary ancillary to surrounding businesses of the appellant.
4. The main parties agree the scale and design of Building 1 would not cause visual harm, acknowledging its single storey nature and limited wider visibility. Based on my observations, I have no reason to disagree. Although it would have a large footprint and be sited close to existing buildings, it would be set back from those to the east and would run along a blank elevation to the south. Combined with the retention of a sizeable rear yard, this would ensure that Building 1 would not overwhelm the site or have a negative visual or physical relationship with surrounding built form.
5. Building 2 would be located directly to the west of an existing two storey building that falls outside the site, replacing a shipping container that is currently in this position. While it has been cited that there is a lack of architectural detailing, the proposed scale, building line and external design of Building 2 would nevertheless reflect this neighbouring two storey property, alongside which it would be experienced from Farm Yard.

6. However, Building 2 would also sit directly in front of a single storey property to the north, the topmost part of which is currently visible from Farm Yard. There would be limited separation between Building 2 and this single storey building, with no external space provided as part of the proposal, resulting in Building 2 reading as squeezed onto the site. Further, the useability of an entrance door on the facing elevation of the existing property would be impacted, such that Building 2 would fail to successfully relate to surrounding built form and appear as an out of place addition.
7. I note the doorway at the existing building may not be in use, and the presence of the shipping container in this location. Nevertheless, the permanent two storey built form of the proposal would mask all views of the existing building frontage from the street, reducing the legibility of this building and this section of Farm Yard. Alongside the existing built form, Building 2 would read as cramped and contrived such that, despite the overall modest site coverage of the proposal, a clear sense of overdevelopment along this section of Farm Yard would result. Accordingly, while the current shipping container and disused state of the site, including potential for fly-tipping, may make limited contribution to the streetscene, it remains that Building 2 would overall create an adverse visual impact due to its scale and positioning.
8. For the reasons given above, I find that the proposal would result in significant harm to the character and appearance of the surrounding area. In this regard, it would fail to comply with Policies DM1 and SP1 of the Manchester Core Strategy 2012 to 2027 (the CS), insofar as they seek to ensure that development is well-designed, has regard to the character of the area and is of appropriate scale. Although quoted against the second reason for refusal in the decision notice, the proposal would also fail to comply with Policies C1 and C2 of the CS insofar as they seek to support development in District Centres subject to the impacts on local character.

Highway Safety

9. The appellant's statement of case is clear that vehicular access to Building 1 would be provided via Albert Road, for the delivery of stored items to and from the building and the appellant's surrounding businesses. However, the Transport Statement reads that 'access to the site will be taken from Farm Yard for deliveries to the storage unit'. It is stated that a small van would be used, with ad-hoc trips outside of peak hours. However, there is nothing substantive to demonstrate the precise level of trips likely to be generated for either servicing or delivery, with no information on the precise amount, extent or nature of the businesses that would be use Building 1 for storage.
10. I noted Albert Road to be a complicated and well-used section of the highway. The site access here is adjacent to the vehicle entrance of a neighbouring site, is close to a set of traffic lights, and is not wide enough to comfortably accommodate two passing vehicles. Although set back from the road, it abuts the footpath with no dedicated splays, restricting visibility particularly when exiting the site. Farm Yard is a narrow, single lane cul-de-sac, with limited opportunity for turning of vehicles, which I noted to be further restricted by parked cars. It forms a junction with the main thoroughfare of Stockport Road.
11. As such, these parts of the highway would require a high level of attention from drivers, with potential for vehicles to have to wait on, or manoeuvre within, the adjacent footpaths and roads to enter and exit the site, all while

accommodating surrounding vehicle movements. In the case of Farm Yard, this could also lead to the reversing of vehicles to and/ or from the busy and well-used Stockport Road due to the narrow nature of the street.

12. I note the accident data provided, the fact that Farm Yard is currently used for servicing and deliveries, and limited waste likely to be generated by the proposal. Nevertheless, further movements to and/ or from the site would have the potential for severe highway safety implications, including collision risk with vehicles, cyclists and pedestrians. Given the scale of Building 1, and the limited information on the precise extent of businesses it would serve, there is potential for it to be well-used to support a large number of enterprises, introducing numerous vehicle trips to and from the site for servicing and delivery. Given the context of the immediate road network, this has potential for significant harm to highway safety.
13. No off-street parking would be provided. However, the nature of the use of Building 1 is unlikely to give rise to significant periods of parking. In addition, even acknowledging the limited space along Farm Yard, the ancillary office use of Building 2 would be likely to generate only limited additional parking. Combined with the transport links serving the site and the lack of objection in this regard from the Highway Services team, I do not consider that the lack of off-street parking proposed would give rise to highway safety concerns. While no cycle spaces have been provided, I am satisfied that, had the proposal been acceptable in all other aspects, this could have been addressed by a suitably worded condition requiring a scheme for the provision of such spaces within the wider site, accessible to users of Building 2.
14. For the reasons given above, I find that the proposal would result in significant harm to highway safety. As such, it would fail to comply with Policies DM1 and SP1 of the CS insofar as they seek to ensure development contributes positively to the safety of residents and has regard to required vehicular access. Although quoted against the first reason for refusal in the decision notice, the proposal would also fail to comply with Policy T1 of the CS insofar as it seeks to ensure development reduces the negative impacts of road traffic including congestion and road accident casualties.

Other Matters

15. The Council has raised concerns regarding the potential future use of the buildings, should they cease to be ancillary to the use of the appellant's businesses, and the resulting intensity of the use of the site. However, I must assess the scheme as it appears before me and am satisfied the ancillary use of the proposal could have been addressed by way of condition. In addition, while the Council questions the need for the proposal, there is nothing before me to demonstrate that this is a policy requirement in this case.
16. The lack of a dedicated waste area for Building 2 has been raised. However, waste storage would be present in Building 1. Given that the site is under the control of the appellant and the use of both buildings would be ancillary to the appellant's wider businesses, I have no concerns about the useability or convenience of this for Building 2. As such, it is unlikely waste would be placed on Farm Yard. I further note the Environmental Health team has no concerns with the Waste Management Strategy provided.

17. Although not raised as a reason for refusal, concerns were expressed regarding the security of the site and implications for crime. I note the Greater Manchester Police have no objection, subject to recommended security measures which could have been addressed by way of a condition.
18. The proposal would provide employment for at least one member of staff. While this is a benefit of the scheme, due to the limited opportunities provided, this attracts limited weight in favour of the proposal.
19. The appellant states the proposal is required for successful running of businesses. However, this is a personal circumstance, which seldom outweighs planning considerations. Even if I found the proposal would provide economic benefits in ensuring the successful running of businesses within the commercial area of the District Centre, the overall level of such benefits in this case would not outweigh the harm identified.
20. The site is previously developed land such that the proposal would make use of brownfield land in a sustainable location, meeting the aims of national and local policy. However, such policy is also clear that development should not result in undue harm to character and appearance or highway safety.
21. Based on my observations and the submitted evidence, the proposal would not result in harm to the amenities of occupiers of surrounding premises with regard to noise and outlook, given the largely commercial nature of the immediate surrounds. However, this represents a lack of harm, which is neutral in the overall planning balance.

Planning Balance and Conclusion

22. I have found that the proposal would result in harm to the character and appearance of the area and to highway safety. Even when taken together, the other considerations outlined above do not outweigh this identified harm.
23. For the reasons given, the proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

C Rafferty

INSPECTOR