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Urban Design

Proof of Evidence

Land at Deansgate, Manchester

Planning application ref: 29406/FO/2021

Appeal ref: A

On behalf of

Fusion Manchester Devco Ltd

Prepared by

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1. Qualifications and Experience

- 1.1. My name is Colin Michael Pullan. I am Head of Urban Design and Masterplanning at Lambert Smith Hampton (LSH). I hold a Bachelor of Arts Degree in Planning and a Post Graduate Diploma in Urban Design. I am on the executive of, and former Chair of, the Urban Design Group, a membership charity established in 1978 open to all who care about the quality of life in our cities, towns and villages and believe that raising standards of urban design is central to its improvement.
- 1.2. I have over 30 years' experience as an urban designer in the private sector, covering all design matters. I studied at the Oxford Polytechnic JCUD (now Oxford Brookes), one of the most distinguished urban design universities before moving into private practice as an urban designer/masterplanner at Thamesmead Town Ltd from 1987. From Thamesmead Town Ltd I moved into a private consultancy at Town Planning Consultancy in 1995 and then Chapman Warren Associates in 1999, during which time my experience broadened to take on national projects and more general planning and urban design issues.
- 1.3. From 2000 until 2011 I worked at RPS, a multidisciplinary practice where my responsibility as Urban Design Director was to provide sound urban design advice to public and private sector clients, with an awareness of both current and emerging best practice. In February 2011 I joined Nathaniel Lichfield and Partners (now Lichfields).
- 1.4. In January 2019 I joined LSH to head up their urban design team.
- 1.5. I have been the principal urban designer on many residential projects for both private and public sector clients and have very considerable experience in the preparation of layout and masterplans supported by development strategies, development briefs and design statements.
- 1.6. I have presented urban design evidence at appeal covering issues that are pertinent to this appeal, including matters of townscape character, outlook and amenity.
- 1.7. In 2019 I presented urban design evidence on behalf of St William at appeal for residential development at a former gasworks on the Lee Navigation, in Hertford. Matters addressed included design quality, height, scale and the effects of development upon local landscape character and context.

- 1.8. In 2021 I presented evidence on behalf of Redrow Homes at appeal for a mixed use predominantly residential development in New Maldon. Matters addressed included height, scale, massing and townscape and character and the visual effects of residential towers upon the surrounding townscape.
- 1.9. In 2021 I presented evidence on behalf of Inland Homes at appeal for a development of two residential towers in Staines upon Thames town centre. Matters addressed included the visual effects of the proposed buildings on townscape and character.
- 1.10. LSH was first approached by Fusion Manchester Devco Ltd June 28th 2021 to undertake an independent urban design peer review/design audit of the scheme. Having reviewed the scheme with regard to policy, guidance and context and being satisfied that I can support the design, I was appointed to prepare evidence in support of the appeal scheme. I am familiar with the site and surrounding area. I was not involved in the design of the scheme.
- 1.11. My evidence is confined to urban design and townscape related matters. I confirm that, insofar as the facts stated in my evidence are within my own knowledge, I have made clear what they are, and I believe them to be true; and that the opinions I have expressed represent my true and complete professional opinion irrespective of by whom I am instructed.

2. Introduction

- 2.1. This Urban Design evidence has been prepared on behalf of Fusion Manchester Devco Ltd (**"The appellant"**). It considers urban design matters relating to the appeal against the refusal of planning permission for:

"Full planning permission for a 28-storey purpose built student accommodation building (Sui Generis)." ("appeal scheme")

- 2.2. A summary of the appeal scheme and its design qualities is set out at Section 4 of this evidence and at **Appendix 1** (Deansgate South, Manchester Scheme Overview Presentation).

- 2.3. The application was submitted to Manchester City Council (**"Council"**) on 15th February 2021 and reported to the 3rd June 2021 Council Planning Committee with a recommendation for refusal. The Committee resolved to refuse permission for the application and the Decision Notice was issued on 4th June 2021 (CD A88). The Decision Notice cited six reason for refusal (**rfr**) of which two relate to urban design matters:

"2) The proposed building by reason of its scale, height, position on the site and its use of poor quality cladding materials, would form an over-dominant feature within the street scene and would fail to meet the quality that such a prominent building should achieve. It would thereby have a detrimental impact on visual amenity and is therefore considered to be contrary to policies SP1, EN1, EN2 and DM1 of the Manchester Core Strategy, guidance contained in the Guide to Development in Manchester Supplementary Planning Document and Guidance and the National Planning Policy Framework

3) The proposed building by reason of its scale, height, position on the site and lack of public realm would form over-development of the site, having an overbearing relationship to the adjacent building and creating a feeling of overcrowdedness. It would thereby have a detrimental impact on urban design and visual amenity. It is therefore considered to be contrary to policies SP1, EN1, EN2, and DM1 of the Manchester Core Strategy, guidance contained in the Guide to Development in Manchester Supplementary Planning Document and Guidance and the National Planning Policy Framework.

Scope of urban design evidence

2.4. This evidence appraises the urban design merits of the appeal scheme in light of relevant national, local planning policy and guidance and addresses the reasons for refusals and matters relating to urban design raised by third parties. It considers:

- Context: the urban townscape of Deansgate within which the appeal scheme will sit; and
- Urban design matters raised by the rfr which include: over-development: height, scale, massing and design; the design quality of the building, materials; and the relationship of the appeal scheme to Deansgate Quay.

Context

2.5. The appeal site lies within an area of regeneration and change, with intensification being a positive. South of Castlefields and within the context of the appeal site, there is an evolving urban townscape, comprising buildings of contrasting style, height, scale, massing and materials. See Figure 1 and 2. If there is an overall 'sense of place' it is described by the great contrast in urban built form.



Figure 1: Aerial view of surrounding context south of Castlefields, highlighting the contrasting relationship of tall glazed towers at Deansgate Square to the south, top of frame, with the lower scaled predominantly red brick developments along the canal, bottom left of frame. The appeal site is to the bottom right of frame



Figure 2: Context and the relationship of buildings, spaces at Deansgate Square walking south of Deansgate South with the contrasting scale and massing of the glazed Deansgate West tower seen alongside diminutive older red brick wharf buildings

- 2.6. The appeal site does not lie within a conservation area and does not contain any listed buildings, or is within the setting of any protected views. It is within an urban area for which the principle of redevelopment and change is supported.
- 2.7. The appeal site also falls within the Great Jackson Street Development Framework area (**SRF**) (CD G7). This is a large regeneration area bounded by the Mancunian Way to the south, Chester Road to the north and the River Medlock, Garwood Street and River Place to the east.

The principal urban design issues

- 2.8. Having regard to rfr2 and 3, the Committee Report (CD A85), the Council's Statement of Case (**SofC** CD C4), and issues raised by third parties; I consider that the principal urban design issues to be addressed by this evidence are:
 - Whether the scheme would be of poor design: over developed/dominant in the street scene (Council's SofC paragraphs 7.6 and 7.7) (rfr 2); and
 - Overcrowding: Whether the appeal scheme will be harmfully overbearing upon the adjacent Deansgate Quay (Council's SofC paragraph 7.8, rfr 3, and third parties).

Design quality

- 2.9. With regard to rfr 2, paragraph 7.6 of the Council's SofC (CD C4) states:

"The Council will demonstrate that the development is of a poor quality design that does not contribute to place making or make a positive contribution to the unique and distinctive qualities of Manchester. That the building is not beautiful or of the highest quality and is of an inappropriate scale and appearance that is out of place and detracts from and is harmful to the surrounding heritage assets and as such does not make a positive contribution to the existing townscape"

- 2.10. The impact on heritage assets is addressed in the evidence of Dr. Chris Miele. My evidence considers the appropriateness of height, scale, massing, design and materials with regard to townscape.

- 2.11. In the context of considering as to whether the appeal scheme is of a high quality design and appropriately 'beautiful', which is at best a subjective term, a recent Appeal Decision (Appeal Ref: APP/A5270/W/21/3268157 51-56 Manor Road and 53-55 Drayton Green Road, West Ealing, London W13 0LJ) (**Appendix 2**) (**the Manor Road DL**) adds clarity on the application of the term 'beauty' when considering design matters. The Inspector's decision in the Manor Road DL states at paragraph 23:

"...There is I believe something of a tension between identifying a building as an exemplary piece of design which is an objective finding based on established architectural principles, and adorning a building with the epithet 'beautiful', which is a subjective one. To my mind, my finding that the building would attain a very high (or exemplary) standard of design is sufficient to justify a conclusion that the proposal does not fall foul of Government advice on the subject in the Framework, the National Design Guide, and the National Model Design Code."

- 2.12. Accordingly this evidence undertakes an appraisal of the design quality of the appeal scheme against the objective design criteria set by the National Design Guide (**NDG**) (CD F3) and the National Model Design Code (**NMDC**) (CD F4), and supporting Guidance Notes for Design Codes (**GNDC**) (CD F5) at Section 6 and addresses rfr 2 at Section 7.

Overcrowding

- 2.13. With regard to rfr 3, the alleged harm arising from a ‘feeling’ of overcrowdedness is expanded upon within the Committee Report at paragraph 7.8 with reference to the 2018 SRF (CD G7) as follows:

“There are no prescribed separation distances between buildings in the City Centre where developments are denser and closer together than in suburban locations. However, the Great Jackson Street Framework seeks separation distances of circa 20m where higher density developments are located. The proposed tower would effectively be built up to the boundary of the site, 12.2m away from the Deansgate Quay elevation, which has active residential windows. Whilst this would clearly introduce an element of overlooking, windows on this boundary have been accepted in previous schemes on this site. Notwithstanding this, the previously consented schemes on the site were a lot smaller in scale and were either set back from this boundary or only had up to 7 storeys on this boundary. The proposed scheme would be between 23 and 29 storeys along this boundary, creating a feeling of overcrowdedness and being overbearing to occupants of the Deansgate Quay apartments, as well as visually within the street scene. It is considered that this would have a detrimental impact on the occupants of Deansgate Quay and the street scene.”

- 2.14. In the context of considering the proximity of the appeal scheme to Deansgate Quay (rfr 3), my evidence addresses the appropriateness of the separation distances to the adjacent apartments at 388 Deansgate Quay at Sections 6 and 8.
- 2.15. My evidence addresses design related third party comments at Section 9 considering also the urban context and precedents as described at Section 3.

Summary

- 2.16. To arrive at a balanced judgement as to whether a scheme is harmful or not upon the quality of its surroundings, it is necessary to undertake a careful assessment of the scheme in light of the urban design related policies, guidance and other matters referred to in rfr 2 and 3 and third party objections. There are a number of relevant design criteria set by the policies referred to in the rfr and also guidance which helps provide a basis upon which the appeal scheme’s appropriateness can be appraised. Accordingly, I set out my analysis against relevant design policies and guidance within this evidence at Section 6. I leave it to others to accord weight to those documents.

- 2.17. Whilst the appeal scheme will of course give rise to change, I do not consider this to be harmful. To the contrary, I believe the appeal scheme would enhance the local character, replacing an under used vacant site with a well-designed, prominent building that improves the surrounding townscape. It is, in my opinion, the right building, in the right place.

Structure

- 2.18. This evidence comprises the following sections:

1. At Section 2 (this section), I outline the principal urban design issue of this appeal.
2. At Section 3, I summarise the site location, the character and qualities of the surrounding context.
3. At Section 4, I summarise the appeal scheme.
4. At Section 5, I summarise relevant design policy and guidance framework.
5. At Section 6, I summarise the design qualities of the appeal scheme.
6. At Sections 7 and 8 I address the rfr.
7. At Section 9, I consider matters raised by third parties with reference to previous Sections as appropriate.
8. At Section 10, I draw my summary and conclusions.

3. Site and Surroundings

- 3.1. This section summarises the appeal site and surrounding context. A more detailed description of the appeal site and surroundings is provided within the DAS (CD A5).
- 3.2. The appeal site has an area of 0.06 ha. The site is at the junction of Chester Road/Bridgewater Viaduct and Deansgate, which gives the site its distinct westward facing wedge shape. See Figure 2 previous and Figure 3 below.



Figure 3: Aerial view of Deansgate Quay looking due east and above at the immediate context of the appeal site. Source: Google Earth. In the foreground left of frame and under construction is the 2-4 Chester Road development now complete. Evident in this view is the significant contrast in height, scale and massing between the Deansgate West tower to the right of the frame and the Deansgate Quay apartments to the centre of frame

- 3.3. The appeal site is vacant. The southern boundary fronts Deansgate and its western side fronting the Chester Road / Bridgewater Viaduct. The third side of the triangle, on the eastern

side, fronts a private road providing access to car parking for the adjacent apartment block at Deansgate Quay.

- 3.4. The appeal site is relatively flat but there is a nominal 2m level difference along the Deansgate boundary to the south. There is a level difference of approximately 4m between the average level of the site and the curtilage of the adjacent Deansgate Quay apartments to the east; at which there is a redbrick retaining wall. See Figure 4 below.



Figure 4: Photograph of boundary to Deansgate Quay. To the left of the frame is Deansgate Quay and to the right the red brick retaining wall at circa 4m

- 3.5. The appeal site does not lie within a conservation area and does not contain any listed buildings, although it is within the setting of the Castlefields Conservation Area which lies to the north of Chester Road, and there are a number of listed buildings within the immediate vicinity. The heritage context is described in greater depth within the evidence of Dr. Chris Miele.
- 3.6. Of the planned and built tall buildings within the surrounding context, five are at 50 storeys or greater in height. A number of tall buildings form a cluster adjacent to the site: to the south the 37, 44, 50 and 65 storey towers at Deansgate Square; and to the north the 8-21 storey towers at 2-4 Chester Road which define the edge of The Castlefields Conservation Area.

Streetscene

- 3.7. As evident from walking the surrounding streets and with reference to Figures 2, 3 and 4 the built form is of varied height, scale, massing and design. The urban context can be described by the close facing distance accepted between buildings as the examples from the local context at the Figures 5, 6 and 7 below. Facing distances can be as close as 10.5m across a street (River Place) and 7.6m flank to flank (2-4 Chester Road and existing building to west).

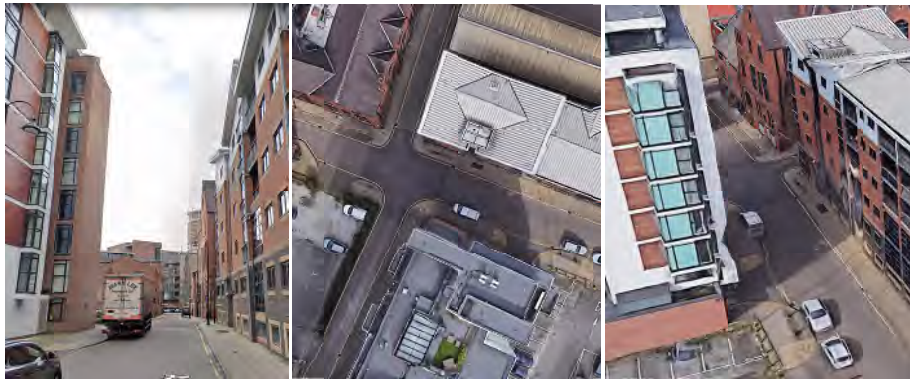


Figure 5: Little Peter Street 12.4m facing distance six and seven storeys

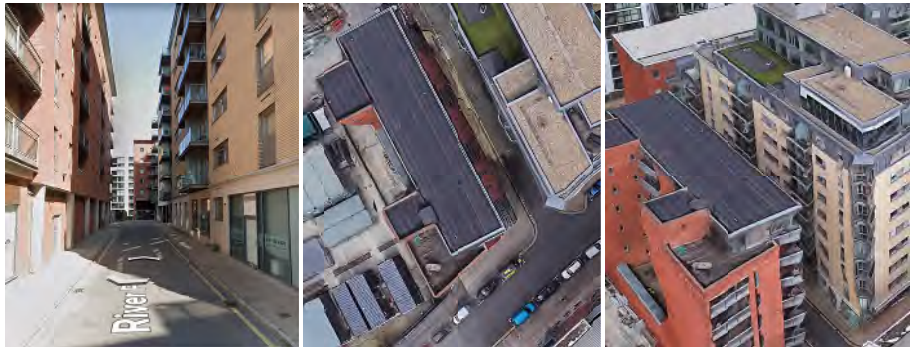


Figure 6: River Place 10.5m facing distance eight and nine storey buildings

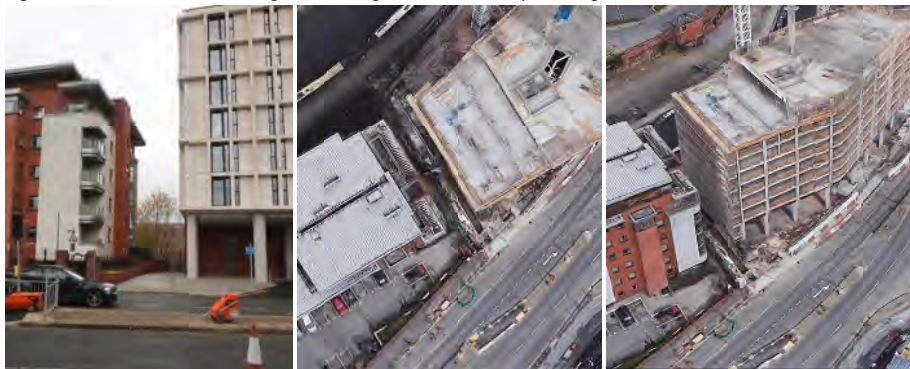


Figure 7: 2-4 Chester Road 7.6m facing distance six and eight storeys

Public realm

- 3.8. From walking the streets and spaces, this is an urban environment and the public realm comprises principally the street spaces contained by buildings of a varied scale. There are no open parks – although Castlefields urban heritage park lies beyond to the north west - but urban walks alongside the canal and connected to these the Deansgate Square – a new public space. Other than some street trees such as on Deansgate South there are few soft landscape features. See Figures 8, 9 and 10.



Figure 8: Deansgate square public realm



Figure 9: Deansgate south public realm



Figure 10: Canalside walk

Built form, height scale and massing

Chester Road

- 3.9. From the roundabout at Mancunian Way to the appeal site there are a number of tall buildings that provide visual markers towards the town centre. These are highlighted at Figure 11 below. The taller buildings are to the south of Chester Road.



Figure 11: Sequence of tall buildings along Chester Road looking east. Source: Google Earth

- 3.10. Elizabeth Tower at 52 storeys defines the western end of the series of visually connected towers. With reference to Viewpoint 09 of the Visual Assessment (**VA** – ES Appendix 9.5 CD A77), reproduced below at Figure 12, from Elizabeth Tower can be seen the Deansgate West tower at 44 storeys, the Axis Tower (28 storeys) and Beetham Tower (47 storeys). Along Chester Road and approaching the appeal site the view framed by 2-4 Chester Road and Deansgate West tower and presently defined by the flank elevation of Deansgate Quay – a poorly defined building edge to Deansgate South along this sequence of views.

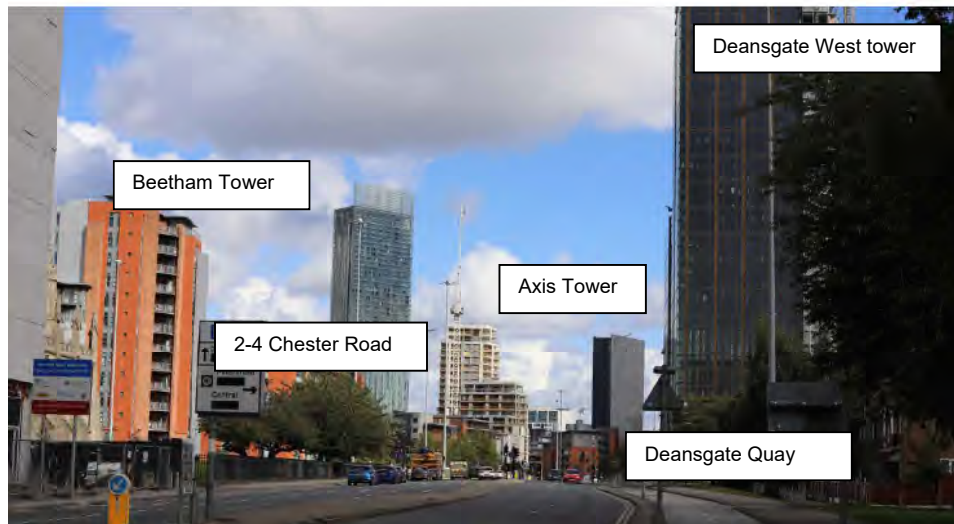


Figure 12: Viewpoint 09 from VA: Looking North East along Chester Road between the junctions of Angela Street and Lower Moss Lane

- 3.11. Approaching the appeal site along Chester Road (see Figure 12) the Deansgate Quay apartment building is visually out of scale to its context and prominence at the corner of Deansgate South. It is a diminutive building, dwarfed by 2-4 Chester Road which is clad in white stone to the north, the contrasting glass Deansgate West tower to the south and behind, the dark Axis Tower and glazed Beetham Tower.

2-4 Chester Road

- 3.12. Across from the appeal site is the development at 2-4 Chester Road. See Figure 13 below.



Figure 13: 2-4 Chester Road

- 3.13. The development at 2-4 Chester Road comprises two towers of 21 and 13 storeys which visually separate the appeal site from the Castlefield Conservation Area. See Figure 14 below (extract from the planning and tall building statement provided in support of the application for 2-4 Chester Road) **Appendix 3**.



Figure 14: From supporting Planning and Tall Building Statement to the application for 2-4 Chester Road (Figure 3.1 page 15 reproduced at Appendix 3). In red is the site for 2-4 Chester Road and highlighted in blue is the Conservation Area. The appeal site is annotated. Listed buildings are numbered. **Appendix 3**

- 3.14. The towers at 2-4 Chester Road are quite monolithic in scale – the expanse of white Portland Stone and expressed frame, with narrow columns of windows – contrasts with the richness of the surrounding red brick buildings. With reference to the Planning and Tall Building Statement that supported the application (**Appendix 3**) (extracts paragraphs 4.34 and 4.35 below) there was seemingly no intention to draw upon the red brick of the Conservation Area - the local context - in determining the Portland Stone cladding material, which is referenced from the city centre.

“4.34 ...The choice of a light stone, in contrast to the rich coloured sandstone plinth will ensure that the buildings do not over dominate the basin, lessening the scale against the skyline.

4.35 The light colour also draws precedent from the Portland Stone buildings in the city centre, reinforcing its relationship with the wider city context whilst acknowledging the rhythm, rigour and depth of reveals that define the historic buildings in the basin.”

Deansgate Quay

- 3.15. The appeal site forms the end of a development finger contained by Deansgate South and Chester Road which includes the Deansgate Quay apartments. See Figure 15 below.



Figure 15: Deansgate Quay in the foreground from Chester Road. In the background can be seen the towers at Deansgate Square, the nearest and to the right of frame being Deansgate West tower which is some 20m away

- 3.16. The Deansgate Quay apartments consist of four blocks varying in height from five to seven storeys (plus lower ground). The blocks are arranged in a linear fashion wrapping around the Bridgewater Canal Basin.
- 3.17. No. 388 Deansgate Quay lies adjacent to the appeal site. With reference to Figures 16, 17 and 18 below, overlooking the appeal site, it is assumed from the floor plans and photographs that above a lower ground parking level there are three apartments per floor within the lower brick elevation part of Deansgate Quay and above, two and three flats per floor within the grey clad upper part of the elevation.



Figure 16: Western elevation of Deansgate Quay highlighting floors



Figure 17: Above: typical floor plan (floors 1 to 5) for Deansgate Quay relating to the viewpoint above at Figures 16. The floor plan does not accurately reflect the scheme as built, but provides a good indication of internal layout

- 3.18. With reference to the Figures 16 and 17, overlooking by the appeal scheme is assumed from:
1. Within the curved element (A) and principally addressing Deansgate South, one bed apartments with balcony.
 2. In the middle (B) one bed apartments with a balcony at 1st to 6th floor and above a two bed apartment. The balcony adjoins the adjacent apartment balcony within A above.
 3. To the north (C) two bed apartments that principally addressing Chester Road.
- 3.19. Of the apartments, only the six/seven middle apartments of the flank elevation (B) directly address the appeal site. These have balconies to the south west, which serve living rooms and afford oblique views and an outlook past the appeal site to the south towards Deansgate South - apparent from the aerial photograph below which illustrates the location of the balconies. See Figure 18 below.



Figure 18: Aerial photograph highlighting position of balconies and outlook for 388 Deansgate Quay

Deansgate West Tower

- 3.20. Deansgate West tower is at 44 storeys high and lies across Deansgate South from the appeal site and Deansgate Quay. See Figures 19 and 20 below. The facing distance between the tower and eight storey 388 Deansgate Quay is some 25m. The Deansgate West tower is clad in glass, contrasting with the stone cladding of 2-4 Chester Road and the red cladding of Deansgate Quay.



Figure 19: Deansgate square and in the foreground Deansgate tower west

- 3.21. The height, scale, massing, design (style and form) and materials set the Deansgate Square towers apart from the surrounding built context. See Figure 20.



Figure 20: Towers at Deansgate Square set apart from red brick context at Deansgate South in the foreground

34 Great Jackson Street

- 3.22. To the south of the SRF area, is a recently approved scheme (subject to Section 106) at 34 Great Jackson Street for two 56 storey towers (architects SimpsonHaugh and Partners). See Figure 21 below.



Figure 21: 34 Great Jackson Street. Source DAS (Extracts from DAS and Committee report at **Appendix 4**)

With reference to the CGI image at Figures 21 and 22 and the supporting DAS to the 34 Great Jackson Street scheme (**Appendix 4** - extracts Great Jackson Street), the proposed towers

comprises a frame of red brick, a material contrast with the otherwise glazed facades at Deansgate Square just to the north and seen in the background, but in context with the River Street Tower (a student block) – which has a ‘Cor Ten’ weathered steel cladding - on City Road East and River Street (River Street Tower, see Figure 23 below). ‘Corten / Cor Ten’ is trademark brand name and there are many producers around that produce weathering steel.



Figure 22: 34 Great Jackson Street. Page 66 DAS, Key View Great Jackson Street: Appendix 4



Figure 23: River Street Tower. Student accommodation block in weathered steel cladding. Source: Google Earth

- 3.23. At the 34 Great Jackson Street scheme, with reference to Figure 24 below, the facing distance between apartments (dual and single aspect) across the towers would be as little as 14.5m (as measured from the drawing) for the lower six floors, closer than recommended by the 2018 SRF (which seeks a minimum 20m back to back).



Figure 24: 34 Great Jackson Street. Drawing 129273_FO_2021-LEVEL_4-6__EVEN__PLAN-1601359.pdf. Appendix 4, highlighting facing distances

Appeal Site: Recently Lapsed 2017 Permission 115591/FO/2017 ('the 2017 permission')

- 3.24. A summary of the relevant planning history is provided within the Appellants Statement of Case (CD C3). The 2017 permission scheme located a building of 13 storeys alongside Chester Road and within some 8m and 12m of 388 Deansgate Quay, See Figure 25 below.



Figure 25: The 2017 permission scheme. Proposed Floor Plans at Levels 1, 3 and 5. The floor plan of the building fails to relate to the triangular corner and adopts a staggered rectilinear ground plane

- 3.25. The 2017 permission layout proposed an elevated first floor area of amenity space to the south of the building which would have diminished the quality of the townscape on Deansgate south and would have also detracted from the public realm. See Figure 26 below.



Figure 26: 2017 permission scheme. Elevation to Deansgate South. Source: DAS

- 3.26. The justification provided for the space, as noted in the 2017 permission scheme DAS, was to safeguard the amenity of the apartments at 388 Deansgate Quay (outlook and sunlight daylight). However, as evident from the elevation above, there would have still been afforded oblique views from the living room and balconies of the proposed apartments and from Deansgate West tower to the south into Deansgate Quay (As shown at Figure 28). The appeal scheme also addresses matters of sunlight and daylight.
- 3.27. As shown at Figure 27 below, the eastern elevation which would have addressed Deansgate Quay would have been, apart from a narrow corridor window, a monolithic blank wall with little relief. In views from Chester Road heading west and from 388 Deansgate Quay, the building would have been prominent and incongruous by its lack of elevation detailing and fenestration, exacerbated by the grey/brown contrasting facing material to the red cladding of Deansgate Quay.



Figure 27: 2017 permission scheme. Source: DAS page 32

Summary

- 3.28. Deansgate is an area of change which includes provision for tall buildings of contrasting height, scale and design. There is no overall consistent architectural style or form in new buildings. The surrounding built character is varied.
- 3.29. There is no overall consistent architectural style or form in new buildings.
- 3.30. Prevalent materials are red / terracotta brick / cladding and glazing.
- 3.31. Deansgate South is an urban area with buildings set close to the back edge of pavement defining a public realm principally of street spaces. Buildings are set close to each other.
- 3.32. The site, at the junction of Deansgate South and Chester Road is in a prominent location.
- 3.33. The site possesses characteristics which warrant an increase in the density of built form, as well as buildings of increased scale overall.

4. The Appeal Scheme

- 4.1. A detailed description of the appeal scheme is provided within the DAS (CD A5) and at **Appendix 1** is a summary document explaining the appeal scheme prepared by the architects Corstorphine & Wright. Salient points are summarised below:

Layout

- 4.2. The Appeal Scheme comprises a single building aligned to address Chester Road and Deansgate South and the north western boundary. See Figure 28 below. Along Chester Road and Deansgate are proposed street trees.



Figure 28: Site Plan from the DAS Addendum (CD 31)

- 4.3. The main entrance of the building is located at the corner of Deansgate South; this position acknowledges the prominence of the junction with Chester Road and the Bridgewater Viaduct, as well as the primary vehicular and pedestrian routes for the area. Access to the Lower Ground Floor is from Deansgate South, with a ramped entrance positioned adjacent to the Deansgate Quay car park to the east.
- 4.4. The siting of the building to occupy the greater part of the plot reflects iterations of the 2007 SRF (CD G14) and 2015 SRF (CD G13) as described later at Section 5.

- 4.5. The proposed relationship of the appeal scheme to Deansgate Quay is described at page 69 of the DAS (CD A5) and shown at ground floor at Figure 29 below, an extract from the DAS. At Figure 29 one can see that the position of the south western balconies at 388 Deansgate Quay are beyond the extent of the proposed building and would retain an aspect south west - as with the 2017 permission scheme - and to the north west the balconies are afforded a view across Chester Road beyond the appeal scheme.



Figure 29: Site Plan at ground floor with separation distances: from the DAS (CD A5) Page 69

- 4.6. At ground floor and lower ground floor the building proposes student communal uses, areas of cycle parking, servicing, access and lift/stair cores. The layout of communal uses and cores provides active edges to, and an outlook across, Chester Road and Deansgate South. At ground floor mezzanine to the north west level is proposed student communal areas, illustrated below at Figure 30.



Figure 30: Site Plan at Mezzanine floor: from the DAS Addendum (CD 31) Page 56

- 4.7. Above the ground and mezzanine floors, are proposed student study / bed rooms and kitchen areas. The kitchen spaces are located at the corners of the building, directing views away from Deansgate Quay and mitigating potential light overspill. Addressing Deansgate Quay and the six apartments highlighted earlier are study bedrooms. See Figure 31 below.



Figure 31: Typical floor level 01-21 highlighting room layouts. Addressing Deansgate Quay are student study/bedrooms. DAS Addendum. CD 31 Page 57

Height

- 4.8. The proposed building steps up in height towards the corner of Chester Road and Deansgate South from 22 to 28 storeys, as shown at Figures 32 and 33 below. From views along Chester Road the appeal scheme would be seen within the context of other taller buildings, but would not be the tallest building. The appeal scheme will define the corner, contrasting with the existing context as shown at figure 12 previous.

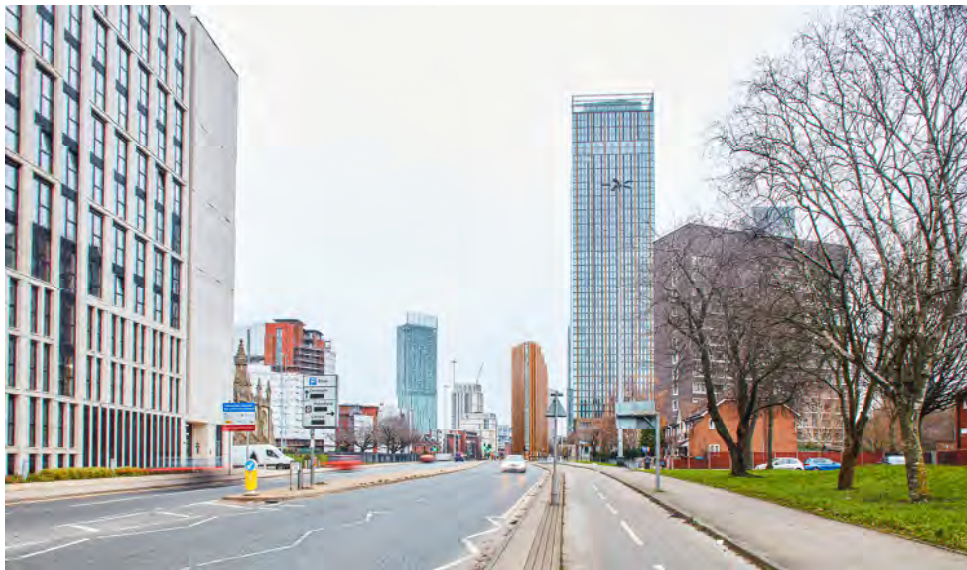


Figure 32: View of appeal scheme illustrating the variation in height of the building and scale relative to Deansgate West tower to the right of frame and Beetham Tower / 2-4 Chester Road to the left of frame (Viewpoint 09)



Figure 33: View of appeal scheme illustrating the variation in height of the building and scale relative to Deansgate West tower to the left of frame and 2-4 Chester Road to the right of frame (Viewpoint 07)

Scale, massing and elevations

4.9. With reference to the DAS (CD A5) and scheme CGI's, the building's mass and scale is articulated by:

1. Proportion with an expressed base, middle and top, defined by materials and setbacks.
2. Set-backs, the stepped height. The scale of the building is mitigated by junctions between each step, articulated by the roof gardens, enhancing the verticality of the building and adding interest to views.
3. The vertical alignment of windows which create vertical breaks/ rhythm to the flank elevations.
4. The arrangement and proportion of windows and openings with inset panels which, up close add interest, depth and a human scale at street level.
5. The corners of the building in glazing that accentuate the slim proportion and reduce the impression of the massing.
6. The patination of the weather steel over time which will also add close up richness to the elevation.

Materials

1. With reference to the DAS Addendum (CD 31) and Appendix 1, the building employs 3 primary materials drawn from the surrounding context: weathering steel cladding panels; clear curtain wall glazing; anthracite grey PPC metal cladding panels.

4.10. The materials are familiar to the local context.

5. Design Policy and Guidance

5.1. The following policies and guidance are referred to in the rfr: SP1, EN1, EN2 and DM1 of the Manchester Core Strategy, the Guide to Development in Manchester Supplementary Planning Document and Guidance and the National Planning Policy Framework.

5.2. This evidence refers to the above and other relevant design policy and guidance, as set out in the Statement of Case (CD C3), and summarised below:

National Planning Policy Framework (NPPF) (CD F1)

5.3. Of particular relevance to this evidence are the following paragraphs of the NPPF:

1. Paragraph 123: Making effective use of land, using retail and employment land for homes in areas of high housing demand.
2. Paragraph 124: Which requires development to make the efficient use of land.
3. Paragraph 125: Which states that area based character assessments and design guides can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places.
4. Paragraph 126: Underlines that the creation of high quality, beautiful and sustainable places is fundamental to what the planning and development process should achieve. Being clear about design expectations is essential for achieving this.
5. Paragraph 130: Which sets six qualitative design criteria.
6. Paragraph 132: Which states that design quality should be considered throughout the evolution and assessment of individual proposals.
7. Paragraph 134: Which states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. Significant weight should be given to development which reflects local design policies and government guidance on design and/or development that helps raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Core Strategy (2012) (CD G1)

5.4. Manchester's Core Strategy was adopted on 11 July 2012. The following design related policies are relevant:

Policy SP 1 Spatial Principles

5.5. One of the Core Development Principles is for developments in all parts of the city should make a positive contribution to neighbourhoods including creating well designed places that

enhance or create character; and protect and enhance the built and natural environment (page 32).

Policy CC6 ‘City Centre High Density Development’

5.6. Policy CC6 is not referred to within the rfr. It states that:

“City Centre development will generally be high density. It is a location where land should be used to maximise its efficiency. The appropriate scale, massing and height of development in the City Centre will significantly exceed what is appropriate elsewhere in the City.

5.7. The appeal site is a city centre location and Policy CC6 is consistent with the objectives of the NPPF paragraphs 124 and 125; and the 2018 SRF (CD G7) to optimise the development of sites. Policy CC6 refers to Policy EN2 in considering proposals for tall buildings.

Policy CC9 ‘Design and Heritage’

5.8. Policy CC9 states that:

“Design of new buildings will need to be of the highest standard in terms of appearance and function...

“The Council will support high density and mixed use development in the City Centre, but developers must recognise the specific design challenges that must be overcome to ensure complementarity of function and form. New development must support the range of uses the Council expects in the City Centre and contribute to a coherent and integrated physical environment”

Policy EN1 ‘Design Principles and Strategic Character Areas’

5.9. Policy EN1 is referred to in the rfr and states that all development in Manchester would be expected to follow the seven principles of urban design:

1. Character: a place with its own identity.
2. Continuity and enclosure: a place where public and private places are clearly distinguished.
3. Quality of the public realm: a place with attractive and successful outdoor areas.
4. Ease of movement: a place that is easy to get to and move through.
5. Legibility: a place that has a clear image and is easy to understand.
6. Adaptability: a place that can change easily.

7. Diversity: a place with variety and choice.

- 5.10. Within the city centre character area, within which the appeal site is located, the policy states that while there will be opportunities to create landmark buildings, developments should also contribute positively to the experience of all at street level.

Policy EN2 ‘Tall Buildings’

- 5.11. Policy EN2 is referred to in the rfr and sets a number of design ‘tests’ for tall buildings which will be supported where it can be demonstrated that they:

- *Are of excellent design quality;*
- *Are appropriately located;*
- *Contribute positively to sustainability;*
- *Contribute positively to place making, for example as a landmark, by terminating a view, or by signposting a facility of significance; and*
- *Will bring significant regeneration benefits.*

- 5.12. The policy states that:

“A fundamental design objective will be to ensure that tall buildings complement the City’s key existing building assets and make a positive contribution to the evolution of a unique, attractive and distinctive Manchester, including to its skyline and approach views.

Suitable locations will include sites within and immediately adjacent to the City Centre with particular encouragement given to non-conservation areas and sites which can easily be served by public transport nodes.

By their very size tall buildings can have a significant impact on the local environment and its micro-climate. It is therefore expected that this impact be modelled and that submissions for tall buildings also include appropriate measures to create an attractive, pedestrian friendly local environment.”

Policy DM1 ‘Development Management’

- 5.13. Policy DM1 is referred to in the rfr. It states that all development should have regard to some 15 specific design related issues of which the following are considered relevant in the context of the rfr and third party objections:

- *“Appropriate siting, layout, scale, form, massing, materials and detail;*

- *Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area; and*
- *Effects on amenity, including privacy, light.”*

National Design Guide (CD F3)

5.14. The National Design Guide (NDG) sets out ten characteristics of well-designed places which contribute towards the themes for good design set out in the NPPF (CD F1). The Design Guide lends some objectivity to the inherently subjective issue of ‘good design’.

5.15. The NDG advises that a well-designed place comes about through making the right choices at all levels, including, inter alia, the form and scale of buildings. It states (paraphrasing from paragraph 43) that:

“well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation, including... patterns of built form, to inform the layout, grain, form and scale; the architecture prevalent in the area, including the local vernacular and other precedents that contribute to local character, to inform the form, scale, appearance, details and materials of new development....”

5.16. At Paragraph 20 the NDG notes that components for good design include the context for places and buildings and hard and soft landscaping, social infrastructure, commercial, leisure uses and activities. At paragraph 21 it is noted that a well-designed place comes about through making the right choices at all levels, including: layout; form and scale; appearance; landscape; materials and detailing.

5.17. The NDG states at paragraphs 70 and 71:

“70 Well-designed tall buildings play a positive urban design role in the built form. They act as landmarks, emphasizing important places and making a positive contribution to views and the skyline.

71 Proposals for tall buildings (and other buildings with a significantly larger scale or bulk than their surroundings) require special consideration. This includes their location and siting; relationship to context; impact on local character, views and sight lines; composition - how they meet the ground and the sky; and environmental impacts, such as sunlight, daylight,

overshadowing and wind. These need to be resolved satisfactorily in relation to the context and local character.”

National Model Design Code (NMDC) (CD F4)

- 5.18. When considering what constitutes ‘beautiful’ and with reference to the Manor Road DL referred to at my Section 2 (**Appendix 2**), the NMDC can assist in determining what makes a tall building of high quality. At Page 21 the NMDC states:

“Tall building design principles: Tall buildings may be permitted in certain area types which will require guidance on their design. Key principles are set out below. See I.2.i Para 49 for more detail

1. *Top: Consider the impact on the skyline. Services need to be concealed, and both the street views and the long views need to be considered.*
2. *Form: Should be well-proportioned in terms of slenderness when viewed from all frontages.*
3. *Materials: The use of materials to be consistent and simple.*
4. *Base: Consider following the building line at street level, which may require a base to the building that is scaled to the surrounding buildings.*
5. *Public realm: Public spaces around the base to be generous, well designed and contribute positively to the local context.*
6. *Entrance: The entrance needs to clearly marked.*
7. *Micro-climate: Needs to be considered in terms of overshadowing and wind. It may be necessary to protect the surrounding public realm from down draughts.*
8. *Active frontage: If required by the design code the ground floor of the tall building needs to include active frontages.”*

Guidance Notes for Design Codes (GNDC) (CD F5)

- 5.19. The guidance notes though intended to inform design codes and not general design guidance, do however also provide useful references in determining how to design appropriate tall buildings. At paragraph 112 the guidance notes state:

“112. Building heights influence the quality of a place in terms of its identity and the environment for occupiers and users. Consistent building heights, or variation within a relatively narrow range, can help to make an area type feel coherent. Large variations in height can make an area feel dynamic.”

5.20. The emerging character and variation in height of the tall buildings in the surrounding context area suggests that the area is one of 'dynamic' quality, supporting a greater range of height.

5.21. At paragraph 113 the guidance notes state:

"113. The identity of an area type may be influenced by building heights, including in terms of its overall scale, its skyline, key views and vistas and the relative prominence of landmark buildings. Building height may also have an impact on local environmental conditions in neighbouring properties, amenity spaces and public spaces in terms of daylight, sunlight, overshadowing, wind and micro-climate. The placing of tall buildings needs to take account of their impact on orientation and overshadowing of public and private spaces."

National Planning Practice Guidance (NPPG) (CD F2)

5.22. The NPPG establishes that 'good design' can be described with the ten characteristics of the National Design Guide as described above.

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) (SPD CD G3)

5.23. This document provides general guidance for development in the City. The Manchester Guide to Development SPD states that:

"it will always be important for the City to be able to accommodate new interest and activity in its different forms, including tall buildings" (p.46).

At Section 2 'Design' the SPD reiterates the seven urban design principles of Policy EN1 and expands further upon these through the guide. Relevant to this appeal and with regard to character and context and overlooking, the SPD states:

"Design should respect and be informed by location

2.3 ...Each new development should be designed having full regard to its context and the character of the area. This should be demonstrated in planning submissions by way of design statements and where appropriate, visual means such as models and photomontages.

Areas of change should promote a sense of place

2.8 In areas of significant change or regeneration, the future role of the area will determine the character and design of both new development and open spaces. It will be important to ensure that the development of new buildings and surrounding landscape relates well to, and helps to enhance, areas that are likely to be retained and contributes to the creation of a positive identity...

Buildings should relate well to each other

2.13 The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings. Projections and setbacks from this line, such as bays, foyers and entrance halls, can help to create visual emphasis; they should not, however, reduce safety by creating hidden areas, or accessibility by making obstructions, nor detract from the visual continuity of the frontage.

Building height should be carefully considered

2.14 It is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

2.15 Although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations. In established residential areas, significant variation in height may not be appropriate. Where higher structures are more appropriate, notably in and around the City Centre, they must be informed by all of the principles described in the Guide..."

- 5.24. And relevant to matters of legibility and the benefits afforded well located and designed tall buildings:

"Developments should enhance existing vistas and create new ones

2.17 Vistas enable people to locate key buildings and to move confidently between different parts of the neighbourhood or from one area to another. The primary face of buildings should lead the eye along important vistas. Views to important buildings, spaces and landmarks, should be promoted in new development ...

2.18 The corners of buildings create visual interest, enliven the streetscape and contribute to the identity of an area. Corners help people to find their way around an area and are often used as meeting points. Corners should therefore be designed with attractive window, entrance and elevational detail and site boundaries should be high quality. On major routes they should accommodate active ground floor uses, entrances, art or signage, to reinforce the character of the street and the sense of place.”

5.25. Considering the public realm, the guidance states that:

“2.37 The Council wants to increase the provision of street trees of an appropriate species, so that they become an important feature of the City’s neighbourhoods and spaces, and will look to new developments to assist this aim.”

5.26. The SPD provides specific guidance at ‘Part 2’, of which the following guidance for developments within the City Centre is relevant to this appeal:

Development Quality

12.5 Not all new buildings can, or should be, “iconic”, but new developments will be expected to contribute positively to the identity and quality of the City Centre. We wish to encourage developments which are “designed for place...”

12.19 Vistas and viewing points contribute to the character of the City Centre and help people to find their way around it. Important views such as those to landmark buildings, those which have a unique setting, or those which mark or terminate attractive streets or spaces, should be enhanced by new developments. The opportunity to create or protect viewing points, particularly from some of the Centre’s taller buildings, should be explored.

12.22 Angle: the changes in angle within the City’s streets and the consequential alignment of building blocks gives an added importance to those buildings located at road junctions.

12.26 Tall Buildings: ...Tall buildings provide very positive messages about Manchester, and can significantly improve its image and peoples’ perceptions of it. Conversely, badly located tall buildings could have an adverse effect and as such any proposals will always have to be fully justified and carefully considered. We would require any such proposals to be presented in context of the joint guidance produced by CABI and English Heritage for assessing tall buildings.”

Great Jackson Street Development Framework May 2018 (2018 SRF) (CD G7)

- 5.27. No reference is made to the 2018 SRF (CD G7) in the rfr. However, third parties do refer to this document. The status of the SRF and the weight to be accorded to is dealt with in the planning Proof of Evidence of Ms. Katrina Hulse. However, having considered the SRF and how it has been applied, I can see that it provides a flexible framework for development, as I explain in greater depth below.
- 5.28. The appeal site is identified as 'Plot H' within the present 2018 SRF (CD G7). See Figure 34.

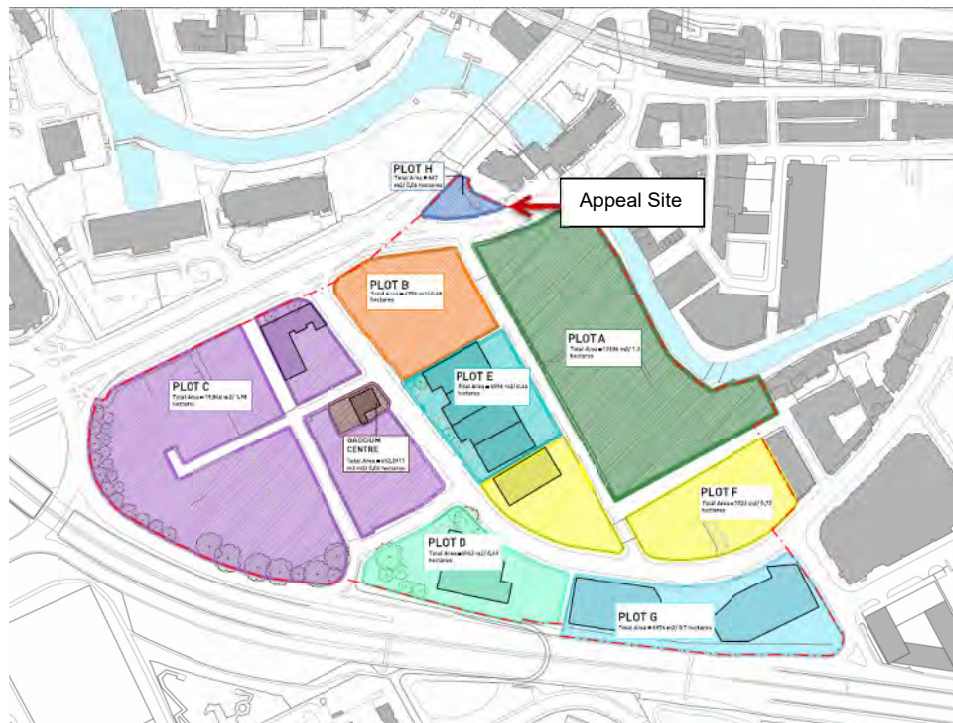


Figure 34: Great Jackson Street Development Framework Area 2018 (CD G7). Plot Ownership Plan

- 5.29. A framework for the Great Jackson Street area has been in existence since 2007. It has shaped much of the recent development within this area.
- 5.30. The 2007 SRF (CD G14) envisioned tall residential buildings to the north of the area with a commercial focus along Mancunian Way. A building on the appeal site as shown at a comparable height to those adjacent at Deansgate Quay and opposite at what is now part of Deansgate Square. See Figure 35 below.

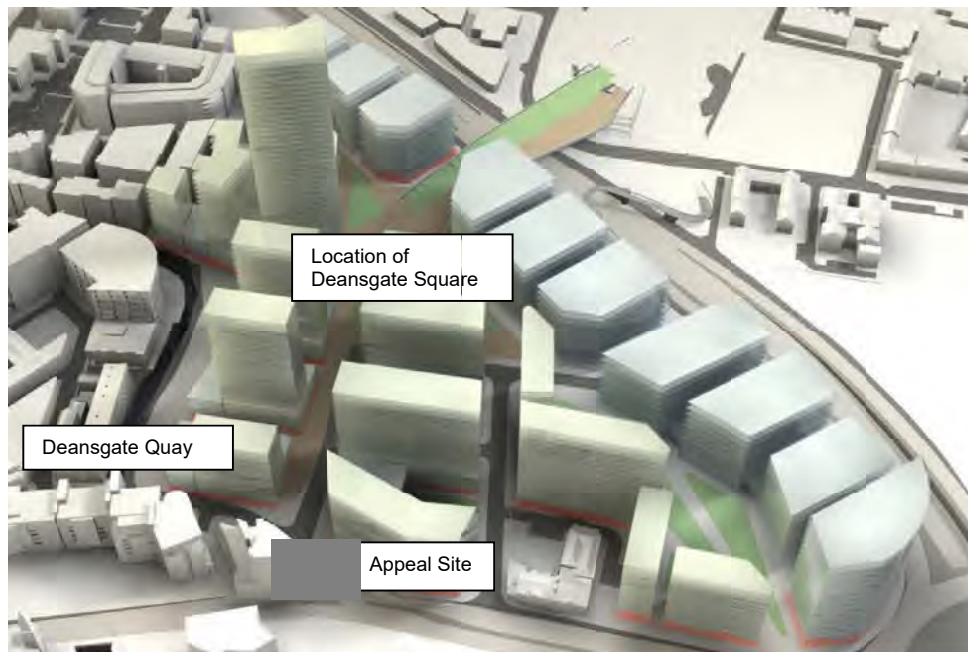


Figure 35: 2007 Framework Great Jackson Street Development SRF (2018 – CD G7)). At the Appeal Site, the 2007 SRF (CD G14) massing study illustrated the consent 2007 scheme

- 5.31. The 2015 SRF (CD G13) update introduced a significantly greater range of heights and increase in massing across the area. There was also evident contrast in height, scale and massing between individual and groups of buildings. See Figure 36 below.



Figure 36: 2015 SRF (CD G13). The 2015 SRF illustrates a triangular shaped block of a height of some five storeys at the appeal site

5.32. As shown above, the height of the taller buildings to the north of the SRF (2015) (CD G13), east of the appeal site and adjacent to the existing urban edge have significantly increased; and there was also an increase in height to the south along Mancunian Way. The height of the building block across from the appeal site is shown as either reduced or unchanged (it is not clear) from 2007 (CD G14), although the building immediate to the east (identified as 'A' – the approximate location of Deansgate West tower is shown significantly taller.

5.33. The massing diagram from the 2018 SRF (CD G7) is reproduced below at Figure 37.



Figure 37: 2018 Massing study: 2018 SRF (CD G7). The 2018 massing study illustrated the 2017 permission scheme at 13 storeys

5.34. From the above, the height of the appeal scheme has been changed to reflect the 2017 permission scheme described earlier. Opposite and across Deansgate Quay, the block pattern has again changed but the height remains consistent. Elsewhere across the SRF area, other buildings have significantly increased in height.

5.35. The appeal site is identified in green in the 2018 SRF (CD G7) within the strategic viewpoint locations 01 and 10 (reproduced below) for which taller buildings are expected (Height at Strategic Viewpoints). Figure 38 below illustrates the role that a tall building would play on the sequence of tall buildings at the approach to the city centre along Chester Road. The green building on the appeal site is seen as one of three markers (reference point 10 inset) – the others being Elizabeth Tower in red and Deansgate West in blue.

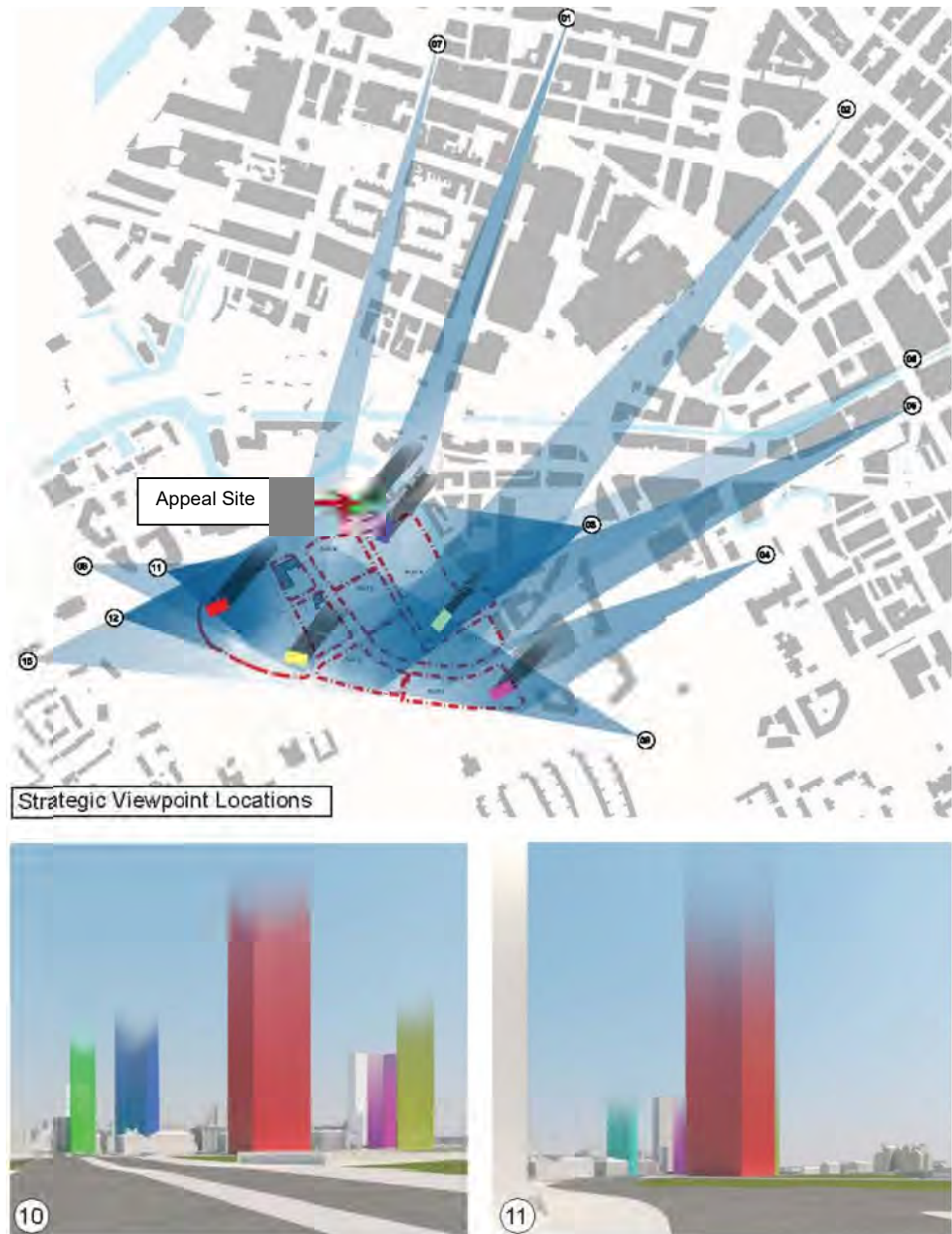


Figure 38: 2018 SRF: Height at strategic points (CD G7)

- 5.36. As shown at Figure 38 above, which provides a general indication of scale / prominence and highlighted important buildings, the 'green building' at the appeal site is intimated considerably taller than the existing buildings shown in white and not far off in height from the blue building shown on the site of Deansgate West tower.

5.37. With reference to the 2018 SRF (CD G7) and tall buildings on these viewpoints:

“3.13 Sites were identified around the perimeter of the Framework area addressing the key views. Building heights then step down within the centre of the Framework area and towards Bridgewater House.

3.14 This has been the starting point of the massing analysis undertaken as part of this update. The sites identified for height and scale remain the same as identified in the 2015 Framework and are reinforced.”

5.38. In terms of guidance on appearance and materials across the SRF area, the guidance recognises diversity for each of the SRF Plots and particularly at the edges of the SRF area. The SRF states:

““3.86 The site’s prominent gateway location and the location of tall buildings demands high quality architectural solutions. Materials used must be durable with a long design life to ensure that a high quality design and finish is maintained.

3.87 In order to create a new neighbourhood the palette of materials should be complementary whilst providing the required diversity to create a unique sense of place and for each plot to stand out in their own right.

3.88 The proposed tall buildings on the perimeter of the site are visible throughout the City Centre and also on the approach to the City. .Therefore the materiality approach is likely to be different from that of those buildings located within the rest of the Framework area and importantly, materiality should be appropriate for the form of the buildings. The application of materials is also important in the sense that they should also be simply detailed, limited in palette, robust, high-quality and easily maintained.

3.90 ...Taller buildings will typically be lighter weight in construction, will take reference from relationships with adjacent buildings, key vistas, and may develop individual expressions / identities. The application of materials is also important in the sense that they should also be simply detailed, limited in palette, robust, high-quality and easily maintained”.

5.39. Material precedents are set out at Appendix 1 of the 2018 SRF (CD G7) and include glazing and brick cladding. In the context of the appeal site, at the edge of the SRF area, an

appropriate material to contrast with the glazing within the centre would be a red / terracotta colour cladding.

- 5.40. The SRF guidance on separation and overcrowdedness states:

“3.20 The requirement for high density development in this strategic gateway location should be designed in a way that maximises residents’ quality of life.

3.21 The relationship between the buildings has a significant impact on amenity issues such as overlooking and daylight and sunlight. The 2015 Framework included distances of 9m – 15m between buildings. This is far shorter than the typical 20 metres for back to back distances between buildings and could result in reduced levels of daylight and sunlight, privacy / overlooking and a feeling of over crowdedness.

3.22 A review of the Framework has sought, therefore, to increase the separation between buildings. A back to back separation of c.20m is proposed where higher density developments are located. The positioning and orientation of buildings and locations of internal rooms can have a significant impact on issues such as overlooking and daylight and sunlight. The final distancing between buildings will be considered as the detailed design for each development plot comes forward. Where lower density development is proposed it is reasonable to reduce back to back distances, although a minimum of c.15m will be sought.”

- 5.41. The guidance is specific in that it relates to ‘back to back distance’ although it does in general terms refer to qualitative matters of overlooking, daylight and sunlight; and the 2018 SRF (CD G7) recognises that distances will be considered in detail for each plot.

- 5.42. In general, there is an evident evolution in height across the framework area when comparing the 2007, 2015 and 2018 SRF massing studies (CD G14, G13 and G7). Across time the SRF has sought to be flexible and responsive to changing circumstances, and this has changed the proposed pattern of the development. Since 2007, the SRF area has ‘evolved’ from a pattern of perimeter blocks that reinstated in part the historic grain of the city, to a collection of pavilion towers of variable height within spaces seemingly unrelated to each other. Since 2015 there has also been a significant increase in height across the SRF area, to the east from 14 storeys in 2015 to 50 storeys in 2018 and to the centre, from circa 10 - 14 storeys in 2015 to 17-25 storeys in 2018.

6. Design Appraisal

- 6.1. The NPPG establishes that 'good design' can be described with reference to the ten characteristics of the NDG, and in accordance with the Manor Road DL, the NDG and NMDC criteria can inform judgements of design quality and beauty. The NDG therefore forms the structure for this appraisal with reference to relevant design policies and guidance and with reference to Section 4 and Appendix 1.

1. Context

- 6.2. Consistent with the NDG and SPD, the application was supported by a Design and Access Statement (DAS CD A5) and DAS Addendum (CD 31) and a comprehensive Visual Assessment (VA - as part of the Environmental Statement Vol 2 Appendix 9.5) (CD A77). These describe the surrounding character / context and appraise the effects of the appeal scheme. The DAS (CD A5) and VA (CD A77) demonstrate that the design team had an appropriate understanding of the appeal site, its context and the effects of the appeal scheme upon the surrounding townscape.
- 6.3. Considering context and placemaking, the appeal site is within an area where the principle of redevelopment is supported. The appeal site is within an area of existing and emerging taller buildings, the urban quality of the buildings and spaces within which, define the emerging 'place'. South of the railway viaducts and Chester Road, the intensification of the Deansgate area combined with the loss of historic streetscene context has made any kind of traditional townscape consideration almost irrelevant. The emerging urban townscape character (of ever taller, individual buildings and clusters of buildings) is one of contrasting height, scale and public spaces and intensification being a positive. In this context, a tall building on the appeal site and in the townscape would not be intrinsically harmful; rather would be positive contribution to the emerging character.

2. Identity

- 6.4. The location of the proposed tower on the appeal site is considered appropriate to defining this point of arrival into the city in accordance with Local Plan policies EN2 and DM1 and the NDG (paragraphs 70 and 71) and GNDC paragraphs 112 and 113. It would provide a 'marker' for the centre and define the node where Chester Road meets Deansgate South. Within the SRF, as described earlier, a tall building on the site forms a marker to the city centre on approaching from the west.

6.5. Consistent with the objective of the SPD (CD G3) to - *ensure that buildings relate to each other and areas of change should promote a sense of place* - the proposed appeal scheme draws upon the shape of the site, accentuates the corner on Chester Road and becomes one of the defining towers on the approach to the city centre. The design also draws upon the materials of the local context to reinforce the local identity. The approach to define the corner of the appeal site with a landmark is also consistent with the objective of Local Plan policy EN2 to *contribute positively to place making, for example as a landmark, by terminating a view, or by signposting a facility of significance.*

6.6. As described by the DAS (CD A5) and DAS Addendum (CD 31) the appeal scheme is demonstrably informed by the site context – such as the shape of the site – and has regard to local materials in accordance with Local Plan policy DM1). The proposed tower hugs the corners and reinforces the public realm of the adjacent streets with active edges (entrances to the student accommodation) and street trees that soften the urban environment and enhances the street scene alongside those trees already on Deansgate South.

6.7. NPPF paragraphs 126 and 128 refer to the creation of high quality, beautiful and sustainable buildings and places as fundamental to what the planning and development process should achieve. Considering ‘beauty’ a subjective term at best, the context affords a wide degree of latitude as to acceptable architectural form and design. The appeal scheme would be an attractive building, not the tallest in the context, but distinctive in style and architectural design and familiar in materials. The inspiration for the form and design of the appeal scheme is the iconic, classical ‘Beaux Arts’ styled 22 storey Flatiron building at 175 Fifth Avenue, Broadway and East 23rd Street, New York. The Flatiron is a building which is instantly recognisable and memorable in its townscape and it is hard not to appreciate its beauty:

“I found myself agape, admiring a sky-scraper the prow of the Flat-iron Building, to be particular, ploughing up through the traffic of Broadway and Fifth Avenue in the afternoon light.”

HG Wells: The Future in America: A Search After Realities: 1906.

6.8. The appropriateness of the design, its quality features (form, materials and detailing) of the proposed building that are reflective of the flatiron are set out below.

- 6.9. The proportions of the elevation are classical: a column with a base, shaft and capital. At the base, the double height windows and entrance (See Figure 39). At the shaft, the slender verticality of curtain walls and glazing; and the top the simple parapet and glazed terraces;



Figure 39: CGI Ground floor view along Deansgate South illustrating definition of ground floor and first floor at the base of the building and the activity within. Scheme Overview Document Appendix 1 Page 23

- 6.10. As shown at Figure 39, the building doesn't rise from a heavy block like base, but soars directly from street level above a double height glazed base with slender columns visibly open to the public realm. Also as seen at Figure 39, the weathering cladding to the flank elevations project beyond the external wall line creating folded reveals into the glazed corners of the building at the 'prow' to reference the Flatiron building (left of frame). The full-height glazed bays at the corners of the building highlight the dynamic geometry of the site and the verticality of the building. See figure 40 below.



Figure 40: The prow of the appeal scheme in the context of the townscape TVIA Viewpoint 13

3. Built form

Layout

- 6.11. In accordance with Policy DM1, and EN1 (2, 4 and 5) as described by the DAS (CD A5) the siting of the appeal scheme has demonstrably been informed by the site context and adjacent uses - considering active frontages, overlooking and outlook. The principal active edges – the entrances and ground floor sociable spaces are located towards the corner at Chester Road and Deansgate at Ground and Lower Ground Floor. The proposals will allow for a flow of activity from the new residents along Deansgate South towards the entrances from the station to the east; creating a natural surveillance of the street and surrounding space.

Height, scale and massing

- 6.12. The proposed heights and massing have been taken into consideration with the existing and emerging context locally and are addressed in the VA in accordance with Local Plan policies EN1 (1, 5 and EN2) and the NDH (paragraphs 21 and 43 with regard to height, scale and form) the NDG and NMDC. The approach to height, scale and massing is consistent with Policy DM1

having regard to the, *Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area; Policy EN1 Contribute positively to place making, for example as a landmark; and Legibility.*

- 6.13. The design decisions that determined the proposed height are set out at page 43 of the DAS (CD A5), which illustrates a number of height studies aimed at determining a height at which the building would add interest to the skyline, relate to the scale of adjacent towers and hold the view along Chester Road.
- 6.14. The proposed step change in height from seven storeys at Deansgate Quay, to 28 storeys is not uncharacteristic or incongruous to the emerging character and townscape which accepts a sharp contrast in height as described earlier at Section 3.
- 6.15. As described within the DAS (CD A5) at pages 45 to 48, and summarised at Figure 41 below, the height and massing mediates the taller buildings at Deansgate Square to the development at 2-4 Chester Road, consistent with the objectives of the SPD which states: *The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline...*

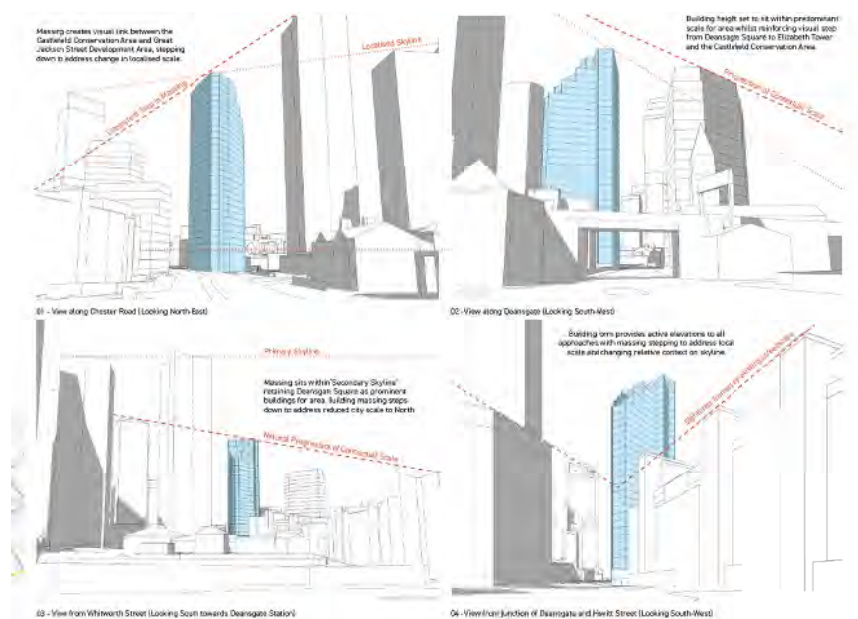


Figure 41: DAS page 48, key views and massing overview

4. Movement

- 6.16. The site is in a sustainable location. In accordance with Local Plan policy EN1 (4, 5) the scheme is structured within an existing and emerging, legible network of streets and footpaths that promote walking and cycling into the city.

5. Nature

- 6.17. A soft and hard landscaping strategy with a tree planting strategy is provided, along with full details on the support of ecological enhancements as described at Section 8.13 of the DAS (CD A5). This is achieved principally within the proposed roof gardens.

6. Public spaces

- 6.18. The 2018 SRF (CD G7) does not require the appeal site to deliver any public realm. The principal public spaces are the surrounding street spaces as describe at Section 3. At Sections 8.11 and 10, the DAS (CD A5) sets out the proposed improvements to the public realm which includes street trees, planters and climbers to the south facing wall and improvements to the pavements. The improvements are in accordance with Local Plan policy EN1 (3). The street trees will contribute to the existing trees to the east on Deansgate South, extending the street character towards Chester Road. See Figure 42 below.



Figure 42: Landscape proposals within public realm. Source DAS Addendum (CD 31) page 3

- 6.19. Trees will also improve street level microclimate, including mitigating wind speeds to the northern boundary of the site to ensure these remain within suitable comfort levels for

pedestrians. The submitted tree planting proposals by Green Blue Urban and assessed by Wardell Armstrong indicate that the provision of trees is feasible and would assist to mitigate wind impact resulting from the development.

7. Uses

- 6.20. The number of student dwellings represents an efficient use of land in a sustainable city centre location close to local amenities and services as well as public transport, in accordance with Local Plan policy CC6.

8. Homes and buildings

- 6.21. With reference to the DAS and floor plans, the layout of the student study room / apartments provides good quality internal and external living and amenity space. The buildings are considered to provide good quality internal and external living environments for residents to promote health and wellbeing. Student residents are afforded private and communal amenity spaces within the appeal scheme. The building design has considered servicing, access to refuse and servicing, in accordance with Local Plan policies EN1 (2).

9. Resources

- 6.22. The appeal scheme is considered to achieve the optimum and efficient use of this brownfield site. The DAS (CD A5) provides information on how the scheme will be sustainable in design with a target of a BREEAM excellent. On the roof is proposed photovoltaic panels and green roofing.

10. Lifespan

- 6.23. The DAS (CD A5) sets out at Section 7.4 the maintenance and management regime expected of the building.

Summary

- 6.24. The appeal scheme has been designed to realise the potential for the site to accommodate and optimise development. In the context of anticipated change, the change is not considered harmful or to impact in an unacceptable way and impacts are beneficial to townscape in accordance with Local Plan policies SP1, CC9, EN1 and EN2. Having appraised the appeal scheme against the guidance of the NDG and NMDC and with reference to relevant policy and guidance I consider that this is a well-designed and attractive scheme. With reference to the Tall building design principles of the NMDC:

1. *Top: Consider the impact on the skyline. Services need to be concealed, and both the street views and the long views need to be considered.*
- 6.25. As described earlier the appeal scheme has considered the impact on skyline and provides an attractive streetscene, concealing services behind the existing wall to the north western boundary or below ground.
2. *Form: Should be well-proportioned in terms of slenderness when viewed from all frontages.*
- 6.26. As described earlier I consider the form to be well proportioned.
3. *Materials: The use of materials to be consistent and simple.*
- 6.27. The appeal scheme has a simple palette of three materials applied across the elevations.
4. *Base: Consider following the building line at street level, which may require a base to the building that is scaled to the surrounding buildings.*
- 6.28. As described earlier I consider the building to have a well-defined base.
5. *Public realm: Public spaces around the base to be generous, well designed and contribute positively to the local context.*
- 6.29. In the context of surrounding spaces, the 2018 SRF does not require public space. However, the appeal scheme provides street trees and improvements to the pavements that will positively contribute to the local context.
6. *Entrance: The entrance needs to be clearly marked.*
- 6.30. Entrances are clearly defined at the prominent corners.
7. *Micro-climate: Needs to be considered in terms of overshadowing and wind. It may be necessary to protect the surrounding public realm from draughts.*
- 6.31. The street trees will mitigate wind speed at street level.
8. *Active frontage: If required by the design code the ground floor of the tall building needs to include active frontages."*
- 6.32. The appeal scheme provides active frontages.

7. Response to Reason for Refusal 2

RFR 2 states:

“The proposed building by reason of its scale, height, position on the site and its use of poor quality cladding materials, would form an over-dominant feature within the street scene and would fail to meet the quality that such a prominent building should achieve. It would thereby have a detrimental impact on visual amenity and is therefore considered to be contrary to policies SP1, EN1, EN2 and DM1 of the Manchester Core Strategy, guidance contained in the Guide to Development in Manchester Supplementary Planning Document and Guidance and the National Planning Policy Framework.”

- 7.1. At page 24 the Committee Report sets out the harm to the streetscene on approaching the city centre along Chester Road:

“The route into the City Centre along Chester Road is framed to the right by the high rise towers within the SRF with the built form stepping down to the Bridgewater Canal Offices, the Deansgate Quay development straight ahead and the conservation area to the left. The medium rise building at 2-4 Chester Road appears to the left hand side and provides a stepping up to the Beetham Tower in the distance. The application site lies at a point where the main road bends round to the left, resulting in the site forming the central focal point of the view when travelling into the City Centre. A tall building on this site would form a hugely dominant feature in the centre of the view when looking towards the City Centre, detracting from the lower scale conservation area and listed buildings. It is considered therefore that the proposal would have a detrimental impact on the setting of Castlefield Conservation Area and would not preserve or enhance the character or appearance of the area.

...the proposed building would be a large-scale tower that would dominate the skyline of this gateway entry point to the city centre. The proposal would be inconsistent with the massing and scale of development set out in the SRF and would not positively contribute to the group of tall buildings on this side of the City Centre, appearing as a dominant feature within a lower scale environment. Whilst large-scale towers lie to the south east of the site, the site lies within an area of lower scale building and is directly adjacent to the 8 storey Deansgate Quay building. Although the proposed building steps down in height adjacent to this building, the step-downs are at such a high level that they would have little impact in reducing the scale of the tower adjacent to the much lower domestic scale building of Deansgate Quay. The height

and verticality of the building, which is emphasised by the vertical columns of curtain wall glazing, would be out of keeping with the lower scale more horizontally proportioned buildings within the streetscene.”

Streetscene: Chester Road

- 7.2. This statement is considered to refer to the experience from Viewpoint 9 Chester Road at Figure 12 earlier and reproduced below at Figure 43.



Figure 43: Viewpoint 09: Looking North East along Chester Road between the junctions of Angela Street and Lower Moss Lane. The Bridgewater Canal Offices are left of frame

- 7.3. The design rationale for the proposed height as set out in the DAS (CD A5) as summarised at page 48, reflects the guidance of the 2018 SRF (CD G7) on locating tall buildings along viewpoints. The proposed view is shown below at Figure 44. Considering whether the proposed building would be ‘hugely’ dominant, this would simply not be the case given the much greater and significant scale of Beetham Tower in the background and in the mid-ground the Deansgate West tower, and that the appeal scheme at 28 storeys is only seven storeys taller than 2-4 Chester Road.



Figure 44: Updated CGI of view towards appeal scheme on Chester Road

- 7.4. Dominant in the view at Figure 44 is Deansgate West tower and, clad in similar materials, Beetham Tower. The appeal scheme tower is distinctive by colour, in much the same way as 2-4 Chester Road; and the weathered steel cladding of the appeal scheme can be seen to relate to the other red brick buildings around (also shown at Figure 40 previous). The distinctiveness of the proposed building provides a marker to the junction and edge of Deansgate. The proposed tower is not prominent or incongruous in a townscape which includes other red brick/ terracotta buildings.
- 7.5. As described earlier at Section 3, looking north east up Chester Road, it is evident that there are already buildings of a significant greater height. In the above view the appeal scheme is not dominant and will not be overbearing upon the streetscene. In terms of massing it is slender and proportionally slim. In terms of height and scale it is smaller than Deansgate West and Beetham Tower which remain the principal elements of the view.

- 7.6. Viewed from along Bridgewater Viaduct/Chester Road looking west, one can appreciate the existing variation in height and the scale of the newer towers over and above Deansgate Quay. See Figure 45 below.



Figure 45: Chester Road looking west

- 7.7. At Chester Road and walking towards the appeal site from the west one is aware of the larger 2-4 Chester Road to the right of frame and would be aware of the towers at Deansgate Square seen above and behind Deansgate Quay. In the background the view is drawn towards Elizabeth Tower.
- 7.8. With the addition of the appeal scheme as shown at Figure 46 below, the proposed tower articulates the end of Deansgate South. In this view, the eye is drawn to the glazed corner at Chester Road framed by the weathered steel elevation behind which matches the red cladding of Deansgate Quay in the foreground.



Figure 46: View from west along Chester Road. Scheme Overview Document Appendix 1 Page 21

Streetscene: Deansgate South

- 7.9. The streetscene looking west along Deansgate South is already a marked contrast in height and scale at the foreground between Deansgate West and Deansgate Quay. See Figure 47 below.



Figure 47: View along Deansgate South

- 7.10. With reference to the proposed CGI view, from Deansgate South (Figure 48 below) walking west towards the marker qualities of the proposed tower are evident by height as seen in the skyline above the foreground Deansgate Quay. Again, there is an interplay of glazing and the red brick / cladding material. The glazed corner of the appeal proposal can be seen set against the glazing of Deansgate West tower and Elizabeth Tower, whilst the weather steel cladding can be seen blending into the red cladding materials of Deansgate Quay. In this view the eye remains drawn to the distant Elizabeth Tower which is framed by tall buildings. The proposed tower is not dominant in this view.



Figure 48: View from South-east along Deansgate. Scheme Overview Document Appendix 1 Page 22

- 7.11. As illustrated by Figure 48, the street scene would remain very much an urban context. The addition of the appeal scheme is seen as punctuation to the end of Deansgate Quay

apartment block. The sense of change in height is not significant, the proposed tower is seen just above the parapet of Deansgate Quay.

Material quality

- 7.12. The issue with the materials in the context of rfr2 and understood from the Committee Report to concern appearance and not the manufacturing quality or longevity of the glazing and cladding proposed. Neither guidance nor policy dictates a particular material product.
- 7.13. The use of a limited palette of three primary materials (glazing, weathering metal cladding; dark grey perimeter mullions) and simple ornamentation to enliven the façade creates a cohesive and measured façade, similar in simplicity to the adjacent Deansgate West tower and is in accordance with the NMDC (the use of materials to be consistent and simple) and the NDG (making the right choice about materials).
- 7.14. Noticeable in the street scene of Figure 48 is how the materials of the appeal scheme would complement the materials of Deansgate Quay and Deansgate West tower. The slender glazed corners of the appeal scheme, which accentuates the angularity of the proposed tower, echo the glazing of Deansgate Quay. There is harmony in colour, the red/orange cladding that carry across from Deansgate Quay into the proposed appeal scheme's weathered steel.
- 7.15. In detailing, the proposed elevation comprises repetitive ornamentation at the slender window openings; the frame to one side of the window has a perforated weathering steel cladding panel; the louvered vent panel beneath the windows; the dark grey mullion. The shadows created by the inset glazing further articulate the façade. See Figures 49 and 50 below.



Figure 49: CGI view of window

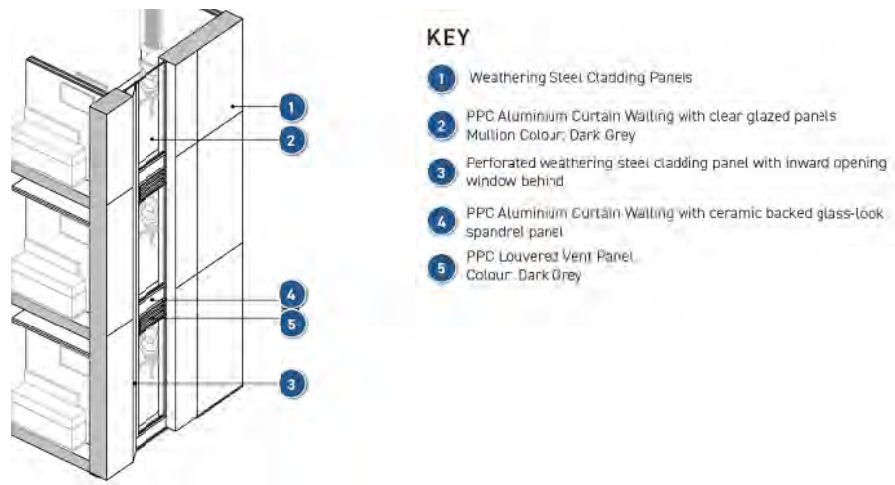


Figure 50: extract from DAS (CD A5) page 76

- 7.16. Weathered steel cladding, is corrosion resistant. A rust film congeals on the surface and virtually stops all further rusting. The chemical composition of the steel allows for the creation of a patina layer that behaves like a coat to a structure. This patina layer not only protects against corrosion, but provides a unique finish that is aesthetically pleasing. The weathering steel cladding applied to the main elevation and the perforated panels is a familiar material seen at the public art within Deansgate Square, see Figure 51 below.

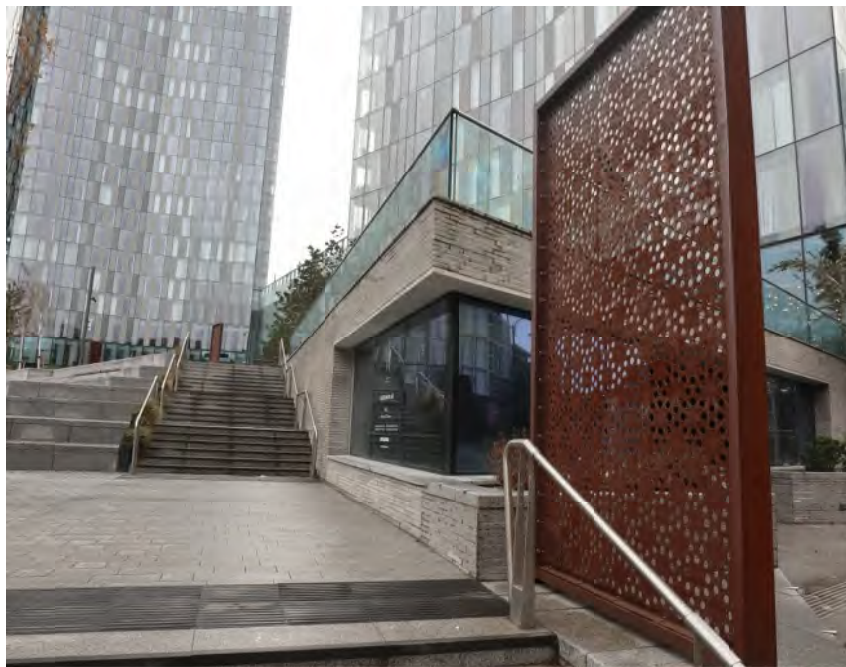


Figure 51: Decorative paneling at Deansgate Square

The public art within Deansgate Square comprises a scattering of upended double bed-sized panels in 'Corten' weathering steel cladding with a pattern to controlling the wind.

Design quality

7.17. In accordance with NPPF paragraphs 128 and 129, considering matters of design quality, neither the Committee Report nor the reasons for refusal provide any substantive evidence. NPPF Paragraph 127 sets six qualitative design criteria that should be met, and taking each in turn:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

7.18. It is considered that the appeal scheme will enhance the quality and function of this context as a vibrant, urban place to live, and will deliver a high quality living environment for students. The building will enhance the surrounding context.

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

7.19. The appeal scheme is considered to be attractive architecture set out to create an attractive environment for residents and visitors. There are no in principle landscaping related objections, and the public realm is considered to be well-designed and of a high quality considering its urban and constrained context.

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

7.20. The appeal scheme is considered sympathetic to history and local character in materials, detailing and urban setting. No harm concerning matters of overdevelopment has been substantiated in rfr 2.

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

7.21. The appeal scheme is considered to deliver an attractive building that reinforces the strong sense of urban place.

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

7.22. The quantum of accommodation proposed is considered entirely appropriate for this site, the development on the land is optimised in line with the NPPF and it gives rise to no objective material harm.

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

7.23. The layout will create places that are safe, inclusive and accessible, promoting health and well-being. There will be a high standard of amenity for visitors and student residents, the environment and amenity of people walking along Deansgate South and Chester Road will be improved, with active frontages and street trees addressing the streetscene.

Summary

7.24. At present, the view to the appeal site from Chester Road is of the car park and behind, the flank of 388 Deansgate Quay. The appeal scheme would appropriately address the view with a building that celebrates the shape of the site, the spaces around it, presenting what I believe to be attractive elevations to all sides.

7.25. In summary I consider the design of the appeal scheme is consistent with the SPD - *Developments should enhance existing vistas and create new ones* – the building heights have also demonstrably been considered with regard to context. In accordance with the NMDG the building provides an appropriate form and has regard to its effects on the skyline.

7.26. The proposed use of weathering steel cladding would develop a rich terracotta colour, a direct influence from the brickwork of the Victorian warehouses and industrial buildings and the former metalworkings at Knotts Mill; and as applied to other buildings within the context as illustrated at Section 3. I consider these to be high quality materials.

8. Response to Reason for Refusal 3

RFR 3 states:

“3) The proposed building by reason of its scale, height, position on the site and lack of public realm would form over-development of the site, having an overbearing relationship to the adjacent building and creating a feeling of overcrowdedness. It would thereby have a detrimental impact on urban design and visual amenity. It is therefore considered to be contrary to policies SP1, EN1, EN2, and DM1 of the Manchester Core Strategy, guidance contained in the Guide to Development in Manchester Supplementary Planning Document and Guidance and the National Planning Policy Framework.”

Overbearing / overcrowdedness

- 8.1. Considering the alleged harm arising from a ‘feeling’ of overcrowdedness as identified in rfr 3, this is expanded upon within the Committee Report at paragraph 7.8 as follows:

“There are no prescribed separation distances between buildings in the City Centre where developments are denser and closer together than in suburban locations. However, the Great Jackson Street Framework seeks separation distances of circa 20m where higher density developments are located. The proposed tower would effectively be built up to the boundary of the site, 12.2m away from the Deansgate Quay elevation, which has active residential windows. Whilst this would clearly introduce an element of overlooking, windows on this boundary have been accepted in previous schemes on this site. Notwithstanding this, the previously consented schemes on the site were a lot smaller in scale and were either set back from this boundary or only had up to 7 storeys on this boundary. The proposed scheme would be between 23 and 29 storeys along this boundary, creating a feeling of overcrowdedness and being overbearing to occupants of the Deansgate Quay apartments, as well as visually within the street scene. It is considered that this would have a detrimental impact on the occupants of Deansgate Quay and the street scene.”

- 8.2. There are two components to overbearing: the objective effects which can be measured, such as sunlight, daylight and privacy, and the subjective effects which include a sense of enclosure, the physical appearance and character of the building. The objective effects do not form part of the Council’s reason for refusal or SofC.

- 8.3. Considering the subjective effects, whilst there will be a noticeable difference in height between 288 Deansgate and the appeal scheme from views afar, the appeal scheme would plainly not be incongruous, and nor will it appear any more overcrowding than the existing buildings around. The proposed tall building will undoubtedly be a change to the existing streetscene. However, this must be considered in the context of existing and emerging schemes for which no harm has been identified with tall buildings or overcrowding upon existing buildings.
- 8.4. With reference to the previous permissions for the appeal site as summarised at page 10 within the DAS (CD A5) and at Section 3 previous, tall buildings have been sited on the appeal site close (within 12m) to the existing apartments at 388 Deansgate Quay. The 2017 permission is as close to the north west corner of 388 Deansgate Quay as proposed. It is also relevant that through the early iterations of the 2018 SRF (CD G7), the massing options for the site as considered earlier located buildings as close to the boundary with 388 Deansgate Quay as proposed by the appeal scheme.
- 8.5. Considering matters of ‘overcrowdedness’ as may be appreciated from either the bedroom or living room windows within the apartments at 388 Deansgate Quay that overlook the appeal scheme, the view would change but one would not be able to appreciate the difference in height, scale and massing from looking across at a building of 13 or 28 storeys or more. Even if one was at the window and staring up at the appeal scheme, I would consider it would be difficult to appreciate the height of the proposed building.

Outlook

- 8.6. Considering outlook, as set out at Sections 3 and 4 of this evidence, the adjacent apartments at 388 Deansgate Quay will still be afforded an open outlook from habitable rooms and balconies towards Deansgate South and Chester Road; whilst the immediate view west will change.
- 8.7. The area of the proposed building at lower ground and ground floor across from Deansgate Quay and just visible above the existing retaining wall is proposed for ancillary spaces. It does not require the need for windows and therefore does not require the need to change the retained wall. To ensure that interest can be provided to the facade in this area and that the outlook from residents of 388 Deansgate Quay is not a wholly blank wall, at ground floor is proposed patterned perforated cladding panels. See Figures 52 and 53 below.

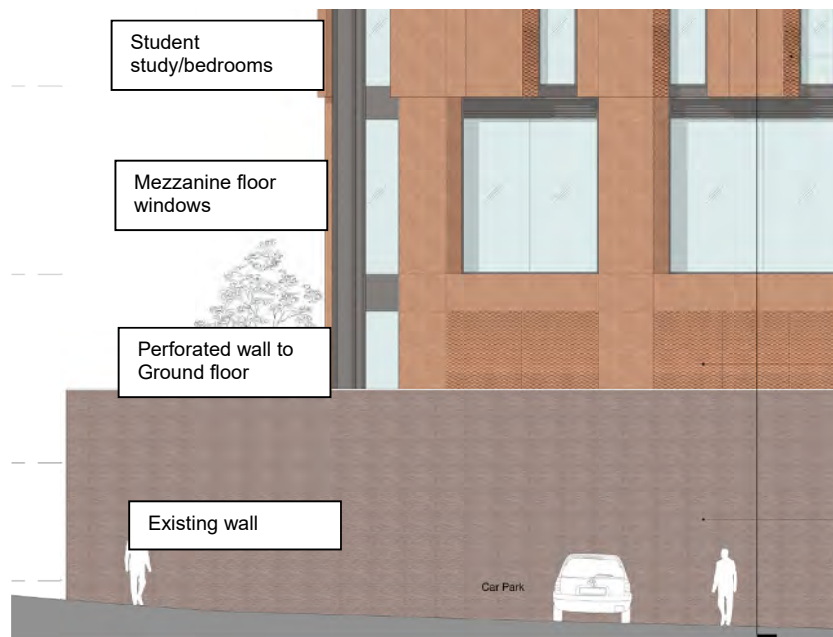


Figure 52: Proposed Elevation and Sections Study- East Elevation addressing 388 Deansgate Quay. Drawing no12345-CW-XX-ZZ-M3-A-XXXX-S1.RVT. Below: Inset axonometric of above

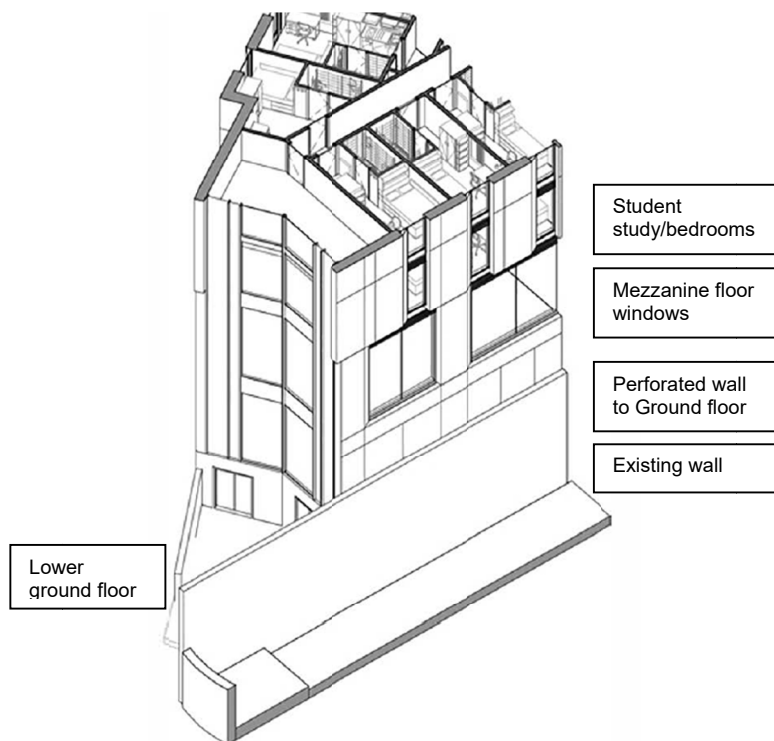


Figure 53: Axonometric of eastern elevation

- 8.8. With reference to Figures 52 and 53, at mezzanine level, there is proposed a student social space which would have windows across from Deansgate Quay. Though there are windows, activity within the proposed social space is contained by the sealed windows so there would be no noise, and whilst activity may be visible, it would not be as intrusive as the activity from a facing balcony or outdoor living space from a residential development. Above the mezzanine level the communal active spaces per floors 1-8 (those which would be across from Deansgate Quay), such as kitchens have also been located at the corners of the proposed building, and the outlook from these rooms is directed away from the adjacent Deansgate Quay elevation. See Figure 54 below (extract from Appendix 1 Floors 01-21).



Figure 54: Typical floor plan Floors 1-21 – those at floors 1-8 which would address Deansgate Quay

- 8.9. With reference to Figure 54, to the south east, the communal kitchen area in green is shown to have an outlook to the south east, away from Deansgate Quay. To the north east corner, views from the dark blue kitchen / living area of the end student dwelling to the north east

along Chester Road would be directed away from the adjacent Deansgate Quay buildings and openings managed to limit overlooking and potential light overspill.

- 8.10. At 22nd, 24th and 26th Floors the landscaped terraces, serve as key social and wellbeing spaces. The positioning of the external terraces at high-level mitigate any potential impact or overlooking, creating functional space that would not impose on existing residents.

Privacy

- 8.11. Considering privacy, the SRF seeks a 20m back to back separation, but is flexible in its application. However, as equally as effective is design, particularly for an urban context where buildings have been and are sited close to each other.
- 8.12. The Council's SofC acknowledges that the 2017 permission scheme had windows that would overlook 388 Deansgate Quay. For the scheme to have been granted consent it is reasonable to expect that a degree of overlooking and visibility was accepted, and would not have been out of character in the urban context as described earlier at Section 3.
- 8.13. The relationship of the appeal scheme to 388 Deansgate Quay has considered privacy and the existing habitable rooms of adjacent apartments (bedrooms, living rooms and balconies) of 388 Deansgate Quay as set out at Section 4. The relationship will be of student study / bedrooms – not the principal habitable rooms which are located to the edges of the scheme - looking across to the Deansgate Quay apartments. As these will be student study/bedrooms and considering the availability of more social spaces afforded student residents and that the building will be most active during term time, it is reasonable to assume that though these are habitable rooms, they are equivalent to bedrooms and would be used less frequently.

Summary

- 8.14. In summary, I consider that whilst there will be a tall building located within 12m of Deansgate Quay, the relationship is not incongruous or harmful in the urban context.

9. Response to Third Party Comments

9.1. Third party comments on urban design matters generally reflect the rfr. With reference to the objectives they are understood to cover:

1. Overdevelopment.
2. Height with regard to the SRF (Plot H) and context.
3. Visual impacts due to the variation in height relative to Deansgate Quay.
4. Contribution to public realm.
5. Relationship (overbearing) upon 388 Deansgate Quay, principally outlook and sunlight/daylight.
6. The architectural narrative.

Overdevelopment / Density

9.2. National policy emphasises optimisation of land (at NPPF para.123c CD F1) and to refuse planning applications which do not make efficient use of a site. In the context of the surrounding built form and the present use as a car park, the appeal site is significantly under-used.

9.3. NPPF Paragraph 125 (CD F1): states that area based character assessments and design guides can be used to help ensure that land is used efficiently while also creating beautiful and sustainable places. The appeal site falls within the 2018 SRF (CD G7) which provides, in practice, a highly flexible framework for development. The appeal site is consistent with the location for tall buildings (SRF); and it is identified as a location for a tall building with regard to strategic viewpoints identified within the SRF.

Height with regard to the 2018 SRF (CD G7) and context

9.4. An issue is raised that buildings should step down in height to the viaduct (Cllr Davies). As set out at Section 3 the newly built 2-4 Chester Road steps up height towards the viaduct from the adjacent Castlefields area. And; as set out at my Section 7 and with reference to the 2018 SRF (CD G7) on key views, it is evident that the appeal site is considered capable of accommodating a building of height and scale. The appeal scheme is considered to contribute to the sequence of placemaking buildings at the approach to the city centre along Chester Road.

- 9.5. An issue is raised by the architects of the SRF (SimpsonHaugh and Partners) is that the 2018 SRF (CD G7) guidance for the appeal site is 13 storeys. This reference to 13 storeys relates to the 2017 permission scheme, and reflects the general approach of the SRF to reflect the then current planning scheme for the appeal site.
- 9.6. As set out at Section 3, the 2018 SRF (CD G7) has been considerable flexible on heights and with no overall consistent narrative as to what is appropriate in height. It is evident from the most recent iterations and viewpoints at Appendix 1 of the 2018 SRF that as addressed earlier at Section 4, the appeal site has capacity for height considering location and viewpoints.
- 9.7. It is also evident that the SimpsonHaugh and Partners' proposals for 34 Great Jackson Street, is of a height far in excess of the 2018 SRF guidance for the site, (Plot G), which is for 19 and 27 storeys and not the consented 56 storeys. The justification for exceeding the guidance height by 100% is provided in the DAS as follows:

"Massing Amendments

To address the viability issues presented by the significant site abnormal costs, the original massing has been reviewed to look at opportunities to increase the density of the development in an attempt to balance the costs of the abnormals.

...The principle of increasing the height and density of the proposals was discussed with Manchester City Council in May 2020, who were broadly supportive if the adjustments make the scheme viable and deliverable."

- 9.8. The deviation from height is accepted in the Officer's Committee Report (CD H5) under the section Architectural Quality (page 350):

"High quality buildings would reinforce this gateway entry point to the city centre. Whilst they do not follow the massing and scale of development set out in the SRF, they would achieve a more elegant design with better separation distances, positively contributing to the group of tall buildings in this area, including Crown Street Phase 1, the four towers at Deansgate Square, Beetham Tower and Axis.

- 9.9. In terms of the location of other tall buildings, design and separation distances, the appeal scheme is also at a similar 'node', I would consider of a very elegant design, and achieves acceptable separation distances.

Contribution to public realm

- 9.10. As set out at Appendix 1, Section 4 and 7, the appeal scheme contributes improvements to the street space and the planting of street trees to the public realm, enhancing the present townscape. The SRF did not expect the appeal site to contribute to public realm as noted earlier.
- 9.11. Considering the shape and size of the appeal site and the levels and the urban qualities of the townscape on Chester Road and Deansgate South, and the close proximity of Deansgate Square and the canalside walk, I do not consider it necessary to add an area of public space which would serve not additional benefit to this urban context.

Visual impacts due to the variation in height relative to Deansgate Quay

- 9.12. As set out at Section 3, and from walking the local context, there is evident contrast in height and in particular around Deansgate Quay which has relationship with the significantly taller Deansgate West tower and 2-4 Chester Road.
- 9.13. Such a contrast in height would not be incongruous to the local townscape as I set out at Sections 6 and 7.

Relationship (overbearing) upon 388 Deansgate Quay, principally outlook and sunlight/daylight

- 9.14. As I set out at Sections 4, 6 and 8 of this evidence, the appeal scheme has demonstrably been designed with regard to the amenity of the adjacent apartments within 388 Deansgate Quay.
- 9.15. With reference to rfr 3 and the Committee Report no sunlight / daylight or outlook issues are alleged sufficient to refuse permission of the appeal scheme.
- 9.16. Concern was raised by Cllr Davies to minimise overlooking and privacy concerns that a significant area of the façade adjacent to 388 Deansgate would have “no windows to length of façade.” This reference is only relevant to the ground floor at the existing wall (With reference to the elevation Proposed section CC Drawing 12345-CW-XX-ZZ-M3-A-XXXX-§1.RVT.); and, as described at Section 4 there are windows to student study room and bedrooms above.

Windows and fire rating

9.17. Reference is made in the representation to the required fire rating of the glazing of the north-eastern elevation adjacent to the boundary 388 Deansgate Quay, to address the potential risk of fire spread between adjacent properties as the appeal scheme would be within 1m of the common boundary. The performance requirements of the Building Regulations 2010 Schedule 1 Part B Fire Safety are appropriately addressed within a note appended to this evidence (**Appendix 5: Fire Safety Engineering - Residential Development Deansgate Manchester – Fusion Students. 18th February 2022**) I from the appellant's consultants - Helios Fire & Construction Consultancy which concludes:

- “• *Where the elevation is within 1000mm of the adjacent boundary the compartment elevation including the glazing will be fire rated from both sides to achieve 120 minutes fire resistance as noted in Approved Document B Section 13.*
- *Where the boundary is in excess of 1000mm a percentage allowance of unprotected area is allowed and has been calculated based on the passive separation and active systems:*

The proposed calculations and the fire safety strategy report satisfies the performance requirements of the Building Regulations 2010 Schedule 1 Part B Fire Safety.

In relation to the composition of the external wall construction this was reviewed as part of the Overview Fire strategy Report and noted that the external surfaces and all through wall systems will be in in accordance with Section 18 of BS9991 and the revised Regulation 7 to The Building Regulations. These statutory guidance documents note that all materials in the external wall make up are required to be Class A2 or better when tested in accordance with BSEN 13501. [Subject to the noted exclusions in The Building Regulations and Regulation 7]

Fusion student however have requested that all of the primary products within the composition of the external wall construction will be to an A1 standard when tested against BSEN 13501; this is in excess of the minimum A2 standard for a building of this height as noted in the Building Regulations.”

10. Summary and Conclusion

10.1. As evident from walking the surrounding streets, the built form is of varied height, scale, massing and design. The appeal site is within an area of change and contrast.

10.2. Of the planned and built tall buildings within the surrounding context, five are at 50 storeys or greater in height. A number of tall buildings form a cluster adjacent to the site: to the south the 37, 44, 50 and 65 storey towers at Deansgate Square; and to the north the 8-21 storey towers at 2-4 Chester Road which define the edge of The Castlefields Conservation Area.

Height scale and massing

10.3. The appeal site is within an area where there are new tall buildings of a significant height. In this context a building at 28 storeys at the appeal site that contrasts in height with its neighbour at 388 Deansgate Quay, would not be intrinsically out of character or harmful to the local townscape.

10.4. The proposed tall building will undoubtedly be a change to the existing streetscene. However, this must be considered in the context of existing and emerging schemes for which no harm to townscape has been identified.

10.5. I conclude that the appeal scheme is well-designed in response to its context and will enhance the local townscape.

Design

10.6. The appeal scheme is a bespoke design that celebrates the prominence of the site, not by being the tallest building in its context, but by design.

10.7. The proportion and scale of the building is considered to relate well to the site and context. It is not considered to be overbearing or unduly prominent in the streetscene. Rather, it appropriately defines the junction of Chester Road and Deansgate South.

10.8. The design of the building is appropriately distinctive. As described at my Section 3 there are a variety of tall buildings within the context of the appeal site, affording some latitude as to what is considered to be an acceptable architectural form, design and material in response to an evolving townscape.

- 10.9. Undertaking an appraisal of the appeal scheme against the criteria set by the NPPF, the National Design Guide (**NDG**) the National Model Design Code (**NMDC**), and supporting Guidance Notes for Design Codes (**GNDC**); I consider that the building would be of high quality.

Material quality

- 10.10. As described by the DAS (CD A5) and set out at Section 7, the materials are referenced from the local and historical context. The quality of the materials is considered to be appropriately high.

Overcrowdedness

- 10.11. Evident from walking the surrounding streets, the close proximity of buildings is part of the character. There is no policy on separation distances
- 10.12. Whilst the 2018 SRF (CD G7) seeks 20m separation distances principally for privacy purposes, recent planning permissions in the SRF area have demonstrated flexibility. There are no issues identified in the rfr relating to privacy, sunlight or daylight.
- 10.13. It is proposed within the 2018 SRF (CD G7), and accepted by the 2017 permission for the appeal site, that the use of the site will be intensified with a building taller than the Deansgate Quay apartments and which is located within 12m of the apartments.
- 10.14. Whilst there will be a building located within 12m of 388 Deansgate Quay, the relationship is not incongruous in the urban context, or harmful upon the amenity of the existing occupants in terms of sunlight and daylight ~~and~~ nor indeed outlook. From an appraisal of the appeal scheme in context at Section 6, there would remain views past the appeal scheme from the adjacent apartments at Deansgate Quay, such that whilst the appeal scheme is close to 388 Deansgate Quay, I don't consider it to be harmfully overcrowding.

Conclusion

- 10.15. This evidence provides a commentary on national and local design policy and guidance, an appraisal of the appeal site context and an assessment of the appeal scheme against the context and issues raised by the reason for refusal. The imperative for seeking to secure 'high quality' design or 'design excellence' is set by the NPPF at Section 12, the National Design

Guide, the National Model Design Code and Guidance and in the context of this appeal, underlined by Local Plan policies SP1, EN1, EN2 and DM1.

- 10.16. The appeal scheme has evolved through an iterative process. It has been prepared by a development team with experience of delivering quality schemes.
- 10.17. The appeal scheme will create an attractive place that respects and enhances local distinctiveness. Views along street spaces will change, but the appeal scheme will be seen as reinforcing/enhancing the emerging character and qualities.
- 10.18. Through an appraisal of the appeal scheme in its context this evidence concludes that whilst the development will of course give rise to change in the street scene and townscape and a relationship to Deansgate Quay, in my view this is not harmful but rather the appeal scheme would have a positive effect for the following reasons:
1. The appeal site benefits from a prominent location for which a well-designed tall building is appropriate.
 2. There is an evident contrast in height and scale within the surrounding context and skyline. From the surrounding streets and riverside spaces one can already see existing tall and large buildings in the context of more diminutive neighbours. A visual 'conflict' in height and scale is patently not incongruous.
 3. There is support for regeneration and tall buildings; which by inference will change street scene and townscape.
 4. This is a distinctive and well-designed building that will enhance the surrounding townscape.
 5. The proposed height has carefully considered the surround tall buildings and appropriately mediates the height and scale across Chester Road and to Deansgate West tower.
 6. Having regard to the images of the scheme, I consider that the proposed buildings will positively add to the skyline and townscape.
- 10.19. In my opinion, the appeal scheme is well-designed and contextually appropriate having regard to its neighbours and townscape. Rfr 2 and 3 are not justified. Whilst the development will of course give rise to change, having appraised the appeal scheme, I do not consider this to be harmful. To the contrary, I believe the appeal scheme would be the right building in the right place. It will enhance the local character, replacing an under used vacant site with a well-designed, prominent building that would form a fitting addition to the local townscape.

Appendix 1: Deansgate South, Manchester Scheme Overview Presentation

**Appendix 2: Appeal Decision (Appeal Ref:
APP/A5270/W/21/3268157 51-56 Manor Road and
53-55 Drayton Green Road, West Ealing, London
W13 0LJ**

Appendix 3: Extract from the Planning and Tall Building Statement provided in support of the application for 2-4 Chester Road

Appendix 4: Supporting DAS to the 34 Great Jackson Street scheme

**Appendix 5: Fire Safety Engineering - Residential
Development Deansgate Manchester – Fusion
Students. 18th February 2022**