



Appeal Decision

Site visit made on 19 April 2022

by C Dillon BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 May 2022

Appeal Ref: APP/C4235/W/21/3289763

Mighty Micro, Unit 3 Demeter Buildings, Brighton Road, Stockport SK4 2BE

- 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 GSM Industrial Properties against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/081372, dated 2 June 2021, was refused by notice dated 26 July 2021.
 - The development is described as screening the razor wire using cladding materials very similar the those already in use at the building (retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development cited on the planning application form differs to that contained in both the decision notice and appeal form. Neither description fully reflects the proposed development which is shown on the refused plans. During my site inspection, I observed that razor wire and spiked roll bars resembling those shown on the refused plans were present, although the proposed screening had not been installed. However, the presence of these has not influenced the outcome of this appeal. The appeal proceeds on the basis of the details shown on the refused plans, as that is the development which the appellant sought and is what the Council consulted and based their decision upon.
3. The Council has confirmed that there is an error contained in a policy reference quoted in refusal reason No 2 of their decision notice and has provided the correct policy reference as Policy SIE-1 of the Stockport Core Strategy DPD 2011 ("the Core Strategy"). That is what I have based my determination on as I am satisfied that this does not have any implications on the Council's decision, nor does it prejudice the main and interested parties.

Main Issues

4. The main issues are the effect of the appeal proposal on:
 - the character and appearance of the area
 - the living conditions of neighbouring residents, with particular regard to outlook, day light and sunlight.

Reasons

Character and appearance

5. The appeal site is part of an established commercial building complex and securely fenced compound which is occupied by several businesses. The appeal building fronts onto Craig Road, a narrow lane off Didsbury Road, a busy transport route. When travelling along Didsbury Road, fleeting glimpses of the side elevation of the appeal building can be caught in the spaces between neighbouring dwellings which bound the appeal site. Whilst this is a mixed use area, there is a strong mature suburban residential presence. The commercial credentials of the appeal building, and the simplicity of its design is positively reinforced by the high quality, contemporary design of the neighbouring extensive Mercedes-Benz complex. The appeal site does not currently contribute negatively to the mixed character and appearance of this part of Stockport.
6. The more secluded Craig Road merges into a narrower and intimate pedestrian walkway just past the appeal site entrance. As well as providing a secondary access to the appeal site, Craig Road acts as a green, unthreatening pedestrian route which connects a number of residential properties to Didsbury Road. The large scale of the appeal building and type of fencing enclosing it means that open, uninterrupted short distance views of the appeal building are evident for users of this route when travelling in either direction.
7. The appeal proposal would result in a run of razor wire and spiked roll bars along one side of the building which would stand proud of the existing eaves height. These components would return around and extend up one side of the roof plane which forms the front gable of the appeal building to the ridge. This would be supplemented by a solid metal screen running above the existing eaves level.
8. The proposed screen would be evident to pedestrians through the gaps between several neighbouring dwellings on Didsbury Road. However, it would obscure the razor wire and spiked roll bars from street views. By virtue of the materials and limited additional height, the appeal proposal would adequately assimilate with the existing building when viewed from this location.
9. However, by virtue of their elevated position and location on the building, these components would be highly visible to users of Craig Road. Despite the screen, these users would be confronted by the razor wire and spiked roll bars given the particular angle of vision afforded on approach to Didsbury Road. Their menacing appearance would set a threatening tone. The appeal site does not relate to any identified heritage assets. Nonetheless, these components would be particularly jarring with the immediate surrounding residential context. This would significantly undermine the contribution that the appeal site makes to the balance struck between the character and appearance of the mixture of uses in the area.
10. For these reasons, the appeal proposal would cause significant harm to the character and appearance of the area.
11. Policy CS8 of the Core Strategy confirms that high quality design should be an integral part of all development proposals. It states that development that is designed to a high standard, makes a positive contribution to an attractive,

safe built and natural environment will be given positive consideration. Policy SIE-1 of the Core Strategy confirms that positive consideration will be given to development that is designed to the highest contemporary standard, pays high regard to the environment within which it is sited, ensures security of users and does not cause harm to the site context. Given the identified harm, the appeal proposal conflicts with both of these policies.

Living conditions

12. The appeal site has a very close physical and visual relationship with a number of surrounding residential properties. In particular, a number of residential apartments at No 63 Didsbury Road, No 2 Craig Road and Valley Court have windows or balconies which face directly onto Craig Road. Those first and second floor units have splayed views of the appeal building over existing mature garden hedgerows and through gaps in existing tree cover. At that level the side and front roof profiles of the appeal building are particularly evident.
13. Furthermore, a number of detached 2½ storey dwellings known as Nos 51, 53, 55, 57, 59 and 61 Didsbury Road and their rear gardens back onto the side boundary of the appeal site. Much of this boundary is defined by an assortment of high boundary enclosures and mature vegetation in the form of hedges and trees. Nonetheless, the existing side elevation of the appeal building from just below eaves height is visible from the rear windows of these dwellings and their rear garden areas. The extent of this will be greater during periods of the year when surrounding tree cover is sparser.
14. The proposed screen would increase the vertical plane of the existing building above its existing eaves height, although the overall height of the building would not be increased. The proposed screen would obscure the razor wire and spiked roll bars from view for Nos 51-59 (odds). The appellant has stated that it has been proposed to overcome the concerns expressed about the works undertaken.
15. The visual change which would arise from the proposed screen would be evident from the rear windows and garden areas of those properties and also from Didsbury Road itself. However, its visual effect would be reduced by the proposed materials, colour finish, retention of existing vegetation and the insignificant increase in height and bulk. Consequently, this component of the appeal proposal would not be unduly harmful to the outlook of those residents in terms of any overbearing effect. Neither would it result in unacceptable reduction in day light or sunlight or significantly greater shadowing of garden areas.
16. Nonetheless, I have found harm to the character and appearance of the area. It has not been sufficiently demonstrated that views of the razor wire and spiked roll bars across both the side elevation and front elevation would be sufficiently obscured from the upper floor apartment blocks of No 2 Craig Road, No 63 Didsbury Road and Valley Court. The resulting effect on the character and appearance of the area would translate to the outlook currently enjoyed by those residents. Overall, the appeal proposal would significantly diminish that because it would be overbearing and oppressive by virtue of the elevated position and menacing character and appearance proposed.

17. For these reasons, irrespective of the limited number of objections lodged, the appeal proposal would be harmful to the living conditions of neighbouring residents, with particular regard to outlook.
18. Policy SIE-1 of the Core Strategy states that development should have specific regard to the site's context in relation to surrounding buildings and spaces and maintain satisfactory levels of amenity for existing and future residents. Given the identified harm, the appeal proposal conflicts with this policy.

Other Matter

19. The appellant has outlined other measures implemented which they consider have failed to eliminate incidents of crime on the site. Supporting arguments state that since the razor wire and spiked anti roll bars have been installed incidents of crime relating to the appeal site have reduced and this in turn is safeguarding the viability of the appellant's business and jobs at the appeal site. However, there is no substantive evidence before me to confirm that any such reduction in crime is a direct consequence of the measures taken by the appellant which relate to the appeal proposal before me. Moreover, whilst raising no objections, the Greater Manchester Police Authority has advised that the measures proposed are not what they would have recommended for designing out crime. Therefore, these arguments attract limited weight in favour of the appeal proposal.

Conclusion

20. For the reasons given above, the appeal scheme conflicts with the development plan when taken as a whole. There are no material considerations before me that outweigh this conflict. I therefore conclude that the appeal should be dismissed.

C Dillon

INSPECTOR