



Appeal Decision

Site visit made on 23 January 2024

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 May 2024

Appeal Ref: APP/Q4245/W/23/3328275

**Manchester Airport Marriott Hotel, Hale Road, Hale Barns, Altrincham
WA15 8XW**

- 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 Hertz (UK) Ltd against the decision of Trafford Metropolitan Borough Council.
 - The application Ref 110604/FUL/23, dated 28 March 2023, was refused by notice dated 5 July 2023.
 - The development proposed is change of use to car rental including cabin and wash bay in car park.
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Decision

1. The appeal is allowed and planning permission is granted for use of the car park for car rental service including the erection of a cabin and canopy at Manchester Airport Marriott Hotel, Altrincham WA15 8XW in accordance with the terms of the application, Ref 110604/FUL/23, dated 28 March 2023, subject to the following conditions:
 - 1) The operational development hereby permitted shall be carried out in accordance with the following approved plans: 1749-0201-03, 1749-0500-01, 1749-0501-01 and 1749-0502-01.

Preliminary Matters

2. There is disagreement in the appeal documentation regarding the name of the hotel. I have taken the address in the banner heading above from the appeal form and the decision notice rather than the application form.
3. The description of development above is taken from the application form. However, the Council described the development on the decision notice as "Use of the car park for car rental service including the erection of a cabin and canopy." I have used this in the decision as it is more precise. On my site visit I saw that the area of car park was in use for car rental.
4. On 21 March 2024 the Places for Everyone Joint Development Plan Document was adopted by the Council. The policies within it therefore carry full weight in my decision.
5. There has recently been a revised National Planning Policy Framework (the Framework) published by Government. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised

Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach.

Main Issues

6. The main issues are:

- whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies; and
- the effect on the openness of the Green Belt; and
- whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether the Proposal would be Inappropriate Development

7. The appeal site is an area of hardstanding used for car parking in the grounds of the Marriott Hotel. It lies within the Green Belt. There are further areas of car parking to the north and south, the M56 to the east and the hotel buildings to the west. The car parking areas are broken up with areas of landscaping. At the time of my site visit all the car parking areas were occupied by vehicles.
8. The Framework identifies that Councils should regard the construction of new buildings as inappropriate in Green Belt, unless the development falls within the exceptions list detailed in paragraph 154. Paragraph 152 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
9. One of the exceptions is the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development. Previously developed land is defined in the Framework as land which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.
10. Paragraph 155e states that development including a material change of use is not inappropriate in certain circumstances. However, the use as a car rental does not fall into any of the exceptions listed and is therefore inappropriate development in the Green Belt. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.
11. Policy R4 of the Trafford Core Strategy 2012 (CS) sets out that the Council will continue to protect the Green Belt from inappropriate development. New development, including buildings will only be permitted within these areas where it is for one of the appropriate purposes specified in national guidance, where the proposal does not prejudice the primary purposes of the Green Belt. Policy JP-G10 of the Places for Everyone Joint Development Plan has similar aims.

Openness

12. As the appeal site is currently hardstanding and in use as a car park, the proposal would constitute partial redevelopment of previously developed land. Whilst the structures would be standalone, their scale, single storey height and design would limit the views of them from other parts of the hotel complex and car park, particularly with the level of car and van parking I saw on my site visit and the landscaped areas. The cabin and the canopy would occupy areas currently used for parking of vehicles and the canopy would have open sides allowing views through it and as a result they would not have a greater impact on openness.
13. For the reasons given above, I conclude that the appeal proposal would not have a greater impact on openness than the existing development and would not therefore be inappropriate development in the Green Belt. That being the case there is no need for me to consider whether there are any very special circumstances.

Other Considerations

14. The appeal site has been in use as a hotel and airport car park. From my observations on site the area is in use as for car rental purposes, able it without the cabin and canopy.
15. I consider that the change from a car park to a car rental would have a similar effect on the openness of the Green Belt as the use is similar in that the area is occupied by parked vehicles for the majority of the time.
16. Whilst the canopy and cabin would be new buildings, as set out above I do not consider that they would have a greater impact on openness.

Green Belt Balance

17. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Therefore, substantial weight should be given to the harm to the Green Belt. The Framework states that 'very special circumstances' will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the development, is clearly outweighed by other considerations.
18. For the reasons set out above, the development constitutes inappropriate development in the Green Belt. Furthermore, there would be limited harm to the openness of the Green Belt in addition to the harm to the CA. Paragraph 153 of the Framework states that substantial weight should be given to any harm to the Green Belt.
19. For the reasons given above, the other considerations in this case clearly outweigh the harm to the Green Belt.
20. Therefore, I conclude that the very special circumstances needed to justify the development in the Green Belt have been demonstrated. As such the proposal would comply with the Framework, Policy R4 of the CS and Policy JP-G10 of the Places for Everyone Joint Development Plan which together seek to protect the Green Belt.

Conditions

21. I have considered the conditions suggested by the Council in accordance with the Planning Practice Guidance. For clarity, I have amended the wording of the suggested conditions so that they comply with the tests set out in the Planning Practice Guidance and the Framework.
22. As the car park is currently in use for car rental services a time limit condition is not necessary. I have attached a condition specifying relevant plans to provide certainty.
23. The Council suggested that a condition to restrict use of the cabin to class E(g)(i) would be required in the interests of amenity. As the cabin would only be used in connection with the change of use to car rental services, I do not consider that this would be necessary or comply with the tests.

Conclusion

24. The proposal accords with the development plan therefore for the reasons given the appeal is allowed.

H Senior

INSPECTOR