
Appeal Decision

Site visit made on 18 October 2016

by T Hatfield BA (Hons) MA MRTPI

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

Decision date: 4th November 2016

Appeal Ref: APP/B4215/W/16/3153333

Dar and Co, 171 Wilmslow Road, Manchester, M14 5AP

- 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 Mohammed Zahid Dar against the decision of Manchester City Council.
 - The application Ref 110537/FO/2015/S1, dated 12 November 2015, was refused by notice dated 9 May 2016.
 - The development proposed is described as: 'Currently the building is used as an office over 3 floors and we wish to change the use for the first and second floor to be used as a residential 3 bed flat and continue to use the ground floor premises as an office'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed access route would pose a security risk to future occupiers of the development.

Reasons

3. The appeal building is part of a terrace of properties with mostly commercial uses and shop fronts at ground floor level. The upper floors of the appeal building are currently used as an office, and can be accessed via an internal stairway from the ground floor.
 4. The proposed dwelling would be accessed via a rear stairway that is currently used as a fire escape. This leads down to an unadopted alleyway that runs along the rear of the terrace. This is a highly secluded area with limited natural surveillance or visibility from public vantage points. The alleyway is also partially screened by tress and an existing fence, which limit overlooking from the adjacent apartment block (Hamilton Lodge). There is currently no street lighting along the alleyway, and there would be little activity in this area in the evening and at night. There are also numerous places along the alleyway that could be used by someone with criminal intent as a place of concealment.
 5. The route between the proposed main entrance and the alleyway itself is also of concern. This route, incorporating the stairway, rear yard and the connecting passageway, has extremely poor natural surveillance and is largely concealed from view. This would make occupiers of the proposed apartment
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particularly vulnerable to crime. Whilst the adjacent apartment is served by a similar means of access, this appears to be a longstanding arrangement. Similarly, other properties with residential accesses onto the alleyway also appear to benefit from longstanding arrangements. In any event, the majority of these properties have direct access onto the alleyway, rather than via a narrow passageway as is proposed here. In addition, whilst the appeal property may once have been used as an apartment, this use ceased many years ago. I must therefore assess the proposal against current planning policy, including the Manchester Core Strategy and the Guide to Development in Manchester Supplementary Planning Document (SPD).

6. Greater Manchester Police objected to the proposal on the grounds that the rear access would “not create a safe and secure environment for future occupiers of this flat”. Particular concern was expressed regarding the enclosed / concealed nature of the route to the proposed main entrance. As the Police Force for the area, I attach significant weight to their objection.
7. For the above reasons, I do not accept that the proposed access would be no worse than a direct access onto Wilmslow Road. In this regard I note that Greater Manchester Police specifically state that they would have supported the proposal if access were taken directly from Wilmslow Road.
8. I conclude that the proposed access route would pose an unacceptable security risk to future occupiers of the development. It would therefore be contrary to Policy DM1 of the Manchester Core Strategy (2012) and guidance contained in the Guide to Development in Manchester SPD (2007). It would also be at odds with the National Planning Policy Framework which seeks to deliver safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life.

Conclusion

9. For the reasons set out above I conclude that the development would pose an unacceptable security risk to future occupiers. Whilst there would be a positive benefit in terms of the provision of an additional dwelling, this does not alter my view that the appeal should be dismissed.

T Hatfield

INSPECTOR