



Appeal Decision

Site visit made on 7 July 2025

by **Andreea Spataru BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12th August 2025

Appeal Ref: APP/B4215/W/25/3363351

Hillbit House, Unit 1a, New Street, Manchester M40 8AW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Pastor Collins (Dunamis International Gospel Centre) against the decision of Manchester City Council.
 - The application Ref is 140525/FO/2024.
 - The development proposed is described as 'Change of use to a place of worship (F1 Use Class) and installation of new fire exit on side elevation'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. My site visit was scheduled as an access required site visit, although I was not able to proceed on that basis. However, I was able to consider the main issues based on seeing the site and its surrounding context from public areas and hence my visit was carried out unaccompanied.
3. The application form indicates that the appeal site is currently used as a place of worship within F1 Use Class. The change of use is therefore retrospective. I have considered the appeal on this basis.

Main Issues

4. The main issues are the effect of the development on highway safety and whether the appeal site is an appropriate location for the development having regard to the development plan strategy.

Reasons

Highway safety

5. The appeal site relates to the first floor of a former industrial unit and is part of the Central Park Strategic Employment Location. The surrounding area includes a mix of industrial and businesses units and residential properties.
6. The site has a highly accessible location, which allows it to be reached by foot, cycle and public transport. It does not benefit from off-street parking. There is a double yellow line on New Street, on the side opposite of the appeal site. There are Traffic Regulation Orders (TROs) on nearby streets, which impose controlled parking zones from midday until 23:00. Some of the TROs are for permit holders only, such as on New Street and Canada Street, or 90 minutes with no return within 4 hours on Drewett Street.

7. There is a discrepancy within the appellant's evidence regarding the days and times of the church services. Nevertheless, the Transport Technical Note (TTN) indicates that the Sunday services, which appear to be the busiest, with a maximum attendance of 50 people, operate before the TROs restrictions. I understand that some of the church members have had visitor e-permits approved by the Council.
8. Whilst some of the church members engage with sustainable modes of travel, and despite the highly accessible location, the survey outlined within the TTN indicates that a considerable percentage of interviewees choose to travel by car, including on Sunday when the TTN outlines that a 17-seater church bus operates on demand. The TTN findings indicate that parking occurs mostly on New Street, as organised and directed by the church's traffic warden. The evidence shows a low record of accidents within the nearby area since the church started operating.
9. Given the evidence before me, the change of use has not added significant pressure on the highway network. However, this evidence does not account for the capacity of the appeal unit of up to 200 people, and the potential events, such as religious ceremonies and weddings. Accordingly, the absence of sufficient information means I cannot rule out potentially significant harm to highway safety. The fact that the lawful use of the building might also generate parking demand does not justify the appeal development.
10. Given the limited evidence before me, I am unconvinced that a condition securing a travel plan, which could include the operation of a church bus and parking warden, would be sufficient to make the development acceptable in terms of its effect on the highway network.
11. Consequently, in the absence of sufficient information to the contrary I must find the scheme has the potential to significantly affect highway safety. Therefore, it is contrary to the aims of Policy DM 1 of Manchester's Local Development Framework Core Strategy Development Plan Document 2012 (CS), which states that developments should have regard to their effects on, amongst other things, road safety and traffic generation. The development also conflicts with the National Planning Policy Framework, which at paragraph 116 states that development should only be refused if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
12. CS Policies SP1, EC1 require, amongst other things, access to new developments by sustainable transport modes. Given the highly accessible location of the appeal site, there is no direct conflict with these policies.

Location

13. CS Policy EC2 concerns existing employment spaces and states that the Council seeks to retain and enhance existing employment space and sites. Alternative uses will only be supported on sites allocated accordingly, or if it can be demonstrated that, amongst other things, the existing use is un-viable in terms of business operations, building age and format, or on balance, proposals are able to offer greater benefits in terms of the Core Strategy's vision and spatial objectives than the existing use.

14. The supporting text of CS Policy EC2 indicates that there are circumstances where it will be appropriate to support alternative uses. These circumstances broadly aim to acknowledge situations in which it would be unproductive to protect the land for employment uses, either because employment is un-viable, particularly if the site has remained empty or vacant for a period of time although it has been marketed, and the employment space no longer serves the needs of businesses, or an alternative use would bring more benefits to the city. Judgements on the net value of such benefits will be based on the key strategic objectives in the CS.
15. The appellant asserts that the appeal site was vacant for several years due to age, layout and limited accessibility for large vehicles. Be that as it may, I have not been provided with substantive evidence to demonstrate that the site has been vacant despite being marketed. Reference was made to the adjoining unit, which the appellant indicates that was marketed without success, and to planning permissions¹ for industrial/ warehousing floorspace within the area, which the appellant indicates that have recently lapsed. I do not have full details of these cases, particularly of the neighbouring unit to show it is directly comparable with the appeal unit. In any event, these do not negate the need for the appeal unit to comply with the requirements of the aforementioned policy. Accordingly, there is no conclusive evidence that the employment space no longer serves the needs of businesses.
16. The use of the site as a place of worship has one full time member of staff and provides a community facility. Notwithstanding the economic and social benefits of the development, including the improvements to the building, it has not been demonstrated that these would bring more benefits to the city than the allocated land use within the development plan.
17. The appellant has drawn my attention to an appeal decision², which relates to a neighbouring unit. I do not find that development directly comparable with the appeal scheme, particularly due to the difference in the use of the land, and the lack of evidence regarding the allocated use being unviable in terms of business operations, building age and format. In any event, I have considered the development based on its own merits and site-specific circumstances.
18. Other employment floorspace within the surrounding area does not justify the departure of the appeal unit from the allocated land use. Likewise, the lack of conflict with other policies within the development plan does not negate the need for the development to comply with all the relevant policies.
19. In conclusion, the development is contrary to the aims of Policies EC2 and EC6 of the CS and saved Policy EM5 of the Unitary Development Plan for the City of Manchester 1995, which collectively encourage a range of employment types to support the creation of a sustainable employment destination.

Conclusion

20. For the reasons set out above, the appeal should be dismissed.

Andreea Spataru

INSPECTOR

¹ LPA ref: 128133/FO/2020 and 129444/FO/2021

² Appeal ref: APP/B4215/W/22/3292608